Governance Part Four

Self-Determination

The Work Part

**Respond to each of the following questions in a well-developed paragraph of no more than 150 words.**

1. Why do Aboriginal peoples in Canada believe they have the right to govern themselves?
2. What role have Aboriginal organizations played in the struggle for self-determination?
3. How has the federal government responded to Aboriginal demands for self-determination?

**Assessment**

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| **Criteria / Level** | **Level 4** | **Level 3** | **Level 2** | **Level 1** |
| Knowledge | Responses are packed with accurate supporting details | Responses contain considerable accurate supporting details | Responses contain some accurate supporting details | Responses contain limited accurate supporting details |
| Thinking | Nothing is copied. All thoughts are clearly the student’s own and are very insightful | Nothing is copied and insights are pretty clever | I think I see some copying there. Think for yourself! | You’re responses aren’t wrong, but a lot of it isn’t actually you |

The Reading Part

*“I don’t think we have a solitary thing that we should be celebrating about unless we are going to do something different in the future. It’s really time for some change. It’s really time that the European people and their descendants, and the rest that are here, that are now Canadians, seriously begin to address the basic relationship that have with this land and the people who were here first. We can do things differently in this country – we can be leaders for the world! Why can we not have a situation here where Native people can have enough land, and enough control over their lives, that they can have some dignity?”*

* **Georges Erasmus, National Chief, Assembly of First Nations**

**The Case for Self-Determination**

In 1923, Cayuga chief Deskaheh left Six Nations of the Grand River Territory near Brantford, Ontario. Using only a passport from the Haudenosaunee Confederacy, he travelled to Geneva, Switzerland, where he presented a petition to the League of Nations asking that the Six Nations be recognized as an independent state.

Britain moved immediately to have the league reject the petition. In Britain’s view, the Haudenosaunee were subjects of the Crown, not, as Chief Deskaheh maintained, independent allies. Although the league sided with Britain, Chief Deskaheh’d petition marked the first time that any First Nation in North America had presented its demands for **self-determination[[1]](#endnote-1)** to an international forum. It would not be the last.

In some ways, Chief Deskaheh’s trip to Geneva may seem daring and even unique, but the case he presented to the league was consistent with long-held views by many First Nations. It reflected statements that had been made many times in the past and would be repeated often in the future. Aboriginal peoples believe they have the inherent right to self-determination, that is, to govern themselves in the way they think best, free from outside interference.

Self-determination was an idea that First Nations leaders talked about repeatedly in their dealings with British and, later, Canadian officials. As Anishinaabe Chief Minwehweh told a British officer in 1761,

*“Although you have conquered the French, you have not conquered us. We are not your slaves. These lakes, these woods and mountains were left to us by our ancestors. They are our inheritance, and we will part with them to none.”*

In his speech, Chief Minwehweh expressed the idea that his people had always existed as a free Nation and that they continued to do so despite the British presence in North America. He said that the Anishinaabe had the right to make their own decisions about matters that affected them directly.

For Chief Minwehweh, Chief Deskaheh, and indeed for Indigenous peoples around the world, it is their peoples’ status as independent Nations that gives them the right to decide how they will be governed. This status was guaranteed in North America by the Royal Proclamation of 1763. The form of government each Nation chooses may vary from total self-government to a sharing of decision-making power. One might be content to control municipal services such as snowplowing, leaving the rest to provincial and federal governments. Others might decide to write a constitution and issue passports. Whatever decisions are made, the point is that each Nation has the right to steer its own course.

**The Basis of Self-Determination**

Nationhood has always been an important concept to Aboriginal peoples. They see it as the basis of their right to self-determination. There are many different aspects of nationhood, but here is a list of the most crucial characteristics. Most Nations will:

* Have an organized society with laws and ways of selecting leaders and distributing wealth
* Possess their own language, culture, and shared sense of history
* Have a history of occupying a specific territory over a long period of time
* Be recognized as a Nation by other states and international organizations

One way Aboriginal peoples have achieved recognition of their nationhood is by making their case for self-determination on the international stage, often through diplomatic missions.

In 1906, three First Nations in British Columbia – the Squamish, Shuswap, and Okanagan – were frustrated by the failure of the provincial and federal governments to address the issue of land rights. Elders from the three Nations travelled to London and met with King Edward VII to express their concerns. By meeting with the Elders, the King acknowledged their right to appeal directly to the Crown on a nation-to-nation basis.

