

**LEGISLATIVE ASSEMBLY OF THE
NORTHWEST TERRITORIES
9TH ASSEMBLY, 3RD SESSION**

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REPORT
OF THE
SPECIAL COMMITTEE ON UNITY
TO THE
3RD SESSION OF THE 9TH ASSEMBLY
AT
FROBISHER BAY
OCTOBER 22, 1980

The Special Committee on Unity was created by this Assembly on November 16, 1979. Its membership, Tagak Curley, Peter Fraser, Robert Sayine, Nick Sibbeston, and myself, was chosen to reflect the cultural composition of our Territory, a fact which was not unimportant considering the nature of the task the Committee was given.

In the midst of uncertainty concerning political and constitutional development in the Northwest Territories, your Committee was mandated "to try to determine the means by which a political consensus might be generated amongst the people of the Northwest Territories, and to make recommendations concerning this matter to the Assembly."

In carrying out its mandate, your Committee met for discussions with leaders of the Inuit Tapirisat of Canada and its regional associations, with leaders of the Dene Nation, of the Metis Association of the Northwest Territories, and of the Committee for Original Peoples' Entitlement. It also met with the Minister for Aboriginal Rights and Constitutional Development, James Wah-Shee, and very informally with the Prime Minister's Special Representative for Constitutional Development, C.M. Drury. It received a small number of submissions, verbal and written, from other interested parties, including members of this Assembly, and it perused those publications which are listed in Appendix 'A'.

Through its reading, its travels, and its discussions, The Special Committee on Unity has been able to get its finger onto the pulse of northern politics. Its members have become as well informed as it is possible for non-specialist representatives of the people to become, on the current political situation in the Northwest Territories.

Being thus prepared, your Committee met in Yellowknife from September 23-26 in order to discuss its findings, and to draw from them whatever conclusions it might.

The most fundamental conclusion drawn at that meeting was based on an understanding concerning which there has been for some time a good measure of supporting evidence, but which the members travels and discussions reinforced anew, and most unequivocally: the Northwest Territories as a geo-political jurisdiction simply does not inspire a natural sense of identity amongst many of its indigenous peoples; its government does not enjoy in the most fundamental sense the uncompromising loyalty and commitment of significant numbers of those who are now subject to it.

This situation is not surprising considering what one might call the "accidental" nature of the jurisdiction. The territory as we largely know it today began its life as a residual terrain, quite incidentally, following the establishment of Alberta and Saskatchewan as provinces in 1905. And it came into being essentially without the consent of those who inhabited the area.

The federal government did not ask the inhabitants: Shall we keep these residual lands as one territory under a single government? It did not seek such consent, one can assume, because it felt that the inhabitants of the area were too few, and being largely unsophisticated in a political sense, were not then ready to make any judgement concerning this matter. Moreover, it undoubtedly viewed the arrangement then as an interim arrangement, to be altered when some other part(s) of the territory seemed ready for provincial status.

The inhabitants did not press the issue. Either they were unaware of what had transpired, or being aware, they were in no position to object successfully.

At any rate, government in the single jurisdiction thereafter evolved quietly with changing circumstances and needs. Borders were re-defined in 1912. The Council was re-activated in 1921 with the discovery of oil at Norman Wells. The seat of government was moved from Ottawa to Yellowknife in 1967 so that needed services could be more effectively delivered. The Council became entirely elective in 1975.

Through all these years, with the best of intentions, government in the territory quietly unfolded along the lines of the traditional Westminster model without ever the fundamental question concerning it being asked. More and more it was assumed by many in positions of power that the Northwest Territories was indeed a single political jurisdiction, and that "its" government had been properly constituted and was being adequately developed. Those who wished could find support for this assumption in the symbols of unity that had been devised, in the ready consumption of many government services offered, and even in a certain habit of identity, based on "the way things are", that had grown up in several quarters.

