

*David C. Hawkes*  
*and*  
*Evelyn J. Peters*

**Report on the Workshop Held  
on February 16-18, 1987**

## Canadian Cataloguing in Publication Data

Main entry under title:

Issues in contemporary aboriginal self-government

(Aboriginal peoples and constitutional reform.

Proceedings of a workshop held in Kingston, Ont.,  
Feb. 16-18, 1987.  
ISBN 0-88911-446-3 (set). - ISBN 0-88911-449-8.

1. Canada - Native races. 2. Indians of North  
America. Canada. Legal status, laws, etc.





The organization of this workshop, once delayed by events in the political arena, and changed substantially in format and content.

## INTRODUCTION

---

Aboriginal Constitutional Matters a workshop was held in Kingston

The speaker highlighted the first year of the overall project and its

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## **Session I**

### **A Self-Government Amendment and the Political Process**



# THE SEARCH FOR ACCOMMODATION\*

*David C. Hawkes*

## **Introduction**

The 1987 First Ministers' Conference on Aboriginal Constitutional Matters is the final one mandated by the *Constitution Act, 1982* (as amended). As such, it is seen by many observers as the last chance for aboriginal peoples in Canada to have their rights - particularly that of

self-government - enshrined in our constitution. Make no mistake about it - stakes are high in these negotiations, emotions are running strong, and

Accordingly, the first question in the interview asked: "Generally speaking, what would you consider to be a successful conclusion to the

twenty issues were mentioned. Only the most frequently-mentioned are reported upon here.

*(1) federal/provincial responsibility*

The most frequently-mentioned problem was that of ill-defined and often conflicting views as to which

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

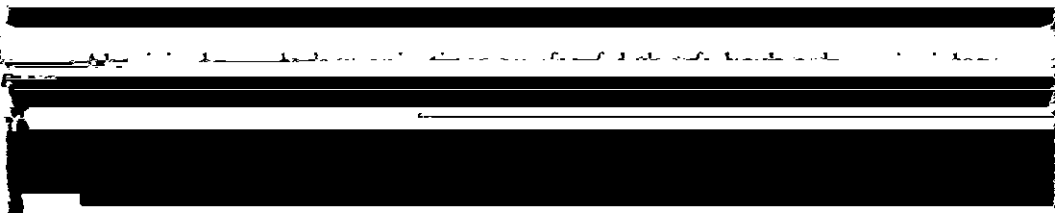
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

financing might not be made available to aboriginal governments.



(5) *land base*

At issue here is whether the right to self-government should include the right to a land base for all aboriginal peoples. This is of particular

concern to Métis and Non-Status Indians and other landless aboriginal

fields of aboriginal self-government jurisdiction, and of aboriginal government powers ininging upon federal and provincial jurisdiction

living in Winnipeg?). Aboriginal peoples express the opposite concern -  
one of the federal and provincial governments intruding in their lives

... to employ their complete strategy

[REDACTED]

negotiated agreements, provided that aboriginal peoples have some

order to work out such agreements.

This underlines the importance of the linkage between the right to self-government and the commitment to negotiate. Eleven of the parties to the section 37 negotiations indicated that a constitutional accommodation would require some process beyond 1987. It is interesting to note, however, that almost no one wished to extend the current (section 37) process "as is". Many officials, from both governments and aboriginal peoples' organizations, appeared either to be "burned" or "burned out" by the current process. Some suggested, as a minimum, that another First Ministers Conference on the matter, to be held in three to five years, be included in the constitutional amendment. This would allow parties to the negotiations to review progress toward aboriginal self-government agreements, and give aboriginal peoples' organizations some leverage in bringing governments to the table. More



by governments to enter self-government agreement negotiations, it is unlikely to attract further support.

*(3) likely positions of the "uncommitted" parties*

~~The positions of~~

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



to self-government if that right is subject to the negotiation of agreements, and if there is a constitutional commitment to enter into such negotiations. A variation on this theme would be a commitment to another FMC, in three to five years, replacing the government commitment to negotiate, in effect replacing a legal obligation with a political one.

A second approach, also capable of generating agreement, is the

and agree to deem self-government agreements as treaties (and rights defined therein as treaty rights). A constitutional commitment to negotiate (or another FMC) would be required, in addition to the constitutional protection of rights defined in self-government agreements or treaties.

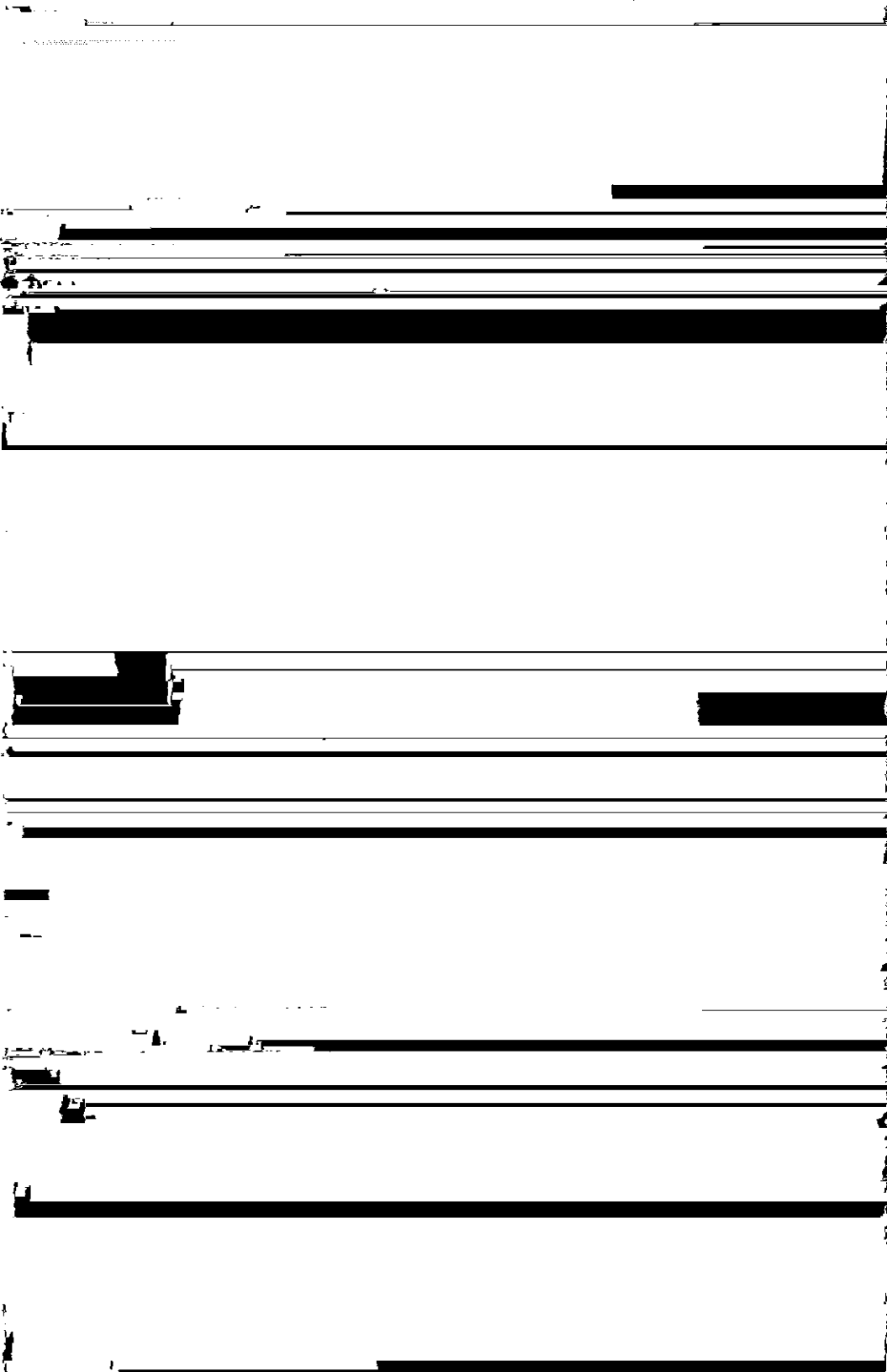
*(4) role of the provinces/ "provincial veto"*

