



COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

LOCATION/ENDROIT: JOE A. ROSS SCHOOL
THE PAS, MANITOBA

DATE: TUESDAY, MAY 19, 1992

VOLUME: 1

"for the record..."
STENOTRAN
1376 Kilborn Ave.
Ottawa 521-0703



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Aboriginal Peoples

1 The Pas, Manitoba

2 --- Upon commencing at 9:10 a.m., Tuesday, May 19,
3 1992.

4

5

(Drum Group)

6

(Prayer)

7

CO-CHAIR ALLAN BLAKENEY: Thank
8 you very much and thank you particularly to the
9 Drum Group and to Frank Constant for assisting us
10 in launching these hearings of the Royal
11 Commission on Aboriginal People in The Pas.

12 My name is Allan Blakeney and with
13 me is Paul Chartrand. We are two of the members
14 of the Royal Commission on Aboriginal People.

15 Royal Commissions, as you know,
16 are groups of people who go about the country
17 holding hearings and receiving briefs. After
18 awhile they make a report, usually containing
19 recommendations to the government, in this case
20 the federal government. It is perhaps news for a
21 day or two, sometimes it gets acted upon and
22 sometimes it doesn't.

23

24

25

It is the nature of Royal
Commissions that we cannot guarantee results. It
is also in the nature of Royal Commissions that

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1 they have had a major impact on what has happened
2 in Canada at different times in our history.

3 I think of the Tom Berger Royal
4 Commission. He made a whole lot of
5 recommendations. I don't think I remember those
6 recommendations. I remember the key ones, such as
7 not to build a pipeline down the MacKenzie Valley.
8 I know that was acted upon. I know he made some
9 others.

10 I don't know whether they were
11 acted upon, but I do know that the Tom Berger
12 Commission changed the way that Canadians thought
13 about aboriginal people in the north. It is to
14 change people's thinking that is sometimes the
15 biggest contribution which a Royal Commission can
16 make. It is certainly one which we hope that this
17 Royal Commission on Aboriginal Peoples will make.

18 We hope to generate public
19 discussion. We are already, I think, succeeding
20 in doing that. We hope thereby, over time, to
21 change the way that people think. We want to
22 change the way that Canadians think about
23 aboriginal issues.

24 This Royal Commission is different
25 from other Royal Commissions in Canadian history.

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1 This is the first major Royal Commission that has
2 a majority of people of aboriginal origin and that
3 is important. Some aboriginal people tell us that
4 they have been studied quite a bit by non-
5 aboriginal experts and they are not quite sure
6 they want to be studied any more. We tell them
7 that this one may be a bit different. The
8 majority of these people are aboriginal people who
9 have a deep understanding of aboriginal problems.

10 There are seven members, two co-
11 chairs, George Erasmus -- George just finished
12 being the National Chief of the Assembly of First
13 Nations. As you perhaps will know he is from the
14 Northwest Territories. He is an Indian, a Dene.

15 The other co-chair is Rene
16 Dussault. He is from Quebec. He is a judge in
17 the Quebec Court of Appeal, the highest court in
18 Quebec.

19 There are five other members. One
20 of them is Viola Robinson. Viola is from Nova
21 Scotia. She is a Micmac Indian. She just retired
22 as President of the Native Council of Canada.

23 Another one is Bertha Wilson.
24 Bertha is from Ontario, although she was born in
25 Scotland and has lived in other places. She is

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1 married to a United Church Minister and she was
2 the first woman to serve as a judge of the Supreme
3 Court of Canada, our highest court. Through her
4 judgments she proved herself to be very
5 sympathetic to aboriginal concerns.

6 Another one is my colleague, Paul
7 Chartrand. He is a Métis, born in Manitoba and he
8 lives in Winnipeg. He is a professor at the
9 University of Manitoba, formally Head of the
10 Department of Native Studies at the University of
11 Manitoba. He is a graduate of an Australian
12 University with a Masters Degree from the
13 University of Saskatchewan.

14 Another is May Sillett. May is an
15 Inuit from Northern Labrador. She is, by our
16 standards, a younger woman, probably in her 30s
17 and she has young children. She was President of
18 the Inuit Women's Association of Canada,
19 Pauktitut. She is the immediate Past Vice-
20 President of the Inuit Tapirisat of Canada. That
21 is, as you know, the main Inuit organization.

22 I am the seventh member. As you
23 may know I was born in Nova Scotia but have spent
24 most of my life, more than 40 years, in
25 Saskatchewan. I was in the legislature for 28

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1 years and Premier for 11. During that time I had
2 many dealings with aboriginal organizations.

3 So that is your Commission.

4 We have very very wide terms of
5 reference. Chief Justice Brian Dickson, the
6 former Chief Justice of Canada, drew up these
7 terms of reference. He has put everything in
8 there on the grounds that we couldn't possibly do
9 it all, but we shouldn't be stopped from doing
10 anything we think ought to be done. Nobody can
11 say we are going beyond our mandate because it
12 would be pretty hard to think of anything that
13 isn't in our mandate.

14 So we are to look at the history
15 of relations between aboriginal and non-aboriginal
16 people. We are to look at aboriginal self-
17 government, what it means and how it might work.
18 We are to look at the legal status of treaties and
19 their meaning. We are to look at the Constitution
20 of Canada.

21 Some of you who may have been
22 following all of these constitutional
23 discussions -- and I will certainly forgive you if
24 you haven't been -- have heard some discussion
25 about something called section 91(24). This is

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1 the section which says that the federal government
2 has responsibilities for Indians and lands
3 reserved for Indians.

4 This is written in the language of
5 1867 and we don't quite know whether that word
6 "Indians" includes Inuit, we now know that it
7 does. We don't know whether it includes Métis.
8 We think if we can get a handle on some of those
9 issues we would be able to better put forward some
10 proposals, particularly with respect to the Métis
11 people.

12 We are to look at the special
13 problems of aboriginal people who live in the
14 north. We are to look at the Indian Act, how it
15 has worked and how it hasn't worked.

16 In more general terms we are to
17 look at some social issues, things that might
18 improve life for aboriginal people on reserves,
19 off reserves, in cities, wherever they live.

20 Economic issues: What is the
21 economic base for aboriginal people?

22 Cultural issues: How to support
23 and encourage aboriginal languages, family
24 structures, spirituality?

25 Educational issues, particularly

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1 ways in which to help aboriginal young people
2 complete secondary and university education. And
3 matters about who controls a school like this.
4 Who elects the school board? Who decides what
5 happens in a school like this?

6 Justice systems, particularly ways
7 in which the whole criminal justice system does or
8 does not work for aboriginal people.

9 Finally, we are to look at the
10 special roles in aboriginal communities of Elders,
11 aboriginal women and aboriginal youth.

12 So that is a tall order.

13 There are, over on the table,
14 little pamphlets which contain this list, if
15 anyone wants to take one for later reference.

16 We have decided that we will start
17 by looking at issues of aboriginal self-
18 government. If we can get some idea of how self-
19 government might work that might shed a bit of
20 light on how schools might operate or how the
21 criminal justice system might operate if we had
22 aboriginal self-government.

23 As I say, a huge job.

24 How are we going about it?

25 The first thing we have to do is

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1 staff up and we have done that. We have hired
2 staff for the Commission. Most of our staff are
3 people of aboriginal origin. We are doing this
4 not primarily to provide employment for aboriginal
5 people, although that is a perfectly laudable
6 objective, but also because if we look at the
7 world in which aboriginal and non-aboriginal
8 people live it is interpreted for us by the radio
9 and the TV and the newspapers through non-
10 aboriginal eyes.

11 We all live in this world which is
12 where we get our ideas from the media and from
13 government reports and these are all really
14 through non-aboriginal eyes. We felt the
15 Commission had to have some aboriginal eyes to
16 interpret this world for us. So we have a very
17 large number of aboriginal people.

18 Our essential job is to study the
19 relationship between aboriginal and non-aboriginal
20 people. We started by doing a quick tour of the
21 provincial capitals and the leaders of national
22 aboriginal organizations, people like the Métis
23 National Council, the Assembly of First Nations
24 and the like.

25 Now we have entered into our first

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1 round of public hearings. We expect to have about
2 three rounds. This is our first round. We hope
3 in the three rounds to visit perhaps 100
4 communities.

5 We started out in Winnipeg, as
6 almost the heartland of aboriginal Canada, Turtle
7 Island. We spent a full week there. Now we are
8 splitting up and we are having these hearings.
9 Some of our other colleagues are in Nova Scotia
10 today, I believe, eastern Canada at least.

11 We are particularly wanting to
12 know what you people think the problems are and
13 what you think should be done about them and by
14 who. Yes, we are interested in the problems but
15 we are also very interested in your ideas of what
16 the solutions are. It is sometimes a little
17 easier to say what the problems are than what the
18 solutions are. We all understand that in our own
19 lives and we, as a Commission, very much need help
20 in devising solutions.

21 So we are here to listen and to
22 urge you to offer us our solutions, your
23 solutions.

24 I am going to ask my colleague,
25 Paul Chartrand, to add some words of welcome and

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1 then we are going to hear from the people who we
2 came here to listen to, the Chief of The Pas
3 Indian Band, the representatives from The Pas
4 Region of the Manitoba Métis Federation and the
5 Mayor of The Pas, who I see and I have had a chat
6 with, and Chief Andrew Kirkness of the Indian
7 Council of First Nations, and a good number of
8 other people.

9 Paul, would you like to add some
10 words of welcome.

11 COMMISSIONER PAUL CHARTRAND:

12 Thank you.

13 Good morning.

14 I would like to begin by offering
15 my own thanks to the Drum Group and to Ernie
16 Constant for assisting us in the opening and
17 making us welcome here.

18 The Pas is quite a historic place.
19 Personally I am very pleased to have the
20 opportunity to visit The Pas again. I recollect
21 the last time I was here I was playing old timers
22 hockey. If my fading memory serves me right we
23 played a team from The Pas in the finals. My
24 memory doesn't tell me anything about who won the
25 game, but I believe that Bernie Wood, who is in

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1 the audience here, would know about that.

2 My own family has a very long and
3 continuing association with The Pas. I am told
4 that my family lived here for some time in the
5 1930s, at a time when my father carried on the
6 honourable profession of fur trapper.

7 I have fond memories, going back
8 many many years, to following events going on in
9 The Pas, including the very widely known The Pas
10 Trappers Festival and the crowning of the King
11 Trapper.

12 One of the practices that we have
13 been adopting is that of inviting local Elders to
14 assist us in conducting the hearings in the
15 communities. I believe that today we will be
16 honoured by having, as Commissioners for the day,
17 two honoured persons from the area who will be
18 joining us later this morning, George Lathlin from
19 The Pas First Nations and Clarence McGinnis.

20 As Commissioner Blakeney has
21 already indicated, the object of this Commission
22 is to hear from people about solutions, what we
23 should recommend to the federal government about
24 the adoption of practices and policies. In order
25 to that as well as we can one of the institutions

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1 that we have set up is an intervenor funding
2 program to assist national organizations,
3 provincial organizations, regional and territorial
4 organizations, aboriginal and non-aboriginal, to
5 prepare their briefs for submissions to the
6 Commission in the various phases of the public
7 hearings that Commissioner Blakeney has informed
8 us we shall be having over the next months.

9 In order to do that we have
10 established what is called an Intervenor
11 Participation Program, providing funds for the
12 preparation of such submissions. I will not take
13 the time to outline the details of this program,
14 but I do want to mention that the detailed
15 information is available, along with the
16 application forms. This is what they look like
17 and they are available at the back of the room
18 near the entrance.

19 We are indeed anxious to hear from
20 you and on that note, without any further ado, I
21 am happy to turn it over to the Chair.

22 **CO-CHAIR ALLAN BLAKENEY:** Thank
23 you, Paul.

24 Perhaps I should have mentioned
25 that the Royal Commission expects to be going on

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1 for at least another year and a half to two years.
2 So this is not your last kick at the can. If you
3 want to prepare a brief and send it along we can
4 receive it six months from now or nine months from
5 now and it will still be in time to have a major
6 effect on what our recommendations might be.

7 We are now going to be welcomed
8 with opening remarks from The Pas Indian Band, The
9 Pas Region of the Manitoba Métis Federation, the
10 Town of The Pas and the Indian Council of First
11 Nations.

12 I would like first to invite Chief
13 Flett of The Pas Indian Band to address a few
14 words to us. Chief, if you would like to take a
15 spot up there by the mikes.

16 **CHIEF FLETT:** Good morning.

17 First of all, I would like to
18 welcome the Commission here.

19 I am not going to be very long,
20 but I want to say a couple of things. So on
21 behalf of the members of The Pas Indian Band, the
22 Chief and Council, I extend a hearty welcome to
23 the Commissioners.

24 We are confident that you will be
25 treated fairly and respectfully while you are in

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1 our community. We have always treated our
2 visitors fairly and respectfully, this is one of
3 our ways.

4 I am confident that the
5 Commissioners will do a good job in performing
6 their most important task that the government has
7 mandated. But I also want to state, and hope,
8 that the government will take very serious
9 consideration of the recommendations made here
10 today and across this great country of ours.

11 We are once again given an
12 opportunity to bring forward our issues with the
13 hope that change will be made to improve the
14 situation of First Nations.

15 I thank the Commissioners for
16 choosing our community to be one of the host
17 communities.

18 So once again, thank you very
19 much.

20 CO-CHAIR ALLAN BLAKENEY: Thank
21 you very much, Chief Flett.

22 I would now like to invite Ms
23 Diane DeLaronde of the Manitoba Métis Federation
24 of The Pas Region to address us.

25 Please feel free to use the stand-

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1 up mikes or the sit-down mikes, whichever you feel
2 most comfortable with.

3 **MS DIANE DeLARONDE:** Good morning.

4 On behalf of The Pas Region of the
5 Manitoba Métis Federation I would like to extend a
6 warm welcome to the Commissioners, presenters and
7 observers.

8 Presentations will be heard over
9 the next couple of days from The Pas and area.
10 The Pas Region looks forward to the
11 recommendations the Commissioners will present to
12 the government. We are certainly pleased that the
13 Royal Commission has seen fit to come to The Pas
14 to hear the thoughts of our people on such
15 important issues.

16 The Pas Region of the Manitoba
17 Métis Federation has and will continue to lobby
18 for the Métis people and hope that the Commission
19 will do likewise for the advancement and
20 involvement of aboriginal people within Canada.

21 Thank you.

22 **CO-CHAIR ALLAN BLAKENEY:** Thank
23 you, Ms DeLaronde.

24 I would now like to invite the
25 Mayor of The Pas, His Worship Mayor Bruce Unfried

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1 to address a word of welcome.

2 **MAYOR BRUCE UNFRIED:** Thank you
3 very much.

4 Good morning, ladies and
5 gentlemen, and a special welcome to the
6 Commissioners and to staff assigned to the Royal
7 Commission on Aboriginal Peoples.

8 I would like to bring greetings
9 from our Council and our administration and the
10 citizens of the town of The Pas. I obviously want
11 to say a couple of things pertaining to your
12 hearings here over the next couple of days.

13 Last week when we were advised
14 that Commissioners Blakeney and Chartrand would be
15 available in The Pas I thought it was an excellent
16 opportunity for this community, and I speak of The
17 Pas Indian Band as well as the town of The Pas, to
18 have an opportunity to make presentations, and
19 more importantly to two Commissioners who have a
20 very, very solid understanding of many of the
21 issues in this community, as well as in the
22 Province of Manitoba.

23 So I am very pleased to welcome
24 both of you here today. I am quite certain that
25 the presentations that will be made over the next

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1 couple of days will be most beneficial. We hope
2 they will play a part as you develop interim
3 reports prior to the culmination of your final
4 report.

5 I will be speaking in my
6 presentation later on on some of the points we
7 would like to see included in that report. We are
8 hopeful there will be action taken to implement
9 the recommendations as they are put forward.

10 So welcome to The Pas and have a
11 good couple of days.

12 Thank you.

13 **CO-CHAIR ALLAN BLAKENEY:** Thank
14 you very much, Your Worship.

15 I now invite Chief Andrew Kirkness
16 of the Indian Council of First Nations.

17 **CHIEF ANDREW KIRKNESS:** Good
18 morning.

19 (Cree - no translation).

20 I would like to welcome the two
21 Commissioners that have come to The Pas, and maybe
22 to say to brave the north, Commissioner Blakeney
23 and Commissioner Chartrand.

24 We are about to start our
25 deliberations to discuss some of the problems that

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1 the native people of Manitoba are having. I know
2 that we have had many hearings in this area, task
3 forces that have in the past, that I have
4 experienced, gone through. The people worked hard
5 to make presentations and most of them -- I don't
6 know where they ended up. There were
7 recommendations made. I could probably name off a
8 few, but I don't have the list that I need to do
9 this.

10 But I do know that the Royal
11 Commission, I believe, will do its work and when
12 the recommendations are made by the people I am
13 sure that they will push them forward and that
14 they will do their best to see that some of these
15 problems are resolved in a humane and just manner.

16 Thank you.

17 **CO-CHAIR ALLAN BLAKENEY:** Thank
18 you, Chief.

19 I would like to say that we are
20 welcoming presentations in the English language or
21 Cree and that we have translation from English to
22 Cree and Cree to English. There are some little
23 sets back there which you can use to translate if
24 you are not familiar with -- they look like this
25 -- if you are not familiar with the Cree language,

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1 as I am not. Paul Chartrand has the advantage
2 of -- no, he says he's not too bad in English and
3 French, but he is not as strong in Cree as he
4 would like to be.

5 So I just want to say to feel free
6 to use either of those languages.

7 We are now moving to having more
8 lengthy presentations on behalf of individual
9 groups. The first one on our list is the Town of
10 The Pas, Mayor Bruce Unfried. I would invite him
11 to take a seat here.

12 Are you hearing all right or not?
13 I'm not quite sure how the sound system is
14 working.

15 I gather we should keep the mikes
16 fairly close to us.

17

18 **MAYOR BRUCE UNFRIED:** Good
19 morning, once again, and welcome to The Pas.

20 Prior to presenting some of the
21 comments and suggestions I would like to say a few
22 words about the Commission and the terms of
23 reference.

24 When the Royal Commission was
25 announced on August 27, 1991 I have to state that

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1 I was sceptical and somewhat dubious of the need
2 for another commission. However, upon further
3 reflection it is very important for me to state
4 that I firmly believe that this Royal Commission
5 can make a difference.

6 I would like to echo the comments
7 made by the Right Honourable Brian Dickson in the
8 Report of the Special Representative Respecting
9 the Royal Commission on Aboriginal Peoples wherein
10 he states:

11 "...the proposed Royal
12 Commission has the potential
13 to be an important instrument
14 of education and
15 reconciliation".

16 In reviewing the terms of
17 reference, it is noted that the Commission should
18 propose specific solutions rooted in domestic and
19 international experience to the problems which
20 have plagued those relationships and which
21 confront aboriginal peoples today. I will
22 endeavour to make some specific comments to
23 solutions to these deeply-rooted problems and
24 issues and I would like to focus on some of the
25 following points, and I am speaking as a non-

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1 aboriginal person to the Commission on Aboriginal
2 Peoples.

3 This Commission carries the hopes
4 of many people, both aboriginal and non-
5 aboriginal. As we continue into the decade of the
6 1990s, we see the politics of conflict and
7 confrontation emerging, taking the place of
8 cooperation and consultation. Much of the
9 conflict appears to rest on the anxiety and
10 apprehension of many non-aboriginal people and, I
11 believe, major steps can be made if this
12 Commission is serious about the need, as Justice
13 Dickson indicates, for education and
14 reconciliation.

15 I believe that the non-aboriginal
16 people in this community, in this province, and in
17 this country are amenable to change and want to
18 see many of the injustices of history corrected.
19 I believe that non-aboriginal people can and will
20 develop an understanding of these injustices which
21 have been inflicted upon aboriginal people.

22 This is why I am here today, not
23 to provide a host of theories on self-government,
24 not to account for the serious social conditions
25 which many aboriginal individuals and families

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1 face on a daily basis, both on their home reserves
2 and in urban areas. Rather, I am here today to
3 encourage and support your initiative. More
4 importantly, I hope that your Commission will
5 provide a learning forum for many non-aboriginal
6 people.

7 As I indicated, I am convinced
8 that many structural and institutional changes can
9 and will occur. When we have the opportunity to
10 hear the cries for change and independence then,
11 and only then, can the process of reconciliation
12 begin. There is a need for calm, for reason, and
13 for thought. There is a need for reflection.
14 There must be a time set aside to develop the
15 bridges which are required to be built by the
16 aboriginal and non-aboriginal communities.

17 It is easy to lay blame for the
18 existing grid lock which many groups of people
19 which make up our country face today. We can
20 point fingers at senior levels of government which
21 have been afraid or reluctant, or a combination of
22 both, to deal with land claims. We can point to a
23 justice system which has little relevance to many
24 people. And to some extent we can point to the
25 Indian Act which has created a deepening sense of

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1 frustration.

2 For me personally, this is not the
3 time to resurrect history. Today is for hope for
4 the future. Today is a time to focus on the need
5 to ensure that your Commission adheres to Justice
6 Dickson's reference to education and
7 reconciliation. Use this forum to educate the
8 non-aboriginal community on the hopes and
9 aspirations of aboriginal people.

10 To me, Canadians are a fair-minded
11 people. They want to correct injustices and they
12 want to become involved in a reconciliation
13 process. More closer to home, in this community,
14 we are well aware of many of the social injustices
15 that have occurred. This community was the focus
16 of a major inquiry. This community had to go
17 through a long period of time of self-examination.
18 But I think we have become a better community for
19 it. We have had an opportunity to look at some of
20 the issues and concerns of the aboriginal
21 community and how they impact on the Town of The
22 Pas. We have had an opportunity to look at the
23 issues as they relate to our young people. We
24 have had an opportunity to examine employment and
25 training.

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1 It has been a very, very difficult
2 period of self-examination, but I think we can use
3 that in one of two ways. We can use it to dig in
4 our heels. We can deny racism and discrimination.
5 Or we can look at it straight on and say we have
6 to be a part of the change that is occurring.

7 This community, the Town of The
8 Pas, and The Pas Indian Band were able to
9 establish a Race Relations Committee. Over the
10 past number of months we have had an opportunity
11 to examine some of the issues as they relate to
12 taxation, issues related to housing, issues
13 covering a broad spectrum of concerns. We
14 certainly haven't been able to come up with
15 solutions, but it appears to us, as laypeople, as
16 people who may be involved in local government,
17 that there is the political will at the local
18 level to make things change. To me that is part
19 of education and it is part of reconciliation.

20 I believe that it is most
21 appropriate that you are holding your hearings
22 here today in this educational facility. It is
23 symbolic in the sense that the hope of any
24 community is its young people. In this community,
25 the Town of The Pas, The Pas Reserve, we have a

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1 many natural resources, but we have a greater
2 amount of human resources.

3 Young people from the Town of The
4 Pas and young people from this Reserve have
5 similar hopes. They will require the opportunity
6 to make their dreams a reality. But more
7 importantly, as young people, they must develop
8 the understanding of each other. They must
9 develop an understanding of different cultures, of
10 respect, of trust, and only then will the
11 reconciliation become a reality.

12 There is a crisis in leadership in
13 this country. This is not to imply that many
14 people of various political persuasions are not
15 trying to make decisions that result in realizing
16 common goals. Rather, we appear to be governed by
17 polls, splinter groups, special interest groups
18 and the like. Decision-making becomes erratic,
19 haphazard and any meaningful changes appear not to
20 occur.

21 I do not share the view that we do
22 not have the politicians to deal with the
23 tremendously important issues we have today.
24 Rather, I have the utmost respect for the many men
25 and women who have become a part of the political

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1 process. They, much like us, need to be educated
2 in the goals and aspirations of all Canadians, of
3 our young people. Again, we can then lead into a
4 reconciliation process.

5 In terms of some specific
6 recommendations of education and reconciliation,
7 there is a need for interim reports to come
8 forward from your Commission. There is a need for
9 interim reports to be made available to the non-
10 aboriginal community so we can start the education
11 process. There is a need for recommendations
12 which will speak to the opportunity of Indian
13 bands being able to enter into partnership
14 agreements with other levels of government,
15 whether they be at the municipal and local level.
16 There is the opportunity to enter into such
17 agreements with provincial governments.

18 In this area, in a radius of one
19 mile, we have 28 elected officials, which includes
20 the Town of The Pas, the local government,
21 District of Consol, and elected officials from The
22 Pas Indian Band.

23 As we enter the decade of the
24 '90s, as the need for self-government becomes more
25 real and attainable, there is going to have to be

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1 recognition placed in your report that will speak
2 to the unique geographic catchment areas that we
3 have in this community. We are separated by a
4 bridge, some people may say by a thousand miles,
5 but we are separated by a bridge. People go back
6 and forth. We need to ensure that that continues.

7 I think in the past, and I have to
8 perhaps contradict myself when I say that I'm not
9 here to resurrect history. But I think as I look
10 back on my tenure as an elected official in the
11 Town of The Pas, I look back at the simple
12 solutions to complex problems that we lost. I
13 think the opportunities were available for both
14 communities, but for a variety of reasons we were
15 never ever able to pull them off.

16 I note that on the tape that was
17 provided to myself, Commissioner Blakeney is
18 quoted as saying that if people had the facts or
19 if people had the information, I am assuming you
20 are reflecting on the non-aboriginal community,
21 they would see the need for social justice. I
22 think that is a very, very poignant statement and
23 one that I totally agree with, that generally
24 people want to resolve conflict and they want to
25 resolve specific issues.

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1 So in terms of your Commission I
2 would hope that consideration would be given as
3 the discussions in Canada go on about a new
4 Constitution, of the role of aboriginal peoples in
5 the development of that Constitution, that over
6 the next six months, twelve months, eighteen
7 months and two years that we have an opportunity
8 to review some of the information that is being
9 put forward at these hearings.

10 Second, that you strongly consider
11 some of the unique catchment areas where
12 communities like The Pas are basically side by
13 side with an aboriginal community and how and
14 which way the two communities can look at common
15 goals and common hopes and aspirations.

16 In summary, I would like to make
17 reference to the -- in the aftermath of the riots
18 that occurred in Los Angeles many people,
19 including the President of the United States and
20 Senators and Congressmen, were very quick to be
21 able to pinpoint blame, but no one really came
22 forward and offered any type of solutions.

23 The most poignant statement of all
24 came from the victim of the assault, Rodney King,
25 which triggered the anger and frustration in

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1 California. I think it is interesting when he
2 said, "...we've got to work together ... we have
3 to work it out." This statement is as true in The
4 Pas, it is as true in northern Manitoba, it is as
5 true in Canada as it is in the United States.

6 Thank you.

7 **CO-CHAIR ALLAN BLAKENEY:** Thank
8 you very much, Mayor Unfried, for a thoughtful and
9 sensitive presentation. Your town, in some sense,
10 has been through the cauldron and yet you bring us
11 a message of hope, not defensive, if I may put it
12 that way, but rather saying, "We are open. We
13 hope other people are open to learning about each
14 other. In this way we will follow the road to
15 reconciliation."

16 I noted particularly two or three
17 of your points, the one suggesting that the
18 Commission would be well advised to put out
19 interim reports or think pieces or something to
20 get discussion going along the way.

21 Second, that we should direct our
22 attention to the unique problems of catchment
23 areas like The Pas where aboriginal and non-
24 aboriginal communities live in juxtaposition to
25 one another. A very useful presentation.

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1 I will ask Commissioner Chartrand
2 to make a comment or two and then perhaps we will
3 have a question or two to direct to you.

4 COMMISSIONER PAUL CHARTRAND: I
5 have no further comment at this time. I agree
6 with the ones you made.

7 I thank you very much for your
8 excellent presentation.

9 CO-CHAIR ALLAN BLAKENEY: I noted
10 you spoke of your Race Relations Committee and you
11 felt that there was now a political will, at the
12 local level at least, to engage in a dialogue that
13 moves this community, and hopefully by analogy the
14 province and the country, on the road to
15 reconciliation.

16 Can you give us any particular
17 clues as to what techniques you have used to get
18 people talking to each other who were not talking
19 to each other short years ago?

20 MAYOR BRUCE UNFRIED: I think what
21 we have been very fortunate in having is we have
22 had a good representation from both communities of
23 people who are comfortable dealing with tough
24 issues instead of stick handling and skirting
25 around them.