During these years of evolution, however, a parallel evolution was taking place. The political sophistication of the north's indigenous peoples was growing apace as well.

Today, many of the leaders of these indigenous peoples, who are as politically astute, and as knowledgeable about options, as political leaders anywhere, have concluded that they cannot give their consent to government as it now exists in the Northwest Territories.

Put quite simply, the leaders of native associations in the Territories, although they may have disparate objectives, have this in common: they are dissatisfied with the political status quo. They want change. They want the kind of political and economic power for their peoples that will enable them to control their own lives. They repudiate the notion that merely making the present government more efficient and more responsive to local concerns is the answer to their own concerns.

To repeat, the leaders of native associations generally are dissatisfied with the political status quo in the Northwest Territories. And theirs is a dissatisfaction that must be reckoned with, if not on moral grounds, then at least on grounds of practical politics. For if native associations in the Northwest Territories do not have the kind of positive power which might enable them to achieve all that they desire, they do have a considerable power of negation which will enable them to thwart the plans of others who may attempt to preserve the status quo, or to advance initiatives of which they do not approve.

But it is not only the leaders of native associations who wish to see change. This Assembly has already indicated its desire for change. It has released itself from the 8th Assembly's position on political and constitutional development, a position which sought the entrenchment of the Westminster model alluded to earlier. It has adopted motions recognizing the concept of aboriginal rights, and acknowledging that aboriginal rights settlements can have important implications for political and constitutional development in the Territories. And it has created a ministry which combines dual responsibilities for aboriginal rights and constitutional development.

Moreover, even the federal government has given indications that it sees the need for some change. Amongst many other indicators, when C.M. Drury undertook his study at the behest of the federal government, he noted that "the appointment of the Special Representative itself suggested that the status quo was unsatisfactory and that constitutional change was required." ¹

It is in this complex atmosphere of desire for change, but uncertainty as to the direction and nature of that change, that the Special Committee on Unity has tried "to determine the means by which a political consensus might be generated amongst the people of the Northwest Territories."

While your Committee has not been able to find a consensus, or even, at the moment, to see the opportunity for consensus, favoring the continuing existence of this territory as a single jurisdiction under the present government, it has been able to formulate recommendations which it believes will receive the broadest support possible, given the complexity of existing circumstances, and which could, if adopted, lead eventually to the most just, stable and strong government achievable for northern peoples.

C.M. Drury stated in his report, and re-affirmed most strongly in a subsequent letter to the Minister of Indian Affairs and Northern Development (April 22, 1980), that "the residents of the Northwest Territories [as opposed to the federal bureaucracy] should assume the major responsibility for determining the direction of political change in the Northwest Territories and the constitutional framework within which that change should proceed. Government will only work satisfactorily in the long term if it is understood and accepted by those to be governed." ²

1. Report of the Special Representative on Constitutional Development in the Northwest Territories, p. 2.
2. Ibid., p. 4.

Your Committee agrees implicitly with Drury's statement, and has favored this approach in formulating its recommendations. It believes that the peoples of the Northwest Territories, in co-operation with one another, must begin now to resort to appropriate means in order to define what they want for themselves, and what they can support for one another.

The major task facing all parties in this endeavor is to reconcile, in the most fruitful manner possible, at least four somewhat incongruous elements. These are: the legitimate aspirations of native peoples for political and economic power sufficient to determine their own lives; the strong Canadian democratic tradition which favors the establishment of public government institutions, with rights guaranteed on an individual rather than a collective basis; the desire of all northern residents for the greatest measure of independence from colonial-type rule by the federal bureaucracy; and finally, the geographic, demographic and economic realities of the northern situation.

Once we residents of the north have agreed on what we want to see happen, we must pursue our political and constitutional objectives, whether these ultimately are common or disparate, with a united voice. This is the kind of consensus which can be achieved. Moreover, its achievement does not depend upon the disposition or favor of any outside party.

