

“Please, Prime Minister Chrétien,
keep your promise
to the Lubicon.”

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and they have only served to slow progress in the negotiations for a land
and resource base [for the Lubicon].*

It is time for action.”

Hon. Jean Chrétien,
Leader of the Opposition
27 May 1993

Discussion Paper:
the “Keep Your Promise” campaign

Prepared for the
Lubicon Legal Defence Fund (LLDF)

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Introduction

“For more than fifty years, the Lubicon have struggled to secure a permanent land base — and the means to preserve their way of life. Unfortunately, negotiations between the Lubicon and the federal government have been suspended since 1989. We believe that [the Progressive Conservative] government has reneged on its fiduciary responsibility to the Lubicon people.”

Hon. Jean Chrétien, Leader of the Opposition
in a letter to the Friends of the Lubicon, 27 May 1993

In 1993, Jean Chrétien — in a letter sent to the Friends of the Lubicon (see Appendix 2), dated 27 May — made a number commitments to the Lubicon, including “[the Liberal Party supports] the swift resolution of all claims, and consider the Lubicon claim a priority.” Five months after he made his promises, Jean Chrétien became Prime Minister, and so far has failed to honour any of his commitments to the Lubicon. In fact, the situation has worsened for the Lubicon, because of Chrétien’s failure.

The Lubicon have been unable to negotiate a land settlement agreement with the Canadian and Alberta governments, despite decades of negotiations. The immediate consequences of the failed negotiations are the Lubicon have no jurisdiction over or access to the rich natural resources of their traditional lands. The long-term effect on the Lubicon has been — and continues to be — a devastating, debilitating decline into poverty with all its social ills and human suffering. A just land settlement agreement entered into in good faith by the Canadian and Alberta governments would give the Lubicon the necessary resources and community stability to reverse the social decline they are suffering.

Prime Minister Chrétien has announced his retirement from politics, and has stated that he has “no regrets” about his over 40 years as a Member of Parliament. He should regret — deeply regret — his failure to honour his commitments to the Lubicon. The Lubicon — particularly the young — have paid for Chrétien’s failure in lost lives, disease, and crushing poverty.

The purpose of this paper is to suggest a six to ten month campaign, working titled “Keep Your Promise,” to be funded and implemented by the Lubicon Legal Defence Fund (LLDF) that might help the Lubicon in their negotiations with the Canadian and Alberta governments by:

- publicly and politely reminding the Prime Minister of his 1993 commitments to the Lubicon,
- publicly and politely showing Jean Chrétien how the Lubicon have suffered over his decade as Prime Minister because he *personally* has failed to honour his commitments, and
- publicly and politely asking Jean Chrétien to keep his promise to the Lubicon before he leaves office.

Prime Minister Jean Chrétien has all the authority necessary to honour his commitments to the Lubicon. It is unlikely he will do so, however, without some incentive. His betrayal of the Lubicon is a blight on his career and legacy. A campaign that reminds the country of his betrayal — of his failure to honour his commitments to some of the poorest people in Canada — may provide the necessary incentive for Jean Chrétien to force a quick settlement — as he promised — to the Lubicon's land claims. Where honour failed to move Chrétien, perhaps a public shaming will.

The Strategic Problem

The strategic problem facing the Lubicon is lack of bargaining power. All that the Lubicon can place on the negotiating table are the legitimacy of their claim, the urgency of their plight, and justice and morality: none of which has any real negotiating value — as decades of fruitless negotiations have demonstrated. As for the Canadian and Alberta governments, it is not in their interests to settle the Lubicon's claim. Neither the Lubicon themselves, nor the courts, nor the public at large are exercising any influence that is preventing access to the rich resources on the Lubicon's traditional lands, and there are no campaigns that are having any meaningful impact (positive or negative) on the political or electoral viability of any politicians or the Canadian and Alberta governments. Indeed, a review of the history of the Lubicon's negotiations can lead to the reasonable conclusion that the Canadian and Alberta governments have, in fact, no intention of settling the Lubicon's land claim, and that the governments' strategy is to negotiate in bad faith until there are too few Lubicon left alive to be a viable community, at which time the Lubicon's land claims become moot. Currently, no benefit will accrue to anyone in either the Canadian or Alberta governments if the Lubicon land claim is settled. The solution to the Lubicon's strategic problem, therefore, is to change the negotiating environment such that it will be in the best self-interest of some key decision makers on the governments' side to settle the Lubicon's claims — and to settle them quickly.

