

BREAK POINT:

Fourth World Nations' International Resistance to Canada during Patriation

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NEAR THE END OF THE twentieth century, “Aboriginal Rights” reached its apex as a political fact of life in the state of Canada. In 1979, recognizing the political and strategic implications of Canada’s final assault on the rights of Indian Peoples,¹ their land, their governments, and their cultures, leaders of Indian governments launched a movement that would become known as the Constitution Express. Its purpose was to establish “Indigenous governance” by Aboriginal Nations, who would be equal political participants with Canada and would, through their collective power, be able to confront Britain’s and Canada’s plan to *make Indians disappear*. The audience was the public, the Canadian and British parliaments, and, through the United Nations, the international stage.

As with all significant political confrontations, a long history of human decisions and actions set the stage for what could become a major confrontation. This was certainly the case with Britain and its colonial claims in upper North America² when the nations long established in those territories confronted the residue of Britain – Canada. In Ottawa, government leaders were occupied with establishing the *British North America Act, 1867*, which united the provinces and enabled Canada to emerge as a state in its own right.³ The Original Peoples of upper North America wrestled with the fact that the United Kingdom vested Canadian leaders with control of land and resources, and that

¹ In the early 1980s, during the Constitution Express, the expression describing the collective bands and their members was either “Aboriginals” or “Indians.” The range of terms used by various peoples ran from the original name of the people, to “Native,” to “Aboriginal.” The word “Indigenous” began to creep into the lexicon with the advent of the United Nations and, especially, its Working Group on Indigenous Populations, beginning in 1981. Only when the UN began to use the term “Indigenous” did it become increasingly likely for various peoples and their organizations to adopt the term. I use the term “Indian” due to its relevance to the political discourse in the period under discussion.

² Upper North America denotes the northern part of North America that geographically includes Canada, United States of America and Mexico

³ Canada was a “dominion” under the United Kingdom.

Canadians were making efforts to “integrate” Native Peoples into Canada’s growing population of settlers and immigrants. The Original Peoples of upper North America possessed the recognized use and occupation of 63 percent of the lands affirmed by treaties with the United Kingdom.⁴ The aspiring country of Canada wanted to be, and perceived itself as being, a wealthy and growing member of the international community of states. The contention was between the original occupants – owners of the territory and dominant players in the political space – and a growing immigrant and settler population that wanted to have, and perceived itself as needing, more land and a dominant political position. Both of these were to be obtained from the Original Peoples. It was in this historical context that, in 1980, the Union of British Columbia Indian Chiefs (UBCIC), Grand Chief George Manuel (1921–89),⁵ and a host of organizers, Native political leaders, communities, and the author of this article joined a massive undertaking to secure the land and political space for “Aboriginal Rights,” thus launching the Constitution Express.

In 1969, Canada’s prime minister, Pierre Elliott Trudeau, threw down the gauntlet at the feet of the National Indian Brotherhood’s National Chief Walter Dieter and Chief George Manuel in the form of the White Paper⁶ – a Canadian policy that would unilaterally confiscate Native lands and demote Native political power, subordinating it to Canada’s provinces. Trudeau was quoted as saying:

While one of the things the Indian Bands often refer to are their Aboriginal Rights and in our policy the way we propose it, we say we don’t recognize Aboriginal Rights ... It’s inconceivable I think that in any given society one section of the society have a Treaty with the other section of the society ... But I don’t think that we should encourage the Indians to feel that their Treaties should last forever within Canada.⁷

⁴ This proportion is derived from treaties concluded with the United Kingdom exclusive of the *British North America Act, 1867*, 30–31 Vict., c. 3 (U.K.). The territory not under treaty essentially fell to the new actor, Canada.

⁵ Chief Manuel served as the second National Chief of the National Indian Brotherhood (NIB) (1970–76) following a founder of the NIB, Walter Dieter, a Cree of the Peepekis Indian Band, who served as the first National Chief (1968–70). Chief Manuel became president of the World Council of Indigenous Peoples at its founding conference in Port Alberni, British Columbia, 27–31 October 1975. The Sheshah Band of the Nuu-chah-nulth hosted the World Conference, which included delegations from 18 countries, 260 participants, 135 observers, 25 members of the press, and 54 staff members.

⁶ Statement of the Government of Canada on Indian Policy, 1969, presented to the First Session of the Twenty-Eight Parliament by the Honorable Jean Chrétien, Minister of Indian Affairs and Northern Development.

⁷ Robert Head, “Trudeau’s Words about Aboriginals Resonate,” *Calgary Herald*, 3 January 2012. Republished in SPON, Social Policy in Ontario, 4 January 2012. <https://spon.ca/trudeau-words-about-aboriginals-resonate/2012/01/04/>.

And when Native leaders called for the preservation of Aboriginal Rights, Trudeau answered: “And our answer – it may not be the right one and it may not be the one which is accepted – our answer is no.”⁸

Grand Chief George Manuel and band council leadership across the land would join in massive resistance from the ground up. The movement would seek to force Canada, the British Parliament, and the international community to step back from the ruinous “forced integration” policy that was intended to make Native Peoples disappear from the land, which was to be of economic and political benefit to settlers, immigrants, and major resource extraction corporations. Indeed, Trudeau’s 1969 White Paper was the “break point” that, led by Grand Chief George Manuel, launched Native resistance to Canada’s policies on a scale never seen in North America’s history.

My role in what became the resistance in the form of the Constitution Express was as an advisor and as one of several strategists supporting Chief Manuel. He and I first made contact when I sought him out at his hotel in New York City when he was reaching out to various state figures. I asked if he would agree to deliver a speech at a regional international conference. Recognizing the potential of such a venue for his political agenda on land rights and the protection of Aboriginal Rights, Chief Manuel agreed. As I came to learn, he was not only a powerful speaker but also a political force in his own right in Canada. His vigorous organizing among Indian leaders inspired young Chiefs to step forward to give new political and cultural courage to their communities, which had long been suppressed by the Canadian and provincial governments. Manuel’s personal history as a child in residential school and, later, as a victim of polio gave him a strong sense that his mission was to resist personal obstacles. He believed that his family was being spiritually and practically injured on a daily basis. His children would take up his challenges in much the same spirit as he did himself. He felt insulted by the Canadian and provincial governments, whose arrogance and presumption told them that they could act without regard for the Original Nations. He was determined that the First Nations would take action to defend themselves and set the agenda for their future relations with Canada. In the months and years ahead, this would entail a journey of electric political significance for North America and for the world.

