

Foreword

Secretariat, Environment Canada, Health Canada,

is sweeping Aboriginal Canada. Attempting to connect the dynamic realities of global change and the transformation of Aboriginal governance in Canada, therefore, offers a particularly exciting if not daunting opportunity to talk about the future.

Even though we are authors with considerable firsthand experience with developments in Aboriginal governance (most

undertake a special research project into indigenous international relations. Having looked at the matter more closely, we believe that the implications of the international aspects of indigenous relations, explored later in this paper, will be of growing importance to the future of Aboriginal governance in Canada.

We were assisted in this project by a reference group that brought together Aboriginal

pictures of First Nation government in 2015 that are developed later in the paper.

Aboriginal Governance: A Shifting and Evolving Picture

The final concept that we will use to describe First Nations governance is that of a rapidly shifting and evolving model of governance. Because of the range of changes, there will not be one cohesive picture of First Nations governance under each of the future scenarios. Today, First Nations governments mainly administer programs and services under authority delegated

strengthening and creating Tribal, Nation and regional governance structures. All of this leaves us with a very complex picture of governance that is not likely to move in one direction. Our scenarios attempt to take onto account diverse governance outcomes. But they do not do justice, by any means, to the possible variations in the First Nation governance that could emerge.

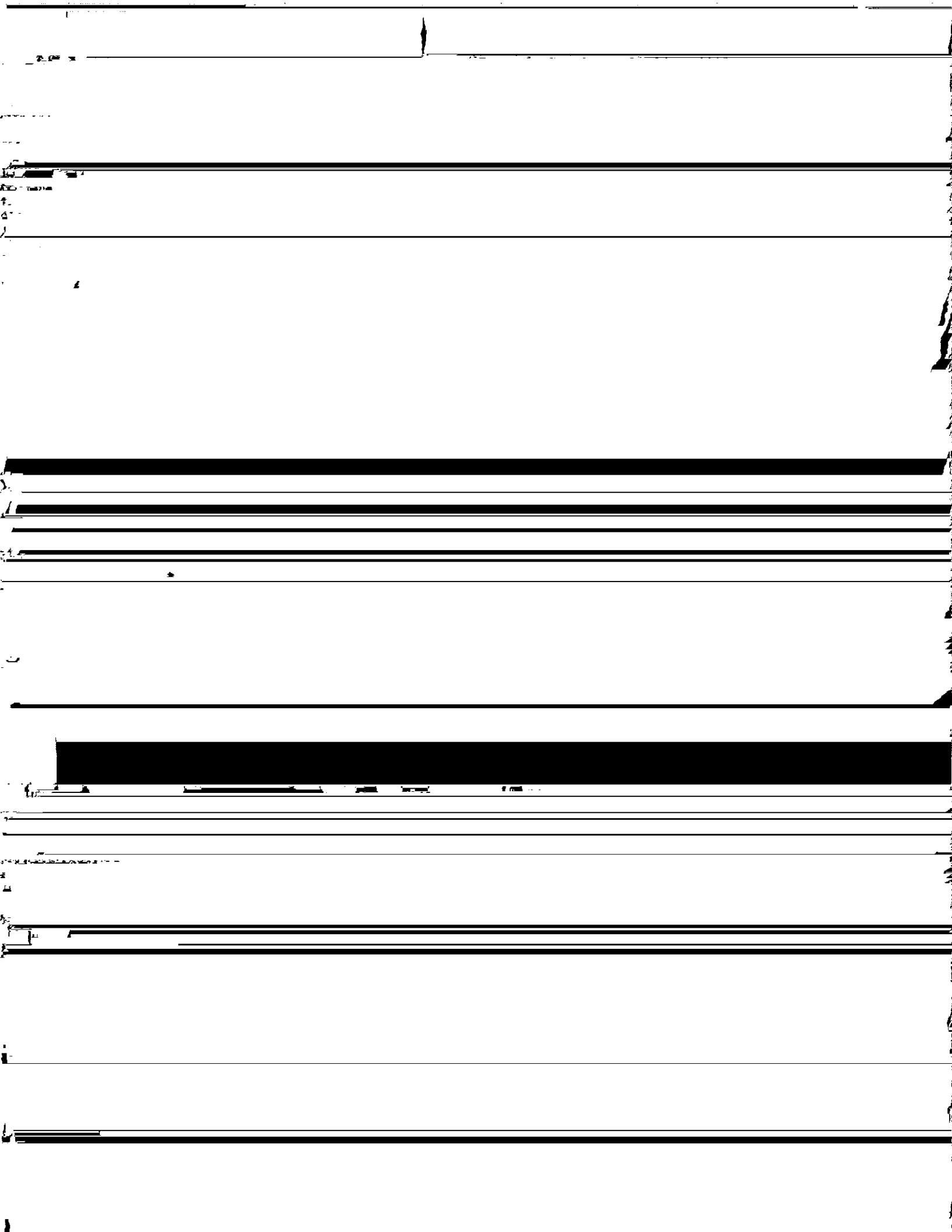
SETTING THE SCENE IN THE YEAR 2000

As we have noted, there is considerable and

Nations simultaneously practise traditional forms or systems of governance, including consensus-based decision making and ongoing oversight by Elders in the community.

Bands receive funding from the federal

jurisdictions such as health or education. Even those First Nations not involved in self-government negotiations are increasing their program and service responsibility under the *Indian Act* in the areas of education, health, policing, social services, housing and land