To create the atmosphere of trust in which discussions amongst northern peoples can be initiated and carried out successfully, the Special Committee believes that certain steps are necessary.

First, this Assembly must make explicit an understanding which is already implicit in a number of its previous actions. That is, it must formally acknowledge the peculiar situation in the Territories which prevents the simplistic approach of "we're all northerners" from succeeding where political development is concerned.

This may seem difficult to do in a country which declares itself loath to draw distinctions based on race; difficult that is, until it is remembered that the Government of Canada has dealt differently with indigenous peoples for more than a hundred years, and British colonial policy did the same before that. But whether it is difficult or not, it must be done because reality demands that it be done.

One truth about the Northwest Territories is that its population in the majority is native. A second truth is that there is a strong natural identify prevalent amongst the various northern native peoples inspired by common race, language and life-style. These elements give rise to common goals and the desire to achieve these goals by common action. A third truth is that distinctions based on race and cultural origin are already a fact of everyday life in the Northwest Territories.

People acting in concert to achieve common goals, where a natural identity based on race, language and life-style prompts them to act in concert, is an entirely understandable phenomenon. The fact that one of the common attributes in this equation is race does not at all mean that the pursuit of such collective action is racism, and it certainly should not be labelled as such. As the Committee has already noted, the policies of the Government of Canada have recognized and fostered the distinctiveness of Canada's indigenous peoples from the very beginning. It is not surprising, therefore, that such peoples, over and above their natural inclination to work together, should and will, collectively seek real political and economic power. Consequently, to be successful, political development initiatives in the Northwest Territories simply must take account of the aspirations of indigenous peoples.

Your Committee recognizes, however, a further truth: that there is also in the Northwest Territories a significant presence of "others", predominantly white, who are here legally as citizens of Canada, who are here in good faith, and who have legitimate interests and aspirations of their own. Political development in the Northwest Territories, to be just, must acknowledge the interest of these "others", particularly those who have demonstrated a commitment to northern living, that is either who were born and raised here, or who have resided in the Northwest Territories for five or more years.

While it is not now customary within Canada to draw arbitrary distinctions of residency greater than six months or a year, the extremely high level of transiency in the North pleads a special case. Past experience indicates that many "others" have no intention of remaining in the North; their visits average only two or three years. Your Committee firmly believes that such people should not have the right to determine the fundamental shape of northern society since it is not reasonably demonstrated that they will be around to experience the consequences.

Considering all of this

YOUR COMMITTEE RECOMMENDS:

- 01 That this Assembly, recognizing the Dene, Metis and Inuit peoples within the Northwest Territories' present boundaries, as well as a significant presence of "others" either who were born in the Northwest Territories, or who have demonstrated a commitment to northern living by having resided here for five or more years, acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people.

So as to leave no room for error, let it be clearly understood that the Special Committee on Unity supports the federal government's position that, regardless of what factors must be taken into account, in the end, public government must result from public consultation; that all residents of the Northwest Territories must have the opportunity to comment on political development proposals, and that jurisdiction finally will be placed in the

hands of governments that are public governments, responsible directly to the people without regard to race. But the Committee would modify this stand in conformity with a thought expressed in a Drury background paper, Rights and Politics in the Canadian Setting. The author suggests and your Committee agrees, that for the Northwest Territories "political institutions based upon individual rights cannot be considered fixed and therefore wholly legitimate until after the needs of various collectivities [have] been assured." ³The various "collectivities" of native peoples have special needs. Means must be found that will assure the satisfaction of these needs.

While we are on the topic of Committee support for federal positions, let it also be clearly understood that your Committee agrees with the federal government that in all questions concerning political and constitutional development and aboriginal rights claims there is no question about the overriding sovereignty of the Crown in all areas of Canada.