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1 I think what we have found out,
2 Commissioner Blakeney, is that a lot of the
3 information and a lot of the responses from people
4 in the Town of The Pas are often based on policies
5 that make no sense to them. I speak of issues
6 related to taxation. Many people are confused,
7 many business people in The Pas are confused about
8 their responsibility in terms of collecting the
9 GST. It may seem like a small issue, but I think
10 once the information is put forward people
11 understand that there are some basic inequities.

12 The issue that now the federal
13 government and the provinces are scrambling over,
14 social assistance to treaty Indian people living
15 off reserve, up until the end of March the federal
16 government assumed that responsibility. A
17 unilateral decision was made. They decided it
18 became the province's responsibility, the province
19 said, "No, it's not our responsibility", and again
20 the issue becomes one -- I think there is a danger
21 for the issue to become an issue with racial
22 overtones because people don't understand the
23 predicament that people in need in this community
24 have.

25 So I think it has been part of the

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1 education that I have been talking about, and
2 referring to Justice Dickson's comment, and I
3 think only then, when we get these issues on the
4 table, can we talk and realistically make
5 suggestions to it.

6 But I think the major breakthrough
7 that we had was when the Race Relations Committee
8 was asked by the CBC to preview the documentary,
9 "Conspiracy of Silence" prior to its showing
10 across Canada. I think at that time, on a very,
11 very cold November day, we had a group of people
12 who were able to spend four hours viewing a very,
13 very horrendous tragedy. But more importantly, to
14 look at what we could learn from it and to ensure
15 that it never ever happens again.

16 I think as a non-aboriginal person
17 I can speak for myself, it gave us the opportunity
18 to look at what has happened that led to that
19 incident occurring. I think it led to a period of
20 self-examination.

21 So those would be a couple of
22 examples, Commissioner Blakeney, that come to
23 mind. I think more importantly now I made
24 reference to our young people, where we have
25 separate schools, where we have aboriginal

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1 students going to school on The Pas Reserve and we
2 have non-aboriginal students going to school in
3 the Town of The Pas.

4 My major hope is that as a
5 community and communities we can learn and we can
6 put in place some mechanism to ensure that the
7 young people of both communities have the levels
8 of interaction that they had prior to the separate
9 school system. We have to work at that. It is
10 going to require a great deal of work from all
11 segments of the community, from educators to
12 parents to teachers. I know certainly with two
13 students in high school in the Town of The Pas it
14 is an issue that concerns them because they
15 certainly tell me that.

16 CO-CHAIR ALLAN BLAKENEY: You
17 raise some pretty important issues there,
18 certainly with respect to the social services for
19 status Indians off reserves. Both Indian people
20 and the communities in which they live have
21 suffered a great deal of stress because senior
22 governments haven't got their act together.

23 This is not the fault of the local
24 governments; it is not the fault of the
25 communities where these people live; and it is not

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1 the fault of the people who may be entitled to
2 social services. This is purely a problem of the
3 inability of senior governments to get their act
4 together and this is really quite -- when one
5 thinks of it this may be an area where some sort
6 of an interim comment by the Commission would be
7 in order because it is quite indefensible, the
8 fact that the senior governments don't have their
9 act together.

10 The other point that you made is
11 an interesting one with respect to the operation
12 of separate educational institutions. There is
13 certainly a case for integrated educational
14 institutions and certainly a case for separated
15 educational institutions.

16 What you are suggesting is that
17 some of the benefits which come from integration
18 might be enjoyed by some other mechanisms and
19 still enjoy the benefits which come from separate
20 school systems, which are almost necessarily
21 better culturally oriented for the aboriginal
22 people and the like.

23 That is an interesting problem and
24 one which I am happy to hear that The Pas is
25 addressing. That is the first time we have had

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1 the problem signalled before. No one has been
2 saying "Let's see if we cannot live in separate
3 worlds because when we get out of school we are
4 not going to live in separate worlds. Let's start
5 the meshing a bit." That is a very cogent point.

6 COMMISSIONER PAUL CHARTRAND: Mr.
7 Mayor, I would like to ask you, if I may, about a
8 term. My concern is not with the term, but rather
9 with the ideas or the perception that lies behind
10 the term.

11 You referred to your Race
12 Relations Committee. Let me try to explain my
13 question.

14 Is the term "race" in this context
15 the one that most appropriately captures the idea
16 of the perception, from your side of things, of
17 the other group, if I may use those words? If one
18 looks around the world at different human groups,
19 human societies, who for various reasons get
20 together to discuss differences -- we might pick,
21 by way of example, the Walloons and the Flemings
22 in the country of Belgium, we might look at the
23 English and the Irish, we might look, in another
24 context, at Americans and Mexicans.

25 On the other hand we might look at

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1 perhaps different situations, the African-
2 Americans or black people in the United States.
3 The word "race" is used in some context that is
4 considered inappropriate in others.

5 Without carrying this on too long,
6 I wonder if you might have some thoughts about the
7 perspective or the notions that lie behind the use
8 of that word, as opposed to any other words that
9 you may think are properly descriptive of the
10 identity of the other group?

11 MAYOR BRUCE UNFRIED: I can't
12 think of another term offhand, Commissioner
13 Chartrand, which would speak to this community. I
14 think the ideal situation is to have an
15 organization which would reflect the cultural --
16 if that is the proper word -- mosaic of the
17 community. I guess it can take on various terms.

18 I think when we are talking about
19 race relations you are correct, if I understand
20 your point, that there is the inherent danger that
21 it does somehow, in some way, reflect a negative
22 connotation. But I think the reality of it is
23 that for this community it is the best term that
24 can be used to reflect the work and the make-up of
25 a group of people.

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1 COMMISSIONER PAUL CHARTRAND:

2 Thank you for that.

3 Just by way of explaining my own
4 concern, which I appreciate I did not make at all
5 clear, my concern is not particularly with respect
6 to any negative connotation, no. Rather, it has
7 to do with ideas that I think Canada is struggling
8 with, in the context of a long heritage of
9 referring to aboriginal peoples with that
10 particular term.

11 I compare that to the recent
12 constitutional recognition of aboriginal peoples.
13 I compare that to the movements for recognition of
14 distinct societies in this country, in another
15 context. I am trying to get an appreciation of
16 how people in this country -- what ideas they
17 believe lie behind these terminological changes.
18 It seems to me that there are changing ideas about
19 this and I was anxious to explore them.

20 I do thank you for your response.

21 CO-CHAIR ALLAN BLAKENEY: Thank
22 you very much, Your Worship.

23 MAYOR BRUCE UNFRIED: Thank you.

24 CO-CHAIR ALLAN BLAKENEY: Before
25 we break for coffee, tea or whatever, I am going

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1 to ask Mr. Ron Nadeau of Native Communications
2 Inc. to make a presentation.

3 Mr. Nadeau, please.

4 MR. RON NADEAU: Good morning, Mr.
5 Blakeney and Mr. Chartrand. It is good to be in
6 The Pas this morning.

7 I am from Thompson, Manitoba. I
8 would like to thank you for the opportunity to be
9 here today to speak about aboriginal broadcasting.

10 I would like to give you a brief
11 rundown on the history of the organization that I
12 work for. Our group is called Native
13 Communications Inc. We refer to ourselves as NCI.

14 We have been involved in the field
15 of broadcasting in the aboriginal languages, by
16 means of radio and television broadcasting for
17 some twenty years now. We were incorporated about
18 September 30, 1971. We operate out of Thompson.

19 Basically the way we do our
20 broadcasting is we have about 25 people working at
21 NCI in Thompson. We provide production of TV
22 programming and radio programming in the native
23 languages. The predominant native language in
24 which we broadcast is the Cree language. As you
25 may be aware northern Manitoba is composed of a

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1 predominantly Cree-speaking population.

2 We receive funding from two levels
3 of government, from the federal government,
4 Secretary of State, as well as from the provincial
5 government, the Department of Culture, Heritage
6 and Recreation.

7 Our ability to broadcast the
8 programs, once we have produced them, is carried
9 out through a very simple method of distribution.
10 What we have been able to do, over the past six or
11 seven years now, is we have been able to negotiate
12 what are called "fair access agreements" with CBC.
13 What that means is that CBC allows us to use their
14 northern radio transmitters and northern TV
15 transmitters throughout northern Manitoba.

16 It is interesting the words
17 "northern Manitoba", in fact we broadcast from
18 every location, every native community, I think it
19 is 34 miles north of Manitoba. We broadcast from
20 that point as far as Churchill, Manitoba in the
21 north. That is simply because of the nature of
22 the transmitter locations which CBC has.

23 When we negotiated these fair
24 access agreements with CBC in 1984 we were given
25 the opportunity for the first time to use the

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1 major public broadcasting network in Canada to
2 broadcast our programs.

3 The only problem that we have had
4 in broadcasting our programming is it still boils
5 down to the question of access. For distributing
6 our programs we have to rely on the CBC to
7 broadcast our radio programs and our TV programs.

8 The problem with the access that
9 we receive is basically one of time slot. On
10 television we are given the hours from 7:00 a.m.
11 to 9:00 a.m. in the morning. We haven't been able
12 to get any other more relative time slot, for
13 example after the supper hour, early in the
14 evening, in the afternoon, that kind of thing.

15 The prime time for broadcasting
16 our TV programs -- we would like to see a more
17 relevant time slot for television in the area of
18 say 10 o'clock in the evening, 8 o'clock in the
19 evening, maybe Sunday afternoons, that kind of
20 thing.

21 Unfortunately, although we benefit
22 from the access that we do have in that a very
23 large audience of approximately 91,000 listeners
24 and viewers can hear our programming, the problem
25 is that not all of those people are going to be

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1 able to listen or watch our programming from 7:00
2 until 9:00 in the morning.

3 The other time slot that we have
4 access to on CBC Radio is the late night slot from
5 11:00 p.m. until midnight, weekdays, Monday to
6 Friday. Again, the problem with that kind of
7 access is that a lot of people are not going to be
8 listening to CBC FM Radio to catch our program in
9 the evening.

10 Again, if we could ask you today
11 to get us better access -- I guess that would be a
12 simple question and if you could deliver on that,
13 great. I guess it doesn't work that simply.

14 But it is my duty today, I would
15 think, to try to explain the access problem that
16 we are having. Like most aboriginal broadcasters
17 in Canada that is one of the major concerns that
18 all broadcasters have experienced over the past 20
19 years, one of access. When we are able to get
20 access on CBC it is either early in the morning or
21 late at night. There doesn't seem to be any happy
22 medium or a more relevant time slot.

23 We would love to be able to air
24 our programming at 8:30 Thursday evening or 10:30
25 Wednesday night, those kinds of time slots, but it

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1 seems that we just haven't been able to obtain
2 that.

3 The purpose of NCI's trying to
4 broadcast in the native languages is quite simple,
5 we are trying to communicate with the aboriginal
6 community. We hit approximately 60 communities in
7 Manitoba. As I indicated earlier about 91,000
8 potential viewers. That is a very large
9 population.

10 Our sister societies, other
11 broadcasting groups in Canada, there are a total
12 of 13. We all do the same kind of work and we all
13 experience the same kind of problems in obtaining
14 fairer access. It is interesting, it is a bit of
15 a misnomer to call these agreements with CBC and
16 NCI fair access agreements because there is
17 nothing fair about it. There is no fairness in
18 getting time slots with which you have a great
19 difficulty getting a complete full audience
20 penetration.

21 I would like to leave that message
22 with the Commission. We would like to be able to
23 have true fair access and access at points in the
24 day in which aboriginal people, aboriginal viewers
25 and listeners, like any other listeners, so we

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1 would be able to build a larger audience and
2 communicate to more people.

3 One other point I would like to
4 bring up is that another major problem facing
5 aboriginal broadcasters is the problem of ongoing
6 budgetary cutbacks in funding. I didn't bring
7 along my fiddle and I'm not going to start playing
8 violin music here, but I would like to try to
9 focus on the issue of cutbacks in funding.

10 We have been operating for 20
11 years at very, very low levels of funding from the
12 federal government and the provincial government.
13 As far as giving the viewers and the listeners the
14 kind of program that we would like to achieve and
15 like to deliver, it becomes increasingly difficult
16 in the -- it seems like it is a recessionary type
17 of an economy at all times.

18 I read in the paper and I hear on
19 The Journal that we are experiencing a global
20 recession at the present time. Unfortunately this
21 global recession has been the by-word for
22 aboriginal people and aboriginal broadcasters for
23 I don't know how many years. We always seems to
24 get the least and we are expected to deliver the
25 most. We are expected to try to spend less and

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1 try to tighten our belts so to speak. But I can
2 tell you that it is increasingly difficult to try
3 to broadcast to the large audience that we have in
4 our mandate.

5 As aboriginal broadcasters we see
6 ourselves as part of the Canadian broadcasting
7 system. By that I mean that the Canadian
8 broadcasting system is composed of the CBC, the
9 private broadcasters, plus the non-profit groups
10 such as ourselves. I think it is safe to say,
11 without fear of contradiction, that as members of
12 the public broadcasting system in Canada we are
13 the poorest of the poor. It all goes back to the
14 lack of resources and the continuous whittling
15 away of the financial commitments that governments
16 have made over the past number of years.

17 To give you one case in point, the
18 Northern Native Broadcast Access Program, which is
19 a federal government program, was announced in
20 March 1983. With that program \$40.3 million was
21 promised to aboriginal broadcasters over a period
22 of five years. That program has been renewed once
23 already, but what has happened to that \$40.3
24 million is that it seems like every year,
25 literally, there is a further cutback in the total

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1 amount of dollars.

2 The most recent major cutback was
3 in the 1990/91 fiscal year where we were cut back
4 16 per cent. Other groups were cut back up to 100
5 per cent in funding. To give you an example, we
6 used to have 21 native communication societies in
7 Canada, we now have 13. A lot of the aboriginal
8 newspapers have been cut back under the Native
9 Communications Program.

10 I would even hazard to suggest
11 that -- or maybe I would ask the question: Is
12 this a way of silencing native tongues? I ask
13 that in a very sincere way. Is this a way of
14 silencing native tongues in Canada?

15 We hear over the years that we
16 want to preserve the Canadian culture and I guess
17 that is what we are trying to do here too in our
18 work. We are trying to preserve the native
19 languages, the aboriginal languages. We are
20 trying to preserve the culture and the
21 significance of our history.

22 We just find it increasingly
23 difficult to meet our mandate given the fiscal
24 restraints. I don't mean to harp on this too
25 much, but the consistent response we have been

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1 getting from government is, "We are in a
2 recession".

3 I would just go back and emphasize
4 that the fact of the matter is that aboriginal
5 people, aboriginal broadcasters as a whole, have
6 been living in a recession for 100 years plus.
7 Isn't there an old saying that the furthest behind
8 is the one you help the most. We consider
9 ourselves very far behind when you look at other
10 broadcasters in Canada.

11 I typed up this paper last night,
12 after a lot of careful thought, and I came across
13 about three pages of really good quotations. I
14 would like to read one of them to you:

15 "Entrenching native-language
16 services in the Broadcasting
17 Act would be consistent with
18 aboriginal rights principles
19 and with a pluralistic
20 philosophy that encourages
21 the expression of aboriginal
22 identity.

23 Justice would be done if the
24 very factor that accelerated
25 the assimilation of

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1 aboriginal peoples in the
2 past were henceforth to
3 foster their development. We
4 therefore recommend including
5 in the Act the right of
6 aboriginal peoples to
7 broadcasting services in the
8 representative native
9 languages".

10 That was a quotation taken from
11 the Report of the Task Force on Broadcasting
12 Policy in 1986. The actual Native Broadcasting
13 Policy was announced by the Minister of
14 Communications on September 22, 1990.

15 What they were talking about when
16 I refer to this quotation was the recommendation
17 to entrench the aboriginal languages, or the
18 ability to broadcast in the aboriginal languages
19 in the Broadcasting Act. That has never been
20 achieved. I would recommend to the Commission
21 that this recommendation be looked at again.

22 I would also indicate that we can
23 read pages and pages of beautiful quotations and
24 comments about native broadcasting, aboriginal
25 communications in Canada, and how we are doing

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1 great work, and the government is getting the
2 biggest bang for their buck because we manage our
3 resources well and we do a lot of programming for
4 a lot of people.

5 I can read you all of those nice
6 quotations, but the problem with all those
7 quotations is they are all taken from various
8 reports of Royal Commissions. With great respect,
9 I would ask early on in the hearings that you do
10 whatever is possible to ensure that these
11 recommendations that you will be making don't
12 become more dust collectors, or more little
13 quotations for people like me to come here and
14 quote.

15 I guess that is about it for my
16 submission. I would welcome any questions.

17 **CO-CHAIR ALLAN BLAKENEY:** Thank
18 you very much, Mr. Nadeau.

19 I wonder if I might ask a couple
20 of questions just to clear my mind.

21 With respect to your organization
22 and the programs you prepare, both for television
23 and for radio, are any of them in the English
24 language or are they all in native languages?

25 **MR. RON NADEAU:** Our policy at the

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1 present time is that we try to broadcast 65 per
2 cent in the native language and 35 per cent in
3 English. The reason for that is that a large
4 portion of our audience are only English speakers;
5 they did not retain their native language.

6 CO-CHAIR ALLAN BLAKENEY: So that
7 35 per cent of your programs are, in fact, in
8 English?

9 MR. RON NADEAU: Yes.

10 CO-CHAIR ALLAN BLAKENEY: Do you
11 know whether the CBC runs a service aimed at
12 aboriginal people, other than through your
13 organization? I am thinking of the CBC in
14 Saskatchewan. They have a reporter up in La Ronge
15 and in the morning shows they have a little
16 segment on news from La Ronge and news from across
17 northern Saskatchewan. They have a string of low-
18 powered FM stations across the north in
19 Saskatchewan, so I suppose they have them in
20 Manitoba as well. Are they somehow in competition
21 with you in that regard?

22 MR. RON NADEAU: Not at all, Mr.
23 Blakeney. The way I understand it there is a
24 group in Saskatchewan, our counterpart would be
25 called Missinipi Broadcasting Corporation, and

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1 they do much the same work that we do. The only
2 difference is they only broadcast on radio,
3 whereas we do radio and TV.

4 As to whether or not CBC is in
5 competition with our groups, I would say
6 definitely no because of the fact that CBC has
7 fewer resources. I do know that CBC does employ
8 and makes a real effort in this province to hire
9 native people as journalists in radio and
10 television, or broadcasters in radio and TV.
11 However, all of the programming that those people
12 would do, say if they were dealing with on-air
13 talent, hosting programs, announcers, what not, as
14 I understand it they speak English only.

15 The only place that I am aware of
16 where there is some Cree spoken is in Thompson
17 with CBC North Country, which is a one hour show
18 aired twice a day -- actually it is two hours, one
19 from 8:00 until 9:00 in the morning and the other
20 hour is from noon until 1:00. They do have a Cree
21 speaking woman, Sylvia Greer, from Norway House,
22 one of our member communities. I would say out of
23 each hour you might hear Cree spoken for maybe
24 four minutes. So there really is no competition
25 with CBC and us.

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1 I can't speak for CBC. We have
2 enjoyed a very excellent relationship with CBC,
3 but as I understand it they support what we are
4 doing 100 per cent. I guess the understanding is
5 that we are in the better position to deliver that
6 kind of programming.

7 The interesting little dilemmas
8 that we experience, however, we tried to negotiate
9 with CBC to get more access on the radio in the
10 evening. We asked for an earlier time slot and
11 that wasn't possible because of network
12 commitments in the CBC programming day. Then we
13 said, "Give us an extra hour. Instead of quitting
14 at midnight let's go until 1:00". Their response
15 was, "We've got a problem with that because we've
16 got the symphony music happening right between
17 midnight and 1:00". They had some concerns about
18 upsetting their audience of symphony music
19 listeners.

20 We thought that was a lot of
21 rubbish. We thought it was a red herring. Where
22 are all the complaint letters? How many people in
23 northern Manitoba are staying up at midnight until
24 1:00 listening to symphony music. So we thought
25 it was a lot of -- it wasn't very fair, put it

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1 that way.

2 **CO-CHAIR ALLAN BLAKENEY:**

3 Particularly with respect to radio. With respect
4 to television, prime time, they sort of live by
5 selling the ads on television prime time. You've
6 got an uphill struggle there. But with respect to
7 radio, and particularly evening radio, I think the
8 ratings show that there is not a lot of heavy
9 listening of radio in the evening.

10 Do you have any sort of -- I don't
11 know what to say, I would say a Nielsen rating if
12 I were talking about -- any idea of how many
13 people listen to your shows, the Native
14 Communication Inc. shows?

15 **MR. RON NADEAU:** Sure. I can
16 address that this way, Mr. Blakeney. We are not
17 rated by the BBM, the Bureau of Broadcast
18 Measurement in Canada. The only way we have of
19 ascertaining if people are listening is we do what
20 are called audience assessments every two years.

21 The last audience assessment we
22 did we asked questions about who was watching or
23 who was listening to radio and TV. We determined
24 from doing that survey that the TV audience that
25 out of the people who were watching TV at that

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1 time slot, 91 per cent were watching our program.

2 On radio, the people that were
3 listening to radio at that time of the evening was
4 84 per cent were listening to our programming. So
5 that is quite high.

6 CO-CHAIR ALLAN BLAKENEY: It is
7 high indeed. And those of course are confined to
8 a selective group of communities, but by and large
9 the aboriginal communities across the north is
10 where you took your audience assessment.

11 MR. RON NADEAU: That's correct.

12 CO-CHAIR ALLAN BLAKENEY: No doubt
13 you are getting penetration then.

14 There is no question that the time
15 slots that you have are not prime time slots,
16 there is no doubt about that, either for
17 television or for --

18 MR. RON NADEAU: Can I just make
19 one further point.

20 We were preempted by the Winter
21 Olympics this past winter for two weeks. What
22 happened was instead of having our TV program on
23 from 7:00 until 9:00 in the morning we had it run
24 from I think it was 11:30 until 1:30 at night for
25 that two week period. What happened was we

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1 developed a terrific audience because the first
2 thing we did at 11:30 was air one of our videos
3 that we had produced. We got a terrific amount of
4 mail and a lot of phone calls.

5 We spoke to CBC and they tell us
6 that every time you get one letter from the
7 audience that that usually indicates a 1,000
8 person kind of response. I can tell you, we had
9 probably about 75 to 80 letters received just
10 saying how much they liked the program. So I just
11 thought I would mention that.

12 Wouldn't it be nice if we could
13 get that 11:30 time slot say three times a week,
14 Monday, Tuesday and Wednesday, 11:30 until 12:00
15 on television. It would be very good if we could
16 achieve that.

17 CO-CHAIR ALLAN BLAKENEY: What you
18 are addressing there is your access agreement with
19 the CBC, that the times provided, both by way of
20 radio and television, are simply not attractive.
21 I don't know what the technical problems are of
22 giving you a time at 11:00 at night which wouldn't
23 operate in Winnipeg and Brandon and that sort of
24 thing. I just don't know what the --

25 MR. RON NADEAU: Technically, as I

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1 understand it is that the line for the northern
2 television transmitters can basically be kicked in
3 or turned on when you want to air a specific
4 program. I do understand that there is a network
5 program that has to go to air, for example like
6 The National, The Journal, we understand that.
7 But it seems to us that there are other times, say
8 after The Journal or The National, where there is
9 a question of are they willing to let us have this
10 half hour? It's not something that is determined
11 by a technical reason or a network reason. It is
12 just a question of volition, I guess, and would
13 they agree to let us have it.

14 **CO-CHAIR ALLAN BLAKENEY:** You have
15 another crack at that, now that they are going to
16 move The National and The Journal to the 9:00 to
17 10:00 slot.

18 **MR. RON NADEAU:** That's right.

19 **CO-CHAIR ALLAN BLAKENEY:**
20 Otherwise budgetary cutbacks, and I understand
21 that issue.

22 The other one essentially is the
23 Report of the Task Force on Broadcasting, the
24 entrenching in their Broadcasting Act some rights
25 to broadcasting both radio and television in

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1 aboriginal languages. That has not been done and
2 you are urging us to support it.

3 MR. RON NADEAU: Yes.

4 COMMISSIONER PAUL CHARTRAND:

5 Thank you for your presentation, Mr. Nadeau.

6 Ron, it is good to see you.

7 MR. RON NADEAU: It is good to see
8 you too.

9 COMMISSIONER PAUL CHARTRAND: Just
10 one or two brief comments and questions.

11 I'm sorry we missed you on Sunday.
12 I imagine one of the programs you are trying to
13 get on Sunday afternoon is the final round of the
14 PGA events.

15 With respect to the broadcast area
16 you mentioned the north and south perimeters.
17 Just for the sake of interest, what are the east
18 and west boundaries that you capture with your
19 broadcasts?

20 MR. RON NADEAU: We hit both
21 provincial boundaries, Saskatchewan and Ontario.
22 As a matter of fact we reach four communities in
23 northeastern Saskatchewan.

24 CO-CHAIR ALLAN BLAKENEY: Pelican
25 Narrows being one. Every time I go to Pelican

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1 Narrows they say, "Why can't you get us
2 Saskatchewan television"? When I used to go
3 there, I'm not doing that now, but in another
4 movie I used to hear that sad story.

5 COMMISSIONER PAUL CHARTRAND: I
6 was interested in your reference to the fair
7 access agreements. I am interested in your words
8 for a number of reasons.

9 Let me check something. I suspect
10 the euphemism is not your creature, is it?

11 MR. RON NADEAU: No, it isn't.

12 COMMISSIONER PAUL CHARTRAND: All
13 right. I thought so.

14 There is something that is not
15 clear to me about the task force of 1986 that you
16 referred to. I wonder if you would assist me in
17 completing my notes on that.

18 What was the name of that task
19 force?

20 MR. RON NADEAU: It was called the
21 Task Force on Native Broadcasting Policies.

22 COMMISSIONER PAUL CHARTRAND: Do I
23 understand that that particular task force made
24 the recommendation to give a particular status of
25 some sort to aboriginal languages.

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1 MR. RON NADEAU: Correct.

2 COMMISSIONER PAUL CHARTRAND:

3 Would you clarify that point for me, please? What
4 was the substance of the recommendation?

5 MR. RON NADEAU: The substance of
6 the recommendation from that task force in 1986 on
7 native broadcasting policy was essentially to
8 entrench in the Broadcasting Act the right of
9 having the aboriginal languages entrenched -- the
10 ability to broadcast in the aboriginal languages
11 entrenched in the Broadcasting Act, much like we
12 have the ability to have statutes in both official
13 languages, French and English. It was the same
14 type of recommendation, that aboriginal languages
15 be entrenched in the Broadcasting Act or the
16 ability to broadcast in aboriginal languages, or
17 the right I should say.

18 COMMISSIONER PAUL CHARTRAND:

19 Thank you for that.

20 We are well aware of the
21 importance of information, and in particular the
22 importance of communication for aboriginal people
23 who are scattered across the country.

24 I simply want to end by thanking
25 you again for your presentation.

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1 MR. RON NADEAU: Thank you very
2 much.

3 CO-CHAIR ALLAN BLAKENEY: Thank
4 you, Mr. Nadeau, for an interesting presentation
5 and a right on point.

6 MR. RON NADEAU: Thank you.

7 CO-CHAIR ALLAN BLAKENEY: We will
8 break now for ten minutes or a bit more for
9 coffee. We would like everyone ready to resume at
10 11:00.

11 Thank you.

12

13 --- A Short Recess at 10:45 a.m.

14 --- Upon resuming at 11:10 a.m.

15

16 CO-CHAIR ALLAN BLAKENEY: We will
17 come to order and I will invite Chief Flett of The
18 Pas Indian Band to make a presentation.

19 Just before doing so, I will
20 introduce Mr. George Lathlin, who I am sure will
21 be known to many of you. He will be joining us as
22 a Commissioner for the day and for our period here
23 in The Pas. He will participate with us, make
24 comments, ask questions, and assist us in getting
25 the most out of the presentations being made by

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1 Chief Flett and Chief Kirkness and others.

2 The people who are handling the
3 sound system are saying we are having a bit of
4 trouble, so I would invite you to keep close to
5 the mike if you could.

6 CHIEF FLETT: Thank you very much.

7 Again I would like to thank you
8 for coming out and listening to the presentations
9 that are going to be made here today.

10 Maybe I will start and say tansi.
11 Again I would like to welcome everyone to these
12 proceedings and trust that this presentation, on
13 behalf of The Pas Indian Band Chief and Council,
14 will be considered by the Commission in preparing
15 their reports and recommendations.

16 The presentation which I am making
17 to you today will be supplemented by a
18 comprehensive package which will be mailed to you
19 in the near future. What we would like the
20 Commission and the governments to do is to be
21 receptive to the concepts and ideas that we will
22 bring forth both in this brief presentation and in
23 the package we will submit.