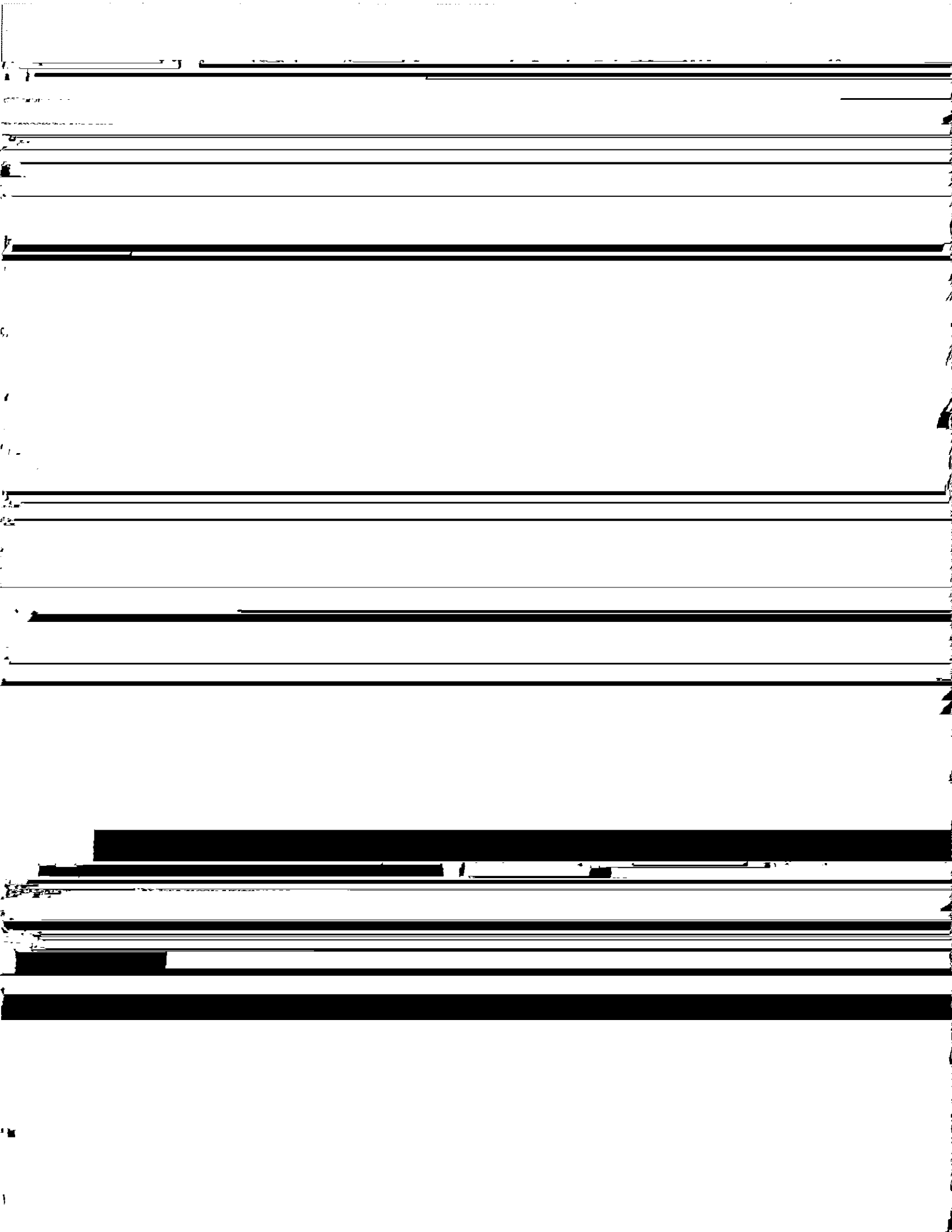


The Indigenous International Relations Picture

International Law

At the beginning of the paper, we noted the need to explore how international factors might influence the development of Aboriginal government in Canada. One obvious connection is international law. Undoubtedly, decisions by Canadian courts will be a continuing force in

judgements of other nation states and by decisions of international tribunals, including those established and maintained by the United Nations. For example, the landmark *Delgamuukw* judgement of the Supreme Court of Canada was strongly influenced by the judgements of the Marshall Court (the U.S. Supreme Court in the mid-19th century) and by the recent judgement of the Supreme Court of Australia in *Mabo*. The



development of state policies on self-determination, self-government and intellectual property rights. The globalization scenarios focus directly on international governance. One can speculate how global and regional governance in these instances may play out with respect to indigenous peoples, and we have incorporated such speculation in the Aboriginal governance scenarios. It is also possible to think of the

GLOBAL CLUB

Broad Context

In this scenario, global economic and political crisis has led to the emergence of a small global power elite (Global Club) of wealthy states and multinational corporations (MNC) that exert decisive control over global affairs. While the global position and power of non-

groups, including indigenous people. Prosperity

including potential breakthrough negotiations

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implications of decisions: the new members had introduce 'environmental charters' to their

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Ministerial Order 1998-10-10, 1998, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

influence with the big global players. Presenting the global power brokers with an image of a stable and well-managed provincial economy and

Quebec played a central role. The critical fact of life, now fully apparent, was that First Nations needed to become stronger and more influential

more actively pursue and strengthen their bilateral relationships with the provinces.

structures, improving the level and quality of services. Innovative programs included single-window urban based program and service



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contemporary 1410-1420

1410-1420 in their coverage of

Atlantic provinces began to break down and new attempts to open negotiations floundered.

Despite the risks inherent in litigation, the

Canada's badly tarnished image, the federal government tried to regroup around support for renewal of the Aboriginal constitutional process as a means of putting the treaty and self-

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Significantly, the agreement granted constitutional recognition to the inherent right to self-government without creating a

term interest. A direct stake in the growth of the provincial revenue base would create an incentive for First Nations to participate in rather

are up and running. However, building the conditions at the community level. These are now

