

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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STENOTRAN

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1 St. John's, Newfoundland

2 --- Upon Resuming on May 22, 1992

3 **CO-CHAIR RENE DUSSAULT:**

4 I would like to welcome everybody to this first session
5 of the Royal Commission on Aboriginal Peoples, held in
6 St. John's, Newfoundland. Before starting the formal
7 presentations, I would like to ask Grand Chief Wilson Samms
8 to make the opening prayer, thank you.

9 [OPENING PRAYER]

10 **CO-CHAIR RENE DUSSAULT:**

11 We have with us this morning a youth commissioner for the
12 day, Lisa Blandford, and, of course, the Grand Chief Wilson
13 Samms. They are acting commissioners, and their duty is
14 to ask questions to the presenters, as Mary Sillett and
15 I can do, to help us to understand what is said, to secure
16 some clarifications, if needed, and at the end of the day,
17 at lunch time, we're going to deliberate with them to
18 exchange on what we've on heard and the meaning of what
19 we heard, so this brings us light, an additional light,
20 that is very important for us. And as I just said to my
21 two colleagues, it's highly symbolic to have both a youth
22 commissioner and an elder, a Chief, but it's also a matter

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1 of substance, because, I think, as in the circle of life,
2 it is very important for this Commission to have in mind
3 the youth and the elders.

4 I don't want to be too long
5 on the Commission. You know that we are seven
6 commissioners who were appointed on the 27th of August
7 last year. Four of them are aboriginals, aboriginal
8 people. They form a majority on the Commission, and the
9 purpose of the Commission is to try to find ways to build
10 a new partnership and relationship between aboriginal
11 peoples in this country and the general public.

12 This Commission only gives
13 what the people will put in it, and that means that it
14 is very important that both aboriginal people and
15 non-aboriginal people participate in the process, listen
16 to what is said, think about it, and think about the future
17 and the kind of future they want to have for not only their
18 children, but for Canada. And at this point, I think
19 everybody realizes in this country, all governments--of
20 course, the Federal government who appointed us, but also
21 the Provincial governments and the Territorial
22 governments, that something more definite, something that

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1 has a deep meaning has to be done.

2 We will be discussing in
3 the coming year the fabric of this country, and comparisons
4 are always difficult to make, but if there was one that
5 was made often, a comparison between this Commission and
6 the bilingualism and biculturalism commission in the early
7 sixties, which have had a tremendous impact on the fabric
8 of Canada, and what it is about now is inclusion, to make
9 sure that aboriginal people feel part of Canada, feel also
10 that non-aboriginal people want them to be part of Canada,
11 while retaining what they are, retaining their self, and
12 there is no reason why this should not be done. Young
13 people have to be given a choice, have to get the education
14 to have an individual or personal choice to get involved
15 in the mainstream society while retaining what they are
16 and without fearing being assimilated, but retaining their
17 culture, their language, their roots.

18 So we are discussing
19 everything that concerns aboriginal people. We have to
20 deal with the social policies, justice, injustice,
21 education, child care, social services, the delivery of
22 the services, major problems like alcoholism, a high level

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1 of suicide, and others, child abuses, family violences.
2 We have to deal with economic development, and
3 unemployment is one of the major problems. That's true
4 generally, but more so for aboriginal people. We have
5 to deal with ways to give a land base, a greater land base,
6 to aboriginal people. It goes with the notion, the very
7 notion of self-government.

8 So our role is a kind of
9 synthetic role, to establish the links between all those
10 issues and see how they reinforce each other. We are aware
11 that there can't be across-the-board, universal solutions,
12 that many solutions will have to be tailor-made in
13 accordance with the needs and the readiness of various
14 groups in the country to go ahead. We are aware that
15 implementation is key to our success. We feel that there
16 is a public education process that is absolutely needed
17 in order to secure implementation at the end, because the
18 public will have to push governments. That means a greater
19 understanding of what is at stake and how it could be done.
20 We will have to look at the financial aspects. We will
21 have to look at the human resources aspects. But again,
22 at the end, what will be important is that some kind of

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1 threshold will have been crossed by the larger society
2 in order to see aboriginal people, the youth in particular,
3 as an asset, and not only a problem and a liability in
4 this country, but to see the future together.

5 The future has to be built
6 on a positive feeling, and not only out of guilt sentiment,
7 crying for repairs for things that have been done in the
8 past. So we are aware, we know that healing has to take
9 place, but we hope that people will be able to turn their
10 minds to solutions as soon as possible.

11 The problems are well
12 known, most of them. What is not as well known are the
13 solutions, and solutions could be major ones that will
14 necessitate changes in the legal framework. The Indian
15 Act, for example, is on the table. The whole Department
16 of Indian Affairs is on the table, as it has been. The
17 policies that are there are also on the table. But what
18 is important is that there can't be a vacuum. There has
19 to be solutions that will be implemented in an orderly
20 fashion.

21 Some of the solutions are
22 wider solutions, others are grass-roots solutions, small

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1 things, but that could make a big difference. People who
2 live the life condition knows what works for them and what
3 doesn't work, and we can't, as a commission, function on
4 the principle that we will get this from academic research.

5 It has to come through our public hearings. We want to
6 bring this stream of information that is very important.

7 Everything that will be said in our public hearing is
8 recorded, transcribed, and of course will be looked at
9 very carefully in terms of getting a good grasp as to what
10 are the priorities, and also how to get from one point
11 to the other in an effective way.

12 This is time for action,
13 more than for studies, so we have to turn our minds to
14 be action oriented, and small things are as important as
15 big things, so that's the reason why individual
16 presentations to us are as important as presentations from
17 political leaders. We want to hear the problems, the
18 situations, but also how these conditions could be
19 improved.

20 Having said that, we have
21 a heavy schedule for the day, and I would like to ask my
22 fellow commissioner, Mary Sillett, to say a few words.

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1 As you know, we broke into three panels this week. One
2 of them, George Erasmus, is chairing a panel in British
3 Columbia, and Allan Blakeney is chairing another panel
4 in Manitoba. The idea is to get to see and meet as many
5 people as possible. This first round will be followed
6 by a discussion paper that we're going to publish and send
7 to all of you during the summer, where we will prepare
8 a summing up of what we've heard. We're going to raise
9 questions and try to focus more for the second round that
10 will start in the fall, and we're going to go that way
11 until early fall of next year. We're going to have four
12 rounds of hearings, because we want to establish a
13 dialogue. We do not want to come here just one time and
14 go back to our office and write a report. We start wide
15 open, but we are going to focus and get a sense of direction,
16 with your help. We want to come back and test ideas.
17 So that's the start of the process.

18 Thank you very much.

19 Mary?

20 **COMMISSIONER MARY SILLETT:**

21 Thank you very much, Mr. Dussault.

22 First of all, before I

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1 begin, I would like to introduce the members of the Royal
2 Commission, people who work at the Royal Commission, people
3 who worked very, very hard to make sure that everything
4 was organized for these hearings.

5 I'll begin by introducing
6 Sandra Germain. She works in public participation. And
7 once I say your name, please stand up. Michael Lazore,
8 who also works with public participation; Roger Farley,
9 who came to Her Majesty's with me last night, and we were
10 starving to death while we were there; and Don Kelly, who
11 is our media relations officer, and also, I would like
12 to thank Patti Pike very, very much for the excellent job
13 that she has done. I would also like to thank the Native
14 Friendship Centre, because I understand that you worked
15 all day yesterday and probably the night before to prepare
16 a wonderful meal. Thank you very much.

17 I want to just follow up
18 on a few comments, and I'll be very brief. First of all,
19 we had a preliminary meeting with aboriginal groups on
20 November 19th in St. John's. At that time, when we met
21 with a group, we said we planned to go on public hearings,
22 and we want to do a good job, so could you tell us how

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1 we can do the best job possible. We were told many things.
2 We were told a number of places that we should be going
3 to. I will say that we have four
4 phases of public phases of public hearings. Before this
5 phase started, I phoned the Friendship Centre and I said
6 during this phase, we don't have any money for groups to
7 come to meetings. The money is not out yet. It will
8 probably be out in the second or the third phase. Given
9 that fact, do you think that if we came to St. John's,
10 there would be people here to meet with us? The Friendship
11 Centre said yes, so we only came to communities during
12 this phase that wanted us to be here, that said if we came,
13 that there would be people here to present. And I think
14 that we haven't really identified the exact communities
15 that we will be going to in Newfoundland and Labrador,
16 but there is one thing that I'm certain of, no matter if
17 it's the second phase, no matter if it's the third phase,
18 and no matter if it's the fourth phase, we will be going
19 to Gander, because we recognize that is a community that
20 we were told to go to when we met with groups on November
21 19th, and we will be going to various parts of Labrador.
22 In fact, during this phase and the third week of June,

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1 we will be going to Goose Bay, Sheshatshui and Makkovik,
2 and so that's why I'm really quite surprised to see a lot
3 of these groups coming to us, because I said if they had
4 waited, we would have spent money to see them, or they
5 would have been able to get money to see us.

6 But nevertheless, having
7 said that, I want to emphasize that the Royal Commission
8 is about aboriginal issues, but we have a responsibility
9 to make sure that non-aboriginal people participate in
10 our hearings as well, and in future hearings, I hope not
11 only to see aboriginal participants, but non-aboriginal
12 participants, because what we want to do is talk to each
13 other. We recognize that we live in Canada. Canada is
14 made up of many, many different people, many different
15 races, and we must talk to each other in order to find
16 the solutions for our future, for a better Canada that
17 we will live in. We have talked to the provinces, we must
18 talk to the provinces, simply because many of the issues
19 that we are dealing with are a provincial responsibility.
20 Many of the issues that we're dealing with are a federal
21 responsibility. Many of the issues we deal with are a
22 territorial responsibility. So our mandate is so, so

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1 broad that we have no choice but to involve everyone in
2 our discussions, and we plan to do that.

3 I would like to say as well
4 that we were told by everyone across this country that
5 before you have public hearings in our communities, make
6 sure you hire local co-ordinators at the community level,
7 people who know the community, people who know the press,
8 people who know how to get things done. Because you're
9 in Ottawa, what the hell do you know? These people know
10 a lot, and they will make sure that your public hearings
11 go well, so they are very, very important to us in our
12 work.

13 As well, when we came to
14 St. John's, the other bit of advice that we received is
15 we had to find the ways to include elders, and we had to
16 find a way to include youth in our hearings. And although
17 this is at our table today, we have people who have the
18 same equal status as us, someone who represents the elder
19 community, someone who represents the youth community,
20 but that's not good enough. I think that as we go through
21 our hearings, we have to make sure that people of all ages
22 are at our meetings, because elders have something to

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1 contribute, they have their wisdom; youth have something
2 to contribute, and they're hardly ever heard. We mostly
3 hear from aboriginal leadership. And in our public
4 hearings, we've said we don't only want to hear from the
5 aboriginal leaders, we want to hear from anyone who has
6 anything to say. So anyone who is anybody can come to
7 us, can make a presentation. This is really formal, but
8 we have plans to not only meet in hotels, but we have gone
9 to the penitentiaries, we will be going to the schools.
10 We will be going anywhere where anyone has anything to
11 say to us. That is one of the differences of this
12 commission.

13 I think we will be
14 definitely coming back in the future, but not necessarily
15 to St. John's. I think we've been here enough. This is
16 our second trip. I'm sure that there are some people who
17 have something to say about that. But there is a reason
18 for us being in St. John's. St. John's is the capital
19 of Newfoundland and Labrador. There are many, many people
20 here, it has more people than most, and we thought that
21 because we didn't have any funds to bring people in, we
22 might as well come here, because there are a lot of people

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1 here.

2 But anyway, thank you very,
3 very much. I wish we could have stayed longer, I really
4 wish, and I would have asked Mr. Dussault to consider that,
5 but I think that's a bit unrealistic. We have to see our
6 families sometime, and we have to be on the road again
7 on Monday.

8 Thank you very, very much.

9 **CO-CHAIR RENE DUSSAULT:**

10 Just as an addition, I would like to remind you that anybody
11 who wants to get in touch with us for additional ideas
12 after this morning or this afternoon, we have 800 lines,
13 the numbers are in our pamphlet. We also urge you to write
14 to us in the form of letters, if you want, or a brief,
15 because it's an ongoing process, and if there are
16 additional ideas that cross your mind that you want to
17 tell us, do not hesitate to do so.

18 I would like now to call
19 our first presenter to come to meet with us, Dr. Boyce
20 Fradsham.

21 **DR. BOYCE FRADSHAM:** Good
22 morning. I wish to thank you for this invitation and for

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1 your interest in the Native and Northern Teacher Education
2 Programs. This will be an oral presentation. I would
3 be pleased to submit the notes to you after, if you so
4 request it.

5 I will deal with the Native
6 and Northern Teacher Education Programs, rather than the
7 broader context of native education. This, I believe,
8 is listed on the pamphlet that I saw here this morning.

9 To quote:
10 If progress is going to be made in improving
11 educational opportunity for native children, it
12 is basic that teacher and counsellor training
13 programs be redesigned to meet the needs. The need
14 for native teachers and counsellors is critical
15 and urgent. The need for specially trained
16 non-Indian teachers and counsellors is also very
17 great.
18

19 That quotation, by the
20 way, is an excerpt from the Indian Control of Indian
21 Educational Policy Paper, National Indian Brotherhood,
22 and expresses very clearly the need for programs
23 designed to train teachers to function effectively in
24 native educational settings.

25 Now our native education
26 program, teacher education program, grew out of this

There are two programs.

First of all, there is what we refer to as, and I think most of us know it as, the TEPL program--Teacher Education Program in Labrador. That received Senate approval in 1978. We have also a second Native and Northern Teacher Education Program, a Bachelor of Education Native and Northern, that was approved by Senate in 1989, so that one is a fairly new one. I have

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1 a pamphlet here which describes that program.
2 Unfortunately, I only have three copies. I'll leave
3 those with you, and I can supply Patti with more, if
4 you wish, so I won't go into that one. I have also
5 brought along the course descriptions on the program,
6 and I'll also leave a supply of those with you.

7 The first is the diploma
8 program, and as I mentioned, it is largely a
9 community-based program, that is courses being offered
10 in Labrador, in the communities, as much as is possible.

11 It consists of 20 university courses, which is a
12 two-year program, and at the end of that program, the
13 teachers get a minimum level teaching certificate of
14 a grade two certificate granted by the Province. And
15 as I say, most people who enter that stream are the native
16 teaching assistants or classroom assistants.

17 The second one, being
18 the Bachelor of Education program, is intended for those
19 who wish to pursue a teaching career in Native and
20 Northern Education, primarily in Labrador. It's a
21 five-year program, with most of the courses from the
22 TEPL program being transferrable into that, so it's not

A brief word on the administration of the program. It's administered by Memorial University through the Faculty of Education by an on-campus co-ordinator, which is the position that I hold, and the co-ordinator, though, is assisted by field co-ordinators in Labrador-- we have two people working in Labrador--but also by what we refer to as "contact people." We have a contact person in each of the seven communities, and these people provide a very key role for us in acting as a liaison among the various associations, the community, the students, and myself.

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1 the university, the Department of Education, the native
2 associations, and TEPL graduates. And by the way, the
3 TEPL graduates are normally the contact people in each
4 of those communities as well. And of course, the
5 program is supported by frequent contacts with native
6 associations, community leaders and this advisory
7 committee, who provides the local input into redesign
8 of the program, or any problems or concerns or so on.

9 I would think that you know the
10 communities that we're dealing with, so I don't need
11 to go into that--a total of seven, five Inuit and two
12 Innu communities.

13 The delivery of the
14 courses--just let me say a word about that, because it
15 gives a little bit of background to what I want to suggest
16 by way of some problems or challenges or some
17 recommendations. As much as possible, we deliver
18 courses, particularly in the TEPL program, in the
19 home-base communities, and that, as you know, is often
20 difficult. We send instructors into the community, or,
21 where there are locally qualified teachers, we utilize
22 these, of course. Courses are taught often on an

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1 accelerated basis, rather than following the regular
2 university calendar. We do follow it where possible,
3 but often on an accelerated basis. We've had some
4 experiments with delivering through distance education,
5 that is teleconferencing and correspondence courses,
6 but we haven't, so far, been able to find the clue to
7 make that so successful. That personal contact in those
8 particular situations seem to be the most successful
9 route to go, and so we haven't gone heavily into that
10 area as of yet.

11 We also put on a summer
12 session, and this is a fairly new phenomenon. We
13 started last summer on sort of an experimental, small
14 basis. This summer, though, we have a six-week summer
15 session in the Northwest River/ Sheshatshui area,
16 utilizing the residents there, and bringing students
17 together from all seven communities. Especially we do
18 this for the more specialized courses, and where the
19 numbers might be small in a particular given community.
20 We'll be offering six courses there, provided that the
21 funding is available, and I'll something about that in
22 a moment.

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1 We have done a survey of
2 interest so far, and there are 30 students who have
3 indicated an interest from these communities, which is
4 certainly a record of interest. We'll be sending three
5 instructors, and in fact, a fourth one, who will be team
6 teaching and so on.

7 Just to mention quickly
8 as well that we have offered--while undelivered--some
9 14 courses on this program, mostly in Labrador, since
10 the winter of 1991, and I have a list of those attached,
11 and I'll leave that information for you as well.

12 A little bit about the
13 progress to date. There are about 15 students, from
14 the time that we started this TEPL program, who have
15 completed the two-year diploma program, from three of
16 the communities. There are others in various stages
17 of completion. We have approximately 50 students in
18 the program in total, and that number is not a fixed
19 number. It vacillates, as you know, with some becoming
20 inactive, because they decide that they don't want to
21 become a teacher, or various other reasons, and others
22 being added and so on. Among that number, we have five

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1 students on campus enroled in a Bachelor of Education,
2 native and northern students, since 1989, with two of
3 those graduating next year, and that will be the first
4 native and northern graduates in the program, and we
5 hope that these are going to be ambassadors for other
6 people, to spur on the interest and so on. We expect
7 six to eight additional people in the B. Ed. program
8 next year, and so that will make it for about a total
9 of 10, and I would suspect that number is going to grow.

10 I want to say a few words
11 about the funding. During the past fiscal year, we
12 received, in total, about \$180,000 to run this program,
13 so we're not talking about any great sums of money at
14 all. It's funded mainly through Federal/Provincial
15 agreements, which is on a cost-shared basis with the
16 university, for the B.Ed program, providing the space
17 and the general infrastructure for on-campus students.

18 I want to speak about two kinds of funding, because
19 for the Inuit side, it's funded differently right now.

20 The Inuit communities' funding is provided through a
21 five-year agreement, which is 1989, '92, '92, '93, '94.

22 Previously, it was a shorter-term frame than that, but

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1 we have a five-year agreement. And in that, there is
2 earmarked amount of funding for the teacher education
3 program, so we have stability on that side. On the Innu
4 side, although they have a similar agreement, for
5 reasons of their own, I guess, this was not included
6 in this long-term agreement, so we have to go a different
7 route for this one. For the Sheshatshui Band Council,
8 last year, they received money through the ISSP, which
9 is the Indian Studies Support Program, but on a one-year
10 basis. In other words, it ran out in '92, and while
11 we're negotiating right now for additional funding, as
12 of today, we have to funding commitments, and you can
13 deduce a problem from that, and we're planning a summer
14 session, and the expenses go on, and we don't know
15 whether we're going to be able to pull this off and so
16 on. The process that we go through for this is normally
17 we, at the university, submit a funding proposal through
18 the band counsel, who, in turn, submits it to the Feds,
19 it comes back through the band counsel, and then we
20 receive progress payments, normally on a quarterly
21 basis.

22 I was asked to mention

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1 some problems or concerns, and I will do that before
2 I give my recommendation--do I have the time?--of some
3 problems--or perhaps "challenges" is the more positive
4 way of presenting this for this program. One, of course
5 is in the funding area, that you've concluded. First
6 of all, the funding is short-term funding, and you know
7 that that prevents us from doing adequate and essential
8 long-range planning. It causes difficulty in getting
9 qualified instructors. We have to make commitments to
10 them sometimes a year in advance, and we can't do that,
11 so sometimes we lose some of our people and have to go
12 back and replan all over again because of that. Also,
13 in planning the course offerings, as well as obvious
14 frustrations for students and overall disruption in the
15 program because they would like to know in advance what
16 sequence of courses. These courses have to be done in
17 sequence, as you would know.

18 The small numbers of
19 students involved in each community present some
20 challenges for us. One, it is very costly to deliver
21 courses in the home-base communities, and particularly,
22 if you have one or two students, and in that case, you

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1 have to repeat those in the seven communities for very
2 small numbers, and as I say, we try to offset that a
3 little bit by bringing them together at least as close
4 to their home base as possible, being the Goose Bay
5 general area.

6 Most of the students on
7 the diploma program are classroom assistants and/or at
8 minimum levels of teacher qualifications with
9 relatively low incomes, as you can appreciate, and are
10 often single parents and/or have other family
11 commitments, and they can't readily leave their home
12 base unless they take their children along with them,
13 and some have to work during the summer in order to
14 supplement their income as well. And sometimes it is
15 difficult to motivate some of these people, under those
16 circumstances particularly, to continue their studies
17 since they do already have an income, although
18 reasonably low, but reasonably comfortable and so on,
19 so we have that mixture of things that causes some
20 difficulty in delivering courses. There's the
21 difficulty of attracting qualified teachers to remote
22 areas, unless, of course, we can make it fairly

Many students,
especially those on the diploma program, are also
inadequately prepared for university-level study. You
can appreciate that they were teaching assistants, and
some of them did not complete the high school program,
and so have some difficulty in facing the more rigors
of university training, and since they often enter
Memorial University as mature students, rather as high

6 There is--and I don't
7 mean this negatively--is a disproportionate amount of
8 that small amount of \$180,000 for the entire program
9 going to the more costly community-based programs,
10 because that is the mostly costly program, and that is
11 the slow track. And thus, there is very little left
12 over for the university-based, full-time program, which
13 is the faster track, of course. And the university
14 itself has very little funding of its own in these times
15 to supplement the program, so that's certainly another
16 challenge.

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1 a fair amount of course modification, or, perhaps, new
2 course development. And if you keep in mind, the degree
3 program since '89 is fairly new, so we've had a very
4 short time frame. So that requires a very extensive
5 amount of course development in a short period of time.

