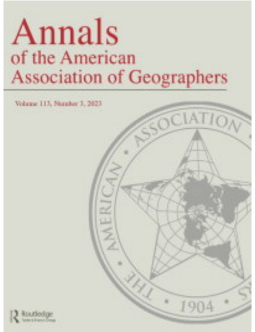

Taylor & Francis
Taylor & Francis Group

Annals of the American Association of Geographers

ISSN: (Print) (Online) Journal homepage: https://www.tandfonline.com/loi/raag21

How Colonialism Makes Its World: Infrastructure and First Nation Debt in Canada

Shiri Pasternak

To cite this article: Shiri Pasternak (2023): How Colonialism Makes Its World: Infrastructure and First Nation Debt in Canada, Annals of the American Association of Geographers, DOI: 10.1080/24694452.2023.2168606

To link to this article: https://doi.org/10.1080/24694452.2023.2168606

Published online: 22 Mar 2023.

How Colonialism Makes Its World: Infrastructure and First Nation Debt in Canada

Shiri Pasternak

Department of Criminology, Toronto Metropolitan University, Canada

The default prevention and management policy (DPMP) is a federal policy that was ostensibly designed to address debt and default in First Nation communities in Canada. The policy works through various levels of external intervention into First Nation finances. According to research findings presented in this article, when First Nations are under the policy a new form of deficit is created rather than improved: Housing stock and water infrastructure becomes much worse off than for First Nations who have never been under the policy. This article puts infrastructure to work as method (Cowen 2020) to explore how intimate geographies of infrastructure and "infrastructure denial" (Curley 2021), such as housing and water systems on reserves, connect socioeconomic policy frameworks with theories of settler colonial dispossession. *Key Words: colonialism, debt, housing, infrastructure, water.*

A critical body of geographic scholarship has focused in recent years on the importance of national infrastructure to the production of colonial space in Canada and the United States (Harris 2004; Chua 2016; Cowen 2018, 2020; Spice 2018; Karuka 2019; Stanley 2019; Curley 2021). Railroads, telegraph lines, hydroelectric dams, nuclear power stations, oil and gas installations, pipelines, and other transportation and energy corridors have all radically reshaped Indigenous territorial authority over land and resources. The role of finance features prominently in this research and analysis, as national infrastructure requires substantial investment, while providing a crucial spatial fix for surplus capital (Harvey 2001; Gilmore 2007; Hudson 2017; Toews 2018). Altogether, the dynamics of state colonization policies, national infrastructure imperatives, and financial architecture have provided an important lens through which to see how capital is put in motion in ways that perpetuate and maintain the violence of colonialism.

The focus within geographic scholarship on national infrastructure, however, has far outweighed the study of more "intimate" forms of infrastructure that can also shed light on the production of colonial space. Navajo geographer Curley (2021) wrote, "To understand how colonialism works across Indigenous lands, we need to focus on the physical, legal, and political factors that are involved in the building and the expansion of national infrastructures; infrastructures that arrive in some places while denied in others" (388). As a corollary to his intervention, in this article, I put infrastructure to work as method (Cowen 2020) to explore how colonialism works beyond the context of national infrastructure to more intimate forms of infrastructure and "infrastructure denial," like housing and water systems on reserves. As prompted by Curley and suggested by Cowen, I "follow the infrastructure" to track how these basic services are built or denied, illuminating the power of fiscal relations to shape colonial space.

The term *intimate* to describe this infrastructure references the work of Indigenous feminists who have maintained this relationship between intimate geographies of life—such as child welfare, labor relations, and gender-based violence—to nation building and land reclamation (McCallum 2014; Hunt 2016; Women's Earth Alliance and Native Youth Sexual Health Network 2016; Daigle et al. 2018; Whetung 2019; Sinclair 2016). De Leeuw and Hunt (2018) wrote about how non-Indigenous scholarship (my own included) can often reflect an "uncoupled or disconnected" (2) approach to decolonization practices that can decenter Indigenous experience and everyday local struggle. This article attempts to "recouple" people's daily experiences with water and housing on "Indian" reserves[1] to its impacts on Indigenous jurisdiction.

Annals of the American Association of Geographers, 0(0) 2023, pp. 1–16 © 2023 by American Association of Geographers
Initial submission, September 2021; revised submissions, April and September 2022; final acceptance, December 2022
Published by Taylor & Francis, LLC.

This article aims to draw attention to finance, colonization, and infrastructure on reserves by focusing on a federal policy designed ostensibly to remediate First Nation debt, called the default prevention and management policy (DPMP). The policy requires First Nations to accept various levels of "intervention" by external accountants into their financial affairs. Hundreds of First Nations have been under the policy over the years, which was formalized in 2001 but likely dates back informally much earlier. This study covers the period from 2008 to 2016, when between 150 and 185—or over one-third—of all First Nation Bands in Canada were placed under this policy.[2]

According to research undertaken in cooperation with a network of journalists, when First Nations were under the DPMP—in particular, under the two highest forms of intervention, comanagement and third-party management—the average number of homes needing major repairs rose 5 and 15 percent, respectively, compared to First Nations who were not under the policy.[3] In terms of water, when First Nations were placed under the DPMP, their chances of ending up under a boil water advisory (BWA) increased by 107 percent and 94 percent, respectively.[4] What we know from this research is that a fiscal policy that was ostensibly designed to remediate debt and restore financial health to First Nation communities created and contributed to severe infrastructure deficit on reserves. How did this happen and why? What new insights into colonialism emerge when we examine this relationship between infrastructure and debt?

One answer is none. In 1995, the Department of Indian Affairs knew from audits that between 1988 and 1993 over a third of First Nations in the country had incurred $537 million in debt (Canadian Press 1995). They also knew that infrastructure played a major role in these defaults. Manitoba bands, in particular, were flagged for owing millions in housing debt. At the time, a member of the Vancouver Aboriginal Friendship Centre (1995) responded to this news: "The answer for indebtedness for Bands is settlement and compensation. Give Bands access to resources and negotiate government to government. Don't teach us how to financially manage our poverty." The relationship between infrastructure and debt is a colonial one, in other words, involving the state's denial of First Nations' access to their historic wealth in land, water, and territory. The solution, therefore, was straightforward, too: political recognition and redress.

If there is new insight in this article linking debt, infrastructure, and colonialism, however, it is one borne of the repetition of this old crisis. Each cycle of state underfunding more profoundly entrenches a system of social and spatial stratification; its cumulative effects are intergenerational and compounding. If we define infrastructure by its "patterning of social form" (Berlant 2016, 393)—the power relations and political decisions of how and why we build stuff—then by following these patterns over time, we can see infrastructure not only as material structure but as the social management of colonial violence in everyday life, as well as the key to its transition.

Methods of "Making Colonialism"

Before we analyze the DPMP, what does it mean to study a policy "out in the world"? In Mitchell's (2009) essay, "How Neoliberalism Makes Its World," the author traced the rise of neoliberalism and the ways it became doctrine through the "distribution of expert knowledge to ordinary members of the population," and through the broad dissemination of think tanks and their "second-hand" dealerships of ideas (386–87). Neoliberalism needed proof of concept, though. A land titling program for the poor in Peru run by the Institute for Liberty and Democracy served this purpose, showing in studies startling and positive correlations between private property rights and poverty alleviation.

What Mitchell uncovered, however, is that the actors involved in the land titling study and those interpreting its results shaped the conclusions reached in the experiment. Mitchell (2009) concluded that there are no natural experiments or "wild" places to test ideas. The world is already "formatted" to "make economics" through political and academic commitments, and through prior experiments "that arrange the sociotechnical world in a way that makes experimentation possible" (409). Likewise, I argue here that Indigenous Services Canada (ISC), the department currently responsible for managing housing and water services on reserves, defines First Nation "debt" as an external object that can be subject to risk assessment and intervention, even though the Department itself is mainly the source of the debt and not an exterior object of study. The DPMP is proof of concept of the need for ISC, even as ISC simultaneously materializes debt on reserves through chronic funding shortages for infrastructure.