Chief Manuel delivered a deeply moving and influential speech before the Northwest Regional Conference on the Emerging International Economic Order, which convened in Seattle on 30 March 1979 – an

⁸ Head, “Trudeau’s Words.”

international gathering of diplomats, officials of industrialized and developing countries, and the United Nations. US Secretary of State Cyrus R. Vance delivered an address pledging US aid to the “economic growth of poorer countries as a matter of self-interest as well as of moral responsibility.”⁹ Chief Manuel’s Plenary Session address shifted the focus of the conference from economics to a “State of Emergency.” As the president of the World Council of Indigenous Peoples fervently proclaimed, he was issuing the first global public statement to declare Prime Minister Pierre Elliott Trudeau’s Canadian Constitution repatriation initiative a threat to Indigenous Peoples in Canada.¹⁰ He emphasized how Trudeau’s policies constituted a threat to our political, economic, and cultural existence “as Indian Nations, Governments, Tribes, as Indian people.”¹¹ The United States of America, Canada, and countries such as Mexico and Australia took the position that Native Peoples should be absorbed into the state population and that their treaties and other arrangements with various states should be dissolved. States would replace sub-federal government services, establishing Native Peoples as a “minority population” under state control.

The “Emergency” that Chief Manuel described was indicative of the alarm at Trudeau’s October 1980 announcement that he would work to “repatriate” governing authority from the United Kingdom. Trudeau’s intention was to claim the governing powers over upper North America held by the British government and shift those powers to Canada in the form of a new Constitution by 1982. Chief Manuel recognized Trudeau’s actions as the deliberate *termination of the status of Indians in Canada* – something that would nullify treaties between First Nations and the United Kingdom and shift authority over the Land Rights of Indians to the Canadian government. Chief Manuel was incensed and turned to his advisors for a strategy to counter what was a “death sentence” for the Original Peoples – the “break point.”¹² The combination of the

⁹ Graham Hovey, “Vance Vows Greater US Effort to Aid Poor Countries,” *New York Times*, 31 March 1979, <https://www.nytimes.com/1979/03/31/archives/vance-vows-greater-us-effort-to-aid-poor-countries-not-ends-in.html>.

¹⁰ Implying at the time that the Canadian Constitution was merely “waiting to be returned.”

¹¹ Union of British Columbia Indian Chiefs, “State of Emergency,” *Indian World* 3, no. 7 (1980): 4.

¹² Chief Manuel asked me to prepare a strategy that would complement what would become the Constitution Express. R.C. Rýser, “Review and Analysis of ‘Break Point,’ Actions and Strategies,” 5 January 1981 (internal communications to Chief Manuel). The Native Peoples had reached a point in their relations with Canada at which they would “break with the past” and change the future. This was the basis for “break point.” The analysis included a restatement of the problem and premises for action, a review of actions taken by First Nations, an analysis of its short-term impact, an analysis of the long-term implications, and an analysis of the need for an action plan for internal and external development. It reviewed and examined the

White Paper and the repatriation of the Constitution was the impetus for the State of Emergency. The ground-up mass organization of the Constitution Express set up trains travelling west to east across Canada, with on-board training sessions for First Nation members focusing on the eventual lobbying MPs in Ottawa, United Nations ambassadors in New York, and MPs in London. First Nations organizations and individuals (out of their own pockets) paid for the Express.

I organized the participation of Chief Manuel, Colville Confederated Tribes Chairman Mel Tonasket, president of the Quinault Indian Nation Joe DeLaCruz, and a Yakama Nation Councilman Russell Kiaux Jim as key presenters at the regional UN conference on the Emerging International Economic Order. This conference was held in Seattle and speakers were invited to comment on progress towards closing the development gap between “developed countries” and “developing countries.” The objective of this UN-sponsored event was to balance economic relations between Northern states and Southern states by transforming “the governance of the global economy to redirect more of the benefits of transnational integration toward ‘the developing nations,’ and thus complete the geopolitical process of decolonization.”¹³ UN officials from the New York Secretariat joined officials from representatives of various states’ governments to further advance the principles agreed to in the 1974 *UN Declaration on the Establishment of a New International Economic Order*.¹⁴ The UN Resolution proclaimed UN member states’ determination “to work urgently for the Establishment of a New International Economic Order based on equity, sovereign equality, interdependence, common interest and cooperation” between “developed” countries and “developing countries,” the latter of which constituted 70 percent of the world’s population and 30 percent of the world’s income. The Resolution noted that the widening gap between developed and developing countries “perpetuate[d] inequality.” Of particular importance to Chief Manuel as the leader of the World Council of Indigenous Peoples was a reference to the Declaration’s key principles, all of which were of direct relevance to the peace, security, prosperity, and permanence of Indigenous Peoples:

recently announced position of Indian governments, which was interpreted as stating: “tribes as political entities are not now nor have they ever been a part of the Canadian federation.” Indian governments were seeking a “trilateral conference on the political status of Indigenous peoples in Canada to clarify their political relationship to the United Kingdom.”

¹³ N. Gilman, “The New International Economic Order: A Reintroduction,” *Humanity* 6, no. 1 (Spring 2015): 1–18.

¹⁴ Resolution adopted by the UN General Assembly 3201 (S-VI), *Declaration on the Establishment of a New International Economic Order* (A/Res/S-6/3201), 1 May 1974.

e. Full permanent sovereignty of every State over its natural resources and all economic activities. In order to safeguard these resources, each State is entitled to exercise effective control over them and their exploitation with means suitable to its own situation, including the right to nationalization or transfer of ownership to its nationals, this right being an expression of the full permanent sovereignty of the State. No State may be subjected to economic, political or any other type of coercion to prevent the free and full exercise of this inalienable right;

f. The right of all States, territories and peoples under foreign occupation, alien and colonial domination or apartheid to restitution and full compensation for the exploitation and depletion of, and damages to, the natural resources and all other resources of those States, territories and peoples;

g. Regulation and supervision of the activities of transnational corporations by taking measures in the interest of the national economies of the countries where such transnational corporations operate on the basis of the full sovereignty of those countries.¹⁵

The UN Resolution and the subsequent reference to transnational corporations operating inside “developing countries” triggered Chief Manuel’s grave concern that the states would ignore Principle paragraph 4.i, which promised assistance to peoples under colonial domination,¹⁶ since it directly concerned the rights of Indigenous Nations and externally imposed the exploitation of raw materials in Indigenous Nations’ territories without their consent. The World Council on Indigenous Peoples had confirmed resolutions stating that such external exploitation by corporations, with the complicity of states, must be brought to an abrupt halt.

For Chief Manuel, the *Emerging Economic Order Declaration* constituted a “two-barrelled” attack on the part of both developed and undeveloped countries to steal resources and wealth from Indigenous Nations in the name of development. He regarded the declared intent of

¹⁵ UN General Assembly 3201 (S-VI), *Declaration on the Establishment of a New International Economic Order* (A/Res/S-6/3201) 1 May 1974, para. 4.e, f, g.