6 And there's another factor to that, and that is if we
7 take the courses in the home community where we have
8 perhaps local teachers who have not taught university
9 courses, plus we have no library resources available,
10 what we're trying to do in the course development is
11 to develop, in somewhat detail, the content, a student
12 manual, an instructor manual, reading materials and
13 supplementary readings as a sort of a self-contained
14 course, so it differs in intensity and detail from the
15 normal courses that would be held at Memorial
16 University, and that, too, speeds up the cost, but is
17 of tremendous benefit at the local level, as I say, where
18 the don't have access to libraries and so on.

19 I would like to end with
20 some recommendations, if I may elevate them to that,
21 or at least suggestions. On the funding side, many of
22 the problems associated with the development and

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1 delivery of the program is directly or indirectly
2 funding related, as are most things in life.
3 Substantially more funding is certainly required,
4 especially in the early stages of the development of
5 this program, in recognition of a couple of factors;
6 one, the high cost of delivering the program, the need
7 for some full-time instructors, the need for more
8 extensive liaison, motivation efforts at the community
9 level among the students, and to provide financial
10 incentives to at least the most promising prospective
11 teachers and educational leaders.

12 The second part of the funding
13 is that funding stability is very essential. It should
14 at least be assured on a five-year basis in order to
15 do the long-term planning that's required. In order
16 to get more classroom assistance up to at least the
17 diploma certification level in the shortest time
18 possible, the program, in my view, has to be accelerated,
19 which means offering, of course, more courses in more
20 communities throughout the year, and expanding the
21 summer session offerings.

22 I would suggest that a

17 In view of the time
18 involved in dealing with the several band councils,
19 especially with respect to budgetary matters and so on,
20 perhaps the native associations could play a more
21 centralized co-ordinative kind of role among their
22 communities, rather than spending our time going through

The student support funding should be recognized as an integral part of the budgetary process, especially for diploma students, and I'm referring here to such things as daycare, transportation and substitutes in the classrooms, especially when we have to bring some of these out to go to other communities to do a course on a month or two months basis and so on.

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1 accelerate the program.

2 I would be pleased to
3 answer any questions, and as I said, if you wish any
4 of this in script, I will be pleased to provide it.
5 Thank you.

6 **CO-CHAIR RENE DUSSAULT:**
7 Thank you very much for your excellent presentation
8 and detailed presentation. We would certainly
9 appreciate it if you could send us, in a written form,
10 what you've just told us orally.

11 Maybe as a first
12 question, I would like to ask you what has happened to
13 the 15 students who have completed the three-year
14 course? Are they teaching in their community? What
15 has been the practical follow-up?

16 **DR. BOYCE FRADSHAM:** I
17 stand to be corrected, but I believe almost without
18 exception they're all back teaching in their various
19 communities, and many of those 15 that graduated from
20 the TEPL program have also gone on and into the Bachelor
21 of Education program.

22 **CO-CHAIR RENE DUSSAULT:**

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1 And previously, do I understand that those teaching
2 jobs in the communities were held by non-native
3 teachers?

4 **DR. BOYCE FRADSHAM:**

5 Yes, that is correct. There are, I should say, still
6 a number of non-native teachers there, of course.

7 **CO-CHAIR RENE DUSSAULT:**

8 As far as the last recommendations on tenure tracks
9 at Memorial, there should be at least a couple of tenure
10 track positions held by native people. This is
11 obviously a decision that the university could make.

12 Could you explain what has been the problem so far?

13 The lack of candidates, or the lack of will on the part
14 of the university to do it, or--

15 **DR. BOYCE FRADSHAM:**

16 Well, the university program is relatively new and is
17 being established, one; two, there is not a lot of
18 qualified people available in those areas; and three,
19 and perhaps primarily, is funding, a lack of funding.

20 **CO-CHAIR RENE DUSSAULT:**

21 Because obviously, the education sector is
22 fundamental for the future, and when you speak about

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1 the lack of funding for the university there is no
2 specific allowed for positions like these within the
3 education department.

4 **DR. BOYCE FRADSHAM:**

5 That's correct.

6 **CO-CHAIR RENE DUSSAULT:**

7 Maybe just on a larger scale, are there tenure tracks
8 in other fields at Memorial Universities? In other
9 fields than education, are you aware of tenure track
10 positions?

11 **DR. BOYCE FRADSHAM:**

12 Throughout the university?

13 **CO-CHAIR RENE DUSSAULT:**

14 Throughout the university.

15 **DR. BOYCE FRADSHAM:**

16 Oh, of course, yes. That is the norm.

17 **CO-CHAIR RENE DUSSAULT:**

18 So there are many.

19 **DR. BOYCE FRADSHAM:**

20 Yes.

21 **CO-CHAIR RENE DUSSAULT:**

22 And none in education.

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1 DR. BOYCE FRADSHAM:

2 There are in education as well, but--

3 CO-CHAIR RENE DUSSAULT:

4 Not in this program.

5 DR. BOYCE FRADSHAM:

6 It's fully dedicated to this particular program. There
7 are people in education who have some expertise that
8 we utilize on a per-course basis, but there is no one
9 there fully dedicated to the Native and Northern Teacher
10 Education program.

11 CO-CHAIR RENE DUSSAULT:

12 Thank you very much.

13 COMMISSIONER MARY

14 **SILLETT:** Thank you, Mr. Dussault. I have a number of
15 questions, but in the interest of time, I'm going to
16 limit my questions to several. One of them is with the
17 Bachelor of Education, the native and northern program
18 that was recently approved, what is the difference
19 between that and an ordinary Bachelor of Education
20 program? What is the difference?

21 DR. BOYCE FRADSHAM:

22 Oh, the difference is that the courses in the program

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1 are developed and adapted fully to reflect the
2 indigenous native culture, to traditions and so on.
3 I can pick some examples, and we've described the course
4 descriptions right here, and that will give you an
5 indication of it. For example, there are a couple of
6 courses in the structure of the Inuktitut and the [Innu
7 mamun?] and so on, so they are peculiar to these people.

8 **COMMISSIONER MARY**

9 **SILLETT:** Like for example, are only native students
10 eligible to take that program, or are non-native
11 students as well?

12 **DR. BOYCE FRADSHAM:**

13 The program was intended--it's called "Native and
14 Northern." The program was intended for the seven
15 communities that I mentioned originally. Others can
16 come into the program. They're not funded, of course.
17 They come on their own expense. So far, nobody has
18 come into them.

19 **COMMISSIONER MARY**

20 **SILLETT:** With the TEPL program, when someone graduates
21 with a diploma, what are they, a regular teacher? How
22 do they place within the structure of the school?

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1 **DR. BOYCE FRADSHAM:**

2 They graduate with what we refer to as a "Level 2"
3 teaching certificate, which is a special certificate,
4 offered only in this instance, the only place in the
5 province, and they, yes, become regular teachers.

6 **COMMISSIONER MARY**

7 **SILLETT:** Are they paid as much?

8 **DR. BOYCE FRADSHAM:**

9 They are paid on a scale, of course. Those who graduate
10 with a certificate 5 under the degree program would be
11 paid higher because the salary scale is developed
12 according to qualifications and experience, so they
13 would be on a lower level scale.

14 **COMMISSIONER MARY**

15 **SILLETT:** The community-based educational program that
16 you provide, have you done an evaluation on that, and
17 what have the results of that evaluation been, if you've
18 done them?

19 **DR. BOYCE FRADSHAM:**

20 Yes, there has been an evaluation done of it. I can't
21 quote you precisely right now, but generally, it's been
22 very well accepted. In fact, what we get from the

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1 students is that they want more and more community-based
2 instruction, and there is often a reluctance, except
3 for the motivated ones, to come out even to Goose Bay
4 to a summer session. They want them at their home base.

5 There is a slight difference from the high school
6 graduates, for various reasons. These kids have no
7 commitments and so on. So even though there are still
8 some difficulties in attracting some of those out of
9 their social milieu, and to compensate for that
10 somewhat, we have set aside a room especially for them
11 to socialize in and to study and so on and try to make
12 them as comfortable as they can, and bring them together
13 as much as we can, as a community, at the university.
14 But it's still a struggle, in some instances.

15 **COMMISSIONER MARY**

16 **SILLETT:** Just a final question. You've mentioned that
17 native organizations should, I guess, have a more
18 co-ordinated role in this whole exercise. I guess I
19 wonder about that, because I think native organizations
20 are over-extended, and they're being asked to take on
21 more and more responsibility, without the resources.

22 So I'm wondering exactly what the nature of your

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1 recommendation is.

2 **DR. BOYCE FRADSHAM:**

3 Yes, I appreciate that, and that is clearly what we have
4 found as well, that often they're overextended, but the
5 LIA, Labrador Innu Association, has come a long way in
6 that regard, in that they have on staff people whose
7 time is totally devoted to education. The Innu nation
8 side is a relatively new form from the NMIA, and they
9 are also now investigating the possibility of having
10 somebody responsible for education on their staff who
11 would be there on a fairly continuous kind of basis,
12 and that's what I was referring to. So that is probably
13 being corrected, in fact.

14 **COMMISSIONER MARY**

15 **SILLETT:** Thank you.

16 **CO-CHAIR RENE DUSSAULT:**

17 This is our last question. What is the proportion of
18 students in your program and the basic program coming
19 from high school, by comparison to mature students--in
20 comparison with mature students?

21 **DR. BOYCE FRADSHAM:**

22 I'm not sure I understand your question.

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1 **CO-CHAIR RENE DUSSAULT:**

2 Well, how many students are coming from the high schools,
3 straight from the high schools, into this program, in
4 comparison with adults or adult students or more mature
5 students who have been working?

6 **DR. BOYCE FRADSHAM:**

7 Well, I don't know that I can answer that exactly. Next
8 year, we're going to have about six to eight out from
9 the seven communities students coming into Memorial
10 University. I don't know what the population of
11 graduates would be in those communities, but it's a
12 relatively small number.

13 **CO-CHAIR RENE DUSSAULT:**

14 Do you meet with those students to explain what is the
15 course, in the high school?

16 **DR. BOYCE FRADSHAM:**

17 Yes, and that is another area that we need to do some
18 work on. The university does have a high school liaison
19 officer who goes into these communities and explains
20 the program to them. We have also taken our own approach
21 to this through LIA representatives, but it's an area
22 that is not strong enough at the moment, and probably

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1 that is one of the other reasons.

2 **COMMISSIONER MARY**

3 **SILLETT:** I would like to say that I remember one time
4 when we were at another meeting, and the first speaker
5 came up, and we asked him six or seven questions, and
6 at the end of the day, we couldn't hardly ask anyone.
7 We got balled out at the end of day saying how come
8 you spent so much time with the first speaker and not
9 anyone else. But I just want us to remind ourselves
10 that we're very conscious of time. But I'm a good
11 Labrador woman, I do what I'm told, and someone asked
12 me to ask this question, so I'm going to ask you what
13 is the input of the aboriginals in the formation of the
14 curriculum?

15 **DR. BOYCE FRADSHAM:**

16 The curriculum, meaning the Teacher Education Program,
17 or at the local level, at the school level?

18 **COMMISSIONER MARY**

19 **SILLETT:** At the local level.

20 **DR. BOYCE FRADSHAM:**

21 Meaning the primary, elementary, secondary program.

22 Well, that is not my particular area because I'm involved

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1 in the Teacher Education Program. I know that in
2 Sheshatshui, at the moment, for example, they are
3 involved in a very extensive effort in local curriculum
4 development with a view to taking over control of their
5 school. The target date is 1992. So they are becoming
6 very much aware of this through all the communities,
7 and it is certainly being increased.

8 **CO-CHAIR RENE DUSSAULT:**

9 Thank you much for your very instructive and
10 informative presentation.

11 I would now like to ask
12 The Honourable Len Simms, Leader of the Opposition, to
13 come to meet with us. Good morning.

14 **THE HONOURABLE LEN**

15 **SIMMS:** Good morning. First of all, I would like to
16 thank the Commission for accommodating me and allowing
17 me to make my presentation early on. As I indicated
18 to your staff people, I have another commitment in a
19 place about 200 miles away, which I have to drive to,
20 at 1:30, and that's not meant to suggest that if you
21 have any questions, you might keep them short, because
22 it's up to you. I'm quite prepared to stay as long as

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1 I can.

2 I want to begin by
3 welcoming you to the Province of Newfoundland and
4 Labrador. We're particularly proud that there's a
5 Labradorian on this Commission. And I also want to
6 thank you for giving me the opportunity to comment on
7 some of the matters within the mandate of the Royal
8 Commission on Aboriginal Peoples.

9 Given the long history
10 of relationships between aboriginal peoples and other
11 Canadians, I think it's a matter of concern and
12 embarrassment for many Canadians that the concerns and
13 basic rights of native Canadians have been so poorly
14 understood and so long ignored. The national attention
15 drawn to aboriginal issues during the Meech Lake
16 ratification process, and since, have made Canadians
17 acutely aware of an historic injustice. While some
18 confusion and misunderstanding remain, I think that
19 Canadians have come to understand and accept that
20 aboriginal issues must be resolved as a matter of
21 national priority.

22 The process of

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1 reconciliation Canadians seek and the finding of a
2 resolution to long-standing and difficult problems
3 cannot be accomplished by good intentions alone. There
4 must be a better understanding not only of the issues,
5 but of the traditions, cultures and aspirations of
6 aboriginal societies. As the Royal Commission itself
7 has noted, the process of education and
8 consciousness-raising is almost as important as the
9 recommendations that you will make on the particular
10 issues identified in your terms of reference.

11 The Commission has been
12 asked to study and report on a broad range of issues
13 of concern, not only to the aboriginal peoples of Canada
14 but to all Canadians, and I will try to focus my comments
15 this morning on the second of your 16 terms of reference,
16 the matter of aboriginal self-government.

17 In my presentation to
18 the provincial committee, our own provincial committee
19 on the Constitution, last October, I stated then the
20 position of the Progressive Conservative Party of
21 Newfoundland and Labrador as follows: We support
22 recognition in the Constitution of a right to aboriginal

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7
8 self-government is a very important unresolved issue
9 for the entire country, and Canada must make a determined
0 effort to resolve the matter, certainly well within the
1 ten-year time frame suggested by the Federal Government.

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1 institutions in Canada.

2 In February, the Royal
3 Commission published a document entitled "The Right of
4 Aboriginal Self-Government and the Constitution: A
5 Commentary." That document established six criteria
6 for any constitutional provisions dealing with the right
7 to aboriginal self-government. The right to
8 self-government, you stated, is inherent in nature,
9 circumscribed in extent, and sovereign within its
10 sphere. The document goes on to say that the
11 constitutional provisions should be adopted with the
12 consent of aboriginal peoples, be consistent with the
13 view that Section 35 of the Constitution may already
14 recognize the right of self-government, and be
15 justiciable immediately. Those self-government
16 agreements resulting from a constitutional obligation
17 to negotiate will obviously be the normal and desirable
18 vehicle for implementing the right of self-government.
19 Now those criteria are extremely helpful in
20 establishing the central concepts associated with the
21 recognition of the right to self-government within the
22 context of a federal state.

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1 Accepting the reference to Section
2 35 of the Constitution, the concepts identified by the
3 Commission were very important to Newfoundlanders and
4 Labradorians when we negotiated constitutional
5 arrangements to join the Canadian Confederation back
6 in 1949. 15 years earlier, we had been a self-governing
7 dominion. The democratic institutions of
8 self-government were suspended in 1934, and it was very
9 important to us that the active union recognize our
10 historic right and practice of self-government. The
11 recognition was provided in Section 7 of the British
12 North America Act, 1949, which states, in part:
13 The Constitution of Newfoundland, as it existed
14 immediately prior to the 16th day of February 1934,
15 (which was the date responsible government was
16 suspended) is revived at the date of union, and
17 shall, subject to these terms in the British North
18 America Acts, 1867 to 1946, continue as the
19 Constitution of the Province of Newfoundland from
20 and after the date of union until altered under
21 the authority of the said Acts.
22

23 So we did not gain
24 responsible government when we became part of the
25 Canadian federation. We simply regained what we had
26 lost, and at the critical moment of Confederation, we
27 were once again a self-governing dominion, freely

The concept of an inherent right to self-government, as expressed by representatives of aboriginal peoples, at the various constitutional conferences in recent months, appears to me to hold similar meaning and significance.

17 Newfoundlanders and
18 Labradorians, from the background of their own
19 experience, understand the principle and the importance
20 of that principle to aboriginal Canadians, and I feel
21 confident that the people in this province will support
22 its affirmation in the Constitution.

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1 I want to refer briefly
2 to your fourth criteria, the principle that
3 constitutional provisions should be adopted with the
4 consent of the aboriginal peoples. Again,
5 Newfoundland's experience sets something of a
6 precedent. The terms of Newfoundland and Labrador's
7 union with Canada were presented and debated in a
8 national convention and then submitted to the people
9 in a national referendum. It was a completely open
10 process, allowing for broad participation and the
11 ultimate right of the people to decide. That remains
12 today a unique incident in Canada's constitutional
13 development, but it may well become the standard rather
14 than the exception for future constitutional change.

15 The Constitution is no
16 longer viewed by Canadians as a document that simply
17 sorts out legislative jurisdictions among the various
18 orders of government. The addition of a charter of
19 rights and freedoms in 1982 transformed it into a
20 constitution for the people of Canada, the guarantor
21 of the individual and collective rights in a democratic
22 society. The Constitution has become a document of

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1 unique importance to the people of Canada, and it will
2 be difficult to amend again without extensive public
3 consultation and agreement prior to legislative
4 ratification.

The process of obtaining consent can take many forms, but the essential point is that a historic decision for aboriginal peoples and other Canadians to begin a new relationship, within the constitutional framework of Canada, should be based on the enlightened consent of both parties. If that consent is sought and given, as I believe it will be, all Canadians, native and non-native, will have made a moral and political commitment that will enable us to move naturally and confidently from the recognition of an inherent right to self-government to concrete, negotiated agreements on the forms of self-government.

17 The question of the form
18 of self-government and what it means for aboriginal
19 peoples is a difficult one. The Right Honourable Brian
20 Dickson, in his address to the Conference on First
21 Nations and the Constitution, said:
22 There can be no single model of aboriginal
23 self-government. There are scores of distinct

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1 aboriginal peoples in Canada. Their needs are not
2 identical, nor are their aspirations.

Whatever process is
created to flesh out the concept of self government,
it must be flexible and allow for a variety of responses.

7 It makes no sense to ask aboriginal people, what do
8 you want, as if there was a single answer. Various
9 groups want and need different powers and
10 responsibilities. Because of the diversity of
11 aboriginal peoples and cultures, the form of
12 self-government and the jurisdiction that aboriginal
13 governments would exercise will have to be defined and
14 agreed upon throughout a process of negotiations with
15 each aboriginal community.

16 I think it's fair to say,
17 however, that the agreements will have to provide for
18 a settlement of land claims and the resources to support
19 the economies of aboriginal communities, and to preserve
20 the distinctive culture and language of aboriginal
21 peoples. Both levels of government in Canada
22 acknowledge the linkage between those issues and the
23 practice of self-government. It is important that

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1 these issues are resolved in a manner that is fair and
2 acceptable to both aboriginal and non-aboriginal
3 communities.

4 Let me conclude with
5 this final comment. We are going through one of the
6 most difficult periods in our history, and it is not
7 yet clear that we will emerge from this juncture in our
8 history as a strong and united country. The stakes are
9 very high, not only in relation to our immediate
10 interests but also in relation to the essential nature
11 of Canada. Indeed, Canada's very survival is at stake.

12 But we have a tremendous responsibility and great
13 opportunities to build a stronger, better Canada from
14 the rich diversity of our nation. We must meet that
15 challenge with the courage to correct the injustices
16 of the past, and to forge new relationships with
17 aboriginal Canadians, based on mutual respect,
18 cooperation and generosity. I think you will find that
19 the people of Newfoundland and Labrador are fully
20 committed to that endeavour.

21 Thank you very much.

22 **CO-CHAIR RENE DUSSAULT:**

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1 Thank you very much for your very thoughtful
2 presentation on self-government in particular. I think
3 it is of great interest that you've recalled all of us
4 to the existence of Section 7 of the British North
5 America Act of 1949 when Newfoundland joined
6 Confederation, because it is, in fact, a good historical
7 example of returning to what it was and acknowledging
8 that self-government and responsible government was
9 there, and it was not granted by the coming into
10 Confederation, and the parallel with the aboriginal
11 peoples is quite striking.

12 I would just like to
13 thank you for coming to meet with us. We are happy to
14 see that the commentary that we've issued has been of
15 some usefulness. When we did it in February before the
16 Beaudoin-Dobbie Committee, we had in mind that the focus
17 and the energy of the negotiation on the Constitution
18 should include the right of self-government within the
19 Canadian framework, much more than discussing whether
20 the source of the right was inherent, or would be granted
21 for the first time. We felt that that was the real issue
22 that had to be discussed, and we only hope that the

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1 negotiations that seem to be progressing will come to
2 a final agreement, and obviously it will help a lot this
3 commission in the performance of its mandate. Because
4 if there was an agreement that would give us a framework
5 under which we could flesh out the practicalities of
6 how it's going to work.

7 Thank you very much for
8 being with us.

9 **COMMISSIONER MARY**

10 **SILLETT:** I would like to thank you very much. I have
11 two questions, or maybe a comment before the questions.
12 In your brief, you cite one of the principles that the
13 Royal Commission is endorsing with respect to
14 constitutional amendments, and the principle that
15 constitutional provisions should be adopted with the
16 consent of aboriginal peoples. I remember that
17 discussion very well, and it was decided that we live
18 in a new time in Canada's history, this must be a time
19 when if the Constitution is to be changed, it must be
20 changed with the consent of aboriginal peoples.
21 Unfortunately, when you look at history, you say well,
22 it's really too bad that aboriginal peoples in various

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1 parts of Canada did not have a seat at the table when
2 Canada and the French made Canada, simply because there
3 were a lot of wrongs as a result of that. So I'm sort
4 of interested to understand how your statement, in terms
5 of Newfoundland's union with Canada were presented and
6 debated in a national convention, is related to that,
7 because I know when you talk about that particular
8 discussion, that particular debate, I'm sure that when
9 Newfoundland was debating this issue with Canada, were
10 the Inuit of Labrador involved, were the Innu of Labrador
11 involved? I somehow think that that's not possible
12 simply because of the language difference.