24 The topics which will be included
25 in our package, and on which I will touch briefly

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1 today include: self-government; aboriginal and
2 treaty rights; land, resources and the
3 environment; gaming; fiscal arrangements; health
4 and social services; economic development; on-
5 reserve policing and the justice system; housing
6 and community infrastructures.

7 We also have in this package,
8 which I will present later on, the education part.
9 But I want to leave that out because the Chairman
10 of the OEA Board will be doing that presentation
11 on behalf of the Band.

12 We are hopeful that the
13 governments will act swiftly, in conjunction with
14 First Nations, to implement the recommendations
15 put forth in your reports.

16 The terms of reference of the
17 Royal Commission on Aboriginal Peoples are broad,
18 and cover the past and present situations, as well
19 as provide an opportunity to look into the future.
20 We have stated repeatedly that in order to plan
21 for the future, you must first know where you are
22 now and the history of how you reached that point.

23 A large amount of research, from
24 many varying sources, already exists. Many
25 studies have been conducted and many reports

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1 produced. Some of this research and some of these
2 reports contain recommendations and solutions
3 which are supported by First Nations. Very few
4 have been seriously considered by the governments
5 and even fewer have been implemented.

6 The information which we will
7 provide to you will refer to a variety of specific
8 areas of immediate concern to our Band. These are
9 not all inclusive and we ask the Commission's
10 support in funding the Swampy Cree Tribal
11 Council's proposal for funding under the
12 Intervenor Participation Program.

13 Self-Government: First Nations
14 continue their pursuit for constitutional
15 recognition of their place as Canada's First
16 People and the distinctiveness of our own
17 societies as nations with their own languages,
18 culture and self-governing systems. Through the
19 constitutional process we are seeking justice; to
20 have our place in Canada reaffirmed in the highest
21 political document a country can have, its
22 Constitution.

23 Section 35 of the Canadian
24 Constitution does recognize and affirm existing
25 treaty and aboriginal rights. Aboriginal people

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1 are now negotiating for one additional step, the
2 entrenchment and protection, in the Constitution,
3 of the inherent aboriginal right to self-
4 government.

5 When we speak of self-government
6 we do not refer to the federal government's "self-
7 government process" which the Department of Indian
8 Affairs has initiated. That process is not a
9 nation to nation process and does not recognize
10 aboriginal peoples' inherent right to govern
11 ourselves. The INAC process merely allows for a
12 comprehensive transfer or delegation of varying
13 levels of control and administration of government
14 programs from governments to the First Nations.

15 Along with the delegation of that
16 control and administration they are attempting to
17 transfer the problems and liabilities for past
18 wrongdoings by the federal government. We believe
19 that governments will have to right some of the
20 wrongs they have imposed on aboriginal people
21 before they can wash their hands clean.

22 Each First Nation is unique and
23 only their community can determine the form their
24 government will take. This is not to say that a
25 consensus cannot be reached on some general

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1 guiding principles which could be utilized by the
2 First Nations of this country in the redevelopment
3 of their own government systems.

4 Aboriginal and treaty rights: One
5 area which governments must be willing to deal
6 with is the area of land entitlement, specific
7 claims and other outstanding land issues. The Pas
8 Indian Band signed Treaty #5 in 1876, yet the land
9 allotment promised to us by that treaty has yet to
10 be fulfilled. Even the land that was set aside
11 for the use and benefit of our Band has been
12 eroded and divided by expropriations and various
13 forms of land dealings.

14 Although the government's claims
15 process has undergone some changes, First Nations
16 have yet to benefit from those changes. The
17 establishment of the Claims Commission has not
18 been without controversy and the Joint Working
19 Group is not yet operational. An efficient
20 process is a mandatory requirement if the backlog
21 of long outstanding land entitlement, claims and
22 outstanding transactions are to be settled to the
23 satisfaction of all parties involved.

24 First Nations signed treaties with
25 the Crown. Those treaties identified certain

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1 specific rights which the government, through the
2 Indian Act, later sought to restrict.

3 There are many other pieces of
4 legislation, in addition to the Indian Act, which
5 infringe on and restrict the rights of aboriginal
6 peoples. In examples such as Sparrow, Silliboy
7 and Flett, the illegal infringement on those
8 rights has been confirmed by the courts.

9 A thorough review of all
10 government legislation, regulations and policies
11 should be carried out with the objective of
12 identifying those infringements and making changes
13 to bring the legislation in line.

14 Some of the rights issues which
15 have become the most prominent are the Migratory
16 Birds Convention Act, water rights, air rights,
17 exemption from taxation, and the whole area of
18 resource management, hunting, fishing and
19 gathering rights. Although the courts have
20 clarified and reiterated these rights, legislation
21 and governments continue their failure to
22 recognize and uphold these rights.

23 An example I would like to put
24 forward to you is that of taxation. Everyone pays
25 taxes. Despite the fact that treaty Indian

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1 individuals are exempt from taxation on reserve,
2 there continue to be items on which individuals
3 are forced to pay taxes. Such an example is
4 gasoline and tobacco. There are differences
5 imposed by federal and provincial governments and
6 as everyone knows, non-Indian individuals pay tax
7 on reserve the same as they do elsewhere.

8 Governments are realizing greater
9 amounts of income from taxes paid on reserves than
10 what is returned to the reserve by the government.
11 It is time that The Pas Band is given these
12 benefits from resources which are realized on the
13 reserve. This would enable the Band's government
14 to effectively carry out the programs and services
15 which are required by the community.

16 Land, Resources and the
17 Environment: Our land base is the foundation for
18 our future. Although the current legislation
19 under the Indian Act provides for authorities to
20 be delegated to a Band Corporation, it does not
21 allow us to gain recognition of our inherent land
22 management authorities and to resume jurisdiction
23 over our lands. In the current system the
24 Minister or the Governor-In-Council retains the
25 ultimate power over almost every decision or

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1 transaction that transpires.

2 As a result of work conducted by a
3 group of Chiefs, a proposed optional First Nations
4 Land Charter Act is now in the draft stages. As a
5 member of the Chiefs' Steering Committee
6 developing the new optional Act, I hope that the
7 Commission will agree that this initiative will be
8 one step in enabling First Nation communities to
9 gain recognition of their inherent land management
10 authorities and to resume exercising jurisdiction
11 over their lands.

12 Both First Nation and government
13 initiatives in the area of economic development
14 and environmental legislation have brought the
15 management of our resources and environment to the
16 forefront. Governments have put forth many
17 guidelines and requirements related to these
18 areas, but the monetary and human resources to
19 carry out the tasks have not been included.

20 We recognize the importance of
21 these two areas and ask that the Commission
22 support First Nations on issues such as these.
23 The governments set standards, notify First
24 Nations to comply, and then completely ignore the
25 realities of the events that occur at the local

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1 level.

2 Gaming: In January 1990, The Pas
3 Band entered into a gaming agreement with the
4 Province of Manitoba whereby The Pas Band
5 established our own Gaming Commission. All
6 lottery events held on The Pas Reserve are now
7 required to be licensed by The Pas Band Indian
8 Gaming Commission.

9 Although this delegated
10 arrangement has worked well there continue to be
11 new situations which require further negotiations.
12 The current issue is the status of the equipment
13 referred to as Breakopen Vending Machines. We
14 have been unable to access these machines because
15 they are deemed to be slot machines according to
16 the Criminal Code of Canada, S 198 ss(3)(a).

17 We are therefore seeking the
18 Commission's support in obtaining a clarification
19 of the legislation, by way of an amendment, in
20 order to allow access to an accountable method of
21 selling breakopen tickets.

22 Fiscal Arrangements: It is
23 obvious from reviewing this presentation that
24 funding becomes an issue in almost every area.
25 There are many specific examples I might use,

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1 however, for this presentation it is sufficient to
2 point out that current fiscal arrangements do not
3 provide an adequate base on which a First Nation
4 can function.

5 We ask that this Commission review
6 the options presented to you at these hearings,
7 and in the packages submitted to you and provide
8 your support to First Nations in their attempts to
9 attain a proportionate share of the resources of
10 this country. Our people have been utilized as an
11 industry by governments for centuries. It is time
12 this process was brought to a halt.

13 Health: First Nations have been
14 making tremendous progress towards control of
15 certain areas of health care services. The Pas
16 First Nation signed a Health Transfer Agreement in
17 1991 which includes appropriate structural
18 foundations for delivery of services and programs.
19 The areas included in the agreement include --
20 maybe I will just say a couple: Existing programs
21 like home care nursing, improved adult care;
22 Specialty positions like Environmental Health
23 Officer, Dental Care.

24 Our goals and aspirations are to
25 have health care community-based and designed to

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1 meet the needs of the community. Although the
2 framework for negotiations are in place for
3 further advancement in local control of these
4 services, other issues need to be addressed as
5 well.

6 The major area of concern for The
7 Pas First Nation are the direct negotiations for
8 control of non-insured health benefits such as:
9 medical transportation; eye glasses, which are
10 presently with limitations; prescription drugs;
11 medical equipment and devices like chairs and
12 canes; dental; family therapy, play therapy.

13 Other new areas we also plan to
14 address are: hearing and speech; traditional
15 healers; band-owned hospital; increased
16 nurse/patient ratio; health centre.

17 Traditionally health care is
18 designed to treat the symptoms or diseases. The
19 delivery of services are adequate for that
20 particular area. However, First Nations members
21 are finding that simple delivery of services is
22 not enough.

23 A holistic approach which
24 encompasses emotional, mental, physical,
25 spiritual, social, cultural and sexual attitudes

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1 will need to be developed. Historically and
2 culturally we, as aboriginal people, are one with
3 nature and its elements. It only makes sense to
4 approach health care with a view towards
5 community-based health care in the development and
6 implementation of programs and services.

7 Tangible and absolute
8 incorporation of past and present community-based
9 methods and attitudes towards health care better
10 defines aboriginal aspirations in healing
11 individuals and communities.

12 Social Services: The recent
13 policy initiated by the federal government on
14 transfer payments for social assistance to off
15 reserve Band members is an attempt to control the
16 mobility of First Nations' members. These are
17 rights that every Canadian citizen enjoys. The
18 federal government is again proceeding to off-load
19 responsibilities to the provinces without due
20 consultation with First Nations.

21 The federal government's
22 responsibility for First Nation members was
23 included in the British North America Act and now
24 in the Canadian Constitution. The federal
25 government, however, continually reneges on its

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1 fiduciary and trust responsibilities. It appears
2 to us that the 1969 White Paper is alive and well.

3 We request that this Commission
4 support First Nations in holding the federal
5 government to its moral and legal
6 responsibilities.

7 Economic Development: Problems
8 encountered in economic development are
9 interrelated with other topics, such as land,
10 taxation, the banking system, etc. which are dealt
11 with elsewhere in our presentation today. Only
12 when changes in those areas are implemented will
13 First Nations and their members be able to realize
14 the economic opportunities and benefits of other
15 Canadian citizens.

16 On-Reserve Policing and the
17 Justice System: A proposal to the Solicitor
18 General's Office to fund a policing program on The
19 Pas Reserve was recently submitted. We ask that
20 the Commission review our proposal and provide
21 your support in achieving the mandate and
22 resources to institute this program on our
23 reserve.

24 As you are probably aware the
25 Manitoba Government recently expended millions of

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1 dollars and much time in the Aboriginal Justice
2 Inquiry. The AJI Report, which contains many
3 recommendations supported by First Nations, was
4 the result of the Inquiry.

5 We ask that you review this report
6 as we feel it applies not only to the Manitoba
7 situation but to other areas as well. So far most
8 of the recommendations remain on the shelf. The
9 provincial government has taken steps to implement
10 a few minor recommendations. The remainder have
11 been ignored.

12 We ask that the Commission
13 recommend concrete dialogue and due consultation
14 between the federal government and First Nations
15 to address issues surrounding the justice system
16 and how they fit into the reality of self-
17 government by First Nations.

18 We also recommend that a program
19 be developed for inclusion into the curriculum of
20 educational institutions, thereby better educating
21 our members so they will be better equipped to
22 avoid spending time in jails.

23 Housing and Community
24 Infrastructure: These two areas have been a long
25 outstanding issue with First Nations. The backlog

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1 only increases with the influx of additional Band
2 Members due to the 1985 amendment to the Indian
3 Act - Bill C-31.

4 National standards and regulations
5 are imposed on the projects which First Nations
6 carry out, but the resources to carry out the
7 requirements are grossly inadequate. First
8 Nations are expected to access the additional
9 funds to complete projects from alternate sources,
10 yet access to financial resources through the
11 usual methods is severely restricted by current
12 legislation.

13 The one current funding source
14 available to First Nations is CMHC. However, in
15 order to access that funding a Ministerial
16 Guarantee is required. Under this program, if one
17 individual is in arrears no further loans within
18 that community are approved. This is a
19 discriminatory practice. If someone in a town or
20 in a city defaults on a loan, it does not prevent
21 others from obtaining a loan.

22 We request that the Commission
23 recommend the removal of all discriminatory
24 clauses in legislation and policy that restrict
25 First Nations and their members from rights other

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1 Canadian citizens enjoy.

2 Since the implementation of Bill
3 C-31 the rights of First Nation members have only
4 been further eroded. Members are now categorized
5 causing increased discrimination. Our people,
6 especially women and men of native descent, should
7 not have to try and prove who we are or defend our
8 rights.

9 Once again it seems that this is
10 another example of the 1969 White Paper policy
11 which continues to be implemented. We recommend
12 that the membership of First Nations be determined
13 by each First Nation and not by any other
14 governments.

15 Thank you very much.

16 **CO-CHAIR ALLAN BLAKENEY:** Thank
17 you, Chief.

18 You have given us a great number
19 of things that we will need to consider. As you
20 have indicated there will be some written material
21 following up on the various issues which you have
22 touched upon in your presentation.

23 I will just ask a question or two
24 and perhaps my fellow Commissioners, Mr. Chartrand
25 and Mr. Lathlin, would like to ask some questions.

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1 Could you give me some indication
2 of what your Band has been saying about economic
3 development? You have obviously made a lot of
4 progress in that regard, your Band, and I am
5 wondering what further thoughts you may have on
6 it?

7 **CHIEF FLETT:** We would certainly
8 like to see it progress a lot more. I guess in
9 certain ways too a lot of individuals don't seem
10 to have the access to develop in certain ways,
11 through economic development, because of all the
12 restrictions that are still there, and policies,
13 where we always need a ministerial guarantee to be
14 able to purchase or get into some kind of a
15 business in any way.

16 **CO-CHAIR ALLAN BLAKENEY:** What do
17 you think should be done about this? Is the
18 ministerial guarantee needed in order to provide
19 security, I suppose, on the reserve property?

20 **CHIEF FLETT:** In most cases it is.
21 That is why we mentioned it a couple of times in
22 our presentation because the ministerial guarantee
23 -- I guess we are the only people in Canada that
24 are being held by one person to be able to move
25 forward and grow within our community. That is

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1 the ministerial guarantee.

2 If people would realize that
3 native people are being held by that one person or
4 the ministerial guarantee -- I am pretty sure a
5 lot of our people would like to get into business.
6 Also a lot of other native communities would like
7 to get into business ventures where they wouldn't
8 have to be restricted by a ministerial guarantee,
9 but have the same rights as any other Canadian
10 corporations or citizens or individuals in this
11 country.

12 CO-CHAIR ALLAN BLAKENEY: So you
13 are then advocating that the Band be able to give
14 a mortgage on the Band property without a
15 ministerial approval.

16 CHIEF FLETT: Yes, I think that is
17 what I am saying.

18 COMMISSIONER PAUL CHARTRAND:
19 Thank you, Chief Flett, for your presentation.

20 I have a question relating to the
21 big picture, as it were, of your perception of the
22 move towards self-government.

23 You did indicate very specifically
24 at the end of your presentation that each First
25 Nation ought to determine its own membership. You

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1 also talked about the inherent right of aboriginal
2 self-government.

3 I have two questions relating to
4 that and let me try to explain them as best I can.

5 The aboriginal rights that are
6 recognized in the Constitution refer to the rights
7 of the aboriginal peoples. The term that you have
8 used and that appears to be used widely across
9 Canada is "First Nations".

10 In contemplating this move towards
11 aboriginal self-government, what do you see as the
12 relevant membership? Would it be the First
13 Nation, such as the Pas First Nation? Or would it
14 be a broader group? Would it be the Cree people?
15 Would it be another group?

16 So my question is: Have you given
17 some thought then to the group that would be
18 included in your own definition of the membership
19 of that relevant First Nation that is working
20 towards self-government? That is the first
21 question.

22 CHIEF FLETT: I guess I can't
23 really answer that question for any other
24 community but ourselves. My thoughts on it are
25 that I guess being free and being able to run a

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1 government of The Pas Band, to enable us to be
2 able to do the things that we want to do in order
3 to achieve our own independence, progress. It is
4 just like dealing on a nation-to-nation basis,
5 like Canada would do with any other country in
6 trading.

7 This is my thought on self-
8 government. I would like to see our own native
9 community being able to say what happens in their
10 community, like any other government does for
11 their country.

12 COMMISSIONER PAUL CHARTRAND:

13 Thank you for that.

14 My other question, and it is the
15 only one: You referred, if I understood you
16 correctly, to some ongoing work between The Pas
17 First Nation and the federal government on new
18 legislation which you described, if I understood
19 you correctly, as a step towards self-government.

20 Did I understand that correctly
21 that you are then adopting the approach that the
22 appropriate method to work towards self-government
23 is this incremental method of entering into some
24 self-government agreement, defined by statute,
25 with the federal government on the way to the

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1 ultimate whatever shape aboriginal self-government
2 might take in the long term? Did I understand
3 that correctly? I am just inviting you to
4 elaborate a bit, if you wish, on that point.

5 CHIEF FLETT: Yes.

6 We're not saying that we are going
7 to break any other law within the country, or any
8 law that had been drafted by the federal
9 government. I guess by saying that we are saying
10 that we are willing to work with the present
11 legislation along with some other legislation that
12 our people would be able to use in our ways, our
13 values, which fits into our cultures.

14 COMMISSIONER PAUL CHARTRAND:

15 Thank you very much for that.

16 CHIEF FLETT: Thank you.

17 CO-CHAIR ALLAN BLAKENEY: I wonder
18 if I might just ask a question or two.

19 You make reference to First
20 Nations Land Charter Act and you were saying that
21 it was at the drafting stage. Could you tell me a
22 little bit more about what groups are involved?

23 CHIEF FLETT: Maybe what I can do
24 is ask one of our staff members to come and answer
25 that question. She has been participating in that

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1 process so maybe I will get her to come and answer
2 that one.

3 STAFF MEMBER: The bands who have
4 been delegated 53 and 60 authority under the
5 Indian Act, there were nine of us when we started
6 out. There are nine bands in Canada. There are
7 three in British Columbia: West Bank, Kamloops and
8 Musqueam. There is one in Alberta, the Alexander
9 Band. There is one in Saskatchewan, the John
10 Smith Band. There are two of us in Manitoba, the
11 other band is the Long Plains Band. And there are
12 two in Ontario, one is the Nipissing Band and the
13 other one is the Maravians.

14 CO-CHAIR ALLAN BLAKENEY: And
15 these nine bands are working on a First Nations
16 Land Charter Act, have I got it right?

17 STAFF MEMBER: Yes.

18 CO-CHAIR ALLAN BLAKENEY: Have you
19 got a first draft done now or about what stage are
20 you at?

21 STAFF MEMBER: They are working on
22 the fourth draft right now. There will be a
23 meeting next month of the Chiefs' Steering
24 Committee to review that draft.

25 CO-CHAIR ALLAN BLAKENEY: I know

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1 that at the appropriate time, when you think it's
2 appropriate not when we think it's appropriate, we
3 would like to get a copy of it. You may not feel
4 that now is the time, but just keep us in mind.

5 **STAFF MEMBER:** I think the
6 Committee will be making a presentation to the
7 Commission at some time during your travels.

8 **CO-CHAIR ALLAN BLAKENEY:** Thank
9 you very much on that point.

10 One last point, if I may. On the
11 question of aboriginal self-government, a question
12 comes up pretty consistently about what the unit
13 of aboriginal self-government would be.

14 I suppose it will vary with
15 different groups, but are you thinking that The
16 Pas Band would be the unit of self-government? It
17 would make its deal with the federal government,
18 or whatever? Or would it be the Tribal Council?

19 **CHIEF FLETT:** The Swampy Cree
20 Tribal Council.

21 **CO-CHAIR ALLAN BLAKENEY:** The
22 Swampy Cree Tribal Council? Or would it be the
23 Treaty 5 Treaty Nation, as I hear that phrase
24 sometimes, and that would be all the status people
25 in Treaty 5? Or would it be perhaps the whole

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1 Cree Nation, that would be all of the Crees in
2 western Canada? Or perhaps all of the native
3 people in Manitoba, the sort of people who are
4 more or less represented by the Assembly of
5 Manitoba Chiefs? Or all of the Indian people in
6 Canada, the people who are represented by the AFN?
7 We hear proposals for virtually every one of
8 those, Indian province, all across Canada, that is
9 the AFN model, or a whole lot of other models.

10 What are your thoughts on this?
11 I'm not trying to pin you down, but I'm just
12 looking for some help.

13 CHIEF FLETT: My thoughts on that
14 are that I know that each First Nation would like
15 to see their own system work within their own
16 reserve. Why I say that is because I think every
17 community is unique in its own way and the way
18 that they do things and where they are now in
19 economic development and resourcing.

20 But I guess in answering the
21 question, I would like to see a Treaty 5
22 Government House being funded and put up by the
23 federal and provincial governments in order for
24 our people to be able to draft their laws within
25 that government house. That is what I would like

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1 to see.

2 CO-CHAIR ALLAN BLAKENEY: Thank
3 you very much. That is fairly definite and your
4 current thinking, and we are all changing our
5 minds, and that is that probably Treaty 5 would be
6 the unit which would probably work best at this
7 time.

8 CHIEF FLETT: Right.

9 CO-CHAIR ALLAN BLAKENEY: Thank
10 you.

11 CHIEF FLETT: Thank you.

12 CO-CHAIR ALLAN BLAKENEY: We
13 invite Chief Andrew Kirkness of the Indian Council
14 of First Nations to make a presentation.

15 Feel free to take as much time as
16 you like. We are not going to stop at 12:00 or
17 anything. I would invite you to introduce your
18 people as well.

19 CHIEF ANDREW KIRKNESS: Good
20 morning once again, I think it is still morning
21 for a few more minutes.

22 I want to thank Commissioner
23 Blakeney and Commissioner Chartrand for giving us
24 the opportunity to speak to you today.

25 I want to introduce my friends

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1 here and members of our organization. On my left
2 is Tom Nepetaypo. He resides in Gillum. On my
3 right is Rod Martin. He is from Moose Lake. He
4 is one of the Board of Directors of our Indian
5 Council of First Nations of Manitoba, a position
6 that is considered a Chief.

7 I want to read from our
8 presentation that we hastily made up last night.
9 We don't have staff like some people have that can
10 have all this stuff available to them. Between
11 Tom and I we had to scribble out some of this
12 stuff and fax it all the way back for our
13 secretary to type it and then she faxed it back
14 again this morning.

15 So we are not saying that this
16 document is the last because we realize that there
17 will be more hearings and we expect to be taking
18 part, especially after we have consulted our
19 membership. Right now we don't have the
20 facilities or the funds to be able to do that. Our
21 organization is not funded as well as others.

22 However, I will go into my
23 presentation. I understand there is a Cree
24 translator here and there are going to be some
25 parts that I may say in Cree.

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1 My presentation should be in
2 detailed form, but I understand we are being given
3 an opportunity to do this under the Intervenor
4 Program which will run approximately over two
5 fiscal years.

6 However, I will be doing this in
7 point form following the stated summary of terms
8 of reference of the Royal Commission on Aboriginal
9 Affairs. We have used your terms of reference and
10 tried to follow as best we could.

11 The historical relationship
12 between aboriginals and the rest of Canada has
13 been constrained by the policies developed by the
14 government of the day in their efforts to meet the
15 obligations of the treaties.

16 I would refer to the comment made
17 by an Elder who was arguing with a Catholic
18 priest, where each one was discussing each other's
19 culture and lifestyle. The Elder finally said,
20 "From now on I will have two strings on my bow".
21 Meaning, we the aboriginals, were prepared to live
22 with the white settlers side by side.

23 I believe this would have made a
24 better Canada, but it is evident that the settlers
25 were greedier than the other because we see the

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1 destruction and environmental issues that we are
2 all concerned with today. I am hoping we can
3 rectify all these issues currently under
4 discussion in the round of constitutional
5 meetings.

6 In reference to recognition and
7 affirmation of aboriginal self-government, I agree
8 with this and I believe it is about time.
9 Treaties and the Canadian history have dictated
10 the development of this country. We are now in
11 the process of correcting this wrong and I hope
12 there is a commitment in making aboriginal self-
13 government a reality.

14 However, with aboriginal concern
15 we will have to statistically identify our peoples
16 so that we will avoid the duplication of
17 representation by two or three of the aboriginal
18 regional organizations. I believe Stats Canada
19 may assist us in rectifying this, and I say this
20 because we do have an increase of off-reserve
21 First Peoples who are not represented by their
22 bands they may be registered with.

23 I qualify this by a comment that
24 by the virtue of the Northern Flood Agreement, the
25 Split Lake Agreement. They have developed a

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1 criteria where we have to be a resident of the
2 community in 1977 in order to qualify for
3 compensation or to receive any benefits of the
4 agreement. I find this to be discriminating,
5 especially when all bands receive funding based on
6 population, not on resident population. Those of
7 us who are registered with the band do have
8 reserve land in this community. The land that was
9 flooded was our land too. Therefore, this is
10 where we, the First Nations organization, would
11 have to deal with this. I believe you know what I
12 am getting at.

13 It would be wise for the
14 government to do away with the current process of
15 allocating land claims to First Peoples. This
16 would be one area in which all levels of
17 government can work cohesively to resolve, because
18 of the education and knowledge gained by our First
19 Nations and the growing First Peoples population.

20 The utilization method of
21 allocating land claims is not good. Once we have
22 identified the land base the issue on item 16 can
23 be addressed, especially the idea of local law,
24 by-laws, court jurisdiction and other justice
25 issues.

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1 I will do number four in Cree.

2 **TRANSLATOR:** Section 91(24), the
3 constitutional act of 1867: Although it addresses
4 Indians and land reserves for Indians it does not
5 go far enough to address those living off reserve.
6 This will be one of the issues we will be
7 addressing when our proposal for the Intervenor
8 Participation Program is approved.

9 **CHIEF ANDREW KIRKNESS:** It is up
10 for negotiation. This has been a continuous -- to
11 be between two societies, the First Peoples and
12 the white representatives of the larger society.
13 However, other agreements can be dealt with as
14 long as it meets the needs of the three levels of
15 government. I must say that the Charter of Rights
16 and Freedoms must be kept so as to ensure that
17 there is protection for all individuals, even
18 within our First People's governments.

19 Number 6, I will deal with this
20 in Cree.

21 **TRANSLATOR:** The constitutional
22 legal position of off reserve First People must be
23 recognized so as to avoid discrimination. We are
24 currently experiencing problems where we are being
25 used as a political football on the issue of

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1 welfare. The municipal governments are saying
2 that they will not give welfare to off-reserve
3 status Indians, as they feel we are a federal
4 responsibility.

5 We are getting the same agreed
6 treatment from our bands on educational
7 assistance. When we want to send our children to
8 post-secondary institutions or universities we are
9 being denied recognition and assistance all
10 around. I believe we have the right to have a
11 legal position within the Constitution. Please
12 refer to my comment in point number 2.

13 CHIEF ANDREW KIRKNESS: Number 7:
14 In reference to special difficulties we, the off-
15 reserve Indians, have a very special problem where
16 we are paying property taxes and are now being
17 threatened to have services cut because of our
18 origin and identity. Maybe one of the issues
19 should be that taxes paid be paid to First Nation
20 governments and all services and programs within
21 the urban centre can be cost-shared.

22 In the north we do need to improve
23 present living conditions, communications,
24 education, infrastructure, transportation and
25 other essential services. This should include

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1 sharing of revenues from revenue-generating
2 projects.

3 Number 8 I will do in Cree.

4 **TRANSLATOR:** The Indian Act, since
5 it was developed, to some extent has had an
6 adverse affect on the endeavours and aspirations
7 of the First Peoples. It has not enhanced the
8 pride and thrust of First Nations social and
9 economic development. This should be changed to
10 meet the needs of the aboriginal people.