¹⁶ In full, para. 4.i reads: “The extending of assistance to developing countries, peoples and territories which are under colonial and alien domination, foreign occupation, racial discrimination or apartheid or are subjected to economic, political or any other type of coercive measures to obtain from them the subordination of the exercise of their sovereign rights and to secure from them advantages of any kind, and to neo-colonialism in all its forms, and which have established or are endeavouring to establish effective control over their natural resources and economic activities that have been or are still under foreign control.”



Figure 1. Chief George Manuel as president leading the WCIP – South American Regional Conference 29 February–1 March 1980.

states to conduct unrestricted development and to confiscate Indigenous Peoples' lands and resources as a declaration of the intent to commit ultimate violence against Indigenous Nations.

Chief Manuel and his co-presenters revealed a major weakness in the conference drive to conclude the decolonization process by extending development: the social, economic, political, and strategic goals of states in the North and the South. "Indian participation" in this North/South gathering proved a major success as the Indian perspective was able to be heard in this new setting. This perspective was not about poor people; rather, it was about how Indians were taking the political initiative to represent their political and strategic role in relations with states.

After Chief Manuel's widely applauded speech, I was drawn into a wider team of supporting confidants, advisors, and facilitators,¹⁷ all of whom would become actively engaged in what was already being considered a political counter to Trudeau's obvious attempt to terminate the historical standing of Indians in Canada and his overt intention to

¹⁷ Some of the most prominent participants with whom I had the honour of planning, organizing, and implementing the State of Emergency and the Constitution Express included the Union of British Columbia Indian Chiefs' staff such as Millie Poplar, Louise Mandell, Judy Wilson, Gordon Antoine, Derek Wilson, Winona Stevenson, Lorna Bob, Violet Birdstone, Carmen Maracle, Bess Brown, Maxine Pape, and Glen Williams; World Council of Indigenous Peoples personnel such as Rosalee Tizya and Marie Smallface Marule; and First Nations Chiefs, such as Chief Wayne Christian, Chief Bobby Manuel, Chief Archie Pootlass, Chief Saul Terry, Grand Chief Stewart Phillip, and Chief Don Tom, to name a few.

“forcibly assimilate” Indian Peoples within the Canadian population. Resistance to Canada’s confiscatory policies, which came wrapped in the benevolent moral commitment of progressive politicians, had deep roots in the history of upper North America, and Chief Manuel regarded the “emerging economic” strategies as an evident echo of state development policies. The State of Emergency that called forth the Constitution Express was the modern continuation of more than 375 years of struggle between the colonial kingdoms of France and Britain and the Original Peoples long present in Canada.

RESISTANCE TO FRANCE, BRITAIN, AND CANADA’S OCCUPATIONS

The massive resistance to Canada’s policies to confiscate lands and political power from Native Peoples did not simply emerge in the late 1960s; rather, it had deep roots in Britain’s colonial history and the nascent country that would become Canada. A “statist” posture arose in the immigrant and settler populations of the still unformed nation-state of Canada.

The first prime minister of the “Union of Provinces” of Canada, John Alexander Macdonald (1815–91),¹⁸ proclaimed Canada’s intentions towards the First Peoples of the land. In 1887, he said: “The great aim of our legislation has been to do away with the tribal system and assimilate the Indian people in all respects with the other inhabitants of the Dominion as speedily as they are fit to change.”¹⁹ Assimilation of the Original Peoples into what would become Canada was a common nineteenth-century refrain characterized, in its day, as a “sign of progress” but understood among the different Indigenous Nations as ruthless and cruel – something that would later be referred to as “cultural genocide.”

Macdonald had his supporters among individuals in First Nations located in Ontario and Quebec. One such supporter was Oronhyatekha (1841–1907) of the Mohawk, who had worked to become a respected

¹⁸ Macdonald was born in Glasgow, Scotland, and immigrated as a boy of ten years to Kingston in the Province of Upper Canada. A trained lawyer, Macdonald advocated for the *British North America Act, 1867*, promoting the idea that Canada would need a unified central government. In 1885, as the leader of the Conservative Party, which he founded in 1867, Macdonald, as prime minister, approved the execution of Métis leader Louis Riel, sparking outrage among French Canadians and Native Peoples. Macdonald’s Conservative Party was devoted to business, industrial development, and high tariff protectionist measures combined with a staunch emphasis on expanding settlement and development in the west.

¹⁹ M. Sinclair, W. Littlechild, and M. Wilson, *What We Have Learned: Principles of Truth and Reconciliation* (Montreal and Kingston: McGill-Queen’s University Press, 2015).

physician in Canadian society and was offered the right to vote in Canada's elections. However, Oronhyatekha refused the offer, saying, "Culture, family, and language [are] more powerful bonds."²⁰ Macdonald's policies involved the systematic political and economic repression of actively resistant Original Nations west of Ontario to the Pacific Coast. Despite his overtly brutal actions, the Scottish-born Macdonald would say in the Canadian House of Commons: "They [Aboriginal Peoples] prefer to stick to the clan system, just as, until lately, in my own country, the Highlanders stuck to their clan system in the highland of Scotland. They desired not to be severed from their brethren."²¹ Macdonald believed that assimilation would be achieved by extending the federal franchise to so-called "Status Indians" and by easing individual Indigenous adults into Canadian society without their losing their Canadian-granted "Indian Status." This "right to vote" was offered until 1898, at which time it was terminated. Only in 1960 was that Canadian right once more extended to Aboriginal Peoples.

Despite the "progressive intentions" of Macdonald's policy of "forced assimilation" – exhibited by his repression of nations that didn't "toe the line" – resistance to Canada's policies, which, into the twentieth century, were implemented through residential schools and various economic measures, continued. The Original Nations repeatedly resisted Ottawa's intrusions into their territorial, political, and cultural space.

Seventy years after Prime Minister Macdonald pronounced his proposal to "do away with the tribal system and assimilate the Indian people,"²² Progressive Conservative political leader John Diefenbaker (1895–1979) introduced a bill granting First Nations Peoples the right to vote in federal elections.²³ The Canadian law came into effect on 1 July 1960,²⁴ and it granted First Nations Peoples the conditional right to vote. Still, the treaties with the British Crown would be abandoned, as Dené Chief Bill Erasmus would say, "without meaningful consultation with First Nations' people."²⁵

²⁰ D.B. Smith, *Seen But Not Seen: Influential Canadians and the First Nations from the 1840s to 2020* (Toronto: University of Toronto Press, 2021). Late into the nineteenth century and well into the twentieth century European political figures, academics, and social commentators presumed that the best way to "save the Indians" was to absorb them into settler society, then referred to as the "dominant culture."

²¹ Smith.