Proof of concept is perhaps a surprising way to think about colonialism, but as Hall (1998) wrote, "The hope of every ideology is to naturalize itself out of History into Nature, and thus to become invisible, to operate unconsciously" (8). Colonial ideology must not appear to drive the distribution of resources to Indigenous peoples in a way that is anomalous to the calculations for the general Canadian population regarding the same services. The rationale that justifies poisoned water and busted houses is naturalized as an outcome of First Nation debt and default. Unlike the generalized poverty of a class society, however, the systemic impoverishment of Indigenous peoples in a colonial society is also a relation of land, territory, and resources. Indigenous dispossession must be considered in light of the daily theft of clean water and shelter—and the fiscal relations that enable this dynamic—to see how political stratification is achieved and impelled as natural through infrastructure denial.

This article draws on more than ten years of work on the DPMP through access to information and privacy (ATIP) requests, community-based research and interviews, legal research, policy analysis, and investigative reporting (Pasternak 2014a, 2014b, 2015a, 2015b, 2017a, 2017b, 2017c, 2017d). This research was revived in 2019 when journalist Declan Keogh, working with the Institute for Investigative Journalism (IIJ) based at Concordia University in Montreal, noted correlations between BWAs on reserves and the DPMP and contacted me to discuss his findings. These data sparked a research collaboration that formed part of a national study led by IIJ director Patti Sonntag on water infrastructure in First Nation reserves.[5]

Over the spring and summer of 2021, with research assistance from Ryan Moore, we set up a mixed-method study for further investigation and corroboration of the data. We compiled and indexed my ATIP requests with IIJ's ATIP requests and communicated with ISC to provide a complete list of all Bands under DPMP. For our water research, Moore compiled lists of Bands under BWAs through publicly available information and ATIPs. To study the correlations and impacts of DPMP and housing, investigative journalists and researchers within our network—Patti Sonntag, Emma Wilke, and Robert Houle—correlated the DPMP list from the years 2014 through 2018 with Statistics Canada housing data[6] to determine First Nation housing conditions in relation to DPMP. The preliminary results of this housing research were published by the Yellowhead Institute as part of a major report on First Nations and Crown funding relations (Pasternak 2021; Pasternak and Metallic 2021). A year later, the results of our water and housing research (based on an expanding data set) were published as a news journal article (Sonntag, Pasternak, and Moore 2022). Both data sets are analyzed here for the first time in a scholarly study.

Although we had compelling evidence of correlation between DPMP, water, and housing, understanding causation required First Nations' analysis to identify the relationships between the policy and infrastructure crises on reserve. The next stage of research—presented here—involved reaching out to First Nation communities who appeared on our correlated lists—Bands that had been under both DPMP and BWAs, or Bands under DPMP with deteriorated housing, or Bands that had been under DPMP that showed correlations with both housing and water crises—to find out how and why DPMP affected community infrastructure. In terms of proof of concept, how did ISC create its own *raison d'être* for colonialism through the design and implementation of its debt-on-reserve policy? Moore and I reached out to twenty-nine First Nations and interviewed people from seven communities, and in two cases we interviewed two different people from the same community, which totaled nine in-depth semi-structured interviews. I also spoke to a First Nation specialist on water systems and a First Nation employee at the Canadian Mortgage and Housing Corporation (CMHC) on background.

We were also in possession of a valuable ATIP disclosure from ISC that listed the names of default management consultants from 2014 through 2021 for each First Nation, as well as the regions where they worked. In total, I contacted twelve managers and conducted interviews with five who responded to questions on policy development, implementation, capacity building, and impacts on infrastructure.

Understanding how colonialism makes its world also required digging into the "sociotechnical world" that produces the knowledge of First Nation debt. The first part of this article takes a closer look at the DPMP (and its antecedent policies) and how it regulates First Nation "debt retirement." Next, I examine which forms of knowledge ISC indexes to define debt, examining the funding formulas that underpin the fiscal structure of transfer payments and programs. Following this analysis, I take a closer look at the correlations between housing and water infrastructure deterioration under DPMP, drawing on historical colonial policy, interviews with affected First Nation communities, and conversations with water operators, housing experts, and DPMP advisors to better understand patterns of policy failure to alleviate debt. Finally, I revisit Wolfe's (2006) adage that the structure of colonialism is a "logic of elimination" (388) to connect socioeconomic policy frameworks with theories of settler colonial dispossession, which are often analyzed separately.

Easy Come, Hard to Go: The Default Policy

The debt experienced in First Nation communities today reflects a consistent austerity approach to Indigenous peoples by the government of Canada. Metallic and I (Pasternak and Metallic 2021) outlined this history, highlighting the parsimonious "relief" programs meant to offset hunger from brutal land removal, the inadequate postwar welfare programs that replaced relief, the lack of economic development and land restitution programs required to rebuild Indigenous economies throughout the 1960s and 1970s, and the devolution policies that passed back responsibility to First Nations beginning in the 1980s without the resources to resume governance over programs and services. This long history of permanent austerity is reflected in the bleak statistical rates of mortality and other poverty indicators for First Nations in Canada.

These numbers, however, obscure how this index of poverty is maintained. For most First Nations, federal transfer payments are the main source of reserve income due to histories and ongoing policies of dispossession.[7] Therefore, state funding formulas largely determine the statistical outcomes of Indigenous lives from cradle to grave.[8] What emerges then in First Nation accounts of debt is an entirely different kind of knowledge about the fiscal relationship than demographic studies reveal, one that focuses on the state, rather than on First Nations.

A critical archive of this analysis was made in 2017, when the House of Commons Committee on Indigenous and Northern Affairs (INAN) responded to First Nations' "longstanding grievance" against the DPMP and agreed to study the policy. They heard testimony from thirty-two witnesses (in addition to written submissions), including Norm Odjick, representing the Assembly of First Nations in Quebec-Labrador. He testified how unforeseen costs—like diesel spills, wildfires, and funeral costs—trigger the DPMP, because the transfer payment system requires funds to be directed to specific areas, yet costs exceed allocated amounts (Standing Committee on Indigenous and Northern Affairs [INAN] 2017). Default, then, is often less about debt, and more about crisis accounting.

By far the greatest problem, reiterated frequently at the hearings, was inadequate levels of state funding that led to debt and defaults in the first place. Arlen Dumas, who was at the time the tribal council chief of Swampy Cree Tribal Council, described unchanged funding levels in his community of Mathias Colomb Cree Nation since 1982, despite the population growth from 1,000 to 3,500 members over that same time (INAN 2017; see also Elias, Busby, and Martens 2015). Echoing these remarks, Chief Alex McDougall of Wasagamack First Nation stated that communities were already starting from a disadvantage, "where there is chronic underfunding in all areas of services, capital, programs … you name it. We are starting basically with our hands tied behind our backs and trying to manage financial resources that are not nearly sufficient to meet the needs of the community" (INAN 2017, 10). Chief Casey Ratt of Barriere Lake confirmed these experiences, adding that this impoverishment is systemic and stemmed from the politics of domination, rather than the Band's financial decisions: "Our lands and resources have been dispossessed by Quebec and Canada. Our people live in poverty. We have a high unemployment rate because we have been excluded from the development of our traditional lands" (INAN 2017, 2). According to Ratt, the failure of governments to deal honorably with First Nations is the underlying cause of debt, not financial mismanagement.

The context to these hearings was the decades of complaint against the ineffective and obscurant nature of the DPMP that is ostensibly meant to address First Nation poverty. In effect, the DPMP is an escalating, three-phase intervention that empowers the Minister of Indigenous Services (ISC) to place a First Nation (or a cluster of First Nations, represented by a Tribal Council) into a kind of receivership or oversight triage when they are found to be in financial default. The three phases of intervention are recipient management, when the First Nation must produce a remedial plan; comanagement (sometimes referred to as a recipient-appointed advisor), when the First Nation must work with a comanager to develop and implement a remedial plan; and third-party management, when the department appoints a manager to take over the First Nation's financial affairs. Based on the severity of the triggers, the department determines the level of intervention.