To further enhance an atmosphere in which productive discussions can take place amongst the peoples of the North, perhaps it is time to speak the unspeakable. This Assembly, considering that the present government is in many respects, and for many people, an unwanted child, an accidental legacy, must openly declare that the Government of the Northwest Territories as it exists today is not a treasure to be preserved at all costs, nor even clung to, and only grudgingly modified.

YOUR COMMITTEE RECOMMENDS:

- 02 That this Assembly formally express what has been implied in its previous motions dealing with aboriginal rights and constitutional development, namely that it regards the present geo-political structure of the Northwest Territories, including the institutions and practices of government, to be an interim arrangement, subject to such change as may be negotiated by the leaders of the Northwest Territories' peoples, and subsequently affirmed by the peoples themselves.

In taking such a bold step (and a measure of boldness is certainly required at this difficult time in our history), this Assembly will signify its utter openness to change; its willingness to negotiate a new constitution(s) for the Northwest Territories in both the legal and the more general sense of that term.

This recommendation has been made in the full knowledge that it is the federal government which has the ultimate constitutional responsibility for political development in the Northwest Territories. Nevertheless, it is also made in the firm belief that it is we, the people of the North, who have the right, and if there is to be successful political development, who

have the obligation, to reach agreement amongst ourselves, and then to call attention to that agreement in our representations to the federal government.

Finally, as a third measure to create the necessary atmosphere of trust for ongoing political development in the Northwest Territories

YOUR COMMITTEE RECOMMENDS:

- 03 That this Assembly declare as its objective in the area of political and constitutional development the establishment of stable, strong and effective government for all peoples of the Northwest Territories, founded upon the consent of the governed.

The Special Committee has already made the point that the Government of the Northwest Territories was set up, and evolved, without the full understanding and consent of the indigenous peoples. Now that they do understand, full consent is denied.

Loyalty and commitment, hence the very stability of a jurisdiction, rely upon consent. A government must pay for imposition with continual dissatisfaction, tension and significant dissent. We in the Northwest Territories encounter them every day.

Let us make the commitment, without trying to determine in advance the number or size or composition of jurisdictions, that this Assembly at least will not seek to impose, on any community of people, government that is not wanted.

In making this commitment, however, the Assembly would not, of course, wish to convey to anyone the impression that it can guarantee a supportive federal response to northern initiatives should they be successful, nor on the other hand can it guarantee that the federal response will not be impatient and unilateral should northern initiatives fail.

The question of consent now raises an important matter of considerable concern. Members of this Assembly are well aware that the position of the leadership of the Inuit Tapirisat of Canada is to deny consent to the Government of the Northwest Territories. Instead, it proposes a division of the Territories, and the establishment of a new north-eastern Arctic territory which it calls "Nunavut".

In its inquiry into this matter, your Committee encountered a very firm determination on ITC's part to see its proposal through to realization. Its determination is of such a measure as to present a serious obstacle to the continued unity of the present territory.

Moreover, your Committee found that support for division was not confined to ITC and Inuit. Division has other supporters both in the East and the West.

In fact, the momentum behind the proposal is presently so compelling that your Committee believes that the question of division can no longer be ignored.

Perhaps too it should not be considered so reluctantly as the foregoing might suggest. It must be recalled that the Carrothers Commission, of which our present Commissioner was a member, considered the question of division in its 1966 report. It then stated that "the strongest case against division at this time ... is that division would be prejudicial to the political interests of the indigenous peoples of the Northwest Territories as Canadian citizens." It further stated, "we believe that division in some form and at some stage is probably inevitable, for the greatest and immutable factor militating toward division is sheer size; but we believe that the passage of a decade will make a tremendous difference to the political competence of the indigenous peoples ..." Finally, it said, "There is a cost factor in the issue of division, although we do not consider it to be a deciding factor. Had we concluded that division was proper at this time it is unlikely that we would have recommended against it because of the added cost of operating two territorial governments."⁴

Today, some fourteen years later, we have evidence of the political competence of indigenous peoples; indeed, we have the representatives of an indigenous people themselves calling for division! For this reason, and for reasons noted earlier, the question of division must be dealt with now.

