



**COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES**

**ROYAL COMMISSION ON
ABORIGINAL PEOPLES**

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

DATE: WEDNESDAY, MAY 20, 1992

VOLUME: 2

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



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I N D E X

May 20, 1992

NAME	PAGE
Presentation by Chief Harold Turner Swampy Cree Tribal Council	246
Presentation by Richard Chaske Manitoba Association of Friendship Centres	282
Presentation by Sandra DeLaronde Keewatin Community College	309
Presentation by Glen Ross The Pas First Nations	325
Presentation by Marion Lindsay Umpherville Women's Group	346
Presentation by Mrs. MacKenzie Umpherville Women's Group	355
Presentation by Walter Madonick Canadian Federation of Students, Brandon Unit	361
Presentation by James Murray Brandon University Student Union	369
Presentation by Diane Schribe-MacPherson Brandon University Native Organization	377
Presentation by Kathy Martin Opasquiak Aboriginal Women's Organization	397
Presentation by Daniel Daniels The Pas Reserve Youth Project Committee	404
Presentation by Delilah Young The Pas Reserve Youth Project Committee	404

NAME	PAGE
Presentation by Kenneth Spence Leaf Rapids Relocation Group	413
Presentation by Chief Pascal Bighetty Mathias Colomb First Nations	430
Presentation by Leo Marcellous individual presentation	450
Presentation by Phillip Sinclair individual presentation	459
Presentation by John Constant individual presentation	465

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 The Pas, Manitoba

2 --- Upon resuming at 9:20 a.m., Wednesday, May
3 20, 1992.

4

5 CO-CHAIR ALLAN BLAKENEY: We will
6 start this mornings proceedings by asking Elder
7 George Lathlin to give a prayer.

8 (Prayer)

9 CO-CHAIR ALLAN BLAKENEY: For some
10 of you who may not have been here yesterday when
11 we started our proceedings, we will introduce
12 ourselves.13 We are representatives of the
14 Royal Commission on Aboriginal Peoples. The Royal
15 Commission appointed by the Government of Canada
16 last year to examine into the relationships
17 between aboriginal and non-aboriginal peoples in
18 Canada under a large number of headings.19 We have staffed ourselves as a
20 Royal Commission with staff who are by and large
21 aboriginal people. We have done some preliminary
22 research and are now engaged in holding hearings
23 across Canada.24 In order that we may visit as many
25 communities as possible, we are splitting up into

1 teams and the team here at The Pas consists of
2 myself, Alan Blakeney and my colleague, Paul
3 Chartrand. I used to be in politics in
4 Saskatchewan serving as Premier for 11 years.

5 Mr. Chartrand is a Métis from
6 Manitoba who teaches at the University of Manitoba
7 and was formerly Head of the Department of Native
8 Studies at the University of Manitoba. He is a
9 graduate of universities in Australia and has a
10 Masters Degree in Law from the University of
11 Saskatchewan.

12 We have with us, joining us as a
13 Commissioner for our period here in The Pas, Elder
14 George Lathlin, who will be known to many in The
15 Pas as the leader of the aboriginal community in
16 this area.

17 We have with us this morning, for
18 the first time, a crew from the National Film
19 Board who are going to take some footage of these
20 hearings and other hearings across Canada and make
21 it into a film record of the activities, at least
22 the public hearing activities, of the Royal
23 Commission on Aboriginal People.

24 We are joined also, and we are
25 very happy to have them, a number of students from

May 20, 1992

246

Royal Commission on
Aboriginal Peoples

1 the grade 10 social studies class of this Joe A.
2 Ross School. We thank them for sitting in and
3 invite them to sit in on our proceedings for as
4 long as their studies permit.

5 Yesterday we heard from a good
6 number of people making presentations and today we
7 continue that. We start this morning with the
8 representative of the Swampy Cree Tribal Council,
9 Chief Harold Turner, and we invite Chief Turner
10 and anybody who may be with him to take their
11 places at the table.

12 CHIEF HAROLD TURNER: Good
13 morning, ladies and gentlemen. Welcome to
14 Manitoba.

15 I have with me, Chief Ron Cook of
16 Shoal River and Richard Flett, Assistant Executive
17 Director of the Swampy Cree Tribal Council.

18 Philip Dorion is running around
19 here somewhere too.

20 I guess I had better start. It is
21 quite a lengthy presentation I have to make to
22 you. I imagine there will be a question and
23 answer period at the end of it.

24 My name is Chief Harold Turner. I
25 am the Grand Chief of the Swampy Cree Tribal

May 20, 1992

247

Royal Commission on
Aboriginal Peoples

1 Council, and Chief of Grand Rapids First Nation.

2 The Swampy Cree Tribal Council
3 welcomes this opportunity to make a presentation
4 to the Royal Commission on Aboriginal Peoples.

5 The SCTC consists of seven First
6 Nation Governments including: Indian Birch,
7 Mathias Colomb, The Pas, Grand Rapids, Moose Lake,
8 Chemawawin and Shoal River. The Nations have a
9 combined population of over 8,000 people. We are
10 signatories to Treaty Four, Treaty Five and Treaty
11 Six. The SCTC First Nations Governments are
12 affiliated with Manitoba Keewatinowi Okimakanak,
13 the Assembly of Manitoba Chiefs and the Assembly
14 of First Nations.

15 CO-CHAIR ALLAN BLAKENEY: I wonder
16 if I might interrupt for a moment. I see some
17 people having a little difficulty hearing. There
18 are some headsets over on the table to my right.
19 I see the students already have them. If others
20 are having difficulty hearing, and the acoustics
21 in this room are tough, please avail yourself of
22 the headsets.

23 Thanks and sorry to have
24 interrupted you.

25 CHIEF HAROLD TURNER: Today we are

1 here to make a presentation on the following
2 issues that affect us as First Nations:

- 3 1. Self-government;
- 4 2. Treaties and the treaty
5 making process;
- 6 3. Land, natural resources and
7 aboriginal title to lands and natural resources;
- 8 4. Economic development;
- 9 5. Taxation;
- 10 6. Education;
- 11 7. Financial resourcing of First
12 Nation Government.

13 We are making this presentation on
14 the understanding that we, as First Nations, are
15 speaking to you, Commissioners, and to the rest of
16 Canada on a nation to nation basis.

17 Self-government: Prior to the
18 intrusion of outsiders to our homeland now called
19 Canada, the First Nation peoples of this country
20 had self-government. Though it was not based on
21 the European notion of government at the time,
22 First Nation Governments were democratic,
23 consensus seeking and very workable.

24 This form of government was
25 effective in the areas of traditional medicine,

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 justice, education, economic development, military
2 and environmental conservation, and so on.

3 Self-government has always been
4 important to us for the aforementioned reasons,
5 but it is also important to remember that we were
6 placed on Mother Earth to take care of the land
7 and to live in harmony with nature. The Creator
8 gave us life, inherent rights and laws which
9 governed our relationship with nations and all
10 peoples in the spirit of coexistence. This
11 continues to this day.

12 We as original caretakers, not
13 owners of this great country now called Canada,
14 never gave up our rights to govern ourselves and
15 thus are sovereign nations. We, as sovereign
16 nations and caretakers of Mother Earth, have a
17 special relationship with the land.

18 Our responsibilities to Mother
19 Earth are the foundation of our spirituality,
20 culture and traditions. First Nations peoples
21 have inhabited this country called Canada for many
22 years, and not for 500 years as advocated by the
23 intruders that washed ashore approximately 500
24 years ago. The Europeans recognized that we were
25 nations and made Treaties with the First Nations

1 peoples on a nation to nation basis.

2 Through the treaty making process
3 and our special relationship with Mother Earth we
4 have inherent, aboriginal and treaty rights. We
5 have the inherent right to govern ourselves and to
6 achieve self-determination and self-reliance based
7 on our culture, traditions, values and practices.