A key paradox of intervention, though, is that, given the insufficiency of annual contribution funds, how can First Nations ever generate enough surplus to retire their debt? If essential services like water and housing are endangered in communities, though (as described by Odjick earlier) often First Nation leadership will reallocate funds from more flexible budgets, like education and Band support funds. This move risks violating the terms and conditions of the funding agreement and being placed under the DPMP, as would another trigger, overspending and accumulating debt to achieve the same goal of service maintenance (ISC 2013b). Once First Nations are under the policy, retiring debt becomes a Herculean task, because of the circular nature of the policy: The annual contribution funds are insufficient, which is often how Bands end up under the DPMP in the first place. Therefore, generating surplus requires a terrible kind of discipline.

Several impacts unfold here between the policy and Indigenous jurisdiction. "Governance" is not specifically funded on reserve. Generally, the salaries and expenses of chief and council are allocated out of the Band support funding component, which is a grant component within the funding agreement. Because Band support funding is provided as a grant without allocation conditions, it is often the target of comanagers and third-party managers (M. D'Amato, personal communication, August 4, 2021). Indigenous Management Group (IMG) Manager Lorne Cochrane called this cut to governance "punitive" and demoralizing (personal communication, August 5, 2021).

The next point of contact is indirect because it targets infrastructure, and its impacts can take years to garner public scrutiny, even if the results are felt immediately within communities. As manager Sherry Jimmy (personal communication, August 10, 2021) explained, ISC can permit borrowing of "band-based capital" to repay debt, which can compound crisis in communities. Jimmy witnessed a First Nation under default management advised to retire its debts by drawing off 50 percent of its Band-based capital fund: "It's supposed to cover … operations, maintenance and repair to community buildings and houses, and more. From a risk management perspective, it's supposed to cover insurance. Not anymore." In other words, the debt policy can create invisible, increased long-term forms of risk, danger, and deficit in the form of infrastructure disinvestment. First Nations lose the capacity to protect their citizens.

Finally, the policy undermines Indigenous jurisdiction by virtue of the arbitrary or political nature of DPMP imposition. One DPMP witnessed a new chief and council attending an orientation by ISC when the funding service officer (FSO) officer presented their contribution agreement. "You need to sign it today," they were told. The chief and council responded that they would like to take some time to review it and undertake due diligence. The FSO responded, "That would be perfectly fine. But you won't have any money April 1" (S. Jimmy, personal communication, August 10, 2021). The FSO explained that the Band instead would have to rely for months on independent revenue, or else be assigned a third-party manager. The Band signed under duress. Other First Nations have shared similar stories of coercion. For example, Barriere Lake were repeatedly threatened with a third-party manager for their campaign to protect their customary government system (Pasternak 2017a), and other stories of political pressure abound, with devastating impacts, like high unemployment, suicide epidemics, and devastated infrastructure, once a third-party manager is imposed (Pasternak 2017b).

It is important to note here that the origins of the policy and its intent are unknown and difficult to trace. ISC was unable to answer these questions when requested by e-mail. The policy basis for DPMP likely lies in the Financial Policies and Procedures Manual published by ISC, which draws its authority from the Treasury Board of Canada.[9] The policy itself has no independent basis in law, as demonstrated in the proceedings of a case where a panel of federal judges stated, "The Policy is not, of course, binding in and by itself" (Choken v. Lake St. Martin Indian Band 2004). Instead, policymakers have interpretated the financial rules in ways that have evolved over time and a pattern of criticism has defined its history of reform. For example, the early third-party management policy came under fire in 2003 by the Attorney General of Canada (AGC) for concerns surrounding its effectiveness, implementation, and lack of government oversight, prompting the 2006 reforms (AGC 2006). These criticisms persisted, however, leading to further reforms and new iterations, including the most recent DPMP (Evaluation, Performance, and Measurement and Review Committee [EPRMC] 2011).

From the perspective of First Nations, the policy is punitive and Kafkaesque, especially the highest level of intervention, third-party management. For instance, the rules for debt retirement at one time dictated that surplus accrued through spending cuts cannot be used immediately to pay down debts.[10] In interviews with DPMP managers, I asked them to make sense of this apparent contradiction. In response, Lorne Cochrane replied (personal communication, August 5, 2021), "There's no incentive, or directive. All surplus goes back to INAC [Indian and Northern Affaire Canada[11]], and into consolidated revenue, and nobody benefits but Canada." Another manager was never given any direction at all by the Department on how to retire debt: "There are rules but … they're kind of unwritten rules" (J. Wallace, personal communication, September 3, 2021). Meanwhile, the impacts of these debt retirement rules on infrastructure would soon be made clear.

The Patterns of Infrastructure Funding

The DPMP is deeply flawed, but it relates to a deeper structure of fiscal architecture. First Nation debt is indexed to a vast labyrinth of program and service funding. When First Nation leaders testified at Parliament to the decades of wealth appropriation from their lands and the meager funding programs meant to replace their former economies, they were scratching the surface of how Byzantine the funding and accounting systems work to manage this theft. As the final INAN report on DPMP observed, "First Nations are subject to significant financial reporting requirements, and as such, require skills to effectively manage multiple funding sources that are well beyond the skills necessary in other sectors" (INAN 2017, 5; see also AGC 2002; Evans 2018).

This complexity includes infrastructure funding, most of which is funneled to First Nations through contribution funding agreements—the core funding contracts of various kinds signed between First Nations and the Department (Metallic 2018). This baseline funding is augmented through a range of programs (e.g., proposal-based First Nation Infrastructure Fund), and each contract, grant, and program relies on risk assessment, political will, and accounting methods to determine the budget expenses allowable for each line of costs.[12] The funding formulas for infrastructure provide important clues for how colonialism makes its world.

To begin, the policy of default management defines debt as a year-over-year sum, but infrastructure has a multiyear life cycle and maintenance costs. As noted, when First Nations make up the shortfall in infrastructure funding, they end up in "deficit spending" to ensure people have safe shelter through the winter and access to clean water (Thompson 2007). A key aspect of this structural crisis is operations and maintenance (O&M) funding. O&M covers the servicing costs of community infrastructure and was described to me by accountants and water operators as far more obscure, discretionary, and negotiation-based than is the case for core infrastructure funding (M. D'Amato, personal communication, August 4, 2021; Hassler 2021; S. Jimmy, personal communication, August 10, 2021). On average, O&M funding covers from 20 to 100 percent of actual costs (Ontario First Nations Technical Services Corporation [OFNTS] 2018), so without other sources of revenue, First Nations must find the money elsewhere.[13] If they cannot, this gap becomes a key source of indebtedness on reserve.

When OFNTS undertook a comprehensive evaluation of the O&M budget in First Nation transfer agreements a few years ago, they identified two major problems with the funding: a lack of increase to the budget despite increases to the costs of O&M over time, and a funding formula methodology based on "flawed and dated calculations which do not compare to other data sources employed for off-reserve O&M calculations" (OFNTS 2018, 4). When First Nations cannot supplement the O&M budget, OFNTS concluded, "the O&M simply does not occur" (4). The longer repairs lag, the greater the damage incurred to the infrastructure, and the more costly be the eventual fix.

The nuts and bolts of infrastructure funding formulas are found in the Capital Facilities and Maintenance (CFM) Program. The CFM Program funds infrastructure through three separate envelopes of funding: major capital, minor capital, and O&M.[14] Overall, 53 percent of First Nation CFM funding is formula-based and is distributed as core funding to First Nations. The other 47 percent is proposal-based (Indian and Northern Affairs Canada [INAC] 2015). First Nations are expected to develop five-year capital plans called First Nations Infrastructure and Investment Plans that identify major and minor infrastructure needs, and outline First Nation priorities for growth, development, and upgrades (INAC 2015). As Norma Girard, band councilor of Northwest Angle #33 First Nation explained, "That is essentially your infrastructure bible to be able to get the funding for those types of projects. If it's not identified in your Capital Planning study, there's very little chance that [ISC] will fund that project" (personal communication, August 6, 2021). For minor and major capital infrastructure, proposal-based funding is a competition First Nations must enter to supplement transfer payments.