But while your Committee believes that the issue of division must be addressed forthwith, it also believes that a final and perhaps irrevocable decision should not be taken in haste. Apart from the well documented support in favor of division, your Committee also found some prima-facie opposition amongst Inuit, some uncertainty as to which way to go, and also some confusion concerning the issue. It had, of course, no means of actually determining the extent of the support for "Nunavut".

Because of this, and because it believes that the decision to be taken is of such a fundamental nature that it should be referred directly to the people

YOUR COMMITTEE RECOMMENDS:

- 04 That this Assembly declare itself immediately to be receptive to the possibility of a major division of the present Northwest Territories into an eastern and a western territory, subject to the expressed will, by public debate and by referendum, of a majority of the people of the north-eastern Arctic showing preference for the establishment of a new north-eastern Arctic territory.

4. Report of the Advisory Commission on the Development of Government in The Northwest Territories, Vol. 1, pp. 147-51.

Your Committee made this recommendation in the full knowledge of C.M. Drury's thoughtful comments on division, and has tried to some extent to heed him. Those who have read his Report alone may be forgiven for concluding that Mr. Drury wishes to see the question of division held in abeyance while exhaustive studies are carried out, and while extensive measures to make tolerable a united Northwest Territories are undertaken. However, in his subsequent letter to the Minister, while he still obviously wishes to see an informed decision taken on the matter, he does say that his Report suggests "that the Council should determine the appropriate forum for a northern consideration of the question of division as soon as possible. This is a recognition of the urgency of reaching a resolution on this constitutional issue."

At any rate, whatever one may conclude about Mr. Drury's preferences, your Committee believes that addressing the question of division should not be deferred any longer. It recognizes that loyalty is largely an affair of the heart. Unfortunately, or not, as one is disposed to think, loyalty is not inclined to wait patiently to be persuaded by clinical demonstrations, nor is it particularly susceptible to "proofs". It will rest where it will.

As for Mr. Drury, your Committee respects his obvious intelligence, and believes that many of his suggestions will have application when the details of constitutional development are addressed in one or more northern territories, whether or not the in-put is acknowledged as Drurian.

Now to return to the question at hand, if there is to be a referendum who should administer it? When should it be held? Who should vote? What question should be asked? Having considered all of those things

YOUR COMMITTEE RECOMMENDS:

05 That this Assembly ask the federal government to conduct, subject to the ongoing concurrence of this Assembly, a referendum, not sooner than one year, and not later than two years, from this date, concerning the question of division of the Northwest Territories, and further:

- (a) that the referendum ask, in essence, the following question:
 - (i) Do you favor the establishment of a new territory in the north-eastern Arctic, the assumption being that your community and its environs will be part of the new territory if it is established?
- (b) that this question be referred to residents of those communities of the north-eastern Arctic which indicate by petition (5% of the population) that they would like to be polled; and

- (c) that all citizens residing in those communities to be polled, who are 18 years of age or older, and who have lived in the Northwest Territories for 5 or more years, be entitled to vote in this referendum.

It will no doubt be noted that "Nunavut" has not been used in this suggested wording. The reasons are several. "Nunavut" is a specific government proposal. It is possible that some north-eastern Arctic residents would like to see a division of the Territories, but are not prepared to support that particular proposal, or that proposal without modifications. Moreover, this Assembly at this time should not undertake to identify one particular government proposal as the one that north-eastern Arctic residents should vote upon.

In addition, while "Nunavut" is advanced as a public government proposal, it has not as yet received in-put from the general public, nor has it been the subject of negotiation between the federal government and representatives of the general populations of the north-eastern Arctic. Once that has occurred, it is entirely conceivable that "Nunavut" could appear on a subsequent ballot.

