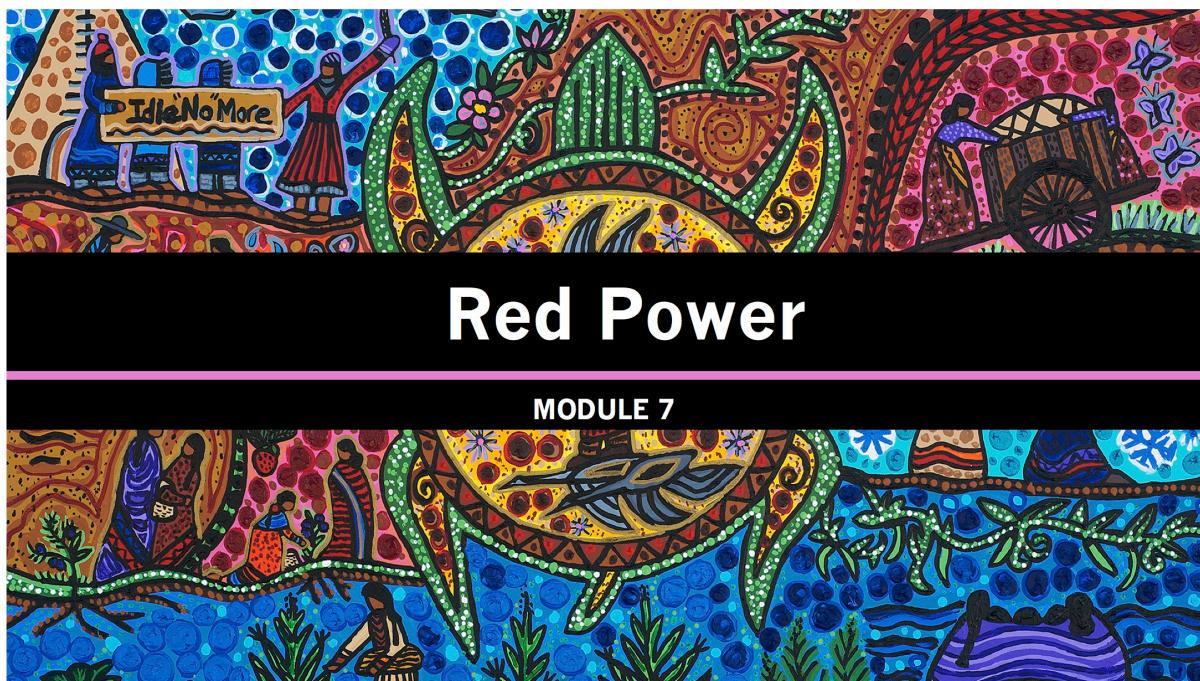


Indigenous Canada: Looking Forward/Looking Back



Cover Image: Artwork by Leah Dorion

The University of Alberta acknowledges that we are located on Treaty 6 territory and respects the history, languages, and cultures of the First Nations, Métis, Inuit, and all First Peoples of Canada, whose presence continues to enrich our institution.

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Table of Contents

Module 1 Introduction	2
Section One: Indigenous Political Structures	3
Political Systems	3
Kanien:keha'ka Political System.....	4
Kanien:keha'ka Clan System	4
Gusweñta.....	5
Haida Political System	5
Modern Haida Communities	6
Haida Proclamation	7
Nehiyawak Political System	8
Inuit Political System	9
Modern Inuit Political System	10
Section Two: Influences of the Political System of the Canadian State.....	11
The Indian Act.....	11
Enfranchisement.....	11
From the White Paper to the Red Paper.....	12
Red Power Rising.....	14
Native People's Caravan	14
Indigenous Political Entities	15
Métis Rights.....	16
Harry Daniels.....	16
Elmer Ghostkeeper	17
Section 35 of the Constitution.....	18
Section Three: Sovereignty and Governance	19
Self-Government	19
Self-Determination and Indigenous Resurgence	20
Aboriginal Nation Model of Government	20
Citizenship, Power and Authority.....	22
Urban Extensions.....	22

Conclusion	23
References	25

Module 1 Introduction

This module, entitled Red Power to represent the political will and constitutional activism of Indigenous peoples, focuses on three main areas. First, this module shares the foundational principles of four Indigenous political structures – the Kanien:keha'ka, Nehiyawak, Haida, and Inuit. Then, key Indigenous leaders and significant events in Indigenous people's fight for political recognition are described. Finally, this module outlines Indigenous peoples' ongoing struggle for political power, citizenship, and authority amidst the Canadian state.