These funding formulas for capital projects can run into the same problems as O&M funding formulas, however. DPMP accountant Lorne Cochrane (personal communication, August 5, 2021) critiqued the "remoteness" index that counts the number of kilometers away a reserve is from the nearest major hub to set price indexes for costs of living. He pointed out that kilometers on ice roads are not the same as kilometers on the 401, Ontario's major highway system. For example, he recounted that in 1997, there was a severe weather change in northern Manitoba. Within a week, the ice road disappeared, followed by a massive flood. Local communities had to fly in all supplies and essential services to places dependent on winter roads, which cost around $14 million.[15]

The problems with the funding formulas are not merely miscalculations. The Department of Indian and Northern Affairs Canada (previously INAC, now ISC) has been aware of problems with infrastructure funding to First Nations for decades. Issues raised in departmental evaluations fifteen years ago remain unresolved. In 2007, an INAC report found that the INAC Cost Reference Manual—the key cost index—provides no "bridge" between updates and original methods, despite providing likely inaccurate formulas and producing figures that do not reflect "regional market conditions" (INAC 2007, 8). An internal INAC audit noted these same discrepancies in 2009, citing First Nation infrastructure formulas' basis "on dated reference levels" (INAC 2007, 18). Although there have been updates to overall funding figures, based on an escalator applied to some programs,[16] this change has not addressed the core problem of inaccurate funding formulas (S. Jimmy, personal communication, August 10, 2021).

In Debt to Water

Walter Oskineegish is the Band Manager at Nibinamik First Nation (Summer Beaver), located around 500 kilometers north of Thunder Bay, a city on the north shore of Lake Superior. The Band was placed under default management in 1997 after their storage tank erupted when a trucker was transferring fuel. Around 200,000 liters of diesel fuel spilled into the ground and the Band did not have the money for the cleanup. Oskineegish (personal communication, August 6, 2021) said they were closely monitored after that spill by default managers. Matters became worse when a massive wildfire burned down most of the standing timber around the reserve. They once were builders, with a horse and a mill on reserve, but Nibinamik lost those in the fire, too. Under the default policy they could not obtain loan guarantees for housing, and they could not replace the mill, so no housing got built for years, worsening the infrastructure crisis.

A water treatment plant was also built in Nibinamik in the late 1990s. Yet, the community has been in and out of BWAs since 2013. According to Oskineegish (personal communication, August 6, 2021), there were internal problems with plant management, but also an underlying problem that they could not resolve: "Things cost, when we ask for something, it costs something, and we don't have money for it." Compounding this need for repairs is the collapsing energy infrastructure necessary to run the treatment plant. After nearly fifteen years, the generator is breaking down, and although the community is accessing maintenance funds for repair, the machinery needs to be replaced. The intertwined infrastructure needs and denials on reserve quickly translate to compounding incapacity and rapid household deterioration.

These core infrastructure crises often end up with the DPMP exacerbating the problems. Deon Hassler, circuit rider trainer for File Hills Qu'Appelle Tribal Council, services eleven First Nation communities in Saskatchewan, Treaty 4 territory. Circuit riders operate First Nation drinking water and wastewater systems. When asked what he thought the correlations were between DPMP and BWAs, he replied without hesitation, "The biggest reason we have boil water advisories is because we don't pay water operators enough money" (personal communication, August 19, 2021). He continued, "It starts with O&M funding. Not enough is covered by that budget so Bands have to top it up. It's tough to do because they don't have extra money to spend." Sometimes, the funds are even available from ISC, he says, but Bands cannot access them because the process is so opaque. The water "crisis," he believed, can be a predictable outcome of debt.

This debt appears to trigger an even deeper water crisis on reserves, because of the federal default management policy, as the high rates of BWA–DPMP correlations noted earlier indicate.[17] The water crisis is a funding crisis, as the well-documented history of poor water policy on reserves has shown (Chapeskie 1994; AGC 2005), and as the recent class action lawsuit against Canada by First Nations under long-term BWAs, states: "Canada knew, or should have known, that First Nations lacked the resources to maintain, let alone remedy, their deficient water systems. Canada further undermined First Nations by consistently underfunding the maintenance and operation of water systems on First Nation Lands, despite the fact that the First Nations were unable to meet the shortfall" (*Tataskweyak Cree Nation* 2019). Without adequate funds, Bands cannot maintain infrastructure, and once in default, the debt financing and retirement policies create greater strain on infrastructure function and maintenance.

The impacts of state failure to adequately fund water are significant on people's health and well-being. For instance, a decade and a half ago in Pikangikum First Nation, a northern Ontario Ojibwe community of 2,300, 95 percent of homes lacked running water and indoor plumbing, creating a wave of related sicknesses (Boyd 2011). A report found a "prevalence of gastrointestinal infections, skin infections, lice infestations, urinary tract infections and eye/ear infections" that "could be attributed to the lack of an adequate and safe water supply system" (Northwestern Health Unit 2006, 9). Yet, Pikangikum was put under third-party management and it would take ten more years for the Ontario Superior Court to finally declare that the TPM imposition was "extraordinary, both politically and procedurally" (*Pikangikum First Nation v. Nault* 2012, para. 58, cited in Chambers 2017, 296). In the intervening years, the First Nation fought and refused third-party management, resulting in a succession of legal proceedings and the increasing ire of the Minister of Indian Affairs. Then, a power failure at the water treatment plant led to water contamination, on top of water access issues. Pikangikum took bids for the necessary water and sewage work and the generator overhaul, but Minister Robert Nault refused to sign the paperwork to release the funding. With no immediate funds provided by Canada to avert the crisis, a state of emergency had to be called by the Band (Chambers 2017; see also McCullough and Farahbakhsh 2012). The chaos this crisis created also led to major turnovers in the local Band council.

In Attawapiskat, water and sewer lines connected everyone on the Attawapiskat First Nation reserve to a plant for the first time in the 1990s.[18] By 2000, however, water samples from community tap water showed contamination with coliform and E. coli bacteria (Abbate 2000). The Mushkegowuk Cree community was put under a BWA and could no longer use water from their taps. They drew water from the river and melted ice in the winter for drinking and washing. Twenty-one years later, they rely on two reverse-osmosis mobile water dispensaries for 2,500 people to refill gallon jugs they must load and lug home.

Attawapiskat has had sixteen short-term BWAs between 2016 and 2021,[19] yet they still cannot access funding to fix the treatment plant. In July 2019, a state of emergency was called regarding the water quality. Residents were warned not to cook with tap water, bathe in it, or even inhale its vapors. They had still never drunk from the taps (Sutherland 2020). Behind the state of emergency, though, was a deeper problem.

Attawapiskat has been in and out of debt for at least a decade, simultaneously experiencing extreme water and housing crises. In 2013, the community declared a national emergency due to a shortage of housing that forced community members to live in unheated sheds and tents in −15 to −20 °C weather (Stastna 2011). Like the case of Pikangikum, instead of providing funding, the federal government placed Attawapiskat under third-party management. The decision was revoked, as well, through a judicial review. The judge concluded that the minister used the third-party management policy without consideration for "more reasonable, more responsive or less invasive remedies available" (Fitzpatrick 2012).

The debt–infrastructure cycle appears interminable. Drinking water and wastewater systems on reserves require far greater investment than current funding dollars available. The 2022 federal budget includes $1.04 billion through the Indigenous Community Infrastructure Fund and $247 million to ISC over two years to support water and wastewater systems on reserve (Government of Canada 2022), but this funding represents the needs of First Nations from over a decade ago (Aboriginal Affairs and Northern Development Canada 2011).

Housing Debt

Unlike other forms of poverty in society, the system of debt on reserves is almost an entirely closed system, a kind of economic terrarium of state policy, as seen in the case of housing. In 2021, Delphine[20] was trying to secure housing on the reserve of the Barriere Lake Algonquins in Quebec's boreal region. Her fourth child was born with lung and heart problems, so she was forced to move to Montreal to receive medical care for the baby. He was hospitalized for eight months, but they stayed in the city for much longer because of a lack of available housing at Rapid Lake, the reserve. Her only option was to live with her father, whose house contains mold that is dangerous for her recovering baby (Delphine, personal communication, August 30, 2021).