Aboriginal peoples have also looked to the international community for support. In some instances, they have consulted with Indigenous peoples who have engaged in similar struggles. At other times, they have taken their cases to the United Nations in the hopes of embarrassing Canada into action. In 1984, the Lubicon Cree from northern Alberta filed a complaint with the United Nations Human Rights Committee (UNHRC). The construction of more than 400 oil wells on Lubicon lands had almost destroyed the hunting and trapping in the area. Over a four-year period, the rates of Lubicon on social assistance (welfare) had skyrocketed from 10% of the population to 90%.

Did the Lubicon have the right to control the use of their lands? In 1990. The UNHRC issued a ruling condemning the ongoing development as a violation of human rights. Although the report called for a negotiated settlement between the Lubicon and the governments of Canada and Alberta, no such settlement has ever been reached.

**Aboriginal Activism**

Even though First Nations and other Aboriginal peoples have achieved international recognition of their right to self-determination, the challenge has always been getting Canadian governments to agree.

Over the course of the 20th century, First Nations, Metis and Inuit peoples asked the same question: How can we get the government to recognize our inherent right to self-government? In the end, they all came to the same conclusion. It would only be through their own **activism[[2]](#endnote-2)** that they would be able to establish their right to self-determination in Canada. So they developed strong organizations, found resourceful leaders, and forced their concerns into the Canadian agenda.

**Growing Awareness**

The two World Wars contributed to an upsurge of Aboriginal activism in Canada for a number of reasons:

* While in uniform and overseas, Aboriginal soldiers were treated with a measure of dignity and respect. This differed from the treatment they received at home, where they were not allowed to eat in certain restaurants, they could not vote, racism made it hard to find employment, and many of their children were taken away to attend residential schools. On their return, Aboriginal veterans received smaller pension benefits than other veterans. So they asked a question: If we were treated as equals overseas, do we not deserve the same sort of treatment at home?
* Service in the Armed Forces gave Aboriginal soldiers experience dealing with hierarchical organizations. Once home, they designed their own organizations to be more effective in dealing with the federal government.
* For many Aboriginal soldiers from remote communities, army service increased their English skills and broadened their knowledge base. When they came home, they read about the Indian Act and discussed how the government used it to control their lives.
* The sacrifices and achievements of Aboriginal soldiers made the Canadian public more sympathetic to the cause of Aboriginal rights, and influenced the government to liberalize its policies.

War was a formative experience for Canada. Men, women, and children from all walks of life threw themselves into the war effort. Aboriginal peoples were equal partners in the cause. After the war was won, First Nations, Metis and Inuit leaders sensed that the time was right to stand up for their right to self-determination.

**First Nations Activism**

*League of Canadian Indians*

Although the league dies out in Ontario, it put down vigorous roots in Western Canada. The key organizers in the West were Plains Cree in Saskatchewan. After World War One, Edward Ahenakew of the Sandy Lake First Nation, and then John Tootoosis of the Poundmaker First Nation, built the Western arm of the league into a strong advocate for First Nations rights in the West.

*North American Indian Brotherhood*

There was still an need, however, for an organization that would represent First Nations from across the country. Andrew Paull, a Squamish leader, made an effort to create a cross-Canada organization by founding the North American Indian Brotherhood in 1945. A lack of support and continuing government resistance led to its dissolution in the early 1950s.

*National Indian Council*

Then in 1961, the National Indian Council was formed to represent status Indians and non-status Indians and Metis. After these three groups found it difficult to agree on common goals, the organization split up in 1968.

*Congress of Aboriginal Peoples*

The Metis and non-status Indians joined forces to form the Native Council of Canada. Now known as the Congress of Aboriginal Peoples, this group continues as a vibrant organization today.

*Assembly of First Nations*

First Nations, recognizing their common political goals, formed the National Indian Brotherhood (NIB) in 1968. This national organization, which in 1982 became the Assembly of First Nations, proved to be the first truly effective organization to press for First Nations rights at the national level. Every band council in the country chose one elected chief to participate in an annual general assembly (what happens at AFN general assembly *stays* at AFN general assembly). Only a year after its formation, the NIB met its first great test, when it organized opposition to the federal government’s notorious White Paper. More on that later.