8 Indian self-government is not a
9 new phenomenon. It existed before the Royal
10 Proclamation of 1763 and continues to exist even
11 after attempts have been made to take away self-
12 government from us by such legislation in the
13 Assembly of the United Canadas in 1857 and the
14 1869 Act for The Gradual Enfranchisement of The
15 Indians.

16 Prior to the 1860's tribal
17 governments decided the degree and direction of
18 culture change: whether schools would be allowed
19 on the reserve, the rate and type of agriculture
20 or resource development, and extent to which
21 Indian finances, composed of annual payments
22 received by the tribes for lands surrendered to
23 the crown, would be devoted to projects of
24 development. Therefore, Indian tribes were self-
25 governing. We had jurisdiction over population,

1 land and finances.

2 Self-government/Nationhood is also
3 found in the treaty making process. Treaties are
4 signed between nations. According to H. Black,
5 Black's Law Dictionary, a treaty concern compacts
6 or agreements between two or more independent
7 nations. Mickenburg & Cumming in Native Rights in
8 Canada add in private law treaty refers to the
9 discussion of terms which occurs immediately prior
10 to the making of a contract.

11 Today the Canadian government's
12 position that First Nations signed treaties with
13 the Crown as subject of her Majesty is
14 disrespectful to our ancestors and the principles
15 they defended on our behalf.

16 The treaties are the
17 manifestations to inherent rights to self-
18 government, ownership of institutions, access to
19 comprehensive health and education services and
20 traditional rights such as hunting, fishing and
21 gathering.

22 All of these along with
23 constitutional reform discussions, protection and
24 implementation of treaty rights through the treaty
25 making process and the legislative change

1 discussions should not be done in isolation of
2 each other since they are all part of a holistic
3 approach to First Nation self-government.

4 For us the treaties demonstrate
5 the principle of a nation to nation relationship
6 with the Canadian Government.

7 Through the treaty making process
8 the First Nations peoples agreed to share the land
9 and the rich natural resources with the outside
10 intruders. Our generosity to share the land and
11 resources has been interpreted by the newcomers as
12 our consent to their demand for control of the
13 land and the rich natural resources.

14 Our ancestors did not sign a real
15 estate deal as you cannot give away something you
16 do not own. No, the treaties were signed as our
17 symbol of good faith to share the land. As well,
18 the treaties were not signed to extinguish our
19 sovereignty and our form of government.

20 Alexander Morris, on of the treaty
21 negotiators for the Federal Government, attempted
22 to sway Say-Sway-Kus during the Treaty Six
23 negotiations by offering him a red coat as a
24 symbol that he was now an officer of the Crown and
25 therefore, a representative of her Majesty. This

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 must not be viewed today as acceptance by First
2 Nation people during the treaty making process as
3 giving up our form of self-government.

4 To sum up this section, let me
5 remind you again that our inherent right to self-
6 government was never extinguished by treaties, nor
7 was it ever surrendered. Attempts were made to
8 legislate away from us our inherent right to
9 govern ourselves by the governments of the United
10 Canada and the Federal Government. Today, it is
11 still our position through our oral traditions and
12 our interpretation of the treaties that we never
13 surrendered our inherent right to govern
14 ourselves.

15 We are the original inhabitants of
16 this country now called Canada, and as First
17 Nations peoples we never gave up our sovereignty.
18 We are the First Peoples and we are a Nation with
19 the inherent right to create and maintain our own
20 identities and cultures, languages, values,
21 practices, to govern ourselves and to govern our
22 relations with other governments as distinct
23 entities.

24 Treaties and the Treaty making
25 process: The treaties that our forefathers signed

May 20, 1992

254

Royal Commission on
Aboriginal Peoples

1 with the British Crown are sacred to the First
2 Nations peoples and must be recognized by all
3 levels of government, domestic and foreign, and
4 cannot be abrogated by any governmental policies
5 or directives.

6 When the treaties were signed the
7 First Nations were promised:

- 8 - Money on a per capita basis
9 annually;
- 10 - Land set aside or reserved at a
11 rate of 160 acres per family of five;
- 12 - A school on each reserve;
- 13 - The right to hunt, trap, fish
14 on land surrendered subject to government
15 regulations;
- 16 - Control of liquor traffic on
17 lands reserved for Indians;
- 18 - A medicine chest in each house
19 and assistance in times of famine and pestilence;
20 and
- 21 - Grain, tools, nets, livestock,
22 farming equipment, and so on.

23 What has happened to all these
24 promises? Today, First Nations find their right
25 to hunt, trap and fish severely limited by the

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Migratory Birds Act, the Natural Resources
2 Transfer Agreement, The Indian Act, the Fisheries
3 Act and on and on the list goes.

4 Government regulations stifle
5 economic growth, individual independence and
6 social responsibility. The reserves given to the
7 First Nations in Northern Manitoba are in many
8 cases on lands that are not conducive to farming
9 and ranching. Yet Treaty Five mentions farm tools
10 and equipment.

11 Section 91(24) of the BNA Act of
12 1867 set out the basic powers for the Federal
13 Government respecting First Nation people. It
14 gave the federal parliament the authority for
15 Canada's Indians, and the lands reserved for
16 Indians. It is our firm position that this
17 extends to First Nation peoples who may not live
18 on reserve and, therefore, the treaties must be
19 seen as portable having regional, national and
20 international authority.

21 The importance of the treaties and
22 the treaty making process to the First Nations
23 Government's cannot be overstated. They are the
24 essence of our inherent right to self-government
25 and reflect our historic relationship with the

1 Crown as sovereign nations.

2 In light of this, the Federal
3 Government must honour its fiduciary and trust
4 responsibility when dealing with treaty rights of
5 First Nations peoples. Although there is a
6 recognition, protection and affirmation of
7 treaties and aboriginal rights in The Canada Act
8 of 1982, it is imperative that these rights are
9 not subjected to any new limitations.

10 As leaders, it is our
11 responsibility to ensure that treaty and
12 aboriginal rights are not abrogated by any federal
13 or provincial legislative override, or by any form
14 of unilateral change. In turn, federal and
15 provincial leaders must honour all treaties with
16 First Nation Governments.

17 Lands, natural resources and
18 aboriginal title to lands and natural resources:
19 We, as original people of this country, have
20 shared our lands and natural resources with other
21 peoples and governments. In the treaties and
22 during the treaty making process, we were
23 guaranteed lands and natural resources for our own
24 use.

25 Rather than having a sacred land

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 base to practice our right to govern ourselves,
2 the federal and provincial governments have worked
3 against us for the full implementation of the
4 First Nations land claims, whether they are
5 specific or comprehensive. Any government
6 agreements such as with hydro, must be honoured
7 and fulfilled to the satisfaction of First Nation
8 peoples.

9 There must be an independent
10 review of the claims process, so that Canada will
11 not act as both the defendant and the judge of
12 claims to ensure a fair and expeditious land claim
13 settlements.

14 Our relationship with the Manitoba
15 Provincial Government is on a contractual basis
16 for services and not through the treaty making
17 process. The treaty making process must be and
18 continue to be a bilateral process between the
19 First Nations and the Government of Canada. The
20 provinces have no constitutional or legal roles in
21 making treaties.

22 The SCTC's position on the
23 Manitoba Natural Resources Transfer Agreement is
24 that it is a violation of our treaty rights
25 because it was passed without any consultation

May 20, 1992

258

Royal Commission on
Aboriginal Peoples

1 with First Nation peoples and infringes upon our
2 treaty rights of hunting, fishing and gathering.

3 More specifically, Section 13 of
4 the Manitoba Natural Resources Act must be
5 amended. Presently, it is too restrictive since
6 it allows First Nation peoples to hunt, trap and
7 fish for food all seasons of the year on all
8 unoccupied Crown lands and on any other lands to
9 which the said Indians may have a right to access.

10 This limitation for food does not
11 allow for economic enterprises by individuals.
12 We, as First Nation peoples are traditionally
13 advocates of a strong and effective
14 conservationist practices in relation to the
15 lands, the resources and all wild life. These
16 teachings in conservation have orally been handed
17 down from generation to generation through the
18 Elders.