The shortage of housing at Rapid Lake is a collective problem faced by the community and by First Nations across the country. Ninety-nine percent of loans to First Nations for housing are secured through the CMHC), specifically, through the Section 95 On-Reserve Non-Profit Housing Program. Under Section 95, First Nations can access loans through the Direct Lending program to finance the construction, purchase, or rehabilitation of homes; then, to cover the costs of the rental (or mortgage) they can also apply for a housing subsidy. Federal funding available to First Nations to build housing, however, covers only a fraction of actual need. For example, in 2013, CMHC committed to only 546 units of housing being built, despite a housing shortage estimated to be between 35,000 and 85,000 units (Senate Standing Committee on Aboriginal Peoples [SSCAP] 2015, 28).

DPMP then makes things worse. First, First Nations require Ministerial Loan Guarantees (MLG) to access funding for new homes, yet Bands under third-party management are not eligible to obtain them (Treasury Board of Canada 2008). The average time spent under third-party management is a decade, preventing the construction and renovation of homes for years.[21] Second, the Section 95 program itself has been partially blamed for communities landing under the intervention policy. The housing program is run in partnership between CMHC and ISC, where ISC is the lead at providing risk profiles for Section 95 loans to communities, which is incorporated into the ranking process of First Nation applicants according to need. ISC first vets applicants for MLG eligibility, then assesses qualified First Nations based on a ratio of two criteria: housing density and housing disrepair (F. Horn, personal communication, August 13, 2021). First Nations with a higher percentage of housing need and greater percentage of housing disrepair move to the top of the list, as former CMHC employee Frank Horn told me (personal communication, August 13, 2021). Then, CMHC conducts their own internal assessment. In policy reviews, though, this formula was found to be grossly uneven in application across regions. Some regional formulas have not been updated since the 1990s and others are using single-index indicators for complex calculations (INAC 2016).

In 2010, INAC hired KPMG to undertake a review to examine, among other things, "To what extent has MLG defaults and arrears contributed to a First Nation being placed in Third-Party Management or Co-Management?" (9). Over half the First Nations and INAC employees that auditors spoke to reported knowledge of First Nations under intervention due to financial difficulties of loan repayment for housing. Many First Nations reported that they had traded one problem—insufficient housing—for another—unmanageable debt (INAC 2010, 35; see also AGC 2008; Assembly of First

Nations [AFN] 2005). Despite these findings, KPMG auditors stated that there is "little evidence" to suggest a link between DPMP and MLGs (INAC 2010, 38). Instead, the auditors attributed long-term debt to "anecdotal evidence" that "management decisions" are at fault for operating deficits and cumulative debts (INAC 2010, 38).

Taking a closer look at "management decisions," studies show that Band leadership might be reluctant to charge rent in communities experiencing poverty and unemployment (SSCAP 2015, 27). Prior to 1996–1997, an insufficient subsidy led to a high level of mortgage default (CMHC 2017). At Gull Bay, for example, default on their MLG put the Band under third-party management, under which they could no longer access housing loans. By the time they came out of third-party management, many homes had to be torn down due to lack of maintenance, costing the community far more to build new homes than maintain their stock. As Chief Wilfred King explained, the MLG was also accruing interest, turning the original \$2 million debt into an \$11 million debt (W. King, personal communication, September 28, 2021). Even with an 89 percent state subsidy for mortgages on reserve today, 11 percent can be difficult to collect for some communities. Therefore, Bands struggle to accrue "replacement funds" meant to be put aside from these rents and mortgages, to save for capital repairs. CMHC (2017) reported that for 75 percent of Bands, these funds are nonexistent, so Bands use other O&M and capital funds to cover the loan payments (F. Horn, personal communication, August 13, 2021). Bands are also on the hook for any changes to the price of construction materials, triggering DPMP (L. Cochrane, personal communication, August 5, 2021).

Once under DPMP, the impact on community housing stock is profound, creating another cycle of debt. When First Nations are under the DPMP—in particular, under the two highest forms of intervention, comanagement and third-party management—the average number of homes needing major repairs rose 5 and 15 percent, respectively, compared to First Nations who were not under the policy.[22] We also found that there is no difference in the age of housing stock between communities that are under DPMP versus those that are not under it, which shows these communities are experiencing a significant deterioration of existing infrastructure and that the lack of maintenance (and likely lack of new construction under third-party management) is the cause.

The costs of these funding shortfalls have ripple effects within families and can be particularly severe for women and children. Delphine explained that men usually kept the homes when families split up in Rapid Lake. With overcrowding at an average rate of fifteen people per two-bedroom house, social issues quickly escalate into deeper crises. Barriere Lake Chief Tony Wawatie described the constant involvement of child welfare services due to the housing shortage (personal communication, September 1, 2021). He said the Band must repeatedly explain to the agency that there is nowhere else for parents to go but to live in these conditions, because no new housing had been built in the community since 1995. Delphine reported concern about child welfare getting involved if she could not find safe housing by winter (personal communication, August 30, 2021).

By all measures available for this analysis, communities under the DPMP are found to be experiencing more challenges, including more crowded housing (with increases of 75 and 64 percent, respectively)[23] and homes in poorer repair. In the case of both housing and water systems, infrastructure funding reveals a much wider structure of debt in First Nation communities and greater impacts on home life. Reproductive care, as seen with Delphine, is compromised and endangered by inadequate housing. More broadly, reports show that a lack of housing is used to justify higher rates of child apprehension in First Nation communities than for other women (Ontario Human Rights Commission 2008). Waterborne illnesses have also affected families caring for children who suffer from rashes, gastrointestinal issues, birth defects, and even death (Goldfinger 2021). These infrastructures of life—water for drinking, cleaning, and bathing, and shelter—are denied by the state within the framework of debt servicing and budget constraints.

The Power of Debt

The default management job is mercenary by design. Third-party management, especially, is private, lucrative work delegated by the state to implement crushing fiscal discipline on First Nation reserves. Many default managers with whom I spoke endorsed this description, although not all. Some attempted to leverage their positions to challenge the policy frameworks or reduce the harm conferred in the policy.

Although the government has committed to phasing out third-party management, the damage from decades of imposition is likely still being felt by communities. In 2003, the AGC found no indication that INAC assessed the managers' performance and there was no monitoring of whether managers visited the community, as required. Therefore, unsurprisingly, the AGC found no meaningful exit strategies once communities were placed under third-party management. Five years later, an internal INAC (2008, vii) report showed that 42 percent of Bands under intervention as of March 2010 had been stuck there for ten or more years. The policy itself also appears to have added to First Nations' debt burden. Until 2017–2018,[24] First Nations paid managers out of Band support funds—monies meant for governance and administration (Beaudoin 2017; INAC 2008). In 2003, DPMP accountants were making between $195,000 and $312,000 per year with total managers' salaries amounting to around $50 million per year (AGC 2003). By 2017, those salaries had climbed into a range of $141,000 to $423,826 per year (House of Commons 2016). By rough estimates, this amounts to approximately a half-billion dollars paid out over fifteen years by some of the poorest First Nations in Canada to private accountants hired by ISC.

Recent changes to the policy include the requirement of an accountability framework in the form of Management Action Plans (MAPs), developed between the manager and the First Nation (ISC 2013a, 2013b). Skilled financial officers do not appear to be verifying or closely monitoring these MAPs, however. As Sherry Jimmy (personal communication, August 10, 2021) explained, "Some of these reporting requirements under DPMP are just checking off the boxes or feeding the ISC paper machine." Mark D'Amato, who worked as a manager for dozens of Bands across the country, concurred: "The way the system works is you fill in your reports, and you send it in, you feed the monster and then the computer digests it" (personal communication, August 18, 2021). On the other hand, the recent policy focus on capacity development has supported community needs for experienced managers to run complicated programs and direct grant applications, according to Chief of Northwest Angle Darlene Comegan (personal communication, August 19, 2021). So long as the laboriously complex reporting system remains in place, there will be a role to play for financial managers.

Conclusion

Infrastructure, debt, and colonialism on First Nations reserves is part of a large pattern of global imperialism that operates through the cudgel of economic dependency. Getachew (2019), for example, showed how austerity and structural adjustment programs were made possible because of the debt load of newly decolonized countries. "Structural adjustment" programs led by the World Bank and International Monetary Fund deepened third-world entanglement in global capitalism and therefore strangled the possibilities for self-determination in anticolonial states.