13 My other question is,
14 were the aboriginal peoples in this part of the province
15 involved in that debate?

16 **THE RIGHT HONOURABLE LEN**

17 **SIMMS:** Of course, I was barely around at that
18 particular time--

19 **COMMISSIONER MARY**

20 **SILLETT:** You probably know history better than I do,
21 though.

22 **THE RIGHT HONOURABLE LEN**

13 COMMISSIONER MARY

20 THE RIGHT HONOURABLE LEN

22 COMMISSIONER MARY

14 THE RIGHT HONOURABLE LEN

15 **SIMMS:** I think in the past our policy has been that
16 yes, we do recognize it. I suspect, and in fact my
17 colleague, who will make a presentation a little later
18 on, will have some comment to make with respect to
19 Labrador aboriginal people. But with respect to the
20 island portion, I think there has been--I don't know
21 if "recognition" is the word--there have been certainly
22 ongoing discussions and debates and so on. I remember

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1 some in the past when I happened to be part of a previous
2 administration. But I wouldn't say clearly that there
3 was an absolute recognition ever arrived at or a policy
4 in terms of recognition.

5 **COMMISSIONER MARY**

6 **SILLETT:** Well, there must be absolute recognition in
7 the case of Conne River--

8 **THE RIGHT HONOURABLE LEN**

9 **SIMMS:** Yes.

10 **COMMISSIONER MARY**

11 **SILLETT:** But I'm talking about the recognition of
12 people who live outside of that reserve.

13 **THE RIGHT HONOURABLE LEN**

14 **SIMMS:** I don't think there was ever an absolute policy
15 that recognized absolutely all others on the island
16 portion. I would have to say no.

17 **COMMISSIONER MARY**

18 **SILLETT:** Thank you very much.

19 **THE RIGHT HONOURABLE LEN**

20 **SIMMS:** Thank you.

21 **CO-CHAIR RENE DUSSAULT:**

22 **Merci.** We wish you a good trip.

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1 **THE RIGHT HONOURABLE LEN**

2 **SIMMS:** Merci. Thank you very much.

3 **CO-CHAIR RENE DUSSAULT:**

4 Just before the coffee break, I would like to call
5 Yvonne Myers, Pathways Coordinator, Employment and
6 Immigration Canada, to come and meet with us.

7 **MR. DAVID MURRAY,**

8 **EMPLOYMENT AND IMMIGRATION:** Good morning. My name is
9 David Murray. I'm the regional director general with
10 Employment and Immigration Canada. With me is Yvonne
11 Myers, our Pathways coordinator for Newfoundland and
12 Labrador.

13 To begin, we're very,
14 very pleased to be able to present some information to
15 you this morning on a process that we believe, from the
16 perspective of EIC, is working very very well in the
17 province, a process called "Pathways." I would stress
18 that Pathways is a co-managed process between Employment
19 and Immigration Canada at the national, regional and
20 local level, and I am sorry this morning we were not
21 able to make arrangements to have my co-chairs, the
22 aboriginal members of the regional aboriginal

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1 management board, here to do the presentation with me.

2 I would hope, as the Commission proceeds through the
3 province, that you have an opportunity to hear about
4 Pathways from the aboriginal representatives
5 themselves. So I would stress that we'll present this
6 morning from the perspective of EIC in Newfoundland and
7 Labrador.

8 A bit of background to
9 the process, and then I will ask Yvonne to address some
10 specific questions you've given us. It goes back to
11 1989 when Employment & Immigration launched what we
12 termed the "Labour Force Development Strategy." That
13 strategy focused on forging some new partnerships with
14 the private sector, taking a look at the training culture
15 in Canada, a major reform of the unemployment insurance
16 legislation to allow a more active use of the fund in
17 the context of training, and last, and certainly most
18 important, consulting with external groups to redesign
19 and redevelop our training in employment programs.

20 Not surprisingly, the
21 process left out the aboriginal community, and the
22 community raised a number of concerns on the external

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1 process that Employment and Immigration followed.
2 Certainly, by all accounts, the most profound training
3 and employment needs in Canada existed in the aboriginal
4 community. A major stake in the Canadian labour market
5 was represented by that community, and EIC historically
6 was not particularly well thought of in the design of
7 our programs and their impact within the aboriginal
8 communities themselves.

9 In response to that
10 concern, Employment and Immigration launched a parallel
11 consultation process with aboriginal groups on the
12 labour force development strategy, and a group known
13 as the "Aboriginal Employment and Working Group"
14 consisting of national aboriginal organizations,
15 regional aboriginal training experts and national and
16 regional Employment and Immigration managers was
17 formed. Through a series of discussions beginning in
18 1990, five partnership principles emerged concerning
19 the labour force development strategy through that
20 consultation. First was the need for a consultation
21 process, focusing on local control and decision making;
22 secondly, a principle surrounding the increased control

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1 of delivery of employment and training programs by the
2 aboriginal community themselves; thirdly, the need for
3 a dedicated funding mechanism, both in a program and
4 an administrative sense; fourthly, aggressive and
5 proactive employment equity measures were recommended
6 as a major principle for the department, but also for
7 the labour market at large; and lastly, a principle
8 surrounding the removal of existing barriers of access
9 to our programs and our services that Employment and
10 Immigration offers.

11 Those principles were
12 introduced by our Minister of the time, Barbara
13 McDougall, as the basis of a new partnership between
14 EIC and aboriginal people. An implementation plan was
15 developed to give effect to the five principles, and
16 was called "Pathways to Success." I have, and I'll
17 leave with the officials, copies of both the strategy
18 and the background document for your records.

19 In addition to the
20 national principles, there was an agreement to work
21 together at the national, provincial and local levels
22 to make the Pathways strategy work and give it effect

19 I was asked to address
20 three questions before the Commission, basically, with
21 regards to the Pathways program. One of them, how long
22 has the program been in effect in the province. As Mr.

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1 Murray had indicated, it's been operational now since
2 May of 1991. We started our consultation process back
3 in November of 1990, which included representatives of
4 every aboriginal organization throughout Newfoundland
5 and Labrador. That process, I guess, highlighted the
6 background to the strategy, why the strategy was
7 launched, and I guess what we had hoped to achieve
8 together.

9 We were very fortunate
10 in this province in that, I guess right from the very
11 beginning, all groups were quite interested and very
12 optimistic about giving it a try. Not to say, I guess,
13 that we still don't have a lot of issues to deal with,
14 but as we're evolving with the program, we're also
15 growing and learning from each other.

16 In the Province of
17 Newfoundland and Labrador, we have three local boards.
18 The Pathways strategy was designed to be a totally
19 bottom-up process. The three local boards is one for
20 Labrador, which includes all the aboriginal
21 organizations there, one for Western Newfoundland, and
22 one for Eastern/Central, and that will be from Conne

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1 River into St. John's, including the St. John's Native
2 Friendship Centre. Each board is co-chaired by an
3 aboriginal representative and a Canada Employment
4 Centre manager.

5 From the local boards,
6 we have a regional management board. The
7 representatives were duly elected by the aboriginal
8 people themselves, with a total of seven aboriginal
9 representatives to the regional board, which is
10 co-chaired by the aboriginal people and Mr. Murray, our
11 director general.

12 From there, we have the
13 National Aboriginal Management Board, and
14 Newfoundland/Labrador has two representatives to the
15 national board, one from Newfoundland and one from
16 Labrador, as well as Mr. Murray. That is the process.

17 What these boards will do is we've allocated to each
18 board a budget, the boards are given right now what we
19 call a "notional budget." They make decisions on what
20 proposals are funded for training for aboriginal people,
21 and to that regard, I guess, the program is benefiting
22 aboriginal people in that the aboriginal people

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1 themselves are identifying the labour market demands
2 and priorities of their area, local control and
3 decision-making, in consultation with EIC as a
4 co-manager and a partnership.

5 I guess the intent
6 behind it certainly sort of ties in a lot with the intent
7 behind the Royal Commission, certainly not to the same
8 degree, but it's certainly been a new challenge for us,
9 a new way of doing business.

10 The other thing that we
11 certainly wanted to achieve was with regards to
12 education and consciousness-rising. In that regard,
13 we have pretty well completed, from a national level,
14 a cross-cultural awareness training package that will
15 be delivered to all staff within Employment and
16 Immigration through the upcoming years. The package
17 will be co-delivered as well by Employment and
18 Immigration trainers, as well as aboriginal trainers.

19 We have also requested,
20 I guess, that the trainers be familiar with the local
21 aboriginal areas, and certainly insisting that within
22 Newfoundland and Labrador we have the content of our

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1 own cultural backgrounds.

2 We have allocated right
3 now a budget of \$4.5-million for this current fiscal
4 year for training of aboriginal people within this
5 province. Once again, the decisions on that, between
6 the board, as well as the Canada Employment Centres,
7 we anticipate no problems in spending that. We spent
8 all of our budget last year, and actually the boards
9 would certainly like to have more, but I guess in a time
10 of restraint, at least this is certainly double what
11 budget this province had prior to the Pathways process.

12 The linkages are
13 continuing. We continue to meet. We also move our
14 regional meetings around the province so that at least
15 we're also learning the cultural differences. Tuesday
16 of next week, we'll be having our regional board meeting
17 in the interior of Conne River. So as we continue to
18 move throughout the aboriginal communities, it has
19 certainly been an education for the board members in
20 all regards.

21 In that light, I guess,
22 we're certainly working towards equality, and I think,

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1 through working together, is certainly enhancing the
2 respect, the goodwill and trust, that we're trying to
3 achieve.

4 Thank you.

5 **CO-CHAIR RENE DUSSAULT:**

6 Thank you very much for your presentation. That was
7 a very good one. Can you tell me if this Pathways
8 process has been tested elsewhere in other provinces?
9 It's not the first one.

10 **MR. DAVID MURRAY:** No.

11 **CO-CHAIR RENE DUSSAULT:**

12 What can you expect from the experience of being a bit
13 longer in other provinces? Of course, it has to be
14 tailor-made to the situation of Newfoundland and
15 Labrador, but in terms of evaluation, I know one year
16 is a short time, and this is the recession, and so forth,
17 but could you--

18 **MR. DAVID MURRAY:**

19 Certainly. The original model came from what was
20 termed, I believe, the "one-window initiative" in
21 British Columbia, and the original working group used
22 that model to develop it into a Pathways process that

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1 was applicable across the country. Newfoundland and
2 Labrador, as Yvonne mentioned, was fortunate in that
3 we had the proper environment and the people willing
4 to give the program a very quick and active try.

5 So we have been in place
6 at the local and the regional level longer than some
7 of the other boards. But to date, there are 52 local
8 and area aboriginal management boards in place in
9 Canada, and nine territorial regional structures, and
10 a single national board. So this is not something
11 exclusive to us. Very clearly, it's being developed
12 to meet Newfoundland and Labrador needs, and we are quite
13 different than the 15 aboriginal management boards that
14 exist in Ontario or those that currently exist in British
15 Columbia.

16 **CO-CHAIR RENE DUSSAULT:**

17 This is the last question. How many native aboriginal
18 peoples are involved in the training, been involved in
19 the process, during the last year?

20 **MS. YVONNE MYERS:** How
21 many?

22 **CO-CHAIR RENE DUSSAULT:**

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1 Yes. How many people have you touched so far?

2 **MS. YVONNE MYERS:** I

3 don't have the exact numbers, but within, I guess,
4 regular training, seats for occupational training
5 within the labour force, we've put in about 160
6 aboriginal people. That's sort of individual clients
7 that would have come through the Canada Employment
8 Centre. But then throughout the local management
9 boards, they have approved quite a number of projects,
10 which probably would have seen that number double.
11 Unfortunately, where we've just been new with the
12 program, it's taking awhile to get our tracking data
13 in place. It's all in place for now as of April 1, and
14 we'll certainly be able to give a more full accounting
15 after this year. But by and large we're quite pleased,
16 and I might add that the aim of the aboriginal
17 representatives, as well as Employment and Immigration,
18 is to provide a continuum of training, as opposed to
19 make-work projects. The idea is to take a person along
20 to at least a skill level where they can be full-time
21 employed, whether within their own area or within the
22 global Canadian economy.

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1 CO-CHAIR RENE DUSSAULT:

2 Thank you.

3 COMMISSIONER MARY

4 **SILLETT:** I would just like to thank you very much.

5 I'm really familiar with Pathways because we were
6 involved in developing the area and local management
7 boards in NWT.

8 CO-CHAIR RENE DUSSAULT:

9 Thank you very much.

10 MS. YVONNE MYERS:

11 Thank you.

12 CO-CHAIR RENE DUSSAULT:

13 We're going to break for 10 to 15 minutes for coffee.
14 [RECESS 1030 - 1050 hours]

15 CO-CHAIR RENE DUSSAULT:

16 We're going to resume. Please, could you take a seat?

17 We're about to resume. I would like to ask Mr. Garfield
18 Warren to come to meet with us, a member of the
19 Legislative Assembly. Good morning.

20 MR. GARFIELD WARREN:

21 Good morning. Mr. Chairman, Commissioners, ladies and
22 gentlemen--I'm quite pleased to have the opportunity

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1 to address you this morning, in particular as it pertains
2 to my district of Torngat Mountains in Labrador and the
3 native people in Labrador.

4 The word "aboriginal" is
5 derived from the Latin word meaning "from the
6 beginning," and in reality, the people we designate as
7 our aboriginal people are the descendants of those
8 individuals who dwelt here from the beginning of human
9 civilization in this land. While our aboriginal
10 nations have maintained their unique identities through
11 many millennia, and while they have never relinquished
12 title to the land on which they originally dwelt, yet
13 both their people and their land are being subsumed under
14 the nation Canada, which has bound the people by its
15 laws and claimed the entirety of the land resources as
16 its own.

Canada, in the past 120 years, has been exceedingly wealthy, in large part due to its abundant natural resources. But it harbours a festering guilt for the injustice its formation perpetrated on its aboriginal peoples, who were not consulted in that process. The aboriginal nations

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1 predate the Canadian nation by thousands of years, and
2 by the reckoning of some, should take priority over
3 Canada itself. It is therefore little wonder that many
4 of our aboriginal peoples challenge the very structure
5 of Canada itself. And yet the structure of Canada is
6 a reality which, though unsatisfactory to many, as it
7 is presently constituted, cannot merely be abandoned.

8 Changes respecting the role of aboriginal peoples in
9 this country are long overdue, but these changes must
10 be made, not over against but within the system as it
11 presently exists.

12 It would be unthinkable
13 to let the grievous wrongs against our aboriginal
14 peoples go uncorrected. The disregard of their rights
15 and aspirations, which have persevered as a deep guilt
16 in the Canadian physique, is a more fundamental wrong
17 than an affront to one of Canada's own provinces.

18 In discussing
19 jurisdiction and sovereignty, the provinces and the
20 Federal Government often forget that to a large degree
21 the land of which they speak and the resources which
22 they identify as their own are in fact claimed and

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1 rightfully owned by Canada's aboriginal peoples, and
2 that therefore their discussions are beside the point.

3 Quite simply, there can
4 be no acceptable resolution of the current
5 constitutional impasse which fails to address the
6 substantial claims of the aboriginal peoples. Any
7 agreements, arrangements or accords eases the concerns
8 of one or more of the provinces and the Federal
9 Government, but in knowing the concerns of the
10 aboriginal peoples, are unable to address the major
11 outstanding constitutional issues in Canada today.

12 Fortunately, the
13 political will is growing among the country's leaders
14 and the electorate to find solutions to this very
15 important issue. Reports of recent incidents such as
16 the unfortunate events of two years ago at [Kimowake?]
17 and [Kinosake?] have shown Canadians just how deeply
18 these difficulties are rooted in our society, and when
19 broadcast back to back with world events of a similar
20 but violent nature, we know just how fortunate we are
21 to be able to deal with it.

22 We will not always have

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1 the opportunity to resolve these issues as easily. In
2 this regard, the present Royal Commission on Aboriginal
3 Peoples is a welcome avenue of discussion which,
4 hopefully, will take us a giant step towards resolving
5 this major outstanding issue.

The issue is exceedingly complex. The spectrum of possible arrangements among Canadian governments and its aboriginal peoples is wide and colourful. At one end of the spectrum is total integration of aboriginal peoples in Canadian society, with the abandonment of their special claims to land and to any right to manage their own affairs. It is patently obvious such an arrangement would be acceptable to few, if any, of our aboriginal peoples. At the far end of the spectrum is a transfer to the aboriginal peoples of all the land they claim as their own, and the introduction of complete self-government by aboriginal peoples over their own affairs. This extreme, of course, represents the end of Canada as we know it, and no doubt will be unacceptable to other Canadians. Both the present state of affairs and the state of affairs to which we must aspire in our

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1 discussions and deliberations fall somewhere between
2 the two extremes of this spectrum.

3 Even between these
4 extremes there is considerable variation, and indeed
5 the aboriginal peoples themselves do not concur on which
6 arrangements would be ultimately beneficial to them or
7 most desirable. For instance, some aboriginal groups
8 wish to have a greater say in the administration of the
9 health and education. However, a complete transfer of
10 these aspects of public administration to the aboriginal
11 people in the absence of some arrangements could very
12 well lead to an erosion.

13 The underlying
14 philosophy in discussions among the Canadian
15 governments and our aboriginal peoples must be--and I
16 underline--must be that justice demands the recognition
17 and preservation of the integrity of the aboriginal
18 nations and ultimately demands that they have an
19 authoritative, though not necessarily exclusive, voice
20 in the administration of their affairs and over all of
21 their priorities. Just corrections of the present
22 inadequacies in our system respecting aboriginal people

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1 can indeed make a stronger Canada.

2 While some Canadians may
3 believe their rights and priorities will be vulnerable
4 if such a process is pursued, I believe the greater
5 vulnerability lies in the perpetration of the injustice
6 which inhabits the system as it now presently
7 constituted.

8 The provincial district
9 of Torngat Mountains, which I am privileged to represent
10 in the House of Assembly since 1979, is the home of two
11 aboriginal groups, the Naskapi-Montagnais and the
12 Inuit. Individually, these two groups claim as their
13 own a substantial portion of the land of Labrador, as
14 well as some land in Eastern Quebec, and as in other
15 areas of the country, the groups have chosen to pursue
16 these claims in discussions with the Federal and the
17 Provincial Governments.

18 The Inuit, represented
19 by the Labrador Inuit Association, recently reached a
20 landmark framework agreement with the Federal and
21 Provincial Governments respecting land claims
22 negotiations. The negotiations, as I understand which

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1 have been ongoing for years, are proceeding well and
2 hopefully will lead to a settlement in the near future.
3 Land claims agreements with the Innu nation have
4 progressed to a lesser extent, though discussions are
5 indeed under way.

6 An issue of pressing
7 concern for many Innu and Inuit in my district is the
8 administration of essential public services, for
9 example, such as health care and education. Because
10 of the problems of relative isolation of communities
11 due to climate and geography, small populations,
12 language and culture differences and other factors,
13 problems have occurred in the health care and in the
14 education systems in my district, which need to be and
15 must be corrected.

16 The basic solution to
17 these problems is to give the Innu and the Inuit a strong
18 voice in the administration of these services. For
19 example, while the native children share a distinct
20 cultural heritage and language, often there are
21 inadequate curriculum materials available for
22 instructing them on their own culture in their own

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1 language. The usual curriculum materials are steeped
2 in the dominant culture of Canada, of North America,
3 and fail to instill a sense of identity or cultural pride
4 in the youth of the native backgrounds. The down side
5 of this failure is that native children often claim to
6 feel different, in a negative sense, an outsider,
7 without feeling a compensatory sense of belonging.

8 Curriculum which
9 affirm their identity within Canada will not only help
10 these children to feel a part of a well-defined native
11 community but will help them see their unique role as
12 native people in this great country of ours.

13 Recently, the
14 Provincial Government released a report on the Royal
15 Commission on Education in our province, and during the
16 process the Minister advised that it was going to be
17 translated into our other official language, French.

18 When he was questioned on whether it was going to be
19 translated into the native language, the answer was no,
20 and I think this just shows the insensitivity of
21 governments towards native people.

22 The challenges before us

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1 are enormous, but that should not divert us from doing
2 what is right in seeking to resolve the outstanding
3 issues. I have great expectations for the final report
4 of the Royal Commission. It is my hope that it will
5 serve to direct a spotlight on the inadequacies which
6 need to be addressed across our country, and also to
7 identify the options for such actions.

8 Mr. Chairman, before I
9 finish, I want to quote from a book that was compiled
10 by the Labrador Inuit Association a few years ago, and
11 I want to use those quotes from a person from Nain, Thomas
12 Uroriak, and it just shows how the native people realize
13 how they've been treated, and I'll quote what he said

14 here:
15 The white people make regulations without really
16 knowing anything about the animals, and without
17 even having seen the way of hunting. They
18 introduce licenses without knowing if there are
19 many animals or not. I do not like it if Inuit
20 are not listened to, because only the Inuit know
21 their land and the animals, know them better than
22 the white do. I would like it more if the Inuit
23 made the regulations, not the white people. If
24 southerners keep on making regulations, they
25 should come to the Inuit, because they do not know
26 the ways of living here, and the animals. They
27 have never seen the land, and they do not know how
28 the people must hunt.
29

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1 Those were the comments
2 from Tommy Uroriak of Nain, and this was a number of
3 years ago and unfortunately it's still true today.
4 Politicians and bureaucrats throughout our country are
5 taking the native people too much for granted.

6 Thank you very much.

7 **CO-CHAIR RENE DUSSAULT:**
8 Mr. Warren, thank you very much for your interesting
9 presentation, in which you've stressed in particular
10 the problems that have occurred in the health and the
11 education sectors in the Labrador communities, and in
12 particular in those who are in part of your riding
13 district.

14 You say in your brief
15 that the basic solution to these problems is to give
16 the Innu and Inuit a strong voice in the administration
17 of these public services. As you are well aware, many
18 aboriginal people in this country, and also
19 non-aboriginal people, think that self-government could
20 be an answer to those problems, and of course, we all
21 know that self-government could vary depending on the
22 situation. But I would like to know, from your point

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1 of view, when addressing the issues of the Labrador
2 communities how do you see self-government? Do you have
3 in mind a greater participation by Innu or Inuit peoples
4 into the existing public education? Do you see separate
5 organizations to deal with education and health? What
6 is your thinking at this point on items like this?