²² Smith.

²³ Canada's thirteenth prime minister, between 1957 and 1963.

²⁴ The Act was met with objections from Indian Peoples who feared voting in Canadian federal elections would mean the loss of their historic rights and Indian Status.

²⁵ CBC, Radio-Canada, "First Nations Right to Vote Granted 50 Years Ago," 1 July 2010, <https://www.cbc.ca/news/canada/north/first-nations-right-to-vote-granted-50-years-ago-1.899354>.

Diefenbaker's legislative challenge to First Nations by instituting the right to vote prompted the formation of activist organizations, such as the Federation of Saskatchewan Indians (1961) and the National Indian Brotherhood (1968), which regarded his plan as no different than that of John A. Macdonald in 1887. In 1966, Canada's Hawthorn Commission undertook to investigate the position of the Original Nations in Canadian society. The result? The *Survey of the Contemporary Indians of Canada*, which, in summary, documented the Canadian government's refusal to assimilate the peoples of upper North America. While the commission noted federal policy, its members nevertheless urged that "Natives leave their reserves to seek a place in the wider Canadian economy."²⁶ Despite not actually implementing the commission's recommendations, Ottawa used them as the foundation for what would be known as Prime Minister Pierre Elliott Trudeau's 1969 White Paper. The White Paper's six-point plan,²⁷ the first five of which are emphasized here, stipulated steps to integrate First Nations into Canadian society:²⁸

- a) Indian title is to be extinguished for money and certain concessions many of which would be of a temporary nature.
- b) Any confirmation of Indian title is explicitly rejected as a basis for agreements.
- c) Any powers or authority transferred to Indians are to be consistent with non-Indian political institutions, i.e., municipal-type administrations which can be tied later into provincial laws and institutions.
- d) The concept of Indian Governments, as a way of confirming Indian special status, is explicitly rejected.
- e) Provincial participation in negotiating claims settlements is regarded as essential (aside from any legal requirements for this) because one important aim is to shift jurisdiction over Indians to the Provinces.²⁹

²⁶ Tom Flanagan, *First Nations? Second Thoughts* (Montreal and Kingston: McGill-Queen's University Press, 2000), 179.

²⁷ Statement of the Government of Canada on Indian Policy, 1969, presented to the First Session of the Twenty-Eighth Parliament by the Honorable Jean Chrétien, Minister of Indian Affairs and Northern Development.

²⁸ Elisabetta A. Kerr, "Pierre Trudeau's White Paper and the Struggle for Aboriginal Rights in Canada: An Analysis of the Extent to which the White Paper was a Turning Point in the Struggle for Aboriginal Rights and Land Claims in Canada," *The Great Lakes Journal of Undergraduate History* 1, no. 4 (2017), <https://scholar.uwindsor.ca/glj/vol5/iss1/4>.

²⁹ Canada's federal cabinet submission entitled "Native Claims Policy: Comprehensive Claims," 29 July 1979, as quoted in the *Petition and Bill of Particulars on the Political Standing of Indigenous Tribes and Bands under the Protection of the British Government in the Face of Impending Canadian*

Canada's policies towards the Original Nations of upper North America had not changed in the slightest in the ninety-two years following John A. Macdonald's "do-away-with-the-tribal-system" pronouncement. Yet Native leaders still believed that there was a possibility that, as Chief Manuel suggested, there would be a place for a "fourth level of government" in the new Canadian Constitution. He and UBCIC held fast to the principle that "the power to govern rests with the people, and, like our aboriginal rights, it comes from within the people and cannot be taken away."³⁰ The leaders asserted furthermore that "aboriginal Rights must be recognized, expanded and entrenched within the British North America Act[, 1867]" and that "Indian people have a strong role to play in strengthening the unity of Canada."³¹ Essentially, Indian governments in Canada were saying, "We wish to be separate, but equal," retaining inherent self-governing powers.

RESIST, ENGAGE, OR EXERCISE INHERENT POWERS

It was in October 1980 when Chief Manuel sounded the alarm at UBCIC, noting that, while Indian governments had their view of comity with Canada, the Government of Canada remained utterly disrespectful of Indian governments. Trudeau's White Paper and Constitutional Resolution to repatriate (i.e., transfer) powers from Britain to the Canadian government, Chief Manuel said, posed an imminent threat to the survival of Indian Nations. As he stated in his address to the UBCIC assembly, the issue was "beyond consultation, beyond administrative battles with Government, beyond petty politics and was hitting to the very root of the existence of the Indian Nations."³² UBCIC decided at a November 1980 meeting of one hundred Indian Chiefs that they must participate in a "broad constitutional review." Reciting the principles of original Indian Rights, Indian Nations not having been conquered, they stated:

The Constitution ... [is] a pact among founding peoples, among which we include ourselves. We understand our special constitutional relations with the Federal Government to be in the nature of a

Independence to His Excellency the Secretary-General of the United Nations by Indian Nations in Canada requesting urgent actions by the United Nations Secretary-General to prevent the imminent breaches of international law and human rights being implemented by the Governments of Britain and Canada against the Indigenous Peoples of Canada.

³⁰ UBCIC Resolution: "Aboriginal Rights Position Paper," April 1980.

³¹ UBCIC Resolution.

³² "Indian Nations and the Federal Government's View on the Constitution," position paper, Union of British Columbia Indian Chiefs. <http://constitution.ubcic.bc.ca/sites/constitution.ubcic.bc.ca/files/OCRIndianNations&FederalGovView.pdf>.

partnership with the federative system, which was intended to permit us to survive and prosper as Indian Nations, while contribution [*sic*] to Canada's total development.³³

The band council leaders' initial impulse was to resist Canada's confiscation of traditionally held territories and their resources. Chief Manuel and his allies understood that the "provinces of Canada" could, at best, occupy 37 percent of the overall land of upper North America and could gain access to virtually no natural resources. Canada occupied notable territories, including the cities of Vancouver, Calgary, Winnipeg, and Ottawa – hardly sufficient to build a new state. Since 1968, when he rose to be Canada's prime minister, Pierre Elliott Trudeau made it abundantly clear that he conceived of the Indian Nations' vast forests, oil reserves, minerals, rivers and lakes, and prairies as part of Canada's "rights." He also made it quite clear that he and preceding prime ministers, from John A. Macdonald in 1887 to the present, all agreed that "Indians must be assimilated" – that the tribes must be done away with. As a practical matter, Trudeau and his predecessors realized that they had no wealth or resources on which to build the state – and they were right. If Indians were to be assimilated, it would literally mean the destruction of the Original Nations' biological, social, economic, political, and cultural existence – that is, it would mean the destruction of Indian Peoples in whole and in part.