Within settler colonies like Canada, debt also acts like a structural adjustment program, winding Indigenous economic dependency on the state more and more tightly around the axis of market participation. As Chief King stated, what is most insidious about third-party management is that "you didn't only lose financial control, you lost political control as well" (personal communication, September 9, 2021). From the early days of colonialism, debt has been a tool and a weapon of colonial control. In the nineteenth century, cash reluctance was cover for keeping Native trappers indentured within a system of extended credit and trade, where close monitoring by traders of Indigenous wealth was ensured while enabling the growth of commercial markets and colonial expansion (Gettler 2020).

Debt, however, has no magical transhistorical property that imbues it with colonial power. Whereas once it secured Indigenous alliance to an economic system of trade, today it is a highly rationalized system of fiscal accountability that governs reserve life. In Wolfe's (2006) famous and widely authoritative formulation, "settler colonialism is a structure, not an event" (388), he urged us to think beyond colonialism as a historical artifact and toward a social order that embodies—in multiple ways—a logic of Native elimination. Today, First Nation debt is produced in a highly sophisticated fiscal system that can rationalize the most brutal forms of austerity through the language of accountability.

Therefore, First Nation debt must be situated within the politics of dispossession, to relink socioeconomic issues—and its intimate geographies—with struggles over Indigenous jurisdiction.

As for how colonialism makes its world, proof of concept for colonialism is often poverty, represented by crumbling infrastructure and the social reproductive crisis it engenders, including its intergenerational and compounding impacts over time. Debt is not an external object to state power, but the living embodiment of colonial violence. In the land struggle of Canada, infrastructure can help trace the production of space on reserves that links directly to critical theories of dispossession. The slow and steady gradual removal of livable homes and communities through infrastructural denial is an attempt to destroy the economic and reproductive base for First Nation self-determination.

Acknowledgments

Thanks to journalists Patti Sonntag and Ryan Moore for shepherding this research alongside me and helping to shape a decade of data collection into an important story.

Notes

1. This compound phrase describes the formal and legal designation of state-recognized space for First Nations in Canada. It embodies both the invention of the "Indian" by colonial authorities, as defined in the Indian Act (1985), as well as the invention of the reserve, also regulated by the Indian Act.
2. The data on Bands under DPMP and related intervention policies comes from access to information requests. Some of these files include A-2016-01115, A-2015-00511, A-2015-01156, A-2018-00043, 2021 03 10 ISC request A-2019-00452, A-2018-00079_2018-08-07_15-31-23, ISC-A-2020-00053, and 2021 02 23 ISC-2019-00452. The entire data set included 547 First Nations.
3. Data analysis by Patti Sonntag showed that First Nations with no DPMP had average rates of 36 percent of homes needing major repairs in 2006. This figure improved marginally by 2016, decreasing to 33 percent. Under comanagement, the percentage of houses needing major repair in 2006 was 45 percent and this number increased to 49 percent in 2016. For First Nations under third-party management, the percentage of houses needing major repairs in 2006 was also 45 percent but it rose to 60 percent by 2016. Data on DPMP came from ATIPs listed in note 2, with housing statistics provided by Statistics Canada for 2006 and 2016.
4. Data analysis by Patti Sonntag showed that when First Nations managed their own finances without DPMP, 14.2 percent were under BWAs. When First Nations were under comanagement and third-party management, respectively, the average percentage of First Nations experiencing a long-term BWA increased to 29.4 and 27.6 percent. Data for this research were provided by ISC and Statistics Canada.
5. IIJ and Yellowhead Institute, where I was research director, signed a partnership agreement to work together on this research. Special thanks to Patti Sonntag, Martha Troian, and Karyn Pugliese for initial conversations, support, and leads on the topic.
6. See Housing Highlight Tables, Statistics Canada, Dwelling condition by housing tenure, % change 2011 to 2016, major repairs needed, Canada, provinces and territories, 2011 and 2016 censuses—25% Sample Data, available at https://tinyurl.com/yevnwd6x.
7. Most funding to Bands and groups are federal transfer payments, but also land claim settlements, self-government agreements, their own source revenue, and a handful of other sources. According to INAC, from 2011 through 2015, the majority of 550 First Nations and Tribal Councils were under "fixed" funding that renewed on an annual basis (ATIP AI-2014-01082 / PS: Funding Information for First Nations). I could not obtain an updated list from ISC, but the situation has likely shifted with the 2018 introduction of ten-year funding agreements.
8. If a Band has access to its own source revenue (OSR), it appears to increase their ability to retire debt. Although this subject requires its own study, OSR is income derived from for-profit ventures or revenue-sharing partnerships with industry and government. OSR can support debt retirement, but it can also keep Bands out of debt, as Norma Girard, Band councillor of Northwest Angle (NWA), explained. For example, Casino Rama funding (distributed to all Ontario First Nations by Rama First Nation) was how NWA covered a shortfall in infrastructure and education funding, saving them from third-party management imposition. It is important to note that only 19 percent of Bands have access to revenue sources on reserve, with noticeable differences in access to OSR according to the size of the First Nation and proximity to revenue activities (First Nations Financial Management Board 2020).
9. The ISC Web site states that DPMP dates to 2011, but accounts of third-party management go back much further, to at least 2001 (Aboriginal Affairs and Northern Development Canada 2011; ISC 2013a, 2013b; Directive 210: Third Party Funding Agreement Management, accessed March 24, 2021, https://www.sac-isc.gc.ca/DAM/DAM-ISC-SAC/DAM-CORP/STAGING/texte-text/tpf_1325169634832_eng.pdf). The earliest reference to default management dates to the Intervention Policy

introduced in 2001 (AGC 2003), followed by the National Third Party Managers Policy, introduced in April 2003 (AGC 2003). In 2006, the Intervention Policy was introduced (renamed Funding Arrangements: Intervention Policy in 2008), consolidating previous intervention policies. A Companion Initiative was introduced alongside it, to develop the capacity of recipients under intervention (INAC 2007), followed in June 2011 by the Default Prevention and Management Policy, in which the capacity development was now embedded. The Directive on Third Party Funding Agreement Management was also released in 2011 with the introduction of the DPMP.

10. Debt reduction plans have tended to reallocate 10 percent of "revenues" targeted toward debt repayment (AGC 2003) and managers were initially instructed to deposit these "surpluses" into the Minister's account and not to creditors (*Choken v. Lake St. Martin Indian Band* 2005). Today, Band funds are held by a bank and the account is controlled by the manager.
11. The name of this department changes frequently. Until 2011, it was Indian and Northern Affairs Canada (INAC), and then it became Aboriginal and Northern Affairs Canada (AANDC), before becoming INAC again, this time Indigenous and Northern Affairs Canada in 2015. In 2017, it split into two departments: Indigenous Services Canada (ISC) and Crown Indigenous Relations (CIR). Most people still refer to both departments as INAC.
12. For example, read McAuliffe's (2021) work on the General Assessment Tool.
13. Full coverage of infrastructure costs (100 percent) is limited to educational facilities. But according to OFNTS (2018), even this figure is based on INAC assessment of need, not actual costs.
14. Major capital represents around 26 percent of the infrastructure budget and funds major construction or repairs. Minor capital represents around 38 percent of the budget and funds minor repairs, renovations, and upgrades.
15. See also AFN (2018) for a critique of the remoteness index.
16. For example, the ten-year funding grant, starting 1 April 2020, promised in the budget that, "funding for core programs and services provided through the 10-Year Grants" should be escalated annually to "address key cost drivers including inflation and population growth" (Government of Canada 2019).
17. See note 4.
18. A water treatment plant was built by the government in the late 1970s for use by the non-Indigenous teaching staff at school and non-Indigenous medical and nursing staff at the clinic.
19. ISC 2018, Short-term boil water advisories for First Nations in Ontario from 2014 to present day (retrieved via the Access to Information and Privacy Act).
20. This is an alias to protect the identity of informant, as required by Quebec law under the Youth Protection Act (see https://www.legisquebec.gouv.qc.ca/en/document/cs/p-34.1).
21. These data are based on calculations made using ATIPs on DPMP listed in note 3.
22. These data are based on calculations made using ATIPs on DPMP listed in note 4.
23. These data are based on calculations from only the StatCan data from 2016.
24. In 2017–2018, INAC suspended requirements that Bands pay DPMP consultants out of their Band funds and began to allocate funding in contribution agreements to cover DPMP costs. The policy has still not been updated to reflect this political announcement, however. An announcement was expected in the fall of 2022.

