**Chapter Outline**

to accompany

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**Chapter 18: The Road to Self-Government**

Like land claims and Aboriginal rights, the road to self-government has also been one that has gone through a number of phases. At the close of 1990, there were 500 to 600 specific land claims outstanding, some with very long histories, such as the Lubicon, which began in 1930. Although there has been success in the decades following, the process is often complicated by the division of powers between the federal government and the provinces. British Columbia’s lengthy history of denying Indigenous title and claims has resulted in a greater number of comprehensive claims there than any other province. The first land claim settled in B.C. was the Nisga’a Treaty, which was a self-government agreement that came into effect in 2002 and provides the Nisga’a with fee simple title to 1, 900 sq. kilometers of land.

In the northern part of Canada, the need for self-government was underscored by developing technology, which saw increasing exploitation of lands with little consideration for the needs of northern peoples. In the case of plans for hydroelectric development in Quebec, the lack of consultation led to protests and political organization by First Nations and Inuit peoples. The James Bay and Northern Quebec Agreement of 1975 was the result of these actions and it provided Indigenous Peoples with much greater control over their own political, economic and social affairs. However, in other similar cases, disputes remain ongoing and unresolved.

The issue of self-government came to the forefront after the repatriation of the Canadian Constitution and several constitutional conferences on self-government in the mid-1980s. These conferences were to include the Prime Minister, premiers, and Indigenous leadership with the goal of defining self-government as an Aboriginal right. However, the conferences failed to advance self-government and demonstrated the reluctance of both the federal and provincial governments to entrench self-government in the Constitution as an Aboriginal right. In the aftermath, in 1990, Elijah Harper, an Anishinini chief and then member of the Manitoba legislature, withheld his vote on the Meech Lake Accord on the grounds that proper procedures were not being followed, resulting in the deadline not being met and the Accord dying; that agreement would have given Quebec special status while ignoring First Nations.

The stalling of the recognition of self-government at the constitutional level did not stop self-government from moving forward at the local level. A number of self-government agreements were signed, including the Cree-Naskapi Act, the Western Arctic Claim Agreement, the Yukon Umbrella Agreement, and the Sechelt Self-Government Agreement, which allows the Sechelt to operate similarly to a municipality. As a case-by-case approach continues, other First Nations have also negotiated municipal-style self-government agreements. However, matters of self-government have been complicated by the diversity of circumstances for each case as well as fiscal restraint.

One result of the lack of movement in the area of Aboriginal rights, catalyzed by the Oka Crisis, was the establishment of the Royal Commission on Aboriginal Peoples by Brian Mulroney. The Commission heard from Indigenous Peoples across Canada and created 440 recommendations to government that could improve the lives of Indigenous Peoples. Unfortunately, the Canadian government has only acted on a few of these recommendations.

In the meantime, the government has made a number of unsuccessful attempts to replace the Indian Act with legislation that allows for greater Indigenous control over their affairs. The First Nations Governance Act was proposed to give bands increased powers, but First Nations objected to the lack of Indigenous involvement in the development of the legislation. More recently, the government of Justin Trudeau promised to build a new relationship with Indigenous peoples; in May of 2016, he began by announcing support for the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Then, in February of 2017, he announced the government’s intent to review all laws and policies as they relate to Indigenous people. However, this statement of intent has not stopped development projects from moving forward that may be in violation of UNDRIP.

The chapter also introduces some of the primary Indigenous leaders who played an important role in the negotiations mentioned above such as Elijah Harper and Ovide Mercredi. Examples of modern Indigenous governance as pertain to relationships between and among Indigenous nations are also given.

Finally, the chapter closes with a discussion of the obstacles Indigenous Peoples have faced to maintain their children in their own communities under Indigenous jurisdiction. The level of state interference in the growth of those communities has included the horrific practice of involuntary sterilization.