ability of governments to effectively perform

climate of consumerism and an everyone-for-

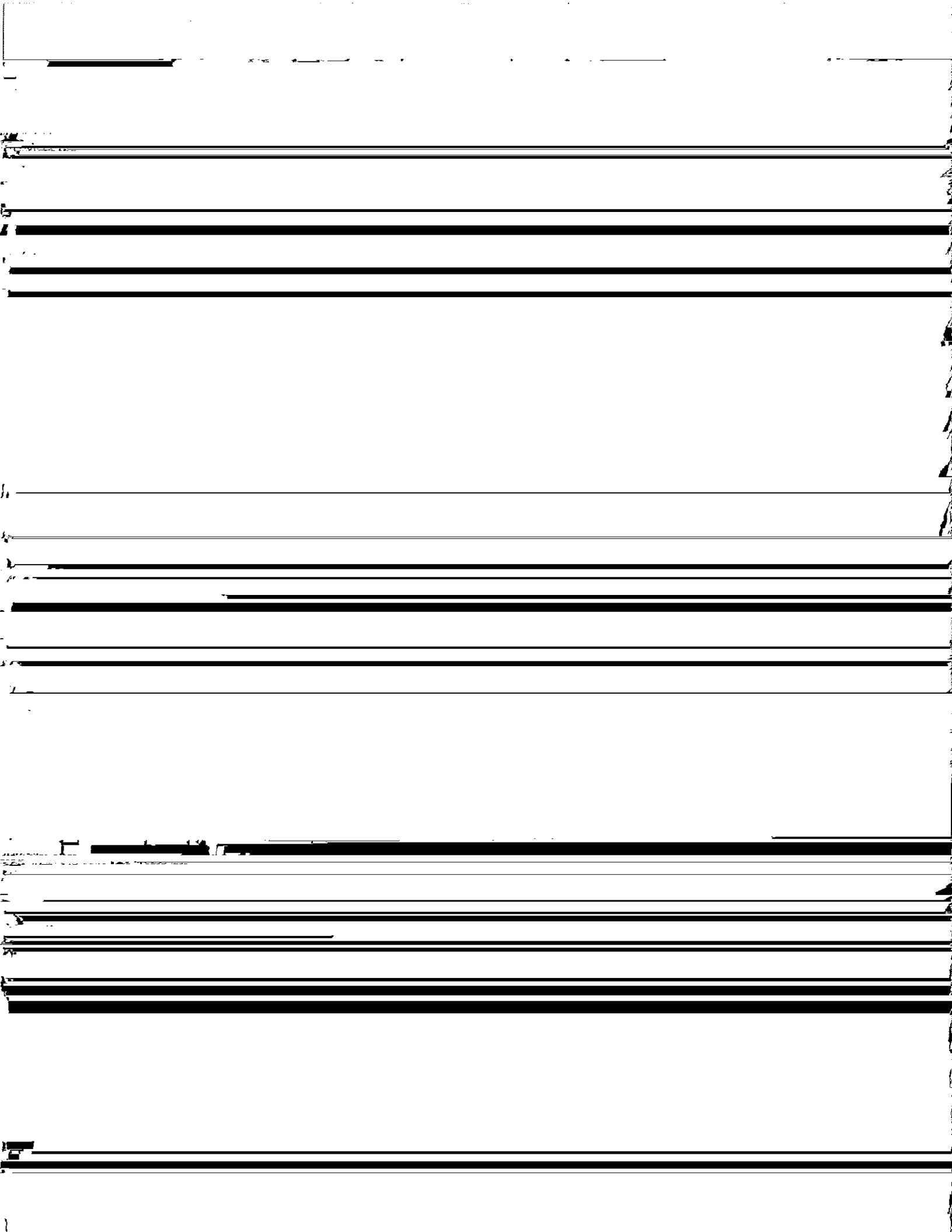
1. Joint projects with private sector IT providers to build the infrastructure to bring the

rushed ahead on their own to develop telecommunications systems and Internet sites,

Lagging behind but inspired by the
Aboriginal CyberWave phenomenon in Canada,

businesses operated in every facet of the
dominating economy. A flood of highly sought

