Aboriginal Self-Government in Canada
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This essay presents selected self-government models and arrangements through which Aboriginal people participate in the governance and political management of their affairs.

Wall (1998) in *Aboriginal Self-Government In Canada: The Cases Of Nunavut And The Alberta Métis Settlements* examines the self-government structures of the Métis Settlement Councils and the Accord, and the Nunavut model. The major differences between these two forms of self-government are related to who can qualify to run for office. The Métis Settlements Councils are examples of ethnic governments that are elected and operated by members of a particular ethnic group. Nunavut, on the other hand, is an example of a public government in which anyone who meets the resident’s requirements regardless of ethnicity can participate in the election of the governments.

Wall (1998) presents an analysis of several views of self-government. He cites York’s vision of self-government as describing the more commonly held vision:

> Cultural revival among aboriginal people is just one step toward regaining what has been lost. Self-government is the other key to the future of native people. When they are permitted to gain influence over the central institutions in their communities—the schools, the justice system, the child welfare system—Indian and Métis people have already demonstrated that they can repair the damage caused by centuries of racism and neglect. (page 21)

Wall uses the Alberta Métis Settlements accords and the agreements of the late 1980’s and the Nunavut self-government models as illustrations of two distinctive approaches to self-government that have striking similarities.

The main issue Wall wrestles with is whether these self-government models represent a fundamentally different relationship between Aboriginal people and the federal and provincial governments. Wall concludes that the governance structures for the Métis Settlements are not new, and while the Nunavut model has important differences in
structure and processes of Aboriginal self-government, neither approach has resulted in substantive changes in their relationship with the Federal government. Many elements of the historical and problematic relationship between the parties are still evident.

John Hylton’s book *Aboriginal Self-Government in Canada* (1999) is an excellent collection of works by many prominent thinkers and researchers in the self-government field. Covering a wide range of themes, this book presents twenty-one articles that are divided into four parts:

1. An Introduction to Aboriginal Self-Government,
2. Trends in the Implementation of Self-Government,
3. Issues and Debates,

Throughout this volume, Hylton identifies a number of topics regarding self-government:

- The importance of a bottom-up community based approach.
- The problems of implementing programs in a top-down manner, especially when the programs are not based on Aboriginal values and belief systems.
- The importance of adapting programs to local community circumstances so that they are not simply translated from other communities, even other Aboriginal communities.
- The value of examining how traditional aboriginal practices and customs can be adapted to address contemporary realities in Aboriginal communities.
- The danger of replicating existing approaches that have not worked well in the dominant society, in aboriginal communities, especially if the time and resources available for planning are restricted.
- The importance of adopting integrative holistic approaches to meet individual and community needs. These approaches break down the artificial barriers that often exist in segmented programs.
♦ The need to invest and develop human and other capital in Aboriginal communities so the capacity of the communities to initiate and maintain self-government will be strengthened.
♦ The need to develop policy legislative and funding frameworks for self-government initiatives so that programs are not vulnerable to the changing priorities and directions of Canadian Governments. (page 9)

Hylton’s (1999) concluding comments indicate that there are many sound reasons to believe that the prospects for Aboriginal self-government in Canada are good. He points out that self-government is already being practiced, new self-government arrangements are being implemented, public opinion is for the most part favorable, and there is sufficient political will to ensure that this self-government evolution continues.

Morse in *The Inherent Right of Aboriginal Self-Governments* (in Hylton, 1999) presents a comprehensive historical analysis of the journey to the inherent right of Aboriginal governance. He lays out the federal government’s five foundational principles of inherent right theory:

1. The federal government accepts that Aboriginal people have the right to govern themselves;
2. The federal government recognizes the inherent right to self-government as an existing right under subsection 35 (1) of the Constitution;
3. The federal government recognizes that Aboriginal governments will not all be the same;
4. The federal government proposes that the costs of Aboriginal self-government should be shared among the federal, provincial, territorial, and Aboriginal governments and institutions; and,
5. The federal government proposes that the self-government processes should start with Aboriginal people having the ‘trigger’; that is, it would be up to Aboriginal people to commence negotiations.
Morse shares some of the British Columbia self-government experiences to date. He refers to the development of the Sechelt Indian Government District, the Aboriginal self-government in the Yukon and the Nisga’a agreement. With respect to the Sechelt experience, Morse explores the motivation for this accord within the context of the unique dynamics of the Sechelt Aboriginal community which has over 30 separate reserves intertwined with a larger non-Aboriginal population close to the Metropolitan Vancouver. Looking to the Yukon, Morse outlines the processes and outcomes that The Council of Yukon First Nations engaged to achieve a modern land claims settlement.

In her essay Renewing the Relationship: A Perspective on the Impact of the Royal Commission On Aboriginal Peoples, Castellano (in Hylton, 1999) talks about RCAP, its extensive scope, and how its presentation of history substantially challenged prevailing assumptions. She acknowledges ways in which the report argued for a different understanding of the origins and constituent elements of Canadian society. As she relates, it was impossible to provide a balanced synopsis of 3500 pages of work in a short essay; rather, her intention was to briefly reiterate the overall thrust of the commission’s report and to report on the impact the report is having some years later.

Castellano’s overview of RCAP is concise. She then weaves this section into an impact analysis of RCAP on the Nisga’a Final Agreement, highlighting this agreement as an expression of the new approaches to treaty making. She acknowledges that the Nisga’a agreement will undoubtedly influence the course of self-government negotiations across the country.

She notes that The Nisga’a final agreement contains some important breakthroughs, especially because Canada recognized positions long held by Aboriginal peoples. These positions include:

- Aboriginal nations relate to the Crown as nations,
Aboriginal nations have the right to self-government as an order of government with jurisdictions concurrent with Federal and Provincial laws and not subordinate to them, and,

Treaties will be seen as the means for sharing the wealth of the land, and do not indicate relinquishment of all rights forever.

Castellano further enriches the self-government dialogue by presenting sections on self-reliance and healing, which are byproducts of a new approach to treaty making. She believes that “The large work of transforming consciousness has begun” (page 109).

In an essay written by Barron and Garcea (in Hylton, 1999), Aboriginal Self-Government and the Creation of New Aboriginal Reserves, they explore a major trend in Aboriginal self-government, the creation of new satellite reserves. Given the negative history of reserves in Canada, they express their surprise that these new reserves are being created through the insistence of Aboriginal leaders. As this trend has been most notable in Saskatchewan, Barron and Garcea develop their essay with an exploration of an overview of the numbers and types of new satellite reserves in various parts of Saskatchewan, the factors that led to their creation, and the policies and processes for creating them. Their overall intent was to illuminate this phenomenon so as to provide insights for application across Canada.

They conclude their work by stating a belief that the most significant question that remains unanswered is the unknown impact of these new satellite reserves on the development objectives of First Nations. They believe that much will depend on how well the new reserves are governed and managed in the face of unpredictable political and economic environments.