11 **CHIEF ANDREW KIRKNESS:** Number 9:
12 Social issues of concern to aboriginal people lie
13 in the area of child care, social assistance,
14 education, health-related issues, disability, the
15 elderly and the right to health assistance from
16 the traditional healing methods and holistic
17 healing methods.

18 Economic issues in relation to
19 registered Indians off reserve, and Bill C-31, has
20 not really addressed their needs because of the
21 reluctance of the governments to recognize them.
22 It has been mainly towards bands, Chiefs and
23 Councils and native associations. Therefore, we
24 have not had any opportunities to get together to
25 discuss economic development within our

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1 organizations.

2 We hope that with this proposed
3 recognition of aboriginal self-government we will
4 have the opportunity to address this issue. In
5 global perspective, if aboriginal people were
6 involved they would have improved the standard of
7 living in this country. I believe the government
8 has kept the statistics on aboriginal people
9 hidden so that the stats would not reveal our sad
10 situation.

11 Number 11, cultural issues. I
12 believe this is our inherent right and it would do
13 the rest of society good to learn more about our
14 cultural events and gatherings. Our cultural
15 issues take in the balance of life. Therefore, we
16 do not and have not tried to make extinct any
17 wildlife or deplete any natural resources. I
18 believe there needs to be more respect for the
19 cultural issues of our First Peoples.

20 Number 12: The position and the
21 role of aboriginal Elders is very important and
22 must not be deleted from any form of government or
23 justice system. They have been and continue to be
24 the library of all our operations and directions.
25 They must be respected at all levels and should be

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1 consulted at all times. We should form a Council
2 of Elders within our governments, whether they be
3 at national, regional or local levels.

4 Number 13: In reference to women
5 under existing social conditions, to this I must
6 say that women are the foundation on which nations
7 are built. She is the heart of her nation. If
8 that heart is weak, the people are weak. If the
9 heart is strong, her mind is clear then the nation
10 is strong and knows its purpose. The woman is the
11 centre of everything.

12 Number 14: The situation of our
13 aboriginal youth. We must pay much attention to
14 our youth, the young generation, as they are the
15 future of our nation. We must ensure that they
16 receive the teachings of our way of life so that
17 they will continue it into the next generation.
18 We will need them to keep this country together.
19 Therefore, their involvement in all aspects of
20 development is important.

21 Number 15: Education is one of
22 the elements of all areas of special and economic
23 developments. Education is one of the elements in
24 all areas of social and economic developments.
25 This service and assistance should be made

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1 available to all aboriginals regardless of where
2 they may live.

3 Education is a cultural thing, but
4 with aboriginals it has dual responsibility for
5 us. One, we teach our children our aboriginal
6 ways and language. Two, we teach them a foreign
7 way which forces us to live two lifestyles and we
8 must co-exist with one another.

9 So I have come to the end of my
10 presentation and I have said to my colleagues here
11 that if we have a few minutes that I wanted them
12 to make any comment that they want to on behalf of
13 this presentation.

14 I would just close by making a
15 very few short remarks, that is that as off-
16 reserve Indians in this province we have had great
17 difficulty being involved in any of the -- even to
18 a Commission of this sort because of our lack of
19 resources to be able to get people to work and
20 help us and support us as far as typing and all of
21 these other things.

22 So we have your Intervenor
23 Participation Program and we are going to do our
24 best, in the coming months, to develop a better
25 position than we have presented. As I said, we

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1 did this in one heck of a hurry and like I said, I
2 don't have staff and somehow we have to make out
3 anyway.

4 Thank you.

5 CO-CHAIR ALLAN BLAKENEY: Thank
6 you, Chief. If your colleagues wish to add
7 anything please feel free.

8 Mr. Martin, please.

9 MR. ROD MARTIN: My name is Rod
10 Martin from Moose Lake, Manitoba. I will do this
11 in Cree.

12 TRANSLATOR: The reason why I am
13 here is that I am getting tired of living in a
14 childlike state where we are treated like a child
15 because everything is handed over to us. We don't
16 know how much and when we go in and request
17 something we are told that we have no rights here
18 and no voice. That is what we are told.

19 When they are given houses, the
20 ones that I am working for, they are given old
21 houses and the things they are really supposed to
22 be getting, they just watch as the houses are
23 delegated to different people.

24 But the way I think, if it comes
25 to be that we are allocated some place else

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1 because of the way the system works, the system
2 doesn't work. I am not afraid to make that
3 statement.

4 I have worked for the government
5 for the past 26 1/2 years and this is my final
6 year. That is why I am very familiar with how the
7 government operates in different places. It looks
8 very easy when something is done by persons but
9 there has to be an awful lot of thought put into
10 it. It is not simple that you just take things
11 for granted.

12 I have no fear in stating what I
13 have to state, as my great-grandparents did, like
14 we are sitting here as a group. Foreigners come
15 in, Europeans come in and how did they recognize
16 my great-grandfather when he signed the agreement?
17 What was it? It is something and they wait to
18 mark my "x".

19 Many times I wonder how come I am
20 what I am. To this day we see a lot of people,
21 white people, walking around. My great-
22 grandfather did not know what he signed and to
23 this day I still don't know what he signed. If I
24 did ask you to read it to me you wouldn't be able
25 to understand what he signed. He says "Give me my

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1 land back because I don't understand". But we are
2 no longer fooled in this day and age, but that is
3 the way it was at that time. That is why we are
4 struggling as we are.

5 Things bother me the way things
6 are. Commissioners, this has given you a lot of
7 jobs because of the "X". That is why we are here
8 because we are trying to understand what it was
9 all about. My great-grandfathers did not
10 understand what the Indian Act was. We are not
11 dominant of our own land, it is only known as the
12 reserve.

13 If the white society wants to
14 build something they go ahead and build it. The
15 Indian Act is always in the way. That is what my
16 hopes are and aspirations that the wrongs could be
17 made right somehow.

18 Thank you very much.

19 **CO-CHAIR ALLAN BLAKENEY:** Thank
20 you, Mr. Martin.

21 **MR. TOM NEPETAYPO:** Mr. Blakeney
22 and Mr. Chartrand, I am just wondering about a
23 couple of things. You don't give your report
24 until 1994, am I correct?

25 **CO-CHAIR ALLAN BLAKENEY:** Yes, I

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1 think that is probably when it will come, if we
2 get it done by then.

3 MR. TOM NEPETAYPO: It is pretty
4 obvious that it is going to be a long report and
5 no guarantees in it whatsoever. However, I was
6 just wondering, is this report going to be a
7 complementary document that would help the
8 establishment of the third level of government
9 that is currently being discussed? Or, as Joe
10 Clark would say, you are prepared to recognize the
11 third level of government as at Thursday?

12 Before you answer that question I
13 am assuming that you understood a lot of the Cree
14 comments presented by our Grand Chief, Andrew
15 Kirkness, on the Constitution Act. We hope that
16 with the Intervenor Program this organization will
17 be able to be considered in the approval so that
18 they may have an involvement to the extent of how
19 this aboriginal self-government is going to be
20 developed. I think it is very important that all
21 areas, regardless of where our people may live,
22 will have an involvement.

23 My concern also lies within the
24 area where the grassroots people will need to be
25 educated on the whole process of what you are

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1 doing and what is going on. Because I know for
2 sure that where I come from we don't hear a lot of
3 the things that are going on within the reserve.
4 At the same time we are told that only the
5 governing body or persons will be recognized by
6 federal and provincial governments.

7 So you are missing, I would say,
8 in the order of 25 to 50 per cent of the
9 population across Canada that could be missing the
10 boat here and they will start asking questions to
11 their leadership, "What the hell did you sign
12 again?" Like we were asking: What did our
13 grandfathers sign back in 1905 when our treaty was
14 signed, or 1910, whatever it is that we come
15 under? We would like to know beforehand, before a
16 lot of these things take place.

17 There is one other issue I wanted
18 to bring to your attention with regards to the
19 off-reserve registered aboriginal, or wherever the
20 aboriginal people want to belong to. There is a
21 real conflict about which organization an
22 individual wants to be associated with. This is
23 partly because of the municipal governments. This
24 is what we are facing today. They are threatening
25 to cut off any social assistance to any off-

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1 reserve status Indians because they feel they are
2 a federal responsibility.

3 Not only are the off-reserves
4 feeling this kind of impact, but they are also
5 feeling the same impact from their own bands. I
6 know a lot of our people, especially where I come
7 from, who are paying for their own education.
8 They have not been provided with any assistance of
9 any kind to continue their education or to meet
10 their goals and objectives as individuals.

11 Here is a prime example of this
12 kind of treatment. You just have to referred to
13 the Northern Flood Agreement and I am sure you
14 read the newspapers. They do have a criteria in
15 there. I, myself, although I may have been
16 transferred against my will to another band -- and
17 I am presently doing research as to whether my
18 reserve land has been transferred to the band I
19 was transferred to. As far as I am concerned I
20 still have reserve land in the area that has been
21 flooded.

22 So I personally feel that I am
23 entitled to any compensation or benefits derived
24 from that agreement on this that was developed
25 between the two levels of government plus Hydro.

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1 So there are a lot of issues that
2 you may want to take into consideration so that a
3 lot of these problems can be dealt with before the
4 three levels of government get going in this
5 country. However, this could be part of the
6 implementation process I suppose.

7 Of the Indian Act itself, I have
8 to agree that it does have its good and bad
9 situations. However, it is a legislation that was
10 developed to fulfil the responsibility that the
11 government had in implementing and fulfilling the
12 obligation of the treaties, which could easily be
13 changed.

14 I also agree with our Elder here -
15 - I call him an Elder, he is a way older than me -
16 - on the issue of reserve land. We do not have
17 any legal rights within a given piece of land. In
18 fact, I would say that the First Peoples of this
19 country are living in a holocaust of its own
20 within this country. It is just like a prison
21 camp.

22 I know you hate to hear that, Mr.
23 Blakeney, because I know at one time -- I have
24 attended most of the constitutional discussions
25 since whenever they started. I have heard

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1 comments that you want definition on what the hell
2 aboriginal government is. I hope you are getting
3 a full blown definition of what aboriginal self-
4 government is going to be. But I can't assure
5 myself that you are going to be in the same frame
6 of mind in 1994 when you finish your document.

7 But these are the kinds of things
8 that I do not believe our people had signed away.
9 I think it was because we are a sharing people and
10 I think that is how we approached the treaties,
11 hoping that we could co-exist within this country,
12 including all areas of development.

13 These are some of the issues that
14 you may want to take into consideration when doing
15 your report. The traditional issues that we still
16 view are still there. We would appreciate
17 continued respect. I know that the churches are
18 now starting to realize what they have done. I
19 think there is still a lot of learning to be done
20 by all people on the aboriginal and traditional
21 activities.

22 I hope I'm not off the subject
23 here, Mr. Commissioners, and that there will be a
24 development of a good working relationship from
25 this exercise.

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1 Thank you.

2 CO-CHAIR ALLAN BLAKENEY: Thank
3 you very much.

4 I don't think you should apologize
5 for not having a polished brief at this stage,
6 whether the material is formally organized or not.
7 We hope at some later time to get your ideas in a
8 more formal way, perhaps with your suggestions as
9 to what might be done. You have indicated that
10 provided some funding is available you think you
11 would be able to do that.

12 Let me just go down the list of
13 some of the questions which were asked, and I will
14 do it fairly quickly.

15 With respect to what the
16 Commission thinks about aboriginal self-
17 government, we haven't made our report yet. We
18 have made an interim commentary, as we called it,
19 where we said that -- it seems passed by events
20 now because everybody is agreeing with us, but
21 they didn't agree with us when we put out the
22 commentary.

23 Back last January or early
24 February we said, "Look, we believe that in the
25 Constitution it should be recognized that

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1 aboriginal people have an inherent right to self-
2 government. That ought to be in the Constitution
3 changes." That it ought to be immediately
4 testable in the courts, justiciable, to use the
5 lawyers' word, and that there ought to be a
6 process put into the Constitution for arriving at
7 this. This was at a time before the Beaudoin-
8 Dobbie Report.

9 The Beaudoin-Dobbie Report, you
10 will recall is one of the parliamentary committee
11 that came out at the end of February, they picked
12 up on our commentary and they referred to it and
13 they put it in there.

14 So I think we are a fair way along
15 the way. But at the time we put it out the
16 federal government was worried about this word
17 "inherent". We tried to get them off that dime
18 and I think they are off that dime. I think that
19 there is a likelihood that that will be in the
20 constitutional package if it comes through.

21 I think, without committing my
22 fellow Commissioners, I have always assumed that
23 this meant, and I think the commentary virtually
24 says this, a third level of government. We say it
25 in lawyers' terms by saying the aboriginal

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1 government will have to have areas where it can
2 make laws that nobody else can upset. It is
3 sovereign in its own sphere, to use the legal
4 language. Just as the federal government can make
5 laws and the provincial government can't cancel
6 them, and the provincial government can make some
7 laws that the federal government can't cancel,
8 aboriginal governments would have to be able to
9 make some laws which neither the federal nor the
10 provincial governments could cancel. That is a
11 third level of government. Once you get a
12 government which has some areas where it is the
13 sovereign voice, it is the last word, then you've
14 got a third order of government.

15 With respect to the Cree comments,
16 I am sure I don't know whether the interpreter was
17 interpreting it right, but he was saying what
18 sounded like a proper interpretation to me, so I
19 will take it as that.

20 With respect to whether you would
21 qualify for intervenor funding, as I understand
22 our rules the Indian Council of First Nations of
23 Manitoba, what used to be known as the Native
24 Council of Manitoba at one stage in the game, this
25 would qualify for intervenor funding. This is a

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1 provincial organization, the provincial affiliate
2 of the Native Council of Canada, if I may put it
3 that way. That may not be exactly accurate, but
4 it is close enough. That would, in my opinion,
5 qualify.

6 I am not sure whether this
7 particular group, The Pas group -- I'm not quite
8 sure who is before me -- but as a provincial
9 organization I think you can get intervenor
10 funding.

11 You then made a suggestion that we
12 should be sure that we just didn't hear only from
13 people representing on-reserve Indians, but we
14 should make a point of hearing from people who
15 represented off-reserve Indians. I think Paul
16 will be sure that we hear representatives of the
17 Métis and of the Métis National Council. I think
18 Viola Robinson, the immediate Past President of
19 the Native Council of Canada, will have some views
20 that we hear from the people that the Native
21 Council of Canada speaks for.

22 When we met in Winnipeg we heard
23 from quite a few groups who were service delivery
24 people in Winnipeg. They dealt with status
25 Indians, but they said "Here we're not talking in

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1 status terms, we are talking about these people
2 who live in Winnipeg who are Indians, some of them
3 status, some of them non-status, but we don't draw
4 this distinction and we want to tell you what
5 their problems are".

6 So we are hearing from them and we
7 know we are going to hear from many other urban-
8 based groups. They are not necessarily political
9 groups, they may be service delivery groups, but
10 they are not reserve-based groups, if I may put it
11 that way.

12 We are aware of some of the
13 problems of social services, the problems which
14 aboriginal people are running into because the
15 federal government and the provincial government
16 haven't got their act together on who is
17 responsible for the delivery of things like social
18 services, post-secondary education, etc., to
19 status Indians off reserves. There is no doubt
20 about who has got the constitutional
21 responsibility, but they have said that they have
22 dealt with this by passing an Indian Act which
23 says that if we don't have a law the provincial
24 law applies. The provincial governments are not
25 quite happy with this simple handing-off of these

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1 responsibilities.

2 That is a problem which the
3 governments have created for aboriginal people.
4 You are quite right in saying that the government
5 should clean up their act.

6 With respect to my own personal
7 position I will make one little point. I am proud
8 of my role in getting section 35 into the
9 Constitution of 1982. It wasn't there in the
10 first agreement in November and a change was made.
11 I said, "No, there is not going to be any change
12 unless 35 goes back in", and I can refer you to
13 all of the press that I got, highly unfavourable
14 press for supposedly opposing certain rights for
15 women. Not quite so, I said I had no objection to
16 them, but 35 had to go in if we were going to
17 change.

18 So that is there and I put that
19 little star on the wall.

20 I was out of office by May or June
21 of 1982. I was not at any of these constitutional
22 conferences. So if the Government of Saskatchewan
23 said they wanted things defined, well, I wasn't
24 there. So that is a little sort of disclaimer
25 here. I don't think you are probably interested

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1 in my personal disclaimers, but I will make them
2 anyway.

3 I will let Mr. Chartrand talk
4 about the Northern Flood Agreement because he
5 understands that problem a little better than I
6 do. I am aware of what has happened, but I'm not
7 fully aware of just how this compensation is being
8 distributed as between band members who were on
9 reserves that were flooded and the same band
10 members but who were off the reserves which were
11 flooded. It is a complication I will ask Paul or
12 our Commissioner, Mr. Lathlin, to make a comment
13 on.

14 COMMISSIONER PAUL CHARTRAND:

15 Thank you.

16 I would like to begin by asking a
17 couple of very brief questions, unpolished, and
18 asking for a couple of specific answers if I may.

19 Chief Kirkness, you referred to
20 the value of traditional health care, among other
21 things. The question is this: Are any
22 traditional methods of healing practised in the
23 local hospital? I assume there is a hospital
24 here. Is that being done or is anyone, to your
25 knowledge, involved in pursuing this matter?

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1 **CHIEF ANDREW KIRKNESS:** I am not
2 aware of anything being done in this hospital. I
3 have been told that in some areas they have had
4 some healers into the hospital to talk to some of
5 the patients, but other than that I don't have any
6 knowledge of it. There are still some people
7 around that do it and what is happening is we are
8 losing a lot of this because of -- I guess from
9 way back. It used to be against the law. I don't
10 know if it is still against the law, maybe it is
11 yet.

12 **COMMISSIONER PAUL CHARTRAND:** With
13 respect to the matter of the Northern Flood
14 Agreement, I will try to deal with it in the same
15 way as another question.

16 This is a preliminary brief, as
17 you well indicated, and we take it subject to
18 that. We do look forward to receiving your
19 subsequent submissions. In it I wonder if we
20 could get more about the background to the
21 Northern Flood Agreement and the recommendations
22 that you might have with respect to that.

23 Also, I am particularly interested
24 in the statement that Mr. Nepetaypo made about
25 being transferred against your will to another

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1 band. I will invite you to have that important
2 matter elaborated on in your subsequent briefs, or
3 indeed you may want to give us a bit of an
4 elaboration on that right now, whatever your
5 preference might be.

6 MR. TOM NEPETAYPO: The transfer
7 occurred back in 1949. It was after I was born.
8 My father used to work in Gillum, he was with the
9 CNR. There was a small band there called -- well
10 they had several names for it back then, but at
11 that time it was called Gillum Band, that year
12 anyway, then it was changed to Fox Lake Indian
13 Band.

14 It was at that time, I think it
15 was 1963 then -- yes, I am giving you a round date
16 here -- 1963 was when a whole bunch of us got
17 transferred from the Split Lake Band to the Fox
18 Lake Band. Because we lived in the area and
19 because we were working with CNR -- I mean they
20 weren't going to get up and move back to Split
21 Lake for the sake of being within the community.
22 My father has now worked there for 45 years and
23 has retired. At the time we were looking after
24 ourselves, actually exercising self-government.

25 Anyway, we were not asked at the

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1 time whether we wanted to transfer, we just found
2 it in the band list that we had been transferred
3 to Fox Lake.

4 I know there was one family who
5 fought against it and he succeeded. I don't know
6 why ours didn't. I wasn't around at the time. I
7 was growing up in Saskatchewan. They took me away
8 from my family at the age of five years and I
9 didn't go home until I was eleven years old. So
10 what went on between those years is beyond me.

11 So those are the kinds of things
12 we were into. I did do some searching as far as
13 the reserve land is concerned. I haven't received
14 a response to date as to whether that land was
15 transferred with the 63 people. But in doing my
16 own research for the Fox Lake Band land
17 entitlement, the 63 people were omitted in the
18 calculation for the Fox Lake Band land
19 entitlement.

20 So based on that information I
21 still believe we have reserve lands on Split Lake,
22 as far as we are concerned, but it could be
23 flooded.

24 I have yet to get some information
25 or a response from the Department of Indian

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1 Affairs as to what they plan on doing. This is
2 one area -- going back to that legislation, the
3 Indian Act seems to have control of our lives.

4 Did that answer your question,
5 Paul?

6 COMMISSIONER PAUL CHARTRAND: Yes,
7 thank you for that.

8 My final question again is related
9 to a matter that the three of you I think have
10 emphasized, each in your own way. That is the
11 role of this Commission with respect to the matter
12 of making recommendations having to do with the
13 implementation of aboriginal self-government.

14 As you have said to us it is
15 important to obtain the views of people, all
16 people that have an interest in the matter. So I
17 do ask you, and you may want to give us some
18 answer now, but certainly I invite you to give us
19 a fuller answer in your submissions that you will
20 be sending to us.

21 The question again is this: What
22 unit of self-government do you contemplate for the
23 long term, assuming the adoption in Canada of
24 aboriginal self-government? What will be the
25 relevant unit of self-government?

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1 You said, Chief Kirkness, in your
2 presentation, for example dealing with youth, you
3 said that the youth are to be taught the way of
4 life. It strikes me that that is one of the
5 fundamental reasons for the establishment of self-
6 governments around the world. People wish to
7 maintain the way they do things in their own
8 community.

9 In listening to the other
10 presentations too I heard, for example, a
11 reference to the establishment of an Elders
12 Council, but you seem to be open on whether it
13 should be organized at a national level, a
14 regional level or a local level.

15 Mr. Martin referred to the
16 importance of the treaties and Mr. Nepetaypo also
17 referred to the importance of the treaties, if my
18 notes serve me right. But the question is again:
19 How would you define the relevant group?

20 This is one of the important
21 questions that we are going to have to deal with.
22 It is related, I think, to the question that you
23 started off with early in your presentation, Chief
24 Kirkness, in talking about the difficulties
25 associated with the duplication of representation

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1 from aboriginal organizations.

2 So the question is always going to
3 be: Who represents who amongst the aboriginal
4 people? And how are we going to define those
5 groups that are going to be entitled to practice
6 aboriginal self-government?

7 So you may want to make some
8 remarks now in reply, but in any case I did want
9 to emphasize the value of your providing us
10 assistance by way of giving us some details on
11 this matter.

12 CHIEF ANDREW KIRKNESS: In
13 reference to Elders, I believe we have always had
14 a place for them. I believe when you look at that
15 particular part of it that the Government of
16 Canada, when they set up their Senate -- it always
17 meant to me that these people in that particular
18 group would be Elders that would give advice to
19 the government and guide them. But once it became
20 -- you know, there was a group of Liberal Senators
21 and Conservative Senators and once you do that
22 that makes for -- I mean it's not a second
23 government, it's the same thing, all in two
24 places.

25 Elders to me have always been

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1 there to be a guide because they have had the
2 experience from what they have learned before, not
3 associated with some particular political group.

4 That is why your Senate doesn't
5 work in Canada. If they were to remain there like
6 they were supposed to be as Elders and not --
7 right away they split up, we're from this side and
8 you're from that side.

9 Now they are talking about
10 electing the Senate. I don't know what that is
11 going to mean. Are they going to still elect them
12 in parties? What our thinking on this is that I
13 think that at all levels we have Elders, and
14 locally in the communities. There are times when
15 you have Elders in various meetings, at political
16 levels of organizations.

17 But I think as far as setting up
18 this group of Elders, it would be decided by the
19 people at what level they should be at. To me
20 it's open, but I think down the road we will
21 probably make some decisions as to how we are
22 going to do it.

23 So right now, like I said, we've
24 put it in the three different areas. But I am
25 sure that there is always going to be something

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1 there, regardless of whether we say that we will
2 set them up as a group of Senators or whatever the
3 case may be. So I have not personally made up my
4 mind as to exactly where they could be in the
5 three levels.

6 **COMMISSIONER PAUL CHARTRAND:**

7 Thank you.

8 My last comment is to say this,
9 that I did not attend the First Ministers'
10 Conference in 1983. I attended all of the others
11 after that and I can vouch, from my perception
12 there, that Mr. Blakeney was not there.

13 **CHIEF ANDREW KIRKNESS:** I attended
14 all of them.

15 **CO-CHAIR ALLAN BLAKENEY:** Thank
16 you very much and we certainly appreciated your
17 brief.

18 As we indicated we will be back in
19 Manitoba at some point, at some future time, if
20 you want to add to the brief which you prepared in
21 writing. We haven't got our schedules for next
22 year drawn, but we will be back in this general
23 part of the world and we will certainly look
24 forward to any additions or further research you
25 might do.

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1 Thank you very much.

2 CHIEF ANDREW KIRKNESS: Thank you.

3 CO-CHAIR ALLAN BLAKENEY: We will
4 break now and we will try to be back at 1:30 and
5 pick up our agenda. We may not make it, but we
6 will try and we will pick up our agenda. We are a
7 little bit behind, but we will pick up where we
8 would have been at 1:00.

9

10 --- Luncheon recess at 12:45 p.m.

11 --- Upon resuming at 1:50 p.m.

12

13 CO-CHAIR ALLAN BLAKENEY: We are
14 sorry that we were delayed. We were a little bit
15 optimistic in thinking we could get our meal in 45
16 minutes. It took us, in fact, a little longer,
17 but we are ready to resume this afternoon.

18 For those who were not with us
19 this morning I will introduce my colleagues again.
20 We have Mr. Paul Chartrand on my immediate left,
21 one of the Commissioners of the Royal Commission
22 on Aboriginal Peoples; and the Commissioner for
23 our period here in The Pas, Mr. George Lathlin.

24 There has been some rearrangement
25 of the presentations. The first one will be from

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1 the Henry Budd College for Ministry. I would
2 invite Fletcher Stewart or Lydia Constant or
3 whoever will be speaking.

4 MR. FLETCHER STEWART: Thank you
5 very much.

6 We would like to add our welcome
7 to the Commissioners to Opasquiak and to thank you
8 for this opportunity of speaking and to offer our
9 prayers for the work of your Commission, that God
10 will bless you in your efforts.

11 Lydia and I are both Anglican
12 Priests. I am Canon Fletcher Stewart, the
13 President of the Henry Budd College for Ministry
14 and Regional Dean for the Anglican Church in this
15 part of the Diocese of Brandon.

16 Lydia is going to introduce
17 herself at this point.

18 MS LYDIA CONSTANT: My name is
19 Lydia Constant. I am a bus driver by employment
20 and have been driving for 19 years. I am also a
21 student at the Henry Budd from Vancouver, B.C., by
22 extension through Henry Budd. I am also a priest
23 and a hospital chaplain for six years. I am also
24 a Henry Budd Seminar Leader and a mother.

25 MR. FLETCHER STEWART: I should

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1 add that I also belong to the Public Social
2 Responsibility Unit of the Anglican Church of
3 Canada, a committee that includes in its mandate
4 working on issues relating to aboriginal rights.

5 Lydia and I are not speaking
6 officially for these bodies, but drawing on our
7 experience.

8 We would like to focus on the
9 changing role of the Church in service to
10 aboriginal people. We hope this will give the
11 Commissioners some fresh information.

12 We have divided up our
13 presentation as follows: I will give some
14 historical background; Lydia will comment on the
15 mixed blessing of the Christian Mission; then we
16 will describe the work of our College, as an
17 attempt to respond to current problems; and then
18 we will close with a short reference to the
19 Church's wider role in support of aboriginal
20 peoples.

21 The Anglican Mission to these
22 parts began some 150 years ago with the arrival of
23 Henry Budd in 1840. Henry was aboriginal himself,
24 born in Norway House and taken away at age seven
25 to be educated in the Red River Colony. From the

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1 very beginning the English imported their boarding
2 school model of education which was later to have
3 such devastating side-effects.

4 In Henry's case, however, the
5 effects seemed happy. He was a star pupil,
6 acquired rather Victorian ways, while retaining
7 his native language and contact with his family,
8 who moved to join him at Red River.

9 In his twenties he was sent here
10 by the Church Missionary Society as a teacher and
11 catechist. The school he founded was a day school
12 in which he taught in both English and Cree. He
13 was joined by English Missionaries who continued
14 his training on-the-job, plus a two-year period
15 back at Red River, after which he was ordained and
16 was the first aboriginal North American in the
17 Anglican priesthood.

