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FEDERAL-PROVINCIAL MEETING OF MINISTERS ON  
ABORIGINAL CONSTITUTIONAL MATTERS

Opening Remarks to the Meeting of Federal  
and Provincial Ministers on Aboriginal Issues  
(in preparation for S. 37 First Ministers'  
Conference)

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Inuit Kanatalimami Pijutigiluit

Katimajiit

Ottawa, Ontario  
February 28 &  
March 1st, 1983

OPENING REMARKS TO THE MEETING OF FEDERAL AND PROVINCIAL MINISTERS  
ON ABORIGINAL ISSUES (IN PREPARATION FOR S. 37 FIRST MINISTERS CONFERENCE)

February 28, 1983

THANK-YOU MR. CHAIRMAN. I WOULD LIKE TO BEGIN MY OPENING REMARKS BY TALKING ABOUT THE EVOLUTION OF THE CONSTITUTIONAL REFORM PROCESS AS IT PERTAINS TO THE RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA. AS YOU ARE AWARE, INUIT AND THE OTHER ABORIGINAL ORGANIZATIONS WERE INVOLVED IN THE PRE-PATRIATION PROCESS WHICH INVOLVED PRESENTATIONS TO THE JOINT SENATE AND HOUSE OF COMMONS COMMITTEE AND THE CONTINUING COMMITTEE OF MINISTERS ON THE CONSTITUTION. THAT STAGE OF THE PROCESS HAD BOTH HIGH AND LOW POINTS. WE WERE ABLE TO CONVINCED THE FEDERAL GOVERNMENT IN JANUARY OF 1981, TO INCLUDE IN ITS PATRIATION RESOLUTION A CLAUSE RECOGNIZING AND AFFIRMING ABORIGINAL RIGHTS IN THE CONSTITUTION. WITHOUT GOING INTO THE WHOLE HISTORY OF THE 1980/81 SAGA, IT SHOULD BE POINTED OUT THAT THE MISTRUST WHICH THE NATIVE GROUPS HAVE IN GOVERNMENTS WAS NOT AIDED BY THE DROPPING OF THE ABORIGINAL RIGHTS PROVISION, SECTION 34 AT THAT TIME, WHEN THE ACCORD BETWEEN THE PRIME MINISTER AND THE PROVINCIAL PREMIERS WAS REACHED ON NOVEMBER 5, 1981. AFTER A LONG AND HARD PUBLIC CAMPAIGN AND VIGOROUS POLITICAL LOBBYING WE WERE SUCCESSFUL IN OBTAINING THE RE-ENTRENCHMENT OF THAT SECTION, NOW KNOWN AS SECTION 35.

WE ARE NOW INVOLVED IN A PROCESS WHICH IS GUARANTEED THROUGH S. 37 OF THE CONSTITUTION ACT. WE ARE HERE TO TELL YOU AS GOVERNMENTS WHAT WE AS ABORIGINAL PEOPLES SEE AS BEING OUR RIGHTS AND TO DETERMINE HOW THESE RIGHTS SHOULD BE WRITTEN DOWN IN THE CONSTITUTION ACT, 1982. IN THE PAST WE HAVE OFTEN HEARD YOUR BOMBASTIC STATEMENTS THAT "WE

DON'T KNOW WHAT THE ABORIGINAL PEOPLE WANT". IT HAS OFTEN BEEN STATED THAT THE NATIVE PEOPLE ARE DIVERSE, HOLDING DIVERSE POINTS OF VIEW ON ISSUES TO BE DEALT WITH BETWEEN THEM AND GOVERNMENTS. IT HAS BEEN APPARENT THAT IN THEIR IMPORTANCE AND COMPLEXITY THE ISSUES AT HAND ARE NOT LIKELY TO GAIN THE UNANIMOUS APPROVAL OF EVERY NATIVE GROUP. HOWEVER, OUR STRENGTH IS OUR TRADITION OF MAKING MAJOR DECISIONS BY CONCILIATION AND CONSENSUS.

I WOULD POINT OUT AT THIS JUNCTURE THAT IT IS TRUER TO SAY THAT GOVERNMENTS DON'T KNOW WHAT THEY WANT. IT HAS TAKEN YOU 52 YEARS TO HASH OUT A SUITABLE FOUNDATION FOR THIS COUNTRY ALBEIT ONE IN WHICH QUEBEC AND I THINK IT IS FAIR TO SAY THE ABORIGINAL PEOPLE HAVE BEEN EXCLUDED. WE KNOW EXACTLY WHAT WE WANT, AND WE ARE HERE TO TELL YOU ABOUT IT. WE APPEAL TO ALL OF YOU AROUND THIS TABLE NOT TO ALLOW MUTUAL IMPATIENCE TO DESTROY WHAT WE ALL KNOW OUGHT TO BE AN ACT OF CONSTRUCTION. THE TASK AT HAND IS NOTHING LESS THAN IDENTIFYING, DEFINING AND ENTRENCHING ABORIGINAL RIGHTS IN THE CONSTITUTION OF CANADA.