Figure 1 Cree woman in a canoe with infant and young girl, 1928; Credit: Canada. Dept. of Interior/Library and Archives Canada

Section One: Indigenous Political Structures

Political Systems

Indigenous political systems in Canada are as unique as the communities that follow them. Each community has different historical and contemporary factors that influence how each group chooses to structure their political system. In 1996, the Royal Commission on Aboriginal Peoples (RCAP) identified influences on political systems as:

- historical treaty and other relations,
- cultural characteristics,
- social organization,
- economic situation, political culture, philosophy and traditions of political organization,
- geographic features,
- territorial size and existing land base,
- degree in continuity of territory,
- population size, distribution of population, and existing provincial and
- territorial boundaries.”

(Royal Commission on Aboriginal Peoples 1996, 222)

How four different Indigenous Nations communities – the Kanien:keha'ka, Haida, Nehiyawak, and Inuit – have chosen to politically structure themselves both historically and contemporarily is as follows.

Kanien:keha'ka Political System

Commonly referred to as Mohawk, the Kanien:keha'ka people are members of the Haudenosaunee or Six Nations Confederacy. The five other nations belonging to the Confederacy are the Oneida, Onondaga, Cayuga, Seneca, and Tuscarora. The Confederacy is guided by the oral political constitution known as the Great Law of Peace or Gayanashagowa; however, the historical underpinnings of the law have been written on wampum belts (Simpson 2014, 37).

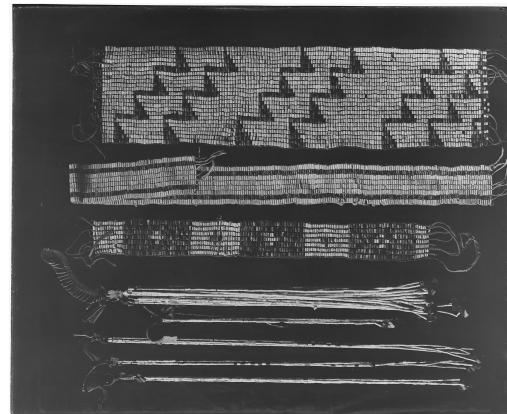


Figure 2 Wampum belts, ca 1871-1907; Credit: National Archives and Records Administration

Haudenosaunee means “people of the longhouse”, and it reflects the fact that many different nations have come together under one united roof. The guiding narrative of the Great Law of Peace exists in all the languages spoken by the member nations; however, it is important to note that governance principles of balancing law, society, and nature each play an equal part among the nations (Rice 2013, 173). It is also believed that the Great Law of Peace is one of the oldest democratic systems in the world (Haudenosaunee Confederacy n.d.).

Kanien:keha'ka Clan System

Kanien:keha'ka communities follow a clan system, a group of families that join to create a community (Alfred 1995, 79; Rice 2013, 153). In the case of the Kanien:keha'ka, these families follow a common kinship that is traced through the mother's side of the family. This is called a matrilineal clan system. The three clans found in every Kanien:keha'ka nation include the Bear, Turtle, and Wolf clans (Ried 2004, 146–47). Individuals from a specific clan are seen to be related, even if they are not from the same group. For example, a Wolf clan member of the Kanien:keha'ka and a Wolf clan member of the Seneca nation are considered relatives.

Gusweñta

The Gusweñta (or kaswenthwa), or more commonly referred to as the Two Row Wampum belt, is a treaty that embodies the continuing relationship between the Haudenosaunee Confederacy and European settlers (Alfred 1995, 139–40; Borrows 2010, 75–76). The gusweñta relationship is visualized by the depiction of two parallel but separate purple beaded lines that are laid upon a white beaded background. The equally sized purple lines symbolize two distinct nations that will respect each other's inherent freedom to move throughout their territories with the central premise being that neither nation will attempt to steer the other as they travel along their path (Borrows 2010, 76).

Another way to think about the gusweñta is to imagine two canoes paddling along the same river, but neither boat tries to guide the other. It is also important to note that the three rows of white have come to symbolize notions of friendship, peace, and respect between the two nations. The gusweñta wampum, in its entirety, illustrates how two separate nations are bound together in a longstanding and continual relationship (Alfred 1995, 185).

Haida Political System

The Haida Nation is located on the northwest coast of Canada with traditional territories encompassing the archipelago of Haida Gwaii, parts of southern Alaska, and the surrounding bodies of water in the region. According to the Haida Nation, there are approximately 5000 members of their nation with about 3500 living in the traditional territories (Council of the Haida Nation 2013).