References

Abbate, G. 2000. Natives want voice at Walkerton probe. *The Globe and Mail*, September 5. Accessed December 21, 2022. https://www.theglobeandmail.com/news/national/natives-want-voice-at-walkerton-probe/article18425655/.Aboriginal Affairs and Northern Development Canada. 2011. National assessment of First Nations water and wastewater systems–National roll-up report. Aboriginal Affairs and Northern Development Canada, Ottawa, ON, Canada.

Assembly of First Nations (AFN). 2005. *Assembly of First Nations housing action plan*. Ottawa, ON, Canada: Assembly of First Nations.

Assembly of First Nations (AFN). 2018. Remoteness indicators and First Nation education funding. Report prepared by Moazzami Economic Consultants, Inc., Ottawa, ON, Canada.

Assembly of First Nations (AFN). 2019. The new fiscal relationship transfer. Assembly of First Nations, Ottawa, ON, Canada.

Attorney General of Canada (AGC). 2002. Report of the Auditor General of Canada to the House of Commons. Office of the Auditor General of Canada, Ottawa, ON, Canada.

Attorney General of Canada (AGC). 2003. Report of the Auditor General of Canada to the House of Commons. Office of the Auditor General of Canada, Ottawa, ON, Canada.

Attorney General of Canada (AGC). 2005. Report of the Auditor General of Canada to the House of Commons. Office of the Auditor General of Canada, Ottawa, ON, Canada.

Attorney General of Canada (AGC). 2006. Report of the Auditor General of Canada to the House of Commons. Office of the Auditor General of Canada, Ottawa, ON, Canada.

Attorney General of Canada (AGC). 2008. Report of the Auditor General of Canada to the House of Commons. Office of the Auditor General of Canada, Ottawa, ON, Canada.

Beaudoin, S. 2017. Canada, Parliament, House of Commons, Standing Committee on Indigenous and Northern Affairs. Minutes of Proceedings and Evidence, 42nd Parliament, 1st Session, March 9.

Berlant, L. 2016. The commons: Infrastructures for troubling times. *Environment and Planning D: Society and Space* 34 (3):393–419. doi: 10.1177/0263775816645989.

Boyd, D. R. 2011. No taps, no toilets: First Nations and the constitutional right to water in Canada. *McGill Law Journal* 57 (1):81–134. doi: 10.7202/1006419ar.

Canadian Mortgage and Housing Corporation (CMHC). 2017. Final report: Review of CMHC's on-reserve non-profit housing program (Section 95). Prepared for CMHC by KPMG, Ottawa, ON, Canada.

Canadian Press. 1995. Indian Bands fall into debt, audit says. *Globe and Mail,* January 24.

Chambers, L. 2017. Boil-water advisories and federal (in)action: The politics of potable water in Pikangikum First Nation. *Journal of Canadian Studies/Revue D'études Canadiennes* 51 (2):289–310. doi: 10.3138/jcs.2016-0004.r2.

Chapeskie, A. 1994. Pizaaniziwin: *"Living a Life in Balance and Moderation": The economy of the Obishikokaang (Lac Seul) Anishinaabeg, Giigaagaashgitoomin Kehonjebimaachi-Itizoyung. We Have the Ability to Make our Livelihood.* Report presented to the Royal Commission on Aboriginal Peoples by: The Lac Seul First Nation, Lac Seul First Nation Research Team, October.

Choken v. Lake St. Martin Indian Band. 2004. FCA 248 (CanLII), [2005] 1 FCR 69.

Chua, C. 2016. The container: Stacking, packing, and moving the world. The Funambulist, 6 (July–August). Accessed December 22, 2022. https://thefunambulist.net/shop/object-politics.

Cowen, D. 2018. The jurisdiction of infrastructure: Circulation and Canadian settler colonialism. *The Funambulist,* 17 (May 3). Accessed December 22, 2022. https://thefunambulist.net/magazine/17-weaponized-infrastructure/jurisdiction-infrastructure-circulation-canadian-settler-colonialism-deborah-cowen.

Cowen, D. 2020. Following the infrastructure of empire: Notes on cities, settler colonialism, and method. *Urban Geography* 41 (4):469–86. doi: 10.1080/02723638.2019.1677990.

Curley, A. 2021. Infrastructures as colonial beachheads: The Central Arizona Project and the taking of Navajo resources. *Environment and Planning D: Society and Space* 39 (3):387–404. doi: 10.1177/0263775821991537.

Daigle, M., L. Naylor, M. Daigle, S. Zaragocin, M. Ramirez, and M. Gilmartin. 2018. Embodying relations of accountability in settler colonial contexts. *Political Geography* 66:199–209. doi: 10.1016/j.polgeo.2017.11.002.

De Leeuw, S., and S. Hunt. 2018. Unsettling decolonizing geographies. *Geography Compass* 12 (7):e12376–14. doi: 10.1111/gec3.12376.

Elias, B., K. Busby, and P. Martens. 2015. One little, too little: Counting Canada's indigenous people for improved health reporting. *Social Science & Medicine* 138:179–86. doi: 10.1016/j.socscimed.2015.06.014.

Evaluation, Performance, Measurement and Review Committee (EPRMC). 2011. Action plan implementation status update: Report to the Evaluation, Performance Measurement and Review Committee, EPRMC, Ottawa, ON, Canada.

Evans, R. A. 2018. Studies on the effects of external budgetary controls and accountability reporting demands on First Nations communities in Canada. PhD dissertation, Queen's University.

First Nations Financial Management Board. 2020. Final report: First Nations revenue source research. First Nations Financial Management Board, Ottawa, ON, Canada.

Fitzpatrick, M. 2012. Attawapiskat handed victory by federal court: Judicial review says a 3rd-party manager was "unreasonable" fix to housing crisis. *CBC News*, August 1.

Getachew, A. 2019. *Worldmaking after empire*. Princeton, NJ: Princeton University Press.

Gettler, B. 2020. *Colonialism's currency: Money, state, and First Nations in Canada, 1820–1950*. Montreal, PQ, Canada, and Kingston, ON, Canada: McGill-Queen's University Press.

Gilmore, R. W. 2007. *Golden gulag: Prisons, crisis, and opposition in globalizing California*. Los Angeles: University of California Press.

Goldfinger, D. 2021. "An ongoing symbol of colonization": How bad water affects First Nations' health. *Global News*, September 30.

Government of Canada. 2019. Budget 2019. Ottawa, ON: Government of Canada.

Government of Canada. 2022. Budget 2022. Ottawa, ON: Government of Canada.

Hall, S. 1988. *The hard road to renewal*. London: Verso.

Harris, C. 2004. How did colonialism dispossess? Comments from an edge of empire. *Annals of the Association of American Geographers* 94 (1):165–82. doi: 10.1111/j.1467-8306.2004.09401009.x.

Harvey, D. 2001. Globalization and the "spatial fix." *Geographische Revue* 2:23–30.

House of Commons. 2016. Order Paper, Q-515. Prepared in response to MP Charlie Angus. Ottawa, ON, Canada: House of Commons.

Hudson, P. J. 2017. *Bankers and empire: How Wall Street colonized the Caribbean*. Chicago: University of Chicago Press.

Hunt, S. 2016. Violence, law and the everyday politics of recognition: Comments on Glen Coulthard's Red skin, white masks. *The AAG Review of Books*, 4 (2):111–20.

Indian and Northern Affairs Canada (INAC). 2007. *Cost reference manual: Update*. Ottawa, ON. Canada: INAC.

Indian and Northern Affairs Canada (INAC). 2008. Special study on INAC's funding arrangements: Final report. INAC, Ottawa, ON, Canada.