19 All natural resources are
20 currently being controlled by provincial and
21 federal organizations. This includes pulp and
22 paper cutting areas, fisheries, water usage and
23 air rights. First Nations peoples must be allowed
24 to participate in the planned usage and present
25 use of these areas. All current cutting areas are

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 strictly allocated to pulp and paper mills. There
2 should be guaranteed cutting areas allocated to
3 First Nations peoples.

4 Fisheries are strictly controlled
5 by the Freshwater Fish Marketing Board. First
6 Nation peoples who traditionally use the resource
7 have great problems with transportation which
8 proves costly. This makes fishing a non-viable
9 operation. All fish have to be sent to Fresh
10 Water Fish Marketing in Winnipeg, and this is
11 inconsistent with the aspirations of the First
12 Nation peoples and the terms of the treaties.

13 Economic development: First
14 Nations governments must have access to any
15 resources that are appropriated by parliament for
16 the benefit of First Nations peoples. These
17 financial and natural resources include any that
18 were decentralized to the provincial governments
19 and to other federal departments.

20 Taxation: Section 87 of the
21 Indian Act exempts the personal property of any
22 Indian or Band situated on a reserve from
23 taxation. This applies to individuals. The
24 current situation for First Nations owned
25 corporations on reserve land makes them taxable

1 under the Corporation Act. Band owned businesses
2 and corporations fall under the same regulations.
3 This issue needs immediate attention.

4 Present legislation should either
5 be amended to remove the tax clause affecting
6 Indian Band owned corporation/businesses from the
7 Corporations Act or First Nation governments be
8 given the authority to implement their own
9 taxation legislation beyond those listed under
10 Section 81 of the Indian Act and Section 83.

11 Finances: First Nation
12 Governments have management systems in place that
13 are effective and cost efficient. Presently, the
14 administration of First Nation Governments are
15 more complex and are greatly under resourced
16 financially. The Federal Government and their
17 departments such as Indian and Northern Affairs
18 Canada, Canada Employment and Immigration Canada,
19 Medical Services Branch, Secretary of State and so
20 on, each are well resourced. In the devolution
21 process, the First Nation Governments are
22 administration units.

23 There are discrepancies on what
24 funding the First Nation Governments get and what
25 the Federal Government Departments get. For

1 example, the First Nation Governments do not have
2 access to overtime pay, adequate salary scales and
3 we don't even qualify for the Isolation Post
4 Allowance that is enjoyed by other Canadians,
5 other than treaty people working on reserve.

6 Our position is that the financial
7 resources available to First Nation Governments is
8 a discriminatory practice and we must ensure that
9 this discriminatory practice be corrected so that
10 the principles of equality apply to all Canadians.

11 Education and training: For First
12 Nations to continue to thrive in the present and
13 in the future, regulations and legislation
14 affecting First Nation people in the area of
15 education and training must either be amended or
16 repealed. The authority and adequate financial
17 resources must be transferred to First Nation
18 Governments.

19 For instance, Section 114 of the
20 Indian Act does not allow the Minister of Indian
21 Affairs to transfer the jurisdiction for schools
22 to First Nation governments. It allows the
23 Minister to enter into agreements for the
24 education of First Nation people with other
25 governments and/or institutions, but not First

May 20, 1992

262

Royal Commission on
Aboriginal Peoples

1 Nation governments.

2 The Indian Act must be amended to
3 include First Nations governments at the local
4 level as providers of education and training and
5 that funding for support services such as
6 curriculum development should be provided to
7 ensure that high standards will be met.

8 Funding for University, College
9 Education Programs (UCEP) greatly surpasses the
10 funding levels for skill training programs that
11 are desperately needed in many of our communities.

12 Since many community college
13 skilled related programs do not require a High
14 School Diploma for entrance, our students cannot
15 access funds from UCEP. One of the criteria for
16 UCEP funding is the requirement on the part of the
17 post secondary institution of a High School
18 Diploma.

19 Community college courses such as
20 welding, carpentry, industrial mechanics and so
21 on, do not require a High School Diploma. Many
22 times unless Canada Employment Centre sponsors a
23 student into these programs, few of our people
24 enter because of the lack of finances.

25 UCEP regulations must be changed

May 20, 1992

263

Royal Commission on
Aboriginal Peoples

1 to give all of our students a chance at either
2 skills training or post-secondary professional
3 program.

4 The treaties promised education
5 for First Nation people. The Indian Act, Sections
6 114 to 123, legislated compulsory education for
7 First Nation people. It is now time for First
8 Nation people to control legally and financially
9 all aspects of the education of First Nation
10 students.

11 In conclusion, we would like to
12 make it abundantly clear that:

- 13 1. We are a First Nation
14 Peoples with our own government structure and
15 process that must be recognized and respected by
16 all governments and other people;
- 17 2. We be recognized as the
18 fundamental and original characteristic of Canada;
- 19 3. We be recognized as distinct
20 societies, with protection for First Nations
21 languages, cultures, traditions and institutions;
- 22 4. We will accept nothing less
23 than the fulfilment of all treaties, including
24 land claims agreements, signed between the First
25 Nation People and the Non-Indian governments;

1 5. The recognition and
2 protection of the inherent right of self-
3 government of First Nations people is not a
4 negotiable item;

5 6. The recognition and
6 protection of our right of aboriginal titles is
7 not negotiable;

8 7. The right of First Nations
9 peoples to participate as equals in the process of
10 constitutional change in our inherent right by
11 virtue of our sovereignties;

12 8. The First Nations are
13 committed to maintaining and protecting existing
14 treaties and the historical treaty making process
15 against any initiatives which might alter or
16 undermine them;

17 9. We believe the treaties and
18 the Royal instructions provide acknowledgement by
19 the Crown of the sovereignty of the First Nations;

20 10. The First Nations made
21 treaties with the Crown and between themselves on
22 a nation to nation basis;

23 11. Treaties between First
24 Nations and the Crown are international treaties;

25 12. The treaty making process as

May 20, 1992

265

Royal Commission on
Aboriginal Peoples

1 affirmed in the Royal Proclamation of 1763
2 continues to be constitutionally recognized as the
3 exclusive process of making treaties between First
4 Nations and the Crown, and that the treaty making
5 process is further confirmed by Section 35 (1) and
6 (3) of the Constitution Act of 1982;

7 13. The treaty making process has
8 been and continues to be a bilateral process
9 between First Nations and the Crown; the provinces
10 have no constitutional role in making treaties;

11 14. The rights contained in
12 treaties are not subject to federal or provincial
13 legislative override or any other form of
14 unilateral change;

15 15. We demand amendments to all
16 existing legislation that affect our treaty
17 rights, be they in Natural Resources, Education,
18 Finance, Hunting, Trapping and Fishing, and so on;
19 and finally,

20 16. We demand that the treaties
21 supersede any legislation. Presently, too many
22 legislative Acts, be they federal or provincial,
23 detrimentally affect the content and spirit of the
24 treaties.

25 With that, I conclude my

StenoTran

May 20, 1992

266

Royal Commission on
Aboriginal Peoples

1 presentation. If you have any questions, we are
2 prepared to answer them at this time.

3 CO-CHAIR ALLAN BLAKENEY: Thank
4 you very much, Chief, for that comprehensive brief
5 touching on some of the most important subjects
6 which the Royal Commission on Aboriginal Peoples
7 is attempting to deal with. Certainly issues of
8 self-government, treaties, land and resources are
9 at the very heart of the work of the Royal
10 Commission on Aboriginal Peoples and so we
11 particularly thank you for the brief dealing with
12 these issues.

13 I will start off the questioning
14 by asking you: When you speak of nation to
15 nation, and when you shape up in your mind how
16 aboriginal self-government would work, are you
17 thinking of the self-governing unit of aboriginal
18 peoples as being the band or a tribal council
19 grouping? Or perhaps all of the status Indians of
20 Manitoba, the people represented by let's say by
21 the Assembly of Manitoba Chiefs or a treaty
22 grouping, a Treaty Five Nation as I have heard
23 them called sometimes? Or all the Cree Nations?
24 What grouping do you think?