The Haida have a complex and distinct political system, which incorporates a deep understanding of kinship and social hierarchy (Krmpotich 2014, 74). Historically, the Haida did not follow a democratic system of government. Instead, they determined who would be politically powerful in their community based on social hierarchy and heredity. This hierarchy or heredity was almost always dependant on what clan the chief

belonged to, while the other members of the communities' social status were dependant on their relationship to the chief. The different class systems historically found in Haida clans included the lower class, middle class, and elite class.

Like the Kanien:keha'ka, the Haida also followed a matrilineal clan system. Each person belonged to one of two clans, the Eagle Clan or Raven Clan (Krmpotich 2014, 76). Individuals often used elaborate decorative displays of their inherited crests carved into totem, house poles, or war canoes to represent which clan they belonged to. Haida people married from the opposite clan, meaning an Eagle could marry a Raven, but Ravens could not marry each other. Haida chiefs were responsible for distributing wealth amongst their community. Those with a higher social rank received more than those from a lower social rank. Potlatches were one of the cultural celebrations that reinforced the social and economic organization, as well as the distribution of wealth to individuals of the chief's clan. High ranking members of other clans would be invited to the potlatch so that the individual who was holding the potlatch could display their wealth and social ranking (Krmpotich 2014, 25).



Figure 3 Haida village with houses and carved posts, 1878; Credit: G.M. Dawson/Library and Archives Canada

Modern Haida Communities

The modern Haida nation identifies itself as a separate political entity from both British Columbia and Canada (Krmpotich 2014, 17–38). As a result of historical and contemporary resource extraction, specifically logging, the Haida have made attempts at gaining legal recognition for their lands. Through the formal judiciary structure, the Haida have challenged the Crown in asserting Aboriginal title to the entire archipelago of Haida Gwaii. The Haida have been successful in a number of significant court decisions and challenges the Crown on a nation-to-nation basis. These victories have resulted in a reduction of logging and an increase in Haida control over resources and the associated revenues.

The Haida nation developed its own council, constitution, and electoral process. The constitution proclaims “any Haida individual over the age of 16 may vote to elect representatives to the council, or may propose legislation or policy, subject to a vote.” (Gessler, Kennedy and Bouchard 2010). The constitution, developed by the Haida in 2010, draws from traditional Haida governance structures and acknowledges the roles and responsibilities of both village councils and the longstanding matrilineal descended hereditary chief system. Incorporating traditional governance configurations into a modern constitution reveals that the Haida recognize the importance of culture in moving forward as a people. The constitution of the Haida Nation is worth a closer look. It begins with a purposeful assertion that connects the Haida to the land and seas.

Haida Proclamation

The Haida Nation is the rightful heir to Haida Gwaii. Our culture is born of respect; and intimacy with the land and sea and the air around us. Like the forests, the roots of our people are intertwined such that the greatest troubles cannot overcome us. We owe our existence to Haida Gwaii. The living generation accepts the responsibility to ensure that our heritage is passed on to following generations. On these islands our ancestors lived and died and here too, we will make our homes until called away to join them in the great beyond. (Constitution of the Haida Nation 2014, 1)



Figure 4 The Haida Heritage Centre at Kay Llnagaay, Skidegate, B.C.; Credit: Karen Neoh

Article 3 of the Haida Constitution: “Rights and Freedoms”

The Haida constitution includes both collective and individual rights.

A3.S1 Collective Haida Rights:

- (a) The Haida Nation collectively holds Hereditary and Aboriginal Title and Rights to Haida Territories.
- (b) The Haida Nation collectively holds Cultural and Intellectual property rights of the Haida Nation and will protect the integrity of same.

A3.S2 Individual Rights:

- (a) Every Haida Citizen has a right of access to all Haida Gwaii resources for cultural reasons, and for food, or commerce consistent with the Laws of Nature, as reflected in the Laws of the Haida Nation (...)
- (d) Every Haida Citizen has the right of conscience, religion, thought, belief, opinion, expression, association, and privacy. (...)
- (g) No Natural born Haida Citizen can have their Citizenship taken from them.

(Constitution of the Haida Nation 2014, 2)

Nehiyawak Political System

The Nehiyawak peoples’ traditional territory extends from Alberta to Quebec and is one of the largest geographic distributions of a First Nations group in Canada. Nehiyawak peoples can be broken into three environmentally and linguistically distinct groups – Plains Nehiyawak, Swampy Nehiyawak, and Woods Nehiyawak. Historically, Nehiyawak groups organized themselves in small mobile bands during the winter. In the summer months, these bands would gather into larger groups. Individuals of these groups would be considered to be more socially and politically equal. People tried to show respect for each other by an ideal ethic of non-interference, a concept that each individual was responsible for his or her actions and the consequences of those actions (Borrows 2010, 84–85; McAdam 2015).