Indian and Northern Affairs Canada (INAC). 2009. Audit of the capital facilities and maintenance program. Project No. 07/19, Audit and Assurance Services Branch, Ottawa, ON, Canada.

Indian and Northern Affairs Canada (INAC). 2010. Final report: Evaluations of Ministerial Loan Guarantees. Project No. 1570-7/07068, Evaluation, Performance Measurement and Review Branch, Audit and Evaluation Sector, Ottawa, ON, Canada.

Indigenous and Northern Affairs Canada (INAC). 2015. Summative evaluation of the education facilities and other community infrastructure sub programs (Capital Facilities and Maintenance Program). Project No. 1570-7/14090, Evaluation, Performance Measurement and Review Branch, Audit and Evaluation Sector, Ottawa, ON, Canada.

Indigenous and Northern Affairs Canada (INAC). 2016. Internal audit report: Audit of on-reserve housing. Audit and Assurance Service Branch, Ottawa, ON, Canada.

Indigenous Services Canada (ISC). 2013a. Default prevention and management policy explained. ISC, Ottawa, ON, Canada. Accessed March 10, 2022. https://www.sac-isc.gc.ca/eng/1386682249052/1618138791359.

Indigenous Services Canada (ISC). 2013b. Directive 205: Default prevention and management. ISC, Ottawa, ON, Canada. Accessed August 17, 2021. https://www.sac-isc.gc.ca/eng/1322679029458/1618138672265.

Karuka, M. 2019. *Empire's tracks: Indigenous nations, Chinese workers and the transcontinental railway*. Oakland: University of California Press.

McAuliffe, C. 2021. Chasing paper: Forms over function in First Nation administration. Research Report No. 47, Northern Policy Institute, Thunder Bay, ON, Canada.

McCallum, M. J. L. 2014. *Indigenous women, work and history 1940–1980*. Winnipeg, MB, Canada: University of Manitoba Press.

McCullough, J., and K. Farahbakhsh. 2012. Square peg, round hole: First Nations drinking water infrastructure and federal policies, programs, and processes. *International Indigenous Policy Journal* 3 (1):1–22. doi: 10.18584/iipj.2012.3.1.3.

Metallic, N. W. 2018. A human right to self-government over First Nations child and family services and beyond: Implications of the Caring Society case. *Journal of Law and Social Policy* 28:4–41. Accessed December 22, 2022. https://digitalcommons.osgoode.yorku.ca/jlsp/vol28/iss2/2.

Mitchell, T. 2009. How neoliberalism makes a world. In *The road from Mont Pèlerin: The making of the neoliberal thought collective*, ed. P. Mirowski and D. Plehwe, 386–416. Cambridge, MA: Harvard University Press.

Northwestern Health Unit. 2006. *Inspection report on the Pikangikum water and sewage systems*. Kenora, ON, Canada: Northwestern Health Unit.

Ontario First Nations Technical Services Corporation (OFNTS). 2018. On-reserve pperations and maintenance policy: The case for reform. Hagersville, ON, Canada: OFNTS.

Ontario Human Rights Commission. 2008. Right at home: Report on the consultation on human rights and rental housing in Ontario. Ontario Human Rights Commission, Ottawa, ON, Canada.

Pasternak, S. 2014a. Confrontation brewing over First Nations Financial Transparency Act. *Two Row Times*, November 19.

Pasternak, S. 2014b. Fiscal brutality and permanent austerity: How Canada controls First Nations. *First Nations Strategic Bulletin* November–December, 8–9.

Pasternak, S. 2015a. Barriere Lake sues aboriginal affairs and third-party managers. *Two Row Times*, February 4. https://issuu.com/tworowtimes/docs/02042015

Pasternak, S. 2015b. The fiscal body of sovereignty: To "make live" in Indian country. *Settler Colonial Studies* 6 (4):1–22. doi: 10.1080/2201473X.2015.1090525.

Pasternak, S. 2017a. *Grounded authority: The Algonquins of Barriere Lake against the state*. Minneapolis: University of Minnesota Press.

Pasternak, S. 2017b. Mercenary colonialism: Third-party management. *Ricochet*, October 25.

Pasternak, S. 2017c. Starve or submit: How one First Nation remains in servitude to a private accounting firm. *Ricochet*, April 7.

Pasternak, S. 2017d. Transfer payments impose permanent austerity on Indigenous communities. *Ricochet*, June 28.

Pasternak, S. 2021. How Canada created First Nation debt: A look at the housing crisis on reserves. Yellowhead Institute, Toronto.

Pasternak, S., and N. Metallic. 2021. Cash back. A Yellowhead Institute Red Paper Report, Yellowhead Institute, Toronto.

Pikangikum First Nation v. Nault. 2012. 298 O.A.C. 14 (CA).

Senate Standing Committee on Aboriginal Peoples (SSCAP). 2015. Housing on First Nation reserves: Challenges and successes. Interim Report of the Standing Senate Committee on Aboriginal Peoples. 41st Parliament, 2nd Session.

Sinclair, R. 2016. The Indigenous child removal system in Canada: An examination of legal decision-making and racial bias. *First Peoples Child & Family Review* 11 (2):8–18. Accessed December 22, 2022. https://fpcfr.com/index.php/FPCFR/article/view/310. doi: 10.7202/1082333ar.

Sonntag, P., S. Pasternak, and R. Moore. 2022. Accounting for colonialism: Federal financial intervention program created new water and housing hardships for at least 71 First Nations. *National Observer*, August 17.

Spice, A. 2018. Fighting invasive infrastructures: Indigenous relations against pipelines. *Environment and Society* 9 (1):40–56. doi: 10.3167/ares.2018.090104.

Standing Committee on Indigenous and Northern Affairs (INAN). 2017. Report of the Standing Committee on Indigenous and Northern Affairs: Default Prevention and Management. May. 42nd Parliament, 1st Session.

Stanley, A. 2019. Aligning against indigenous jurisdiction: Worker savings, colonial capital and the Canada Infrastructure Bank. *Environment and Planning D: Society and Space* 37 (6):1138–56. doi: 10.1177/0263775819855404.

Stastna, K. 2011. First Nations housing in dire need of overhaul. *CBC News*, April 12.

Sutherland, A. 2020. Troubled water: The slow drip of change in Attawapiskat is not and has never been enough. *Globe and Mail*. July 30.

Tataskweyak Cree Nation and Attorney General of Canada. 2019. Proceeding under the Class Action Proceedings Act, C.C.S.M. C. C. 130. Court File No.: CI 19-01-24661 The Queen's Bench, Winnipeg Centre.

Thompson, J. 2007. Infrastructure funding pool has shrunk; First Nation left to take path of deficit spending. *Daily Miner and News* [Kenora], November 22:1.A.

Toews, O. 2018. *Stolen city: Racial capitalism and the making of Winnipeg*. Winnipeg, MB, Canada: ARP Books.

Treasury Board of Canada. 2008. *Policy on transfer payments*. Ottawa, ON, Canada: Treasury Board of Canada.

Vancouver Aboriginal Friendship Centre. 1995. Ron Irwin's statements unclear. January 26. Vancouver, BC: Vancouver Aboriginal Friendship Centre.

Whetung, M. 2019. (En)gendering shoreline law: Nishnaabeg relational politics along the Trent Severn waterway. *Global Environmental Politics* 19 (3):16–32. doi: 10.1162/glep_a_00513.

Wolfe, P. 2006. Settler colonialism and the elimination of the native. *Journal of Genocide Research* 8 (4):387–409. doi: 10.1080/14623520601056240.

Women's Earth Alliance and Native Youth Sexual Health Network. 2016. Violence on the land, violence on our bodies: Building an Indigenous response to environmental violence. Women's Earth Alliance and Native Youth Sexual Health Network. Accessed August 26, 2021. http://landbodydefense.org/uploads/files/VLVBReportToolkit2016.pdf.

SHIRI PASTERNAK is an Assistant Professor in the Department of Criminology, Toronto Metropolitan University, Toronto, ON M5B 2K3, Canada. E-mail: shiri.pasternak@torontomu@ca. Her interests include land policies, colonial fiscal relations, and abolition geographies.