7 **GARFIELD WARREN:** Well,
8 to begin with, Mr. Chairman, Co-Chair, the day is coming
9 when we will have the third order of government in our
10 country. And I believe that self-government should
11 come as fast as possible to the native people, and I
12 believe that they are capable of running their own
13 affairs. I don't think they need St. John's to dictate
14 how education could be administered in the various
15 communities along the Labrador coast, which I represent.
16 We have strong leadership in both organizations, and
17 I think it's time that governments of our countries
18 recognized this strong leadership. They're ready to
19 cooperate. I've been working and living with those
20 people for the last 25 years, and I can tell you this
21 much: that I respect their wishes, and I think that they
22 can run their government much better than governments

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1 are run in our country today.

2 **CO-CHAIR RENE DUSSAULT:**

3 I understand that from your point of view separate
4 school boards, for example, could be part of the solution
5 to education.

6 **GARFIELD WARREN:** Well,
7 in fact, I go back to the Royal Commission on Education,
8 which was recently released. It says there will be
9 seven school boards in the province, and it also says
10 one in Labrador--all of Labrador. That is not the
11 answer for Labrador. In Labrador, there has to be a
12 school board or a school district for the native people.
13 And I think we have to get more curriculum in the native
14 schools than we've got in there now. All those school
15 boards are making progress, but not near enough. Three
16 years ago, I took my two daughters to Nain, and for a
17 week they attended the school in Nain, and they say to
18 me today that they learned more in that week than they
19 learned from 12 years in St. John's.

20 **CO-CHAIR RENE DUSSAULT:**

21 And what about the health services delivery structure?

22 **GARFIELD WARREN:** My

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1 honest opinion to you, sir, is that the health delivery
2 service on the Labrador coast is--I won't say almost
3 like a third world, but it's really bad. We have one
4 doctor trying to cover all the coast. We have good
5 clinics, but we need good staff. We have good staff,
6 but we need more staff. But the health services can
7 be improved, but we need dollars to improve it, and also,
8 it can be run much better by the native people
9 themselves.

10 And I must give credit
11 where credit is due. Government has instituted a
12 program now of training native nurses, and this is
13 probably a move in the right direction. I lived in the
14 Northwest Territories for a year and I noticed that
15 health care is far advanced than what it is on the
16 Labrador coast.

17 **CO-CHAIR RENE DUSSAULT:**

18 Thank you very much.

19 **COMMISSIONER MARY**

20 **SILLETT:** Thank you very much, Mr. Dussault. Thank
21 you, Garfield. I think I would like to thank you as
22 well for your longstanding interest in the work of the

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1 opportunity to be really proud of themselves, they would
2 have an opportunity to learn Inuktitut, to learn Inuit
3 culture or to learn [Innu mamun?], or to learn Innu
4 culture. And I think that that is a good idea, to
5 introduce curriculum to allow you to do that, but that
6 is just, as far as I'm concerned, a short-term measure.

7 There has to be greater things done to ensure that that
8 happens. There has to be changes in the laws of this
9 province, there has to be policies which encourage that.
10

11 And I think that since
12 the Province of Newfoundland and Labrador has a
13 responsibility of education, I'm wondering, for
14 example, you, as a former Minister, now an opposition
15 member, have done anything to work towards ensuring that
16 those kinds of policies come about.

17 **GARFIELD WARREN:** Well,
18 I think, Mary, in response to your question, when we
19 started with the LIA in the beginning of the land claim,
20 I think this was a major major step, and I'm quite pleased
21 that this process-- although it's slow, it's working.
22 Now recently, the land claims have started with the

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1 Innu, so these are the beginning. I don't want to take
2 all the credit in the world for it, but at least I've
3 played a part in the beginning of those negotiations,
4 and I'm quite pleased to know that the president of the
5 LIA is here today and will be addressing you later on.

6 To answer your question
7 in another way, a person that spoke before I spoke here
8 on Pathways, and I was really interested. In fact, I'm
9 quite pleased that there is so much money--I think she
10 mentioned something like four or five million

11 dollars--being spent on the training of native people.

12 And it was ironic--and I have to say this, because I
13 just listened to your earlier presenter--but it's
14 ironic, as it was only just yesterday evening that I
15 received a phone call from my district with respect to
16 two native people that applied seven or eight months
17 ago to go in for helicopter training, and they've been
18 advised by Manpower in Goose Bay that there was no monies
19 available, but at the same time, there are three people
20 from the island portion of the province that have been
21 sent up to Labrador to do training--non-native
22 people--to do training for helicopters.

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1 and they are looked upon, and they are processed, and
2 they will find their way into the stream of information.
3 They are fully part of the record of the Commission.

4 **DR. ADRIAN TANNER:**

5 Thank you.

6 First, a few words about
7 the Native Peoples' Support Group. We are based
8 primarily in St. John's, and most of our membership are
9 non-aboriginal people who feel there is a need for a
10 partnership between aboriginal and non-aboriginal
11 people in the eventual solution of the considerable
12 problems facing aboriginal people.

13 Let me make it clear that
14 our role is not to speak on behalf of aboriginal people,
15 who are perfectly able to do so for themselves, given
16 the right opportunity. Our role, in general, is to
17 voice the concern of Canadians with the treatment given
18 to aboriginal people and issues. We also, when
19 necessary, offer a platform for aboriginal
20 spokesperson.

21 We are sure it is not
22 necessary for us to urge the Commission to make every

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1 effort to listen to the people from all segments of the
2 aboriginal nations, to arrange your schedules so as to
3 share some of their lives outside the hearing room so
4 you may learn from them, as we in the support group have
5 to some degree been privileged to do, and we hereby table
6 with the Commission copies of some of the Support Group
7 publication entitled "Native Issues."

8 Je voudrais vous
9 souhaiter, à vous en particulier, Monsieur le Juge
10 Dussault, la bienvenue à Terre-Neuve. Je voudrais
11 aussi faciliter un peu votre tâche en éclaircissant la
12 terminologie employée dans notre province pour désigner
13 les différents peuples autochtones, terminologie qui
14 pourrait de prime abord s'avérer pour vous plutôt
15 confuse. Comme vous le savez, les autochtones ne
16 veulent plus accorder aux autres le dernier mot sur la
17 manière dont on les désigne.

18 Le peuple amérindien que
19 habite l'intérieur du Labrador est le même qui habite
20 une grande partie du nord-est du Québec, leur
21 territoire, qui s'appelle Ntissinan, ayant été découpé
22 en 1927 lorsqu'on a établi la frontière entre le Québec

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1 et le Labrador. Autrefois on se servait de deux termes,
2 ceux de Montagnais et de Naskapi, en parlant de ce
3 peuple. Cependant, ces autochtones constituent avec
4 les Cris un seul groupe que s'appelle dans leur langue
5 (avec quelques variantes dialectales) les Innu. Au
6 Labrador, du moins, ceux-ci préfèrent qu'on les désigne
7 ainsi. Vous savez aussi, Monsieur le Juge, que les
8 Inuit du Labrador sont ceux qu'on appelait autrefois
9 les Esquimaux. De plus, au Labrador on emploie dans
10 un sens tout à fait particulier le mot anglais de
11 Settlers pour désigner les métis d'origine inuit et
12 européenne. Enfin les Mik'maq (qu'on écrivait
13 autrefois Micmacs) sont de la même souche que les Mik'maq
14 des provinces maritimes, et ils s'étaient établis à
15 Terre-Neuve bien avant la colonisation européenne.

16 I now turn to paragraph
17 two on page four. As in other provinces east of
18 Manitoba, the aboriginal people in the province as a
19 whole represents today only a small percentage of the
20 overall provincial population, approximately one
21 percent. However, in the largest region of the
22 province, Labrador, people of aboriginal descent

13 The present situation of
14 Newfoundland's aboriginal peoples came about, in part,
15 because of processes unique to this region. Until
16 relatively recently, most people of European descent
17 in Newfoundland and Labrador had a distinctively coastal
18 orientation. The Micmac and Labrador Innu, by
19 contrast, spent most of the year inland. In part,
20 because they were thus largely out of sight, these two
21 groups have never been fully accepted as part of the
22 social make-up of the province, being treated, at best,

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1 as curiosities, at worst, as pariahs, or at times, by
2 having their existence denied altogether.

3 With their rather special
4 experience of European culture through contact with the
5 Moravian missions in the 18th and 19th centuries, the
6 Inuit have been somewhat more successful in gaining at
7 least a limited position in the social, political and
8 cultural life of Labrador, an experience which also
9 resulted in an early pattern of Inuit-European
10 intermarriage and cultural exchange which is, in many
11 ways, unique in Canada.

12 Now turn to the third
13 paragraph on page 5. There has followed for the
14 Newfoundland Micmacs since confederation a long
15 struggle with the Newfoundland Government over access
16 to funds which were transferred from the budget of Indian
17 Affairs and administered by the province, supposedly
18 for the benefit of aboriginal people, and more recently,
19 over the right of the Conne River Band to be registered
20 under the Indian Act, and thus have direct access to
21 Indian Affairs-funded programs, and to the recognition
22 of their village as a reserve within the terms of the

10 Soon after this forced
11 settlement, the flooding of one of the richest parts
12 of the Innu hunting lands by the Smallwood Reservoir
13 began, with the consequent destruction of large
14 quantities of personal property in the form of hunting
15 equipment normally left out on the trap line. No
16 warning was given, nor has any subsequent compensation
17 been paid. Also at this time, the practice of making
18 welfare payments conditional on the attendance of
19 children at school was begun, without any provision for
20 housing the children so as to allow the parents to
21 continue to go in the country. Also at this time, the
22 increasingly harsh application of game laws began, a

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1 practice suited to a European conception of hunting and
2 trapping, but one designed to undermine Innu hunting
3 practices. All these rapidly imposed changes
4 undermined Innu economic independence, language,
5 culture and self-respect.

6 Today, the two
7 communities still show the effects of these disastrous
8 genocidal government policies. The resulting social
9 pathology takes a variety of forms, the abuse of alcohol
10 merely being the most apparent. The Newfoundland
11 Government is totally unrepentant, takes every
12 opportunity to blame the victims, and continues to try
13 and force their conception of what the Innu should become
14 down their throats. In the mid-1970s, the Innu formed
15 a political organization, the Naskapi-Montagnais Innu
16 Association, now renamed the Innu Nation, and together
17 with community band councils and other organizations
18 have attempted to deal with a host of problems that
19 almost threaten to overwhelm them.

20 Turning now to the
21 Inuit. I speak first of the relationship with Europeans
22 and consequent intermarriage, and beginning on the last

Nevertheless, this apparent ethnic harmony masks a more subtle racism and devaluation of Inuit culture. This was seen in the 1950s in the way that the only entirely Inuit communities in northernmost coastal Labrador were arbitrarily relocated within mixed settler-Inuit communities further south, leading to subsequent hardship. As a result, along with the settlers, there are those who are of a more Inuit orientation. The core of this group are the former inhabitants of the more northerly settlements of Hutak and Hebron, who were moved south to Nain, Hopedale and Makkovik. Integration into the new communities has not been smooth, with the northern group remaining somewhat socially isolated in their new locations, and having many social problems which are still prevalent today, including an alarming rate of youth suicide.

19 The second paragraph on
20 page 8. Confederation in 1949 changed little for the
21 aboriginal peoples of Newfoundland, since a decision
22 was made to secretly reverse an earlier negotiated

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1 agreement on the terms of entry between Newfoundland
2 and Canada, allowing for federal administration of
3 aboriginal people in this province, as was the case
4 elsewhere in Canada. The excuse given at this time for
5 this non-recognition was pure flim-flam. It was stated
6 that recognizing Indians as having status would have
7 been a retrograde step, as they would have had the rights
8 they had hitherto enjoyed as full citizens. In fact,
9 the right to vote in an election had never been given
10 to anyone in Labrador before Confederation, and even
11 afterwards, the franchise could only be exercised if
12 an Indian person happened to be away from their interior
13 camp visiting a coastal settlement during an election.
14 Moreover, all aboriginal people were subject to racist
15 legislation before Confederation which barred them from
16 access to alcohol, and new provincial legislation even
17 more restrictive than the Indian Act of the time,
18 outlawing alcohol to Newfoundland aboriginal people,
19 was enacted soon after we became a province.

20 Turning now to paragraph
21 two on page 9. In this regard, we hereby table with
22 the Commission--that's in regard to the failure to

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1 extend federal jurisdiction to aboriginal people in this
2 province--we table with the Commission copies of two
3 studies commissioned by Jack Harris when he was federal
4 Member of Parliament for St. John's East in 1988, one
5 on the failure to recognize Newfoundland Indians as
6 Status Indians, appropriately entitled "Pencilled Out,"
7 and the other on the issue of constitutional
8 responsibilities for aboriginal people of Newfoundland.

9 I understand from Gerald Penney that he is also, in
10 his submission later today, to go in more detail into
11 this question. The disturbing questions raised by
12 these studies have never yet been addressed.

13 While Newfoundlanders
14 of European descent were, in the early days, oriented
15 towards exploiting coastal resources and fishing, there
16 is now an increasing pace of large-scale development
17 of the interior of the province. Much of this new
18 activity is incompatible with aboriginal patterns of
19 land use and with how aboriginal people envision their
20 own futures. Labrador, in particular, is at a
21 development threshold with actual and planned projects
22 which include the expansion of military training

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1 activities, a highway which will, for the first time,
2 open up large areas to contact through Baie Comeau with
3 the rest of Canada, the proposed development of the Lower
4 Churchill and other rivers for hydro-electricity, new
5 mines and new forestry ventures. The Micmacs on the
6 Island of Newfoundland have already experienced the same
7 kinds of intrusions, with the Upper Salmon
8 hydro-electric project, extensive pulpwood cutting and
9 mines, such as the one at Hope Brook.

10 And turning to the
11 bottom of the page on land claims. In theory, another
12 mechanisms which might have been used to protect
13 aboriginal interests within the context of rapid
14 frontier development are the settlement of aboriginal
15 land claims. None of the aboriginal groups of
16 Newfoundland and Labrador have ever surrendered the
17 legal title to their land. However, in the past 20
18 years, since the Federal Government first held out the
19 promise of land claims agreements, little has been done
20 to protect aboriginal interests in their unsurrendered
21 traditional lands, either by the settlement of claims
22 or by modifying development plans until such settlements

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1 are in place.

2 Aboriginal groups, as
3 well as the Federal Government's own Cooligan Report,
4 have called for intermediate measures to protect areas
5 under claim until a final agreement has been reached.

6 If the obligation to settle land claims has any real
7 meaning, on both moral and practical grounds,
8 development should be halted, and planning frozen on
9 lands subject to a claim. The province, however,
10 insists that land claims cannot be used to slow the pace
11 of development, while the Federal Government supports
12 them by doing nothing.

13 Now page 11, paragraph
14 two. Provincial policies in Newfoundland and Labrador
15 continue wherever possible to avoid acknowledging
16 aboriginal people as such, and the existence of their
17 special rights in areas such as the delivery of social
18 services, education, housing, and especially game laws
19 and other land-based rights. These policies, combined
20 with the impact of development, are having the effect
21 of forcing aboriginal people off the land and holding
22 them dependent in sub-standard welfare communities.

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And now page 12,
paragraph two. Most of the ills of the present
situation can clearly be related to politically
motivated, anti-aboriginal administrative practices
used by the Provincial Government, particularly by
Culture, Recreation and Youth, who are in charge of game
laws, social services, who are in charge of welfare
policy, and rural, agricultural and northern
development, which administers direct grants made to
Newfoundland from the budget of the federal Indian
Affairs Department. Moreover, the way the province
deals with aboriginal issues plays into the hands of
extremist anti-aboriginal sentiments in the general
public.

Page 13, paragraph

three. We urge the Commission to recommend that federal aboriginal policy clearly assert federal jurisdiction, at least until binding land claims and self-government agreements are in place, so as to assure the rights and cultures of aboriginal people have some meaningful protection, and in order to assert a positive atmosphere for the maintenance of aboriginal rights and interests.

Page 14, paragraph two.

We believe it is immoral and unjust for the Federal Government to continue to promote the use of air space over, and to use practice bomb sites on, Innu lands for military training, in violation of Innu rights and against their express wishes. We urge that all such training cease and that all federal funding to promote military training be cancelled until a negotiated agreement with the Innu has been reached on this issue.

StenoTran

And skipping one paragraph, the Inuit of Labrador have developed a wide experience in the management of their own affairs. They are now ready to be given meaningful powers of self-government, as well as control over adequate resources. However, the costs in the north are high, and there is, as yet, little revenue available to finance such aboriginal self-government. A stable resource

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1 base must be provided for self-government to have any
2 real meaning.

3 And page 16, paragraph
4 3, and I'm now turning to comments of a more national
5 nature on aboriginal issues. Over the past 20 years,
6 we have seen the replacement of federal policies based
7 on absolute paternalism, with the effective dumping onto
8 aboriginal people of full responsibility for their own
9 problems. Aboriginal rights are acknowledged only on
10 the basis of a minimal "contract law" kind of
11 understanding. There has effectively been an
12 abandonment of any pretence of a federal fiduciary
13 obligation, despite court judgements requiring that
14 these obligations be faced, such as contained in the
15 Sparrow judgement. Instead, the tendency has been to
16 force aboriginal groups to seek redress on unresolved
17 problems, on every unresolved issue, in the courts, a
18 procedure apparently designed to sap aboriginal human
19 and financial resources.

20 There have been repeated
21 failures to live up to the letter and the spirit of
22 treaties, and even of the recent James Bay Agreement,

When aboriginal people do make use of the courts, they find themselves up against government lawyers using highly political courtroom strategies, such as the recent hunting case in Labrador where charges were dropped at the last moment when it was clear that the aboriginal side had won simply in order to avoid a precedent being established. There are also the aggressive "attack dog" litigation techniques used against aboriginal elders, as in the Gitskan and Witsutsand case. Internationally, the Federal Government has been fighting behind closed doors

Regarding those parts of Canada which have not yet been covered by land claims settlements, we believe the government should now, belatedly, endorse the principle underlying the Royal Proclamation of 1763. Following the consolidation of British North America, this proclamation enunciated the principle of leaving aboriginal people in possession of all the lands outside the settled colonies of the time, and forbidding European settlement of these aboriginal-held lands until agreements had been reached between the aboriginal peoples of each region and the Crown. While the terms of the Royal Proclamation were never carried out, this policy still makes admiral sense.

StenoTran

This approach would allow new development to occur, but within a framework which would include processes to ensure the protection of continuing interests of aboriginal people, which aboriginal people have in their own areas. The Federal Government must replace the present adversarial land, quote, "claims," unquote, model, with a far-reaching and generous new approach. To protect aboriginal interests in the interim, and to ensure that every effort is actually put into reaching these agreements as rapidly as possible, a freeze must be immediately placed on all development and settlement in areas involved until such agreements are reached. It is clear that these kinds of agreements can only come about if

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1 considerable pressure is put on one side or the other
2 to come to a settlement. We must be sure to establish
3 a situation in which it is not only the aboriginal party
4 which is under pressure.

5 Skipping one paragraph.

6 One example of an outstanding issue of aboriginal
7 constitutional right is that of self-government.
8 Because of the lack of the exercise of federal
9 jurisdiction in such matters and the failure of the
10 province in the past to recognize special aboriginal
11 rights, self-government offers Newfoundland and
12 Labrador aboriginal people an especially important
13 vehicle with which to fulfil their cultural, social and
14 economic aspirations. We suggest that whatever
15 practical steps are possible should be taken towards
16 the implementation of aboriginal self-government at the
17 same time as a renewal of the constitutional initiative
18 to entrench self-government as an inherent right, while
19 that process of entrenchment is underway, rather than
20 waiting for the actual entrenchment.

21 Further, the conception
22 of self-government should not be limited to local,

17 Finally, on page 22,
18 paragraph two. In order to implement the above
19 policies, extensive consultation and public education
20 should be undertaken. This means assisting aboriginal
21 organizations to present their viewpoint to the public
22 in a non-threatening way. A change is needed in the

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1 provincial school curriculum to reflect a more positive
2 perspective on aboriginal people and their aspirations.

3 Also, greater use should be made of public
4 facilities--theatres, museums, art galleries, the
5 media--to highlight aboriginal cultural contributions,
6 past and present.

7 And a final comment not
8 in my brief. I realize, in rereading, I really haven't
9 even begun to touch on the need for an acknowledgement
10 of the cultural distinctiveness of aboriginal people.

11 When these mechanisms, these administrative
12 mechanisms, are put in place, we should do it in such
13 a way as to be sensitive to the specific cultural needs
14 of particularly aboriginal nations. What fits one
15 aboriginal group and its culture may not fit another.

16 There isn't a single aboriginal culture in Canada,
17 there are many, and each has its own cultural
18 requirements. I'm thinking here, for example, in game
19 management. Notions of co-management of resources to
20 take account of the very distinctive way in which
21 aboriginal people think about game, and have, for
22 centuries, managed game in a non-destructive way. I'm

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1 thinking of the inclusion of aboriginal culture in the
2 curriculum of aboriginal schools. I'm thinking of the
3 support needed for the aboriginal languages. And
4 finally, the sensitivity to aboriginal concepts of
5 health, in addition to European models.

6 I'll end my remarks
7 there, thank you.

8 **CO-CHAIR RENE DUSSAULT:**

9 Thank you very much for presenting us with such a
10 comprehensive and substantive brief, both in terms of
11 a recap of the historical context and in terms of the
12 solutions that you are putting forward. This is
13 certainly a major brief for our commission, and you can
14 be sure that we are going to have a total look at it.

15 I wouldn't like to press too much, but we are a bit
16 behind schedule, and for my part, at least, I think the
17 brief speaks for itself, and I would abstain going any
18 further into questions. Mary, would you like to have
19 a few words?

20 **COMMISSIONER MARY**

21 **SILLETT:** Thank you very much, Mr. Dussault. I would
22 like to thank you.

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1 I just want to ask a very
2 quick question. One of the real challenges that we face
3 these days is to develop a self-government model that
4 would encompass all the different aboriginal groups,
5 and I'm wondering, in our own discussions we've talked
6 about developing different self-government models, but
7 I was wondering, in your opinion could a self-government
8 model, a general one I guess, consider or reflect all
9 the different needs of aboriginal groups. If that's
10 not a possibility, would you have any advice to give
11 us in addressing this particular question?