18 We may view Henry Budd as a model
19 for partnership between our two cultures in the
20 Church. His school did not separate children from
21 their families or language. Although he was
22 effective at wiping out many aspects of native
23 religion, he always respected native language. He
24 was the fruit of a strategy by the Church
25 Missionary Society at that time to train an

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1 indigenous clergy and organize an indigenous
2 church that would embody the norms and customs of
3 the people's own national culture.

4 This policy was sadly side-tracked
5 by the influx of European settlers into the
6 prairies. The Church's efforts were taken up with
7 ministering to the growing European population and
8 the ministry among aboriginal people followed a
9 more dependent model. It is perhaps symbolic that
10 Henry Budd died here in 1875, one year before the
11 local signing of treaty.

12 I will ask Lydia to say some words
13 evaluating the effects of the Anglican Mission.

14 MS LYDIA CONSTANT: As I
15 experienced the life of the Church, and looking
16 back at how it has been developed, the
17 Christianity, how it was brought to our native
18 people, that there are bad things about it and
19 some good things about it.

20 I value the native culture. I
21 value their belief, and a lot of the missionaries
22 brought many things too. As I see it now I think
23 it has progressed, that they have come together in
24 many ways, but there are a lot of things yet to be
25 put together.

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1 **MR. FLETCHER STEWART:** In 1980 our
2 late Bishop John Conlin found the Henry Budd
3 College for Ministry. We train mainly native
4 people for all forms of Christian ministry, both
5 lay and ordained, volunteer and full-time. Lydia
6 is an example of how our program works.

7 **MS LYDIA CONSTANT:** I enrolled in
8 1984 to become a student there. I graduated in
9 1990 with a diploma in theology. I took a rest
10 for a few months and then I enrolled again in 1990
11 to take the Master of Divinity, another four
12 years. I have finished my first year.

13 At that time, when I entered that,
14 I went there because other students encouraged me.
15 How do I learn about God? I knew about God, I
16 heard about him, but to get to understand about
17 God, why things are happening to me the way they
18 are in my life. But in a way, when I look back
19 now, it is not about knowing God, it's about
20 knowing about myself, who I was and who I am. I
21 am very grateful on that part to come a long ways
22 from that experience that I had.

23 There has been a lot of student
24 involvement in the College, some will be there for
25 one course and then they go away for a while and

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1 then they come back again.

2 To me, I value the College very
3 much because I see a lot of our white friends have
4 come and worked close together, to be able to
5 understand the native people, the way they think,
6 the way they do things and the way they understand
7 things.

8 In the College we have our voice,
9 we have our say about what we want in life, they
10 go along with us. It's not something that you
11 have to do this and you have do it this way and
12 our way. That is one of the things that I see
13 there, it is a partnership with our white friends,
14 as we call them.

15 The College was opened for our
16 late Bishop John for native people mostly, so that
17 they are not taken away from their community, so
18 they will have their local training where they
19 are.

20 So they are not taken away to the
21 seminar colleges. You get the experience and the
22 training combined together, instead of going away
23 from your community for so many years and then
24 going back and trying to teach what you have
25 learned in the College. Here it is all mixed.

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1 You learn and you experience the life in the
2 community, what the people are and where they are
3 at, and be able to train them with what you have
4 learned and a Christian life.

5 Another thing is that in our
6 committees we are involved in quite a bit now. At
7 the national and diocese levels native people are
8 in various committees. We have formed our own
9 Indian and Métis Council where the Indian people
10 have their voice to be heard in the Church.

11 There are 33 aboriginal people
12 involved in our General Synod coming up in June.
13 I am one of those delegates in there.

14 This is what I see in a
15 partnership with the Church, that more Indian
16 people are starting to participate in various
17 committees.

18 **MR. FLETCHER STEWART:** In this and
19 other ways the Anglican Church is trying to play a
20 positive role in the continuing development of
21 aboriginal peoples. We are working from a more
22 accepting attitude to Indian language, culture and
23 spirituality, to build a strong, self-reliant
24 indigenous church which will be a full partner
25 within our Canadian church.

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1 One of the side-effects of early
2 Christian missions is the significant involvement
3 of native people inside the Church, not just ours
4 but many others. I believe this is part of God's
5 long-term strategy.

6 In the Church it is difficult to
7 refer to native people as "they" because they are
8 part of "we". In our local Deanery in our
9 Diocesan Synod, in our General Synod at the
10 national level, aboriginal people have a voice and
11 it is being heard more effectively.

12 With our ecumenical partners we
13 belong to ARC, the Aboriginal Rights Coalition,
14 through which Canadian churches play a supportive
15 role in seeking justice for aboriginal peoples in
16 the political issues, such as recognition of land
17 rights, recognition of the inherent right to self-
18 determination, and compensation for damage to the
19 environment on which the communities depend.

20 The Church was an unofficial
21 witness to the making of Treaty, lending
22 credibility to the representatives of the Queen.
23 We have a role to play nationally as a continuing
24 witness that the promises made then are lived up
25 to now. Promises are forever. But we also have a

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1 responsibility to put our own house in order, by
2 building a church in which aboriginal people are
3 full and respected partners and in which we, non-
4 aboriginal Christians, will learn from them as
5 much as they from us.

6 Thank you.

7 CO-CHAIR ALLAN BLAKENEY: Thank
8 you very much.

9 I don't know whether there are any
10 questions. The presentation was very clear.

11 May I ask about how many
12 aboriginal students are involved in the College
13 for Ministry here now?

14 MS LYDIA CONSTANT: How many?

15 CO-CHAIR ALLAN BLAKENEY: Yes, how
16 many?

17 MR. FLETCHER STEWART: It is a
18 little hard to say. There are usually between 40
19 and 60 at any one time, some just taking one
20 course at a time, some taking several. We have
21 classes in several communities, right now, Shoal
22 River, The Pas, Cormorant, Easterville and Moose
23 Lake, sometimes Grand Rapids as well, and some
24 inquiries from further afield.

25 COMMISSIONER PAUL CHARTRAND: I

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1 want to thank you for your presentation.

2 Your organization was a member of
3 Project North; am I correct?

4 MR. FLETCHER STEWART: Yes.

5 Project North had a name change and is now ARC,
6 the Aboriginal Rights Coalition. The Anglican
7 Church, through the Public Social Responsibility
8 Unit of that church, is a member of formerly
9 Project North, now ARC.

10 COMMISSIONER PAUL CHARTRAND: Are
11 there aboriginal individuals involved in the work
12 of the Coalition? You mentioned that there are
13 aboriginal people at various levels in your
14 organization.

15 MR. FLETCHER STEWART: I can't say
16 personally about ARC itself. In our Public Social
17 Responsibility Unit we have two aboriginal people
18 and they are part of the particular sub-committee
19 of that unit which specializes in aboriginal
20 issues.

21 The coalitions themselves, in most
22 cases, tend to be represented by staff people.
23 But I couldn't say with respect to the Aboriginal
24 Rights Coalition itself who actually sits on the
25 Board of that coalition.

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1 COMMISSIONER PAUL CHARTRAND:

2 Again, thank you for your very clear presentation.

3 CO-CHAIR ALLAN BLAKENEY: Thank
4 you very much. We appreciate your contribution.

5 I would invite representatives of
6 the Moose Lake Bible Group.

7 REVEREND VERA JEBB: I will
8 introduce myself, I am Reverend Vera Jebb. I am
9 from Moose Lake. I have worked in Moose Lake for
10 four years. I am a student also at the Henry Budd
11 Centre. I am married with five children.

12 Where I come from the population
13 is about 1,200 and there are three denominations
14 in that community: Pentecostal, Catholic and
15 Anglican Church. We all work together.

16 I will ask Ronnie to introduce
17 himself.

18 MR. RON BUCK: Good afternoon
19 everyone. My name is Ronnie Buck. I am a
20 layreader at St. John's Mission of Moose Lake. I
21 am also a Henry Budd student.

22 We have been experiencing many
23 problems in our community. Some of the problems
24 that we are all aware of in the native community,
25 but we would like to repeat them here once more.

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1 We have a very great problem with
2 our young people or single people, due to a high
3 unemployment rate and the destruction of our land.

4 When I was a child I was brought
5 up mostly out in nature, like many of the young
6 people. Whole families went there and they were
7 taken away from the community and we all had
8 something to do. But today all that is gone.

9 Now our young people don't have
10 much to do. Most of them stay around the
11 community with no where to go. A lot of them get
12 into mischief at night or even during the day.
13 They might go to a neighbour's house and just pick
14 on the adults there, try to get on their nerves by
15 peeking through windows and knocking on their
16 doors or making general nuisances of themselves in
17 front of them.

18 After that some get into gas
19 sniffing. This is not only young teenagers but
20 also some young adults are involved in this. Then
21 they get into alcohol or they drink beer, whisky
22 and moonshine, Lysol, Scope, hair spray, perfume.
23 We have many bootleggers that are also supplying
24 the whisky and the beer and I don't know what
25 else. Then they get into drugs. We have problems

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1 with marijuana, LSD, hash, cocaine.

2 A lot of these people are very
3 young. I think as soon as they get into their
4 teens, or maybe even before their teens, they are
5 already involved in this destructive thing. That
6 increases their problems everywhere, at their home
7 and also at school. Therefore, I think we have
8 early drop-outs. Of course after they drop out
9 then they don't have anything to do but to hang
10 around the house and get into more trouble.

11 Some of the things that we have
12 problems with, along with alcohol and drugs comes
13 prostitution, and this involves both the females
14 and the males. We also have a lot of young people
15 who are into gambling, like Bingo and playing
16 poker until the late hours of the night.

17 I think a lot of this leads to
18 violence, not only robbing houses but getting into
19 gang fights, beating people up severely, stabbing
20 them. This also leads to the violent deaths. We
21 get into people who are drinking and driving on
22 the road. We already have several deaths. There
23 are several deaths in my family alone due to the
24 alcohol and drug abuse.

25 Then we get into murder. In the

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1 past few years we have had people that are
2 murdered. A lot of these people are young people,
3 single people, people that are not married. They
4 are paying most of the price for this. Then also
5 recently we have had a couple of suicides. One
6 young man last year and then another young woman
7 this year.

8 We are looking for ways to find
9 solutions to our problems. There have been many
10 groups that have started up and we have started a
11 youth Bible Group, but we are having problems
12 financially. There are also other groups, aside
13 from the Bible Study, but we are here to speak on
14 behalf of our Bible Group.

15 Now I will let Verna take over.

16 Thank you.

17 REVEREND VERNA JEBB: We are all
18 here to cry for our people. The needs and the
19 problems that we have are all related to the
20 problems. We need facilities for the young
21 people. We need funding. We need housing. We
22 need all these facilities for recreation. We need
23 a recreation centre or a drop-in centre, a
24 gymnasium, a swimming pool and things like that so
25 that the young people will have someplace to go

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1 to. I am sure if we all worked together on these
2 problems that we have we wouldn't have them if we
3 had a place for the young people to go to.

4 We have Sunday Schools but Sunday
5 School is just once a week and we have Bible
6 studies also. We would like to have a place where
7 we can have retreats for the young people. All
8 these young people are all in different age
9 groups.

10 I am very glad that we had this
11 time to present to you the things that we need for
12 our community. I hope that everything will go
13 well for our community with the help from the
14 Royal Commission.

15 Thank you.

16 MR. RON BUCK: Thank you.

17 CO-CHAIR ALLAN BLAKENEY: Thank
18 you for a very interesting, thoughtful and
19 disturbing brief.

20 May I ask a question or two. What
21 sort of school facilities are in your community?

22 REVEREND VERA JEBB: We have a
23 gymnasium. It is open at certain times. There is
24 a lack of supervisors because the teachers that
25 are teaching there don't want to be supervising

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1 all of the time because they teach all week. We
2 need lots of supervision for the kids.

3 CO-CHAIR ALLAN BLAKENEY: So there
4 is a gym there, but there are no people there to
5 supervise and to do a little coaching and that
6 sort of thing.

7 Is it open in the evenings
8 ordinarily?

9 REVEREND Verna JEBB: Yes, it is
10 open in the evenings, but not everybody can go.
11 The youth that are in about their twenties, they
12 go there, so the children don't have any place to
13 go.

14 CO-CHAIR ALLAN BLAKENEY: Are
15 there any other public buildings in the community?
16 Is there a skating rink or curling rink?

17 REVEREND Verna JEBB: There is a
18 skating rink that is used in the wintertime, but
19 only --

20 CO-CHAIR ALLAN BLAKENEY: What
21 were the last words you said?

22 REVEREND Verna JEBB: Only the
23 ones that are 17 and up go and they push the
24 children away, the little children that want to
25 play in the rink, they are pushed away and

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1 therefore they have no place to go. These are the
2 ones that we are concerned about. These are the
3 ones that are getting into mischief because they
4 are growing up and they are learning -- they get
5 pushed around and therefore they don't have any
6 place to go and they get into mischief, they turn
7 to something else.

8 CO-CHAIR ALLAN BLAKENEY: Who
9 operates the rink?

10 REVEREND Verna JEBB: Anybody that
11 comes operates the rink. It is an outdoor rink,
12 therefore nobody is there to supervise. It is
13 open to anybody.

14 CO-CHAIR ALLAN BLAKENEY: You
15 don't have an indoor rink.

16 REVEREND Verna JEBB: No.

17 COMMISSIONER PAUL CHARTRAND:
18 Thank you very much for your presentation which I
19 agree is disturbing. These conditions you
20 describe are such that it should shock the
21 conscience of the country.

22 May I ask you, what is the
23 population of Moose Lake? Can you describe for us
24 a bit about the population? Are you talking about
25 the reserve population? The town population? Can

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1 you clarify that for me? And how many people live
2 in the places that you are referring to?

3 **REVEREND VERNA JEBB:** I would say
4 that that is the whole community, all of the
5 people in Moose Lake because I serve all people in
6 Moose Lake.

7 **COMMISSIONER PAUL CHARTRAND:** What
8 would be the population, approximately?

9 **REVEREND VERNA JEBB:** About 1,200.

10 **COMMISSIONER PAUL CHARTRAND:**
11 There has been for a few years, at the University
12 of Manitoba, something organized by the Department
13 of Physical Education and the RCMP jointly,
14 something called the Northern Sports Fly-in
15 Program. Has that program been to Moose Lake?

16 **REVEREND VERNA JEBB:** They have
17 been there every year and the kids have really
18 enjoyed it, but that is not enough because they
19 only come one week in the year.

20 **COMMISSIONER PAUL CHARTRAND:** They
21 come there for one week and run their program.

22 **REVEREND VERNA JEBB:** Yes.

23 **COMMISSIONER PAUL CHARTRAND:** Do
24 you believe that the kind of program they run is
25 useful?

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1 REVEREND Verna JEBB: Yes, it is
2 very useful.

3 COMMISSIONER PAUL CHARTRAND: And
4 you believe that programs of that sort are needed,
5 would be helpful, and should be there on a
6 permanent basis. Is that right?

7 REVEREND Verna JEBB: But even
8 when they come in we have to look for a place for
9 them to stay because the church doesn't have any
10 facilities for those people that come in, because
11 we have other people that come in for a Bible
12 Summer School. They come in once a year for a
13 week and we have to try and find a place for them
14 to stay.

15 COMMISSIONER PAUL CHARTRAND: I
16 have one more question, if I may. You referred to
17 quite a number of problems involving breaches of
18 various law and apparent difficulties with
19 violence. The question has to do with the
20 function of policing in Moose Lake.

21 In your perception is there a
22 problem with policing? Are these difficulties
23 that you have described are they a consequence of
24 a lack of policing? Do you think that there
25 should be better policing? A different sort of

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1 policing? Do you have any thoughts on that? Who
2 does the policing there?

3 **REVEREND Verna Jebb:** I know that
4 there are two constables on the Métis side. Yes,
5 I really think there is a lack of policing.

6 **Commissioner Paul Chartrand:** Who
7 polices? Are these RCMP or is it local?

8 **Reverend Verna Jebb:** No, the
9 constables come into Moose Lake.

10 **Commissioner Paul Chartrand:** Are
11 they associated with the RCMP or are they local
12 officers?

13 **Reverend Verna Jebb:** Yes, I see
14 them sometimes riding with the RCMP, but then the
15 RCMP only come on the weekends and sometimes they
16 leave early.

17 **Commissioner Paul Chartrand:** So
18 there are no police officers established there on
19 a permanent basis in the town at all?

20 **Reverend Verna Jebb:** No.

21 **Commissioner Paul Chartrand:** In a
22 town of 1,200.

23 Thank you very much.

24 **Co-Chair Allan Blakeney:** Thank
25 you.

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1 I would like to invite the
2 representatives of the Opasquiak Women's Resource
3 Centre to make a presentation.

4 MS EVELYN BALLANTYNE: Good
5 afternoon Commissioner Blakeney and Commissioner
6 Chartrand and Commissioner Lathlin.

7 My name is Evelyn Ballantyne and
8 today I am presenting on behalf of many aboriginal
9 women, as well as the Resource Coordinator of the
10 Opasquiak Women's Resource Service.

11 Although there are many issues
12 that are of a priority in terms of women's issues
13 the three topics I choose to bring to the
14 attention of the Commission are the following:
15 the Indian Act, aboriginal self-government and
16 women's resources.

17 With the passing of the Indian Act
18 in June of 1985 it was intended to benefit non-
19 treaty Indian women and their children. While the
20 bill addressed the issue of women who had married
21 non-status, to be eligible to regain their Indian
22 status, as well as individuals who had involuntary
23 enfranchised, it is still discriminatory.

24 If I may, I would like to make an
25 example of this. An Indian man lived in a common-

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1 law relationship with a non-Indian woman. There
2 were two children of this union, one male and one
3 female. The male child was a registered Indian.
4 The female child was not. Bill C-31, section 6(2)
5 provided for registration of the female child.
6 Both are now registered Indians, the male child
7 under 6(1) and the female child under 6(2).

8 However, the position of the
9 children is not equal. The boy, registered under
10 6(1), is in a better position. He, as a right,
11 can pass his Indian status on to his children.
12 The female child cannot. The determining factor
13 is that he is male and she is female.

14 Until the time comes that she can
15 pass on her Indian status, has that right,
16 discrimination on the basis of gender remains as
17 part of the Indian Act. This is what we women
18 refer to as the second generation cut-off.

19 It is our position to state that
20 the Indian Act continues to discriminate against
21 women and is contrary to section 15(1) of the
22 Canadian Charter of Rights and Freedoms. The most
23 critical issue about Bill C-31 is our continued
24 forced assimilation. Our cultural survival
25 continues to be seriously jeopardized.

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1 We believe that if Bill C-31 is
2 not changed there will be no Indians within a few
3 generations. Legislation is difficult to change,
4 but nothing is written in stone. For example,
5 part of the bill included what we refer to as the
6 "death rules". If it were not for some concerned
7 people who reviewed the new Indian Act, this
8 particular section would have been missed.
9 Therefore, people whose parents were not living
10 prior to a certain date would not be eligible to
11 apply.

12 The death rules were abolished and
13 a proposed amendment was drafted to give provision
14 to this category of potential new Indians. Had it
15 not been for the lobbying of many women's groups
16 of governments this section would have remained in
17 the Indian Act.

18 Some may say that after self-
19 government is entrenched in the Canadian
20 Constitution we do not need to address this issue,
21 the Indian Act will be thrown out. But suppose it
22 was tabled for review in Parliament tomorrow, it
23 will be before the Standing Committee again, it
24 goes through the three readings and reaches Royal
25 Assent and becomes law. This issue is still very

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1 much on the agenda of aboriginal women's
2 organizations and will continue to be so as long
3 as the Indian Act is in its present form.

4 In reference to aboriginal self-
5 government, the concept of aboriginal self-
6 government is something that the women are
7 concerned with. While we support the quest of
8 aboriginal peoples to immediate recognition and
9 inherent right to self-government, we as
10 aboriginal women are also seeking equality within
11 the framework of an aboriginal government, whether
12 it be by adoption of a Canadian Charter of Rights
13 and Freedoms or by a development of a Charter of
14 Rights for aboriginal people.

15 It is becoming recognizable to
16 aboriginal women that they are not being included
17 in the process of self-government. Aboriginal
18 male-dominated organizations are not recognizing
19 that any major undertaking, such as self-
20 government, must include aboriginal women as part
21 of the decision-making position.

22 The absence of women in any
23 political agenda is not complete without their
24 input. The future governments of aboriginal
25 people must be in partnership with the women. We

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1 need to have a full and active involvement during
2 this process.

3 Although we practice the
4 democratic process in electing our leaders there
5 is no guarantee that women who have let their
6 names stand for the positions of Chiefs and
7 Councillors will be elected. We must recognize
8 the potential in our aboriginal women. It is only
9 through this partnership that real changes can
10 take place in our communities.

11 In resources, or lack of, the
12 present aboriginal governments must realize that
13 funding is required for more women's programming.
14 Most of the funding, as it now stands, does not
15 meet specific requirements towards women's
16 resources.

17 One issue confronting aboriginal
18 women today is the family violence issue. We need
19 to address this more at the grassroots level.
20 Many of our women have attended meetings and
21 conferences outside of their communities, but we
22 do not see this happening in our own community.
23 Except for the conference the Opasquiak Aboriginal
24 Women facilitated in the fall of 1990 we have not
25 visibly seen this issue being addressed publicly.

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1 More awareness should be provided on this issue in
2 order to combat the problem of abuse.

3 Educational resources: The
4 opportunities for aboriginal women in a
5 competitive environment is very low in comparison
6 with the rest of society. Education, not only
7 academically speaking, but other resources
8 required for the opportunity to enhance one's
9 goals for a better life, should be available for
10 everyone at all times. More women should be in
11 positions of management as part of gender
12 equality.

13 I want to thank the Royal
14 Commission on Aboriginal Peoples for providing
15 this forum for individuals like myself to express
16 my thoughts on aboriginal women and the important
17 role they can play given the opportunity.

18 Thank you.

19 CO-CHAIR ALLAN BLAKENEY: Thank
20 you, Ms Ballantyne. If you don't mind we will ask
21 a question or two.

22 MS EVELYN BALLANTYNE: I don't
23 mind.

24 CO-CHAIR ALLAN BLAKENEY: We are
25 just beginning our hearings across Canada and we

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1 are hearing some of the points you have raised,
2 not quite in the way you have raised them, but the
3 same themes. And that is that many aboriginal
4 women look upon aboriginal self-government almost
5 with uncertainty because they are unsure whether
6 or not there will be guarantees of equality for
7 women in the new governmental structure. They are
8 calling really upon aboriginal leaders and upon
9 non-aboriginal leaders to somehow address this
10 issue.

11 Do you have any suggestions as to
12 what might be done and by whom to see that when
13 the Assembly of First Nations or the Native
14 Council of Canada or the Métis National Council or
15 the Inuit Tapirisat speak on political issues for
16 aboriginal organizations that they have more of a
17 woman's voice? Or alternatively, should there be
18 other organizations in on the discussion? Have
19 you thought of that?

20 MS EVELYN BALLANTYNE: Certainly
21 we will have to depend on our leadership, and I
22 pointed out the male-dominated organizations which
23 makes up most of the leadership in our
24 communities, because I know that the national
25 women's organizations were denied the seat with

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1 the Canadian process. So without them being there
2 I guess we are sort of leaving it up to the rest
3 of the people, who are going to be involved in
4 those areas that are very important, to also speak
5 on behalf of all aboriginal people across the
6 country.

7 **CO-CHAIR ALLAN BLAKENEY:** Thank
8 you.

9 One last question and then I will
10 ask my colleagues to address some questions.

11 This deals with education and the
12 special problems that young women frequently have
13 because they frequently find themselves with
14 family responsibilities. That is true in all of
15 society, but it is more true in aboriginal
16 societies because of the family patterns.

17 Do you have any thoughts you would
18 like to pass on to us as to ways in which young
19 women in the 18, 20, 22 age group, who may well
20 have a family, can find more access to educational
21 opportunities?

22 **MS EVELYN BALLANTYNE:** I guess for
23 some of the young parents who are trying to get
24 back to get their education one of the drawbacks
25 has been that there is no daycare facilities in

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1 most of the communities. But I believe that some
2 of the communities are now working towards that in
3 that they are going to be providing that facility
4 for anyone that is going to be going back to their
5 education.

6 CO-CHAIR ALLAN BLAKENEY: Thank
7 you.

8 Commissioner Chartrand, please.

9 COMMISSIONER PAUL CHARTRAND:
10 Thank you.

11 Thank you for your presentation.

12 Let me ask a couple of questions, if I may.

13 We heard in other places as well
14 the references to the unequal application of the
15 membership code in the Indian Act. You referred
16 to section 6 and its various subsections. I
17 remember spending a weekend in 1985 studying these
18 provisions and I must say that I have an
19 inadequate understanding of it. So the fact that
20 these views are being expressed are certainly
21 going to drive me back to a closer examination of
22 these provisions.

23 But my question is more important.
24 You did say that you support the notion of the
25 inherent right of self-government. In light of

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1 the comments that you made about the Indian Act
2 and its membership code, I ask: If you take the
3 view that the right of aboriginal self-government
4 includes a right of self-identification, if so
5 then it would seem to me that the comments you
6 make about the Indian Act have to do with the
7 transitory process, a process that is there now
8 and must be dealt with on the way to something
9 else down the road in the long-term.

10 I just wonder if you might assist
11 us by giving us your views on that. Do you
12 believe that in the long term or the shorter term
13 that the Indian Act definition must be replaced by
14 another sort of identification system?

15 MS EVELYN BALLANTYNE: I think a
16 lot of people are expressing that right now. We
17 have been so long dealing with the Indian Act and
18 always referring to it whenever you want to do
19 something that is -- we feel that it is
20 restrictive in some areas. If that can be done
21 where it is going to make provision for things
22 like that, even in developing their own membership
23 codes -- and this was only one example that I took
24 because to me it is an important issue.

25 Before anything is presented as

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1 becoming legislation it should be addressed, I
2 think, to the people at the grassroots level
3 because those are the ones that are affected.
4 It's not always that we are going to get the same
5 kind of information. If we don't get it first-
6 hand at the very beginning of its development we
7 lose the communication in getting first-hand
8 information on any kind of legislation that is
9 going to be implemented.

10 **COMMISSIONER PAUL CHARTRAND:**

11 Thank you.

12 **CO-CHAIR ALLAN BLAKENEY:** Thank
13 you very much.

14 I would invite representatives of
15 the Opasquiak Educational Authority to come
16 forward.

17 **MR. EDWIN JEBB:** Thank you.

18 My name is Edwin Jebb. I am the
19 Director of Education for the Opasquiak Education
20 Authority. Because of some mix-up with our agenda
21 Philip Dorion is in Winnipeg today.

22 Our package that I will be reading
23 off is part of the package that was presented by
24 Chief Flett this morning, but he left this part
25 out.

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1 The Opasquiak Education Authority
2 is the educational arm of The Pas Indian Band and
3 I, myself, have to report to the Board. On the
4 Board there are elected people and appointed
5 people.

6 I will start reading it off now.

7 The Pas Indian Band, over the last
8 few years, has worked hard on exercising its
9 jurisdiction over such areas as education, child
10 welfare and health. We have come a long way but
11 we still have a long way to go.

12 In terms of education, the basic
13 purpose of The Pas Band reassuming control of
14 their education system is to have decision-making
15 control over the socialization and education of
16 the future adult band members. Band members want
17 to be able to control the location and learning
18 environment of their children. That is why a
19 school was built in our community. We are very
20 proud of our school and as a physical structure,
21 it is a model for other First Nation communities
22 to see. In terms of program delivery, we are
23 still learning and adapting.

24 We are learning and adapting based
25 on the following program principles which The Pas

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1 Indian Band considers essential to meet the basic
2 minimum requirements of a quality school program.
3 Some of these are:

4 a) community control and parental
5 participation in the development of a school
6 program;

7 b) parity of resources available
8 to other students in Manitoba;

9 c) expectations that student
10 achievement will be comparable to other students
11 in Manitoba;

12 d) program elements that
13 recognize unique cultural characteristics of the
14 community;

15 e) access for students to post-
16 secondary training programs available in Manitoba
17 and elsewhere;

18 f) acquisition by students of
19 skills, knowledge, and attitudes which will permit
20 active involvement in all aspects of community
21 life.

22 The Pas Band is determined to
23 provide a level of excellence in its educational
24 programming which will afford the students with
25 the best opportunity for a full productive life in

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1 this and any community. There are several
2 components to this educational program:

3 a) high standard of teaching
4 competence, effective program delivery and
5 achievement results;

6 b) flexibility of programs which
7 meets the needs and aspirations of students and
8 the parents;

9 c) excellence in teaching
10 methodology;

11 d) recognition of the
12 significance of our language, history and culture
13 to the children, parents and staff;

14 e) quality personal and career
15 guidance services to assist students in emotional
16 development and on course and career choices;

17 f) personnel support which
18 include subject area and clinical support.

