

FIRST MINISTERS' CONFERENCE  
ON  
ABORIGINAL CONSTITUTIONAL MATTERS

Opening Statement of Premier Peter Lougheed

Alberta

Ottawa  
March 8 and 9, 1984

MR. CHAIRMAN, FELLOW PREMIERS, TERRITORIAL, AND  
ABORIGINAL LEADERS.

WHEN WE MET LAST MARCH, WE BEGAN AN IMPORTANT PROCESS  
OF DEFINING IN MODERN TERMS THE RIGHTS OF THE ABORIGINAL  
PEOPLES WITHIN CANADA. SIGNIFICANT PROGRESS WAS MADE IN  
MARCH 1983 IN THE FORM OF AGREEMENT ON CONSTITUTIONAL  
AMENDMENTS DESIGNED TO ENSURE ABORIGINAL SEXUAL EQUALITY,  
TO AFFORD NEW LAND CLAIMS AGREEMENTS THE SAME CONSTITUTIONAL  
PROTECTION AS EXISTING TREATIES, TO ENSURE THAT THERE WOULD  
BE FURTHER FIRST MINISTERS' CONFERENCES TO ADDRESS THE  
ABORIGINAL CONSTITUTIONAL ISSUE, AND TO AFFIRM THE PRINCIPLE  
THAT ABORIGINAL PEOPLE SHOULD BE CONSULTED ON ANY FUTURE  
AMENDMENTS AFFECTING THEM.

MR. CHAIRMAN, ON JUNE 3, 1983, THE ABORIGINAL CONSTITUTIONAL

AMENDMENTS WERE PASSED UNANIMOUSLY BY THE LEGISLATURE OF THE PROVINCE OF ALBERTA. THESE AMENDMENTS, WHICH ARE THE FIRST AMENDMENTS TO THE CONSTITUTION SINCE ITS PATRIATION, WERE SUBSEQUENTLY PASSED BY THE FEDERAL GOVERNMENT AND A SUFFICIENT NUMBER OF PROVINCES TO ENSURE THAT THEY WILL BE ENTRENCHED IN THE CONSTITUTION. TO MY MIND, MR. CHAIRMAN, THIS IN ITSELF REPRESENTS AN IMPORTANT ACHIEVEMENT FOR CANADA'S ABORIGINAL PEOPLES AND ALL OTHER CANADIANS.

AS I STATED LAST YEAR, WE DO NOT RULE OUT THE POSSIBILITY OF FURTHER CONSTITUTIONAL AMENDMENTS. HOWEVER, HAVING REVIEWED THE REPORTS FROM THE MINISTERIAL MEETINGS, WHICH WE VIEW AS PROGRESS REPORTS, WE STILL BELIEVE THAT LEGISLATIVE, PROGRAM, AND POLICY MEANS ARE THE BEST WAY TO ACCOMMODATE THE ASPIRATIONS OF THE ABORIGINAL PEOPLES.

FOR INSTANCE, APPROXIMATELY 3500 ALBERTA METIS LIVE

ON EIGHT METIS SETTLEMENTS ESTABLISHED THROUGH THE ALBERTA  
METIS BETTERMENT ACT. THESE SETTLEMENTS WERE SET ASIDE NOT  
AS A RECOGNITION OF ABORIGINAL RIGHT, BUT AS A MEASURE  
DEVELOPED IN THE 1930s TO ASSIST ONE PORTION OF THE ALBERTA  
POPULATION. THE METIS BETTERMENT ACT IS CURRENTLY BEING  
REVIEWED BY A JOINT COMMITTEE COMPRISED OF METIS AND  
ALBERTA GOVERNMENT REPRESENTATIVES, CHAIRED BY DR. GRANT MAC<sup>E</sup>WAN.  
WE ANTICIPATE THAT THIS REVIEW MAY RESULT IN THE RECOMMENDATION  
OF A NUMBER OF CHANGES TO THE ACT WHICH COULD PROVIDE  
GREATER SELF-GOVERNMENT ON THE SETTLEMENTS.

BUT WHAT ABOUT THOSE METIS WHO DO NOT LIVE ON THE  
SETTLEMENTS? IN ALBERTA, THE MAJORITY OF METIS LIVE IN  
MIXED COMMUNITIES, MANY OF WHICH ARE IN REMOTE LOCALES.  
WE HAVE, HOWEVER, BEEN ADDRESSING THIS SITUATION FOR SEVERAL  
YEARS.

ONE PRACTICAL EXAMPLE OF OUR APPROACH IS THAT IN OUR NORTHERN COMMUNITIES WE HAVE ENCOURAGED METIS AND OTHER RESIDENTS TO TAKE AN ACTIVE ROLE IN LOCAL GOVERNMENT THROUGH LOCALLY ELECTED COUNCILS.