Although the ideal of Nehiyawak groups was to be egalitarian and communal, some people were considered to be more powerful within their group. This could be due to their performance in hunting or warfare activities or due to spiritual powers. Leaders who showed skill in specific activities would be granted the authority to lead activities and direct tasks (Milloy 2014).



Figure 5 Cree Indians, ca 1870-1910; Credit: Library and Archives Canada

One of the major political goals of contemporary Nehiyawak communities is to establish a self-governing body. In the northern areas of Quebec and around James Bay, Nehiyawak people have developed the Grand Council of Crees or Eeyou Istchee. The Grand Council of Crees represents approximately 18,000 members with a Grand Chief acting in a leadership role. The Grand Council has developed a declaration of their rights as Nehiyawak people. The declaration includes such rights as the development of natural resources, their inherent right to self-determination, and traditional principles of sustainable development (Carlson 2009).

Inuit Political System

Inuit communities from Canada's far north were generally small bands consisting of multiple families that would hunt together in the winter months and separate in the summer months (Wachowich 1999; Grant 2002). Alliances were created between certain families that were not always necessarily blood-related. Like the

Nehiyawak, the Inuit chose their community leaders based on that individual's superior skills, such as hunting, warfare, oratory skills, or spiritual gifts.



Figure 6 Inuit camp with tupiks at Pond Inlet, NWT, 1906; Credit: Library and Archives Canada

War and conflict between Inuit communities was rare, and many lived in peaceful co-existence. Self-restraint and sharing, or Nigiqtuq, were valued traits in their culture (Borrows 2010 101-104). This concept of peaceful existence stems from the Inuit's tradition of treating everything with equal respect and maintaining harmonious relationships (Alia 2007). Because of the harsh weather and geographic isolation, Inuit communities depended on each other to survive, and therefore sharing became (and still is today) one of the foundations of Inuit society (Dorais 1997).

Modern Inuit Political System

Modern Inuit peoples of Canada identify their political system as being one of self-determination and self-government, rather than being a single nation. This does not mean that Inuit communities do not have a sense of national identity. The Inuit people of Labrador won the right to self-government in 2004 after settling a land claim agreement with the Newfoundland and Labrador government. The settlement area consists of over 72,520 square kilometers of land in northern Labrador and includes the five major Inuit communities of Nain, Hopedale, Rigolet, Makkovik, and Postville (Labrador Inuit Land Claims Agreement Act).

The Nunatsiavut Government came into power as a result of the agreement and is now able to pass laws concerning education, health, and cultural affairs. In the north, Inuit people have negotiated Comprehensive Land Claims, or modern treaties, with the Canadian government. The settlement areas of the Inuit claims are very extensive. These agreements include land and marine waters and pertain to regions in which land rights had not previously been negotiated through historical treaties (Bonesteel 2006).

Section Two: Influences of the Political System of the Canadian State

The Indian Act

Following Confederation in 1867, the newly established Dominion government, which included Nova Scotia, New Brunswick, and the British colonies of Canada, set out to establish a legal framework to deal with Indigenous affairs. In 1876, Parliament introduced the Indian Act, which was a consolidation of previous colonial acts concerning First Nations (Jamieson 1978, 43–48). The act stipulated who would be defined as an Indian in the eyes of the government, and discounted and dismissed all pre-existing Indigenous governance systems.

According to the Act, an Indian was defined as a man belonging to a band that had a reserve, or had lands that were held in common, but which the Crown nonetheless still held legal title. Wives and children of these men also had Indian status. However, women who married outside of the status Indian community lost their status, as did their children. When a non-status woman, even if she was not a First Nations person, married a status man, the woman and subsequent offspring would be given Indian status (Jamieson 1978, 1).

Enfranchisement

Embedded within the Indian Act was a further paternalistic measure in which status Indians were made wards of the federal government. More specifically, they were to be treated as minors and would be denied the basic rights of citizenship, such as voting. A status Indian who wished to participate as a full member of Canadian society could work towards enfranchisement, whereby they would lose their status as an Indian. In order to become enfranchised, one had to pass certain requirements, such as a literacy test in French or English, be free of debt, and have good moral character (Leslie and Maguire 1978). These requirements would have been difficult for most non-Indigenous Canadians at the time to achieve.

In the early part of the 20th century, the government made amendments to the Act, which allowed the Superintendent General of Indian affairs the ability to enfranchise people against their will. Individuals resisted this tactic of assimilation, yet paternalistic measures of the Act persisted (Leslie 1999).