Your Committee has recommended 18 years of age as the voting age because that is the voting age in federal elections. And it has recommended that only citizens of the north-eastern Arctic should vote in the referendum because it believes that that is a decision for those to make who will have to live with the consequences. Finally, it has recommended that the federal government administer the referendum because it has ultimate legal authority for political and constitutional development in the Northwest Territories, and because the Government of the Northwest Territories has a credibility problem with native associations.

Believing, however, that initiative in the area of political and constitutional development should remain with the people of the North, and not knowing how the federal government will respond to the previous recommendation

YOUR COMMITTEE RECOMMENDS:

- 06 That this Assembly make arrangements to conduct its own referendum on division if the federal government delays unduly, or absolutely refuses to act.

Although this exercise could have no legal validity, it could serve as a very useful expression of opinion, and serve to clarify the situation in the north-eastern Arctic for all parties concerned.

Needless to say, your Committee believes that a public decision concerning division should not, as Mr. Drury puts it, "proceed in the abstract." It has called for a referendum between one and two years away so that there will be time for adequate, informed debate prior to the public's expression

of choice. The Committee also believes that during this interval steps should be taken to ensure that factual information - even though it may not be a final determinant - is available to those who will have to make the choice. Therefore,

YOUR COMMITTEE RECOMMENDS:

- 07 That this Assembly ask the Executive Committee of the Government of the Northwest Territories to set up, subject to the approval of this Assembly, an independent body to prepare an objective study of the impact of division upon the Territories as a whole, and upon its several parts and their peoples, and to disseminate the information resulting from this study as widely as seems to be necessary well in advance of any public decision-making;

An further, that this Assembly schedule debates on the question of division, and on constitutional development generally, at least twice before the referendum.

YOUR COMMITTEE RECOMMENDS:

- 08 That this Assembly, if the referendum is answered affirmatively in sufficient north-eastern Arctic communities to establish a viable north-eastern Arctic territory, ask the Government of Canada to establish such a territory independent of the present Northwest Territories, its government being the subject of negotiation between the Government of Canada and the people of said territory.

Such a request would constitute a formal indication that this government is willing to relinquish its authority over the area in question. And adopting this recommendation now would be an indication to the people of the north-eastern Arctic of the Assembly's good faith in this matter.

Alternatively, if the referendum were answered negatively everywhere, or affirmatively in such a few, scattered communities as to preclude the possibility of a viable territory, then presumably the region's representatives would automatically be included in on-going constitutional talks amongst other peoples of the Northwest Territories. Indeed, such representatives might wish to be included in the talks, on a tentative basis, from the moment the talks begin.

Because of the relatively small numbers of people in the NWT, and because of the relative strength of the federal government with whom the North's people must deal in political and economic affairs, the Special Committee on Unity believes that it is in the best interests of all people, at least in the western Arctic, if not throughout the Territory, to try to remain together in the largest single geo-political jurisdiction possible

commensurate with the consent of the governed. It believes that representatives of all peoples at the invitation and initiative of this Assembly, should come together to explore political and constitutional development alternatives, to discuss them, and finally to reach some agreement concerning them. Whether the result is a single government constituted very carefully to safeguard native interests, a single government with several regional governments under it, holding legislative authority in matters of immediate concern to the people they represent, a loose federation of semi-autonomous territories, or something quite different from any of these, it should receive final confirmation from each community of people by means of referendum. If the detailed result of this process is not urgently required, nevertheless the process itself should begin at once.

Your Committee has reason to believe that leaders of the native associations would respond favorably to such an initiative from this Assembly, were it first to establish an atmosphere of trust, and therefore

YOUR COMMITTEE RECOMMENDS:

- 09 That this Assembly immediately take the necessary steps to establish a constitutional development committee (comprised of five Members, and including the Minister for Aboriginal Rights and Constitutional Development), mandated to explore with the various peoples of the Northwest Territories who may wish to continue to remain in association with one another, and to reach with them if possible, agreement concerning the identification of processes and the creation of mechanisms for future political and constitutional development;

And further, that this Assembly direct its constitutional development committee specifically to explore the possibility of holding a constitutional convention which would include representation from all peoples in the area defined above, as well as from this Assembly, and which would have as its primary aim the creation of a constitution for the largest and strongest possible geo-political jurisdiction.