Resistance, obstruction, and deliberate efforts to block implementation of the 1969 Canadian White Paper and Canada's Constitution seemed a viable option to Indian leaders. The object of this option was to prevent Trudeau's efforts to establish Canada as a duly constituted state by way of Britain's Parliament, instead forcing him to accept Indian governments as parties to the process – as equals to Canada and Britain.

As Indian Nations pronounced their principles and political goals it became clear that Indian leaders well understood that Canada's policy had long been to "liquidate Canada's Indian Problem," echoing Prime Minister Macdonald's plan of 1887, the 1947 "Plan for Liquidating Canada's Indian Problem within 25 Years,"³⁴ Diefenbaker's plan of 1961, and, ultimately, Trudeau's White Paper of 1969 and the Constitution "patriation" of 1980. Chief Manuel and the Chiefs of hundreds of band councils took steps in the late 1970s and throughout the 1980s to alter Canada's political course and to establish a firm wall of resistance to its plans for Indians. Also, efforts were taken to establish a different

³³ "Indian Nations and the Federal Government's View on the Constitution."

³⁴ Presented to the Canadian Parliamentary Joint Committee.

political course for Indian Nations, one that implemented the principle of self-determination – of self-government.

INDIAN GOVERNMENTS' POLITICAL RELATIONSHIP:
THE INDIGENOUS PROVISIONAL GOVERNMENT

Chief Manuel and UBCIC held that “tribes as political entities are not now nor have they ever been a part of the Canadian federation.”³⁵ Chief Manuel conceived of the prospect of Indian tribes becoming another level of government under the Canadian Constitution. His view was that this required that Indian tribes shift from having a relationship with the United Kingdom to having a relationship with Canada, where their role as polities would be constitutionally embedded under a new level of government. Indian governments were seeking a “trilateral conference on the political status of Indigenous peoples in Canada to clarify their political relationship to the United Kingdom.”³⁶ The Indian position was: “Canada should not be permitted to become a wholly independent state through the patriation of their constitution from Britain until Indian government political status is clarified.”³⁷ What proceeded as an evolving mass movement became a nascent effort to establish an Indigenous Provisional Government (IPG).

RESTATEMENT OF PROBLEMS AND PREMISES FOR ACTION

Unlike other Indian organizations in other parts of upper North America, UBCIC quickly recognized the political significance of Prime Minister Pierre Elliott Trudeau’s proposal to “unilaterally repatriate the Canadian Constitution,”³⁸ realizing that these actions would affect the political existence of Indian tribes. In response, UBCIC formulated its understanding of this proposal:

1. As a former colony and now a member of the Commonwealth, the Canadian State is seeking to elevate its “political status” to a completely independent state from that of a state under the legislative control of the United Kingdom.
2. By virtue of treaties, agreements, and accepted British

³⁵ R.C. Rýser, “Review and Analysis of ‘Break Point’ Actions and Strategies,” unpublished analytical document prepared at the direction of Chief George Manuel, 1981.

³⁶ Rýser, “Review and Analysis.”

³⁷ Rýser.

³⁸ Rýser.

proclamations, the tribes in upper North America are politically associated with the United Kingdom, taking their protection from her.

3. The United Kingdom has assumed a role as “trustee” in connection with the tribes and must therefore seek to preserve, protect and guarantee the tribes’ right to self-government and their right to hold, use or dispose of their own property (including but not limited to land, minerals, water, wildlife and timber) for the benefit of tribal peoples.

4. By virtue of the *British North America Act*, the United Kingdom designated the federal government of Canada as the administrator of its trusteeship in connection with the tribes. As the administrator of the trusteeship, Canada assumed the duties of providing social and health services, economic aid and technical assistance to benefit the tribes and their resources.

5. The Canadian State is now pursuing a course of action which will nullify tribal rights and tribal identity by capriciously assuming ownership of tribal territories and control over individual tribal members. (Tribal lands and resources now exceed 63% of upper North America and are valued in amounts beyond trillions of Canadian dollars).

6. For tribes to maintain their distinct identity as political entities, they must work to establish a clarification of their political identity before the Canadian State receives its final independence from the United Kingdom.³⁹

In accord with these terms, UBCIC set in motion a comprehensive process to inform its member Indian governments about the nature and extent of what was to become a “State of Emergency.” The State of Emergency was formally declared at the UBCIC Annual Conference in October 1980. Mobilization of Indigenous communities and Indian governments was declared essential, with an emphasis on political action, legal actions, and diplomacy. George Manuel, president of UBCIC, stated the immediate problem: “Prime Minister Trudeau is moving to patriate the Canadian Constitution from the United Kingdom. The first formal step of that process is scheduled for completion by December 10th, when the Canadian Parliament is expected to formally authorize the submission of a request to the Queen of England and the British Parliament.”⁴⁰ President Manuel further noted that, if the Canadian

³⁹ Rýser, “Review and Analysis,” 3.

⁴⁰ Union of British Columbia Indian Chiefs, “State of Emergency,” 1 November 1980.

Parliament took the dramatic step of requesting patriation on 10 December, then Indian governments and the people they represented would no longer be recognized as having distinct rights. "Indian nations will be terminated swiftly and with a stroke of the pen!"⁴¹ he added.

The UBCIC's October 1980 General Assembly extended a "full mandate" to "prevent patriation of the Canadian Constitution"⁴² and to take whatever political and legal measures necessary to ensure the future of Indian Nations in upper North America.

The long-term problem faced by Indian governments was this: "Can the 'first nations of Canada' regain their natural place among the family of nations in the world if Canada's independence is delayed? How can the first nations achieve a political status among other nations which ensures their future political, economic and cultural existence?"⁴³ The immediate problem of causing a delay in Canadian independence and the long-term problem of First Nations' political status needed to be confronted in a very short span of time. Indeed, the former had to be dealt with in less than twelve weeks.

To meet immediate and future problems it was necessary to formulate a political and legal strategy (and timetable) that would have an immediate impact by 10 December and that, at the same time, would lay the foundation for a long-term strategy.

The general strategy for the short term was twofold:

1. Organize a "grassroots" understanding of the State of Emergency with an emphasis on "reshaping indigenous opinion toward Canada." Indigenous people should understand the need to have a personal commitment to the security and continuity of their families and their own nation and not consider themselves as "Canadian" or even members of the Canadian society.

2. Canada and the United Kingdom must be forced to deal with the First Nations on an equal footing – the Nations would form an Indigenous Provisional Government. Each of these countries must recognize that what they considered to be an internal domestic problem is, in fact, a matter of "grave international importance." Such a focus would help create an atmosphere where both Canada and the United Kingdom could be "embarrassed into delaying consideration of Canada's independence" and indeed cause them to take steps (which

⁴¹ UBCIC, "State of Emergency."