As noted, the Act completely ignored long-standing forms of Indigenous governance. With the implementation of the Act, bands had to elect chiefs and councils under rules dictated by the federal government. They were no longer legally permitted to govern themselves on their own terms. Instead, Indigenous people were beholden to a foreign government and its foreign laws.

From the White Paper to the Red Paper

Rooted in his belief of shaping Canada into a just society wherein every citizen of the country would be equal in the eyes of the law, then Prime Minister Pierre Elliot Trudeau attempted to significantly alter and eventually abolish the Indian Act. In June 1969, Jean Chrétien, Minister of the Department of Indian and Northern Affairs, presented a proposed policy paper to the House of Commons that would effectively dismiss federal responsibility toward status Indians. This was commonly known as the White Paper (Weaver 1981, 5).

This proposal was a prime example of how the government continually attempted to assimilate Indigenous people into Canadian society through heavy-handed policy. Prior to Chrétien's presentation of the White Paper, there appeared to be a willingness on the part of the government to seek input from various First Nations people and leaders (Weaver 1981, 51–74). However, it was not long after this attempt that the government disregarded the responses they were receiving and simply went forward with their own mandate.

Therefore, when the White Paper was announced it did not include any input from the very people it would most affect. This galvanized First Nations leadership across the

country to rebuke what they saw as a plan to terminate federal responsibilities (Cardinal 1969, 108; Miller 1989, 336). Dave Courchene, then leader of the Manitoba Indian Brotherhood, speculated that the government was fearful of the rise of Indigenous political organizing and that by altering or extinguishing the Indian Act the funding to these organizations would cease to exist (Ray 2011, 334). Additionally, the White Paper illustrated the government's complete disregard of the Treaty agreements. It was clear to many that Trudeau and Chrétien were attempting to erase foundational agreements between the state and Treaty people.

Harold Cardinal from Sucker Creek First Nation in Alberta was part of the contingent of First Nation leaders leading the pushback against the White Paper (Cardinal 1969). In 1970 while serving as the president of Indian Association of Alberta, Cardinal put together a document entitled Citizens Plus to counter the White Paper, which subsequently became known as the Red Paper. This document summed up and criticized the numerous problematic elements found in the government's proposal. While formally rejecting the White Paper, the National Indian Brotherhood presented the Red Paper to the government. Long-time Indigenous rights activist Arthur Manuel recalled "the ceremony was accompanied by Indian drumming and singing," which was something new in the Canadian parliament (Manuel 2015, 34).

This show of collective will on the part of Indigenous activists working together forced the government to withdraw the White Paper. Arguably, these events were just the beginning of Indigenous peoples' political mobilization in Canada, as the 1970s also witnessed the ushering in of Indigenous-led, radical forms of direct action (Palmer 2009, 407).

Red Power Rising

Without question, the rise in Indigenous activism across Canada in the 1970s can partly be attributed to the influence of the American Indian Movement south of the border. Commonly referred to as AIM, the organization was an Indigenous response to the burgeoning civil rights movements of the 1960s across the United States (Warrior and Smith 1996 and Shreve 2011).



Figure 7 Flag of the American Indian Movement (AIM); Credit: Tripodero/Wikimedia Commons

Activists such as John Trudell, Dennis Banks, and Russell Means, engaged in protests that caught the attention of young Indigenous people in the United States and Canada (Warrior and Smith 1996, 18). In addition to occupying government buildings and other forms of direct action, there was a growing body of literature emanating from radical Indigenous scholars and activists that would influence an entire generation of youth. These up-and-coming Indigenous activists were looking for resources to not only survive the white man's world, but to fundamentally alter it in order to better the lives of Indigenous peoples. *God is Red* by Sioux scholar Vine Deloria Jr. and *Prison of Grass* by Métis intellectual Howard Adams were two books that played foundational roles in galvanizing youth against the wrongs committed by the state (Deloria Jr. 1972 and Adams 1989).

Native People's Caravan

A large number of Indigenous protests occurred in the 1970s. The Native People's Caravan is an example of how Indigenous peoples' discontent of government policy led to action. Vern Harper, a young Indigenous activist, and Louis Cameron, a leader of the Ojibway Warrior Society, envisioned a gathering of Indigenous peoples from across Canada that would unite an allied Indigenous voice. The Native People's Caravan departed from Vancouver on September 15, 1974 with a large rally and send-off march,

which attracted over 200 people (Harper 1979). It travelled along the Trans-Canada highway, stopping in major cities to allow others to join. The Caravan arrived in Ottawa on September 29 and proceeded to Parliament Hill the following morning to voice the concerns of Indigenous people.