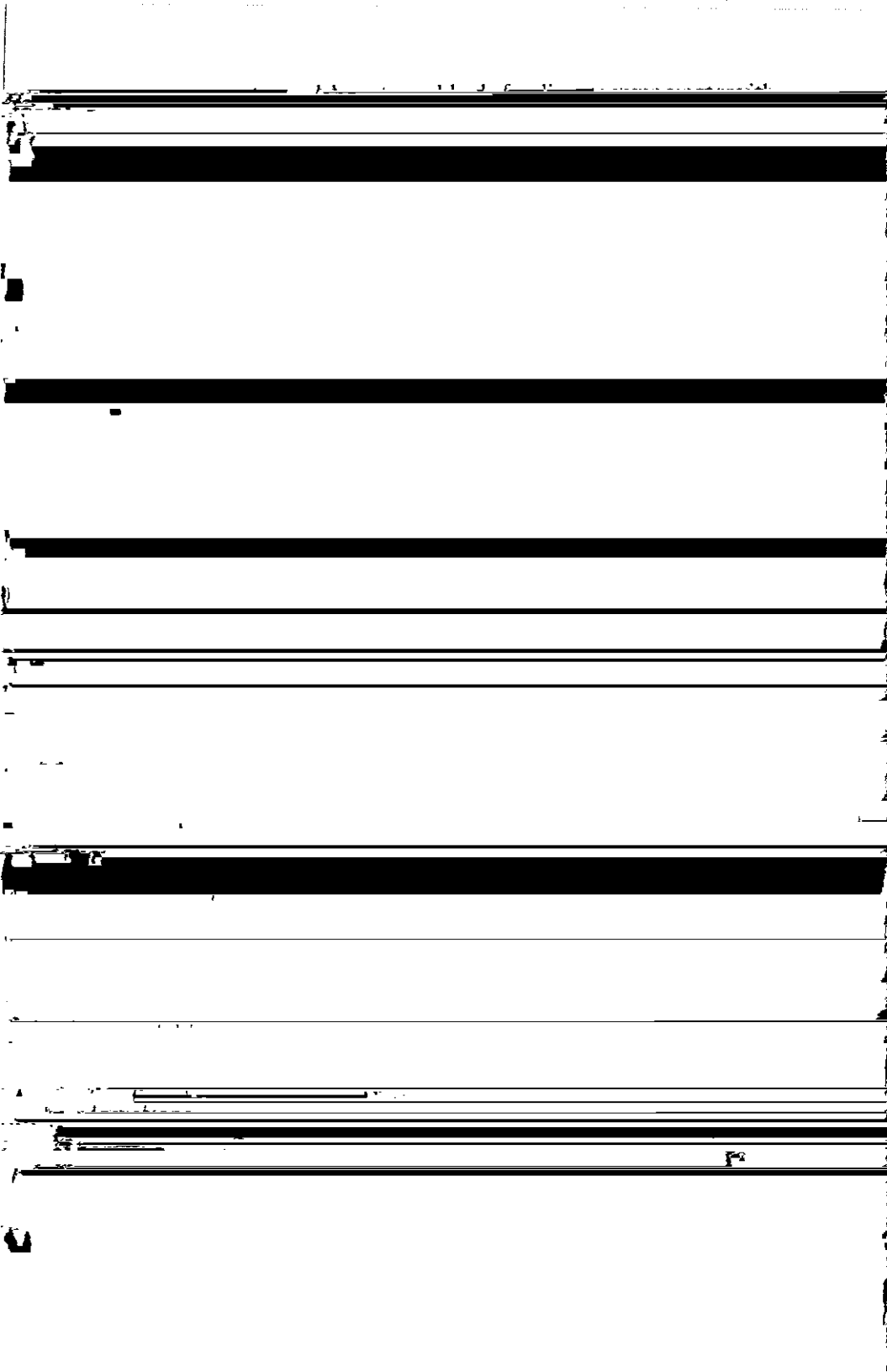
...to form part of a constitutional amendment

(6) *commitment to negotiate*

Agreement, if it is to be reached on this issue, will likely take one of two forms. Either would require constitutional change. The first could be a

The preferred route for most parties to the negotiations is some variation of the 1985 federal draft accord. Several variations are capable





*(6) the negotiation process*

All parties to the negotiations could commit themselves, in a political accord, to a revised negotiation process. This could involve negotiations at two levels - the local/regional/provincial level, and the national level. Parties could agree to focus on negotiations at the local/regional/provincial level for, say, three years, before returning to the national level, and perhaps another FMC. This would enable parties to concentrate on negotiating individual self-government agreements, and to review progress toward such agreements at the national level at a targeted date.

I have already spoken for some time. Let me offer some concluding remarks.

A question which is often asked is what will happen if the 1987 First





[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From the adoption of the federal government's present self-government policy to April 1, 1990, a minimum of 20 Indian bands and Inuit communities are expected to be under self-government regime.

[REDACTED]

than 100 years to impose its form of self-government upon aboriginal people.

As you know the Department now has an Assistant Deputy Minister for self-government. That same national management plan to which I earlier referred, says that:

His responsibility is to approve all national plans, strategies and operational documentation (eg. directives) specific to the sector.

[REDACTED]

has not transferred to the Indian child welfare agencies the same



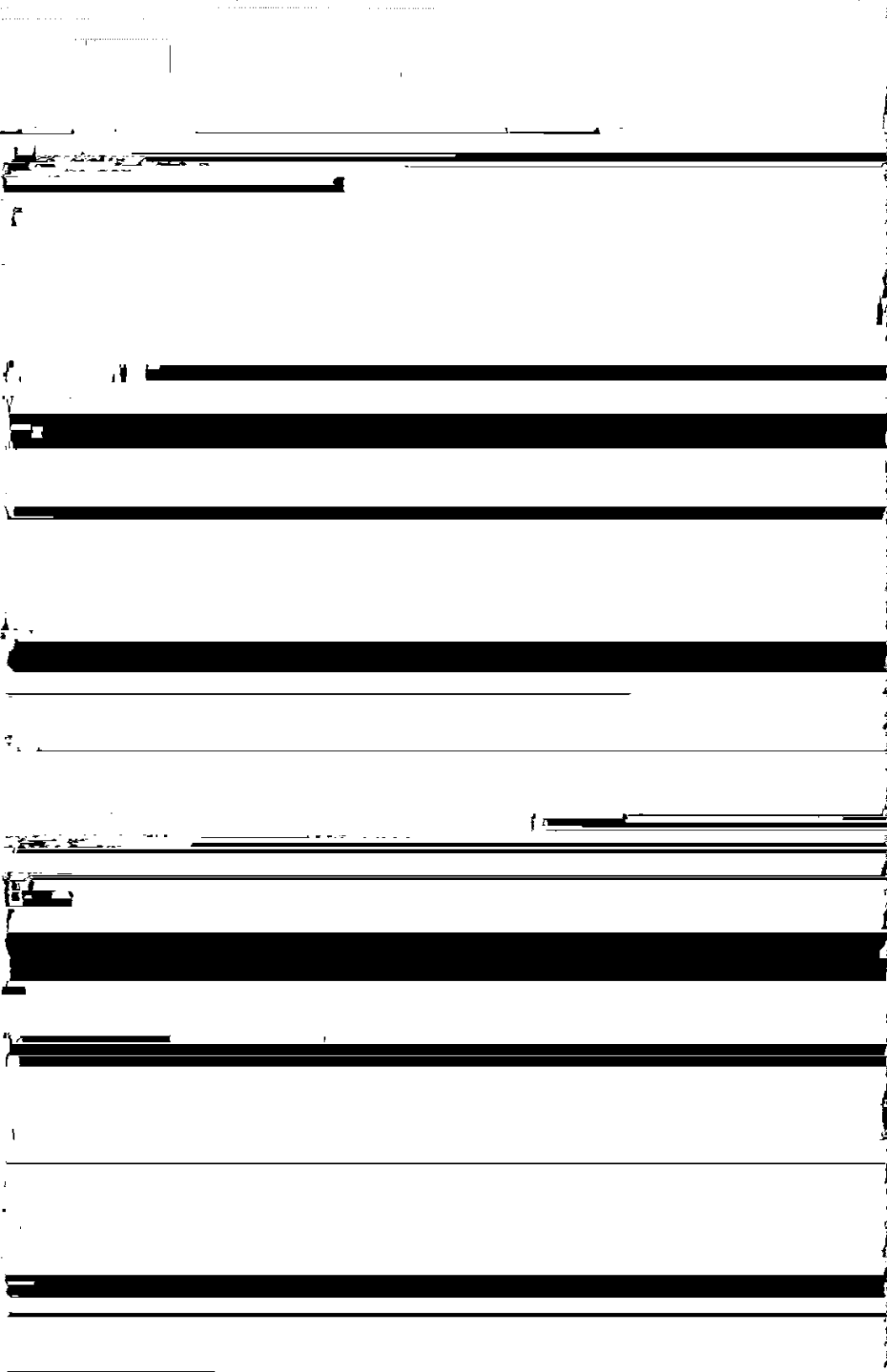
b) in principle along the lines of the commitment in principle relating to equalization payments (see 36(2));

