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Hon. Carolyn Bennett MP, Liberal Party of Canada. Includes social media follow buttons for FAN, RSS, EMAIL, Follow, Like (177).

'See You In Court': An Expensive, Time-Consuming Wrong-Headed Strategy

Posted: 11/14/2013 12:42 pm

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Last year the Conservative government spent more fighting Indigenous people in the courts than it spent going after tax frauds. The latest Public Accounts show that the \$106 million that the Department of Aboriginal Affairs and Northern Development spent on litigation last year was more than any other department and almost double the \$66 million spent by the runner up, Canada Revenue Agency.

Unfortunately, this approach is what we have come to expect from this government. They willfully ignore Aboriginal rights, daring Indigenous people to take them to court on a range of issues; from First Nations' child welfare to resource development, the government's response has been "see you in court."

Time and time again, the courts have sided with Aboriginal people. One would assume this would serve as a wakeup call for the government that their approach is just not working. Unfortunately it has not.

The impact of their misguided strategy goes far beyond costly and unnecessary legal bills for taxpayers. The government's tactics have fuelled conflict and mistrust in every aspect of Canada's relationship with Aboriginal people. Who knew in 2011, when a government document listed Indigenous peoples as "adversaries" in terms of resource development, that this attitude would permeate every aspect of the Conservative's approach when dealing with

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Aboriginal people?

This is not only morally reprehensible, but bad economic management. This failed strategy doesn't just impact social and economic development for Aboriginal communities, but has serious consequences for the Canadian economy. The Aboriginal population is the youngest and fastest growing population in Canada. Further, almost every resource development activity currently operating or planned is within, or impacts, traditional Aboriginal lands, triggering a legal duty to consult and accommodate Aboriginal rights. With the federal government projecting more than [600 major resource projects](#) yielding hundreds of billions of dollars from jobs, tax revenues, and spin-off industries over the next decade, courtrooms are not the appropriate venue to develop the needed partnerships with Aboriginal communities.

Litigation is the path to unnecessary delay, increased costs and a further erosion of trust. This is something that the [business community](#), the former Conservative minister of both Aboriginal Affairs and Environment [Jim Prentice](#) and the [Prime Minister's own envoy](#) on energy corridors in B.C. have all made perfectly clear.

The Conservative government needs to completely rethink its approach to dealing with Aboriginal Peoples, not only because of the need for social justice and respect for their Constitutionally protected rights, but because the failure to do so will have enormous negative impacts on the Canadian economy.

It is no secret that Aboriginal Peoples in Canada are confronted with shocking gaps in life outcomes in terms of education, health and other social indicators. The crisis in First Nations' water systems, overcrowding and chronic housing shortages, the ongoing epidemic of violence faced by Aboriginal women and many other issues all need urgent attention. If we are to find solutions to these issues, and unlock the huge economic potential in Aboriginal communities, we must replace this government's confrontational attitude with a true partnership with First Nations, Métis and Inuit peoples. This approach must be rooted in a spirit of genuine respect and cooperation. It is just wrong for policies, programmes and legislation impacting Aboriginal people in Canada to be unilaterally developed in Ottawa and imposed, top down.

Prime Minister Harper's decision to abandon consultation and negotiation to drag Aboriginal issues through the courts is failing, costly, time consuming and undermines the honour of the Crown.

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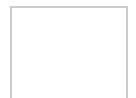
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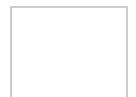
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sandra sharratt
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Use my tax dollars to fight for corporate interests that are against First Nations who want to protect the land from being poisoned to make sure that a few pockets get lined with gold so the Canadian people get a bad reputation around the world because we are starting to look like greedy anti-environmental corporate sponsors. I can think of a lot of better ways to use my tax dollars.

15 NOV 6:35 AM

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273 Fans · Always be sincere, even when you don't mean it.

Bennett should keep her criticisms to herself. What did her government do to solve the issue? Not much, apparently.

15 NOV 5:59 AM

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heros
53 Fans

And you should go to school.

15 NOV 10:30 AM

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tvindevoghel

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Most of these lawsuit's are brought on by First Nations groups, who think that everything should be handed to them on a silver platter. They hire lawyers to file 95% of these cases are filed because the First Nations are not being consulted on business opportunities or false land claims and bill the taxpayers instead of the First Nations paying for their own legal bills. Better measures need to be put in place to stop these lawsuits from even reaching a higher court.

15 NOV 2:20 AM

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Qcislander

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Live this life FULLY: Heaven and Hell are boring.

★ 1

All of it true, unfortunately... but for every penny it's costing us, a couple of hundred dollars is being tossed into the giant maw of corporate-cornucopia trade deals with Europe and China.

15 NOV 12:27 AM

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artbbcramer

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★ 1

All I can say is I find this ironic coming from a MP whose party when given chance to do so, over and over, has failed Aboriginal Canadians. Bravo for your commitment to Aboriginal issues, but it is time for you and your party to step aside. The LPC, and by extension, you, Madam, have had your chance, and failed over and over. Agreed, Harper is no better, but given past history, it is obvious it is time for Canadians to elect a NDP government led by Thomas Mulcair, and give Mr. Mulcair the real opportunity to address this issue once and for all.

14 NOV 11:19 PM

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IrishMale

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★ 4

I would do exactly the same thing. The government puts all Aboriginal grievances through the court system because it's the only way to get to a binding judgment that won't result in the government being accused of foul play, favoritism, whatever. We need a new national commitment to Aboriginals that replaces the Indian Act, and until that happens it's too dangerous to have any discussions at a less formal level.

14 NOV 3:31 PM

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greenweiner

117 Fans

★ 4

Reasonable Cooperation and Mutual Agreement And 'Good faith negotiation', might be more effective and more prone to Goodwill than "Unleash the Lawyers". Especially when the Feds have almost unlimited (taxpayer's) money to spend on litigation. (Against mostly disadvantaged citizens of Canada.) Our Indigenous people have enough on their plates, without having to defend their rights against a predatory Federal Government.

14 NOV 5:17 PM

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a non a mouse



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I think we have pretty-much determined the conservatives are the hand maidens of large business everywhere (and that's ok) ... but it is not ok to do so to the detriment of any and all opposing groups ;

what surprises me is how quickly this government has moved from 'capable' to 'gee we're not certain of a darn thing any longer' -

I find myself wishing Justin wasn't so damably young

14 NOV 2:13 PM

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And, what did the Liberals do during those 13 years or even over the decades since we've had more Liberal than Conservative governments?

15 NOV 6:00 AM

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KL-MTL

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Very well stated...thank-you.

14 NOV 1:10 PM

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★ 1

She should have included her own party in her conversation. I do recall the LPC being embroiled in conflict with Aboriginal issues.

15 NOV 6:00 AM

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3 PEOPLE IN THE CONVERSATION

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doittoday

5 Fans

★ 7

"Honour of the Crown", I first heard that from an NDP candidate in the last BC election. It was refreshing to hear a politician, not only say that, but mean it. It's a concept foreign to the Harper conservatives.

14 NOV 12:30 PM

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Ronchri

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It is completely foreign, yes.

14 NOV 3:21 PM

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Allan Beveridge

139 Fans

★ 4

You'd think your point, and that of Mr. Prentice would be a no brainer... apparently the

Reformer's have less than no brains, didn't think that was possible but they prove me wrong time and time again.

14 NOV 12:16 PM

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