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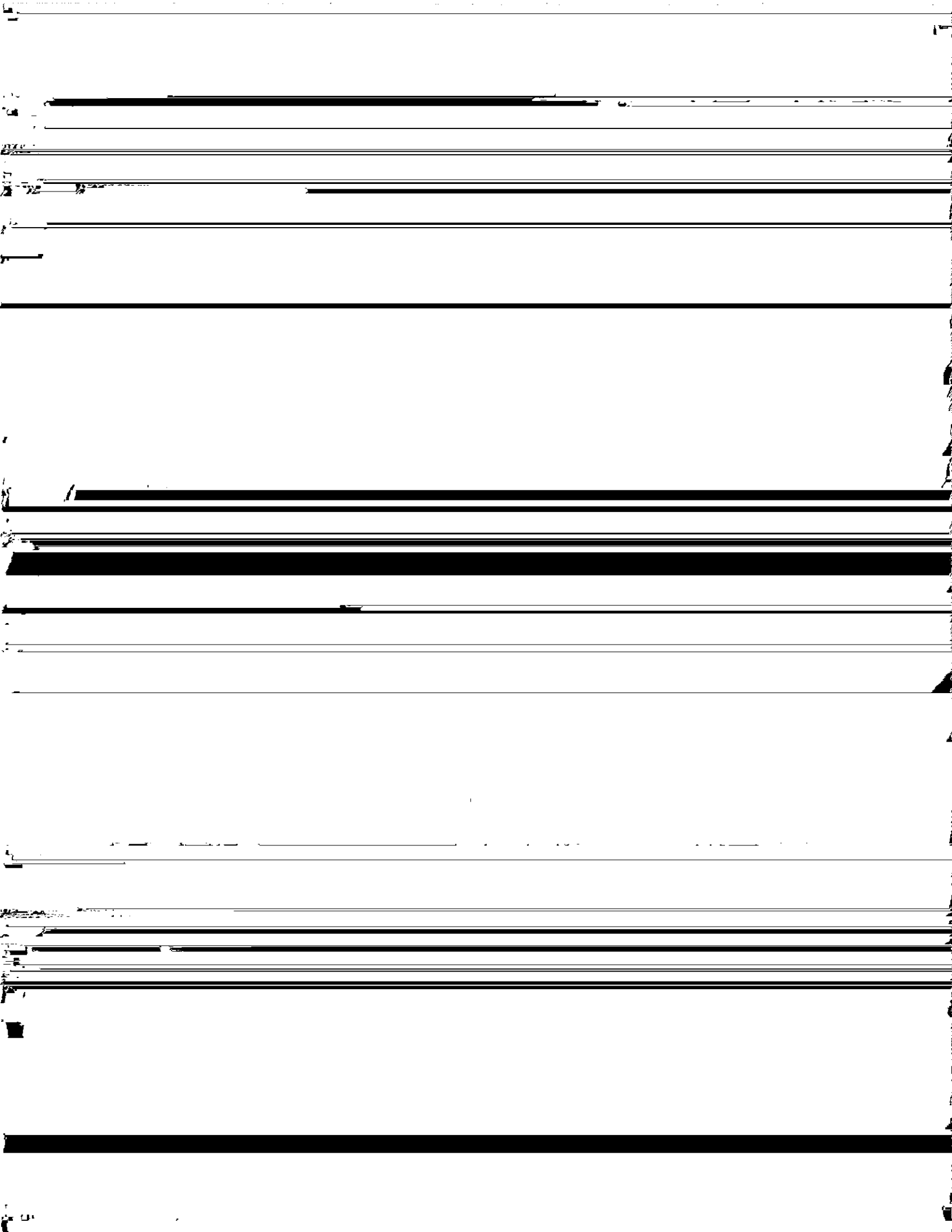
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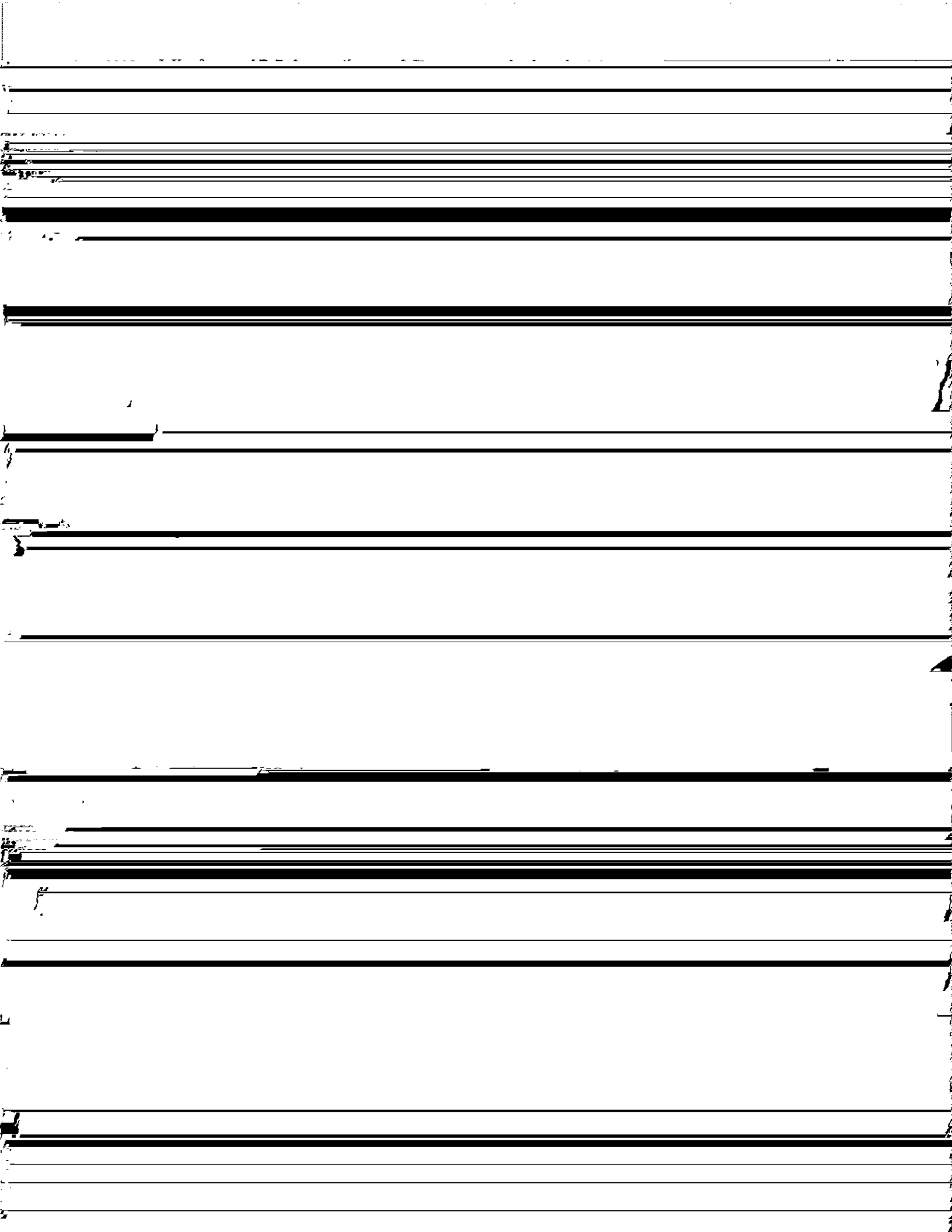
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shunted aside—shut out of talks that involved their futures; robbed of their hereditary rights; burdened with taxes they were promised they'd never have to pay; and shoved into a system they wanted no part of. But their anger was theirs alone. The elimination of the tax exemption was highly popular with the public, which had no