2. contained in a constitutional preamble (the preamble to the constitutional amendment would reflect the commitment to negotiate);

hat Ontario seems to have abandoned its lead role among the provinces.  
Mr. Scott, Attorney General for Ontario, however, counters by saying:

Why push the good guys even further? Get some of the bad guys

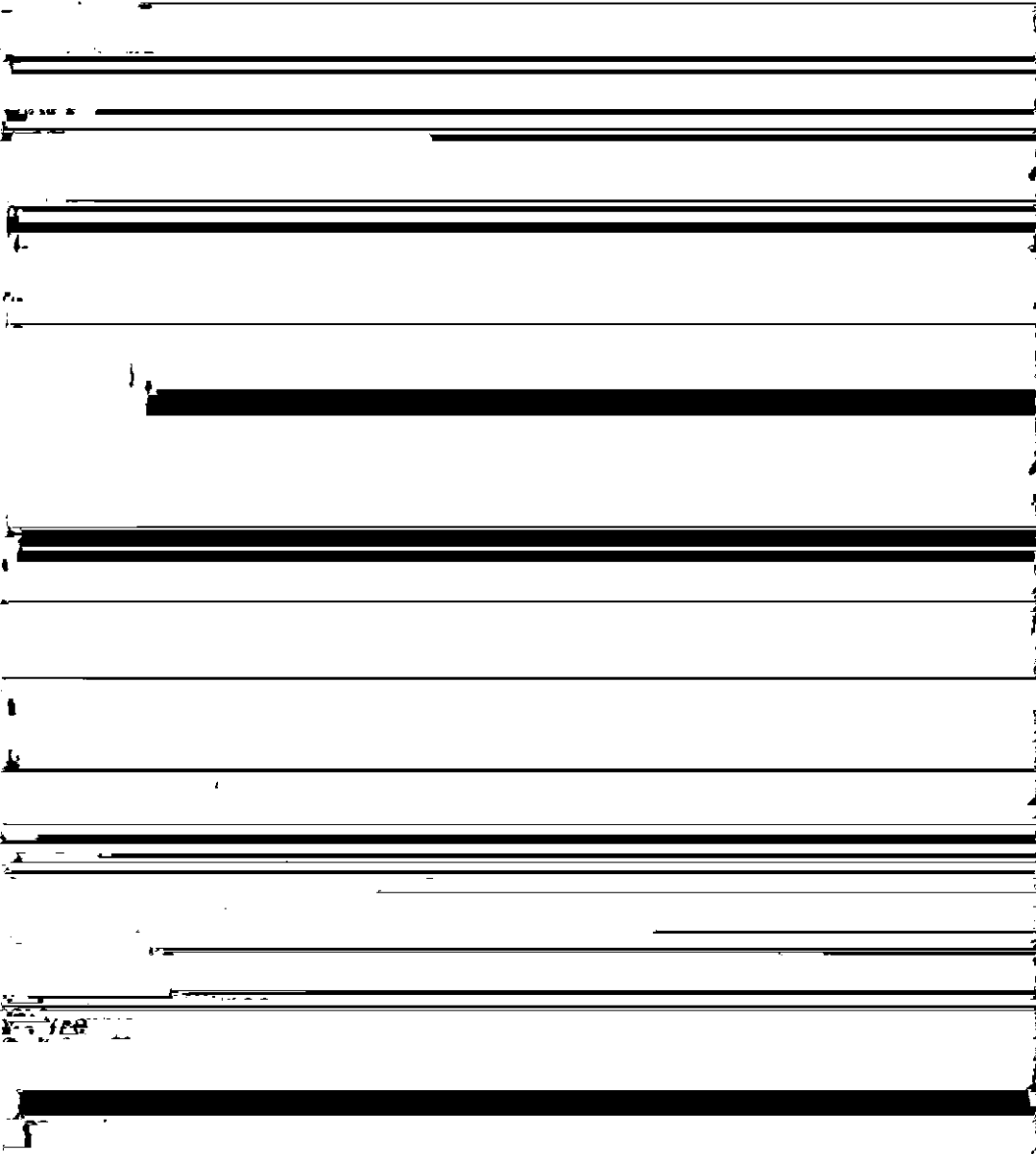
at least fifty percent of





*Micha Menczer, Discussant*

My comments focus on the recognition of aboriginal self-government and the political will needed to bring this about. Aboriginal people have consistently stated that recognition must be the goal. Delegated powers such as presently exist in the *Indian Act* are not appropriate given that aboriginal peoples view section 35 of the Canadian Constitution as



self-government, together with the power to exercise these rights through



## **Session II**

### **Public Opinion and Aboriginal Self-Government**

**OPINION PERTAINING TO ABORIGINAL CONSTITUTIONAL**

that I realize that the assumption on which I'm basing this talk is by no means always valid

characteristics: to be francophone, to identify with the NDP federally to

... index of race consciousness, and to score high on an index

of support for multi-culturalism.

That latter finding was a surprise to me. I recognize that there has been a long-standing position taken by numerous Native leaders to the effect that "we are not just another ethnic group". I think that has led to a lack of interest in the possibility of coalition with multicultural groups

no means synonymous with support for the Progressive Conservative party.

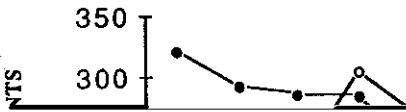


As I say, those agreeing that the government has too much power

curve, except for a small hump on the supportive side of the mid-point. These are drastically different shapes that we observe for these two curves.

**Figure 1**

**DISTRIBUTION OF THE SAMPLE  
ON THE INDEX OF SUPPORT FOR SPECIAL STATUS FOR NATIVES  
AND ON THE INDEX OF SUPPORT FOR NATIVE SELF GOVERNMENT, 1986**



I have always viewed, and still do view, self-government as a form of

special status. Therefore, I am in favor of

16

all the rest of the study into context by finding out just how much importance Canadians give to this area of Native people. The question was as follows: "I'm going to give you a list of several problems facing Canada today. Please read the list and tell me which one you consider to be most important. Now, which one is second most important to you? Which ranks third in importance to you? etc." The items were: protecting the natural environment, reducing the national debt, reaching a free trade agreement with the United States, improving the social and economic situation of Canada's Native people, and improving the rights of women in Canada. (The order in which these were presented to respondents on these cards was different throughout the country, and I think within each region as well, although I'm not positive about that.) Attesting to what

environment is the finding that in either their first priority choice or their

preamble or introductory statement recognizing the importance of Natives to Canadian society. There was considerable support for that.

The final obstacle that I want to mention is the conservative ideology. To try to turn that into a resource, I think that one needs to do the kinds of things that the Prime Minister did at one point in his speech at the beginning of the 1995 EMAC where he talked about...

between the conservative ideology on the one hand and the Native

This choice was made from a list of three items presented to respondents. The other two items, along with the percentage of the sample choosing them, are "less control by government" (33 per cent) and "more money from government" (7 per cent).

**Table 1**

COMPONENTS OF THE INDEX OF SUPPORT FOR SPECIAL STATUS FOR NATIVES

More detail on these scale items is available in the tables of Modules 1 and 2.