The “Keep Your Promise” Strategic Solution

Recently, a number of political factors have converged from which a strategic solution to the Lubicon's problem might be developed. These factors can be exploited by the “Keep Your Promise” campaign to develop and implement a strategy that personally targets Prime Minister Chrétien, rightly laying the blame for the current plight of the Lubicon on his head. Prime Minister Jean Chrétien is the key decision maker on the government side of the

negotiating table, and he has authority to direct the Government of Canada to conclude a settlement with the Lubicon. Notwithstanding the Alberta government's interest in a Lubicon land settlement, the issue is under federal jurisdiction, and the Government of Canada can agree to a settlement without Alberta's concurrence.

The converging political factors are Prime Minister Chrétien's pending retirement, the Liberal Party's and the Prime Minister's interest in his "legacy," and Chrétien's failure to fulfil the commitments he made to the Lubicon in 1993. These factors can form the basis of a Lubicon Legal Defence Fund campaign that may make it in the Prime Minister's and the Liberal Party's "best self-interest" to finally settle the Lubicon issue. This unique window of opportunity that is now open to the LLDF — and other Lubicon supporters — closes when the new Liberal leader becomes Prime Minister in February 2004.

It is unlikely that Prime Minister Chrétien or the Liberal Party have much interest in the Lubicon issue, if they did meaningful, good faith negotiations would be taking place. Nevertheless, the issue is extant and unresolved, and the story of the human tragedy caused by Prime Minister Chrétien's failure to honour his commitments to the Lubicon can be told in such a compelling manner as to make it a defining issue — the defining failure — of Chrétien's career. Told well and widely over the next six to ten months, the story of Chrétien's betrayal of the Lubicon people and a concurrent public plea that he keep his promises to the them could provide the missing incentive for Chrétien to direct the Government of Canada to negotiate a settlement with the Lubicon. Chrétien will not want his legacy besmirched by his betrayal of the Lubicon.

Implementing the "Keep Your Promise" Campaign

The basic tactic is to publicly and politely request, "Please, Prime Minister Chrétien, keep your promise to the Lubicon." Respect and deference for the Prime Minister should be the tone of all campaign messages. The desired communications goal is to create a political environment of anticipation in which the press and the public are waiting for the Prime Minister's answer and hoping that he, for the sake of the Lubicon, will keep his promise.

The tenor of the messages should not be — as is usual in these campaigns — an appeal for public support or an attempt to raise public opinion, but rather a direct and personal request by the LLDF of the Prime Minister to keep his promise. Perhaps, a good characterization of the message and its tone would be a private conversation (made in public) between the LLDF and the Prime Minister. In effect, the public would be overhearing the conversation. The messages would likely include three elements:

1. A request of the Prime Minister to keep his promise.
2. Examples of the detrimental effect that the Prime Minister's failure to keep his promise has had on the Lubicon people. This element should not overtly blame the Prime Minister (blame will be implicit), but rather emphasize the urgency of the situation by detailing the effects that the Prime Minister's inaction has had on real people's lives — and deaths.

3. A statement directed at the Prime Minister personally that the only hope the Lubicon have is him keeping his promises before he leaves office.