FROM THE BEGINNING OF THIS PROCESS, INUIT HAVE OPENLY AND UNABASHEDLY PROMOTED WHAT WE PERCEIVE TO BE OUR RIGHTS AS ABORIGINAL PEOPLES OF CANADA. WE HAVE NO WAVERING DOUBTS ABOUT WHAT THESE ARE. OUR SPOKESMEN AND REPRESENTATIVES HAVE FORCEFULLY PRESENTED THESE AT EVERY OPPORTUNITY DURING THE MEETINGS WITH THE GOVERNMENTS OF CANADA, FEDERAL, PROVINCIAL AND TERRITORIAL.

IN RETURN, WE HAVE EXPECTED OPEN AND HONEST RESPONSES FROM THESE RESPECTIVE GOVERNMENTS. IT IS ONLY FAIR THAT THEIR CONCERNS BE ADDRESSED IN ORDER FOR JUSTICE TO BE DONE NOT ONLY FOR US, BUT ALSO FOR THE OTHER PEOPLES OF CANADA WHO HAVE ADOPTED THIS LAND AS THEIR HOME AND BIRTHRIGHT.

AT TIMES, THIS PROCESS HAS BEEN THREATENED WITH DESTRUCTIVE MISTRUST. THE PROVINCES' ATTITUDES WHICH TO A CERTAIN DEGREE ARE ANTI-NATIVE HAVE SURFACED ON SEVERAL OCCASSIONS AND IT HAS BEEN FAIRLY OBVIOUS TO US AT THIS END OF THE TABLE THAT THERE HAS BEEN A CERTAIN RELUCTANCE ON THE PART OF GOVERNMENTS INCLUDING THE FEDERAL GOVERNMENT TO DEAL WITH THE ISSUES. MAINTENANCE OF THE STATUS QUO SEEMS TO BE A PREOCCUPATION IN SOME SECTIONS OF THE COUNTRY.

WE ARE CONVINCED THAT MEETINGS WHICH HAVE TAKEN PLACE PRIOR TO THIS ONE HAVE NOT BEEN PRODUCTIVE TO THE MAXIMUM. THIS IS CAUSED IN LARGE PART BY YOUR RELUCTANCE AS GOVERNMENTS TO START DEALING SQUARELY AND SERIOUSLY WITH THE ISSUES WHICH WE HAVE PRESENTED TO YOU IN GOOD FAITH.

WE WOULD HOPE THAT THIS MEETING CAN BE MUCH MORE PRODUCTIVE THAN PREVIOUS MEETINGS HAVE BEEN. AFTER OUR TOUR OF MOST OF THE PROVINCIAL CAPITALS WE ARE CONFIDENT THAT THE GOVERNMENT DELEGATIONS NOW HAVE A BETTER UNDERSTANDING OF OUR POSITIONS AND WE IN TURN HAVE A FAR GREATER UNDERSTANDING OF SOME OF THEIR CONCERNS. WE HOPE THAT THEY WILL NOW BEGIN TO TREAT THE ISSUES WITH THE SAME DEGREE OF SERIOUSNESS AS WE HAVE WITHIN OUR OWN ORGANIZATIONS. AS WE HAVE STATED PREVIOUSLY

WE ARE PARTICIPATING IN THIS CONFERENCE WITH THE HOPES OF ACHIEVING WITH DIGNITY, A PLACE IN THE CANADIAN CONFEDERATION WHICH RECOGNIZES OUR DISTINCT POLITICAL, ECONOMIC AND CULTURAL RIGHTS AS IS BEFITTING OF OUR LONG TIME OCCUPANCY OF WHAT IS NOW KNOWN AS CANADA.

TO THAT END WE BELIEVE THAT THIS MEETING, THE LAST AT THE MINISTERIAL LEVEL BEFORE THE FIRST MINISTERS MEET IN MARCH, MUST ATTEMPT TO BRING ALL THE ISSUES INTO PERSPECTIVE AND TO TRY TO COME UP WITH AN AGENDA WHICH IS MUTUALLY ACCEPTABLE TO ALL PARTIES. AS WE STATED IN OUR LETTER TO THE MINISTER OF JUSTICE WE ARE NOT SATISFIED WITH THE WAY THE AGENDA ITEMS HAVE BEEN GROUPED NOR WITH THE MANNER IN WHICH THE FEDERAL GOVERNMENT APPEARS TO HAVE ASSUMED THAT THE AGENDA HAS BEEN MORE OR LESS FINALIZED.