**Metis Activism**

After World War One, several Metis leaders emerged to organize their people politically and to fight for their rights.

During this time, a motivating story in the struggle for Metis rights took place in northern Alberta. Many Metis had moved into Alberta from Saskatchewan after the 1885 Resistance and settled around **missions[[3]](#endnote-3)** at St. Albert, Lac Ste. Anne and other places. To push for land rights and bring Metis issues to the government’s attention, five Metis activists founded the Metis Association of Alberta in 1932. The work of the “famous five” – Jim Brady, Malcolm Norris, Joseph Dion, Peter Tomkins, and Felix Calihoo – was so successful that, by 1933, the organization had 1200 members. As a direct result of the lobbying efforts of the association, the provincial government appointed the Ewing Commission in 1934 and passed the Metis Betterment Act in 1938.

Metis activism was not confined to Alberta. The Saskatchewan Metis Society was active by the early 1940s, and in 1983, the Metis National Council was formed, the organization that continues to represent the Metis cause at the national level today.

In Ontario, informal Metis support networks have been active for more than 200 years. In 1994, the Metis Nation of Ontario was officially incorporated, and since then has signed several protocols, or agreements, with the Ontario government to advance Metis rights in the province.

**Inuit Activism**

The roots of Inuit activism took shape among two groups of high school students in the early 1960s. At that time, the federal government was still sending Inuit teenagers to high school in either Churchill, Manitoba, or Yellowknife, Northwest Territories. Inuit youth from across the Canadian Arctic found themselves thrown together in an environment in which they could compare stories about the way the government was treating their people.

The students started discussion groups and regular meetings. Out of these meetings came several dedicated leaders, including Rosmarie Kuptana, who led negotiations with the federal government over land rights and the question of self-determination.

A first step was made in the 1960s with the formation of the Indian and Eskimo Association, which represented both First Nations and Inuit. After several years, Inuit realized they required an organization that would represent their needs exclusively. So, in 1971, they founded the Inuit Tapirisat to represent Inuit in formal land claims negotiations. These negotiations culminated in the creation of the Inuit territory of Nunavut in 1999, the largest Aboriginal land claim in world history. Inuit Tapirisat, which means “Inuit Brotherhood,” became the Inuit Tapiriit Kanatami, which now represents 55 000 Inuit nationally.

**Constitutional Reform**

Over the course of the 1980s and 1990s a number of attempts at reforming the Canadian **Constitution[[4]](#endnote-4)** had direct impacts on the struggle by Aboriginal peoples to achieve self-determination. The push for constitutional reform (change) started in 1980 as voters in Quebec prepared for a referendum on whether the province should stay in the Canadian Confederation or enjoy separate status as a sovereign state. Prime Minister Trudeau promised to reform the Constitution if Quebec voted against sovereignty. When the majority of Quebecers heeded Trudeau’s call and rejected separatism, the prime minister began negotiations with the provincial premiers to patriate the Canadian Constitution. Patriation replaced the British North America Act, which was a British law, with a Canadian law, the Constitution Act of 1982. In this way, responsibility for amending the Canadian Constitution passed from the British Parliament to the Canadian Parliament.

Hard, and often bitter, negotiations between the federal and provincial governments over the contents of the Constitution Act continued for two years. At no time were Aboriginal peoples included as direct participants in these discussions. Instead, lobby groups such as the Assembly of First Nations and the Inuit Tapirisat had to make their case for Aboriginal rights in the Constitution to international forums, such as the United Nations and the British Parliament. Until the very end of the process, it was not clear whether the new Constitution would contain any reference to Aboriginal rights at all.

The lobbying efforts of these groups pay off somewhat. Section 35(1) of the new Constitution acknowledges “existing Aboriginal and treaty rights of the Aboriginal peoples of Canada.” This, however, is only a partial victory as the Act doesn’t really define what those rights are exactly. And seeing as many of these treaties are many decades, or even centuries old, it has left First Nations, Inuit and Metis groups in a position of continuous negotiations which continue to this day.

1. The principle that a people have the collective right to choose their form of government, economy and culture. [↑](#endnote-ref-1)
2. Planned and vigorous action to further a cause. [↑](#endnote-ref-2)
3. Outposts established by the Catholic Church used to spread Christianity to remote areas. [↑](#endnote-ref-3)
4. The foundational document of a country, outlining its values and laws. [↑](#endnote-ref-4)