12 **DR. ADRIAN TANNER:** No,
13 I think apart from the major statement that's been put
14 forward by the Assembly of First Nations of that inherent
15 right, and beyond that inherent right, to get to specific
16 would ignore both the specific situation, social
17 situation, of a particular aboriginal group, or its
18 culture, its cultural requirements. Something that
19 would suit the Inuit in the Northwest Territories, for
20 example where there is an excellent case to be made for
21 a non-ethnically based government, where, for the
22 foreseeable future, Inuit self-government will be

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1 defacto, simply because of the population, that simply
2 would not work, as a reasonable for of self-government,
3 in a situation where aboriginal represent a tiny
4 minority surrounded by and only controlling small
5 reserve lands.

6 So apart from a very
7 general statement of a commitment of Canada to recognize
8 the inherent right to self-government, I think that a
9 number of broad, general models have to be worked out
10 for particular cases, taking into account, as I say,
11 these two factors, the specific situation and ratio of
12 aboriginal to non-aboriginal population, access to
13 resources of the aboriginal group in question, etc.,
14 and, I repeat, the culture. In other words, the
15 perspective that the aboriginal people bring from their
16 own culture to what they think is a satisfactory
17 self-government arrangement.

18 **COMMISSIONER MARY**

19 **SILLETT:** Just a final comment. I think it's sort of
20 interesting that you talk about the new model, because
21 Inuit have always been very trusting. They have trusted
22 they would always be the majority, so a non-ethnic

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1 government is very very appropriate for them at this
2 time. But history may change.

3 **DR. ADRIAN TANNER:**

4 Yes.

5 **COMMISSIONER MARY**

6 **SILLETT:** But anyway, we've come to the general
7 conclusions on that issue as you have. Thank you.

8 **CO-CHAIR RENE DUSSAULT:**

9 As a last practical comment, on the Constitution level,
10 it's quite true that it has to be kept fairly general,
11 but obviously, the Canadian public expect from our
12 Commission that at least we give some directions as to
13 a model of self-government, and that's the reason why
14 the question was put to you--because we are aware that
15 there might be as many models as groups or sub-groups
16 or communities across the country. So that's certainly
17 one of the important challenges of this commission, to
18 be helpful to at least to start showing how it's going
19 to work and to practice.

20 **DR. ADRIAN TANNER:** I
21 want to say that when I hear this issue raised, that
22 well, the native people can't agree among themselves

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1 on a single model of self-government, or we don't
2 understand what it means, I think one wants to very
3 careful that there isn't a masked statement there of
4 simple basic reluctance. There are many issues in the
5 Canadian framework where special arrangements are
6 needed for different areas of the country, and we
7 recognize that in European people of non-aboriginal
8 people descent. I think we need to afford aboriginal
9 people the same courtesy.

10 **CO-CHAIR RENE DUSSAULT:**

11 Thank you very much.

12 I would like now to ask
13 Bernice Sheehan of the Newfoundland Metis to come to
14 address to us.

15 **BERNICE SHEEHAN:** Metis

16 on this island today, with roots connected to the
17 Inuit-Nashapi Montagnais, make up the growing
18 present-day membership. Due to resettlement in the
19 Smallwood era, our people were taken out of inlets and
20 coves and placed in large settlements. Some remained
21 in Labrador, others seeking a better way of life
22 resettled in Newfoundland. It is because of the rising

20 The Department of Indian
21 Affairs are changing their policies so we can access
22 some of their benefits. This would probably come about

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1 by changes made in the Indian Act. Also, national
2 aboriginal groups are getting so many policies that
3 sometimes we feel we are talking to the Federal
4 Government.

5 Many barriers we have
6 encountered by federal and provincial employees in some
7 government departments. They ask, what is a Metis?
8 where do these people come from? These people are
9 qualified people in the government departments. I am
10 sure we have no problem understanding what is French,
11 Scottish, Irish, English, and many other groups of
12 races. Are Canadian people lacking the very knowledge
13 of the Canadians' first Canadians?

14 We feel that there is a
15 need for reform in government departments and a lack
16 of knowledge and training to deal with aboriginal people
17 in this area, especially with the Metis people in this
18 province.

19 Our concerns centre
20 around our youth, preserving our culture and our
21 identify, stories and customs. We look to our elders
22 to pass on traditional ways to the future generations

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1 to ensure that the ways of our first people will be
2 preserved through the generations. We have
3 experienced, through presentations at local schools,
4 a surprising lack of knowledge of aboriginal people and
5 culture, not only by the students, but by their teachers,
6 due to a lack of information available to them in their
7 textbooks.

8 We as Metis people find
9 it a very costly inconvenience for travel back and forth
10 to Labrador for fishing, hunting, visiting relatives
11 and various other activities. For example, you can fly
12 to Toronto and return for \$385, and to Goose Bay return,
13 \$604. This puts restrictions on both travel to the
14 province and from the province. Cost of accessibility
15 puts a great financial burden on our people, especially
16 elders.

17 The First People have for
18 thousands and thousands of years governed themselves.
19 All internal matters were dealt with by elders. This
20 was self-government which lasted for thousands of years,
21 which gives a strong indication of a system of law and
22 order which worked for the good of the people.

22 Thank you very much. I just would like to assure you

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1 that the concern of Metis, not only Western Metis but
2 Eastern Canada Metis, is pretty much in the mind of the
3 Commission, and your presentation has of course helped
4 to enhance that comprehension. Thank you very much for
5 being with us.

6 **WALTER CLARKE:** I would
7 just like to say that we've been around here for as long
8 as everybody else has been around, and we're not going
9 to go away. We're a growing concern and we hope to deal
10 with the Royal Commission and other government
11 departments in the future. Thank you very much for
12 inviting us.

13 **COMMISSIONER MARY**
14 **SILLETT:** I would just like to thank you as well for
15 making the presentation. On behalf of the Royal
16 Commission, I would like to apologize for not having
17 extended an invitation to you in November to our initial
18 consultations, but it's not my fault. I had nothing
19 to do with it. But I'm sorry anyway. I am glad to see
20 that you're here.

21 I'm going to ask you a
22 question. Are you incorporated, or are you just--

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1 **WALTER CLARKE:** We are
2 incorporated. Our main office for the Labrador Metis
3 Association is in Goose Bay, Labrador, and we're more
4 or less a sister group here on the island part of
5 Newfoundland. A lot of people are unaware that we've
6 been around here for as long as we have, and it's just
7 kind of--you've been here this long, we never knew you
8 were here before. So it's just that people didn't
9 realize it. I guess maybe it's just narrow-mindedness
10 of a lot of people that mostly notice other native
11 cultures in Newfoundland, or just didn't figure there
12 was Metis people here. So it's about time that they
13 found out we're here.

14 **COMMISSIONER MARY**
15 **SILLETT:** How long have you been incorporated, though?

16 **WALTER CLARKE:** Since
17 1982.

18 **COMMISSIONER MARY**
19 **SILLETT:** Because I was just thinking that you might
20 meet the criteria for intervenor funding, and a copy
21 of our guidelines are in the back. We will definitely
22 be back in Gander at some time, and maybe if you wanted

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1 at that time to make a formal presentation, you might
2 be eligible for that funding. I just wanted to make
3 you aware of that, and thank you very much.

4 **WALTER CLARKE:** Thank
5 you, also.

6 **CO-CHAIR RENE DUSSAULT:**
7 Well, I would like now to ask William Anderson, III,
8 from the Labrador Inuit Association, to come to make
9 his presentation.

10 **WILLIAM ANDERSON, III,**
11 **LABRADOR INUIT ASSOCIATION:** Honourable Commissioners,
12 I hope I get the privilege of the half hour I was
13 afforded, seeing it's noon now, before the break
14 happens.

15 Justice Dussault,
16 Honourable Commissioner Lisa, Honourable Chief Samms,
17 Honourable Mary Jane Sillett: Labrador [native
18 language spoken]. And what I say here, Honourable
19 Commissioners, ladies and gentlemen, is hopefully on
20 behalf of the Labrador Inuit and Kablunangajuit.
21 You'll get to understand the desires that we have, not
22 only with respect to self-government but with respect

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1 to our movement toward recognition, and given, hopefully
2 through negotiations, the ability to be able to control
3 more of our own lives.

4 Today our submission is
5 not so much regarding aboriginal rights to
6 self-government, our submission pertains mainly to our
7 submission to the Royal Commission on Aboriginal Peoples
8 regarding the Government of Newfoundland and Labrador
9 discussion paper on an accelerated approach to
10 aboriginal land claims dated November 1991; and part
11 two of the submission, which is going to be the
12 overbearing one for us, Canada and Newfoundland
13 Memorandum of Understanding on cost-sharing and
14 government responsibilities in relation to the
15 settlement of aboriginal land claims in Labrador.

16 Commissioners, I won't
17 read the document. We have a 45-page presentation, with
18 about 70 pages of appendices, so I'll just speak to the
19 submission.

20 With respect to our
21 claims process in the movement towards aboriginal right
22 and title in Labrador, as well as more recently the issue

9 The Labrador Inuit
10 Association, its representation--it's just over
11 5,000--Inuit and Kablunangajuit signed the framework
12 agreement of November 30 of 1990. That framework
13 agreement gave us a mandate to negotiate our
14 comprehensive claim with a four-year target date. But
15 also in signing that framework agreement, there was a
16 condition placed upon us by the Federal Government of
17 Canada that we agree negotiations would be suspended
18 if there was no intergovernmental MOU by May 31 of this
19 year. Today, I believe, is May 22. We're nine days
20 away from--we don't know--an indefinite suspension of
21 all aboriginal claims in Newfoundland and Labrador.
22 And Honourable Commissioners, even though perhaps it's

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1 promote, preserve and run the Inuit cultural lifestyle
2 of Labrador, perhaps not the way it once used to be,
3 but to the extent that the language is not lost, and
4 not only that, but the language becomes respected again.

5 This is all hanging in
6 the air, pending a governmental understanding on
7 cost-sharing responsibilities. I see around me in this
8 room bureaucrats who hold that bag over our heads, and
9 I think it's time that Royal Commissions like
10 yourselves, justices, courts, order the politicians of
11 this country to have the political will to achieve
12 something. Rights are meaningless if the political
13 will is not there.

14 In this submission,
15 Commissioners, we're not criticizing the system, we're
16 not proposing a new way of achieving new land claims,
17 we're giving you a detailed description of what has
18 happened since 1982, and it is our hope that out of going
19 through this submission, not only a recognition of
20 aboriginal right to self-government will come forward,
21 but a commitment on the part of bureaucracies, and more
22 especially on the part of politicians, to fulfil what

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1 they preach today, the recognition of Inuit, Innu, the
2 first nations of this country.

3 The second part of our
4 submission is in response to the Government of
5 Newfoundland and Labrador's submission to this
6 Commission on an accelerated approach of the
7 comprehensive claims in Labrador, and more as it relates
8 to the Labrador Inuit Association.

9 Premier Wells, when the
10 Government of Newfoundland and Labrador determined that
11 a four-year target date of a settlement agreement in
12 principle was becoming impossible because it took us
13 18 months to negotiate one item, and we had 26, and four
14 years to do it in, proposed an acceleration to claims
15 negotiations, the Labrador Inuit Association wasn't
16 apposed to acceleration of negotiations, we were opposed
17 to the approach that was being used by the Government
18 of Newfoundland and Labrador. Therefore, through a
19 series of meetings and correspondence, the LIA met with
20 Premier Clyde Wells on March 10 this year, and we came
21 to an agreement on how we would propose a more holistic
22 approach to land claims and an acceleration of the claims

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1 negotiations. This was agreed to, and then on April
2 3, I met with The Honourable Tom Siddon in Ottawa to
3 discuss this accelerated approach and other matters.
4 Unfortunately, the Federal Government isn't willing
5 to consider it at this point. It would be outside the
6 parameters of what the framework agreement says, is how
7 they view it. And even though we did our best through
8 legal counsel, along with the Government of Newfoundland
9 and Labrador, to abide within the meaning of the
10 framework agreement, it has gone nowhere.

11 Our team of negotiators
12 are here today. They started negotiations on Monday.
13 And it's not formal negotiations anymore, it's just
14 clarification of position papers, because everything
15 is on hold due to the lack of Memorandum of
16 Understanding.

17 And, Honourable
18 Commissioners, I call upon you on behalf of the Labrador
19 Inuit and Kablunangajuit, whether or not it's within
20 your jurisdiction, to call upon these governments not
21 to put a halt to our negotiations. We talk about the
22 injustices that have been done to the aboriginal people

16 It makes it difficult
17 for us, the elected leaders of aboriginal groups and
18 organizations, to come back to our membership and say
19 I'm sorry, we can't get anywhere right now. It's not
20 based upon our decisions, it's based upon the decisions
21 of bureaucracies. I say bureaucracies because
22 politicians have stated a goodwill publicly, but when

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1 it comes to dealing with the issues privately, it's a
2 totally different picture.

3 LIA is looking forward
4 to continuing its negotiations. We have nine days left
5 in which the two governments will determine what
6 happens, and I think what the Association, along with
7 the support of all groups, not only in Newfoundland and
8 Labrador but throughout the country, with the support
9 of this Royal Commission, is that if no MOU is coming
10 forward, we'll have to look at other means of achieving
11 our objectives, and that's very scary. But then when
12 recognition is given to your aboriginal right and title,
13 and it boils down to not being able to agree on dollars
14 and cents to achieve the ultimate goal, and that's
15 agreement, then, to me, in this country the politicians
16 and bureaucracies have very little respect for this
17 so-called aboriginal right.

18 On the issue of
19 self-government, self-government, to us, will mean very
20 little if, in accordance with this submission, the
21 willingness, the political will, the good faith, is not
22 there. It may be possible, like was said earlier, in

Like was said, I am a proud Canadian too, and I spoke earlier this year in a conference here in St. John's, sponsored by the National Cultural Association of Newfoundland and Labrador, I recognize French Canadians, Chinese Canadians, Japanese Canadians, as Canadians. They recognize us as Canadians too, and probably the ordinary Canadian at large, even though they're left to fend for themselves and to understand for themselves what Inuit and Indians might be in this country, I'm sure they have a lot more respect for the aboriginal people of this country than our politicians and bureaucrats and bureaucracies do, and it's the sad nature of a so-called democratic society.

18 Therefore, I call upon
19 you, the Honourable Commissioners. I know it's a long
20 submission with a lot of appendices that date back to
21 the '80s on our correspondence on the need for an MOU,
22 but hopefully it will give you some leverage in making

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1 fast recommendations to the appropriate authorities.

2 As I said, we only have nine days left.

3 And with that, I think
4 the only thing we can do is if you have questions, we'll
5 try and answer them. Often times those questions can
6 best be answered by the politicians that are elected
7 to recognize us.

8 **CO-CHAIR RENE DUSSAULT:**

9 Thank you very much. First of all, I would like to
10 tell you that I have just had barely time to glance at
11 your brief, but it's a very well-done brief, and very
12 detailed and informative, and we appreciate you giving
13 it to us this morning.

14 As far as the land claim
15 process for outstanding or specific claims, it comes
16 clearly within our mandate, as obviously the idea was
17 not to give the Commission a role of an intervenor in
18 all the negotiations that are occurring at this moment,
19 but to have a thorough look at what is being done and
20 how it could be done better. I think you've pointed
21 out rightly the root of the problems. It's political
22 will, more than process. It's certainly fundamental,

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1 because any process could be stalled if the will is not
2 there to pursue it to the end.

3 When some members of the
4 Commission--and Mary was one of them--met with the
5 premier of this province in November of last year, of
6 '91, we were just given the accelerated proposals for
7 land claims, and we have made some internal
8 consultations on that kind of process, and we've written
9 to many organizations to try to know what they were
10 thinking about it, and was there just a tailor-made
11 model, or was it a model that could be extended.

12 Having said that, I
13 would be very interested to know what has happened, short
14 of the big explanation of the political will--the
15 existence or not of political will--what has happened
16 that has prevented the Memorandum of Understanding to
17 be ready in the time that had been foreseen in the
18 proposal. What are the reasons? Are they technical,
19 or are they only related to the will to go ahead?

20 **WILLIAM ANDERSEN, III:**

21 Ever since back in 1981, in Premier Brian Peckford's
22 days, when it was agreed by governments that there was

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1 a need for this Memorandum of Understanding, the
2 Labrador Inuit Association has taken the position that
3 aboriginal representative groups from this province,
4 or especially in our case the LIA, should be at least
5 observers to that set of negotiations, and for the past
6 11 years, we have been rejected with the idea. And now,
7 The Honourable Tom Siddon is asking us for assistance
8 to come to terms with Newfoundland. I think if they
9 asked that 11 years ago there may not be a fear today
10 of, in nine days from now, an indefinite suspension of
11 comprehensive claims negotiation.

12 With respect to self-government, our
13 position with respect to self-government is
14 self-government cannot be exercised without a land base.
15 Our comprehensive claims negotiation is just that--to
16 create a land base for self-government, to create a place
17 where the Labrador Inuit can exercise their cultural
18 activities, make their own political decisions with
19 respect to their language and culture, whether it's in
20 health, education, social or economic development. And
21 there's very little point in me saying what we need in
22 self-government, if I know that we're not going to be

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1 able to continue negotiating for the land base to
2 exercise that right.

3 **CO-CHAIR RENE DUSSAULT:**

4 Thank you very much for this additional information.

5 I would like to tell again that our role is not to
6 interject ourselves into specific negotiations, but on
7 this topic, when George Erasmus and Mary Sillett met
8 with Mr. Clyde Wells in November, the message was that
9 there was a great interest, and what I can tell you today
10 is that we are certainly going to check what has

11 happened, because we realize that time is running short.

12 But I got no further with you this morning with you,
13 but we are certainly entitled to get the information,
14 and if we could be a useful facilitator, well, we'll
15 be pleased to be of some help.

16 Thank you very much.

17 We're going to have a close look at your brief, and we'll
18 keep in touch.

19 **WILLIAM ANDERSEN, III:**

20 Thank you.

21 **CO-CHAIR RENE DUSSAULT:**

22 I know that the time is running, but maybe we could

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1 go until 12:30 before breaking for lunch for an hour.

2 We have an individual presentation by Yance Sheehan.

3 **YANCE SHEEHAN:** First,
4 I would like to say that these are my beliefs and ideas
5 and concerns, along with a few other aboriginal youths,
6 not all aboriginal youths around the province.

7 As a Canadian with an
8 aboriginal background, I have many concerns and ideas
9 and many questions I would like to be answered. I feel
10 that the aboriginal youth are the future leaders and
11 the next generation of aboriginal people. I come here
12 today hoping you will listen and help us in our future
13 endeavours.

14 At this present time,
15 myself and many other aboriginal youth feel that we can
16 unite all aboriginal youth from all across the Island
17 and Labrador to form one unique group with different
18 backgrounds, cultures, customs and also a different
19 way of life. The aboriginal people have to work
20 together to build the future. We have to work together
21 with other aboriginal people and other Canadians to
22 unify Canada, so I call on the elders in each aboriginal

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1 group to get us on the right path, because we are the
2 future generation, to keep our first people's ways of
3 life.

4 Many of our concerns are
5 educational: not enough information in schools'
6 textbooks about our heritage and culture, trying to keep
7 aboriginal people in school to get a higher education,
8 not enough information available for youth in this
9 province. But with help of the Native Centre and other
10 aboriginal groups we can correct this.

11 I think a good idea would
12 be to have a session of the Royal Commission for
13 aboriginal youth only to hear their concerns and ideas.

14 Another concern is not
15 enough facilities for aboriginal youth, such as sports,
16 councils, and a time and place to learn about the old
17 ways. There should be set up to help us learn our
18 heritage. Also, we would like to see a degree program
19 in place at MUN, so aboriginal youth would not have to
20 leave the province and through the way of the family
21 and the community. Also, our concern is about funding
22 for different things, such as sports and for getting

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1 a place that helps to teach us about our heritage and
2 stuff like that, and programs set up to help aboriginal
3 youth with various problems, whether it be alcohol, drug
4 abuse or just personal problems.

5 Thank you.

6 **CO-CHAIR RENE DUSSAULT:**

7 Thank you very much. I think your presence here is
8 very important. The youth concerns are part of the
9 Commission's mandate, one of the 16 points, and our
10 research component will have a youth perspective which
11 will cross over all the themes of our research.
12 Moreover, we hope that we will be able to round-table
13 with young people across the country to discuss the
14 problems, the particular problems, that you are facing.
15 We fully realize, for example, that you are certainly
16 the ones that are best situated to tell us what prevents
17 you to go further into your education process, what
18 brings you to give up. What are your dreams and the
19 means you feel that would have to be taken to achieve
20 it?

21 **YANCE SHEEHAN:** Pardon?

22 **CO-CHAIR RENE DUSSAULT:**

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1 The means that will have to be taken to help you to
2 achieve what you want to do in the future. Because we
3 realize that a lot of this Commission has to do with
4 the younger generation, and we thank you very much for
5 raising this concern. And we hope that more young
6 people will come to make presentations to the
7 Commission, and we will ask those contributions as often
8 as we can, because we feel it's important that you be
9 there and speak up.

10 Thank you very much.

11 **LISA BLANDFORD:** I
12 would like to say that I'm glad that there is another
13 youth talking. I don't feel alone. And I think it's
14 right that we have the elders to teach us about our
15 heritage and learn more about it. Thank you.

16 **COMMISSIONER MARY**

17 **SILLETT:** I would like to thank you very much for your
18 presentation, and I would like to ask Wilson Samms if
19 he has a question to ask.

20 **GRAND CHIEF WILSON**

21 **SAMMS:** No.

22 **COMMISSIONER MARY**

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1 **SILLETT:** Well, then, thank you very much.

2 **CO-CHAIR RENE DUSSAULT:**

3 We're going to break for lunch, and we will take an
4 hour. We're going to resume at 1:30 sharp.

5 [LUNCH BREAK 1230 - 1347 hrs.]

6 **CO-CHAIR RENE DUSSAULT:**

7 We're going to start our afternoon session with a
8 presentation by the Friendship Centre. I would like
9 to ask Danny Pottle, President, to come to address the
10 members of the board.