full weight of cutbacks and the realignment process were now apparent, as the traditional safety net role of the reserves eroded and a steady stream of people abandoned their communities to seek better luck in the cities. Most were young families poorly equipped for the transition. Frequent stories appeared in the media about the



increasing integration within provincial service delivery systems.

dominate. It was not surprising, therefore, that Aboriginal rights are dealt another blow when the

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saw First Nation governments as vehicles for delivering off-reserve programs and services, such as housing, and as enablers that facilitate the growth of economic and cultural networks and pathways that would broaden the meaning of community and strengthen its sustainability. The

is available to Canadians is also available to their members. As First Nations move away from the *Indian Act* to become more autonomous political units, the state of these basic social program commitments is even more uncertain. So the challenge is how to better integrate and

Aboriginal self-government in Canada. Three of the general global scenarios severely impacted on existing international institutions of cooperation and governance. When applied in the context of

is national or local in scope. In Global Club, communities that engaged in a process of renewal emerged with new, forward-looking leaders. As the anecdote about the U.S. President at

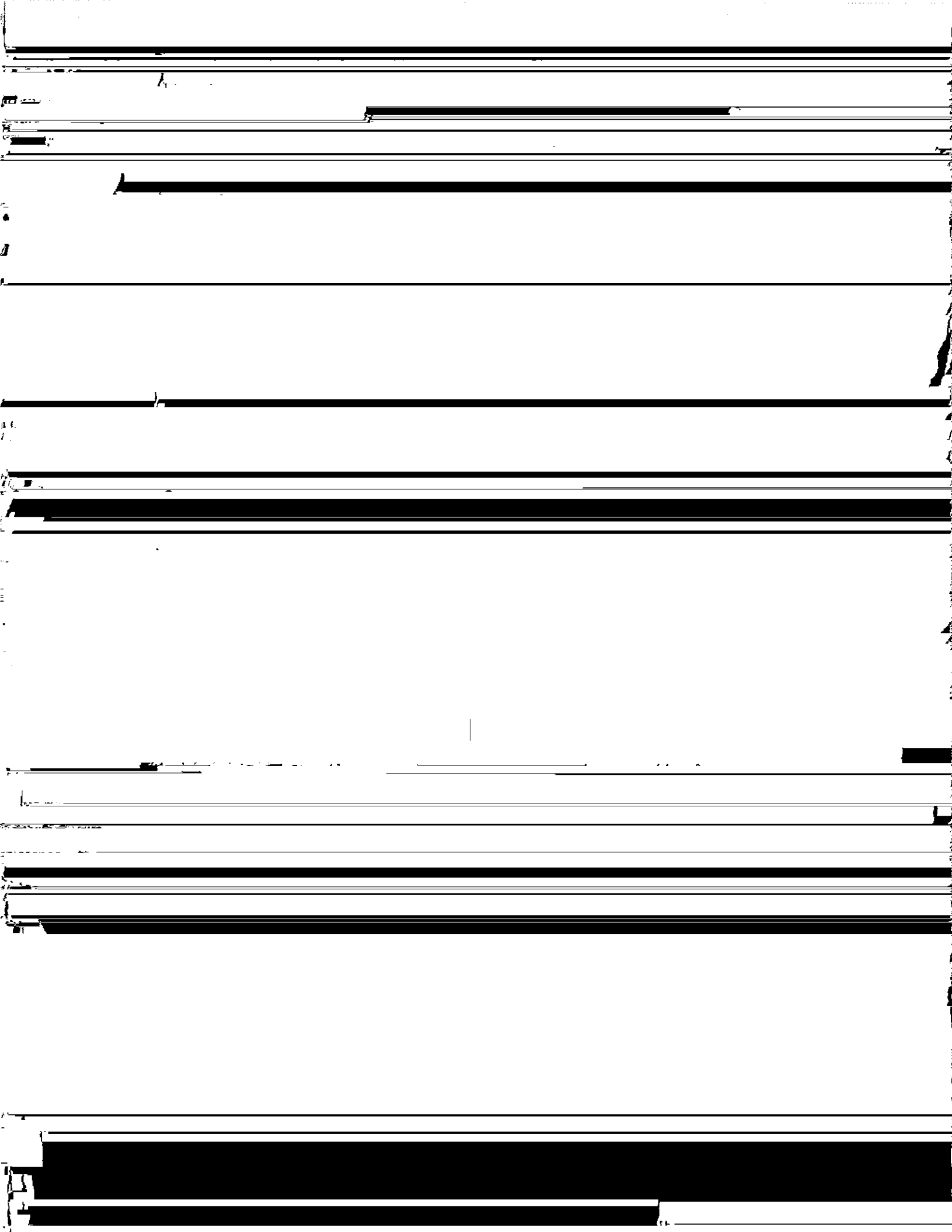
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GLOSSARY OF TERMS

Aboriginal peoples: The descendants of the

Band: The *Indian Act* defines a “band” as a body of Indians with common use and benefit of lands and moneys. There are currently 608 First Nation



APPENDIX A

Aboriginal Self-Government - Inherent Right Policy (1995)

In 1995, the federal government adopted a policy to promote Aboriginal self-government based on the concept of inherent right to self-government being one of the Aboriginal rights

matters that are central to governance or internal and integral to Aboriginal culture. The federal government will not negotiate jurisdictional responsibility in a number of areas that are considered national scope or related to "peace, order and good government," where it is considered essential that the federal government retain its law-making power. Federal policy

List One	List Two	List Three
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The exercise of government functions by the Crown in the Province of Ontario