SPSS LABEL	STATEMENT	PERCENT						TOTAL
		AS	AM	N	DM	DS	DK	
speclaws Q.76	If Parliament and the elected leaders of the Native people agreed that some Canadian laws would not apply in Native communities, it would be all right with me.	15	23	10	19	25	9	101
nsymschl Q.78	Native schools should not have to follow provincial guidelines on what is taught.	9	13	5	26	41	5	99
Q.80	Native governments should have more							



# Appendix

High	Alpha
5,000 (3%)	.60
3,000 (7%)	.77
7,0 (0%)	.43
5,000 (2%)	.64
5,000 (3%)	.63
8.0	.54
5,000 (1%)	.65
5,000 (2%)	.74

ries.



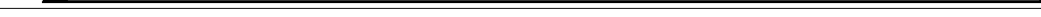



## Session III

### Aboriginal Self Government

# ABORIGINAL SELF-GOVERNMENT AND CANADIAN POLITICAL VALUES




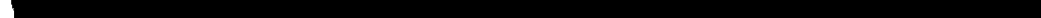



*Richard Simeon*

I don't usually like to admit in advance my limitations, since they usually



become evident in the presentation anyway. But today I feel that I must.

I cannot in any sense be considered an expert on the profound questions which the country, and this conference, must deal with as we consider how to define and implement aboriginal self-government.



make progress, and to provide a means whereby agreements can be given permanence. But the constitutional process also has large costs. It puts a premium on the symbolic, the abstract, the issues around which compromise is most difficult. It seems to create, partly for that reason, an incentive for all sides to keep the debate going on and on, with no resolution. All parties seem to have an incentive to avoid bringing the debate to a conclusion.

Keeping the debate at the constitutional level means that we devote an inordinate amount of time to crossing the t's and dotting the i's in order to anticipate every possible eventuality which might end up before the courts. Moreover, the language of the debate seems to have become

mired in a mind-numbing, legalistic detail conducted among a group of

its assumption of velocity etc. But we see it:

[The remainder of the page is almost entirely obscured by heavy black redaction bars.]



division of the Northwest Territories largely on ethnic lines; and the continued support of regional development. With respect to aboriginal peoples. I don't think anyone could

Indeed, federalism itself would not survive if one image was to predominate.

Moreover, federalism assumes that there is no necessary conflict among these identities; they are complementary, indeed mutually supportive. This I think is the evidence from public opinion surveys. But it is also true in a larger sense: the Canadian national community is itself defined in large part by the existence of vibrant regional

*These provincial and regional communities in turn derive*

True, this may create all sorts of practical difficulties: decisions by aboriginal governments may contradict or undermine those of other governments. As in the federal system, all sorts of intergovernmental agreements will be necessary. To the extent that



There remain massive uncertainties about the powers to be exercised by aboriginal governments; about the ambit of federal and provincial laws

# COMMENTS ON CONSTITUTIONAL INTERPRETATION\*

*Moah, L. 1991*

The Charter of Rights and Freedoms has no place in aboriginal

[REDACTED]

[REDACTED]

## SELF-GOVERNMENT AND THE CANADIAN POLITICAL SYSTEM

*Leroy Little Bear*

The theme of this workshop on aboriginal constitutional matters is "the search for accommodation". Why is this search for accommodation so difficult? In part it's because of the fundamentally different mind-sets of the participants, which means that the constitution and amendments to it are approached from different angles. This difference of mind-sets makes it difficult to be optimistic about the outcome of the First



old relationship as a basis for discussion. If we talk about a new relationship, then the view that aboriginal self-government has to be slipped in through a loop hole as less

In the aboriginal view, self-government is a response to a relationship

We already have some examples where the Western approach has been broadened in this way. One of the hallmarks of Canadian government has been co-operative federalism, in which constitutional delineations have been by-passed in order to develop a more workable nation. The provincial incursion into Indian affairs also skirts the rules. In essence, given the federal government's responsibilities for Indians, provincial incursion is a *de facto* constitutional amendment.

In asking for the entrenchment of the right to self-government, aboriginal people are saying: "We want to be part of the whole". Legal obstacles essentially come down to saying: "No, you can't be

simple - finding some accommodation from within, or, if not, finding some way of relating to each other from without.

*William Pentney, Discussant*

Two themes that arise from this topic are the values that underlie



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

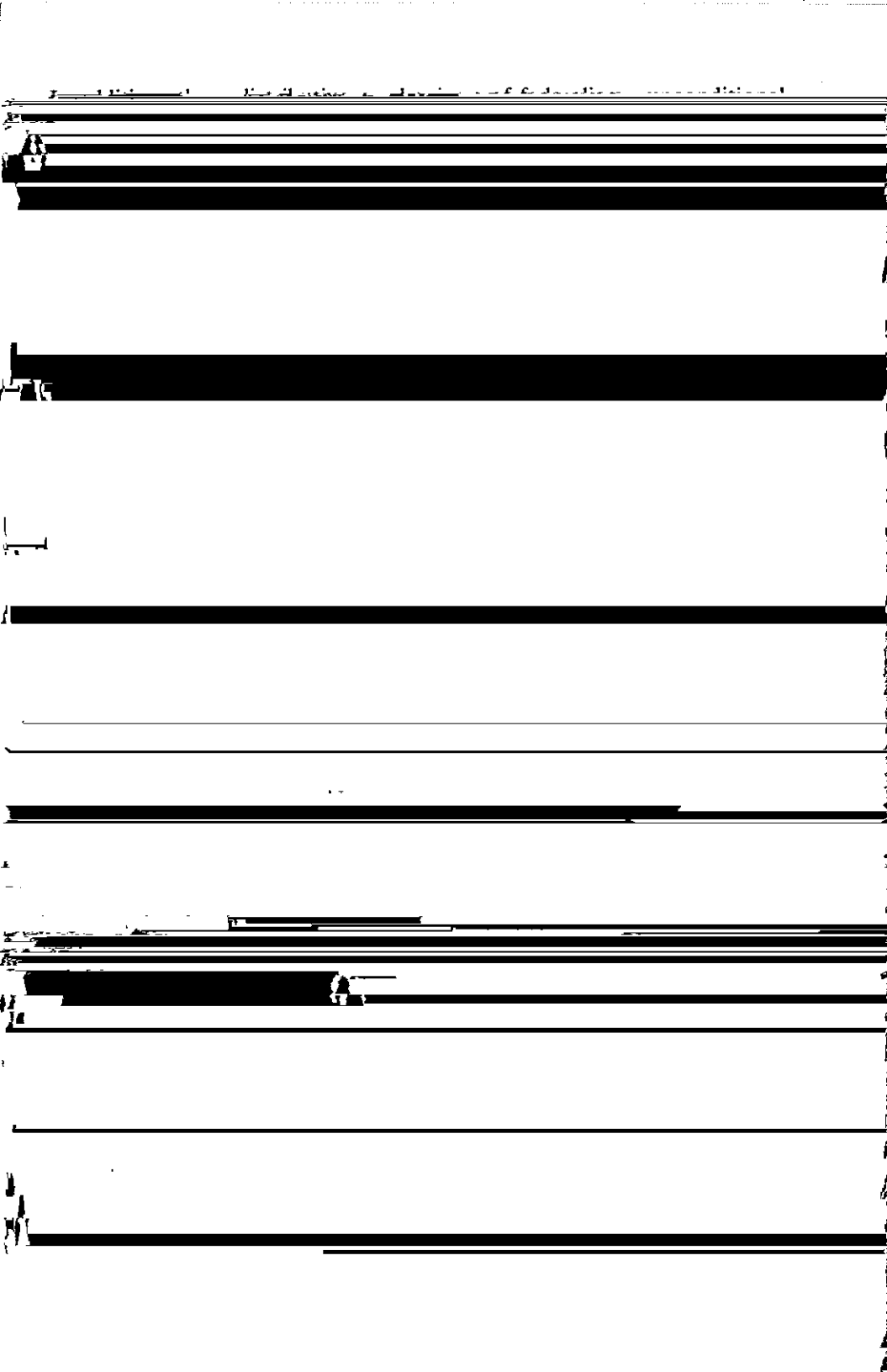


the top" to address the issue. Indian people are long in patience, but

# AN EVALUATION OF THE DISCUSSION AT THE WORKSHOP

*Kelly Speck*

The purpose of this workshop was to discuss the values underlying



1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

thesis is that this would be an insufficient accomplishment in the face of an unchanged, inherently conservative court. In his estimation, the current mode of judicial thinking is incapable of reconciling the diversity

or delegated rights. Still others questioned the efficacy of the process

concerns than negotiation imperatives, requiring extensive time, energy  
and resources to pursue elusive agreements on abstract levels. Perhaps



condemned as "conservative" perspectives) might provide a more useful framework through which the past five, or indeed, the 20 years might be viewed. A more critical assessment of the changes in policy and attitudes among all concerned parties with the field would be a valuable contribution.

urgency for chemical needs. This is a... ..