11 **DANNY POTTLE, ST. JOHN'S**

12 **NATIVE FRIENDSHIP CENTRE:** Thank you, Mr. Co-chairman
13 and Madame Chair, Commissioner and guests. I would like
14 to take the opportunity to thank the Royal Commission
15 for giving the Friendship Centre the opportunity to
16 present this brief to you this afternoon.

17 But before we start, I
18 would like to introduce Millicent Ryan. She's the
19 secretary to our president of the board of directors,
20 and Myrtle, our executive director. I asked them to
21 join me just to help to entertain some questions that
22 you may have at the end of this presentation.

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1 Basically, what I'm
2 going to do today is just quickly give an overview of
3 our centre, a brief history of our centre, make some
4 references to our programs and services that we provide,
5 and end off with a couple of recommendations which we
6 would like to see implemented at this friendship centre
7 and other friendship centres around the country.

8 Basically, our centre
9 primarily provides services to resident aboriginal
10 people and non-resident aboriginal people, such as
11 hospital patients and students, and to the community
12 of St. John's at large. We have two major
13 recommendations today, one with reference to assisting
14 aboriginal people to find employment, and the other with
15 respect to the provision of improved services for
16 visiting aboriginal peoples.

17 The St. John's Native
18 Friendship Centre was founded in 1983, and it's
19 currently run by a voluntary board of directors
20 comprised of 12 representatives, one representative
21 each from the Innu nation, the Conne River Indian Band
22 Council, the Federation of Newfoundland Indians and the

10 The Friendship Centre is
11 part of over 100 such centres who form a network of the
12 National Association of Friendship Centres across
13 Canada, and our main objectives are to provide support
14 and referral services to native people and others
15 requiring assistance in St. John's, to assist native
16 people with the problems of adjusting to an urban
17 environment, to act as a resource centre for native
18 people and others in the area of accommodation,
19 transportation, recreational, social, cultural and
20 educational activities. We also like to promote the
21 public awareness of native culture, and to provide and
22 facilitate interpretation and translation services as

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1 required. We also like to provide liaison and
2 clarification services on behalf of native people with
3 respect to other agencies and institutions.

4 We also provide a
5 meeting place where non-native people and the native
6 people can become acquainted socially. Currently, we
7 have a membership of approximately 95, and the many
8 aboriginal visitors and residents of St. John's, we
9 feel, face a number of special problems due to their
10 distinct cultural and linguistic backgrounds and to
11 their unfamiliarity with urban life.

12 With respect to our
13 programs and services, our programs and services are
14 designed to address the different needs that are of
15 concern to aboriginal people living in this area. There
16 is a small, but increasing, number of native people
17 living in St. John's. Some have fully adapted to an
18 urban environment and have developed social and
19 professional networks outside of the Friendship Centre,
20 and others use the Friendship Centre as a social gather
21 place, or look to the Friendship Centres as a source
22 of employment.

Our experience with our programs indicates the following with respect to the needs of the native people who have gone through these sorts of training programs. We feel that native people prefer adult education programs to be conducted by native people. We feel that literacy training should be a priority, and our programs should reflect support

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1 known that native people have the highest rates of
2 poverty, unemployment, mortality, teenage suicide and
3 family violence in Canada. There is, for many native
4 residents, a cycle of dependency on social services and
5 then unemployment benefits as the sole source of income.

6 The Centre has begun to question whether our current
7 structure of programs for members continues this cycle
8 of dependency. The attitude that individuals who see
9 short-term training and employment at the Centre as an
10 end rather than a means to permanent employment
11 elsewhere should be diminished. As a result, the Centre
12 is exploring new ways to encourage individuals to carry
13 their luck to the job market and away from dependency
14 on Centre programs.

15 The Centre has greatly
16 expanded our services to non-residents of the area as
17 well. Over the years, the number of patients aided by
18 the Centre has increased. The original patient
19 pick-up/drop-off service has been developed to
20 encompass two support workers who also have established
21 formal communications with Her Majesty's Penitentiary,
22 so that we could be aware of and subsequently assist

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1 any native people servicing time in the Avalon Peninsula
2 area.

3 In keeping with the
4 Centre's concern with health care for native people in
5 this province, our support workers communicate
6 regularly with the medical community to promote better
7 health opportunities for native people of the province,
8 and to dispel any misconception members of the medical
9 community might have concerning native people.

10 In 1988, the Centre
11 became involved with the Newfoundland and Labrador
12 Association for Multicultural Health, who seek to pursue
13 equal health care for all minority Canadians. For the
14 number of Canadians who require an interpreter and a
15 guide, the support workers are also able to provide this
16 service. In other provinces, interpreters are trained
17 for the difficult task of translating in court or medical
18 situations. They are recognized as professionals and
19 are paid as such.

20 This past fall, a native
21 liaison officer was appointed to work in post-secondary
22 institutions in St. John's. Prior to this, the Centre

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1 provided students with assistance in orientation and
2 finding accommodation, as well as an opportunity for
3 social interaction.

4 In 1986 and in 1988, the
5 Centre began efforts to accumulate financial resources
6 for building a hostel for native people coming to the
7 St. John's area. In April 1992, we received a grant
8 from the voluntary action committee of the Department
9 of Multiculturalism and Citizenship to begin
10 fund-raising for the hostel, which is now in progress.

11 Given the nature of hospital care in this province,
12 patients are required to leave their home communities
13 and to fly into St. John's. We feel that a native hostel
14 would help make this difficult experience less
15 problematic.

16 Our Centre employees are
17 constantly compiling and upgrading resource material
18 on native people of the province, because the Centre
19 is actively involved in promoting awareness of the
20 native people through the school system. In addition,
21 the Centre is continuously requested to contribute to
22 local events, such as Canada Day, Peace-a-Chord, Folk

20 We strongly recommend
21 that the work of interpreting be taken seriously and
22 be recognized by government agencies. This recognition

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1 could be provided by professional training and a pay
2 scale equivalent to interpreters of the European
3 languages.

4 I would just like once
5 again to thank you for this opportunity.

6 **CO-CHAIR RENE DUSSAULT:**

7 Well, congratulations for this very concise and
8 informative brief. From what we saw yesterday, it's
9 quite obvious that the friendship centre in this city
10 is certainly very dynamic, and playing an important
11 role socially to help those native people who are
12 transient, but also those who are living into the city.

13 I would like to know
14 first, are there other friendship centres in
15 Newfoundland and Labrador, or are you the only one?

16 **DANNY POTTLE:** We are
17 the only one on the Avalon Peninsula, and in Labrador
18 there's a friendship centre as well that has been
19 established since about, I believe, 1977.

20 **CO-CHAIR RENE DUSSAULT:**

21 And do you have some relationship with the other
22 centres? I understand the situation is quite

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1 different.

2 **DANNY POTTLE:** We
3 correspond quite frequently, actually. Every two
4 years, or for every year, the two friendship centres
5 appoint a representative to the National Association
6 of Friendship Centres' board of directors, and we
7 liaison on quite a few other things, like when certain
8 problems arise, and we feel that the friendship centre
9 in Labrador may have come cross before, and maybe they
10 can offer their assistance.

11 **CO-CHAIR RENE DUSSAULT:**
12 Could you just expand a bit on the need for
13 interpretation that does exist in other provinces?
14 Could you just tell us a bit more about it? When you
15 speak about interpretation, do you have in mind just
16 a language, or also the cultural aspects?

17 **MYRTLE BLANDFORD:** The
18 language and the culture. Here in the province we don't
19 have an aboriginal interpreter, either in the Innumun
20 or the Inuktitut. Most of our clients of the Innu, they
21 need an interpreter, they require an interpreter. The
22 Inuit, we don't get as many that require interpretation,

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1 but with the Inuit, we do need the interpretation for
2 the cultural backgrounds, within the medical
3 profession.

4 **CO-CHAIR RENE DUSSAULT:**

5 Just one last question. You started in 1983 and I
6 understand you have 95 members now. You started with
7 what kind of membership at the beginning? Is it on the
8 increase? I suspect so, but--

9 **DANNY POTTLE:** It's

10 currently on the increase, yes. We first began as a
11 small centre back in 1983, I think, just out of the need
12 or the recognition that a few of us were living in the
13 St. John's area and felt that there should be some sort
14 of services provided to people coming in from rural
15 areas. Mainly, we saw this through the result of our
16 own families and relatives and friends and that sort
17 of thing coming, and as time went on, a lot of people
18 became too busy to help out with just basically
19 everything, so we just decided to try and do something
20 about it, and started contacting other associations,
21 friendship centres and that sort of thing. So that's
22 how, basically, we grew.

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1 COMMISSIONER MARY

2 **SILLETT:** Thank you very much to both Mr. Dussault and
3 to the representatives of the friendship centre. I have
4 two questions, and they're probably the most difficult
5 questions I've asked this day. But I figure if you can't
6 ask the fellow who lived next door to you sometime this
7 question, then you can't ask anyone. But the two real
8 problems that personally interest me that we've been
9 told about in our travels, and I'm sure that somewhere
10 in Labrador history at least some of these problems have
11 touched upon aboriginal associations. But I would like
12 to ask these two questions, and I don't expect, really,
13 an answer. If you can provide some preliminary
14 comments, that's fine. I appreciate that the second
15 question might be a bit more difficult, and you might
16 need a bit more time for thinking, but you know the
17 opportunity is always there to write to us at a later
18 stage, and there's always an opportunity, hopefully,
19 to appear before us at a later stage, too.

20 One of the things
21 we've heard as we've travelled across this country is
22 that in some organizations there are leadership

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1 problems. There are leadership problems because
2 leaders who are in those positions sometimes abuse their
3 authority, or the community somehow feels powerless to
4 have any impact upon the policies of that particular
5 organization. I'm not asking the Friendship Centre for
6 any particular reason except that you are a
7 non-political organization and that you're probably in
8 a more objective position to look at this issue. But
9 I'm wondering--people are saying, especially in the
10 west, that we have a form of self-government already.

11 We have Indian bands on our reserves, we have the
12 chiefs, and they abuse their authority, and we don't
13 want self-government because we know that if we have
14 self-government, the abuse of authority will be worse,
15 and we don't want that. I think that also we've heard
16 from some other people that there are problems with
17 making their leadership accountable, like, for example,
18 leaders make bad decisions, and somehow the board or
19 the general membership don't feel like they're in a
20 position to make any changes, for whatever reason.

21 The first question is,
22 in terms of self-government, if there is

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1 self-government--I guess, more specifically, my
2 question is in terms of leadership. If there are
3 problems with organizations, have you thought about ways
4 that the members can make that leadership more
5 accountable? I guess I'm looking at the accountability
6 of leadership issue, and I'm wondering if you've
7 considered that issue. Have you got any thoughts to
8 give us so that when we consider this issue, which we
9 will at the end of our work, we'll have some ideas on
10 it?

11 **DANNY POTTLE:** That's a
12 pretty tough question to answer, but I guess, as a
13 Centre, and like a lot of other organizations, we're
14 social services, I guess, for lack of a better term.
15 But in the delivery of service programs to people,
16 especially people who are at a disadvantage, there's
17 bound to be, I think, a lot of leadership problems and
18 a lot of hostilities or whatever felt towards certain
19 members of the organization or the powers that be in
20 the organization, such as your directors or your
21 voluntary board of directors, your paid positions or
22 whatever. But I think if members feel that there is

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1 a problem, and they can't find another avenue to go to
2 or whatever, then I would suggest that people would have
3 to just look at alternative sources of help, such as
4 places in the community who do offer services in the
5 human resources management field or whatever, I guess.
6 You could go in and talk to people and search out those
7 alternatives, whether they be coming in and having an
8 evaluation of your organization to see what's going
9 wrong and recommend solutions to overcome those
10 problems. And I think your board of directors or the
11 powers that be in your organization have to acknowledge
12 that those problems exist and take control of the
13 situation and try and work something out as best they
14 can.

15 **COMMISSIONER MARY**

16 **SILLETT:** Thank you. Another question which requires
17 some thought, but I'm just asking you this because you
18 are, essentially, an aboriginal association in an urban
19 centre in this province. One of the questions that
20 we've often found hard to answer is if you have
21 self-government in an urban area with a land base, what
22 will self-government look like? Have you had any

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1 thoughts on, for example, what self-government in a
2 place like St. John's, for aboriginal people, could look
3 like? Have you considered that question? Have you got
4 any thoughts on that?

5 **DANNY POTTLE:** I don't
6 think, collectively, as a board of directors, or as a
7 centre, we've really addressed that very question or
8 whatever. But on a personal note or whatever with
9 self-government, I feel that people should be given the
10 right to control whatever forces that be are in their
11 life, I mean, and whatever it takes to control those
12 powers that be in your life, whether it means having
13 access to social services, if you're having access to
14 educational facilities or what have you, as long as you
15 have access and the control or whatever to get in there,
16 then I think you can be pretty much self-governed.

17 **COMMISSIONER MARY**

18 **SILLETT:** What about self-government without a land
19 base? Is that something that you've ever thought about?

20 **DANNY POTTLE:** I don't
21 think we've ever given that any consideration.

22 **COMMISSIONER MARY**

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1 **SILLETT:** That's fine. Thank you very much.

2 **CO-CHAIR RENE DUSSAULT:**

3 Thank you very much for your presentation.

4 I would like to ask Mr.
5 Jerry Wetzel.

6 **JERRY WETZEL:** Chief
7 Samms, Ms. Blandford, Madam Commissioner, Mr.
8 Commissioner [native language spoken].

9 My name is Jerry Wetzel.

10 I'm from Conne River, known in Mi'kmaq as [Maowkugik?],
11 "swift currents in the Middle," and I'm here not to speak
12 on behalf of the band, but I'm here to speak on behalf
13 of myself and my family and members of my extended
14 family.

15 The presentation I've
16 prepared for you is not quite as polished as I would
17 like it, but then I didn't think you were coming until
18 June. Some of the introductory remarks I would like
19 to make is that I want to, after listening to Ms. Sillett
20 speak this morning about the desire of the Commission
21 to hear from grassroots people, I want to encourage you,
22 in your trip here and to Gander--I'm not sure when that

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1 is--to include a side trip to the only Micmac community
2 on the island of Newfoundland, in Conne River, because
3 if you want to hear from grassroots people, you won't
4 hear from them in Gander, you'll have to go to Conne
5 River, and that's only a short drive from Gander.
6 Perhaps you could stay an extra day and do that.

7 What I want to bring to
8 your attention today are a couple of things, a couple
9 of points. They have to do with past colonial
10 prejudice, injustice, and how those prejudices have been
11 carried over into current-day policy, so I guess this
12 is part of your mandate, you want to hear about the
13 problems, well, that's the problem part, and at the end
14 of the presentation, I would like to give you my views
15 anyway on some possible solutions in regards to
16 constitutional renewal.

17 **COMMISSIONER MARY**

18 **SILLETT:** Excuse me, Jerry, I've got an urgent phone call.
19 I'm not walking out on you, I just have to respond to
20 it.

21 **JERRY WETZEL:** O.K.,
22 this time.

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1 The citation that I
2 started this presentation with is, I think, an
3 indication of the nation-to-nation relationship that
4 existed between the British Crown and Micmac nation in
5 the early 1700s. The citation was a response by the
6 chiefs of the Micmac nation to the then Governor Phillips
7 of Acadia, Acadie, that the British had recently thought
8 they had won from the French. Actually, I guess, they
9 won whatever pretentious rights the French nation had
10 to attempt to colonize what really is Micmac and
11 Penobscot and Passamaquadie territory on the east coast.
12 The Micmac people had destroyed an illegal fishing
13 station at Canso, and the governor had asked them why.
14 He wanted to know why they hadn't submitted, or why
15 they weren't prepared to submit, to His Majesty's
16 Dominion, that the Treaty of Utrecht had supposedly
17 given to the British Crown. And the reply, I think,
18 is an interesting reply that the Micmac chiefs made,
19 and that's basically that they told him that we don't
20 know where you got the idea that you own our land but
21 you don't. And that actually was the start of warfare
22 between the British Crown and the Micmac nation after

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1 the Treaty of Utrecht.

2 Before I go back to that,
3 I would like to jump right into more current day history,
4 and that's the terms of union between Canada and
5 Newfoundland. I have done some--I can't say extensive
6 because I haven't finished it yet--but I have done some
7 research on the subject, and one of the things that
8 strikes me is that there was absolutely no
9 participation, there was no thought, even, of aboriginal
10 people by the non-aboriginal people in regard to
11 negotiating the terms of union between Newfoundland and
12 Canada. There was never any consideration of
13 unsundered and unseated Micmac or Montagnais or
14 Naskapi or Inuit land on the Island or in Labrador.
15 The discussions touched on them, but then were
16 dismissed, and of course the reason they were dismissed
17 was because of the colonial attitudes that had been
18 carried over about aboriginal nations as really
19 inconsequential groupings or remnants of people that
20 the British colonists really just wanted to sweep out
21 of the way and forget about.

22 The title of my

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1 presentation is called "The Mi'kmaq Mercenary Myth,"
2 and I'm sure most of the people in the room--I'm not
3 sure if they really taught this to people in Quebec or
4 not--but it's certainly well entrenched across the rest
5 of the country, not just in Newfoundland. There's a
6 common belief that the Micmac people were brought to
7 Newfoundland by the French to exterminate the Beothics.
8 And this is almost a religious belief in Newfoundland,
9 and certainly officials I've dealt with in the
10 Government of Canada.

11 The myth, really, is
12 exactly that--it's a myth. It's unsubstantiated, but
13 it's been repeated so often that it has become a popular
14 part of Newfoundland culture, so popular that it has
15 actually been included, and was included, in the
16 Newfoundland school history texts that were used in the
17 schools in Newfoundland up until 1975 when we asked them
18 to remove them or we would take further action. So there
19 are several generations of Newfoundlanders that have
20 been taught this myth. The myth is in the paper and
21 I'll get to it, but it itself is a hold-over of colonial
22 prejudices and beliefs about Micmac people that are

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1 totally untrue.

2 Anyway, moving along
3 about the terms of union, one of the things that struck
4 me about the terms of union was that in 1947 to '49,
5 Britain and Canada were both under obligations to the
6 United Nations under Article 73 of the Charter of United
7 Nations, to protect indigenous self-determination in
8 trust territories that they were responsible for. It's
9 my contention that the treaties between the British
10 Crown and the Micmac nation and the Royal Proclamation
11 of 1763 created trust territories in Newfoundland, as
12 well as in other parts of Mi'kma'ki, which is the Micmac
13 word for the Micmac homelands.

14 The legal obligations
15 that both countries had under that charter, under that
16 article of the charter, were totally ignored. The
17 obligations that Canada had under Section 9124 of the
18 BNA Act, 1867, were examined, and you'll see I've given
19 you some of the results of my research, some
20 correspondence between the Newfoundland delegates and
21 the representatives of the Government of Canada in
22 regard to the terms of union negotiations. The very

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1 first paper after the copy of the Royal Proclamation
2 that I've given you is a presentation that was made to
3 the Newfoundland delegates by the Federal Government
4 in 1947 that sets out the services, sets out first of
5 all their legal responsibility for the Inuit people,
6 and set out the services that they will provide in the
7 event of confederation.

8 Now that was the
9 one--well, I can't say the one and only--there was some
10 discussion afterwards--but the Federal Government never
11 did provide those services. The Federal Government
12 never did take responsibility for aboriginal people in
13 the Province of Newfoundland. And one of the things
14 that I would like to recommend to the Commission to do
15 within its mandate is to use some of your resources to
16 hire some researchers and to dig the documentation on
17 the terms of union out for examination, because it's
18 my contention that there has been a very serious and
19 a very large breach of fiduciary duty by the Government
20 of Canada. And I think that falls within your mandate,
21 to ascertain the scope of it, and I think it's going
22 to be a horrendous scope when it's fully known what has

3 Anyway, the Micmac
4 mercenary myth itself. The Micmac people have always
5 occupied Newfoundland. The oral history of the Micmac
6 people tells, as our elders tell us, that the Micmac
7 people had been coming to Newfoundland since time
8 immemorial. In the interior of Newfoundland, all the
9 landmarks, all the lakes, all the rivers, in the
10 territory that the Micmac people have occupied and used
11 are named in Micmac. Some of them have been copied by
12 people that did the geography of the interior of
13 Newfoundland.

The famous Jesuit missionary to the Micmac people, Father Pacifique, documented Micmac knowledge and names of the interior of Newfoundland in 1933. You'll see a reference to his work in this paper. Also, an ethnographer, an I guess famous ethnographer, by the name of Frank Speck came to Newfoundland in the early 1900s under the auspices of the Smithsonian Institution, the Museum of the American Indian and the Royal Museum in Ottawa, to

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1 collect artifacts and to document the ethnographic
2 history of the Micmac people in Newfoundland. And one
3 of the things, of course, Mr. Speck did was to document
4 the oral tradition of the Micmac people. Ta'kam'kuk
5 is what Newfoundland is called, "the far shore" in
6 Micmac. He documented the methods the Micmac people
7 used to get here, the types of ocean-going canoes that
8 were built to get here, the manner in which the trip
9 was accomplished.

10 Other English
11 historians also documented through other references
12 that the Micmac people were seen in or on or near
13 Newfoundland from the very earliest times of European
14 exploration, from Champlain's time in the 1600s, before
15 Champlain's time in the 1590s. This is not in this
16 paper. I'm just rambling on now.

17 Some of the first
18 instances by the French colonial authorities of St.
19 Pierre in 1616 documented 200 Micmacs on St.
20 Pierre/Miquelon in 1616, because that was part of the
21 traditional Micmac territory as well. Micmac people
22 used to go to Miquelon for hunting the seal herds that

15 Other accounts of
16 European explorers meeting what was probably Micmac
17 people as far south as Nain with them drawing maps of
18 Newfoundland for these early 1600 European explorers,
19 maps of how to get to Newfoundland and different places
20 in Newfoundland, Placentia being one of them. There
21 was no European knowledge of the interior of
22 Newfoundland until 1822, when a fellow by the name of

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1 Cormack hired a Micmac guide of course, to take him
2 through the interior from Random Sound to St. George's
3 Bay. Mr. Cormack was one of the Europeans that was bent
4 on trying to find the remnants of the Beothic people.
5 What he found were a lot of Micmac people in the
6 interior, because his guide didn't want to take him into
7 Beothic territory, because the interior of Newfoundland
8 was divided between the Beothic nation and the Micmac
9 nation, and each regarded and respected the territory
10 of the other. You'll find some references to Mr.
11 Cormack's trip in this paper as well.

