

the *Constitution Act, 1982*, have never been subject to the terms of the *Indian Act*. As a result, they are ineligible for services offered to status Indians. Like the Métis, Inuit people in this country are excluded from the *Indian Act*, but the Inuit acquired a special relationship with the federal government from a 1939 ruling of the Supreme Court of Canada. The Court held that they are entitled to the same services provided to status Indians.

The federal government has used these arbitrary legal classifications to determine eligibility for federal services; those who are excluded have to turn to reluctant provincial governments. Generally, the federal government has taken the position that its responsibilities extend only to providing services to status Indians on reserve and to the Inuit. It expects the provinces to provide services to status Indians who do not ordinarily live on reserve as well as to all non-status Indians including the Métis. For their part, the provinces use section 91(24) of the *Constitution Act, 1867*, to argue that all legal responsibility for

services to Aboriginal people rests with the federal government.⁷