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Session IV

1. [REDACTED]

2. [REDACTED]

3. [REDACTED]

4. [REDACTED]

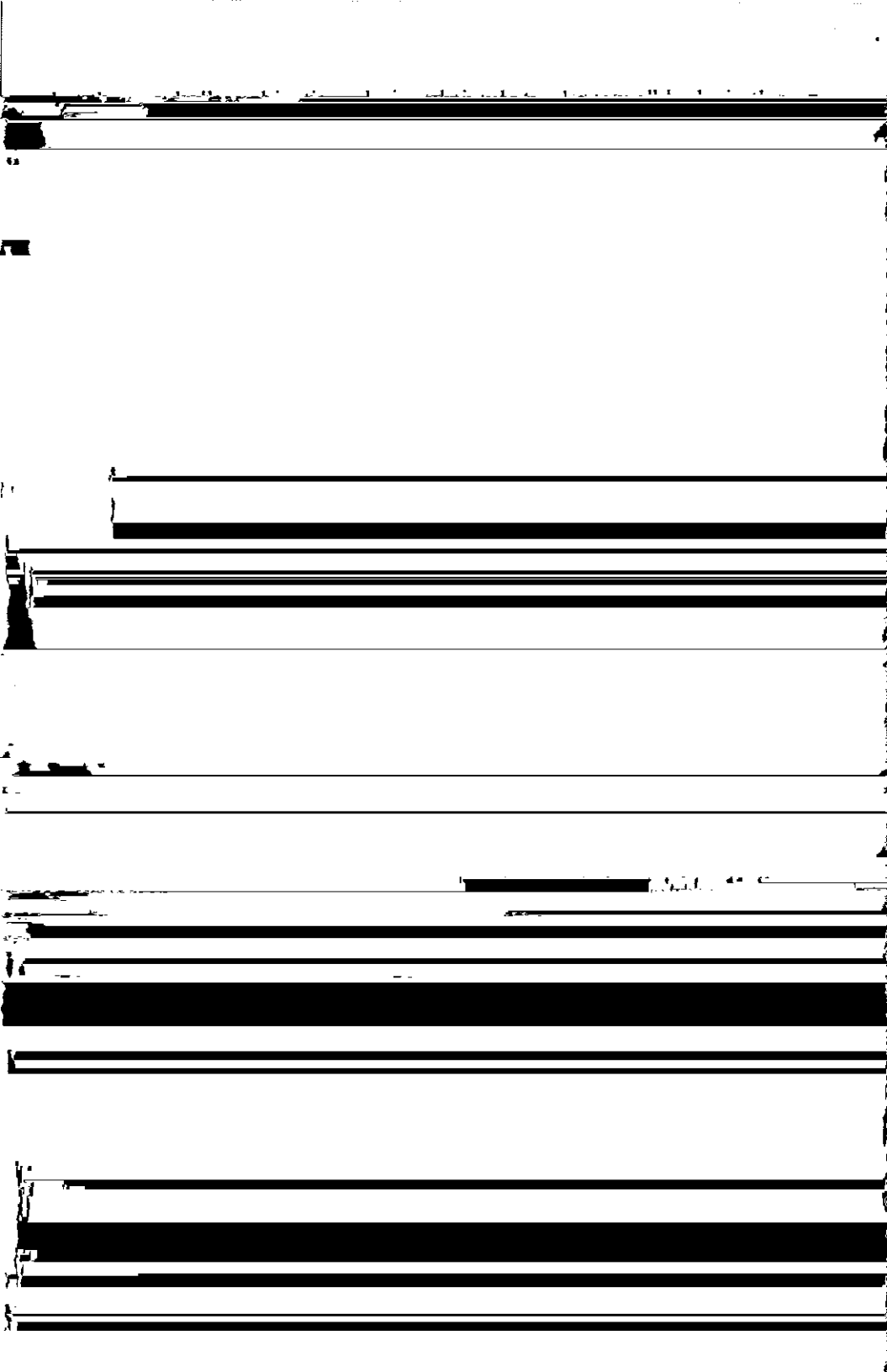
5. [REDACTED]

THE ABORIGINAL SELF-GOVERNMENT AMENDMENT:  
ANALYSIS OF SOME LEGAL OBSTACLES

July 11, 1977

The last of the constitutional conferences, comprising the Prime Minister, the premiers of the Provinces and the political leaders of the four major aboriginal groups in Canada, that is mandated under Section

37.1(1) of the *Constitution Act, 1982*, will be held in March, 1987. The long period of negotiations relating to constitutional matters directly affecting the aboriginal peoples of Canada that has taken place between 1982 and the present day has served to focus the issues in debate. In particular, the demand for constitutional reform that has emerged



expressing liberationist claims - the story in Exodus of the escape of the Israelites from slavery in Egypt has not been drawn upon in making the

The legal problems are tentacles which keep liberation under the

control of the dominant society, and confine it to the terms that our legal system and political system are familiar with. In fact, the dominantly legal perspective on the self-government claim is the perspective of non-liberation. Having said that, however, it must be, and can be

amount to an alteration in the role of the Government.

[REDACTED]



It is beyond the scope of this paper to deal with each of these problems in detail. Instead, I will look in some detail at the first legal problem identified - the problem of whether the aboriginal self-government amendment as proposed will amount to an amendment of the amending formula.

As already described, the first problem is whether a provision which

section 38) it is necessary to determine the "matter" of an amendment. It is at this point that the distinction between statecraft and adapting the constitution to new legal claims comes into play. If we view the clause under which self-government agreements will be automatically entrenched as part of the implementing device for giving new

whether this derogation of normal governmental power fits the conditions for certain forms of constitutional amendment. But if we view the clause as expressing the autonomous status of aboriginal peoples, analysis based on the impact on existing powers will become beside the point.

*It is worth noting that when section 38(2) is read in conjunction with section 38(1), it is clear that the clause is intended to give the government the power to make self-government agreements with aboriginal peoples.*

But let us take the weakest case. Let us take section 35 (the basic recognition section within Part II) at its most minimal scope. This would entail saying that the word "sovereign" in section 35 means that the

original rights recognized are those found in the

when the question of aboriginal rights was contemplated as a matter for future amendment, it was not contemplated in terms of a rule of unanimity. In addition, the presence of Part IV is strong evidence that there was not legislative silence about aboriginal rights development. It is clear evidence that the framers of the *Constitution Act, 1982* adverted to the possibility of aboriginal rights amendments in the future.

21.

The legal obstacles to a self-government amendment are in some senses quite real, but in other ways they are the product of a failure of imagination on the part of lawyers and politicians.

The diversity of groups involved in these negotiations, and the dazzling array of issues which lie behind the negotiations present immense legal obstacles. The obstacles

point at issue here is whether some matters are best left out of court, to be dealt with by political rather than judicial authorities.

Of course, aboriginal peoples know only too well the dangers inherent in that solution - political failures in the past have spurred aboriginal leaders to demand legally enforceable promises. To the extent that

opportunity, it seems to me that a political compromise may be

If aboriginal rights (including the right of self-government) are to be meaningful as collective rights, they must at a minimum guarantee that the survival of the collectivity and its essential functions



## **Session V**

### **Financing Issues**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

adoption of self-government legislation which was to replace the *Indian Act* for the Crees of Quebec. This has in fact been done and the *Cree-Naskapi (of Quebec) Act* now provides us with full regulatory power at the community level, control over our local governments, and the ability to assert that we have obtained self-determination and self-government. This legislation was adopted pursuant to an avowed federal recognition of its special responsibility toward the Crees (and toward other Indians) and the legislation itself recognizes this.

all efforts to have that formula approved by Treasury Board, have  
misinformed Treasury Board of the nature of the agreement with the

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1. Some statement of the right to self-government that is neutral with regard to the issue of whether it is a pre-existing or a new right.

2. A commitment to negotiate toward agreements with "identifiable"

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

is not to say that there must be a similar relationship, or non-relationship, between financing and self-government. The two issues are distinct.