12 In regard to
13 Micmac-Beothic relations--again, back to Mr. Speck--he
14 documents the oral history of the Micmacs and the fact
15 that the Micmac and the Beothic people had actually
16 cohabited at one time. His ethnographic research found
17 that the Micmac people had a number of cultural
18 similarities with the Beothics, in the sense that they
19 were dissimilar to Micmacs in Nova Scotia, so that in
20 his opinion showed that the Micmac people and the Beothic
21 people had actually had some kind of relation such that
22 they both borrowed cultural attributes of the other.

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1 The Micmac mercenary
2 myth starts in the 1700s when the French and the Micmac
3 people, the Newfoundland Micmac people, the people that
4 were in Newfoundland, in Ta'kam'kuk, overran the French
5 fishing stations on the Avalon Peninsula and burned them
6 all. The English never forgot that. Ever since that
7 time, English authorities have been extremely concerned
8 about the Micmac people in Newfoundland. The comings
9 and goings of Micmac people between Cape Breton and
10 Newfoundland were a serious concern of the British
11 colonial authorities in Newfoundland in the 1700s.
12 They saw behind every Micmac migration to Newfoundland
13 French military machinations. They were always
14 concerned that the Micmac were just the handmaidens of
15 the French, carrying out French military objectives for
16 the French. Actually, what the story was, was that the
17 Micmac people in Newfoundland were defending their own
18 territory. Unfortunately, the British never
19 understood this, and they still don't understand that.
20 Between 1713 and 1761,
21 the Micmac nation was at war with the British crown.
22 They refused to accede to the Treaty of Utrecht, the

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1 1713 Treaty of Utrecht. They did not recognize the
2 British had any proprietary rights in Mi'kma'ki, in
3 their country, and they fought the British and kept them
4 contained in Annapolis Royal in Nova Scotia, and there
5 were actually no British fishing stations located on
6 the south coast of Newfoundland anywhere in Micmac
7 territory.

8 At that time, between
9 1713 and 1726, the Micmac people assisted the French
10 in taking and sacking St. John's and all the other
11 English fishing stations. In 1726, a treaty of peace
12 and friendship, not cession, was signed between the
13 Micmac nation and the British Crown, and after that,
14 it was communicated to Newfoundland, the Micmac people
15 honoured the treaty, and there was peace between the
16 Micmac people and the English migratory fishermen.

17 I'm telling you this
18 story because you have to understand the scope of the
19 Micmac nation, that what happened on the mainland was
20 communicated to the Micmac people here. When there was
21 in Nova Scotia, what's now Nova Scotia, or Acadie, or
22 Mi'kma'ki, there was war here as well. In the 1740s,

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1 the English began to expand in Nova Scotia, and broke
2 the treaty of 1726 by occupying lands that were reserved
3 to the Micmac nation, and as a result of that, there
4 was war again in Newfoundland. There's some
5 documentation of that. In 1747, the Micmacs took a
6 British sloop and took 23 English prisoners, which they
7 took back to Nova Scotia. In 1752, the Treaty Compact
8 of 1752 was signed by some of the chiefs in Nova Scotia,
9 and peace began to settle in again. It was just in the
10 1760s that the British started to understand the
11 structure of the Micmac nation. The Micmac nation was
12 divided into seven districts. Unimaki, "the foggy
13 islands," is the area that covers Cape Breton, St.
14 Pierre/Miquelon, the Magdalenes and Newfoundland.
15 That's the Unimaki district. Every district had a
16 district chief [Sagamow?], and every community had its
17 Saya, or head men.

18 What the British found
19 out was that because one Micmac chief signed a treaty,
20 what they finally realized is that that did not commit
21 the entire Micmac nation to the treaty. The Micmac
22 nation was a very independent nation. It was actually

So the British finally began to understand that in the 1750s--and they sent another Jesuit priest, Father Milliard, who specifically gave him a special passport to go to Newfoundland and Isle Royale to try to bring in those parts of the Micmac nation into the Treaty Compact of 1752. This was in 1760. In 1761, the Grand Chief of the Micmac nation, Tomah Denny, who was in Newfoundland, and the chief of the Newfoundland--the Unimaki district, which included Ta'kam'kuk, came to Halifax to enter into

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1 the Treaty Compact of 1752, and you'll see some of the
2 references to that where Governor Belcher, the Governor
3 of Nova Scotia, explains the Treaty Compact to the
4 chiefs, and where Chief Piquidawalet responded to the
5 governor's speech and committed himself and his district
6 and the people that he represented to the Treaty Compact
7 of 1752. That's on page 17, if you're interested.

8 So the governor pledged
9 that:
10 The treaty would be like a great hedge about your
11 rights and properties. If any break this hedge
12 to hurt or injure you, the heavy weight of the law
13 will fall upon them and punish their disobedience.
14
15

16 The treaty promised more
17 than that, but that was the governor's explanation at
18 the time.

19 I haven't included the
20 actual text of the treaties, because I have sent another
21 paper to the Commission, and you can get a copy it from
22 Mary. It's a paper in regard to constitutional renewal,
23 and in that paper, I examine the treaties in depth, and
24 it would be too much for this presentation to go into
25 that. You can do a presentation just on the treaties.

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1 need to do your oral presentation.

2 JERRY WETZEL: I think
3 since I've got to the Royal Proclamation and the
4 treaties, probably that's all I need to say. The point
5 here is that there are Micmac treaty rights that the
6 Royal Proclamation reinforces. This entire concept of
7 a Micmac mercenary myth is a fallacy, it's an
8 unsubstantiated piece of colonial prejudice. The
9 problem is, it still occupies the minds of the
10 administrators and the politicians of the Government
11 of Newfoundland and the Government of Canada. It
12 affects the relations between the Micmac nation, the
13 Micmac people, and those governments, because those
14 governments have refused to recognize Micmac treaty and
15 aboriginal rights in Newfoundland, because they contend
16 that the Micmacs were brought to Newfoundland by the
17 French, which is totally untrue.

18 That's one point. Now
19 I'll go to the terms of the union. That particular myth
20 is repeated in the terms of the union. You'll see in
21 the internal federal correspondence--before I get to
22 that, I should say that the treaties in the Royal

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1 matter. They don't want to do the research to find out
2 what outstanding obligations there are. They did ask
3 the Newfoundland Government were there any treaties,
4 and the Newfoundland Government just kind of shrugged
5 their shoulders--I should say the colonial commission
6 of government--just said I don't know, and they never
7 did really do any serious research. In the internal
8 federal correspondence, you'll see them refer to the
9 Micmac people as too intermarried to bother with, or
10 they don't live on reserves so we don't want to have
11 anything to do with them. This is actually untrue as
12 well, because Conne River was always a reserve. Conne
13 River, in fact, was set up as a reserve in 1972 by the
14 colonial government. There was a later visit--and this
15 is in this paper, too, you'll have to read it for
16 yourself--by the governor of the day in 1904, who stated
17 at the time that the Micmac people had special rights
18 to the trapping territories that the British government
19 should deal with, and that's in there as well.

20 But anyway, of all this
21 information that could have been available to the
22 federal representatives, as well as the Newfoundland

The illustration of that
in contemporary modern-day terms is what's called the
Federal/Provincial agreement for native communities
in--it used to be Newfoundland until we got out of
it--now Labrador, which I would contend is a totally
unconstitutional, illegal agreement where the
Government of Canada purports to provide a small amount
of funding, small in comparison to the kind of funding

6 So there's two
7 recommendations that I want to make to the Commission.

15 There is no substance to that, and it has to be
16 nationally recognized now, because it's a national
17 problem.

18 The second this is that
19 I think that it certainly falls within the mandate of
20 this Commission to investigate and dig out the papers
21 on the terms of the union negotiations, because there
22 has been a gigantic breach of fiduciary duty to the

The other thing that needs to be done is it's my contention that Confederation is incomplete. The Micmac and the other aboriginal communities in this colony or this province were never included in Confederation. They were excluded, deliberately excluded. There's no treaties made, except with the Micmac, and the treaties with the Micmac reserve their lands to them. The other aboriginal

There is a ray of hope,
Section 35.1 in the new Constitution Act of 1982 does
recognize existing aboriginal treaty rights, and those
rights, Mr. Commissioners and Madam Commissioner, do
exist in this province. They've never been
extinguished. It's my contention that what should take
place in terms of solution is that since the terms of
union are incomplete. It's now time for the aboriginal
nations to be given the opportunity to define their own

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1 terms of union, so that they can deliberately determine
2 how they will become part of this country, not as
3 dependencies of the Department of Indian Affairs or any
4 other level of government but as equal levels of
5 government. And I want to stress equal, because there
6 has been no equality between the governments, the
7 colonists that came to Canada, and aboriginal nations.
8 We have always been treated unequally, and I can only
9 tell you and refer you to the fact that the Indian Act
10 itself--this country has been criticizing South Africa
11 for apartheid. Apartheid is based on the Canadian
12 Indian Act, and it has been no less devastating to
13 aboriginal communities, not just in Newfoundland and
14 Labrador, but throughout this country. And it's time
15 that Canadian apartheid was repealed, and that Section
16 35.1 of the Constitution Act of 1982 is recognized for
17 what it is, and that's the recognition of inherent
18 political and territorial rights of the aboriginal
19 nations, of the Micmac nation in Newfoundland and of
20 the other aboriginal nations in this country--to be
21 equal, not to be greater than, but to be equal to, to
22 be respected for what we are, not for what other people

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1 want us to be, which is an image of themselves. We don't
2 want to be just caricatures of the European people that
3 came to this country. We want to be who we are, and
4 we want that to be recognized and respected.

5 I was very surprised,
6 and I was pleased, in fact, to read the commentaries
7 that the Commission put out on constitutional renewal,
8 because I find that one of the proposals in regard to
9 a kind of process of treaty federalism is exactly what
10 I would have in mind. That there could very well be
11 a national treaty of conciliation and unification that
12 would permit every first nation within the context of
13 that type of a treaty. And I would refer again to the
14 paper that I've already sent you where I've spelled this
15 out in detail, how such a treaty could take place. But
16 the solution for aboriginal people and aboriginal
17 nations to become part of this country is to offer
18 equality, to offer a place in this country for our
19 governments to operate in for us to be able to become
20 self-fulfilling, participating and equal citizens of
21 the country, and that can only be done through a process
22 of treaty federalism, as I see it. And in particular

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1 in regard to the Micmac nation, it has to be based on
2 the treaties of peace and friendship that are already
3 recognized, and which, I would contend, is entrenched
4 now in the Constitution Act under Section 35.1. The
5 treaties recognize Micmac internal sovereignty, and
6 what those treaties actually did was to create a
7 commonwealth between the British Crown and Micmac
8 nation, the commonwealth of Mi'kma'ki, and what has to
9 happen now is the commonwealth of Mi'kma'ki has to become
10 part of the country of Canada. And that's it.

11 **CO-CHAIR RENE DUSSAULT:**

12 Well, I would like to thank you very much for presenting
13 us with such a well-researched brief, and giving us a
14 more in-depth historical perspective of the situation
15 that has occurred in Newfoundland and Labrador.

16 As you know, the
17 historical perspective is a very important aspect of
18 our mandate, and certainly that brief like this one is
19 of great importance to us.

20 **JERRY WETZEL:** Well, I
21 hope it's useful.

22 **CO-CHAIR RENE DUSSAULT:**

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1 Well, we feel that a lot of the answer will rely on
2 history, and the work we will do on that area, at least
3 it will give us roots under which to look at practical
4 solutions.

5 Thank you very much
6 again. You've mentioned that this might not be your
7 final draft. We would be certainly very happy in
8 receiving it when it will be ready, but to me, it looks
9 pretty much near the finishing--

10 **JERRY WETZEL:** Well, if
11 you come to Conne River, perhaps I'll have something
12 else to present.

13 **CO-CHAIR RENE DUSSAULT:**
14 We're going be bribed. Well, I just want to tell you
15 that we note that Conne River was a must for the
16 Commission. Of course, Canada is a big country. There
17 are over 900 communities. But we plan to come back,
18 and we are going to have a serious look at the possibility
19 of coming. Thank you.

20 **COMMISSIONER MARY**

21 **SILLETT:** I have talked to Jerry for the past 20 years.

22 I don't think that there's anything else I have to say

16 As far as I can tell, in
17 my compilation of the chronology of interdepartmental
18 memos and talks and things like that between the
19 Newfoundland delegation and the Government of Canada,
20 some of these are--well, you can see it in the document
21 that you have in front of you--are already compiled in
22 the Department of External Affairs document.

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1 I think the problem
2 is--and I'm not really sure on this, Marilyn John
3 compiled most of these documents that are noted in here,
4 but I think that she had a problem with access, getting
5 the documents from the Government of Canada, and
6 probably you could check that out. You will, as you've
7 told Jerry, further on.

8 I think that some of the
9 things are probably just for the audience, more than
10 anything else, that I would like to say. The Government
11 of Canada, when they recognize that they were
12 responsible for Indians and Eskimos--that's the
13 terminology they used at that time--what they promised
14 is they said well, there would be free education, free
15 medical services, family allowances, lands and
16 conservation and all sorts of good things that I think
17 really, had they been granted to native people in Canada,
18 in Newfoundland and Labrador, I think it would have put
19 them well ahead of the people who were becoming citizens,
20 because they had that obligation to provide things that
21 the ordinary citizens of Newfoundland didn't acquire
22 until a later date, really.

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1 So basically, that's
2 about all I have to say, really. I'll just leave this
3 with you to tell you that there is something rotten in
4 terms of the union documents, and I think that if you
5 looked at these in a historical perspective, you will
6 see that. Other than that, I think Jerry Wetzel has
7 really said what I had to say, and probably we'll just
8 be rehashing and old bruise or something.

9 **CO-CHAIR RENE DUSSAULT:**

10 Thank you very much. Certainly a paper like this one
11 and the previous one--

12 **GERRY PENNEY:** Yes,
13 this is actually the third paper you've got today on
14 this, because Adrian Tanner gave you two papers earlier
15 on. I wasn't aware of those other two papers, so you
16 do learn something about them--

17 **CO-CHAIR RENE DUSSAULT:**

18 Yes, it does raise our interest.

19 **GERRY PENNEY:** Yes,

20 well, I think there is something rotten there.

21 **CO-CHAIR RENE DUSSAULT:**

22 Thank you very much. So may I suggest that we have

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1 ten minutes for a coffee break. We have two other
2 presenters. Thank you.

3 [RECESS 1457 - 1505 hr]

4 **CO-CHAIR RENE DUSSAULT:**

5 We have to resume. I would like to ask Rhonda Fiander
6 from Waterford Hospital to come to make her
7 presentation. Good afternoon.

8 **RHONDA FIANDER:** Good afternoon.

9 **CO-CHAIR RENE DUSSAULT:**

10 You're most welcome. Please proceed when you're
11 ready.

12 **RHONDA FIANDER:** As you
13 know from the introduction, my name is Rhonda Fiander,
14 and I'm a social worker at the Waterford Hospital here
15 in St. John's, Newfoundland, which is the only
16 psychiatric facility which we have in the province.

17 First of all, I would
18 like to thank you. It is with honour I accept this
19 opportunity to speak on behalf of the Social Work
20 Department of the Waterford Hospital at this hearing.

21 It is with shame we
22 acknowledge our limitations when working with the

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1 aboriginal people within the mental health field.
2 These limitations do not exist because of personal
3 disregard, but rather result from systems in place which
4 have not allowed for cultural differentiation within
5 the present institutes which exist.

6 It is with hope we look
7 forward to the results of this Commission, and hopefully
8 the establishment of recommendations which will help
9 people of all cultures and belief systems to co-operate
10 within a holistic approach for all.

11 First of all, I'll give
12 an introduction of the brief. This brief has been
13 prepared by the Acute Care Social Workers of the
14 Waterford Hospital upon the request of the Royal
15 Commission on Aboriginal Peoples. The Social Work
16 Department has always recognized the uniqueness of the
17 aboriginal people, and recognizes the barriers to
18 effective treatment which occur when these individuals
19 are admitted to urban centres for treatment.

20 The Department of Social
21 Work at the Waterford Hospital uses a biopsychosocial
22 systems approach to provide services to inpatients and

14 Perhaps before I go any
15 further, I should just clarify a few of the points in
16 this. I guess we have here the statement that our Social
17 Work Department does use a biopsychosocial systems
18 approach, which sounds a bit complicated, perhaps. To
19 simplify it more, it's an approach that really does
20 believe that in treating someone, there is much more
21 to the person than the individual. It includes their
22 environment, their overall life situation, their belief

7 To also clarify the
8 acute care and forensic units, the acute care units on
9 the Waterford Hospital are the admission units where,
10 when someone is perceived to be suffering from a mental
11 illness, they will go to those units, either
12 voluntarily, or involuntarily, for assessment as to
13 whether they are suffering from a psychiatric illness
14 or not. The forensic unit is linked very closely with
15 the justice system, as well as the mental health system,
16 and it is the unit where, when people have committed
17 a crime, they will, if they are thought to be suffering
18 from a mental illness or circumstances which should be
19 identified, they will be sent to this unit for
20 assessment, and this is the unit to which, at the present
21 time, most of the aboriginal people have been admitted
22 to our hospital, as of late.

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1 Barriers to effective
2 service provision: I guess the number one barrier is
3 language. Communication is the basis of any social work
4 intervention and ensuing treatment plan. If language
5 of either partner in the therapeutic relationship is
6 not understood, or basic concepts regarding the meaning
7 behind the words not known, a major barrier is in place.

8 For us to do an
9 assessment, we do need to be able to communicate
10 effectively with one another and back and forth so that
11 we know what each other is saying. Unfortunately, from
12 my experience on the forensic unit, and from other
13 individuals' experience in the hospital, other social
14 workers, very often we are not really understanding one
15 another in terms of our language, and even if the words
16 are understood, very often the concepts behind the words
17 may not be understood, and we therefore have a very large
18 barrier to begin with which impacts very heavily on
19 anything else that can happen following this.

20 Beliefs: Varied belief
21 systems, which are neither known nor understood between
22 different cultures, creates another impediment. I

7 Geographic Distance:
8 The distance itself, and often lack of comminuted
9 specific knowledge, does not enable good discharge
10 planning. This distance does not allow accurate
11 assessment of either family or community. Some of the
12 things that we do when we assess, in terms of making
13 a treatment plan, is to get an idea of the community
14 and to work with the community and with the family and
15 with people, friends, whoever. Unfortunately, when the
16 geographic distance is so large, it's very difficult
17 to discharge a plan, and also very ineffective.

StenoTran

Community Issues:

Discharge planning can only be effective if knowledge of community systems and availability of appropriate support services are in place. Services that at times may be in place do not always reflect the community's traditional belief systems, and very often, when we do when a discharge plan in place, we likely put it in place with a system which may not be there by the choice of that community, or may not be based on the beliefs of that community.

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1 I guess in the legal
2 system, it's certainly quite obvious that there is a
3 lot of feeling that prisons as they are, and the legal
4 system as it is, at this point in time, are not meeting
5 the needs of the aboriginal people, and these people
6 are returning to their communities with the same
7 problems they left with, and therefore there is a failure
8 in the system, no doubt.

9 I guess I cannot help but
10 wonder if we don't see that same principle in the mental
11 health system, that we remove people from their culture,
12 from their community, from what is familiar, and we bring
13 them into a very strange and different system in our
14 hospital in which they are not understood, and often
15 in which they do not understand what is happening to
16 them, and therefore how could one attempt to determine
17 what is mental illness or what is not.

18 Religion and
19 Spirituality: Spirituality is an important aspect of
20 all persons' lives. If the spirituality or the role
21 it plays within one's life is neither known nor
22 recognized, as is often the case with aboriginal people,

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1 a great disservice is done.

2 I guess, speaking personally,
3 it's fair enough for me to say that very often when I'm
4 working with people, I do keep it in the context of the
5 religious environment in which they come from, of their
6 particular belief systems, how that impacts on their
7 life, and how that influences their community. I guess
8 again it's with shame I say that I do not know enough
9 about the religion and spirituality sometimes of the
10 aboriginal people to take that into consideration, and
11 therefore that is another very large barrier.

12 Cultural Marginality:
13 The aboriginal clients served are often caught between
14 cultures, and therefore unclear themselves as to which
15 direction they wish to pursue their own life goals.

16 I guess very often we do
17 get a lot of clients who are from aboriginal communities,
18 and who very much want to go back to their communities
19 and have discharge planning made for them to go back.

20 But yet, on the other hand, they don't want to go back
21 to the problems and the situation and the issues from
22 which they left, and they are very much caught in

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1 between. They stay here and become part of a system
2 they really don't want to be a part of, but a discharge
3 plan is more--I don't know about effective, but seems
4 more positive, but yet that's not where they want to
5 be. They want to be back in a situation where, I guess,
6 a lot of their original beliefs can be valued.

7 So on that note, we do
8 have some recommendations that we would like to make,
9 and number one would certainly be it must be recognized,
10 on all levels, that there is a difference between native
11 and non-native cultures, and that the values and
12 interpretation of values of both groups can be quite
13 foreign to the other. And I guess by this
14 recommendation, we're not necessarily saying that there
15 is right or wrong, better or worse. I guess what we
16 simply all have to acknowledge and to recognize is that
17 there are differences and that we must respect these
18 differences, and we must recognize them in order that
19 we can act on them.

20 Number two: There must
21 be improved access to interpreting services, and a
22 system of formal co-ordination put in place for when

Number three: Training
of social work staff should become inclusive of cultural
issues as they apply to the aboriginal people. I feel
that this is something that we all need, is training

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1 on subjects that we don't have as much knowledge on as
2 we should.

3 We would also recommend
4 that the aboriginal people take an active role in helping
5 to educate us in this area, through in-service training
6 or seminar workshops. We would gladly welcome any
7 education or any knowledge that we can get that can be
8 given to us. We recognize we have a lot to learn, and
9 I think not only in our professional lives. I think
10 it's very important for us, in our personal lives, to
11 have this understanding, respect and knowledge of all
12 the cultures with which we live.

13 Number four: Support
14 and advocacy must be given to the aboriginal peoples'
15 desire to heal themselves, restore order in their
16 community and live in peace and harmony, as outlined
17 by their original history.