The Caravan was not prepared for the hostile reception from police. As protesters walked toward Parliament, they were greeted by hundreds of riot-clad officers and barricades blocking them from ascending the stairs and entering the building. Indigenous members of the Caravan were accompanied by a large contingent of left-wing allies who were told to stay in the back. These additional protesters did nothing to quell the violent onslaught delivered by the police towards the protesters. Vern Harper described the event as a “police riot” whereby peaceful, unarmed demonstrators were unmercifully attacked (Harper 1979). The scuffle ended with protesters scrambling in retreat, and not a single acknowledgment from a government representative was delivered.

The 1970s grassroots organizing of Indigenous peoples, such as the Caravan, paved the way for Indigenous voices to be heard in the following decade. Living conditions, education, and land and treaty rights were (and continue to be) issues affecting Indigenous communities across the country. Young people mobilized, worked together, and made tangible efforts to get their message and concerns known to mainstream politicians, as well as the wider Canadian public.

Indigenous Political Entities

Along with the grassroots mobilization of Indigenous youth during the 1970s, there was a rise in more formally recognized Indigenous political entities (Palmer 2009, 395–411). At the start of the decade, the federal Liberal government provided funding to support organizations such as the National Indian Brotherhood representing status Indians, the Inuit Tapirisat of Canada representing the Inuit, and the Native Council of Canada (reorganized in 1993 and renamed the Congress of Aboriginal People) representing Métis and non-status Indians. Leaders from each organization would play fundamental

roles in helping to secure Aboriginal rights in the following decade (Drees 2002 and Tennant 1990).

Métis Rights

With the rise of Indigenous peoples' participation in formal political arenas, many outspoken and influential Indigenous leaders across the country emerged (Dahl, Adams, and Peach 339-432). For the Métis, the opportunity to redefine their relationship with the federal government spawned a renewed sense of nationalist fervour. Harry Daniels and Elmer

Ghostkeeper were two Métis individuals involved in the crucial work of securing and navigating the definition of the constitutional rights of the Métis people (Dahl 2013, 93–139).



Figure 8 Métis nation flag; Credit: Corbin Fraser

Harry Daniels

Born in 1940 in Regina Beach, Saskatchewan, Harry Daniels would go on to secure his place as one of the most highly respected Métis leaders since Louis Riel (Andersen 2014, 127). In 1976, Daniels was elected president of the Native Council of Canada and argued vehemently against the two-nations myth central to Canadian history. This myth recognizes both the French and British as the founding fathers of Canada. Daniels maintained that as a result of the establishment of a Métis provisional government in Red River prior to Canadian confederation, the Métis should be recognized alongside the British and the French as one of the founding nations of the country. Of course, this argument fell on deaf ears from most people outside his constituency, but it revealed that Daniels wasn't afraid to disrupt long-standing beliefs concerning Canadian history.

With the rise of discussions surrounding constitutional reform in the 1970s, Daniels was extremely vocal about the inclusion of Indigenous peoples' rights being cemented in

Canada's history, particularly the distinctive mention of Métis people within the constitution. In other words, he did not want Indigenous nations to be branded as ethnic minorities within the fabric of what would be the newly worked constitution. The nationhood argument offered by Daniels was based on the assertion of recognizing the collective rights of the Métis people, as opposed to the concept of individual rights being proposed by the federal government (Dahl 2013, 105).

As constitutional debates carried on, it was clear to Daniels that without any specific mention of the Métis there was a good chance that their rights would be ignored. Then-acting Justice Minister Jean Chrétien assured Daniels that the term Aboriginal peoples would be interpreted broadly. This assurance left Daniels skeptical and unconvinced that the Métis would be recognized within the constitution. Daniel's last minute efforts to advance Métis issues, including speaking with committee members in corridors and in offices, succeeded. As a result of Daniels' and other Métis leaders' determination, Chrétien included a subsection to an amendment that explicitly recognized three distinct Aboriginal peoples – Indian, Inuit, and Métis (Dahl 2013, 104–106).

Elmer Ghostkeeper

Elmer Ghostkeeper was also a key player in the progression and inclusion of the Métis within the Canadian constitution. Ghostkeeper was elected as the president of the Federation of Métis Settlements in 1980. The Federation was the governing body representing the collective land-base for the Métis in Alberta (Pocklington 1991). It is important to note that the Métis settlements in Alberta are uncommon, as Alberta is the only province whose statute recognizes and protects the collective land-base of the Métis (University of Saskatchewan Native Law Centre 1983). Ghostkeeper leveraged the unique position of the Métis in Alberta to argue that the Métis should move towards establishing a separate umbrella organization, one with more overt nationalistic aspirations. Eventually, Métis National Council was formed to represent the Métis nation as a unified voice at the first minister talks.