25 I am not trying to put you on the

May 20, 1992

267

Royal Commission on
Aboriginal Peoples

1 spot and it may be different for different
2 purposes, but do you have a thought on how you see
3 Indian groups coming together to take powers which
4 are now exercised by the federal government and
5 exercised on behalf of Indian people?

6 CHIEF HAROLD TURNER: How can I
7 make this very clear for you?

8 Say, for example, that Canada were
9 to invade the United States and you were to make a
10 treaty with the United States so that the war
11 would stop and you would stop the killing or
12 whatever. I am sure the United States would fight
13 back if you were to invade them. Am I right?

14 Naturally, you are going to make a
15 treaty with the States if you are going to be
16 fighting amongst each other, such as the Civil War
17 that they had in the States. Why is it so
18 difficult for the people of Canada to understand
19 that the treaty between our nations and your
20 nation is the same bloody thing?

21 There is no difference between
22 making a treaty with the Grand Rapids First Nation
23 as there would be making a treaty with the United
24 States Government if you were to invade them.
25 There is absolutely no difference. Two complete

May 20, 1992

268

Royal Commission on
Aboriginal Peoples

1 separate entities.

2 We are a nation, the same as you
3 are a nation. Certainly you have become the
4 majority over the years, but when you first set
5 foot in Canada we were the majority until, of
6 course, all the little practices of genocide,
7 cultural or physical, started. It is not a
8 question that any government official should have
9 to ask. We are a people, you are a people and
10 treaties are made between two different peoples.

11 Thank you.

12 **CO-CHAIR ALLAN BLAKENEY:** You
13 would view it, the Grand Rapids Nation is a nation
14 and it is a different nation than, let's say, the
15 Mathias Colomb First Nation?

16 **CHIEF HAROLD TURNER:** Certainly.
17 We are different peoples. On a national basis,
18 the way governments have worked and they have
19 shaped Canada presently, naturally we would
20 develop our own treaty-making process, or a
21 constitution, or whatever you would want to call
22 it, to include all nations in Canada, but that
23 would take time.

24 Certainly it would be very
25 difficult to gain consensus between 600 and

1 somewhat First Nations in Canada as to what that
2 constitution would entail. But that is work that
3 is being done by the Assembly of First Nations at
4 present.

5 For the time being, each First
6 Nation governs themselves according to what their
7 people decide on their own reserves, their own
8 lands. I would not go to Ron Cook's reserve and
9 tell him how to run his business. I wouldn't do
10 that to Indian Affairs.

11 CO-CHAIR ALLAN BLAKENEY: That is
12 fair enough. I understand that.

13 We have had the other argument put
14 to us that the reserves are a creation of the
15 Indian Act. They have nothing to do with us.
16 They weren't there 200 hundred years ago, at that
17 time we thought of ourselves as Cree, and it is
18 the Cree Nation that is going to be the bargaining
19 unit and not anything based upon the Indian Act or
20 any bands or that type of thing. We are the Cree
21 Nation. That is a different argument than you are
22 putting.

23 You are saying that the Grand
24 Rapids First Nation is the nation that is going to
25 be doing the dealing. In the fullness of time you

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 want to get together and make your own deals, then
2 you will do that. It is none of the white
3 government's business, if I may put it that way.

4 CHIEF HAROLD TURNER: Yes.

5 CO-CHAIR ALLAN BLAKENEY: That is
6 fair enough. I was just asking how you came at
7 this?

8 CHIEF HAROLD TURNER: That is
9 correct what you are saying, that reserves are a
10 creation of your government, but not the people.
11 The people are always there. The tribes are
12 always there. The different councils are always
13 there. We were just put on the worst land in this
14 country and it is not our fault.

15 CO-CHAIR ALLAN BLAKENEY: Okay,
16 that deals with that one.

17 I think you have probably answered
18 my next question. If we are going to develop
19 something whereby Indian Nations are going to
20 handle education, both school education and post-
21 secondary education, not necessarily that they are
22 going to have their own institutions, but they are
23 going to handle it and they are going to make
24 their deals with Keewatin College or whatever if
25 they want to, that the deal would be made by say

May 20, 1992

271

Royal Commission on
Aboriginal Peoples

1 the Grand Rapids First Nation and it wouldn't be
2 Swampy Cree Tribal Council or it wouldn't be the
3 Assembly of Manitoba Chief's who are making these
4 deals, but it would be the Grand Rapids First
5 Nation, at least at the outset?

6 CHIEF HAROLD TURNER: It would be
7 the Swampy Cree Tribal Council that would actually
8 carry out the work on behalf of the seven First
9 Nations and the Swampy Cree Tribal Council,
10 initially. The mandate of the Swampy Cree Tribal
11 Council is to work towards self-government in many
12 areas and that would be in education, economic
13 development or what have you.

14 Eventually each individual First
15 Nation as it becomes skilled and professionally
16 more knowledgeable in areas of education, as you
17 mentioned, then they take over that program. But
18 only when they feel comfortable and ready and
19 willing to take that program will that First
20 Nation do that. Presently that is the reason we
21 are in The Pas.

22 CO-CHAIR ALLAN BLAKENEY: Yes, but
23 they would be the First Nation. The Grand Rapids
24 First Nation would make the deal with the federal
25 government then they would deal off the

May 20, 1992

272

Royal Commission on
Aboriginal Peoples

1 administrations to the Tribal Council and the
2 Tribal Council would run it on behalf of the Seven
3 First Nations that make up the Swampy Cree Tribal
4 Council.

5 If you wanted to deal, for some
6 purposes, with all the bands in Manitoba to run,
7 let's say, an aboriginal community college
8 directed to aboriginal affairs, you could do that,
9 but that would be a building block process which
10 would be done First Nation by First Nation, if I
11 may put it that way.

12 Fair enough. It is not easy to
13 shape the idea of aboriginal self-government
14 sometimes. We get a number of definitions of it
15 and we are sort of working towards one which will
16 work generally across Canada.

17 I will ask Mr. Chartrand to speak.

18 COMMISSIONER PAUL CHARTRAND:

19 Thank you.

20 Thank you for your presentation.
21 It was certainly an important one, particularly
22 because it comes from an organization that covers
23 such a wide constituency. It touches upon quite a
24 number of very fundamental issues that are by no
25 means simple in there nature.

May 20, 1992

273

Royal Commission on
Aboriginal Peoples

1 I have a number of questions to
2 ask for some clarification of a few points. Is
3 there a preference I ask them here or would you
4 prefer that in our continued process because we
5 are not going to disappear next week. We are
6 going to be around for awhile and we could carry
7 on the process? Would you like me to address
8 these questions to you now or would you prefer
9 that we contact you or your advisors in time?

10 CHIEF HAROLD TURNER: As you
11 mentioned, our presentation is quite in-depth.
12 What you could do is direct your questions through
13 the Tribal Council here in The Pas, they will
14 contact myself or the other Chiefs.

15 I do have one final question. As
16 you know there have been many many commissions on
17 aboriginal peoples. I would like to know where
18 this is going? Where you feel this is going? Do
19 you feel this is going to go anywhere or is this
20 going to collect dust somewhere once it is
21 complete? I mentioned the ADI Report, where is
22 that? That has nothing to do with you, but I am
23 just using that as an example. It is not going
24 anywhere. Where do you see this going?

25 COMMISSIONER PAUL CHARTRAND: My

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 view is this, and I am speaking only for myself,
2 that our mandate is to make the recommendations.
3 Once we have made the recommendations, I think the
4 term is functifical, we have nothing else to do.
5 So what happens to the recommendations after that
6 is outside our bailiwick. It seems to me that you
7 or others are maybe in a better position than I am
8 to make that sort of assessment.

