

Speaking notes for a presentation by Ron George, President, NCC, to the Policy Conference on "Identity, Rights and Values," Feb. 6-9, Royal York Hotel, Toronto.

I am happy to have the opportunity to speak to you today. This panel was a rather pleasant surprise. I should thank the organizers for changing the conference agenda to include it.

I'll begin with a brief introduction.

You know me as Ron George, president of the Native Council of Canada. At home, among the Wet'suwet'en people, I am known as Tsaskiy, from the House of Spookw. That house began in the Kispiox Valley thousands of years ago. It is a Gitksan House. But because of the interconnectedness of the clans in the Gitksan and Wet'suwet'en chiefs' confederacy, and because I was raised in the Bulkley River area, and not on the Skeena River, I am considered a

member of the Wet'suwet'en Gitumden, the bear clan.

If there are people here who don't quite understand what I just said, that's alright. After all these years, we are still just now getting to know each other. At previous policy conferences, I have heard people talk about how complicated and confusing Canada's Constitution seems to be. I know how you feel. The constitutional structure of the Gitksan and Wet'suwet'en people is pretty complicated, too.

At this conference, I do not speak for the Gitumden or the Wet'suwet'en. I speak as Ron George, and I speak for the Native Council of Canada.

The Native Council of Canada was founded in 1971 to represent the interests of Canada's off-reserve, "non-status" and Metis peoples. Our mandate remains unchanged. In fact, our constituency has grown substantially. Much has been said in recent weeks about how this

constitutional process does not mean much to "ordinary Canadians," particularly the hundreds of thousands of poor and unemployed in this country. We identify with those sentiments. Among the poor and powerless of this country, our constituents comprise a substantial presence.

We must remember, however, that the constitutional challenge facing us is a grave one. Regional and national alienation threatens to pull the country apart at the seams. For our part, the NCC takes this challenge very seriously. Together with our provincial and territorial organizations, the NCC is conducting a series of First Peoples Forums on the Constitution, and I would like to again extend an invitation to non-native Canadians to participate in that process as well. In Vancouver, for instance, the latest count shows that more than 1,000 non-native people will make submissions and contributions to the First Peoples Forum there, two weeks from now.

Until our own constitutional process is complete, we can offer no "final" position on the Constitution. But what I would like to present to this conference is an offer, a way out of the dilemma we all find ourselves in as Canadians.

The Native Council of Canada believes that all Canadians, English-speaking, French-speaking, and Aboriginal, must obviously find a way to live in harmony with one another. And Constitutional change presents an opportunity to establish a sound basis for our relationships.

The Native Council of Canada welcomes this long-overdue opportunity to find our place within Confederation. And as we have said over and over again, our participation in the mainstream of this country must be based on our inherent rights to self-government. Our participation also requires our full consent.

A lot has been said lately about how Canada's Aboriginal peoples are asking to be given an

inherent right first, and then explain what it means later. This is not quite true. If it helps, let me tell you now what we mean by the word "inherent," before it threatens people like the word "distinct" has threatened some people with regard to Quebec society.

What we mean by our inherent right to self-government is very simple. By "inherent," we mean our rights are inherited. Our rights come from our ancestors, the Creator, from the land itself. Our rights are our inheritance. Unlike non-native Canadians, our rights do not come from European sources. They do not come from written documents, although they may be recorded or acknowledged in documents, such as treaties.

If we wanted total sovereignty and independence, we would not be fighting for recognition within Confederation. Like many Canadians, all we seek is our rightful place within Confederation, as one of Canada's founding peoples. That's what it really boils

down to.

With that in mind, I would like to come to my main submission here.

For some years, the idea of a national treaty has been suggested by Aboriginal leaders as a possible way to complete the unfinished business of including Aboriginal people in the Constitutional framework.

A national treaty was proposed as a way out of the Meech Lake deadlock. Unfortunately, the treaty proposal was largely ignored by Ottawa.

? Last year, the NCC, the Assembly of First Nations and the Inuit again raised the suggestion of such a treaty. In recent weeks, Prince Edward Island Premier Joe Ghiz, to his credit, suggested a treaty along much the same lines.

What I would like to offer for your consideration at this conference is a similar

proposal. It was first presented to the federal government last May, by Viola Robinson, the former president of the NCC. ^{through the Beaudoin-Edwards Parliamentary Committee}

It may be that its time has come.

Certainly, before Canadians embark on any substantial constitutional changes, it is vital that we must decide who we really are as Canadians; and what the basis of our relationships with one another should be. Once the fundamentals are established, then we can proceed. Only then can we get on with the details of what the country's constitutional framework should look like.