Section 35 of the Constitution

Under the Constitution Act of 1867, Canada could not add to nor alter any provisions, because the country was still a Dominion of the British Crown. By the early 1980s, the Canadian government began making concerted efforts to patriate, or transfer control of the constitution from British parliament to Canada (Asch 1993, 1–12).

Prior to the eventual patriation of the Constitution in 1982, there was a series of legal challenges from Indigenous peoples directed towards various levels of government concerning rights and title to Indigenous territories, including the James Bay Agreement and the Calder Decision (*Calder vs. British Columbia* 1973; The James Bay and Northern Quebec Agreement 1975). These court challenges reflected an emerging sense of Indigenous peoples' desire for self-determination (Foster, Raven, and Webber 2007; Burrows 2010). Various legal battles and movements that began in the 1970s witnessed the emergence of a Red Power movement that would galvanize Indigenous people into political activism (Tennant 1990). These processes awakened Indigenous self-determination and motivated Indigenous people to participate in the constitutional amendments. As the federal government began the process of patriating the Constitution, Indigenous peoples worked tirelessly to ensure that their rights were acknowledged and secured on a legally binding document. The result would be the addition of Section 35 into the Constitution. There are a number of subsections within the provision; however, the first two are essential in understanding the importance of Section 35 for Indigenous peoples across the country:

35 (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

(2) In this Act, 'aboriginal Peoples of Canada' includes the Indian, Inuit and Métis peoples of Canada.

Section Three: Sovereignty and Governance

Self-Government

The concepts of self-government, self-determination, and Indigenous resurgence are important to understanding Aboriginal politics and governance (Belanger 2008). The concept of self-government means that political bodies, such as the Métis National Council, allows Indigenous peoples the right to create and govern their own affairs. Furthermore, self-government provisions bestow greater responsibility and more control by Indigenous peoples over decision-making processes unique to their own communities. According to the federal government:

Self-government agreements address: the structure of Aboriginal governments, their law-making powers, financial arrangements and their responsibilities for providing programs and services to their members. Self-government enables Aboriginal governments to work in partnership with other governments and the private companies to promote economic development and improve social conditions.” (Indigenous and Northern Affairs Canada, para. 1)

There is a section within the Nunavut Land Claim Agreement that allows for communities to be self-governing, which is a unique component, because the Nunavut government represents all the Indigenous and non-Indigenous people residing in the territory.

Self-Determination and Indigenous Resurgence

Self-determination often corresponds with self-governing principles (Macklem 1995). Indigenous peoples' right to self-determination includes the right to freely determine their political status and pursue their economic, social, and cultural development, unchallenged and away from state control. Self-determination and Aboriginal peoples have been outlined in the United Nations Declaration of the Rights of Indigenous Peoples under Article 3. The concept of self-determination is often used in International Law.

The concept of Indigenous resurgence can involve the ways that Indigenous peoples try to reconnect to the natural and traditional world (Cassidy 1991). This reflects the need that many Indigenous peoples feel to decolonize their lives, and it is often done through spiritual, cultural, economic, social, and political means. Examples of Indigenous resurgence in Canada are the Red Power movements, Bill C-31, and the Lavell case. The Lavell case reinstated Aboriginal women's rights, which had been taken away due to enfranchisement.



Figure 9 . Women dancing at a National Aboriginal Day awareness event, 2014; Credit: University of the Fraser Valley

Aboriginal Nation Model of Government

There are many different ways in which Indigenous communities organize their government systems. According to the Royal Commission on Aboriginal Peoples (RCAP), some of the factors that influence the systems of government include:

- historical treaty and other relations,
- cultural characteristics,
- social organization,
- economic situation, political culture, philosophy and traditions of political organization,

- geographic features,
- territorial size and existing land base,
- degree in continuity of territory,
- population size, distribution of population, and existing provincial and
- territorial boundaries.”

(Royal Commission on Aboriginal Peoples 1996, 222)

The defining feature of the Aboriginal Nation model is that it can be used to validate Aboriginal rights and traditions through the effective control of traditional lands and resources. An example of a community that is using the Aboriginal Nation model is the Teslin Tlingit. The Teslin Tlingit constitution provides that all citizens enjoy rights guaranteed in the Canadian constitution, the Canadian Charter of Rights and Freedoms. The Teslin Tlingit constitution also includes other rights set out in the Canadian constitution, including the right to pursue a way of life that promotes Tlingit language, culture, heritage, and material well-being. In exercising law-making powers, the Teslin Tlingit government must observe certain norms and work within parameters designed to protect the individual and collective rights of the Teslin Tlingit nation. Many Aboriginal nations develop their own constitutions. According to RCAP, terms within the constitution may contain:

- a statement of values, beliefs, principles;
- a description of units or levels of government and associated legislative, executive and judicial structures, [...] and definitions of jurisdictions, powers and authority;
- criteria, application and appeal procedures for citizenship;
- provisions regarding lands, resources and the environment;
- individual and collective rights protections; and
- procedures for amending the constitution.