9 So I can only do what I am asked
10 to do by the government, which is to make the best
11 policy recommendations that I can. In order to do
12 that we are consulting as widely as we can. We
13 are establishing a research function. We are
14 doing the best job we can to make the best
15 recommendations that we can. Once we have done
16 that, our work is done.

17 CO-CHAIR ALLAN BLAKENEY: I would
18 say much the same as Commissioner Chartrand. I
19 would say two things I think.

20 One, as to what may come out of
21 this Commission, this one is a little different
22 from other Commissions who have looked into
23 aboriginal issues because the majority of its
24 members are aboriginal people and we, therefore,
25 will bring a slightly different slant to the

May 20, 1992

275

Royal Commission on
Aboriginal Peoples

1 recommendations.

2 That is point number one and that
3 doesn't go to the nub of your point at all. It
4 doesn't matter what the recommendations are, what
5 the slant is, if nobody is going to do anything
6 with them, we may not have achieved much.

7 The second thing I can say is that
8 whether or not recommendations of Royal
9 Commissions are acted upon depends a great deal
10 upon the mood of the public, whether the public
11 has decided that it is time to deal with an issue
12 which needs to be dealt with.

13 I sense a significant change in
14 the way Canadians are viewing aboriginal issues.
15 You can't interpret the wide-spread support that
16 Elijah Harper received, the wide-spread support
17 that the Mohawks received at Oka and many other
18 indications, in any other way but that non-
19 aboriginal Canadians are recognizing the fact that
20 something is wrong and something should be done.
21 That is encouraging.

22 Whether or not, when the time
23 comes, the government of the day will decide that
24 they should act on recommendations for the benefit
25 of aboriginal people, only time will tell. I

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 think there is a wide-spread measure of support
2 for believing that justifiable grievances that
3 aboriginal people have must be remedied. Whether
4 that is a deep support, whether when the time
5 comes the general public will support it, who
6 knows?

7 All I can say is that from my time
8 in public life, and it has been a fair while now,
9 I have never seen a time when there is more
10 receptivity to the idea that justifiable
11 grievances of aboriginal peoples need to be
12 addressed.

13 That is all we can hope for and
14 we, as a Commission, will do our part. We ask
15 everybody, aboriginal and non-aboriginal alike, to
16 do what they can to keep the issues up on the
17 table so that the public are talking about them,
18 because when they talk about them they know that
19 something should be done. It is when they stop
20 talking about them that they can salve their
21 conscience and say nothing needs to be done.

22 That is about all we can say on
23 the likely outcome of the Royal Commission on
24 Aboriginal Peoples.

25 CHIEF HAROLD TURNER: I understand

May 20, 1992

277

Royal Commission on
Aboriginal Peoples

1 your mandate. I don't have a problem with that.
2 I understand that you have to make recommendations
3 to the government. Let me try to put the question
4 in a different way.

5 Do you have any faith in the
6 present government that it will follow up on those
7 recommendations or do anything about them? Or
8 shall we wait until '93? Maybe we had better wait
9 until '93.

10 CO-CHAIR ALLAN BLAKENEY: Let me
11 put it this way. It is unlikely that this Royal
12 Commission will report prior to the next federal
13 election, quite unlikely. Whether or not the next
14 federal election will see a government as we have
15 now or with a different political stripe, will
16 depend upon the voters. Whether the Government
17 with a different political stripe would react any
18 differently to aboriginal issues, I don't know. I
19 speak from a point of bias. It will be known that
20 I did not vote for the present federal government.
21 That was probably no surprise.

22 CHIEF HAROLD TURNER: We are
23 starting off on the right foot there.

24 CO-CHAIR ALLAN BLAKENEY: I am not
25 expressing any view on that. I am just saying

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 that it will come as no surprise that I was not
2 one of their warmer supporters.

3 But I frankly don't know and I
4 certainly don't want to characterize any
5 government, the current one or a future one, as
6 being unwilling to act on the recommendations.
7 Again, only time will tell.

8 **CHIEF HAROLD TURNER:** Thank you.
9 I think Ron Cook has a question for you.

10 **CHIEF RON COOK:** My name is Chief
11 Ron Cook. I am from the Shoal First Nations. My
12 community is situated about 100 miles just south
13 of here.

14 For a number of years now we have
15 been left out of things like this and I wanted to
16 congratulate the Commissioners for setting up
17 these kinds of hearings. But in my area I have a
18 very difficult time with issues such as repap,
19 treaty land entitlement and home management. The
20 other big issue that I would like to point out, in
21 my area, is racism. This is becoming all too
22 evident in my area.

23 I have talked to government
24 officials in my area. I have tried to get in
25 touch with them and I have not had any responses,

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 especially from our MLA. What I am trying to set
2 up in my area is a task force to deal with issues
3 such as the ones I just mentioned, but there are
4 lot of people who do not want to cooperate with
5 our task force.

6 I think people are -- especially
7 the way people are afraid to deal with our issues
8 because we have been out in the cold for so long
9 now and they are still very reluctant to talk
10 about the kinds of issues that Chief Turner has
11 mentioned today.

12 I am hoping for the best for my
13 community and, as well, I am speaking for the
14 Indian Birch Band. If we don't develop a task
15 force on these issues then we won't be able to get
16 the government to listen to our concerns because
17 we have been talking to the government for quite a
18 while now and they seem to be -- they don't want
19 to listen to our concerns.

20 Hopefully the Commission here will
21 make these recommendations to the Government of
22 Canada and I hope in the very near future that we
23 can get some results out of these hearings. I
24 want to thank you very much for coming to The Pas
25 to listen to these concerns.

May 20, 1992

280

Royal Commission on
Aboriginal Peoples

1 Thank you very much.

2 CO-CHAIR ALLAN BLAKENEY: I would
3 like to say two things and then I would like
4 Commissioner Chartrand to add his comments and
5 Commissioner Lathlin to add any comments that he
6 might make.

7 First, one of the ideas of the
8 Royal Commission is to get people talking about
9 these issues. Public education is an important
10 part of our mandate, because we are not going to
11 get change in Canada unless the public are better
12 informed on many of these issues, particularly
13 treaty issues, but there are many others, than
14 there are now. So, we are trying to do that.

15 I commend you for the idea of a
16 task force. I would suggest to you that you
17 should go ahead with it even if you don't get a
18 lot of non-aboriginal people to join in at the
19 first instance. Have a try at the churches and
20 some of these other organizations who know that
21 we, if I may speak as a non-aboriginal, that our
22 society has not been fair to aboriginal society.

23 Some of these groups know that
24 well and our prepared to say it openly. Some
25 other people know it well, but are not now

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 prepared to say it openly. Go ahead with your
2 task force, gathering up such non-aboriginal
3 support as you can. You may well find that that
4 support will grow.

5 I certainly commend you for
6 pursuing that idea and the more of those that are
7 about raising the profile of these issues with the
8 public from our narrow point of view, the better
9 the work of the Royal Commission of Aboriginal
10 Peoples will proceed.

11 COMMISSIONER PAUL CHARTRAND: I
12 will just add one small point. The Commission is
13 anxious to hear about proposals for addressing
14 these issues in a meaningful way, such as you have
15 done and such as is done in the brief.

16 I wish to take the opportunity to
17 remind you that the Commission has established an
18 Intervener Participation Program to assist people
19 to make presentations to us, so I thought I would
20 emphasize the point. There is that opportunity
21 and my understanding is that organizations such as
22 Swampy Cree Tribal Council, and provincial
23 organizations as well, will be eligible for this
24 type of intervener funding. So that is one way in
25 which we can assist you to assist us.

May 20, 1992

282

Royal Commission on
Aboriginal Peoples

1 **CHIEF HAROLD TURNER:** That
2 concludes our presentation on behalf of the Swampy
3 Cree Tribal Council. I thank you for listening to
4 our presentation and we certainly look forward to
5 questions that Mr. Chartrand or yourself might
6 have in the future.