Again, to reduce the possibility of misunderstanding, let it be clearly stated that the constitutional development committee represents a transitional step. Its job would be to deal with means and not with ends. It would be empowered to contact parties of interest and to seek agreement with them, subject to ratification by the Assembly, on acceptable means for furthering political and constitutional development amongst those peoples of the Territories who wish to remain in association with one another. But it would not be empowered to begin shaping a constitution.

Your Committee has recommended that the Minister for Aboriginal Rights and Constitutional Development should be a part of this proposed Committee so that all initiatives on behalf of this Assembly and its Executive are certain to be co-ordinated. Further, your Committee believes that the initiative in the area of political and constitutional development should be with the Assembly as a whole, and not with its Executive Committee.

In order to impress upon the federal government the wishes of the 9th Assembly, which reflects more or less faithfully the composition of northern peoples, and perhaps their thinking concerning political and constitutional development in the North

YOUR COMMITTEE RECOMMENDS:

- 10 That this Assembly select a delegation to deliver by hand to the Prime Minister, the Minister of Indian Affairs and Northern Development, the Minister responsible for federal-provincial affairs, and to a meeting of the federal parliament's Standing Committee on Northern Affairs, all such of the foregoing recommendations as may be approved by it.

The process of trying to arrive at some agreement amongst northern peoples with respect to political and constitutional development is sure to be long, arduous, confusing at times, frustrating, and finally, not at all guaranteed to succeed. But the prospect for the long term of strong, stable government which has the consent of the people is worth every conscientious effort.

The Special Committee on Unity is not laboring under the illusion that the steps it has recommended in this report are adequate to lead the North out of the political and constitutional woods that it finds itself in. But these steps are a beginning. At worst, they will serve as a focus for discussion on this tremendously complex area of general concern. At best, they will point a direction which, with the necessary application of effort, skill and virtue, will eventually lead to success. They are, perhaps, "the means by which a political consensus might be generated amongst the people of the Northwest Territories."

Having nearly completed its mandate, the Special Committee on Unity will soon dissolve. Its members are grateful to the 9th Assembly for its confidence in assigning such an important task, and are pleased to have had this unique opportunity of serving the people of the North. They would also like to express their sincere thanks to the two Clerk Assistants, first Pieter de Vos, and then David Hamilton, who served the committee so very well.

At this time, I will move, seconded by the Honorable Member for Mackenzie-Liard, that this report be now received and moved into Committee of the Whole on October 29 for thorough discussion, and for the possible adoption of its recommendations.

Respectfully submitted,

Bob MacQuarrie

Bob MacQuarrie,
Chairman.

RECOMMENDATIONS AS
AMENDED TO THE REPORT
OF THE SPECIAL COMMITTEE
ON UNITY

RECOMMENDATIONS AS AMENDED

RECOMMENDATION 01

That this Assembly, recognizing the Dene, Metis and Inuit peoples within the Northwest Territories' present boundaries who have been born or resided within these boundaries for five years as well as a significant presence of "others" either who were born in the Northwest Territories, or who have demonstrated a commitment to northern living by having resided here for five or more years, acknowledge that political and constitutional development in the Northwest Territories cannot proceed successfully without due attention being paid to the expressed interests of these communities of people.

RECOMMENDATION 02

That this Assembly formally express what has been implied in its previous motions dealing with aboriginal rights and constitutional development, namely that it regards the present geo-political structure of the Northwest Territories, including the institutions and practices of government, to be an interim arrangement, subject to such change as may be negotiated by the leaders of the Northwest Territories' peoples, and subsequently affirmed by the peoples themselves.

