

## About the authors of this pamphlet:

**Taiaiake Alfred** is a Professor in Indigenous Governance and in the Department of Political Science at the University of Victoria. He is author of *Heeding the voices of our Ancestors* (1995), *Wasáse: Indigenous Pathways of Action and Freedom* (2005), and *Peace, Power, and Righteousness: An Indigenous Manifesto* (2009). He worked as a researcher and advisor to the Royal Commission on Aboriginal Peoples from 1992 to 1996 in the areas of governance and youth issues.

**Tobold Rollo** is a PhD candidate at the University of Toronto. He specializes in Canadian politics and democratic theory. He is author of *Embodied Recognition: Toward a Phenomenology of Political Affirmation* (2008).



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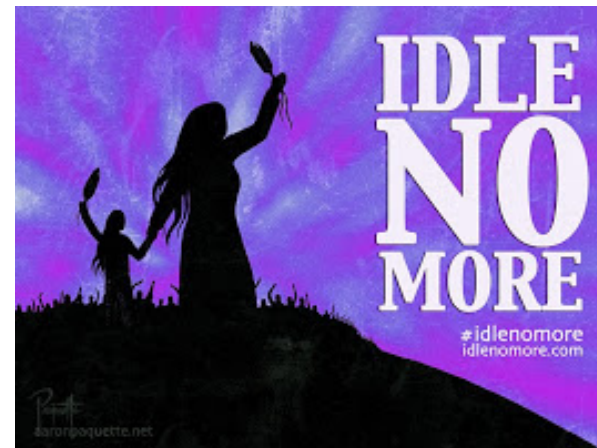
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# Resetting and Restoring the Relationship between Indigenous Peoples and Canada

by Taiaiake Alfred and Tobold Rollo  
Coast Salish Territory, Victoria, BC, Canada  
<http://taiaiake.posterous.com>

We bear witness today to an inspiring resurgence of Indigenous consciousness directed at injustices within the Canadian state. History demonstrates that such events constitute the necessary preconditions of social and political change. Two decades ago, Indigenous resistance to colonialism moved Canada to establish the Royal Commission on Aboriginal Peoples (RCAP). The goal of the commission was to establish the steps necessary for restoring a just relationship between Canada and Indigenous peoples. RCAP was comprehensive and inclusive, with its recommendations reflecting an extraordinary consensus between Indigenous and non-Indigenous peoples, an agreement arrived at through processes characterized by mutual respect, friendship, and peace.

Twenty years later, Indigenous peoples and settler Canadians find ourselves in a new, profound moment of resistance and resurgence. The sense of urgency and of possibility may be unprecedented. Perhaps there is no better time, then, to press forward with



a restoration of the relationship delineated in RCAP. In the spirit of mutual respect, friendship, and peace, we have provided concise accounts of what we feel to be the most crucial and immanently needed recommendations:

(see inside)

## **1. Declaration of Responsibility.**

To restore this relationship, the Government of Canada must acknowledge the systematic nature of Canada's colonial past and present. Recent governments have issued apologies for specific colonial programs, such as the Residential School System, but have yet to acknowledge responsibility for the full range of colonial institutions, including legislation currently enforced under the Indian Act.

## **2. Legislated Recognition of Political Authority.**

The Government of Canada must enact legislation that recognizes the inherent rights of Indigenous Nations to designate political authority according to their own laws, governing principles, and customs. The law will provide guidance and give expression to the already existing recognition of the right of self-determination found in Section 35 of the Canadian Constitution and the nation-to-nation relationship established by previous treaties and agreements. In addition, it will allow systems of political authority and accountability to take root in Indigenous communities that will correct the democratically defective and dysfunctional Indian Act system.

## **3. Legislated Devolution of Governance.**

The Government of Canada must devolve control over social, cultural, economic, housing, health, and educational services to Indigenous governments, in accordance with Section 35 of the Constitution of Canada. The current 'duty to consult' must be replaced with federally structured shared-jurisdiction over lands consider for urban and economic development. Indigenous jurisdiction will provide a stop-gap measure against the erosion of environmental protections under external pressures.



## **4. Legislation of Crown Fiduciary Duty.**

The Government of Canada must provide funding, training, and resources sufficient to assist Indigenous nations while they re-establish their capacities and autonomy as Indigenous Nations. As these capacities are realized, the cost to Canada will diminish sharply until it is no longer needed.

## **5. Unrestricted Modern Treaty Process.**

The Government of Canada must remove formal and informal restrictions placed on treaty negotiations with Indigenous governments over rights to land and culture. A refusal to negotiate in good faith amounts to a bare assertion of colonial sovereignty, which stands as an affront to international law and to the Constitution of Canada itself.