⁴² UBCIC, "State of Emergency."

⁴³ UBCIC, "State of Emergency."

we would propose) to resolve the “Indigenous question” before they finally consider Canada’s independence.⁴⁴

The political strategy contained an “internal” organizational element and an “external” organizational element. To accomplish the short-term objective of “delaying Canada’s formal request to the Queen of England,” a carefully orchestrated set of political and legal actions would be necessary. To accomplish the long-term objective of “organizing a united force of First Nations to meet Canada and the United Kingdom on an equal political footing” would require internal political organization and international diplomacy. If successful, the combined efforts to meet both the short-term and long-term objectives would produce radical changes, coming as a result of 113 years of political, economic, and social domination by Canada. The First Nations would assume their place among the family of nations with their IPG. With this achievement, they would become a potentially powerful political and economic force in the world community, certainly equal to any peoples on earth. The First Nations would have liberated themselves from the social, political, and cultural denigration long imposed on them by Canada. They would truly be on the road to fully exercising self-government and self-determination. Both of these principles of international law and policy would become realities and no longer remain mere theory.

REVIEW OF ACTIONS TAKEN BY THE FIRST NATIONS PRIOR TO 10 DECEMBER 1980

UBCIC undertook an extensive process of briefing and reviewing the issues with members of selected Indigenous tribes and bands. Communications with its counterparts, such as the Treaty Six Confederation, in other parts of upper North America were carried out to determine the extent of political support among First Nations. Organizational efforts were undertaken to establish a “Constitution Express,” physically involving “grassroots” people in the effort to force a delay in Canadian independence. The early steps had been taken to organize an internal social, economic, and political infrastructure of Indigenous Peoples and First Nations that would function as the fundamental power and authority for future actions, both internally and externally. In other words, steps had been taken to form a new political confederation of Indigenous Nations that would be the basis for forming a new political and economic climate in Canada.

⁴⁴ Rýser, “Review and Analysis,” 4.

The Constitution Express was organized to dramatize Indigenous political power and its opposition to immediate Canadian independence. It served as a means to ensure direct grassroots participation in political actions taken in connection with the Canadian state, the United Kingdom, and other First Nations. The focal points of actions following the Constitution Express were the All Chiefs Conference, organized in Ottawa by the National Indian Brotherhood, and the delivery of a petition to Queen Elizabeth's representative (the governor general) and the government of Canada, with particular emphasis on the Prime Minister's Office.

The goals to be achieved at the All Chiefs Conference included:

1. Gaining agreement on the nature of the problems and commitment of the First Nations' leaders to a plan of action.
2. Defining a commitment of all chiefs to the formation of an Indigenous Provisional Government, which would serve as the "national" government of Indigenous peoples in upper North America with the authority to carry out the external policies of Indian governments in dealings with Canada, Britain and other countries.
3. Designate a chief's council which would formalize the new provisional government constitution and organize the new process for indigenous government ratification within six months.⁴⁵

While the first objective at the All Chiefs Conference was not achieved (although, as a result of formal document ratification, a broad consensus was in fact realized), the other two objectives were achieved by unanimous consent.

The goals to be achieved with the governor general included Indigenous leaders delivering an oral presentation that stated the problems Indigenous Peoples have with Canada's rapid movement towards independence. The governor general was formally presented with the Bill of Particulars and Petition,⁴⁶ which officially stated the concerns of the First Nations and concluded by inviting the British government to join representatives of the First Nations and representatives of Canada in internationally supervised discussions concerning the status of Indian Nations in Canada. The petition contained references to the idea that Indian Nations wanted to discuss "ways in which our special status

⁴⁵ Rjser, "Review and Analysis," 4.

⁴⁶ Petition by the Indian People of Canada to Her Majesty Queen Elizabeth II, Ottawa, Ontario, November 1980, Chief George Manuel Memorial Library, Centre for World Indigenous Studies. cwis.org..

can be integrated into the federation of Canada.” While this idea does not necessarily represent the actual status that Indian Nations seek to achieve, it was inserted to

prevent political assertions that Indian Nations are “separatists,” and force open the political door for discussions before “constitutional patriation” so as to ensure the opportunity exists for Indian Nations to make a choice about their individual or collective political future.⁴⁷

With the submission of the Bill of Particulars and Petition, our objectives were achieved in that the governor general formally requested “that our grievances be given an immediate remedy, and in views of the deadlines which the Government of Canada has established, that a response be provided by December 3, 1980.”⁴⁸

Our objectives with respect to the Canadian government included submitting a bill of particulars and petition to the government of Canada and presenting an organized testimony before the special Canadian Parliamentary Committee. This testimony was concerned with formalizing a legislative request to the Queen of England and the British Parliament. The second objective of submitting testimony to the Parliamentary Committee was set aside in favour of merely transmitting a bill of particulars and petition to the executive offices of the Canadian government.

A suitable bill of particulars and petition was transmitted to the offices of Prime Minister Trudeau, spelling out the concerns of the First Nations governments who were inviting the Government of Canada to join the IPG and the British government in internationally supervised discussions concerning the political status of the Indian Nations of Canada. The objectives concerning the Canadian government were fully achieved as political pressure was applied to the Trudeau government as a result of inquiries from the governments of other states. It was this political pressure that we desired.

The accomplishments of the First Nations in Ottawa were profound and extensive. Not only had the process begun by UBCIC raised the “political ante” for Britain and Canada but it had also forced increased political awareness among the First Nations leadership and its constituents. This stage represented the completion of a first small step in the much larger processes yet to come.

⁴⁷ Petition by the Indian People of Canada to Her Majesty Queen Elizabeth II.

⁴⁸ Petition by the Indian People of Canada to Her Majesty Queen Elizabeth II.

INDIAN NATIONS PETITION TO THE UNITED NATIONS
SECRETARY-GENERAL

A major prong of the Constitution Express strategy was the transmission of a petition and bill of particulars to the United Nations secretary-general.⁴⁹ This request was for the “immediate [action by the] United Nations Secretary General ... to support and provide international supervision over a tri-lateral meeting ... in a neutral city.”⁵⁰ As logistics and the debriefing of Canada’s MPs were being carried out in Ottawa, the next small step of the Constitution Express was already under way in New York, where there was an attempt to organize political pressure on both Canada and the United Kingdom from the international community.

The petition proposed “Tri-lateral Negotiations of the Political Status of Indigenous Peoples of Canada under international supervision.” Indian Nations took the initiative to propose a co-equal framework for negotiating a political relationship as a peaceful alternative to forced British and Canadian imposition of a constitution without the consent of Indian Nations. Chief Wayne Christian of the Secwépemc Nation officially led the Constitution Express mission to New York City to meet with UN member-state ambassadors to brief them on the petition to the UN secretary-general. A forty-five-member delegation of Chiefs, community members, and international advisors to Chief Manuel, led by Chief Wayne Christian, travelled to New York City, and we knew the challenge was difficult.