RECOMMENDATION 03

That this Assembly declare as its objective in the area of political and constitutional development the establishment of stable, strong and effective government for all peoples of the Northwest Territories, founded upon consent of the governed.

RECOMMENDATION 04

That this Assembly declare its commitment in principle to a major division of the present Northwest Territories into an eastern and a western territory, subject to the expressed will, by public debate and by plebiscite, of the people of the Northwest Territories showing preference for the establishment of one or two new Territories.

RECOMMENDATION 05

That this Assembly conduct a plebiscite, not sooner than one year, and not later than two years, from this date, concerning the question of division of the Northwest Territories, and further:

- (a) that the plebiscite ask, in essence, the following question:
 - (i) Do you favour the division of the Territories into one or two new territories?
- (b) that all citizens who are 18 years of age or older, and who have lived in the Northwest Territories for five or more years, be entitled to vote in this plebiscite.

RECOMMENDATION 06

That this Assembly establish a special committee to prepare an objective study of the impact of division upon the Territories as a whole, and upon its several parts and their peoples, and to disseminate the information resulting from this study as widely as seems to be necessary well in advance of any public decision-making;

And further, that this Assembly schedule debates on the question of division, and on constitutional development generally, at least twice before the plebiscite.

RECOMMENDATION 07

That this Assembly, if the plebiscite is answered affirmatively, ask the Government of Canada to establish one or two new territories.

RECOMMENDATION 08

That this Assembly immediately take the necessary steps to establish a constitutional development committee (comprised of five Members, and including the Minister for Aboriginal Rights and Constitutional Development), mandated to explore with the various peoples of the Western Northwest Territories who may wish to continue to remain in association with one another, and to reach with them if possible, agreement concerning the identification of processes and the creation of mechanisms for future political and constitutional development;

And further, that this Assembly direct its constitutional development committee specifically to explore the possibility of holding a constitutional convention which would include representation from all peoples in the area defined above, as well as from this Assembly, and which would have as its primary aim the creation of a constitution for the largest and strongest possible geo-political jurisdiction.

RECOMMENDATION 09

That this Assembly select a delegation to deliver by hand to the Prime Minister, the Minister of Indian Affairs and Northern Development, the Minister responsible for federal-provincial affairs, and to a meeting of the federal parliament's Standing Committee on Northern Affairs, all such of the foregoing recommendations as may be approved by it.

APPENDIX 'A'

- a) COPE/Federal Government Joint Position Paper, July 14, 1978 and Agreement-in-Principle signed October 31, 1978.
- b) Discussion Paper: Recognition of the Dene Nation through Dene government.
- c) Political Development in Nunavut (Report prepared by Board of Directors of I.T.C.).
- d) Development of Government in the Northwest Territories (Carrothers Report).
- e) Position of the 8th Legislative Assembly on Constitutional Development in the Northwest Territories.
- f) Priorities for the North.
- g) Northeastern Dene Political Sub-culture and the Problem of Legitimacy: Some Interpretations (Paper by A.R. Zariwny).
- h) Central Arctic Regional Land Claims Proposal for Social, Educational Self-Determination - prepared by Kitikmeot Inuit Association (February, 1979).
- i) Baffin Region Inuit Association Land Claims Presentation to the Federal Land Claims Office - June 25, 1979.
- j) Proposed Agreement on Objectives between the Aboriginal Peoples of the Mackenzie Corridor and the Government of Canada for the entrenchment of rights to 'Our Land, Our Culture, Our Future.' - Metis Association of the Northwest Territories.
- k) Proposals for a System of Indian Government - prepared by Officials for Discussion Only (September 6, 1979).
- l) Summary of the Baker Lake Decision.
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ბიუროსისა და ბიუროსის უფროსის

სამსახურის ბიუროსის

9-რედაქციის ბიუროსის

დირექტორის

ნოვემბერი 22, 1980