7 Thank you.

8 **CO-CHAIR ALLAN BLAKENEY:** Thank
9 you very much, Chief and thank you all of the
10 representatives of the Swampy Cree Tribal Council.

11 We next invite the representatives
12 of the Manitoba Association of Friendship Centres
13 to make a presentation.

14 I invite you to just lead off as
15 you would wish.

16 **MR. RICHARD CHASKE:** First of all,
17 I would like to thank the Commission for allowing
18 us to make our presentation here today on the
19 issues and concerns of urban aboriginal peoples.
20 As spokesman for the provincial movement, I will
21 try to address, or in some cases, make
22 recommendations to the Commission on a broad
23 perspective as it relates to the urban aboriginal
24 people.

25 Throughout the course of my

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 presentation, I will be using the term "urban
2 aboriginal peoples" because that is what the
3 friendship centre people provide, service to the
4 urban aboriginal people.

5 As introduced by the Chair, my
6 name is Richard Chaske. I am the President of the
7 Manitoba Association of Friendship Centres. In
8 making my presentation today I would like to quote
9 from a statement of the National Association of
10 Friendship Centres Senators, presented to the
11 Annual General Assembly in July of 1990. "This is
12 a time for healing."

13 If we are to survive as a people,
14 and as a nation, we must put aside our past
15 differences and work towards our common vision.
16 We must fight together to protect our aboriginal
17 culture and identity; and to take our rightful
18 place in this country.

19 As we put aside those differences,
20 we need to review our history as Friendship
21 Centres and as an Association of Friendship
22 Centres. We need to examine our original mandate
23 and see if it needs to be revised or renewed.

24 Friendship Centre priorities have
25 always varied from community to community.

May 20, 1992

284

Royal Commission on
Aboriginal Peoples

1 Without exception, however, Friendship Centres
2 emerged out of the need to make sure that
3 aboriginal people coming to cities and living in
4 urban areas could access the necessary services to
5 survive in a new community while maintaining their
6 aboriginal culture and identity. Centres became
7 meeting places for aboriginal people as well as a
8 vehicle for bridging the gap between the
9 aboriginal and non-aboriginal community.

10 The Migrating Native People's
11 Program, established by the Department of
12 Secretary of State in 1972, had as its goal, the
13 need to ensure that aboriginal people could have
14 equal access to the opportunities available to all
15 citizens of Canada. This came under the
16 citizenship development mandate of the Secretary
17 of State.

18 The Friendship Centres were seen
19 by the Federal Government as being a key component
20 to achieving this goal. Aboriginal organizations
21 and the aboriginal leadership at the time of the
22 initial core funding negotiations were concerned
23 about the potential for losing local autonomy and
24 independence as a result of increased reliance on
25 centralized funding sources.

1 It was agreed by all, however,
2 that this was the best option, at that time, to
3 ensure organizational stability and future growth.
4 The members of a steering committee delegated by
5 the Friendship Centres to explore methods for
6 establishing a national body representing the
7 Friendship Centres across Canada developed a
8 definition of Friendship Centres and it read:

9 "A Friendship Centre is a non-
10 political, autonomous social service agency
11 existing to administer and implement programs to
12 meet the needs of aboriginal people either
13 migrating to cities or living in them."

14 The Manitoba Association of
15 Friendship Centres was conceived on September 7,
16 1971. The Association represents 13 Friendship
17 Centres in the Province of Manitoba. Each Centre
18 has two representatives on the Board of Directors.

19 The Executive Committee of MAC
20 consists of a President, 1st Vice-President, 2nd
21 Vice-President and a Secretary/Treasurer, who are
22 elected by the voting delegates annually of the
23 general assembly. The head office of the
24 Association is situated in Winnipeg with a
25 Provincial Co-ordinator who works with all the

May 20, 1992

286

Royal Commission on
Aboriginal Peoples

1 Centres in the province.

2 The primary objectives of the
3 Association are as follows:

4 - to promote, organize, develop,
5 encourage, assist and support Friendship Centres
6 in Manitoba;

7 - to maintain contact with
8 representatives of: The Assembly of Manitoba
9 Chiefs; Manitoba Métis Federation; Department of
10 Indian/Northern Affairs; and other organizations
11 for the purpose of keeping informed on current
12 activities;

13 - to provide a central body in
14 which communication and the exchange of ideas
15 between Centres would be facilitated.

16 The above-mentioned are the
17 primary objectives, but at the same time, it must
18 be realized that the Friendship Centres themselves
19 have individual objectives that they follow.
20 These are by the individual centres with their own
21 Board of Directors at the community level. Due to
22 this set-up, the Centres maintain autonomy as to
23 their program priorities as the need is then
24 applied in the community.

25 The Provincial Association is

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 funded by the Province of Manitoba, the Department
2 of Family Services, the Department of Child and
3 Family Support.

4 An issue of concern is to be able
5 to expand and offer better services to the
6 Friendship Centre movement in the province, for
7 example, funding from the Department of Secretary
8 of State. Expansion could include items such as
9 staff increases, training monies and some program
10 dollars for delivery of more services. At the
11 same time, it is recognized that the Association
12 is not intended to be a program delivery
13 organization.

14 Our presentation today will refer
15 to certain items in the terms of reference of the
16 Royal Commission. I will not be making reference
17 to certain items as we feel that these are the
18 one's we want to exclude because of the political
19 nature of the references and do not wish to make
20 any comments of this sort. So with that I would
21 like to start with item number 6.

22 Number 6. The constitution and
23 legal position of the Métis People and off-reserve
24 Indians: In the process of constitutional review,
25 both levels of government, federal and provincial,

May 20, 1992

288

Royal Commission on
Aboriginal Peoples

1 have to recognize the need to include status and
2 status blind aboriginal people who are living in
3 urban settings. We should not be excluded because
4 of the nature of our status.

5 At times the urban aboriginal
6 peoples are under-represented and under who's
7 jurisdiction do we fall as aboriginal people? So
8 inclusion of urban aboriginal people within the
9 process is a must if the government is sincere
10 about dealing with the concerns of aboriginal
11 peoples.

12 Number 7. Specific difficulties
13 of urban aboriginal people who live in the north:
14 The needs of the people in the north are just, if
15 not more, greater than those of the people in the
16 south. Peoples problems exist regardless of the
17 geographic area they live. Access to social and
18 economic needs are practically non-existent in the
19 north. The governments need to recognize the need
20 to provide social resources in order to better the
21 lives of the people in the north.

22 Item Number 8. The Indian Act and
23 the responsibility and policies of the Department
24 of Indian and Northern Development: I feel that
25 this piece of document is a white policy paper

1 prepared and developed for implementation by the
2 dominant society with no input from the people who
3 it pertains to.

4 It takes away the rights of people
5 of aboriginal decent because of their choice to
6 live in the urban environment. This shouldn't be.
7 We should be able to access resources available to
8 aboriginal peoples regardless of our place of
9 residency. This should be recognized and
10 addressed in the whole process of renewal.

11 Item 9, 10, and 15. Social issues
12 of concern to urban aboriginal peoples: Social
13 issues as it relates to the urban aboriginal
14 people are parallel to the needs of other people
15 living in Métis and reserve communities. Even
16 more so with the problems of discrimination
17 against aboriginal people in the urban
18 environment.

19 We are faced with poor housing
20 conditions, limited educational dollars,
21 employment availability and lack of representation
22 to deliver services to the aboriginal people in
23 urban settings. The Friendship Centres could play
24 a vital role in delivering some of these much
25 needed services given more resources.

May 20, 1992

290

Royal Commission on
Aboriginal Peoples

1 Number 11. Cultural issues of
2 concern to urban aboriginal people: Since the
3 arrival of the European people, the aboriginal
4 people have lost a great deal of their self-
5 identity. The need to bring back the
6 cultural/traditional practices of aboriginal
7 people is a must in order to survive in today's
8 society. The need to practice our traditional
9 ways of our people need to be recognized, and
10 respected by all people.

