

Inuvialuit Regional Corporation will remember Thomas Berger for hearing Inuvialuit and for furthering Indigenous rights in Canada

“In no other way could we have discovered the depth of feeling regarding past wrongs and future hopes, and the determination of Native people to assert their collective identity today and in years to come” -Commissioner Thomas Berger on the Mackenzie Valley Pipeline Inquiry and Report.

April 29, 2021- “Inuvialuit Regional Corporation is paying our respects to Justice Thomas R. Berger for his role in educating Canada and amplifying Inuvialuit perspectives leading up to the Inuvialuit Final Agreement,” reflects Duane Smith, “Berger formatively encouraged leaders from the Mackenzie, Canadian Arctic and Alaska at a critical time by listening. Inuvialuit are grateful to Berger’s family and for his sacrifices, especially the thoroughness and seriousness with which he took on all of this work.”

Chosen to lead the Royal Commission for Canada starting in 1974 as a preliminary to a major resource development project, Berger intentionally chose processes respectful of Inuvialuktun and Indigenous languages to consider possible impacts. Critically, his standards of fairness also meant the inquiry held open, lengthy and transparent meetings in the places on the land and communities in which people lived.

The key findings from holding and advancing these consultation processes were that Indigenous groups should be allowed time for the settlement of their land claims with Canada and before Canada should consider development or resource extraction by any economic pressures coming from outside these traditional territories.

The meetings were broadcast in much of Canada, meaning that both Indigenous words and languages were heard on radio and tv. This was widely educational for all Canadians on Northern issues and realities.

In his Final Report, Berger reiterated that project impacts could be better determined when people from and in their Regions reached written agreements with Canada in order to guarantee their role in decision-making about their territory and children’s future. He recognized Indigenous people as Canadians and basic political players in the north, able to partner with industry in development projects, able to assert measures to protect environment and livelihoods in their own lands. Berger’s considerations encompassed many important areas of community life and connections between them- including social, economic, and cultural impacts.

Berger was not only skilled at summarizing what he heard, he expected implementation and action equal to his thorough process.

For the rest of his life, Berger continued to outline measures for decolonization: education, employment, respect for culture, equal and basic access to necessities and access to opportunity through the implementation of land claims.

Inuit Circumpolar Council called on Berger to help conduct the Alaska Native Review Commission in the 1980s, and he later led another Royal Commission in Canada examining Indigenous and Inuit Healthcare discrepancies- arguing for delivery with consultation and community control. In the 2000s he wrote a report outlining a path to implement the Nunavut Land Claims Agreement, including the need for a strong Indigenous education system. Before the Mackenzie Valley Pipeline, Berger led another Royal Commission on Child and Family Law.

These are all central issues Inuvialuit continue to work on. IRC encourages the reading of Berger's various final reports, gathered testimony and his Constitutional and political writings to understand our history and ongoing work at IRC: in attaining and in how to implement a modern land claim. Rest in Peace Justice Thomas Berger. We are forever grateful for his sacrifice.