Notwithstanding any ostensible or perceived progress at the negotiating table, the “Keep Your Promise” campaign should be maintained until an agreement is clearly imminent or, better yet, actually concluded. To this end, the “Keep Your Promise” campaign should be an independent LLDF initiative, not under the control or direction of either the Lubicon or other members of their negotiating team. This will inoculate the Lubicon and their bargaining partners from criticism by government negotiators or even Prime Minister Chrétien. From decades of experience, it should be clear to all that a government promise or a politician’s commitment has little, if any, value. If the “Keep Your Promise” campaign begins to take effect, representatives of the Prime Minister will make efforts to have it ended. Ending the campaign will reduce the pressure on the government to negotiate in good faith with the Lubicon and quickly conclude an agreement. The Lubicon will be in a stronger negotiating position if organizations and individuals outside of their control or influence rather than they are making the case for mistrusting government and politician’s promises and demanding a final agreement. In practice, however, while the “Keep Your Promise” campaign should ostensibly be independent, the campaign must defer to the insights, concerns, and strategic objectives of the Lubicon and their negotiating team.

The “Keep Your Promise” Campaign Communication Strategy

The communication strategy of the “Keep Your Promise” campaign should be segmented into two target groups: LLDF supporters and everyone else. This division is suggested because of the different roles each group plays and the different messages they would receive. The supporters of the LLDF will be requested to financially support the “Keep Your Promise” campaign and ask the Prime Minister to keep his promise. Those outside of the LLDF will — at best — be requested only to ask the Prime Minister to keep his promise, but for the most part will only have to serve as the critical audience of the Prime Minister’s answer to the “Keep Your Promise” campaign’s implied question, “will Prime Minister Chrétien keep his promise to the Lubicon?”

The communications strategy for the LLDF supporters is straightforward: newsletters and in-house appeals. However, the “Keep Your Promise” campaign is a departure from past LLDF efforts on behalf of the Lubicon. If LLDF supporters are similar to supporters of other interest groups, the “Keep Your Promise” campaign may resonate strongly with them because it is an overt effort to put pressure on the Prime Minister and it is evident that it may actually move the Lubicon issue forward. These elements may make it possible to markedly increase the frequency of mailings to LLDF supporters and, thereby, provide more funds to the “Keep Your Promise” campaign.

The communication targets beyond the LLDF supporters can be divided into three interrelated groups:

1. Decision makers: the Prime Minister, Cabinet Ministers, Members of Parliament, the Liberal Party ...

2. Those who influence decision makers: the press and media, non-governmental organizations, native organizations, respected individuals ...
3. The public

Each of these targets should be further broken down into smaller groups when the final communications strategy is developed, but for the purposes of and within the limitations of this discussion paper the following is suggested.

Decision makers

Communications to decision makers serve two purposes. The first is to explain the objectives and make the case for what is being asked of them by the LLDF. The second is to control as far as possible the tone of the relationship between the LLDF and the decision makers — in this case, a deferential and conciliatory mood. It is better that decision makers learn of the LLDF “Keep Your Promise” campaign from the LLDF before they hear about it on radio and television ads or from the letters of LLDF supporters.

In its communications with decision makers, the LLDF is looking for allies on the government side of the House of Commons and strong critics of the government — particularly from the Progressive Conservatives as they were the party taken to task by Chrétien in his 1993 letter — on the opposition benches.

Initial means of communications could include:

1. Letters and information packages to the Prime Minister, opposition party leaders, and Members of Parliament.
2. Advertising in local political press (i.e. Hill Times) and Ottawa radio advertising.
3. Personal communications with influential decision makers.

Communicating with decision makers is, of course, lobbying. The costs for lobbying can be low — confined to the development, production, and distribution of printed material — or expensive if personal communications and on-going follow-ups with decision makers by LLDF takes place.

Those who influence decision makers

The purpose of a communications strategy aimed at “those who influence decision makers” is to lever the LLDF’s campaign resources by having others distribute its message. Also, other voices asking the Prime Minister to keep his promise — particularly voices that influence public opinion — can increase the political relevance and therefore the effectiveness of the LLDF campaign.