11 The Friendship Centres with their
12 limited resources have tried to implement programs
13 related to this concern, but given more resources
14 could provide for a better comprehensive approach
15 to the preservation of the aboriginal peoples
16 cultures/traditions in an urban setting.

17 The position and role of
18 aboriginal leaders: It is common practice of
19 aboriginal peoples to respect the role of Elders.
20 Elders of the Friendship Centre Movements are seen
21 as people from whom we can seek advice and
22 assistance from when we need to find an answer to
23 our problems. This needs to continue and be
24 recognized.

25 Position and role of aboriginal

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 people under existing social conditions and legal
2 arrangements in the future: The need to address
3 the problem of family violence is now. With the
4 ever increasing identity of the problem,
5 corrective measures have to be put in place.

6 In order to do this, financial
7 resources must be made available to existing
8 agencies that try to assist in dealing with these
9 problems. The need for more shelters, safe homes,
10 etcetera, and programs to deal with the abuser
11 needs to be addressed.

12 All aspects of the political
13 government, both aboriginal and non-aboriginal,
14 need to seriously looked at and implement change
15 for the betterment of the aboriginal women in
16 today's society.

17 The situation of aboriginal youth.
18 Item 14: Again, all aspects of the political
19 governments need to seriously look at the
20 development of our youth. The youth are our
21 future. They are our future leaders. In order
22 for them to become these leaders, we need to
23 assist them in building their future to attain
24 that goal.

25 Number 16. Justice issues of

May 20, 1992

292

Royal Commission on
Aboriginal Peoples

1 concern to aboriginal people: We have been
2 treated unfairly within the system for quite some
3 time. In the Province of Manitoba, without going
4 into details, the Aboriginal Justice Inquiry
5 reiterates that statement. In order to bring the
6 system back to deal with the concern of fairness,
7 the recommendations of that report should to be
8 implemented.

9 In making references to the above
10 terms of reference of the Commission, I feel that
11 the Friendship Centres could play a vital role in
12 the implementation for change. The Friendship
13 Centres have been established for quite a number
14 of years and who knows better than the Friendship
15 Centres the needs of the urban aboriginal people.

16 The Friendship Centres have gone
17 through an evaluation process from the federal
18 level, with positive results as to the need to
19 continue funding these Centres to assist the urban
20 aboriginal people and I have presented you with
21 that document, the blue package. That is the
22 evaluation of the federal level.

23 Just recently in Manitoba an
24 evaluation process was completed at the request of
25 the Manitoba Association of Friendship Centres.

May 20, 1992

293

Royal Commission on
Aboriginal Peoples

1 This report also contains the positive results as
2 it related to assisting people in need. That is
3 the other document that I have presented you with,
4 the evaluation of the Friendship Centres of
5 Manitoba. These evaluations are included for your
6 references in making your recommendations that you
7 might want to take back to your government.

8 I feel that the Friendship Centres
9 without going into great detail, that the
10 Friendship Centres is a vehicle in place already
11 that could assist the government in achieving its
12 goal to answer some of the concerns that the urban
13 aboriginal people have and it is something that
14 they should look at when making the
15 recommendations.

16 I have also included in our
17 presentation documentation in reference to the
18 positive impact the Friendship Centres have
19 established both from the President of the
20 Manitoba Métis Federation, Yvon Dumont and I would
21 just like to quote from his letter.

22 "As you are aware, the
23 Manitoba Metis Federation
24 Inc. has consistently
25 supported Manitoba

May 20, 1992

294

Royal Commission on
Aboriginal Peoples

1 Association of Friendship
2 Centres in any of its
3 endeavours."

4 That is a document that I would
5 like to present you with that there is support
6 from the Métis Federation President and also I
7 would like to quote from the meeting we had with
8 Yvon Dumont, President of the MMF, Phil Fontaine,
9 Grand Chief of the AMC. I would like to read out
10 the quote that he had said at the meeting.

11 "We have no objections to the
12 Manitoba Association of
13 Friendship Centres, they
14 provide a useful service and
15 they represent the interests
16 of our people. 3/4 of the
17 people served are Metis (in
18 the Friendship Centre
19 Movement)".

20 So I would like to leave those
21 documents with you and hopefully in making your
22 recommendations to your government, that those
23 documents be presented as such, whatever impact
24 they might have in terms of our Friendship Centres
25 which need to be continued funding or continued

May 20, 1992

295

Royal Commission on
Aboriginal Peoples

1 resources made available to them.

2 Some of the recommendations, we
3 have made three recommendations here that I would
4 like to read out to you:

5 Recommendation Number 1. That a
6 process be established to provide for the full and
7 equal participation of all constituent groups,
8 women, youth, men, elders and traditional people,
9 and urban aboriginal people, in the development of
10 self-government structures, institutions,
11 processes and policies;

12 That a process be established that
13 will provide for the full and equal participation
14 of all constituent groups in the development of a
15 Charter of Aboriginal Rights and Freedoms that
16 will ensure the protection of collective rights,
17 mobility rights and the rights and
18 responsibilities of women, youth, elders, and
19 traditional people;

20 That the development of self-
21 government structures, institutions, processes and
22 policies be guided by traditional aboriginal
23 values, customs and practices.

24 In closing, I would like to quote
25 from the NAFC Senators report:

May 20, 1992

296

Royal Commission on
Aboriginal Peoples

1 "The 21st Century will be the
2 beginning of our century as
3 aboriginal People. To
4 prepare ourselves, we must in
5 the 1990's work together
6 towards influencing the
7 attitudes and conditions that
8 have prevented us as
9 aboriginal people from taking
10 our rightful place in this
11 country."

12 Respectfully submitted from
13 myself, President of Friendship Centres.

14 Thank you very much.

15 If there are any questions, I will
16 try to answer them for you.

17 **CO-CHAIR ALLAN BLAKENEY:** Thank
18 you very much, President Chaske.

19 I certainly appreciated your
20 brief. It directs its attention to one of the
21 more difficult problems that we are facing. It is
22 relatively easy to talk about self-government
23 where we are talking about government on
24 aboriginal lands. It is a little harder for us to
25 understand just how some measure of self-

May 20, 1992

297

Royal Commission on
Aboriginal Peoples

1 government or self-determination will work in a
2 city like Winnipeg.

3 How should we structure things so
4 that the aboriginal people of Winnipeg can have
5 greater control over the delivery of services,
6 things like services that deal with child welfare
7 or schooling or family violence or the issues
8 which any society has to deal with?

9 The question I put to you is: Do
10 the Friendship Centres have any ideas as to what
11 sort of a mechanism or structure we should have in
12 a major city like Winnipeg to allow aboriginal
13 people to have greater control over the level or
14 kinds of services they get? I include health,
15 social services, education, the gambit of those
16 services.

17 MR. RICHARD CHASKE: I am not too
18 familiar with the recent development of the urban
19 tribal council of Winnipeg. Apparently they are
20 in the process of developing answers to some of
21 those questions that you have.

22 I guess what we at the Friendship
23 Centre Movement in the smaller community, such as
24 maybe The Pas, Portage La Prairie, Brandon or
25 whatever, are looking at is trying to access our

1 own people to work in the service delivery
2 agencies, or maybe taking on more of the
3 responsibilities through funding from different
4 levels of government to deliver the programs for
5 our own people. To be sort of a home base type of
6 situation.

7 Maybe work in conjunction with the
8 tribal council or reserves within the area in
9 which the Friendship Centres are situated. It is
10 kind of a hard question to answer because we have
11 never really looked at the whole issue until just
12 recently, when Winnipeg started implementing the
13 urban tribal council concept.

14 I know that in my area where I
15 work, at the Portage Friendship Centre, we are
16 looking at that very seriously. I have talked to
17 the municipal government in terms of assisting us
18 in setting that up within the municipality of
19 Portage La Prairie. It is going to be sort of a
20 combination of the municipal governments, the
21 Mayor and Council and with the Friendship Centre
22 people to set up the structure.