A FURTHER CONCRETE EXAMPLE IS THE ENACTMENT BY THE ALBERTA LEGISLATURE IN THE SPRING OF 1983 OF THE NORTHLAND SCHOOL DIVISION ACT WHICH DRAMATICALLY ALTERED THE GOVERNANCE OF THE PROVINCE'S LARGEST SCHOOL DIVISION. THE NORTHLAND SCHOOL DIVISION PROVIDES EDUCATIONAL SERVICES TO 28 PREDOMINANTLY NATIVE COMMUNITIES THROUGHOUT RURAL NORTHERN ALBERTA. THE NEW ACT GUARANTEES THAT NORTHERN RESIDENTS, AND MORE PARTICULARLY, PARENTS, HAVE THE OPPORTUNITY TO PARTICIPATE EFFECTIVELY IN DECISIONS ABOUT THE EDUCATION OF THEIR CHILDREN. IN PREPARING THIS LEGISLATION CONSIDERABLE CONSULTATION OCCURRED WITH THE RESIDENTS OF THESE COMMUNITIES

AS WELL AS WITH METIS LEADERS IN THE PROVINCE,

AGREEMENT HAS ALSO BEEN REACHED WITH THE METIS ASSOCIATION OF ALBERTA ON A GRASSROOTS PROCESS TO DEVELOP SOLUTIONS TO MEET THE CONCERNS OF METIS COMMUNITIES. THE PROCESS IS ALREADY UNDERWAY. THE LESSONS LEARNED FROM THESE DISCUSSIONS MAY ASSIST EVERYONE IN THE CONSIDERATION OF ABORIGINAL CONSTITUTIONAL ISSUES WHICH HAVE BEEN RAISED IN THIS NATIONAL FORUM. MORE IMPORTANTLY, WE ANTICIPATE THAT THIS ALBERTA PROCESS WILL LEAD TO ADDITIONAL MEASURES BEING TAKEN TO RESPOND TO METIS CONCERNS IN OUR PROVINCE.

THESE ARE ONLY SEVERAL OF THE PRACTICAL MEASURES THAT WE HAVE TAKEN TO STRENGTHEN SELF-GOVERNMENT FOR ALBERTA NATIVES.

AS I SAID LAST YEAR, AS A PROVINCIAL GOVERNMENT,

ALBERTA'S FOCUS IS UPON ITS RESPONSIBILITY FOR THE ALBERTA METIS. HOWEVER, IN REVIEWING THE PROGRESS REPORTS, WE HAVE NOTED THAT OTHER PROVINCES AND, INDEED, MANY METIS ORGANIZATIONS MAINTAIN THAT METIS ARE A FEDERAL RESPONSIBILITY UNDER THE CONSTITUTION. CLEARLY, THIS IS A MATTER WHICH MUST BE RESOLVED.

THE GOVERNMENT OF ALBERTA ALSO HAS SOME RESPONSIBILITY FOR THE INDIAN PEOPLE WHICH IT EXERCISES BY DIRECT DEALINGS WITH BANDS AT THEIR REQUEST. THE AIM OF OUR INVOLVEMENT WITH ALBERTA INDIANS IS TO SUPPORT THE BASIC FEDERAL OBLIGATION ESTABLISHED BY TREATIES AND THE CONSTITUTION. FOR EXAMPLE, IN JUNE 1983, ALBERTA SIGNED A CHILD WELFARE AGREEMENT WITH THE LESSER SLAVE LAKE INDIAN REGIONAL COUNCIL IN RESPONSE TO THAT COUNCIL'S REQUEST TO UNDERTAKE THE DELIVERY OF CHILD

WELFARE SERVICES TO ITS MEMBERS. THIS AGREEMENT PROVIDES  
A FRAMEWORK FOR COOPERATION WITH THE REGIONAL COUNCIL ON  
CHILD WELFARE WITHOUT DETRACTING FROM THE FEDERAL GOVERNMENT'S  
IMPORTANT TRUST RESPONSIBILITY FOR INDIANS.

PROGRESS IS BEING MADE IN ALBERTA AND I AM CERTAIN  
IN OTHER JURISDICTIONS. IN MANY WAYS IT IS EASIER TO  
DEVELOP MEASURES FOR ONE GROUP OF PEOPLE IN ONE JURISDICTION  
THAN IT IS TO AGREE UPON CONSTITUTIONAL PROVISIONS GENERAL  
ENOUGH TO APPLY TO ALL OF CANADA'S ABORIGINAL PEOPLES, YET  
SUFFICIENTLY PRECISE THAT THE IMPLICATIONS OF THE PROVISIONS  
ARE EVIDENT. THIS IS THE CHALLENGE WHICH WE FACE IN THIS  
NATIONAL PROCESS. ALBERTA IS PARTICIPATING IN THESE  
DISCUSSIONS FULLY AWARE OF THE DIFFICULTY OF THE TASK, BUT  
WITH TIME AND MUTUAL UNDERSTANDING, POSITIVE RESULTS MAY BE  
ACHIEVED.



THE IMPORTANCE OF THESE DISCUSSIONS IS THAT THEY ARE  
TAKING PLACE AND THAT ABORIGINAL PEOPLES HAVE AN OPPORTUNITY  
TO PARTICIPATE FULLY. WHETHER OR NOT THESE DISCUSSIONS WILL  
EVENTUALLY LEAD TO FURTHER CONSTITUTIONAL AMENDMENTS IS  
DIFFICULT TO PREDICT. IN MY VIEW, HOWEVER, THESE DISCUSSIONS  
AND THE MUTUAL UNDERSTANDING THEY ARE FOSTERING CANNOT HELP  
BUT HAVE A POSITIVE OUTCOME.