The first relates to the issue of whether sections 91 and 92 are exhaustive or not, and whether self-government is a

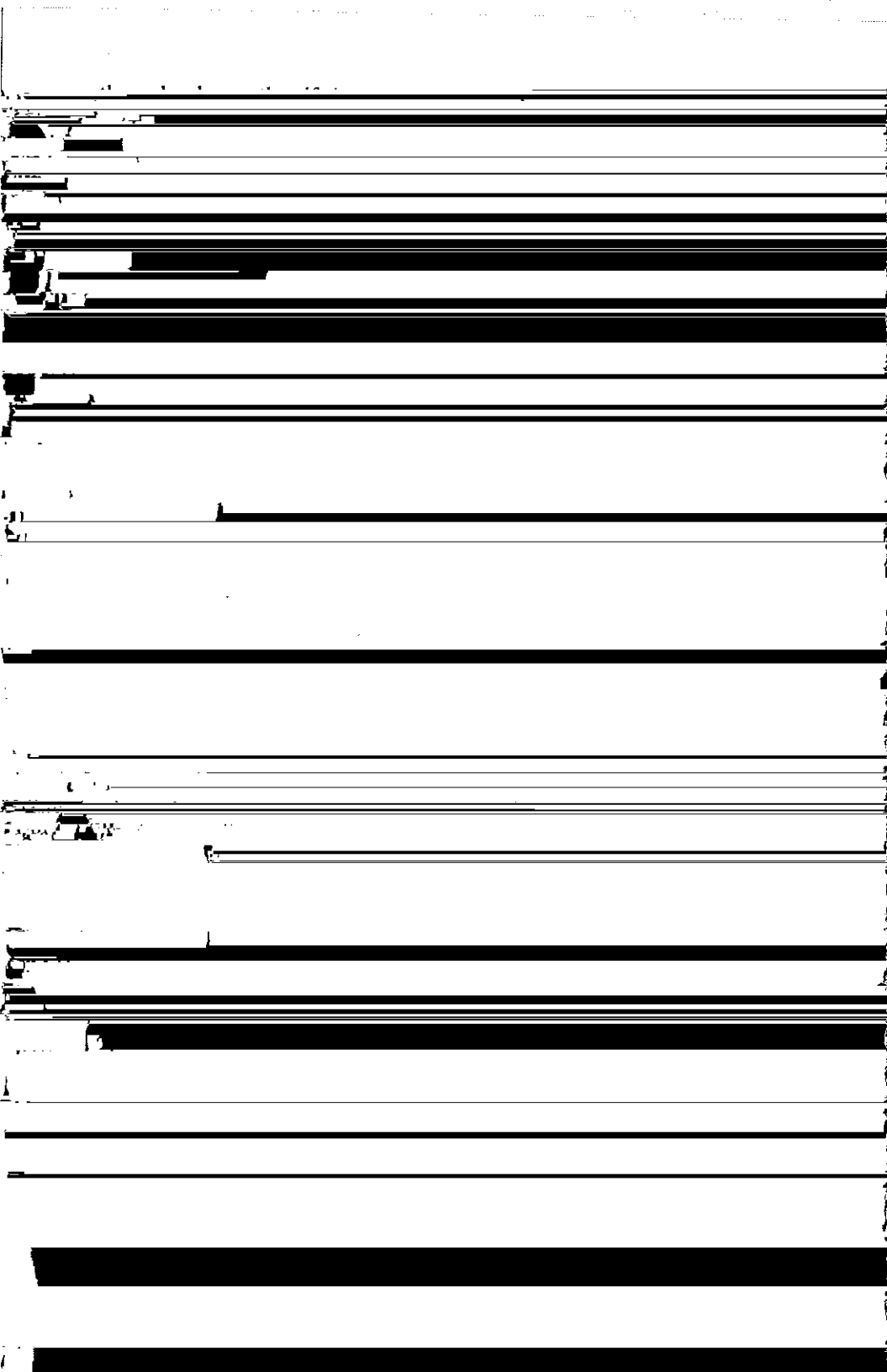


local and regional groups can expect to address in the way of fiscal powers and financial transfers; and some clarity about the role of the provinces, where they are involved, in financing the negotiation and outcome of agreements.

[REDACTED]

Despite the fact that most provinces see the federal government as

[REDACTED]



... level and regional agreements rather than simply

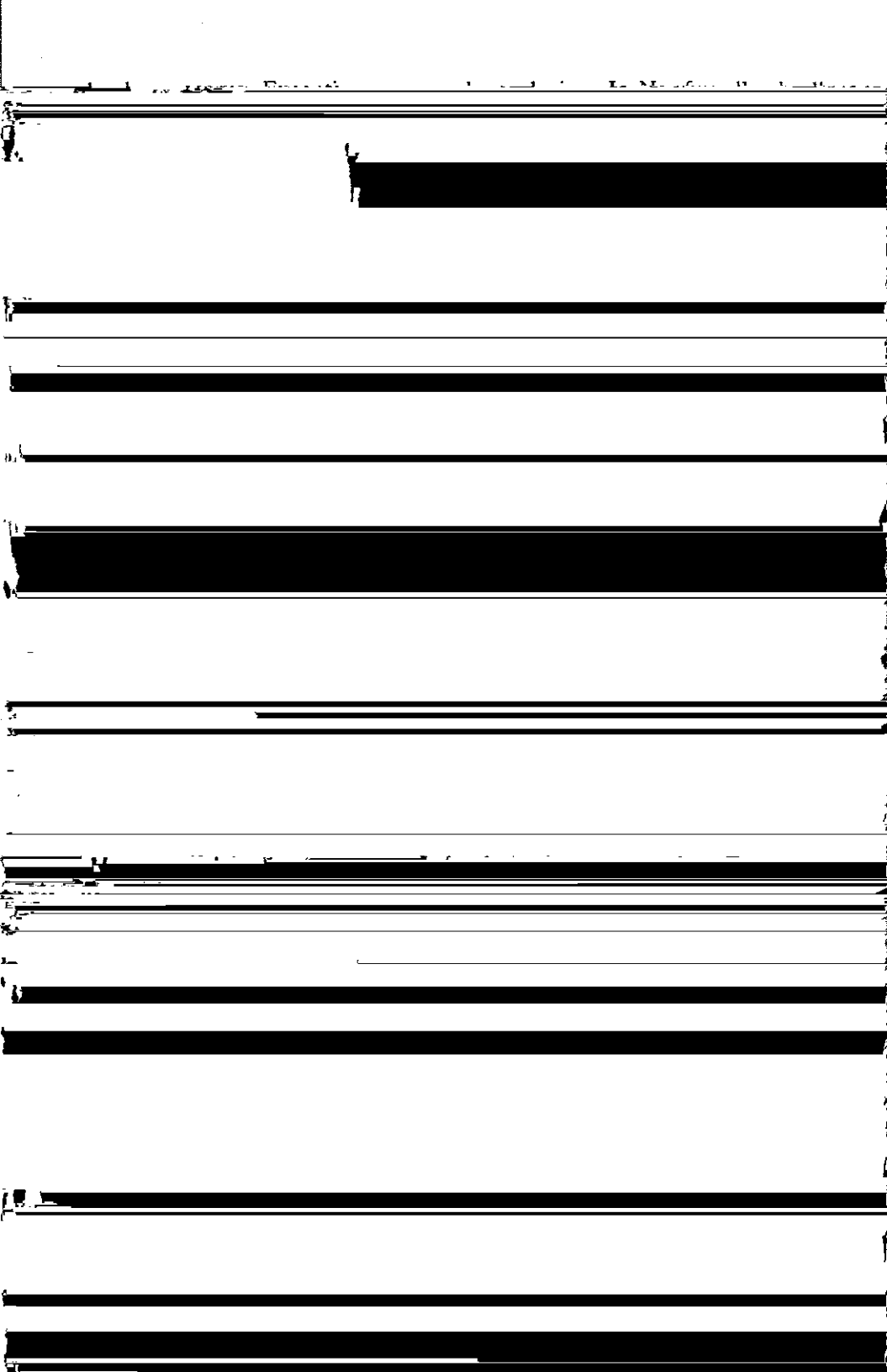
transferring the "who pays" battle down to the level where aboriginal

1. A general equalization provision concerning levels of services and autonomous resourcing of aboriginal governments;

3. A process provision.

Government has also said that it will not provide any service level

incentives to aboriginal governments that are not provided to other groups who choose not to negotiate self-government. Since MNSI



*Cost-Sharing Options*

1. By Group:

a) on-reserve vs off-reserve

the merit of not importing legislative definitions. However, there are no other definitions available. One consequence of going this route would be to force the abandonment of the *Indian Act* regime. It could not survive in the face of any constitutional regime that had to untangle the current reality of Non-Status Treaty Indians, Status Métis, and so forth.

