

Beyond the Nass Valley

National Implications of the Supreme
Court's *Delgamuukw* Decision

EDITED BY OWEN LIPPERT



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During 1991/1992, Dr. Flanagan took partial leave from the University of Calgary to act as Director of Research for the Reform Party of Canada. In 1995, Stoddart published his book *Waiting for the Wave: The Reform Party and Preston Manning*, which was partially based on that experience.

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GORDON F. GIBSON was born in Vancouver in 1937. He attended the University of British Columbia (B.A. Honours Mathematics and Physics '59), Harvard Business School (M.B.A. Distinction '61). He has been involved in a number of businesses including pre-fabricated buildings, hotel and real estate development, and has served on the boards of several public companies.

In politics, he served as Assistant to the Prime Minister (1968–1972) and ran in three federal elections. He was elected to the Legislature of British Columbia in 1974 and served as both MLA and Leader of the British Columbia Liberal Party (1975–1979). Since then he has been active in both business and public affairs in Western Canada, including 12 years on the Canada West Council. With Canada West, he co-authored "Regional Representation" (1981), authored "What if the Wheels Fall Off?: the Case for a Constituent Assembly" (1992) and served on the Task Force on National Unity (1991–1993).

In 1993, he joined the Fraser Institute as Senior Fellow in Canadian Studies, specializing in research on Federalism. He has published two books through the Institute entitled *Plan B: the Future of the Rest of Canada* (1994) and *Thirty Million Musketeers: One Canada for All Canadians* (1995) and has written numerous papers on the topic, many of which have been published in *Fraser Forum*. He regularly releases the setting of the Canada Clock, a measure of the probability of Canada's survival in its present form.

Over the years he has been a regular columnist with (successively) *The Financial Post*, *The Vancouver Sun* and, currently, *The Globe and Mail*.

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GEOFF PLANT was called to the Bar in British Columbia in 1982 and in the Yukon in 1984. He practiced with Vancouver law firm of Russell & DuMoulin from 1982 to 1996; was counsel for the Province at trial in *Delgamuukw*; appeared as counsel in other aboriginal rights cases including the Meares Island case and *R. v. Alphonse and Dick*. He was elected as member of the British Columbia Legislative Assembly in 1996. Mr. Plant has written and presented papers on various legal topics, principally in the area of aboriginal rights and education law. He is the Official Opposition Critic for the British Columbia Attorney General.

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Mr. Robertson left private practice in 1995 to become the full-time chief Commissioner of the British Columbia Treaty Commission. The Treaty Commission is the independent body that monitors and facilitates treaty negotiations between First Nations in British Columbia and the governments of Canada and British Columbia.

Prior to becoming Chief Commissioner, Mr. Robertson practised general business law and administrative law as a partner in the Vancouver law firm of Davis & Company. The business law practice included commercial development on Indian lands, a number of forestry related projects, and business acquisitions and dispositions. The administrative law practice focused on professional governing bodies, principally the Registered Nurses Association of British Columbia, for whom he was general counsel for many years.

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SÁKÉJ (JAMES YOUNGBLOOD HENDERSON) was born to the Bear Clan of the Chickasaw Nation and Cheyenne Tribe in Oklahoma and has become one of the leading Aboriginal philosophers, advocates and strategists of North American peoples. In 1974, he was one of the first American Indians to receive a Juris doctorate in law from Harvard Law School. During the constitutional process (1978 to 1993), Professor Henderson served as a constitutional advisors for the Mikmaq Nation and the Assembly of First Nations. He is a co-author of *Aboriginal Tenure in the Constitution of Canada* (Carswell, 2000) and *Protecting Indigenous Knowledge and Heritage* (Parish, 2000). He is a member of the College of Law. He is also a noted international human rights lawyer and a member of the Advisory Council to the Minister of Foreign Affairs that identifies strategic and emerging foreign policy issues. He currently pursues justice for Aboriginal Peoples of Canada through all the activities of the Native Law Centre as its senior administrator and Research Director.

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KERRY WILKINS is a Toronto lawyer, called to the Ontario bar in 1992, whose practice has focused principally on issues in constitutional law, the Canadian law of aboriginal peoples, and more general issues of public law and justice policy. His publications include "The Person You're Supposed to Become: The Politics of the Law School Experience" (1987), 45 *U.T. Fac. L. Rev.* 98, "... But We Need the Eggs: The Royal Commission, the Charter of Rights, and the Inherent Right of

Aboriginal Self-Government” (1999), 49 *U.T.L.J.* 53 and “Of Provinces and Section 35 Rights” (1999) 22 *Dalhousie L.J.* 185. He is currently writing a series of articles on aboriginal peoples and provincial authority, and another series exploring how to situate aboriginal rights of self-government harmoniously within the mainstream legal system.

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