19 As with most other First Nations,
20 we are impaired by the amount of resources
21 available to us.

22 In spite of this, the Opasquiak
23 Educational Authority, which is the educational
24 arm of The Pas Indian Band, has undertaken a
25 curriculum development project in order to meet

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1 community and student education needs. Community
2 members need to acquire the attitude, knowledge
3 and skills to once again determine the education
4 of their children and to participate effectively
5 in setting the direction of the school.

6 In the past year, some of the
7 biggest issues that Opasquiak Educational
8 Authority had to deal with were, and there are
9 three:

- 10 a) limited space in the school;
11 b) the operation and maintenance
12 dollars for this school are severely limited;
13 c) the funding formula was
14 inadequate in order to deliver the school program.

15 As an explanation, student numbers
16 and student projections are done by formula. The
17 formula in turn are applied towards the standard
18 for square metre allocation, and I am talking
19 about the building of the school. But even this
20 standard, which is used by the federal government,
21 is less than the one used by the Province of
22 Manitoba to build their schools. This results in
23 over-crowding in our school and every newly built
24 school in Manitoba reserves.

25 In addition to this, and it is not

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1 written in my paper, but once most First Nations
2 schools are opened there is a large expectation
3 that people will do well so a lot of students come
4 back to school. It again compounds the problem of
5 over-crowding.

6 The allocation for the operation
7 and maintenance funding, and that is to maintain
8 this building, is again driven by formula. The
9 formula which we believe is national is based on
10 the square metres of the building. Any facilities
11 developed and maintained outside of this building
12 are not included in the formula.

13 So essentially if another
14 community had the same square metres and they have
15 no outdoor facilities, we would get the same
16 amount of funding. It doesn't matter how many
17 baseball diamonds or how many track and fields and
18 what kind of facilities are out there, it doesn't
19 drive the price in volume for the operation and
20 maintenance funding.

21 What you will probably be hearing
22 nationally is that the funding formula is applied
23 consistently to all First Nations delivering their
24 education program. This formula does not allow us
25 to deliver the quality program that we would like

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1 to, based on the components I mentioned earlier.

2 In a study commissioned by the
3 Assembly of Manitoba Chiefs just recently -- I
4 think it was about a year and a half ago -- it
5 recommended that the whole funding formula be
6 overhauled. Essentially, the funding formula
7 limits First Nations the delivery of special
8 services including subject area and clinical
9 support. These are services that other provincial
10 authorities have access to, and for First Nations,
11 they don't have access to those services. An
12 example of that is a speech pathologist or a
13 speech therapist and those kinds of clinical and
14 support areas.

15 With this presentation we would
16 like to reaffirm our goal of self-government
17 relative to education. And with this we would
18 like to develop our human resources in our
19 community so that our community can decide and
20 work towards the quality of life that we all want
21 in our community of The Pas Reserve.

22 Thank you.

23 CO-CHAIR ALLAN BLAKENEY: Thank
24 you very much.

25 Just a host of questions.

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1 MR. EDWIN JEBB: Go ahead.

2 CO-CHAIR ALLAN BLAKENEY: Paul
3 says, "Me too".

4 Just a few of simple fact at the
5 moment.

6 With respect to the teachers and
7 other instructional staff at the school, about how
8 many would be aboriginal and how many non-
9 aboriginal?

10 MR. EDWIN JEBB: About half.

11 CO-CHAIR ALLAN BLAKENEY: About
12 half and half.

13 The number of non-aboriginal ones
14 I take it then is on the decline and the number of
15 aboriginal ones is increasing a bit?

16 MR. EDWIN JEBB: This is our first
17 year of operation. Before we opened this school
18 we had a temporary school, so it is hard to
19 respond to your question or your theory. But all
20 indications are that there are more aboriginal
21 teachers out there.

22 We could have staffed this whole
23 school with aboriginal people if we had wanted to
24 because of the number of applications we had. We
25 had in excess of 200 applications. But we had to

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1 match subject skills with subjects.

2 CO-CHAIR ALLAN BLAKENEY: You are
3 looking for quality, role models, the whole bit.

4 MR. EDWIN JEBB: Everything.
5 Right.

6 CO-CHAIR ALLAN BLAKENEY: I
7 suppose the second question is not very sensible
8 either if this is the first year of operation.

9 Do you have any comment on whether
10 you think the retention rate, keeping young people
11 in school longer, is likely to increase with a
12 school like this? Is there any way to make a
13 sensible comment on that?

14 MR. EDWIN JEBB: I think so. It
15 appears to be increasing. As a matter of fact,
16 even years ago when The Pas Band started working
17 on this document, on the principles of education,
18 you could see a dramatic increase in the retention
19 of students in our provincial school.

20 My theory to that is that because
21 the community of The Pas Reserve, with the elected
22 people and the parents talking about getting
23 control of the education system, the fact that
24 people were talking about education, then the
25 students themselves felt that commitment from the

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1 leadership and their parents. So it is one of the
2 factors of how students do well in school of
3 course, that if somebody cares you care to do
4 well.

5 It was interesting to note that
6 when the Band and the parents of this community
7 started taking interest in the whole education
8 system and taking control of the education system
9 in building the school on the reserve,
10 proportionally the amount of students doing well
11 in the provincial system rose. If that pattern
12 continues then we will be doing well here in our
13 school.

14 CO-CHAIR ALLAN BLAKENEY: That
15 conforms with my experience in very different
16 circumstances.

17 One further question. You
18 mentioned a curriculum development project, is
19 there, either at the University of Manitoba or
20 Winnipeg or Brandon or anywhere else, a general
21 program for developing a curriculum for Manitoba
22 schools which is sensitive to aboriginal issues,
23 because there must be lots of provincial schools
24 which have substantial numbers of aboriginal
25 students in them? Can you offer any comment on

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1 that?

2 **MR. EDWIN JEBB:** Yes.

3 As with Saskatchewan -- I guess I
4 referred to Manitoba here. I keep thinking
5 Saskatchewan because you are from there.

6 In Manitoba the Native Education
7 Branch of the Department of Education has a
8 section that deals with native issues and native
9 studies. They have developed modules, meaning a
10 two week or a three week or a one week period in
11 the area of studies, such as social studies, and
12 they have developed those ones for use in the
13 public school system.

14 **CO-CHAIR ALLAN BLAKENEY:** May I
15 say, are you taking those modules and shaping them
16 into what you want to present to your students in
17 this school?

18 **MR. EDWIN JEBB:** Exactly.

19 Through a consultation, of course,
20 with the community, to see what the community
21 aspirations are in terms of that whole subject
22 area, more in terms of philosophy maybe.

23 **CO-CHAIR ALLAN BLAKENEY:** One last
24 question -- I may come in after Commissioner
25 Chartrand again.

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1 You may have been here this
2 morning when the Mayor made his presentation and I
3 don't want to put words in his mouth, but he
4 seemed to be saying "Great. We are happy to have
5 this school." He hoped it wouldn't lead to a
6 total separation between aboriginal and non-
7 aboriginal youth in this community. I am putting
8 words in his mouth, but one could pick this out of
9 his presentation.

10 Are there any proposals for seeing
11 that, at least in the higher grades, the students
12 in this school and the students in the town
13 intermingle a bit? If you were pressed for space
14 would you think of having, let us say, a grade 12
15 which was integrated with the town?

16 I will offer a couple of comments
17 like that and perhaps you would like to say
18 anything along that line.

19 MR. EDWIN JEBB: I won't jump on
20 your comments, I will answer the question.

21 What we have done in this past
22 year is that we have not severed our financial
23 link with Kelsey School Division, which is the
24 school division for the Town of The Pas. We still
25 have an existing tuition agreement between

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1 ourselves and Kelsey School Division. Within that
2 tuition agreement, subject to both authorities,
3 both authorities have to agree on certain
4 students, Kelsey School Division can take some of
5 our students.

6 To be more specific, if a program
7 is not offered here that student can go to Kelsey.
8 As an example, we have one student from our
9 reserve that is in a French immersion program.
10 Naturally we don't have a French immersion program
11 so we honour our agreement and that student is
12 authorized to go to school in Kelsey School
13 Division.

14 We also have an agreement,
15 specifically in special education, where they said
16 they will take three students into special
17 education because, as you recall in my
18 presentation, we are lacking in those areas
19 because of the lack of financial support or
20 resources to hire a specialist. So they take
21 three students into special education.

22 In addition, we have a blanket
23 agreement for all of our high school students.
24 High school at one time meant 10, 11 and 12. Now
25 high school means 9, 10 and 11 because of a new

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1 policy in Manitoba. For any student in high
2 school from The Pas Reserve they have an option as
3 to where they are going to go to school. They can
4 transfer between semesters but they cannot
5 transfer in the middle of the year. The reason
6 for that, of course, is that we want our students
7 to have the best education system.

8 As an example, if we are not
9 offering Chemistry 300 in this semester and a
10 student needs that for graduation, that student
11 may attend the local high school in The Pas to
12 take Chemistry 300. We pay the tuition plus
13 busing and all that. Of course a student takes
14 other courses to fill the rest of the timetable.
15 We have about 13 students that fit into that
16 category.

17 So we still have a relationship
18 with Kelsey School Division. In addition, we have
19 been talking with Kelsey School Division about
20 joint programs at community college with the local
21 technical centre here in The Pas.

22 Also we have a very good working
23 relationship with the administration of Kelsey.
24 As well we have joint professional development
25 that we do. We try to match our timetables so our

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1 professional development days are the same as
2 Kelsey School Division.

3 Interesting to note, in the 4
4 School Division in the Northwest area we are
5 planning a major in-service next March, I think it
6 is the 5th and 6th. That would involve Flin Flon
7 School Division, Frontier Area 4 out of Cranberry,
8 Snow Lake, the Kelsey School Division and
9 ourselves. That would involve something like 300
10 teachers.

11 So that is an example of our
12 cooperation, but at the same time I think Kelsey
13 recognizes, and the Mayor recognizes, that the
14 people of The Pas Reserve want to control the
15 education system and they want to control what
16 happens in their school. It's the same thing with
17 them, as parents, they want to have a say in what
18 is happening in their school.

19 **CO-CHAIR ALLAN BLAKENEY:**

20 Certainly I totally understand and essentially
21 agree with the idea that we will get the best
22 results, in every sense of the word, if we can get
23 parental involvement and if parents feel that the
24 schools teach -- perhaps that is a little too
25 strong a word -- but at least respect their home

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1 values in the school. For this to happen, at
2 least in the early grades and perhaps for the
3 whole thing, the school really has to be
4 controlled by aboriginal people.

5 MR. EDWIN JEBB: I would like to
6 also offer here some other additional information
7 that is not in my package. I noted this morning
8 in the Mayor's presentation, and you took quite an
9 interest in it, I co-chair the Race Relations
10 Committee for The Pas and area.

11 CO-CHAIR ALLAN BLAKENEY: You are
12 talking to an ex-Minister of Education at one time
13 in my career. I suppose you never stop your
14 enthusiasm for education.

15 I will stop and let Paul have a
16 turn.

17 COMMISSIONER PAUL CHARTRAND:
18 Thank you.

19 Just a few questions, if I may. I
20 will try to make them as brief as possible.

21 Let me start by trying to confirm
22 something that I think I understand from your
23 presentation. You did affirm your support for the
24 goal of aboriginal self-government.

25 In light of that, am I correct in

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1 understanding that when you refer to present
2 problems with the funding formula that you are
3 concerned with the problem that given your support
4 for aboriginal self-government you would see in
5 the interim where a transitional problem,
6 presumably this problem, would be a part of the
7 larger problem down the road of financing
8 aboriginal self-government and the appropriate
9 control over the financing of education generally?
10 Is that right? Do I understand your presentation
11 on that point?

12 MR. EDWIN JEBB: Partially right.

13 The other issue is that the
14 formula has become better over the last few years.
15 It was worse ten years ago or five years ago. It
16 is better now, but it is still insufficient when
17 you compare it to other school systems in the
18 area. I am not talking about the school system
19 across the river. I am talking about a comparable
20 school system like Grand Rapids within the
21 Frontier School Division, which is a comparable
22 size.

23 COMMISSIONER PAUL CHARTRAND: The
24 other question has to do with one that has already
25 been touched upon here, but I would like to probe

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1 for more detail if I may.

2 It has to do with the curriculum
3 content. You referred to the curriculum
4 development committee. The question is this: To
5 what extent are you constrained in introducing
6 substantive curriculum content by provincial laws
7 or provincial policies or provincial practices?

8 For example, it seems to me, and
9 please correct me if I'm wrong or I am
10 misunderstanding, that the Native Education Branch
11 has some capacity to develop curriculum materials.
12 It does not, however, if I understand things, have
13 any authority to determine whether that material,
14 or any other material, in fact is officially
15 approved, as it were, for use in the public
16 schools.

17 So my question is the same, but
18 for your purposes here, what sort of obstacles are
19 there in your path, if any, in introducing a
20 particular curriculum content into the schools
21 here? Are you free to introduce any substantive
22 curriculum? What are the constraints?

23 MR. EDWIN JEBB: I don't think the
24 problem will be the province because, as both
25 Commissioners know, the process of accrediting a

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1 program -- there is a process for it in which the
2 province looks at it and they do a test run on it
3 and it goes back and is finally authorized by the
4 Minister. We fully expect to go that route.

5 Interestingly enough, our main
6 obstacle, relative to curriculum changes, is our
7 own people because rightly or wrongly most people,
8 whether it is our own people or any people, want
9 to remain with the status quo, they want to keep
10 the status quo.

11 COMMISSIONER PAUL CHARTRAND:

12 Right, but at the formal level it is the
13 provincial Minister of Education who has the power
14 and the authority to approve the curriculum
15 changes that you are dealing with. Did I
16 understand that point?

17 MR. EDWIN JEBB: That's right.
18 But at the same time, within the Manitoba Public
19 School System there is a lot of flexibility,
20 especially at the high school level, for local
21 authorities, whether they be public school
22 divisions or education authorities, to exercise
23 options under what they call "school initiated
24 courses".

25 COMMISSIONER PAUL CHARTRAND: My

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1 next point is this -- I don't think it is a matter
2 that you touched upon but I will ask it and please
3 tell me if you are not in a position to deal with
4 it.

5 Do you have any views on the
6 notion of the appropriate basis for creating
7 educational rights? You are, I'm sure, familiar
8 with the debate in Canada over the last few years
9 on education as a treaty right. Do you have any
10 views on that? In your own area has any work been
11 done in that regard? Because it is important, our
12 task is to make national policy recommendations
13 and at least my concern would be that if that view
14 is taken then I would note immediately that there
15 are not treaties everywhere in Canada and the text
16 of the treaties varies from place to place.

17 So my question is to invite you to
18 make any comments that you may wish to make or to
19 decline about that particular issue.

20 MR. EDWIN JEBB: No work has been
21 done because from day one all our elected
22 leadership and all our members of The Pas Indian
23 Band work on the premise that education is a right
24 given to us by treaty. That is all there is to
25 it.

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1 COMMISSIONER PAUL CHARTRAND:

2 Those are all my questions. Thank you very much.

3 CO-CHAIR ALLAN BLAKENEY: One last
4 question, just for my curiosity because I have
5 been going around Saskatchewan and I go into a new
6 school on an Indian reserve and they say, "It took
7 us about three to four years to get this school
8 and get it built. When they built it they built
9 it on the numbers we gave them four years ago and
10 the day we moved in it was over-crowded." Just
11 for fun, did that happen to you?

12 MR. EDWIN JEBB: That is what I
13 mentioned here in the space allocation. That is
14 because of the formula and also the enthusiasm
15 that students generate, the community generates.
16 A lot of students want to come back. It is
17 something that we are very concerned about, and
18 every community that is going to be getting a new
19 school should be concerned about.

20 Thank you very much.

21 COMMISSIONER PAUL CHARTRAND: I
22 just wanted to take the opportunity to wish you
23 well in all these exciting new endeavours.

24 MR. EDWIN JEBB: Thank you.

25 CO-CHAIR ALLAN BLAKENEY: Excuse

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1 me, I didn't catch the signal from our colleague
2 here.

3 COMMISSIONER GEORGE LATHLIN
4 (through interpreter): The one thing I am asking
5 about the school -- I want to ask a question about
6 religious teaching. Is there any religious
7 teaching taking place in the school? That is one
8 thing I want to mention.

9 The other thing I want to talk
10 about is self-government. It was a promise made
11 by the Queen and that we would never lose that
12 promise that was given to us. Is there a fear
13 that we will lose that if we take self-government,
14 the promise of treaty?

15 MR. EDWIN JEBB (through
16 Interpreter): The thing I want to answer you
17 right now is the question about religious
18 instruction. There is a certain amount of
19 religious instruction, but it is not part of the
20 curriculum. They do have prayer in the morning
21 before they start school. The other ones in the
22 big cities don't allow any religious instruction.
23 So therefore they don't pursue the religious
24 instruction in the big city schools.

25 Self-government, I don't believe

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1 we will lose anything. I do believe we will gain
2 much more than we will lose. Therefore, I think
3 all the leaders feel about the same way, that we
4 will gain more in self-government than anything
5 else.

6 COMMISSIONER GEORGE LATHLIN

7 (through Interpreter): The reason why I ask about
8 religious instruction is because of the way the
9 young people are acting because they are not
10 taught religious instruction. They take it for
11 granted that they will do everything. They will
12 not respect anything without religious
13 instruction.

14 CO-CHAIR ALLAN BLAKENEY: Thank
15 you very much.

16 We will now invite the Moose Lake
17 Local of the Manitoba Métis Federation.

18 MR. STAN SINCLAIR: The first
19 thing I noticed walking in here is there is no
20 significant signs that the Métis people are
21 welcome here. Even that logo up there doesn't
22 have any significant proposals for the Métis
23 people.

24 The Métis people in Moose Lake
25 have suffered a great deal of injustice. We have

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1 suffered -- well basically what other communities
2 have suffered, deaths and all that.

3 I had lots of things to say when I
4 walked in here, but I sort of laid back or forgot
5 -- not forgot them, but just have no --

6 In Moose Lake, my experience as a
7 Métis person -- we came from the rebellion in
8 Selkirk. My family moved down to Grand Rapids.
9 From Grand Rapids we moved over to Moose Lake. My
10 forefathers talked Mitcha when they moved from
11 Selkirk to Grand Rapids.

12 As I was growing up we lost our --
13 we don't know how to speak Mitcha but we speak
14 Cree which is part of the language in Moose Lake,
15 the Cree Nation. What we are trying to look for
16 are Métis culture or laws or systems. We have
17 completely lost them. We don't know what they
18 are.

19 I will pass it on to Brian here.

20 MR. BRIAN SINCLAIR: What Stan is
21 saying, if I understand it, is our rights as
22 aboriginal people have been suppressed, the right
23 to practice our culture, our customs. These are
24 all aboriginal rights: to control membership,
25 economic development, hunting, fishing, trapping,

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1 harvesting, gathering, language, culture,
2 religion, education -- these are all aboriginal
3 rights that Stan has mentioned.

4 We feel that our rights as
5 aboriginal people have been suppressed and we
6 cannot, under the present system, develop or
7 promote these values that the Métis are entitled
8 to.

9 Furthermore, we would like to say
10 that the assistance that we receive from Northern
11 Affairs in the communities is so minimal that it
12 could be paraphrased as negligible. The treatment
13 of Métis people is not fair.

14 Many people will say that this is
15 not true, that we receive funding that is
16 adequate. But throughout history we have been
17 subjected to the laws that do not reflect our own
18 values in our communities.

19 The result of these policies,
20 these laws, has been one of discrimination against
21 the Métis and other aboriginal people. Not only
22 at the individual level, but also at the
23 institutional level. When an institution does not
24 respect your values and your culture there is
25 hardly any hope. That is where we are now, it is

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1 as if we have no hope for the future.

2 A prime example of this
3 discrimination that I'm talking about, this
4 institutional discrimination, is manifested from
5 the Province of Manitoba. Right now the Province
6 of Manitoba is negotiating with the community of
7 Moose Lake in regards to the Grand Rapids
8 Settlement agreement.

9 In that agreement the Province of
10 Manitoba is prepared to transfer 12,400 acres of
11 land to be designated as reserve land to the Moose
12 Lake Indian Band. Our MMF Local feels that
13 because of our aboriginality we are entitled to be
14 treated as equal partners in this agreement. But
15 currently we are not recognized as a legal entity
16 to represent the interests of our members.
17 Because of our aboriginality our rights include
18 land -- what Stan was talking about previously.

19 We would like to make it clear and
20 known today that we are prepared to deal with this
21 issue. We are prepared to relocate to a land
22 base. We are prepared to deal with the Province
23 of Manitoba in regards to this settlement
24 agreement.

25 We have lost confidence in our

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1 community council because the Northern Affairs Act
2 requires that the community council represent
3 community interests. Community interests are
4 diverse. There are a different number of groups
5 living on the community site, Bill C-31, Métis,
6 non-aboriginal and treaty peoples and other
7 groups.

8 So if we are to prosper as a
9 distinct -- maybe not distinct but as a group of
10 people we need a land base, we need resources, we
11 need to control our own destiny and our future.
12 We have lost confidence in Northern Affairs, as
13 well as with the community council.

14 Thank you, that's it.

15 CO-CHAIR ALLAN BLAKENEY: I will
16 ask Commissioner Chartrand to start off.

17 COMMISSIONER PAUL CHARTRAND:
18 Welcome and thank you for your presentation.

19 I would like to make some brief
20 comments and ask a few very brief questions.

21 First of all with respect to your
22 comment about the logo. I certainly cannot speak
23 as an expert on logos, but I do consider myself to
24 be a cultural philistine in this area. My
25 understanding is that the logo is intended to be

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1 stylistic rather than realistic. It does not
2 purport to represent things directly, but rather
3 symbolically.

4 So it is possible then, I take it,
5 to look at the logo and see that the four major
6 aboriginal groups are represented there: those
7 with treaties, those that do not have treaties,
8 the Inuit and the Métis, and so on and so on. I
9 would leave it in the hands of people who are
10 better schooled in these symbolic matters than I
11 am to explain it.

12 I do want to affirm that this
13 Commission is mandated to examine the
14 circumstances pertaining to all of the aboriginal
15 peoples of Canada. All the aboriginal peoples of
16 Canada are more than welcome here, as indeed are
17 all people in Canada.

18 With respect to Moose Lake, we
19 have had some presentations already from Moose
20 Lake and there are a number of important issues.
21 Would you mind, in very brief terms, giving us,
22 for the purposes of the Commission, a bit of an
23 idea about the population split, if I could use
24 that word, between the reserve community, status
25 community and the Métis population in Moose Lake?

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1 That is my first question. I
2 would invite you just to comment on that if you
3 might.

4 **MR. STAN SINCLAIR:** At one time
5 there was a population of 1,200 Métis in the
6 community. We just took a census six months ago
7 and we've only got a population of 70 membership
8 now. The rest are all Bill C-31s.

9 **COMMISSIONER PAUL CHARTRAND:** In
10 an earlier presentation, the ones before you, we
11 heard about the impact of the control of education
12 over a local community. In Moose Lake what are
13 the educational facilities there and who controls
14 them? Do the Métis people have any control?

15 **MR. STAN SINCLAIR:** The Frontier
16 School has control of the school system.

17 **COMMISSIONER PAUL CHARTRAND:** The
18 Frontier School Division.

19 Are there Métis people involved in
20 the decision-making process?

21 **MR. STAN SINCLAIR:** Not really.

22 **MR. BRIAN SINCLAIR:** We have a
23 school board that was created to address the
24 interest and concerns of the local people. I
25 would say we have representation.

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1 COMMISSIONER PAUL CHARTRAND:

2 There are, as I understand it, some developments
3 with respect to a couple of the other points that
4 you made. I would just like to check them with
5 you.

6 First, there have, for a number of
7 years, been discussions about Métis enumeration
8 across western Canada. It is my understanding
9 that there are some recent endeavours to carry on
10 with that.

11 Is this, in your view, a
12 worthwhile goal? Do you believe that the
13 proposals for a Métis enumeration are the kinds of
14 proposals that would further the goals of the
15 Métis people in Moose Lake?

16 MR. BRIAN SINCLAIR: I'm sure it
17 would assist us in our ideas and our goals.

18 MR. STAN SINCLAIR: It depends on
19 each and every community, I guess, how it is going
20 to prosper from enumerations.

21 COMMISSIONER PAUL CHARTRAND: On
22 the matter of land I note that you said that you
23 would be prepared to relocate to land. I am given
24 to understand, again, that there have been some
25 movements there. Very recently, a new federal

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1 minister has been named apparently to negotiate
2 the matter of land. So I presume that the Métis
3 people from Moose Lake will be there front and
4 centre to see to it that their interests are
5 represented in that process.

6 MR. BRIAN SINCLAIR: Right. We
7 have identified a land base, that is the initial
8 process, I believe. From there we will have to
9 see what happens.

10 COMMISSIONER PAUL CHARTRAND:
11 Thank you very much for your responses.

12 I want to thank you again and wish
13 you well. I will now turn you back to the Chair.

14 CO-CHAIR ALLAN BLAKENEY: I want
15 to thank you for your presentation. I wanted to
16 ask you a couple of questions and one of them has
17 been more or less answered.

18 I take it that you feel that the
19 best development, from your point of view, would
20 be to get a land base from which you could
21 operate, at least better than you can now with
22 respect to preservation of Métis culture and the
23 other items which you enumerated at the outset and
24 from which you could pursue a Métis self-
25 government, whatever that may mean, and it will

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1 take a little negotiating. But it is much easier
2 to do from a land base than it is without a land
3 base.

4 Your nods suggest that you agree
5 with my musings here essentially. You can add to
6 them if you like.

7 I wanted to ask a specific
8 question that came up earlier with respect to the
9 policing in Moose Lake and whether there are
10 police other than the RCMP who are police people
11 in Moose Lake. I was a little confused about a
12 couple of things that were earlier said.

13 MR. BRIAN SINCLAIR: Certainly we,
14 as a community, are plagued with social problems,
15 such as alcohol, drugs, violence, and all these
16 other social ills that have been with us for a
17 number of years. Both councils, Mayor and
18 Council, Chief and Council, as well as external
19 powers have tried to address these problems.

20 The resources that we receive, as
21 I have indicated, from the Department of Indian
22 and Northern Affairs is so minimal that there is
23 hardly any money to develop institutions that
24 would be able to at least help us in our goals.
25 Such as a detoxification centre, such as a shelter

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1 for women, a shelter for other people needing
2 these services. As I have indicated we have no
3 financial resources. It is very hard for us to
4 address these problems.

5 MR. STAN SINCLAIR: We have no
6 Métis policemen. We have a community council but
7 no Métis policemen. I believe that we should, as
8 Métis people, control our own destinies, our own
9 lives, our own wills. Whatever we want to do
10 should be given to us, control, everything.

11 MR. BRIAN SINCLAIR: The local
12 RCMP arrive in Moose Lake on Thursday. They
13 patrol the area for about an hour and then they go
14 back to The Pas. They come back at night around,
15 I would say, 12 o'clock. They patrol the area
16 again for another hour. Then they go back to The
17 Pas. This has been their way of saying that they
18 are trying, but the effort is not enough for us,
19 as far as we are concerned. They can do more. I
20 am pretty sure they have the resources.

21 Northern Affairs is not willing to
22 allow any more money to be allocated towards these
23 resources that we need, such as an additional
24 constable. We have one for the community council.
25 We have one. But the community's Special

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1 Constable has expressed that he needs a partner
2 and Northern Affairs has said, "No, we have no
3 money for that". We have no police vehicles. We
4 have no lock-up.

5 CO-CHAIR ALLAN BLAKENEY: Who do
6 you think should do what, if I may put it that
7 way? What do you think would be the next steps to
8 get at some of the problems you are facing?

9 MR. STAN SINCLAIR: I think the
10 Métis people should be the ones to control
11 everything with their own membership code and
12 everything, the Métis people. Just the Métis
13 people, that's it, nobody else.