This step involved the following:

1. By way of the World Council of Indigenous Peoples (WCIP) formal inquiries and communications had been made to selected UN missions and the UN Secretariat in late October. Subsequent communications with these missions and the secretariat were undertaken by a special WCIP delegation in late November 1980. This WCIP delegation was directed to open communication channels, lay the groundwork in New York and continue on to Europe to open doors and lay groundwork for future First Nation missions.
2. On December 1 the UBCIC/WCIP advance person arrived in New York to finalize arrangements for submission of a Bill of Particulars

⁴⁹ Petition and Bill of Particulars on the Political Standing of Indigenous Tribes and Bands under the Protection of the British Government in the Face of Impending Canadian Independence, Chief George Manuel, Ottawa, Ontario, December 1980, <http://constitution.ubcic.bc.ca/node/128>.

⁵⁰ Petition and Bill of Particulars on the Political Standing of Indigenous Tribes and Bands under the Protection of the British Government in the Face of Impending Canadian Independence.

and Petition to the UN Secretary General scheduled for December 8, 1980. The objectives for this New York trip were as follows:

- a. Arrange a meeting with the Secretary General or his designated representative so the UN could formally receive the Bill of Particulars and Petition inviting the UN to intercede on behalf of the Indian Nations of Canada to facilitate a Trilateral Conference on the Political Status of Indigenous Peoples in Canada.
- b. Arrange up to thirteen consultation meetings with selected UN missions to review the Bill of Particulars and secure potential backing for UN actions.
- c. Arrange for public ceremonies to be conducted.
- d. Arrange a reception for the representatives of the newly authorized Indigenous Provisional Government (IPG) by selected non-governmental organizations, and representatives of U.S. tribal governments.
- e. Arrange facilities for housing the IPG delegation and appropriate meeting facilities.
- f. Organize a public affairs effort to gain as much media coverage (particularly in Canada, Britain, Western Europe and third world countries) as possible.
- g. Arrange for an extensive briefing of IPG delegates on issues, politics, logistics and schedules.⁵¹

The principal focus for all arrangements was to organize meetings with the highest-ranking UN official to receive the Bill of Particulars and to arrange meetings with those UN missions that might have the greatest future potential political importance to the IPG both within the UN framework and within the global community. UN officials were persistent in their efforts to push the interests of the IPG into the category of domestic Canadian affairs and the Human Rights Commission. World Council of Indigenous Peoples and UBCIC efforts were focused on promoting the external character of the IPG's concerns and concentrated on the political and economic sections of the United Nations. Through careful discussions with representatives of the Norwegian and Canadian missions, it was possible to create pressures within the United Nations to force the under-secretary-general for political affairs, trusteeship, and decolonization to represent the UN secretary-general in

⁵¹ Rýser, "Review and Analysis," 7.

a meeting with a delegation representing the IPG. In terms of political importance, this under-secretary-general would help make the point that the IPG was both serious and politically correct. As a concession, Indigenous representatives agreed to meet with a representative of the under-secretary-general for human rights, while we placed greater importance on a meeting with the under-secretary for political affairs. Two meetings were thus arranged.

Specific UN missions were selected on the basis of their political importance within the UN and within other international organizations. The criteria used were as follows:

1. Membership in the UN Committee of 24 concerned with trusteeship and decolonization.
2. Membership in the Nordic Council.
3. Membership in the Commonwealth.
4. Signatory to the Helsinki Accords and European Court of Justice.
5. Member of the Non-Aligned Movement.
6. Member of the UN Human Rights Commission.⁵²

On the basis of these criteria, meetings were scheduled with the following UN missions, as shown in Table 1.

TABLE 1: SCHEDULE OF MEETINGS

COUNTRY	UN MISSIONS
Australia	1, 3
Canada	3, 4, 6
Cuba	1, 5, chair, and 6
Denmark	1, 2, 4
Finland	2, 4
India	1, 3, 5, 6
Iran	1, 6
Ireland	1, influential re: UK
Norway	2, 4, 6
Tanzania	1, 3, 6
Trinidad-Tobago	1, chair, 3
United Kingdom	3, 4, 6
Yugoslavia	1, 4, 5, 6

⁵² Rýser, "Review and Analysis," 8.

From early discussions with UN officials, it was clear that to gain serious consideration of the Bill of Particulars and Petition from the UN secretary-general, at least one country would have to sponsor it. It was decided to concentrate on the Committee of 24 because it had the greatest potential to gain UN consideration of the IPG petition. It had also had considerable success dealing with conflicts between “colonized” peoples and the countries that controlled them.

All of the meetings were attended by IPG delegations of two to five persons. Each delegation had a principal spokesperson and a recorder. All of the political and logistical objectives were accomplished, as anticipated.

Chief Wayne Christian, the leader of the UN wing of the Constitution Express, evinced surprise that the targeted UN missions were so welcoming to the various delegations. Meeting with UN ambassadors or counsellors proved largely successful in that UN missions were happy to receive delegations, recognizing them as having political standing. But the political response, though sympathetic, did not indicate that these meetings would lead to political pressure on either the United Kingdom or Canada. The Bill of Particulars drafted by the Chiefs was delivered to the highest-ranking UN mission officials, the calculation being that its initial introduction would prove to be useful in the longer term. In other words, the mere willingness of state ambassadors to receive the Bill of Particulars was, in and of itself, a significant political act within the UN framework, providing evidence to Britain and Canada that the Chiefs were serious and would advance their political agenda to block Trudeau’s attempt at repatriation. However, UN mission officials proved relatively inflexible as they persisted, one by one, to tell the Chiefs’ delegations that the issues contained in the Bill of Particulars fell under domestic Canadian affairs and the UN Human Rights Commission. Each official expressed the position that it would not be acceptable to interfere in Canada’s internal affairs. Some missions – Tanzania and Norway – did indicate that they would privately take up concerns spelled out in the Bill of Particulars with Canada. Tanzania had hosted Chief Manuel when he had travelled to that country the early 1970s, and Norway was sympathetic to the Bill of Particulars due in part to its human rights stance at the UN and, in part, to its experience with the Saami.