IT WAS OUR BELIEF AT THE CLOSE OF THE INITIAL MINISTERIAL MEETING THAT THIS MEETING WOULD RE-EXAMINE THE AGENDA AND AT THAT TIME THERE WOULD BE ROOM FOR CHANGES, ADDITIONS AND DELETIONS. ICNI DOES NOT WANT TO COMMENCE DISCUSSIONS ON THE ONGOING PROCESS WITHOUT SOME PRIOR ACKNOWLEDGEMENT OR GUARANTEE THAT ISSUES OF SUBSTANCE WILL BE DEALT WITH IN GOOD FAITH BY THE FIRST MINISTERS IN MARCH. WE ECHO SOME OF THE WORDS OF VARIOUS PROVINCIAL DELEGATIONS WHEN WE SAY THAT WE SHOULD TRY TO GET SOME AGREEMENT ON BROAD PRINCIPLES BEFORE TALKING ABOUT ONGOING PROCESS. WE FEEL IT WOULD BE VERY DIFFICULT TO DISCUSS WHAT KIND OF FRAMEWORK THE ONGOING PROCESS WOULD REQUIRE, WHAT ISSUES SHOULD BE DEALT WITH WITHIN THAT FRAMEWORK AND SO FORTH, IF WE DID NOT FIRST ATTEMPT TO DEAL WITH THE ISSUES OF PRIME CONCERN TO THE ABORIGINAL PEOPLES.

WE WOULD THEREFORE SUPPORT THE IDEA OF FIRST DISCUSSING PRINCIPLES, HOWEVER WE WOULD POINT OUT THAT WE DO NOT INTEND TO SIT HERE AND WAX ELOQUENT ABOUT OUR POSITIONS FOR THE FOURTH OR FIFTH TIME. YOU HAVE HAD OUR POSITION PAPERS NOW SINCE THE TIME OF THE LAST MINISTERIAL MEETING AND WE WOULD WANT TO HEAR RESPONSES AND PROPOSALS FROM ALL LEVELS OF GOVERNMENT AT THIS MEETING. WE UNDERSTAND ONTARIO AND THE FEDERAL GOVERNMENT WERE TO TABLE DOCUMENTS ON PRINCIPLES AND WE WOULD VERY MUCH LIKE TO DISCUSS THESE. WE ARE DISAPPOINTED THAT THESE PROPOSALS COULD NOT HAVE BEEN CIRCULATED PRIOR TO THE MEETING SO THAT WE IN TURN COULD RESPOND TO YOUR POSITIONS, HOWEVER GOVERNMENTS CONTINUE TO HOLD THINGS CLOSE TO THEIR CHESTS. WE HOPE THIS WILL NOT CONTINUE OVER THE NEXT SEVERAL WEEKS. FOLLOWING THE DISCUSSION OF PRINCIPLES I THINK WE SHOULD TURN TO DISCUSSIONS ON DRAFT AMENDMENTS THAT HAVE BEEN TABLED SO FAR AND FINALLY I THINK A THOROUGH DISCUSSION ON THE AGENDA IS APPROPRIATE AT THIS TIME. FOLLOWING OUR MEETINGS WITH THE PROVINCIAL GOVERNMENTS WHICH WERE ALSO ATTENDED BY REPRESENTATIVES FROM THE NATIVE COUNCIL OF CANADA AND THE ASSEMBLY OF FIRST NATIONS, IT IS OBVIOUS THAT THE AGENDA WILL HAVE TO BE CHANGED. I THINK WE CAN COME TO A MUCH MORE CONCISE AGENDA WHICH WILL BETTER REFLECT THE CONCERNS OF THE ABORIGINAL GROUPS HERE. IF WE CAN HAVE A PRODUCTIVE DISCUSSION ON AGENDA HALF OF THE WORK OF THE S.37 CONFERENCE WILL HAVE BEEN ACHIEVED.

I WILL CLOSE NOW BY STATING THAT WHEN IT COMES TIME TO DISCUSSING THE ONGOING PROCESS IT WOULD BE WORTHWHILE TO ASSESS THE PITFALLS WE HAVE RUN INTO DURING THIS STAGE OF THE CONSTITUTIONAL

REFORM PROCESS AND TRY TO FIGURE OUT HOW WE CAN BETTER ADDRESS THE  
ISSUES OF CONCERN PAST MARCH IN ORDER TO REACH A RESOLUTION. NO ONE  
HAS EVER SAID THE TASK WOULD BE EASY, HOWEVER I THINK WE CAN FIND BETTER  
MEANS TO ACHIEVE ALL OF OUR ENDS. THANK-YOU MR. CHAIRMAN.

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