14 CO-CHAIR ALLAN BLAKENEY: But did
15 you tell me there were only 70 in the community?

16 MR. STAN SINCLAIR: Yes, but that
17 will grow fast as time goes by. Everything grows.

18 CO-CHAIR ALLAN BLAKENEY: Would
19 you like to make any closing comments?

20 MR. STAN SINCLAIR: It is going to
21 be very hard to determine what is going to be
22 happening in the future. The governments are
23 setting up -- like this Royal Commission, to
24 listen to our people's concerns, people's opinions
25 on what Métis and Indian populations are going

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1 through right now. So it is going to be up to the
2 giant corporations to let us fulfil our dreams or
3 they could just kill us off and be done with it.

4 That is all I have to say.

5 CO-CHAIR ALLAN BLAKENEY: I think
6 you are a little pessimistic in thinking that the
7 Métis people are going to be killed off. They
8 have been around for quite a while.

9 MR. BRIAN SINCLAIR: The way I
10 understand this Commission is that it is supposed
11 to listen to people and at the end make
12 recommendations to the Government of Canada, if
13 these concerns and these opinions from the people
14 are to be entrenched in the Constitution.

15 We feel, as an MMF Local, that it
16 is good for these things to happen. At least now
17 we have a chance to express our frustrations.
18 From our local we would like to thank you.

19 CO-CHAIR ALLAN BLAKENEY: Thank
20 you.

21 We are hopeful that it will do
22 something a little more than give you a chance to
23 express your frustrations. We hope that out of
24 all of this will come some better idea about what
25 we are talking about with respect to aboriginal

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1 self-government, that this will apply to Métis
2 people as well as other people, and that if this
3 comes to pass that the Métis people will have a
4 great deal more opportunity to make decisions that
5 affect their lives and some of the problems can
6 therefore effectively be dealt with.

7 Never in our society do we deal
8 with all of the problems effectively, white,
9 native, aboriginal, non-aboriginal, but I think it
10 is a long step forward for people who have not had
11 those tools at hand to deal with their destiny,
12 and the Métis people are among the ones who have
13 had problems and not tools.

14 Thank you very much.

15 I think we will take a 10 to 15
16 minute break for coffee and then we will proceed
17 with the individual presentations, starting with
18 the one that was scheduled for 3:30.

19

20 --- A Short Recess at 3:40 p.m.

21 --- Upon resuming at 4:00 p.m.

22

23 CO-CHAIR ALLAN BLAKENEY: We will
24 reconvene and we will invite Sandra DeLaronde from
25 The Pas to make her presentation.

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1 MS SANDRA DeLARONDE: Good
2 afternoon.

3 What I would like to talk to you
4 about today is the status of aboriginal women in
5 their relationship within aboriginal organizations
6 and aboriginal communities, and perhaps offer you
7 a few suggestions at this point.

8 I am the Vice President of the
9 National Action Committee on the Status of Women
10 and I co-chair the constitutional committee. As
11 well I do work with aboriginal women's
12 organizations.

13 Just in case there are any
14 questions about the organizations that I am with,
15 this presentation is as an individual and doesn't
16 reflect on the organizations I work with.

17 As an aboriginal woman who has
18 basically grown up in the aboriginal peoples'
19 movement, and particularly with the Manitoba Métis
20 Federation, because our parents got us involved
21 when we were about 13 years old. So we have grown
22 up with the process and with the people that are
23 involved. So I guess I will just speak from that
24 experience.

25 Within the aboriginal women's

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1 community and our representative organizations I
2 think that is the only organization in this
3 country where finally the legal definitions and
4 barriers that separate aboriginal people are being
5 removed. For example, locally we have the
6 Opasquiak Aboriginal Women which is an aboriginal
7 women's organization without legal definition. If
8 you are an aboriginal woman and you define
9 yourself to be so then you can be a member. There
10 is also the Indigenous Women's Collective that
11 operates on the same principle.

12 So I think we talk about self-
13 government as women see it, as an inclusive
14 process and we are quite disturbed and frustrated
15 with the current process. Even though there has
16 been a movement to include representative
17 organizations it still is a process that is
18 dominated by men, whether their faces be brown or
19 white. I believe that the concerns of women are
20 still not being addressed. Particularly if the
21 stand of the Assembly of First Nations is not to
22 have charter application or requesting the
23 inclusion of the notwithstanding clause to apply
24 to aboriginal governments. I think that is
25 probably a problem with that.

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1 You see the term aboriginal
2 governments when we speak about the AFN or the
3 Métis National Council or the other two
4 organizations because essentially they are lobby
5 organizations and not governments, I think people
6 tend to see them as that, as governments instead
7 of organizations.

8 So if Canada gives the aboriginal
9 organizations the right to apply the
10 notwithstanding clause I think that the process
11 for equality of rights for all aboriginal women,
12 whether they be status or Métis or off-reserve,
13 will continue to be eroded.

14 I think the constitutional
15 conference on aboriginal people that was held in
16 March was a very good indication of what will
17 happen and what is happening to women, that the
18 Native Women's Association wasn't given equal
19 standing at that conference. It was only through
20 the Native Council of Canada that the Native
21 Women's Association of Canada was able to
22 participate in that process.

23 So there is a problem politically,
24 as well I think that it involves the community
25 where all the local leaders see that there are no

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1 women involved in a national political process
2 that purports to be inclusionary. So the process,
3 when it comes to the community, continues to be
4 oppressive to women because the political leaders
5 don't see the involvement of women nationally.
6 They don't give the right of responsibility to
7 women to share their issues and concerns and
8 answers to problems that exist in the communities.

9 So I think that the other problem
10 we have to address as a people is the racism
11 within our own communities and within our own
12 families. For some people the legal definitions
13 and what that includes separates us as a people.
14 We find that the women who are politically active
15 are women that for the most part have gained
16 status through Bill C-31 or women who have lived
17 off reserve. Women who have had to spend a
18 lifetime under oppressive legislation have a
19 difficult time breaking out of that mould. Then
20 we have a difficult time accepting them as well,
21 for whatever reason, through the years of
22 internalizing our oppression as a people.

23 So the process for change doesn't
24 happen independently, nationally or locally, the
25 process has to happen at the same time and it has

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1 to start from the individuals in the community,
2 and for the political leaders, regardless of legal
3 definition, to accept and welcome women's views as
4 not just a particular lobby group's views, but as
5 a view of part of the nation, as part of the
6 people, that women have real needs and have real
7 answers to problems.

8 So that is what I wanted to share
9 with you. I will also be submitting a paper later
10 on in the year on aboriginal women's issues.

11 CO-CHAIR ALLAN BLAKENEY: Thank
12 you very much. We will certainly look forward to
13 receiving your paper.

14 May I ask a question or two, and I
15 suspect my colleagues may wish to ask some as
16 well.

17 One of the things that this
18 Commission will be trying to wrestle with is the
19 issue of aboriginal self-government, that is
20 clear. We are aware of the fact that we are
21 getting somewhat different signals from the
22 leadership of the organized national aboriginal
23 groups, thus the Inuit Tapirisat, the Native
24 Council of Canada, the AFN and the Métis National
25 Council and aboriginal women's groups. I don't

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1 say they are conflicting signals, I am just saying
2 they are divergent signals.

3 Some of the debate has revolved
4 around the Charter and you have alluded to that.
5 The Charter is used as sort of a grab bag. There
6 are some things in the Charter which I don't think
7 should be part of aboriginal self-government.
8 Some of the justice ones require trial by jury and
9 some of those may not make sense, at least it is
10 up to aboriginal governments to decide whether it
11 makes sense. Some of the others are much more
12 fundamental.

13 Do you have any guidance to offer
14 us on what we should be saying about aboriginal
15 self-government? And more particularly, any
16 protections which should be suggested for women or
17 for other groups who we may not have thought of
18 when devising a structure for aboriginal self-
19 government?

20 MS SANDRA DeLARONDE: Recognizing
21 that the Charter isn't a perfect document, it is
22 all we've got right now as a Canadian society. I
23 think the National Chief had said that the Charter
24 is an imposition of a foreign document on
25 aboriginal people, but in the traditional

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1 teachings it showed that men and women were equal
2 with the creator. So that was our Charter of
3 Rights and Freedoms.

4 Essentially I find that to be a
5 much better Charter than the Canadian Charter that
6 we have now, I think there has to be the
7 incorporation of the traditional teachings into
8 the Charter, if not the Canadian Charter than a
9 specific aboriginal charter. There has to be a
10 protection of rights and freedoms for women and
11 for all aboriginals.

12 CO-CHAIR ALLAN BLAKENEY: I don't
13 mean to paraphrase what you say, but one way of
14 saying it is that while the document may be
15 foreign many of the principles of the protection
16 of rights is not foreign to aboriginal people and
17 aboriginal societies. You would be more
18 comfortable, and many aboriginal women would be
19 more comfortable, if aboriginal government carried
20 with it the protection of those values which are
21 certainly not foreign to aboriginal societies.
22 Whether it is in a charter or perhaps it would be
23 better in something else, but we don't have
24 something else at the moment and we do have the
25 Charter. Fair enough.

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1 This is not a question that we
2 face as a Commission, but I know the Government of
3 Canada faces this in trying to determine whether
4 the national aboriginal political organizations,
5 who represent essentially all aboriginal people,
6 more particularly all aboriginal males, and
7 whether they have to have some other organization
8 to reflect the position on aboriginal women. I
9 know they wrestle with this and they don't like to
10 say to the AFN that you just represent the males
11 in the First Nations and not the females, or ditto
12 for the other organizations.

13 Do you have a comment that might
14 be helpful there for us?

15 **MS SANDRA DeLARONDE:** I understand
16 the Commission can address any and all aspects
17 that affect aboriginal people. I think that the
18 national organizations were formed to meet a
19 particular need at a particular time, but that
20 does not evolve them into being governments or
21 nations. Our leaders more recently have started
22 talking about our inherent rights and our
23 traditional values, but there has been no real
24 practical application of those values and
25 traditions to our political system as we know it.

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1 I think probably if the leaders
2 had taken time to reflect and meditate on what
3 those traditional values are that we would have
4 the development of aboriginal governments based on
5 the principles of nationhood and not on the
6 Corporations Act of the provinces.

7 COMMISSIONER PAUL CHARTRAND:

8 Thank you for your presentation, Sandra.

9 I would like to maybe emphasize a
10 couple of points and invite you to comment on a
11 couple of matters that you have raised.

12 You have raised some, it seems to
13 me, fundamentally important issues. One of them
14 is the proposition that you referred to that legal
15 definitions have separated us as a people. That
16 is certainly one of the important matters that we
17 will have to deal with. I know that you are very
18 familiar with this.

19 There are some people who have
20 done some analysis of the issue. You may know of
21 the anthropologist Joe Sarchuck's work, for
22 example, with respect to the Manitoba Métis
23 Federation itself, that little book that he wrote
24 there, "The Reformulation of an Ethnic Identity".

25 But what I want to do about this

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1 particular point simply is to invite you, in the
2 further submission that you will make, to send us
3 your views on the matter which, if I can phrase it
4 this way, is: Who is an aboriginal person for the
5 purposes of aboriginal self-government? More
6 particularly here: Who is a Métis for the
7 purposes of Métis self-government? It is a very
8 fundamental question and we would certainly
9 appreciate having your views on that.

10 The other equally fundamental
11 question has already been raised and I would just
12 like to add a little bit to it, that is the issue
13 of representation. Who represents then whoever
14 are the relevant aboriginal people?

15 You have talked to us about the
16 organizations who were initially invited by the
17 Prime Minister under his constitutional duty to
18 invite people as representatives of aboriginal
19 peoples. It seems to me what you are saying is
20 that you believe that they might not be
21 appropriate representatives of the aboriginal
22 people. I suppose the former matter has gone by
23 the boards now, whether or not they were
24 appropriate representatives for constitutional
25 purposes for the old process, section 37 process.

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1 But I think the issue is still there.

2 There are other people who have
3 made the same argument. You probably know about
4 the Micmac, for example, and their international
5 endeavours to make the same point that they are
6 making to us now about the legitimacy of
7 representation of these organizations.

8 The question then that I would
9 like to invite you to probe, either here by way of
10 additional comments now or in your later
11 submission or both, if you had any thoughts on the
12 kind of process -- and I am assuming a process is
13 going to be required -- the kind of process that
14 would, in your view, give rise to a legitimate
15 aboriginal self-government.

16 I think what you said, if I
17 understood you, is that the organizations are not
18 governments, they are lobby groups. I understand
19 the point, you made it very clear. I am not
20 asking about that. I am asking rather have you
21 given some thought to the idea? What kind of
22 process would you believe this Commission should
23 consider in facing that very important question?
24 How is a legitimate aboriginal government born?

25 So who then represents

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1 legitimately the aboriginal people? If you have
2 any thoughts on it now, fine. If not then I would
3 invite you and your colleagues to assist us in
4 your later brief.

5 **MS SANDRA DeLARONDE:** I suppose at
6 this particular time in our development certainly
7 the four representative organizations and the
8 provincial organizations are reflective of the
9 times in that they adopted a European process of
10 politicization. But I think what really has to
11 happen is that a lot of things that the leaders
12 talk about is based on -- they say the words "we
13 are a nation" or "a nation of people" and then
14 their organizations are based on provincial
15 corporate laws. So there are a lot of things that
16 they cannot do as an organization, or if they want
17 to be governments.

18 When we talk about reclaiming our
19 strength as a people we have to talk about
20 internalizing our traditions and reforming or
21 regrouping on what those traditions are within a
22 particular group. If it is the Cree Nation then
23 that means the Crees, whether they are in
24 Saskatchewan, Alberta or Ontario, that is a nation
25 of people. The people on The Pas Reserve or the

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1 people in Moose Lake individually are not nations,
2 but they are part of a nation.

3 I think if we can think in those
4 terms then it is a place to start, but we cannot
5 as a people continue to perpetrate the oppression
6 that has faced us for generations. We have to
7 look at real change and real change starts by
8 looking at where we came from.

9 COMMISSIONER PAUL CHARTRAND:

10 Thank you for that. Your response also is clear
11 and I will just emphasize my invitation to assist
12 us further when you can.

13 Thank you.

14 CO-CHAIR ALLAN BLAKENEY: Now I
15 would like a presentation from Brian Cook. Brian
16 Cook, of Moose Lake, Manitoba.

17 MR. BRIAN COOK: I just found out
18 a little while ago that I was to make this
19 presentation.

20 First of all, the history of
21 relations between aboriginal people, the Canadian
22 Government and society as a whole, with the
23 mandate that you have is to find ways to
24 reconcile between these three groups.

25 But I think the big resolving of

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1 this issue would be with the Canadian Government
2 and Canadian society. That is to incorporate
3 aboriginal history into the public schools as
4 things that actually happened; the contributions
5 they made to the world and to the governments of
6 the United States and Canada by these two forms of
7 governments. Canada and the United States
8 accepted and they incorporated native government
9 structures into their forms of government.

10 If they could incorporate the
11 contributions made by aboriginal people to the --
12 let's say, for example, food that they have
13 contributed to the world. They have received
14 nothing in terms of profiting from the mass
15 marketing of this food.

16 So the history of relations I
17 would say can be ratified or changed to help these
18 three groups if the Canadian Government and
19 Canadian society can honestly look at, accept and
20 implement aboriginal people and the contributions
21 made to this continent of North America.

22 The recognition and affirmation of
23 aboriginal self-government, again it goes back to
24 what I was saying earlier on, that each tribe did
25 have its form of government whether they were

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1 nomadic or not. The land base for aboriginal
2 peoples including the process of resolving these
3 claims, comprehensive and specific -- at the rate
4 they are going now with the number of claims that
5 are in, it would probably take about 150 years
6 before they are done.

7 A method of dealing with these
8 claims a lot faster and more efficiently should be
9 looked at and adopted, because in 150 years you
10 can take the resources and leave the native people
11 with ruined lands.

12 The land base issue is very
13 important for aboriginal people because they have
14 a connection with this land, although one band in
15 Canada seems to have lost that connection which is
16 the Seashell Band which now operates under a
17 municipal type of government.

18 The historical interpretation and
19 application of the Constitution Act are quite
20 clear by the Canadian Crown. All the changes and
21 omissions that are made have been done without the
22 consent of the aboriginal peoples of Canada. They
23 are interpreted by the people that make these
24 legislations to suit themselves.

25 The legal status and

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1 implementation in future evolutions of aboriginal
2 treaties, including modern day agreements, the
3 implementation has not been full in the treaties
4 of Canada that have been made. The future
5 evolution will depend on the cooperation of the
6 government.

7 The legal status is a binding
8 contract, if you want to call it that, with the
9 government and the aboriginal peoples of this
10 country.

11 The constitutional legal position
12 of the Métis and off-reserve Indians should not
13 be, and I don't think are, much different from
14 those of the aboriginal status Indian.

15 The Métis people were the original
16 developers of this Province of Manitoba. They
17 occupy the Red River area and were practically
18 swindled out of this land. Again, it is the part
19 of the government to be honest and to be
20 accountable for this action that they have taken
21 against these people.

22 The special difficulties of
23 aboriginal people who live in the north are
24 isolation, lack of economics, lack of recreational
25 activities -- basically they lack everything.

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1 They don't have running water. The basic things
2 that are taken for granted by the people living in
3 the city. Over-population in the housing, this
4 creates a lot of turmoil within the native people
5 themselves. This also contributes to the violence
6 and alcoholism of people.

7 The Indian Act and the role within
8 the Department of Indian Affairs should be
9 restructured in a way that Indian people,
10 aboriginal people, have contributions made to it.
11 If I remember correctly, section 95 of the Indian
12 Act states that no aboriginal people shall consume
13 alcohol. They shall be fined and imprisoned if
14 they are caught doing so.

15 Section 97 states that any person
16 selling booze to native people will be fined.
17 This has not even been considered or looked at by
18 any of the hotels or any of the aboriginal people
19 of The Pas, who probably would all be in jail six
20 days a week.

21 So this is outdated, it is
22 paternalistic, it is patronizing and it has had no
23 input from the aboriginal people. It was
24 developed by the government to suit the
25 bureaucratic system.

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1 The social issues of concern to
2 aboriginal people are many, of course, and the
3 economic and cultural issues are all tied in, in
4 my mind, they are all connected to one another.

5 Most of the reserves, the 586 or
6 so reserves in Canada, most of these reserves
7 don't have an economic base to work with or from.
8 So this creates social issues, the lack of
9 housing, the lack of programs, and also connects
10 to cultural issues because of their deprivation of
11 their practising in the past of their own
12 heritage. They have become weak of their own
13 identity.

14 They need to re-establish their
15 roots, to become strong individuals again, so that
16 they may also understand equality of the family,
17 the mother and the father in particular. In most
18 cases now there is inequality between the two
19 partners of a marriage in most aboriginal peoples.
20 The position and role of aboriginal Elders can be
21 utilized, but at the same time we must also look
22 at the weaknesses of our own systems that we
23 intend to use or adopt, including the Elders.
24 Most of them, most likely, have been touched by
25 some form of abuse and have issues that they have

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1 not dealt with as well.

2 As for the position and role of
3 aboriginal women, I don't know exactly what is
4 happening out there in terms of the groups. But I
5 don't see why, if there is a distinction between
6 aboriginal women and the men, such as maybe the
7 AFN, if they are working of separate entities I
8 think it would be more to their advantage if they
9 could network and work more equitably with each
10 other.

11 The situation of our aboriginal
12 youth is pretty bleak in the economic, cultural
13 and educational areas of their own futures. Many
14 of the youth have committed suicide because of
15 their lack of identity, their lack of things in
16 life that most people take for granted. They have
17 problems. We also have problems to deal with
18 about racism, lack of education, lack of economic
19 base, lack of land and lack of our being in touch
20 with our own culture.

21 So we need to address the issue of
22 the youth, in particular, if we are to regain,
23 restructure and restrengthen the future of
24 aboriginal people.

25 The educational issues of concern

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1 to our people are that I know from about 1985 or
2 1986 the government started to take measures in
3 restricting the flow of people that were attending
4 schools, becoming educated. As time went on this
5 restriction became greater in which the government
6 would allow only a certain amount of people to
7 study. Their reasoning was lack of funds.

8 It doesn't make any sense when
9 they say lack of funds when the Canadian society
10 has been taxed 44 per cent since 1984 and the
11 corporate sector has had their tax reduced by 6
12 per cent, which is a 60 per cent gap between the
13 rich and the rest of Canadian society.

14 The justice issue is of concern to
15 aboriginal peoples in that the system has leakages
16 that I think are too much against aboriginal
17 people. It benefits those that cry out for
18 justice, that sentences the native man who cannot
19 speak the language to jail. A man who will plead
20 guilty just so he does not have to deal with the
21 system, regardless of his innocence.

22 I spoke to a man who spent 12
23 years in Stoney Mountain for a crime he claims he
24 never committed and I believe this man. So who
25 does he grieve to in dealing with the anger, the

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1 racism that he feels, the injustice that he feels.
2 He certainly won't get it from the government.

3 We do need all the help that we
4 can get at this time to bring ourselves up. For
5 some time even our own leaders lose perspective of
6 who they work for, which is why corruption comes
7 about. Indian Affairs with their jurisdiction and
8 accountability lets things slide.

9 So our Chiefs commit these acts of
10 mismanaging, misappropriation of funds and get
11 away with it. To me, Indians Affairs condones
12 that by letting these things happen to justify
13 their own existence.

14 I thank you for allowing me to
15 speak.

16 CO-CHAIR ALLAN BLAKENEY: Thank
17 you, Mr. Cook.

18 I will ask Paul, Commissioner
19 Chartrand to start.

20 COMMISSIONER CHARTRAND: Thank you
21 for your presentation.

22 You know that the mandate of the
23 Commission is to make recommendations. We can't
24 do that tomorrow, we can't do that next week and
25 likely we will not do that next year. So our job

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1 is, in a sense, a long term proposition.

2 When I contemplate the points that
3 you make about young people it occurs to me that
4 their lives or circumstances also are to be a long
5 term proposition. I think it is important to do
6 the best we can to take your advice, and the
7 advice of others, about what sort of
8 recommendations it is we can make to assist in
9 giving the young people hope for a better future.

10 We heard earlier today about
11 circumstances in your community and I asked the
12 question about whether sports programs, recreation
13 programs -- I mentioned one, the University of
14 Manitoba fly-in program. The opinion was given
15 there that yes, that is a good thing. But a
16 number of difficulties were mentioned, the fact
17 that this happens only one week a year and there
18 are no facilities and so on.

19 My question is: Will you be in
20 agreement that the provision of things to do for
21 the youth -- and I think this comes out of what
22 you are saying -- is that provision of facilities,
23 recreational facilities, sports facilities for
24 youth would go a long way in assisting the youth
25 in overcoming the present obstacles in your

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1 community? Would you agree with that and do you
2 have any thoughts to offer on that?

3 MR. BRIAN COOK: There are many
4 problems with the youth of this community in
5 particular. These things you speak about would
6 help at a later time because most of these young
7 people have been abused in many ways. They must
8 deal with those issues before they can utilize
9 these facilities and have fun doing it.

10 The whole community, the people of
11 the community, need to look at themselves
12 honestly, sincerely and objectively. Basically we
13 probably could use a healing centre in the
14 community. But those things would help keep them
15 busy and use their time more constructively rather
16 than cruising the streets of Moose Lake at
17 midnight or after midnight.

18 COMMISSIONER CHARTRAND: Thank
19 you. If I may so, that is a very significant
20 answer.

21 Also, you referred to the
22 importance of identity and I think that is related
23 to your notion that history is important, history
24 that ought to be put in schools. I would assume
25 that you are saying that the putting of aboriginal

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1 history in the schools is important for promoting
2 that personal identity in young people.

3 That is one of the important
4 issues that I think that we are going to struggle
5 with. Speaking for myself, I find it rather
6 difficult right now, I am rather hard pressed in
7 thinking of the kinds of recommendations that we
8 might be able to make in that area because the
9 control of the curriculum is something that is
10 under provincial jurisdiction.

11 The situation might be different
12 with respect to band-controlled schools, but with
13 respect to getting aboriginal content into the
14 public school, I think that might be a different
15 situation. But it is certainly one of the issues
16 that we will be considering very carefully.

17 Finally, I take your point about
18 the Indian Act that although it must be replaced,
19 if I understand what you are saying, we must not
20 leave a legal vacuum there. There must be
21 something else to replace it. I can appreciate
22 that.

23 I will mention though that the
24 section having to do with alcohol consumption and
25 all that, my understanding is that they were

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1 appealed in the amendments in 1985 and were
2 replaced with something else.

3 I thank you for your remarks and
4 pass it back to the Chair.

5 **CO-CHAIR ALLAN BLAKENEY:** Thank
6 you.

7 Commissioner Chartrand has covered
8 my points, so thank you very much.

9 **MR. BRIAN COOK:** In terms of the
10 provinces having their own jurisdiction, if this
11 is a vehicle for reconciliation then the federal
12 government can make a request to the provinces to
13 adopt these measures.

14 **COMMISSIONER CHARTRAND:** Make
15 requests to the province?

16 **MR. BRIAN COOK:** To adopt these
17 measures of introducing Indian history into their
18 schools.

19 **COMMISSIONER CHARTRAND:** I
20 appreciate that and that is related to one of the
21 reasons I was saying that I think we are going to
22 be hard-pressed in this area, because how are we
23 going to convince the provincial authorities?

24 I think up to now they have been
25 using money and saying, "We will give you money if

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1 you spend it this way", but my understanding is
2 that that process is itself under review right now
3 in the constitutional process. So I don't know,
4 maybe by the time we make a report it may be that
5 the spending power has been restructured somehow
6 in the Constitution and the Federal Government is
7 not as free to influence the provinces with money
8 as it has been up to this date.

9 I am not sure, but it is certainly
10 a problem that you have highlighted. I agree that
11 we must do what we can to do what you say we ought
12 to do to try to influence the decision-makers to
13 better the curriculum, particularly in introducing
14 aboriginal history into it.

15 **MR. BRIAN COOK:** If reconciliation
16 is sincere, money should not be the issue. Truth
17 should be the issue.

18 Thank you.

19 **COMMISSIONER CHARTRAND:** Thank
20 you.

21 **CO-CHAIR ALLAN BLAKENEY:** Thank
22 you, Mr. Cook.

23 Now, I would like to invite
24 Lawrence Whitehead to make a presentation.

25 **MR. LAWRENCE WHITEHEAD:** I would

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1 like to welcome the Honourable Commissioners, the
2 Royal Commission on Aboriginal Affairs, Mr.
3 Blakeney, former Premier of Saskatchewan. I
4 looked at your record in the 70s and you did a
5 fine job.

6 Paul, I have met you a lot of
7 times so I have become familiar with your hunting
8 grounds and your trap lines. It is a pleasure for
9 me to be here with you.

10 I hope that I can come from a
11 little different angle, although it is not totally
12 a different angle. It is perhaps the need at some
13 time for additional expressions to be made so that
14 there is a greater understanding between
15 governments and the people.

16 The treaties are very important to
17 us, the Cree Nation of The Pas, and we interpret
18 them as binding and legal documents to maintain
19 the recognition as the original inhabitants of
20 this country. We have always held these treaties
21 to be of utmost importance to us.

22 The importance and respect that we
23 have for them is that they entrench our
24 livelihood, our educational health rights, hunting
25 and fishing, lands and water rights, which is our

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1 life line for continued sustenance.

2 We continue to regard them as just
3 as important to us today as they were when signed
4 yesterday and we continue to regard them today's
5 documents and they are up to date.

6 They are current documents and up
7 to date because we exercise our inherent rights as
8 aboriginals and as a Cree Nation. Surely, we had
9 rights before the arrival of the Europeans.

10 Signing the treaty documents
11 recognized our being aboriginal and, subsequently,
12 becoming also treaty Indians. We did not sign
13 away our rights and privileges to our land.

14 We had our own educational system,
15 our own training system, our own policies from
16 maintaining conservation and governing our own
17 resources. We have our own language, our own
18 traditions and our religious ceremonies to bind us
19 together as a Cree Nation. Those who broke the
20 law of the land were dealt with according to our
21 way of dealing with justice. It was always the
22 Elders who dealt with the justice system.

23 We had our own medicines, our own
24 religion, our way of conducting marriage
25 ceremonies parallel to that of a Christian

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1 marriages of today. There were ceremonies of
2 thanksgiving for the abundance of food that was
3 provided us through the Creator, and our prayers
4 were answered by the Great Spirit.

5 That which we practised, of course
6 constitutes self-government.

7 Governments are always asking us
8 why we express a need for Indian government. We
9 had our own ways of dealing with our culture and
10 traditions and Canada should not extinguish our
11 right to self-government.

12 We realize that times have changed
13 and that practices have changed from yesterday to
14 that of today and there are modern techniques
15 which every nation on this earth have a right to
16 develop. But because times have changed, it is no
17 excuse for diminishing our rights, even the right
18 to self-government.