Meetings with the Norwegian and Canadian missions produced a significant result for the delegations: the UN under-secretary-general for political affairs, trusteeship and decolonization, agreed to meet as the representative of the UN secretary-general. In terms of political importance, this meeting elevated the political visibility of the Chiefs’

delegations and emphasized a United Nations role in the debate over the Bill of Particulars. While meeting with the under-secretary-general for political affairs constituted a step up in the political scale, meetings with the mission ambassadors became more important as the missions became more responsive. Canada was sensitive to the international visibility resulting from meetings, especially with Norway and Tanzania. Both states raised the question about Canada's commitment to human rights – so often displayed by the Canadian government at the United Nations. The message of the Bill of Particulars was delivered, and Chief Wayne Christian was satisfied that the message to Tanzania, Norway, India, and Cuba, in particular, would be carried to Britain and, thus, directly to the Government of Canada. Britain was very sensitive to the position of Tanzania and Norway on human rights grounds, and India was an important influence due to its previous colonial relationship with Britain. Cuba's "Third World" politics played especially well with a British government sensitive to the reaction of many of its former colonies, which were now part of the Commonwealth. The political pressure was significant, with Canada expressing exasperation that the Indians had succeeded in exerting a powerful outside influence on the decisions of the British and Canadian governments. In the short term, the patriation of the Canadian Constitution was delayed, and the international wing of the Constitution Express moved the question of self-determination and self-government for Indigenous Peoples into the international arena. Canada had met serious resistance to its otherwise untroubled plans to "domesticate" First Nations through constitutional assimilation. The Constitution Express reflected the urgency of resistance: this "Break Point" indicated the point at which First Nations would no longer appear to passively accept their unilateral destruction by the Canadian government.

CULMINATION OF THE CONSTITUTION EXPRESS

What began as Chief George Manuel's State of Emergency response to Canadian Prime Minister Pierre Elliott Trudeau's threat to officially make "Indians disappear" became a mass movement in the form of the Constitution Express of 1980–81, drawing together hundreds and thousands of Indian communities, Chiefs, and supporters. Chief Manuel and his advisors offered a constructive platform for First Nations and Canadian and British negotiations over Canada's threatening position. The Canadian Parliament, the Queen of England, the British Parliament,

the UN secretary-general, and twelve UN member state missions were drawn into the political confrontation.

In the end some changes were made in the new Canadian Constitution that recognized the existence of Indian Nations. But ultimately the specific political powers and rights pursued by the Constitution Express were not realized. Subordination of Indian Peoples to the will of the Canadian government has been relentlessly pursued. And these policies have continued in Canada under every prime minister, up to and including Justin Trudeau in 2021.

ANALYSIS OF SHORT-TERM IMPACT

The short-term objective of forcing a delay in the patriation of the Canadian Constitution was achieved, as demonstrated by the fact that the Canadian Parliamentary Committee decided to postpone its final decision until 6 February 1981. Another short-term objective of politicizing Indigenous Peoples through the patriation period was also achieved through direct popular participation in the process and through a substantial amount of public press. The well-organized Constitution Express and the formal authorization of an IPG by the All Chiefs Conference combined to impress everyone with just how serious the Indigenous Peoples of Canada were and are in their efforts to remain politically distinct peoples. Indigenous Peoples began to create political pressures among themselves, within Canadian society, and within the British government, which elevated the political debate beyond the domestic boundaries of Canada.

The achievement of these short-term objectives resulted in polarization among political leaders in Indian governments as well as among those within the British and Canadian governments. The combination of provincial government pressures, domestic Canadian divide-and-conquer strategies, and internal political divisions caused the temporary delay in the patriation process. By authorizing the IPG and opening channels onto international forums, Indigenous leaders forcefully introduced a new dimension to Canada's drive for independence. Neither Canada nor Britain could continue to argue that the patriation process was merely a domestic issue of no concern to the international community. This last point was, however, tenuous at best. This is because, initially, the IPG merely signalled political intentions instead of demonstrating on-the-ground political changes. Canada and Britain sought to determine the seriousness of the IPG by testing its political strength among Indigenous

Peoples, within the United Nations, and within supportive governments such as those of Tanzania, Cuba, Yugoslavia, and India. A further test was how effective the IPG could be with regard to organizing itself politically and structurally. Needless to say, if the IPG did not have a robust internal structure as well as effective external relations, then neither Canada nor the United Kingdom would take it seriously.

The immediate significance of what had been achieved was that the Indigenous Peoples of Canada had succeeded in introducing a new political force that had at least temporarily altered the process of creating an independent Canadian state. To translate these initial achievements into political force, Indian leaders needed to define concrete positions regarding what territories, resources, and peoples fell under the jurisdiction of the IPG and to formalize direct relations with supportive countries. The inability of Indian leaders to actualize the principles and policies they had previously declared seriously weakened the potential for long-term political leverage and change. The Canadian state retained the political advantage thanks to its vertical, centralized governance and policing powers. The IPG, on the other hand, suffered from horizontal leadership, whereby each part was governed by an individual Chief. In the short term, in order to sustain political leverage, it was essential to display a unified political posture and vertical leadership.

ANALYSIS OF LONG-TERM IMPLICATIONS

The formal authorization of an IPG and the conducting of relations with other countries in the global community signalled the intention of the Indigenous Peoples of Canada to assume responsibility for determining their own social, economic, and political future. The implications of this are that the Indigenous Peoples of Canada were prepared to choose whether they would seek to become an independent country, formalize their association with another state, or dissolve and become a part of the Canadian society. Before Indian leaders authorized the IPG, there was no choice to be had: it would have been an accepted fact that Indigenous Peoples could be forcibly integrated into Canadian society, with or without their consent.

With the aid of the United Kingdom, Canada has been able to develop and perpetuate the myth that the First Nations and their territories (more than 63 percent of upper North America) are within Canada's political jurisdiction. Indeed, this myth is dispelled by simply recognizing that, as the original occupants of Canada, the First Nations ceded only a

fraction of their vast territories to the United Kingdom through treaties. No other territories were conveyed to the ownership of either the United Kingdom or Canada. Sixty-three percent of Canada, or 2,409,935 square miles (6,241,703 square kilometres) of territory and waterways, was never ceded by the First Nations. When the territories reserved by the First Nations through treaties are added to the non-treaty area, the First Nations possess 64 percent of Canada and a total of 2,467,343.9 square miles (6,390,391.4 square kilometres) of territory. By these measures, a newly independent Canadian state would be no larger than about 1.387 million square miles (3.785 million square kilometres), about the size of the present Northwest Territories. Territories owned by the First Nations combined would rank fourth largest among the 193 UN member states. But this remains in the future.

Thanks to the Constitution Express, by taking their own initiative, the Indigenous Peoples of Canada were able to create a choice for their political future. Some chose to bend towards Canada, others chose to persist in resistance. Forty years after the mass movement was organized, Canada has continued its effort to absorb Indian Peoples as a minority population and to confiscate their territories and raw materials. A new Constitution Express will be needed to prevent the destruction of Indian Nations, but new leadership must now step forward with new wisdom based on the experience of Chief George Manuel and the Constitution Express of 1980-81.