Much of the material prepared for the decision makers can be used as a basis for communications to this group. However, it is important to bear in mind that the

organizations and individuals in this target group have their own objectives. For example, some anti-Liberal talk show hosts might welcome a fresh topic to prove that Chrétien can't keep his promises, a newspaper like the Globe and Mail which has run numerous stories critical of native affairs may appreciate an op ed piece about how one native group has been betrayed by the government, a social justice group may need an issue to motivate their membership, or a news program may be attracted to item that revisits the Lubicon issue which, a decade ago or more, was a major news story.

To maximize a communications strategy aimed at this group the LLDF would need the full cooperation of the Lubicon leadership, the Lubicon people, and other supporters of the Lubicon. While LLDF can encourage the press and media, television producers, and other non-governmental organizations to spread the Lubicon story, the raw materials — the current information, the interviews, the compelling words and images — must come from the Lubicon themselves or those closer to the issues than the LLDF.

The costs for this aspect of the communication strategy can be kept low if the LLDF can adapt existing printed materials. However, if op ed pieces or longer articles are to be written or if personal communications with editorial boards, radio and television producers, or non-governmental organizations are planned costs will rise accordingly.

The LLDF should consider establishing a web site dedicated to the LLDF's "Keep Your Promise" campaign. The purpose of the web site would be to act as a repository of current and past information about the Lubicon issue and as a directory of contact information.

The Public

The public and public perception is key to the success of the "Keep Your Promise" campaign. If the Liberal Party and Chrétien are, in fact, concerned about his legacy, their concern is about how the public now and in the future will perceive and remember Chrétien. The "Keep Your Promise" strategy argued for in this discussion paper, therefore, is based on the premise of the public being an interested and important (to the Prime Minister and the Liberal Party) observer to a legitimate request being made of the Prime Minister, "please, keep your promise to the Lubicon." The strategic goal is to make the Prime Minister believe that how he responds will affect how the public today and in the future will perceive and judge him. Keeping his promise to the Lubicon will enhance the Prime Minister's status; breaking his promise will confirm the public's worst suspicions about the Prime Minister's integrity.

It is recommended that the communications with the public be done through radio and television. For two reasons: the first is that most of the public get their information through electronic media; the second reason is that use of electronic media is more impressive and credible to decision makers, those who influence them, and the public.

The ads themselves should not be an appeal for public support or a request for the public to ask the Prime Minister to keep his promise, but rather a publicly made request by LLDF on behalf of the Lubicon for the Prime Minister to keep his promise. The ads should be

directed at the Prime Minister personally. A message as simple as this sample 30 second radio spot is an example,

A plea from the Lubicon Legal Defence Fund.

Prime Minister Chrétien, in 1993 you promised the Lubicon people you'd help them secure a land base so they could preserve their way of life.

Because your promise is still unfulfilled, the Lubicon people are dying. Their land is being taken from them.

They're living in poverty, disease, and despair. The children suffer most. Your promise is their only hope.

Please, Prime Minister, keep your promise to the Lubicon.

Production costs for radio spots are quite low, and television productions costs can be kept to a minimal using existing video and stills. The significant costs for radio and television are in the purchase of air time. Depending on markets and time slot, 30 second radio spots can run from \$25 to \$100 an airing. Television time on the major networks is likely prohibitive but the specialty channels like HGTV (Home and Garden Television) and Life Network can be quite reasonable. For example, a 60 second spot run on both HGTV and Life twice a week in good time slots for 40 weeks (10 months) would likely cost about \$20,000. Both HGTV and Life enjoy good penetration and are heavily watched by women, an important Liberal constituency.

Concluding remarks

The purpose of this discussion paper is, just that, to encourage discussion. A preliminary, exploratory budget (see Appendix 1) is added also to stimulate discussion. This discussion paper and the budget will help the LLDF pick and choose the campaign elements that it deems important, and that are within its management capacities and budget allocation.