19 We should not have lost our own
20 ways of doing things by having legislation,
21 policies and guidelines forced upon us, especially
22 if we utilize new techniques which are common to
23 all Canadians today. We should not have been
24 forced to use the Indian Act as a form of self-
25 government which almost destroyed our way of life.

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1 Our rights and privileges should
2 not have been diminished, extinguished by
3 legislation. Legislation should have not been
4 made contrary to what the treaties stated. Our
5 aboriginal rights should not have been tampered
6 with by legislation. If legislation was required
7 to have law and order in Canada, our inherent
8 aboriginal and treaty rights, should have been
9 recognized.

10 Legislation or other government
11 acts should not have tried to change us or alter
12 our way of life because we are a Cree Nation and
13 we are aboriginals and we cannot change that fact.

14 Legislation has played havoc with
15 our lives. It has interfered with our traditions
16 and culture, and to the extent, our own diet has
17 been changed. We have become a nation inflicted
18 with diabetes, stress which leads to heart disease
19 and other forms of diseases which we are prone,
20 all because of legislation having advantage over
21 us.

22 We are dwellers of prisons and
23 inhabitants of ghettos in towns and cities.

24 Yet, we still holler for self-
25 government. When we were free in our own land, we

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1 were a healthy people, better than what we are
2 today. We believe that if we had maintained our
3 own traditions and cultures, our will and spirit
4 to survive would be much stronger and more
5 vigorous today. We need self-government and self-
6 determination to turn the tide around to our own
7 needs and benefits.

8 At least three pieces of
9 legislation which I am going to mention restricts
10 our progress.

11 The Indian Act was supposed to
12 interpret the spirit and intent of the treaties,
13 but it fell far short of requirements to meet our
14 needs. The legislation did not properly interpret
15 our necessities of life. The Federal Government
16 merely created the legislation the way they want
17 to govern us. No thought was given to express our
18 freedoms, liberties and rights as a nation.
19 Perhaps that is one of the reasons why we question
20 the value of the Indian Act.

21 The idea of self-government is the
22 only way to go to turn things around. By
23 governing ourselves, we would enjoy a higher
24 standard of living and a stronger nation. We will
25 be stronger together.

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1 The other Act I want to cite is
2 the Migratory Birds Convention Act, merely to
3 illustrate what I am trying to say in relevance to
4 the way our foods have been manipulated.

5 Migratory birds were our source of
6 food supply, but it was not merely for sustenance.
7 It is a way of life, tradition and culture. Any
8 interference with our source of food, restricting
9 us, interferes with our chain of food supply. The
10 danger in it is that our diet will change and
11 create health hazards. To continue to disregard
12 our culture and traditions as a Cree Nation is a
13 total tragedy.

14 The Federal Fisheries Act is also
15 a restrictive act. It does not recognize our
16 treaty rights to fish. What the regulations to
17 the Fisheries Act implies is that treaty Indians
18 may fish for food and fish for food only. The
19 only reason that fish for food is there is for
20 domestic use, which applies to all Canadians if
21 conservation officers deems the situation to be
22 so. The license to fish is not a recognition of
23 our treaty rights, it is merely a regulatory and
24 administrative process.

25 Here again, this piece of

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1 legislation has a tendency to affect our food
2 supply, and our food source.

3 When you take into consideration
4 the imposed legislation affecting our diet, we are
5 becoming a nation known to be a diabetic nations
6 and other forms of diseases. It is no wonder then
7 why we are screaming for Indian government.

8 Under these circumstances though,
9 we are still aboriginals, we are still a Cree
10 Nation.

11 As a Cree Nation, we are still not
12 deemed to be suitable enough to determine our own
13 status. It is the white society who determines
14 who is an Indian and who is status. It does not
15 seem right that non-aboriginals have the awesome
16 power to determine who is aboriginal and who is
17 not aboriginal.

18 Do you hear the echo of our scream
19 thundering across Canada as to the reasons why we
20 want Indian government?

21 Our medical society has been
22 virtually destroyed and must now be replaced with
23 a more vigorous and comprehensive health program.
24 It is not up to government of non-aboriginal
25 society to brush our teeth and comb our hair, that

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1 is our responsibility. With proper resources, we
2 can handle our own medi-care.

3 The existing medi-care or health
4 program is very limited. For example, a pair of
5 out-dated glasses a year for children, two years
6 for adults, dental care if you are on welfare, off
7 a reserve, etcetera, etcetera.

8 In the area of lands, we are
9 restricted to exercise most of our rights to our
10 reserve lands. The lands that we are attached to
11 as being our traditional areas of hunting and
12 fishing. We are restricted and limited as to what
13 we harvest for our youth. Non-aboriginals appear
14 to have more rights to these lands than we, the
15 Cree Nation, and as aboriginals.

16 It is not just or right for the
17 white society to attempt to totally wipe out our
18 access to these valuable lands. It is not that we
19 want all Canadian soil back, it is that we want
20 all our rights recognized. We are capable to
21 enter into agreements with Canada or provinces to
22 manage our resources attached to our traditional
23 areas. Under Indian government, we could manage
24 these resources to continue to sustain our way of
25 life.

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1 We continue to exist on our land
2 as if we are homesick even though we are still
3 living here. We feel displaced. We can only be
4 content and satisfied if our rights are recognized
5 and affirmed by other levels of government.

6 Our ability to control our own
7 destiny lies on lands that we live on and the
8 right of access to lands to be expanded.

9 Canada is a great country, the
10 least that Canadians can do is recognize our
11 rights. We gave up a lot. We gave you a great
12 country.

13 Thank you, submitted by myself,
14 Lawrence Whitehead, Counsellor, Elder, The Pas
15 Band.

16 CO-CHAIR ALLAN BLAKENEY: Thank
17 you, Mr. Whitehead.

18 You have outlined a good number of
19 problems facing aboriginal people and treaty
20 nations today. I think the over-arching point was
21 that self-government is the best way to turn
22 around many of the issues and problems which you
23 have identified.

24 Do you wish to offer us any
25 comment on what self-government would look like,

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1 whether it would be self-government by The Pas
2 Band or by the Swampy Cree Tribal Council or by
3 the Treaty 5 Nation or the Cree Nation or some
4 other group?

5 **MR. LAWRENCE WHITEHEAD:** In the
6 past I have thought of the Province of Manitoba as
7 a whole, as an Indian nation, and that some day I
8 had dreams and visions of creating our own Indian
9 Government House. From there I launched my ideas
10 into regional developments like tribal councils
11 which may affect our daily lives.

12 As a matter of fact, I was one of
13 the beings instrumental in the development of
14 tribal councils in Manitoba. Trying to replace,
15 or attempting to replace, the old Indian Affairs
16 existence and the ways of doing things within our
17 own lands.

18 Primarily though, my specific
19 concern was a very community-based Indian
20 Government. However, since we are common to all
21 issues and common to many problems within our
22 Indian societies across Manitoba, we do feel that
23 some clearing house where Indian governments and
24 laws and regulations may be developed for the
25 purposes of transitional governments should be

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1 established in each Indian community.

2 Whatever we adopt as The Pas Band
3 may expand into the areas of health, medi-care,
4 the agreements handled between, i.e. the Manitoba
5 Hydro Agreement between The Pas Band or the
6 agreements between other government agencies. The
7 laws that we make, of course, would be laws of our
8 own making, the by-laws within our own community
9 to try and control law and order in our own way
10 and to exercise our freedoms and privileges when
11 we mete out justice within our own communities.

12 We try and capture as many of the
13 amenities that you have in your community in terms
14 of regulating recreational activities, trying to
15 regulate the commission on lottery tickets or
16 etcetera, etcetera, the lands issues, of course.
17 We have by-laws within our own Indian communities
18 that may expand into more interpretation as to how
19 we arrive at solutions and how we live in today's
20 society as Indian communities.

21 Perhaps if there was an Indian
22 Government House in Ottawa where the Indian Act
23 establishment could be eliminated and replaced by
24 Indians. I hope that Canadians can trust us, even
25 though at the moment we are negative and sometimes

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1 very negative, but expressions have been made when
2 we try and implement Indian government related
3 activities, such as child welfare agencies in
4 Manitoba.

5 It has been very critical by the
6 white societies and by the medias who are
7 attending at this time, that if we mishandle one
8 area of the child welfare agency, everybody is on
9 top of us as if we are in a fish bowl. We are
10 examined microscopically, though we did make a
11 mistake we are deemed to be incapable through that
12 mistake to handle our own government agency within
13 our own means in our own Indian reserve.

14 Another fact that I wish to say to
15 you is that recently you may have heard that elk
16 in Manitoba were, the media says, slaughtered in
17 Manitoba recently. Well, you know, I don't know
18 who has the licence to slaughter. I don't believe
19 that there was anybody given the licence to
20 slaughter.

21 Certainly I didn't agree with what
22 happened at that time in southern Manitoba, but I
23 am not criticizing southern Manitoba for doing
24 that. But I would like to bring out this area,
25 that there were 10,000 caribou destroyed by

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1 Quebec, and that thousands of moose were destroyed
2 by Manitoba Hydro, and hundreds and hundreds of
3 millions of birds were destroyed by agricultural
4 developments and other developments. As soon as
5 we kill eight elk, every Canadian and every
6 Manitoban is on top of our society demonstrating
7 to us all the time that we are incapable of
8 managing our resources.

9 Perhaps that was just a slight
10 mistake that Indian Manitobans made, but certainly
11 when you look at it overall, when you kill ten
12 thousand caribou up in some northern part of
13 Quebec or by the Ontario Government, certainly who
14 has a licence to destroy? But that is not maybe
15 the answer that we are looking for.

16 Maybe what we are looking for is a
17 more delicate and more sensitive look towards what
18 our plights are as Canadians within your society.

19 **CO-CHAIR ALLAN BLAKENEY:** Thank
20 you.

21 Do you have any questions?

22 **COMMISSIONER CHARTRAND:** A very
23 quick couple of comments, if I may. First of all,
24 I was flattered by your reference to us as
25 Honourable Commissioners. At least at the formal

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1 level I insist that it is only Mr. Blakeney here
2 who has that honour.

3 You have outlined quite a number
4 of important points. Your reference to the Cree
5 peoples own medicine reminds me that there was a
6 graduate student who did some work a few years ago
7 at the University of Manitoba studying the
8 medicines of the Cree. I certainly hope that
9 these endeavours are going to carry on and the
10 results are the kinds of things that you suggested
11 to us.

12 Commissioner Blakeney has already
13 covered one or two of the points that I wished to
14 raise with you.

15 If I may make one point, as I was
16 a bit puzzled by one aspect, the reference to the
17 Indian Act. I didn't quite understand what was
18 intended when you talked about the design of the
19 Act to implement the treaties. The Act was passed
20 as such, in 1876 first, and it seemed to me that
21 there was a lot of inconsistencies between what
22 the Act does and the treaties.

23 For example, the Act applies to
24 all status people equally whether or not they have
25 treaties and regardless of the text of the

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1 particular treaties. The treaty rights were done
2 away with by the enfranchisement process. So if
3 they were designed to meet the treaty obligations,
4 it appears that it would have failed. It would
5 have failed dismally. Was that the point that you
6 were making?

7 MR. LAWRENCE WHITEHEAD: I was
8 trying to make that point on the assumption that
9 the treaty-making process actually began in 1763
10 in the Royal Proclamation. After that, subsequent
11 unnumbered treaties were created in the eastern
12 part of Canada.

13 Therefore, the Commission on the
14 treaties, the numbered treaties, was established
15 back in the early 1800's. After that they were
16 sent out to make treaties with the Indians, from 1
17 to 11 across Canada.

18 Certainly we can trace that route,
19 but when you come to the Indian Act it was
20 intended to govern Indians because we became
21 treaty Indians after treaties were made.
22 Therefore, the status that was supposed to be
23 implied was that we were created treaty Indians by
24 the Indian Act, rather than the treaties.

25 I think that was where they tried

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1 to affirm what treaties were supposed to be all
2 about, but they forgot about 90 per cent of the
3 treaties that were supposed to be included in an
4 inadequate Act that we are dealing with today.

5 COMMISSIONER CHARTRAND: Again,
6 thank you very much.

7 CO-CHAIR ALLAN BLAKENEY: Thank
8 you very much.

9 MR. LAWRENCE WHITEHEAD: Thank
10 you.

11 CO-CHAIR ALLAN BLAKENEY: I would
12 invite Irene Personius. Irene Personius.

13 We will put her down at the bottom
14 then.

15 William Lathlin.

16 MR. WILLIAM LATHLIN: Hi, my name
17 is William Lathlin. I would like to welcome you
18 to our community, The Pas Indian Reserve. I am a
19 Counsellor. That is my dad sitting up there so I
20 want to do this right.

21 Getting back to what I would like
22 to bring out here, I guess, it is sort of related
23 to what Lawrence Whitehead mentioned. It has to
24 do with the workplace, where wages and
25 discrimination exist.

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1 I have been a victim of that
2 situation where the people that I worked with made
3 comments to my people, the native people. I was
4 the only tradesman in the place where I worked and
5 being of native origin people accepted me as one
6 of them, but they did not realize that I am an
7 aboriginal. When they talked about my people, all
8 those years, those things built up in my mind and
9 I was not able to concentrate on my work. As a
10 result I got into many accidents.

11 I didn't realize what was
12 happening to me and why I became afraid of my
13 workplace. It was because of this racism that
14 existed in the workplace, where it could happen
15 any place, if there are more aboriginals, if there
16 are more white people or if there are any
17 nationalities where there are people that don't
18 take into consideration minorities that are in
19 there and they talk about them as if they were not
20 there. I became a victim of that and I want to
21 point out that things like this should be brought
22 out and talked about because they hurt and they
23 affect me right now because I can't go back to
24 work.

25 I am a millwright by trade and

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1 unfortunately I got injured one too many times
2 because of that fear. I became fearful about
3 going to work. I don't know how to describe it,
4 but I was so afraid to go back there. When this
5 thing came about I asked my supervisor for some
6 time off because I couldn't stand the place and
7 the people frightened me. Even though I knew that
8 they would not hurt me, but they had planted in my
9 mind that when they talked about my people that
10 they were going to do anything to me. That is one
11 area.

12 The other area is that there is no
13 one really speaking up for the injured worker.
14 Ever since I became involved with Worker's
15 Compensation I have been living in a nightmare. I
16 have nowhere to go with regards to talking about
17 services that are there which are supposed to be
18 provided for me. On top of that, they turn around
19 and they play mental games with you these people
20 at Worker's Compensation.

21 I can't really blame the workers
22 because it is the policies and the legislation.
23 The guy that shot himself -- you probably heard
24 about him in Winnipeg. The guy is sitting there
25 and saying that he can't understand why these guys

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1 harm themselves. Why he would hurt himself.

2 I could have told you that that
3 guy shot himself because they probably stripped
4 him of everything that he had ever worked for. He
5 probably lost his home, his family and even his
6 dignity. You know that is how the policies and
7 the legislation strip you when you are on Worker's
8 Compensation.

9 As for myself, I am on permanent
10 disability. I have permanent restrictions, but
11 they cut me down to -- I was supposed to get 75
12 per cent, they cut me down to 25 per cent.
13 Twenty-five per cent of what I used to make, which
14 was very good money, \$20.00 an hour I was making.

15 Now I can't even live on the money
16 that they give me. But I didn't die. I am still
17 alive as you can see. But I still carry the pain.
18 The pain is with me 24 hours a day. It never goes
19 away. It is added on by Worker's Compensation and
20 the things they do to you. They play games with
21 you. They play mind games with you.

22 I filed an appeal in November last
23 year. To this day I still have not had a response
24 one way or the other. They cut me down -- I was
25 getting \$980.00 and they cut me down to 390

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1 something. Six hundred dollars right off every
2 two weeks, \$1,200.00 a month.

3 As you can appreciate when you are
4 working you go into debt. You buy vehicles, you
5 borrow money and stuff like that. So all those
6 things I am still trying to keep up with even
7 though I am not working. I can see why people
8 would shoot themselves, you know.

9 It is not only me I am speaking
10 for. It is a whole lot of people. This thing is
11 a powder game. It could go off. Somebody is
12 going to get hurt in Compensation. But it is not
13 the fault of the workers, it is the fault of the
14 policies and the legislation. Because when you
15 strip a person of everything he has ever had, what
16 has he got left? Nothing.

17 I started a support group here,
18 just for fellowship, to talk about all the things
19 that are happening to us. If you have a
20 nightmare, you go into compensation and face
21 whatever they are trying to do to you. Maybe it
22 is good in the city, but it is no good in the
23 north. It doesn't work. Because the services
24 that are supposed to be there, they are not here.

25 I believe that people who are in a

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1 workforce for many years and all of a sudden they
2 can't work, that in itself is devastating, not
3 being able to work. But on top of that you are
4 the earning power and your family's. You are
5 trying to cope with the everyday things, you
6 can't. So the services that are there in Worker's
7 Compensation do not work for the north. They are
8 probably only good in Winnipeg. As a result,
9 Manitoba ends at a perimeter highway.

10 I guess that is about all I want
11 to speak on.

12 Thank you.

13 CO-CHAIR ALLAN BLAKENEY: Thank
14 you, Mr. Lathlin.

15 You raise two good points. One
16 dealing with discrimination in the workplace and
17 the fact that it not only affects the people who
18 are directly discriminated against, but it also
19 affects anybody who identifies with that person.
20 You can't say all Irishmen are SOBs believing that
21 I am not an Irishman, and say that every day and
22 that if I am an Irishman, I am not going to be
23 affected by this because that is certainly a
24 powerful, powerful way to discriminate against
25 people without directly discriminating about it.

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1 It just runs down the group to whom they belong.

2 The other issue is the injured
3 workman and this is a perennial problem. I noted
4 you said you formed a support group.

5 MR. WILLIAM LATHLIN: Yes.

6 CO-CHAIR ALLAN BLAKENEY: There
7 was one of those in Saskatchewan, Injured
8 Workmen's Association, which was around when we
9 came to office. That was a long time ago, 20
10 years ago. I remember dealing with a fair number
11 of their issues and knocking them off one by one
12 and realizing that this was not the way to do it.
13 Then we got some workers' advocates who were there
14 to assist working people to put in their claims
15 and to fight their claims with them, because the
16 working person, as you say, is up in The Pas and
17 the Board is down in Winnipeg.

18 I don't know if there is a similar
19 arrangement here. You may well want to look into
20 it, but there is no doubt that workers need an
21 advocate. They just need someone to speak for
22 them because the boards are complicated
23 bureaucracies. I don't know whether you have to
24 get doctors' certificates and appeals and all this
25 sort of thing, but it is certainly not an easy

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1 thing to do. The support group strength is a very
2 good idea.

3 I am sorry we don't have anything
4 constructive to offer in that regard. With your
5 first point you are right on our mandate. The
6 second point is a little peripheral, but still it
7 follows from the first.

8 I certainly appreciate what you
9 said. I didn't appreciate the circumstances which
10 caused you to have to say it.

11 We will certainly give some
12 thought to anything we may be able to do to assist
13 that circumstance, that situation.

14 **MR. WILLIAM LATHLIN:** What I
15 wanted to point out and emphasize was that this
16 should be brought out. The people that are doing
17 it don't know they are doing it. I really can't
18 blame the people in the workplace because they
19 don't understand what they are doing. Unless I go
20 back there and tell them this, then they will
21 know. But I didn't know this until a few months
22 back.

23 I had to be in a different
24 setting, with my own people, to have thought about
25 these white people sitting there and they were

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1 almost going underneath the table about what they
2 were talking about. That is how I saw it. Before
3 that I didn't see it. I have been off work for
4 four years. It took that long for me to see it,
5 in a different setting, that not only does it
6 exist in the native community, but it exists in
7 other communities as well. That is one area.

8 The other area that I would like
9 to see is the employers. You are not allowed to
10 just dump the workers on to somebody else. They
11 should be held accountable, like having spent 20
12 years in the pulp mill and then just throw it
13 aside to somebody else to look after it. I don't
14 think that is right. I think the companies or
15 employers should be made accountable to injured
16 workers. I would make that suggestion.

17 CO-CHAIR ALLAN BLAKENEY: They are
18 sort of accountable, indirectly, now because their
19 rates will go up, but that is a pretty indistinct
20 accountability. It is not to anybody, but to the
21 fact that three workman were injured in a pulp
22 mill and were the only pulp mill in Manitoba. We
23 are only one of a small number, therefore, the
24 rates for pulp mills will go up and therefore cost
25 them a bit of money. But that is very, very

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1 impersonal way to be accountable.

2 I think your point is well taken
3 that employers, if they had to look into the eyes
4 of the people who were injured, that it would make
5 some difference.

6 Thank you for that point.

7 COMMISSIONER CHARTRAND: Thank you
8 for your presentation.

9 The matters I would have raised
10 have already been covered so as far as any further
11 questions are concerned I will be happy to defer
12 to Commissioner Lathlin here on my left.

13 COMMISSIONER GEORGE LATHLIN
14 (through Interpreter): If someone is injured in a
15 car accident, where does the money come from as
16 opposed to the ones that were discussed earlier on
17 and the one that wrecked up his car? Does he get
18 another car? Where does the car come from? Where
19 does the money come from for the persons in the
20 other vehicle?

21 MR. WILLIAM LATHLIN: (In Cree -
22 no interpretation).

23 CO-CHAIR ALLAN BLAKENEY: Thank
24 you, William.

25 I would now invite Irene Personius

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1 to make her presentation.

2 MS IRENE PERSONIUS: Good evening,
3 Commissioner Blakeney, Paul Chartrand and George
4 Lathlin.

5 I am here to tell you, or maybe to
6 complain, in regards to the experience that we had
7 in the 1991 school year. This happened in
8 Winnipeg. My daughter was 18, 19 and she was
9 attending grade 11 and 12 at Daniel McIntyre High
10 School in Winnipeg.

11 I was so disgusted with the
12 education and how it went. My daughter never
13 completed her education. Up to this day she never
14 never attended to this grade 11 and 12 education.
15 She is doing grade 10 in Joe Ross School.

16 But behind that, why I was so
17 disgusted was the funding for my daughter to
18 complete her education in Winnipeg was never done.
19 She was given the runaround. She was told that
20 she would get help from SETC in Winnipeg. She
21 went there. She was told that she didn't qualify.
22 I am a widow. I don't earn millions of dollars.
23 I never did earn that much. I only earned enough
24 for my family that are present with me at home to
25 survive.

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1 The education from The Pas Band
2 only had \$50 a month for her to survive in
3 Winnipeg living with her sister and brother-in-
4 law. This brought me so many hardships to try and
5 scrounge enough money for her to at least go half
6 way. I managed to send her \$250 each month out of
7 my salary.

8 My salary is not all that great.
9 It wasn't all that great. I got so mad so I just
10 retired. Retired from work because I cannot cope
11 with everything. I would like to see my children
12 finish their education. I am 100 per cent in
13 favour of education for my children and my
14 grandchildren.

15 Therefore, I just wonder why some
16 native people are so successful in education when
17 they go out of their communities? They go and get
18 their education elsewhere. How come some people
19 can do it and my children cannot do it? This is
20 one thing.

21 If the children cannot go to
22 school in their own community, they would like to
23 go somewhere else, but there is lots of strings
24 and red tape attached to this education. Why is
25 it like that? I question that.

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1 I went here with our education,
2 they tell me, "Oh, she is being helped. She is
3 given money. She should be okay." But it is not
4 so. She only gets \$50 and for a girl to try and
5 attend education, you need more than \$50 a month
6 in order to survive, for your personal needs and
7 also for bus travel back and forth from the school
8 to home. The ticket costs \$40 a month, therefore,
9 she only has \$10 for herself to spend for the next
10 month. This is one thing that I don't understand.

11 I don't know who will make me
12 understand about this education, but I am all for
13 it anyway and I hope someday that these children
14 will finish it. That is all for that one.

15 Also, for my other daughter that
16 lives in Peglus, she too has problems with
17 education over there. She wanted to get into
18 nursing. She wanted to take education within the
19 community. There she is told she can't, because
20 she doesn't belong over there. Even though she
21 married a guy that is from Peglus, she has a hard
22 time to do anything for herself. I don't
23 understand that.

24 It's the same for my son-in-law
25 when he comes over here to look for work. Nothing

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1 for him here. So what do we do? How come this is
2 happening in these bands? I don't know if that is
3 the way we are going to live for the rest of our
4 lives when our children marry off the reserve,
5 they go and have problems over there.

6 I told my daughter, I said, "Why
7 don't you just ask the band if they would just let
8 you go and live over there?" She said, "I could
9 do that, but what if we have marriage problems,"
10 she said, "then I will be left out in the cold."
11 I said, "That's true." So she says, "Well in case
12 that happens I will have a place to come home."

13 I would like to see them not go
14 through it at all because my son-in-law had
15 applied for work here at one time and then when he
16 applied for it, he was told that they couldn't
17 hire him because he wasn't from The Pas Band.

18 Then I look up at the people
19 around me, the white people, they come from all
20 over. They come from England, they come from
21 Europe, they come from Pakistan, you name it.
22 They are here and they have work. How come our
23 native people can't do likewise? What is the
24 problem there?

25 Also, for Unemployment Commission,

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1 you pay for UIC whether you like it or not. I
2 have been off work for over a year now. My last
3 day of work was February 28, 1990 and then when I
4 applied for UIC I was penalized for something that
5 I didn't do. But I thought you earn that money
6 for yourself when you retire, when you get layed
7 off, that is your money, not the UIC, the
8 government, I guess.

9 I probably only got six months of
10 it and that's all. I hear about other people that
11 are drawing UIC, they get it for one year. I
12 thought to myself, "Is it because I am an Indian?"
13 Is that why they don't want to give it to me? I
14 don't know whether some of those people that work
15 at the UIC centre have something against me,
16 because I go out and I look for work but nobody
17 wants to hire me because I am 57 already. They
18 probably don't want to hire people that are so
19 old.

20 That is what I went and told them.
21 I appealed my UIC and that is what they told me,
22 that it expired already so they never gave me
23 nothing.

24 There are so many things going on
25 with native people that what they can have an

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1 access to like drawing UIC when there is no work.
2 So I am just on welfare and welfare is not all
3 that much. There is no enjoyment in being on
4 welfare, but the band doesn't have any pensions
5 that you can fall back on when you retire. Just
6 what you earned for your holiday pay and your two
7 weeks pay. That is all I got when I retired and
8 there is no where else where the money will come
9 in for me.

10 So that is why I am so disgusted
11 with the education for my children and UIC and I
12 could have been still drawing UIC up to now, I
13 guess, but that is gone so I can't do anything
14 about it now.

15 CO-CHAIR ALLAN BLAKENEY: Thank
16 you, Ms Personius. You asked quite a few
17 questions that I don't think I have an answer for.
18 They require a little more knowledge about the
19 specific circumstances, but I can ask you to give
20 me at this time because ---

21 MS IRENE PERSONIUS: Also, does
22 this go from all the provinces? Are you going to
23 all the provinces?

24 CO-CHAIR ALLAN BLAKENEY: Yes, we
25 are going to all the provinces. We have been to

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1 quite a few already and we are going to all the
2 provinces and the Northwest Territories and the
3 Yukon. We are going to all the areas of Canada.

4 MS IRENE PERSONIUS: Oh, I see.
5 Okay. All right, thank you.

6 CO-CHAIR ALLAN BLAKENEY: Thank
7 you very much. If you felt that we could do
8 anything you could talk to a representative of the
9 Commission, who are here, and the man with the
10 white shirt down there will tell you who to talk
11 to. They might be able to take some details and
12 ask some questions on your behalf.

13 I don't promise that we can do
14 anything, but we can at least find out some of the
15 answers to the questions that you raised.

16 MS IRENE PERSONIUS: Okay.

17 CO-CHAIR ALLAN BLAKENEY: Okay,
18 thank you.

19 MR. NATHAN MCGILLIVARY: Thank you
20 very much. That pretty much concludes our
21 discussions for today. I would like to thank the
22 Commissioners for being so patient. I would also
23 like to thank all the presenters.

24 At this time I would like to ask
25 our respected Elder from The Pas Band, Mr. George

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1 Lathlin, for closing prayers.

2 Before that, I understand tomorrow
3 we will reconvene at 9:00 a.m. Don't be late.

4 Okay, Elder.

5 (Prayer)

6

7 --- Whereupon the Commission adjourned at 5:40
8 p.m. to resume Wednesday, May 20, 1992.