To establish the basis of our relationships with one another, Viola Robinson proposed a "National Covenant" as a first step towards a new Confederation, and I present this to the conference for your consideration.

A Covenant would require us to admit with honesty that Canada's three founding national communities are French Canada (centred mainly

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in Quebec), Aboriginal peoples (including the Metis peoples) and the dynamic, multicultural English-speaking majority.

It would therefore be necessary that the signatories to such a Covenant be representative of Canada's three founding peoples.

There are several reasons why we believe such a Covenant may be the means by which a national consensus can truly be achieved.

- A National Covenant could establish the recognition of Aboriginal peoples and their inherent rights as a centrepiece of Confederation.

- A Covenant could meet the demands of Quebec and Canada's First Peoples without jeopardizing the legal or political interests of others.

- It could provide recognition of the distinct and fundamental character of Canada's Aboriginal Peoples and the French-speaking peoples.

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- It could be accomplished without great delay. It could be completed before the end of this year.

- It could allow the normal constitutional process to proceed without isolating or abandoning any of Canada's three primary national constituencies.

Further, because of its constitutional nature, a national Covenant could be entrenched as a treaty within the meaning of Section 35 of the existing Constitution Act.

Lastly, it would allow for adhesion to such a treaty by provinces and aboriginal governments across the country.

I would like to turn for a moment to other concerns before us.

On the question of the application of the

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Charter of Rights and Freedoms under aboriginal self-government: We realize this is a very contentious issue. We also must be honest with ourselves and acknowledge that the concerns raised by aboriginal women are legitimate.

The Native Council of Canada maintains that the Charter's equality rights protections must apply to Indian bands under the Indian Act. I know we may part company with the Assembly of First Nations in this regard, but I am sure that with goodwill this debate can be resolved amicably.

It is the position of the NCC that aboriginal women rightfully expect that the promises the Charter makes about sexual equality must be kept under any form of aboriginal self-government.

We are of the view that the objective of constitutionally entrenched, collective aboriginal rights, is not irreconcilable with the full

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protection of women's rights.

We must remember the lessons of Bill C-31, which restored Indian "status" to aboriginal women who were denied their rights and benefits when they married men who were not "status" Indians. The passage of Bill C-31 was largely opposed by Indian band chiefs, most of whom are men.

Unless and until something more appropriate than the Charter is in place, aboriginal women, in our view, are fully justified in their concerns about losing the protection of the Charter of Rights' equality provisions.

Finally, some observations on the federal proposals for the Canada clause: I would hope that after all this time, Canadians are willing to accept the recognition of Quebec as a distinct society. Quebec most certainly is a distinct society, and the federal proposals rightly recognize Quebec's duty to "preserve and promote" its distinctness.

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But what remains unclear to us is just what might become of Aboriginal peoples, aboriginal self-government, and aboriginal title and rights under any constitutional regime that acknowledges greater powers for Quebec.

Only last weekend, one of our affiliates - the Aboriginal Youth Council of Canada - held their own constitutional conference. The message there was loud and clear. What the youth have asked is this: Please don't draw borders around Quebec to the detriment of the Aboriginal peoples who live in the territory claimed by the Province of Quebec.

This is a sentiment that cannot be ignored.

Unfortunately, while the federal proposals rightly acknowledge Quebec's "preserve and promote" roles in regard to Quebec's distinct character, the federal proposals are silent on similar duties which are owed to "preserve and promote" Aboriginal cultures or the distinct

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character of Aboriginal societies. 'There is little comfort in the federal proposals for those Aboriginal peoples who reside in Quebec and fear that Quebec's "preserve and promote" powers may well undermine their own cultural integrity.

Still, I am hopeful.

I am convinced that with goodwill, with a little bit of trust, we may yet emerge from this Constitutional crisis well ahead of the situation we find ourselves in today.

Our native war veterans - there are many war veterans among our elders now - remind us that for all its faults, Canada was a country worth fighting for when they were young

The same was true when the war chief Tecumseh died defending this country's sovereignty at the Battle of Moraviantown in 1813. Back then, Canada was a good idea. Nowadays, Our young people are telling us the

same thing.

I think I speak for the majority of Canadians when I say that Canada really is worth fighting for. Canada is a good idea. Let's make it a reality.

Let's build a new Constitution together, a Constitution that at last recognizes that this country arises from the struggles of English-speaking men and women, French-speaking men and women, and it also arises, at least in part, from the blood of my ancestors.

Thankyou for the opportunity to speak.