The “Keep Your Promise” campaign envisioned here would run from six to ten months. The reasons for this timeframe are that a longer, less intense campaign will likely be accommodated more easily by the financial support of the LLDF's membership, and a longer campaign will — like Chinese water torture — likely have more impact on the Prime Minister. It is worth remembering when developing any strategy aimed at swaying the Prime Minister that he is one of the most experienced politicians in Canada. He has learned in his over 40 years in politics that often the best defence against public interest groups is waiting. With no pecuniary interest in winning, public interest groups are usually forced to give up the field — with the exception of periodic fund raising / public awareness campaigns — if success does not come quickly. A slow, methodical campaign will leave the Prime Minister and the Liberal Party with the perception that the LLDF's “Keep Your Promise” campaign will dog the Prime Minister until the day he leaves office.

Appendix 1 — Preliminary Communications Budget

**Lubicon Legal Defence Fund
“Keep Your Promise” Campaign**

TOTAL BUDGET		\$84,500.00	
			Estimated Costs
	Item	Details	Totals
	Decision maker information package	Production	2,500.00
		Printing	2,500.00
		Distribution	500.00
		Production radio spots	1,000.00
		Ottawa Radio time (10 months)	5,000.00
		Hill Times ad	2,500.00
			\$14,000.00
	Lobbying decision makers		\$10,000.00
	"Those who influence" information package	Production	1,000.00
		Printing	3,000.00
		Distribution	1,000.00
		Op ed pieces	2,000.00
		Magazine and newspaper articles	3,000.00
		Personal follow-up	2,500.00
			\$12,500.00
	"Keep Your Promise" web site	Design & development	2,500.00
		10 month maintenance	2,500.00
			\$5,000.00
	Public campaign	Radio spot production	1,000.00
		Major market radio time	5,000.00
		Television ad production	2,000.00
		Television buy	20,000.00
			\$28,000.00
	Overheads and misc. costs		15,000.00
			\$15,000.00

Appendix 2 — Chrétien letter



Ottawa, Ontario
K1A 0A6

MAY 27 1993
MAI

Dear Group Members:

Thank you for your letter regarding the final report of the Lubicon Settlement Commission of Review.

The Liberal Party understands your concern. For more than fifty years, the Lubicon have struggled to secure a permanent land base - and the means to preserve their way of life. Unfortunately, negotiations between the Lubicon and the federal government have been suspended since 1989. We believe that the government has reneged on its fiduciary responsibility to the Lubicon People.

Time is wasting. Innumerable studies and reports have been prepared over past years, and they have only served to slow progress in the negotiations for a land and resource base. It is time for action. As a start, we believe the government should proceed with recommendation number five of the Settlement Commission report to hold all royalties in trust and withhold leases and permits on traditional Lubicon lands - unless approved by the Lubicon. Moreover, future negotiations should reflect the intent of recommendation number eight, asserting that the extinguishment of Aboriginal rights must not be a condition for a settlement - a position consistent with Liberal policy.

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Group Members
Friends of the Lubicon (Toronto)
485 Ridelle Avenue
Toronto, Ontario
M6B 1K6

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Ethel Blondin-Andrew, Liberal Critic for Aboriginal Affairs, has urged the government to renew negotiations with the Lubicon and resolve this issue, once and for all. While it is doubtful whether the current government possesses the will to do so, you can be assured that Liberals will continue to press the Conservatives to respond to the recommendations of the Settlement Commission and resume negotiations.

We support the swift resolution of all claims, and consider the Lubicon claim to be a priority. As Leader of the Opposition, I appreciate the time you have taken to write and bring your views to my attention.

Sincerely,

A handwritten signature in blue ink, reading "Jean Chretien". The signature is written in a cursive, flowing style.