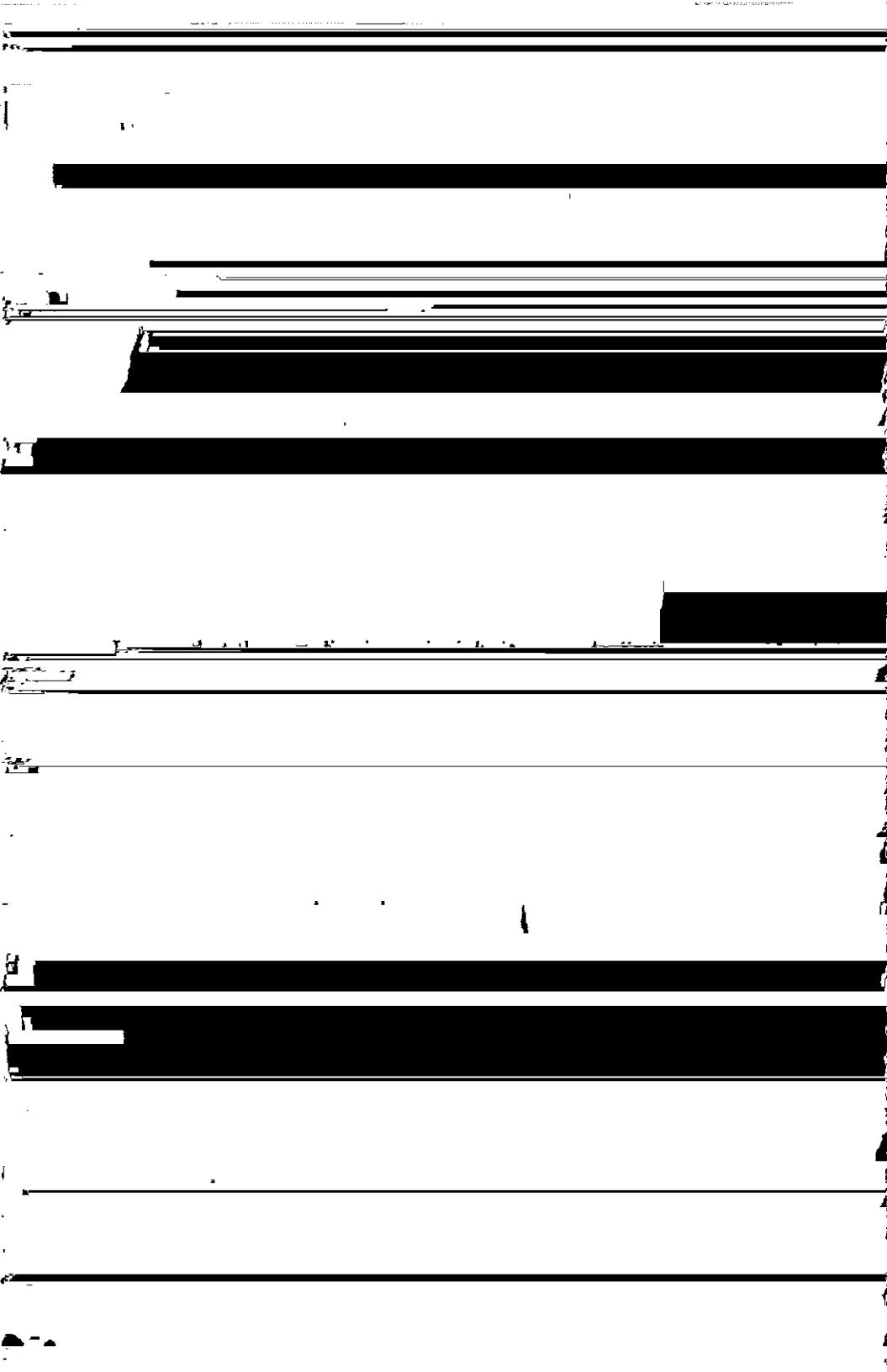


normal range of federal provincial economic development agreements

Avoidance of the issue at the First Ministers' level will only mean a worsening of the climate for negotiations at the local and regional levels. Without an arrangement for essential resourcing, the entrenchment of the right self-government may prove hollow.

---

My remarks will be very brief. The panelists have covered a good deal of ground and I suspect there are many who are eager to get into the discussion. I confess that after listening to Billy Diamond and Ian Cowie



*David C. Hawkes, Discussant*

solely dependent upon federal and provincial governments. And there is agreement with respect to public accountability for government expenditures, although some difference in terms of whether aboriginal governments should be accountable to their own members, or to



**ISSUES OF JURISDICTION BETWEEN ABORIGINAL AND  
NON-ABORIGINAL GOVERNMENTS**

*Ian B. Cowie*

What I was asked to do today is to summarize some of the main points

~~from the background paper for this meeting. I will try to do this in a~~

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

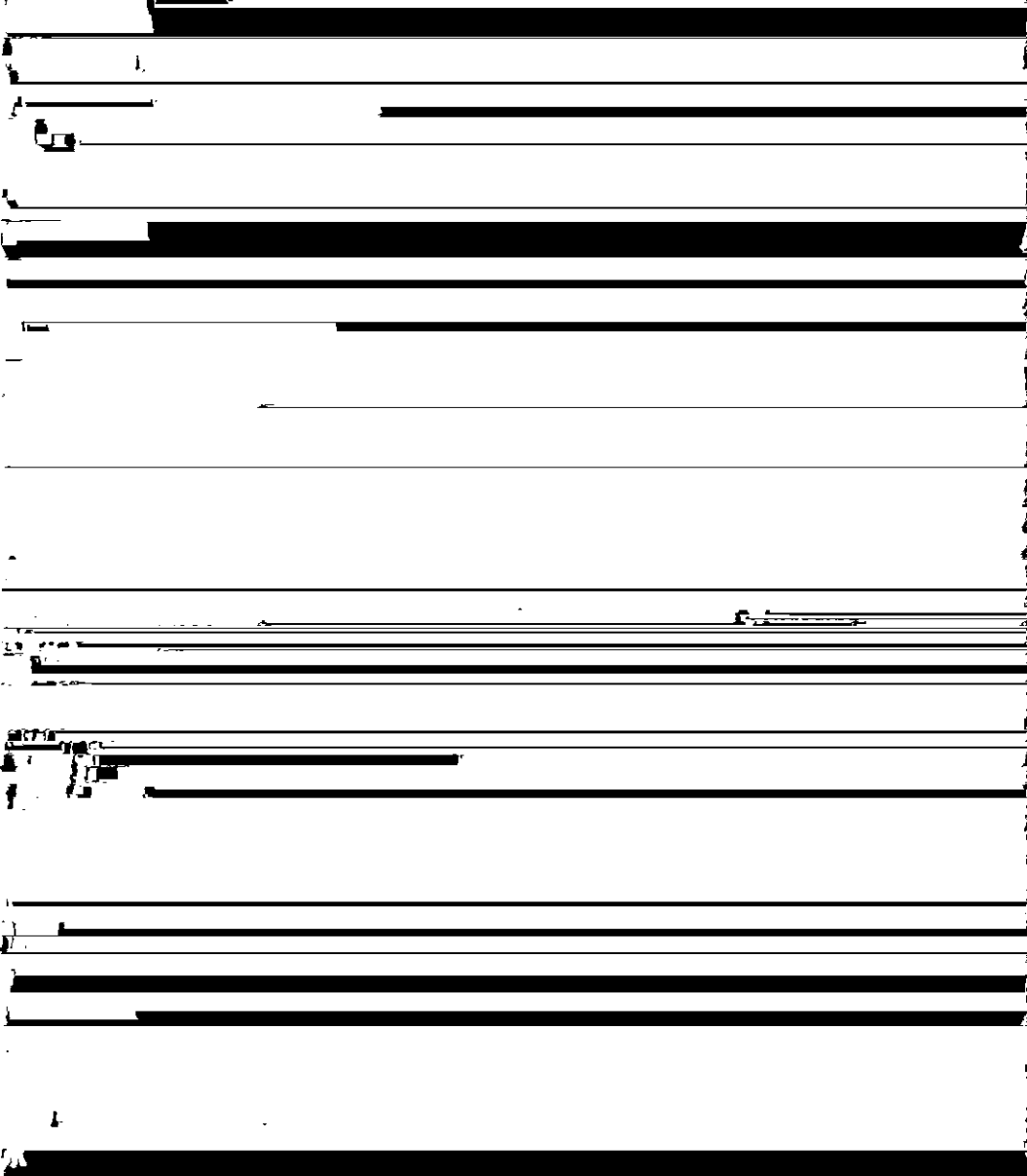
[REDACTED]



table. There are continuing attempts to make a "best effort", but the enthusiasm, the real political will to make the fundamental changes required is not there.