(Royal Commission on Aboriginal Peoples 1996, 233)

Citizenship, Power and Authority

Citizenship is another key element of the Aboriginal Nation model, as it allows the nation to define who is a citizen and who is not. This includes residents who are Aboriginal and who are non-Aboriginal (Andersen 2014; Morse and Giokas 1996). Citizenship can be determined through such features as community acceptance, self-identification, parentage or ancestry, birthplace, adoption, marriage to a citizen, cultural or linguistic affiliation, and residence. Citizenship instills rights, entitlements, and benefits upon individuals, as well as responsibilities. These rights include civil, democratic and political rights, and cultural and economic rights, such as the right to pursue traditional economic activities. There are also rights to entitlements, such as those flowing from treaties and those in the areas of education and health care.

The Aboriginal nation model also allows for Aboriginal governments to have specific power and authority over various different levels of government structures. As well, Aboriginal nations have sole jurisdiction over the authority of lands. This model allows for judicial matters to be controlled by the nation, including enforcement of laws, policing, and healing. The element of control over healing is particularly important to communities, as it allows for elders to be incorporated into judicial matters (Mawhinney 1994 and The Royal Commission on Aboriginal Peoples 1995)

Urban Extensions

The Aboriginal Nation model can accommodate urban extensions of the nation and include other relationships with various government parties. However, the key goal of a nation model is to create a centralized form of government. Under a centralized form of organization, the power and authority can establish community or local governments and assign responsibilities to them.

Urban extensions of Aboriginal nations may include urban Aboriginal citizens' participation in governance initiatives. But for urban citizens, participation is voluntary and based on individual choice and consent. Urban extensions of an Aboriginal nation

government might take the form of extraterritorial jurisdiction, host nation, treaty nation government in urban areas, or Métis nation government in urban areas.

Extraterritorial services include programs and services for spiritual and cultural beliefs and practices, provision of programs and services in Aboriginal languages, and health care. It also includes social and welfare services, such as training programs, custody, and adoption and placement of children.

For Aboriginal people living in the urban areas that fall within the traditional territories of these host nations, they may choose to participate in the host nation's urban governance activities. In an urban area, an Aboriginal nation government would most likely confine its activities as host nation to program and service delivery. Treaty nations may establish centres in urban areas to deliver services and treaty entitlements. The authority to deliver programs and services to treaty people in urban areas would be delegated by participating treaty nations to the centres.



Figure 10 Drumming at an Idle No More forum at the University of the Fraser Valley, 2013; Credit: University of the Fraser Valley

Conclusion

The oppressive and exclusionary tactics of the Canadian state failed to extinguish Indigenous peoples right for self-government, self-determination, and nationhood. Amidst the Canadian state, Indigenous peoples today continue to work towards their own political governance models that represent and honour traditional forms of Indigenous governing systems.

Credits

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- Figure 8. Métis nation flag; Credit: Corbin Fraser; License: CC BY 4.0 <https://creativecommons.org/licenses/by/4.0/>; URL : <http://corbinfraser.photos/tag/flag/>
- Figure 9. Women dancing at a National Aboriginal Day awareness event, 2014; Credit: University of the Fraser Valley; License: CC BY 2.0 <https://creativecommons.org/licenses/by/2.0/>; URL: <https://www.flickr.com/photos/ufv/14262397949/in/photolist-nJjw1V-o1PuY6-nJkjhb-nYLC1S-uGVEUo-nYLRNm-nJkd8s-nJlRm9-uH1djE-o1w7VZ-nYLQ7L-nJk9yq-o3AyZz-o1HSZw-o1GH25-nJjHR7-nJjT35-o1weUZ-uZB2tF-nJjskP-o3AoEq-nJixUp-uXgE1G-n1HZSC-95iJuo-c6RQ1h-c6RS9m-cxbfQd-c6RPJQ-gmSvHy-bUtmwr-c6RRW7-eXj12u-95iJeW-c6RQPJ-cQJu4Y-c6Ryds-A8zQK-c6RVp1-7acMEF-c6RSkq-bHfKar-86ubRf-c6RKZY-98JSz8-9CQQyR-eX7hbv-eX7EEEx-c6RM9Y-o3AKFK>
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