18 Number five: Social
19 workers in the mental health field must take an active
20 role in the recognition of ineffectiveness of the mental
21 health system as it presently applies to the aboriginal
22 people. We recommend that the aboriginal people be

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1 given the opportunity to outline for us a mental health
2 service which would effectively respond to their mental
3 health issues within the parameters of their own
4 community.

5 To conclude, I guess the
6 bottom line is that it is essential that we essential
7 to each other, and seek to create new and different
8 services, improve what we have, and accept life
9 philosophies which, although different, seek to achieve
10 similar life goals. We all want to experience good
11 mental health. We all want to see the obliteration of
12 domestic violence, the cessation of crime, and to
13 experience positive self-esteem. We all want to ensure
14 healthy, happy communities in which our children of all
15 cultures can grow happily and safely, free from abuse,
16 discrimination or poverty, factors which often lead to
17 the breakdown of mental health in adulthood, if these
18 needs are not met in children.

19 It therefore only makes sense
20 that we work together to achieve the above. Thank you.
21 If anyone has any questions--

22 **CO-CHAIR RENE DUSSAULT:**

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1 Yes. Just as a start, I think your brief is very
2 interesting in stating the barriers to effective
3 delivery of the services, and the recommendations are
4 of great interest, also. But I'm always a bit concerned
5 by the fact that it seems to be very difficult to attract
6 native people to get professional training in the health
7 sectors, because it seems to me that a more definite
8 solution would be to have staff in the mental health
9 field, for example, that would be trained and would be
10 coming from aboriginal communities.

11 **RHONDA FIANDER:** Yes, I
12 agree.

13 **CO-CHAIR RENE DUSSAULT:**
14 I understand that there is none on your--in your
15 services at the professional level.

16 **RHONDA FIANDER:**
17 Speaking, I guess, just from our social work department
18 at the Waterford Hospital--I can't really speak for all
19 other services--but there isn't, at this point in time.
20 I think it's certainly something that would be very
21 much welcomed, and we feel there is a great need to have
22 a representative who--

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1 **CO-CHAIR RENE DUSSAULT:**

2 Is there some kind of pressure that people like you
3 could put on the system in order to push toward the
4 achievement of--

5 **RHONDA FIANDER:** Well,
6 I think this is something, certainly, that we need to
7 develop a role of advocating on behalf of this kind of
8 thing, of trying to encourage and to really point out
9 the need for cultural representation on mental health
10 services throughout the system everywhere, that it can
11 only help, and I think we recognize that it is very much
12 a role for us to advocate, I think, and to really seek
13 solutions like that, which would only help.

14 **CO-CHAIR RENE DUSSAULT:**
15 Because with the number of young people that are getting
16 out of the high school, and there is certainly a road
17 for the future there, but how to trigger it. As a
18 Commission, we're looking for solutions that might not
19 be big things, but that could make a difference. So
20 if you have additional views to share with us on that,
21 we would be very happy to receive them.

22 **RHONDA FIANDER:** Well,

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1 it's certainly something, I think, that we can sit down,
2 as a department, and think about, and any, I guess,
3 suggestions that we could make, we could certainly
4 submit them to this Commission at a later date, and we
5 do, I think, agree with you and with your points, that
6 that is something that is needed, not only to train
7 ourselves in varied knowledge, but to train everyone
8 in this.

9 **CO-CHAIR RENE DUSSAULT:**
10 So we would certainly appreciate it if you could pursue
11 your thinking toward that line and get in touch with
12 us in the future.

13 **RHONDA FIANDER:** We
14 will certainly do that.

15 **CO-CHAIR RENE DUSSAULT:**
16 Thank you. Mary?

17 **COMMISSIONER MARY**

18 **SILLETT:** Thank you very much, Mr. Dussault.

19 First of all, I would
20 like to say that it's very interesting. You and I were
21 in the same class of social work, and here you are today
22 making a presentation. And as a former classmate of

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1 yours, I would like to congratulate you on the work that
2 you've done. I must admit that I think that in the
3 1970s, I was probably the only Inuit student in the whole
4 field of social work, and I graduated in 1976, as you
5 did, and I guess I turned political shortly
6 thereafterwards. I think what happens is that there
7 are so many opportunities for the aboriginal peoples
8 who receive any kind of formal education that you're
9 attracted elsewhere.

10 I think that in terms of
11 your recommendations, I do agree with them. I, however,
12 think that they are short-term solutions. I think in
13 the long-term, there is nothing that will ever replace
14 the native organizations' demands for self-government
15 where we actually control our own institutions, where
16 we actually have, in every single major institution in
17 this province, our own people, and I would like to thank
18 you again for the work that you've done, and I remember
19 you well.

20 **RHONDA FIANDER:** Thank
21 you. Knowing you were here and a familiar face was
22 certainly a comfort to me when I was asked to do this,

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1 and again, I agree that these are very short-term
2 solutions for very difficult problems, but I guess the
3 hope being that maybe by starting small, it can
4 eventually grow large, and hopefully self-government
5 of the type you are looking for will happen.

6 **COMMISSIONER MARY**

7 **SILLETT:** Well, 16 years is a long time. I think when
8 I was a social work student, I said those kinds of things,
9 the kinds of things that you're saying today, and I think
10 we have to remember that change is very, very slow, but
11 it will come.

12 **CO-CHAIR RENE DUSSAULT:**

13 Thank you very much. Before calling our next
14 presenter, I would like to acknowledge a written brief
15 that has been submitted to us by Liz French of the social
16 work department of the General Hospital here in St.
17 John's that advocates largely the same kinds of
18 solutions that are noted in the brief that was just
19 presented. So I would like to acknowledge the receiving
20 of this brief for the record, and we are going to have
21 a careful look at that brief, also. But it raised the
22 same concerns and issues. Thank you very much.

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1 I would like now to ask
2 Mr. Jack Harris, who is a member of the House of Assembly
3 for the NDP, St. John's, to come and make a presentation.

4 **JACK HARRIS:** Thank you
5 very much, Judge Dussault. Commissioners, Chief Samms,
6 Ms. Blandford, with me is Clee Newhook, who is the leader
7 of the Newfoundland and Labrador New Democratic Party.

8 We have not a formal written brief, as we didn't have
9 adequate notification of the meeting here today, but
10 we do want to speak to the Commission and say that both
11 ourselves as individuals and the party welcome the
12 formation and existence of the Royal Commission and
13 welcomes the opportunity to speak to you today and answer
14 any questions which you might have regarding our party.

15 Mr. Newhook wanted to
16 say a few opening remarks, but I'm going to handle the
17 major presentation.

18 **CLEE NEWHOOK:** I would
19 just like to say, sir, and other members, that we felt
20 it important to come, even if we don't have a detailed
21 brief to provide at the moment, as much as anything else,
22 as a statement of our support for the important task

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1 that you're undertaking. It must be clear to everybody
2 that the ultimate welfare of the settlement of the
3 grievances of aboriginal peoples and the welfare of
4 Canada are intertwined, and we will not enjoy a full
5 country until all these issues are settled.

6 I think it's fair to say
7 that our party, both federally and provincially, is very
8 supportive of sorting out these issues. I sit on the
9 National Constitution Committee of our party, and Mr.
10 Harris is one of the members of the Constitution
11 Committee struck by the Legislature here, so the issues
12 are issues that we have grappled with ourselves and
13 formed opinions on, and I'll leave it to Mr. Harris to
14 make a few comments.

15 **JACK HARRIS:** Thank
16 you. I want to tell the Commission, if they haven't
17 already discovered this, that Newfoundlanders and
18 Labradorians are amongst the most clever and intelligent
19 people in the world. But I had to say that for the most
20 part, we are ignorant when it comes to issues involving
21 the aboriginal people within our own province, and I
22 say that with a fair degree of confidence, being one

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1 of those people who grew up in St. John's, Newfoundland,
2 and--

3 **COMMISSIONER MARY**

4 **SILLETT:** Not me.

5 **JACK HARRIS:** Most of
6 us--for the most part, I say--that for the most part,
7 Newfoundlanders and Labradorians are ignorant when it
8 comes--ignorant in the true sense--they lack knowledge
9 of the reality of life for aboriginal people of this
10 province, nor, in fact, through the education that I
11 went through, for the most part, of even their existence,
12 and I say that as a fairly intelligent person who is
13 highly educated and went to some of the best schools
14 in this province in the fifties and sixties.

15 When it comes to trying
16 to find out about that history, my own experience has
17 been that even the books which we read in school do not
18 tell us the story, and our experience, because the
19 aboriginal people of this province have, for the most
20 part, to our knowledge, been in Labrador and in parts
21 of the Newfoundland, and there hasn't been a lot of
22 aboriginal people, in my day, growing up as a young

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1 person in Newfoundland, that we had an opportunity to
2 meet and understand and to share experiences with.

3 I was a Member of
4 Parliament in 1987, from 1987 to 1988, for St. John's
5 East, and I now sit as the Member of the House of Assembly
6 for St. John's East provincial district, in which we
7 now all sit. I am the only New Democrat in the
8 Provincial House, and was the only New Democrat from
9 Newfoundland, indeed from the Atlantic Provinces, in
10 the Federal House.

11 One of the concerns that
12 I brought forward as a member of the Federal House was
13 my concern as to how aboriginal people in this province
14 were being treated. I have friends from the aboriginal
15 community, both the Conne River Micmacs and others, and
16 from the Federation of Newfoundland Indians, and also
17 from the Innu community of Labrador. I was aware of
18 the different treatment that aboriginal people in
19 Newfoundland had received from the Federal government,
20 as compared to aboriginals elsewhere.

21

22 I was also aware of some

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1 difficulties in our own constitutional history. As a
2 result, I commissioned two studies in 1987, one which
3 was done by the House of Commons Parliamentary Library,
4 who produced for me Wendy Moss, who was a legal
5 researcher and a lawyer working for the Library of
6 Parliament, and I believe now works maybe for this
7 Commission.

8 **COMMISSIONER MARY**

9 **SILLETT:** No, Inuit Tapirisat.

10 **JACK HARRIS:** No, she
11 works for Inuit Tapirisat. So she prepared this paper,
12 doing some basic research on the constitutional
13 realities. I think a previous presenter has provided
14 you with a copy of this paper by Wendy Moss, and a second
15 paper commissioned by me through a contract, as a Member
16 of Parliament, through Edward Tompkins, who prepared
17 a paper called "Graphically Pencilled Out," which
18 details the negotiations around the terms of union
19 between Newfoundland and Canada in 1949, or installed
20 in 1949, and that shows, I think, the beginnings of the
21 difficulties, in terms of how aboriginal people were
22 treated in this province.

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1 I leave them for you to
2 review, and I think that they're very instructive,
3 because it does set the framework and confirm some of
4 my concerns that I remember, as a young person, a
5 student--I don't even remember when it was--but I
6 remember hearing Former Premier Smallwood talk about
7 the fact that well, there were no Indians in
8 Newfoundland, and I think that that statement was
9 perhaps met in some sort of metaphorical way, but in
10 a very real constitutional way, he was right, because
11 the status of the aboriginal people of this province
12 wasn't fully recognized.

13 We are dealing with that
14 still today. I believe you heard earlier from Gerard
15 Webb, from the Federation of Newfoundland Indians, who
16 are still seeking to be recognized for their status.
17 They are a group who are not--although I think they
18 appear to be working with the group--but they are not
19 a group of people who are urbanized people who have left
20 reserves and come to the cities. They are a group of
21 people whose very existence has yet to be recognized
22 by the governments of this province and of Canada, with

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1 the exception of their cousins in Conne River.

2 As a result of my own
3 concerns and the preparation of these two works, I
4 proposed in July of 1988 that a Royal Commission be
5 established to look into this issue, and that's the
6 second reason why I'm delighted to be here and to make
7 my comments to you.

8 I made the request to the
9 then Minister of Indian Affairs and Northern
10 Development, the Honourable Bill McKnight, and it was
11 my feeling at that time that only a Royal Commission
12 could identify and propose remedies for the vast range
13 of "anomalies and injustices to which native people in
14 this province had been subject," and that's a quote my
15 letter to the Minister on July 29th, 1988. And if I
16 may, at the risk of boring you, I'll just suggest the
17 terms of reference that I proposed back then, and I'll
18 leave a copy with you, because I don't have the answers,
19 and I didn't come here to provide answers, but I came
20 to tell of my concerns as a Newfoundlander, as a
21 politician, and as a representative, along with Mr.
22 Newhook, of our party, and our concern for justice for

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1 aboriginal people.

2 I suggested the terms of
3 reference for the Commission to include, number one,
4 an examination of whether the Federal government has
5 lived up to its responsibilities under the Constitution
6 for native people in Newfoundland and Labrador. I think
7 my answer to that would have been no, but the details
8 are something that needed to be examined. Number two,
9 an examination of the consequences of the
10 Federal/Provincial adhoc arrangements and temporary
11 measures for native people on the current position of
12 native people in this province. Number three, a
13 comparison of the rights and services provided to native
14 peoples in Newfoundland with those available in other
15 provinces or territories, and number four,
16 recommendations needed to ensure (a) cultural survival
17 of native peoples, (b) the implementation of aboriginal
18 self-government in Newfoundland and Labrador, (c) the
19 provisions of services to native people at the same level
20 as provided elsewhere in Canada.

21 I don't say that they
22 were far-reaching recommendations. I think that they

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1 were very current concerns, and still are. They are
2 concerns that are not overwhelmed, I don't think, by
3 events. I think the constitutional discussions that
4 are going on right now and the involvement of aboriginal
5 people directly at the table is a very, very significant
6 measure of progress, but my concern would be that the
7 process that is set in operation is not going to be
8 something that is going to quickly lead to major changes.

9 My concern would be that that process is an ongoing
10 and perhaps medium-term, at least. It may take two to
11 five or more years to see substantial progress in the
12 resolution of some of the issues that come forward, and
13 I say that particularly when you look at the current
14 position of the Federation in Newfoundland Indians, for
15 example, who have yet to even be recognized by the
16 Provincial government for that purpose.

17 So I still see the thrust
18 of my recommendations as being important for the
19 practical reason of the immediate delivery of services
20 at an appropriate level where they're lacking, and
21 secondly, because I believe that non-aboriginal
22 people--and I say in this province, because I'm speaking

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1 as a provincial politician--have an obligation to
2 recognize our own historical failures, and I say that
3 to your Commission, and I say that to aboriginal people
4 who are here watching. I think that we have a
5 responsibility to recognize that historically, in this
6 province, we have failed to recognize our
7 responsibilities, and I said this in July in 1988, and
8 it's a painful thing to say, that our responsibilities
9 were, by some people, recognized far too late for one
10 group of aboriginal peoples in this province, the
11 Beothics. For that reason, I think that our own history
12 is particularly poignant in this province, and as I say,
13 the non-aboriginal people have the responsibility to
14 unearth that history and acknowledge it and be prepared
15 to recognize that we have a responsibility now to look
16 forward.

17 There are difficulties.

18 There are difficulties in this province politically
19 because there is a substantial body of opinion that still
20 wishes to ignore the existence of aboriginal people.

21 In our own constitution, on which I sit, it's mostly
22 members of the Legislature and other citizens who have

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1 been asked to advise the government on constitutional
2 issues. We are, at this point, paying particular
3 concerns to the issues of aboriginal rights. I should
4 say that our own party has consistently tried to find
5 ways of providing support and assistance to the issues
6 raised by aboriginal groups in this province. We have,
7 in our submissions and presentations, consistently
8 supported the right to self-government and the inherent
9 right to self-government to be recognized.

10 But I may perhaps talk
11 about one aspect of this, and it may be telling tales
12 out of school, but it's important that we understand
13 how strong people may react. Let's look at the
14 recognition and acknowledgement of the aboriginal
15 rights of the Micmacs that are non-resident in Conne
16 River. Some of the questions being asked by my fellow
17 committee members would go as follows: Now I've seen
18 maps which show--is it 50 percent or is it 75 percent--of
19 the territory of Newfoundland that the Micmacs say that
20 they used and occupied, the implication being if we
21 recognize your very existence, then perhaps you'll come
22 knocking on our door and say you're on my land. That's

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1 a strong feeling that I think is there. I don't think
2 it's based in reality, but it's a feeling that is there
3 because there has never been an opportunity of
4 dealing face to face and negotiating proper recognition
5 and rights for aboriginal peoples. And also there seems
6 to be an attitude of I want to know exactly what it is
7 that it's going to cost me, and I don't mean that in
8 money, but what it's going to cost our society to
9 recognize these rights. I think that that's the wrong
10 approach. I think we've got to say upfront that we
11 recognize that there are aboriginal rights which must
12 be negotiated and dealt with fairly.

13 As I say, I didn't come
14 here with answers, except to say that there are many
15 of us, and I would say in particular in our party, who
16 are anxious to get involved in the process or see our
17 official governments get involved in the process of
18 ensuring that fair and proper negotiations take place
19 on the basis of the recognition of an inherent right,
20 an acknowledgement of the necessity of self-government,
21 and to get on with negotiating the details of that, and
22 also try and right some of the wrongs that we've

22 **SILLETT:** I share with Mr. Dussault his words of thanks.

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1 Thank you very much.

2 **JACK HARRIS:** You do
3 have copies of both these papers, I think, do you, or
4 should I leave--

5 **CO-CHAIR RENE DUSSAULT:**
6 If you have a spare copy.

7 **JACK HARRIS:** I do, yes.

8 **CO-CHAIR RENE DUSSAULT:**
9 Thank you very much.

10 We're coming very close
11 to the end of this day of hearings. I have been told
12 that there might have been a couple of very short
13 individual presentations, or individuals who would have
14 liked to have said a few words to us. We might still
15 have room to do it, though Mr. Webb is not available,
16 he hasn't come. He has been kept elsewhere. If there
17 are some people who would like just to come and sit and
18 tell us a few of their concerns--

19 **GRAND CHIEF WILSON**

20 **SAMMS:** I want to apologize for the president of the
21 Federation of Newfoundland Indians. He didn't turn up
22 to make the presentation. I haven't a presentation to

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1 make. I would like to apologize for the Federation of
2 Newfoundland Indians because they didn't have a
3 representative here. I'm a part of it. And what I
4 would like to see is the Royal Commission come into our
5 district at the Bay of Islands when they come back to
6 Newfoundland, because we didn't have a representative
7 at the Royal Commission at this time.

8 **CO-CHAIR RENE DUSSAULT:**

9 Well, you can take for granted that next time we come
10 back, we'll get in touch with you in advance. And as
11 you know, there is always an opportunity to send us a
12 brief, a written brief, at any time. Thank you.

13 **WALTER DAVIS:** Anyone
14 who would come in out of this beautiful sunshine must
15 be afforded the credit of being at least concerned.
16 My name is Walter Davis, and for years, I travelled the
17 coast of Labrador in the motor vessel "Christmas Seal,"
18 doing health education work, x-rays for tuberculosis
19 and so on, so I got to know most of the aboriginal people,
20 and I think I've been in nearly all your homes.

21 You, Chief, started by
22 an apology. You don't owe us any apology for anything.

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1 It's we who should apologize, and I have come here today
2 to apologize on behalf of my grandfather, my
3 grandparents, and other grandparents who went to the
4 Labrador and exploited your resources for all they were
5 worth, leaving scraps for you to clean up in the fall,
6 with better boats, better twines. We caught the best
7 fish and brought it home for profit, and that's how
8 Newfoundlanders regarded the aboriginal peoples --not
9 equals.

10 I apologize for several
11 things--the way we treated the Beothic tribe. When you
12 met here two years ago, your National Congress, a
13 resolution was passed by the Congress to the effect that
14 a tablet be erected down here at the Peace Park in memory
15 of the Beothics. There was not very much support either
16 from the City Council, the government of Newfoundland
17 or the media for that resolution, and as the Chief
18 earlier said to me, why should we impose this on people.
19

20 The attitudes have not
21 changed that much, but they're changing, thank
22 God--they're changing. I apologize, too, that you were

22 Thank you very much, Mr. Davis. I think your message,

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1 coming from the heart, has been well received.

2 I think we've come to the
3 natural conclusion to this first day of hearings in
4 Newfoundland. I would like, at this point, to thank
5 everybody who has made a presentation to us, everybody
6 who came and listened to what was mentioned around this
7 table. I only hope that what you've heard, we will be
8 able to reciprocate in the larger society, because we
9 need public education and awareness, and there is still
10 a long way to go.

11 I would like also to
12 thank the translator for being with us, and I would like
13 to thank Patricia Pike, our local representative, who
14 has been working in the community and the city for a
15 few weeks very actively, and was an active part in the
16 success of that day. We are leaving, but we will come
17 back. This is just the beginning, the opening of a
18 dialogue. We hope to be able to publish a summing up
19 of what we will have heard in this first round during
20 the summer months, and raise some more precise questions
21 to test in the fall when we come back for another round
22 of discussion.

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1 Thank you very much for
2 your help.

3 **COMMISSIONER MARY**

4 **SILLETT:** I would like to thank the Royal Commission
5 for letting me come to St. John's. It was awfully close
6 to home, and I had a chance to see my sisters and my
7 relatives, and I would like to give particular thanks
8 to the Friendship Centre, because this was a very, very
9 good hearing, and I know that you did a lot of work,
10 and honest to God, from the bottom of my heart, I'll
11 always remember that. Thanks a lot.

12 **LISA BLANDFORD:** I
13 would like to thank the Royal Commission for having me
14 here representing the youth of St. John's, and it was
15 a good educational experience for me. Thanks.

16 **CO-CHAIR RENE DUSSAULT:**
17 Thank you for having accepted being with us.

18 **GRAND CHIEF WILSON**

19 **SAMMS:** I would like to thank the Royal Commission for
20 having me attend your meeting here in St. John's. I
21 live a long ways away, and I'm glad you brought me in
22 here. It's quite an experience for me to be the guest

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1 of honour here.

2 **CO-CHAIR RENE DUSSAULT:**

3 To be sure, we'll be keeping in touch with you.

4 **GRAND CHIEF WILSON**

5 **SAMMS:** Thank you very much.

6 **CO-CHAIR RENE DUSSAULT:**

7 Maybe you could help us close the meeting with a prayer.

8 **GRAND CHIEF WILSON**

9 **SAMMS:** I will.

10 [Closing prayer]

11 ---Whereupon the Commission adjourned

12

13

14

15