For any self-government amendment to be contemplated without some precision of understanding regarding future fiscal relations between federal, provincial and aboriginal governments means that the

will merely restate the kinds of disputes and lack of



Look, this is just another meeting. It's an important meeting but if failure is the result, things will continue on. Things are



antone's definition. The most comprehensive action is that of

related to the social interaction of the people is included here. Third, the

to economics, life-support or wealth creation. This incorporates resource

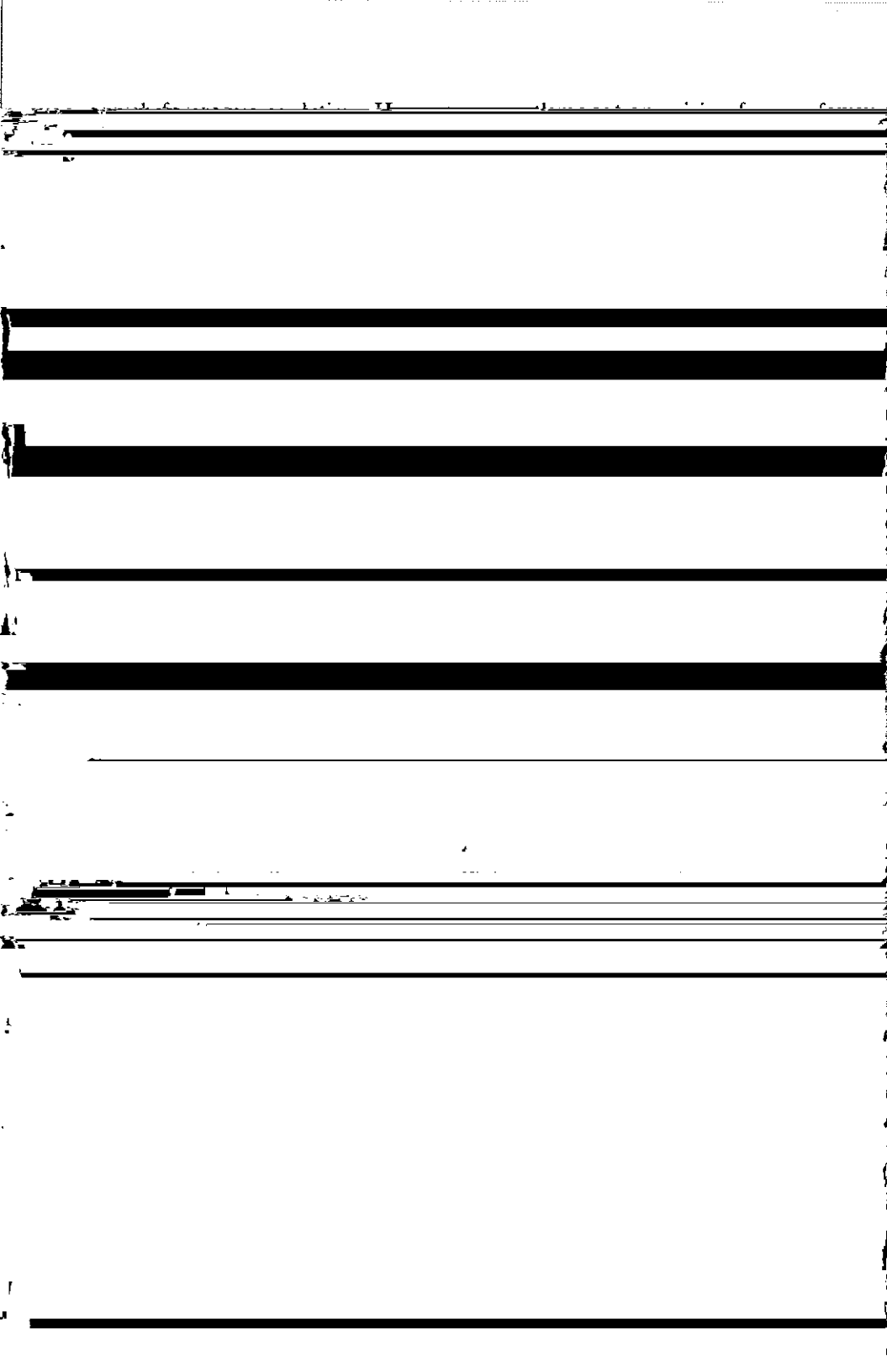
development, manufacturing activity and taxation. The physical



**CONCLUSION - EXPLAINING THE FAILURE  
AND LEARNING FROM IT**

participants hopeful regarding the outcome of the upcoming First

Ministers' Conference. In terms of their outlook for the March FMC, most participants were of the view that the parties to the negotiations





It is also the case that many of the government leaders had changed during the constitutional reform process. Compare, for example, the First Ministers' table of 1981 (the time of the patriation debate) with that of 1987 - Trudeau vs. Mulroney, Blakeney vs. Devine, Lougheed vs. Getty, and Levesque vs. Bourassa (who did not attend the March 1987 FMC). We have today a very different cast of characters and some, we would argue, do not share or feel bound by their predecessors' commitments to aboriginal peoples and constitutional reform.

Nor were the aboriginal peoples' organizations at the table without

printing relationship. It was not, as Zebadec Nunatak of the Inuit

of self-government by aboriginal peoples, together with broad public

If we have learned a lesson from this exercise, it is that we need a new framework or lens through which to view aboriginal - non-aboriginal relations. We must look to fundamental values rather than arcane legalism. We must seek to remove a tie that does not belong, and that

back from the constitutional negotiations and examine, in a comprehensive fashion, the section 37 process and the "failure" of the March 1987 FMC. We need to explore the negotiation process, how it was structured and the issues that emerged, with a view to uncovering



## **Appendix A**

### **Workshop Agenda**

---

This session will explore the values

**AGENDA**

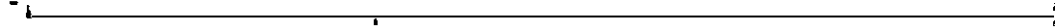
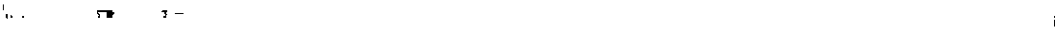
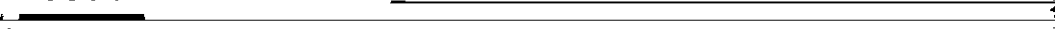
**Workshop on  
"Issues in Entrenching Aboriginal Self-Government"**

---

**Monday, February 16**

7:00 p.m. - 10:00 p.m.

Registration and Check-in



DISCUSSANTS:

Ian Stewart, Queen's

Rick Ponting, University of Calgary

David Hawkes, Institute of

Intergovernmental Relations

This session will explore issues such as the

placement and justifiability of a commitment











**Ontario**

Deborah Doxtator  
Ministry of Natural Resources

Linda Stevenson  
Race Relations Division  
Ontario Human Rights Commission

**Staff**

David C. Hawkes  
Project Director

Pauline Hawkes  
Conference Coordinator

Peter Leslie  
Executive Director

Evelyn J. Peters  
Project Director

Aboriginal Peoples 12

**PHASE ONE**

*Background Papers (second printing)*

1. Noel Lyon, *Aboriginal Self-Government: Rights of Citizenship and*