23 CO-CHAIR ALLAN BLAKENEY: Could
24 you tell me a little bit more on the urban tribal
25 council in Winnipeg? More particularly, does it

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 deal only with status Indians or does it deal with
2 all aboriginal people?

3 MR. RICHARD CHASKE: It is my
4 understanding, I guess, and like I said before I
5 am not too familiar with it, but I understand that
6 -- I glanced through their pamphlet that they had
7 out and it is for status people only. So I guess
8 that doesn't address the concerns of the Métis or
9 the other aboriginal peoples.

10 CO-CHAIR ALLAN BLAKENEY: Let's
11 leave aside Winnipeg for a moment then. In
12 Portage La Prairie, let's say, or Brandon, it
13 probably wouldn't make sense to have one set of
14 organizations delivering health services or child
15 welfare services for status people and one for
16 non-status, or would it? I am not sure.

17 MR. RICHARD CHASKE: In the
18 smaller communities such as Portage, for an
19 example, I think a combination of both, all
20 aboriginal groups get together to provide those
21 kinds of services. Because like you said, it
22 would not make sense to have one small group over
23 here and one small group here all doing the same
24 thing. So they need to sort of combine resources
25 in order to deliver them for the betterment of the

May 20, 1992

300

Royal Commission on
Aboriginal Peoples

1 people.

2 CO-CHAIR ALLAN BLAKENEY: If that
3 organization is set up for aboriginal people you
4 are going to run into the argument from non-
5 aboriginal people of why do you need two
6 organizations to deliver, let's say, child welfare
7 services?

8 The answer is that the non-
9 aboriginal one doesn't do a very good job with
10 aboriginal people in delivering child welfare
11 services. But if you are going to be met with
12 that argument, you will have to be prepared for a
13 bigger argument. If there is one for status and
14 one for non-status it may work in Winnipeg, but
15 for Brandon it is going to be a tough argument.

16 So it is better to look at some
17 idea of combined, I would think, but that is up to
18 you. I am just asking for a comment.

19 MR. RICHARD CHASKE: I guess, as I
20 mentioned in my presentation, the aboriginal
21 organization provides services to aboriginal
22 people. We know more about our people, that we
23 provide services to, then the non-aboriginal
24 agencies.

25 We have, in the Friendship Centre

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Movement, an open door policy. We do not close
2 our doors at five o'clock in the evening. We
3 understand that people's problems don't end at
4 five o'clock. We don't have an office situation
5 whereby you take a number or make an appointment,
6 come back and we will deal with you maybe
7 tomorrow. Those kinds of situations.

8 In the Friendship Centre Movement,
9 and again, relating back to Portage, we have an
10 open door policy. We are on call at any time of
11 the day regardless of what the concern is. That
12 is why I feel my argument comes from that, like
13 the open door policy.

14 We don't have to have a structured
15 environment which we, as aboriginal people, are
16 not used to. Some people travel in from the
17 reserve. They find a ride to get into Portage
18 again, for example, to seek services, and all of a
19 sudden it's "Well, make an appointment", "Come
20 back tomorrow", or "Come back next week". So this
21 person has to trudge all the way back out to the
22 reserve again and find another way to come in.

23 Whereas at the Friendship Centre,
24 yes, if you have a problem we will deal with it
25 today. Those are the kinds of differences that we

May 20, 1992

302

Royal Commission on
Aboriginal Peoples

1 see happening within the non-aboriginal and the
2 aboriginal services delivery.

3 CO-CHAIR ALLAN BLAKENEY: I will
4 ask Commissioner Lathlin or Commission Chartrand
5 to direct any questions they may wish.

6 COMMISSIONER PAUL CHARTRAND:
7 Thank you for your presentation. You have made a
8 number of important points. I would like to go
9 over one of them to assure myself that I do
10 understand it, although I believe you have made it
11 quite clear.

12 You have emphasized the existence
13 of one urban tribal council. You have taken pains
14 to bring to us a document, two documents, which
15 indicate the support of aboriginal political
16 organizations for the work of the Friendship
17 Centres. You have also been quite clear in
18 pointing out the objectives of the Friendship
19 Centres, that is to administer programs to provide
20 services for aboriginal people, particularly in
21 urban centres.

22 So there is a great distinction,
23 it seems to me, and this is the point I am
24 checking, between that function which you clearly
25 elaborate with respect to the Friendship Centres,

1 and the political role of representing aboriginal
2 people in promoting their political aspirations
3 and that distinction.

4 I presume that would be the reason
5 for the reply that you gave to Commissioner
6 Blakeney that your object, the object of the
7 Friendship Centres, is to administer programs that
8 are designed by governments. You ask the
9 question: Under whose jurisdiction are urban
10 aboriginal people to come under? My assumption,
11 and I am checking it with you, is that you are
12 referring to this issue: Are these to be
13 provincial programs or federal programs that we
14 are to administer?

15 Because what the aboriginal
16 leaders are saying, in answer to the question of
17 under whose jurisdiction would it be, is it would
18 be under our jurisdiction because the assertion is
19 for the inherent right of aboriginal self-
20 government, a third order of government in Canada
21 and so on.

22 So that is a point that I wanted
23 to check with you to make sure that it was
24 understood and have I correctly stated the
25 position that you have put before us here today.

May 20, 1992

304

Royal Commission on
Aboriginal Peoples

1 Have I correctly stated what you have said to us
2 today on that point?

3 MR. RICHARD CHASKE: Yes. That's
4 right.

5 I guess when I mentioned under
6 whose jurisdiction do we fall, I will give you an
7 example of what has happened just recently. When
8 I take a look at the letter that came down from
9 the Department of Indian Affairs related to
10 reimbursement of social service program dollars to
11 the municipal governments such as, again I am
12 using the example, Portage La Prairie, they no
13 longer are going to be reimbursing social funds
14 that are being spent on off-reserve Indians.

15 So I am wondering: Where do we
16 fall under? Under whose jurisdiction are we?
17 When I take a look at the whole concept of self-
18 government, or if that is part of it, I don't
19 understand really what self-government is all
20 about. I don't know if anybody can give me that
21 answer today, but I am worried. We are losing all
22 our rights or what happens just because we choose
23 to live in an urban setting?

24 COMMISSIONER PAUL CHARTRAND: I
25 appreciate that. It is my own belief that the

May 20, 1992

305

Royal Commission on
Aboriginal Peoples

1 urban aboriginal people have been inadequately
2 represented in past endeavours and that is one of
3 the difficulties that we have to face.

4 I would like to make one brief
5 comment and then ask you a particular question
6 about one of your points.

7 You stated in your brief that the
8 matter of family violence is one about which
9 something must be done now. I should say that
10 given the mandate that we have, and the time that
11 it will take to try to meet the goals of our
12 mandate, things will be accomplished not now, but
13 later for us. So we have a very limited, if any,
14 capacity to assist in that regard.

15 However, it seems to me that by
16 the mere fact that we do provide a public forum at
17 which you can air these issues, perhaps that is
18 valuable and perhaps it can assist in moving those
19 who are responsible for making decisions to move
20 these issues along.

21 My question is this, and it
22 relates to a situation of young people, young
23 aboriginal people, particularly in the cities: I
24 am interested in the extent to which people like
25 yourselves have experience in the establishment of

May 20, 1992

306

Royal Commission on
Aboriginal Peoples

1 sports or recreational programs for young people
2 in the cities.

3 Are there any such programs that
4 are administered by Friendship Centres in the
5 Province of Manitoba or anywhere else that you
6 might be aware of? How are these working? Are
7 they successful? Are they popular? Or do you
8 have any at all?

9 I invite you to provide us with
10 some information on that, if you wish.

11 MR. RICHARD CHASKE: Again,
12 speaking of limited resources available to the
13 Friendship Centres to get their aboriginal kids
14 involved in organized sports, they try to involve
15 them in leagues of different sorts within their
16 own communities and with whatever funding they
17 have. They try to put them in through the leagues
18 that are set up and so forth.

19 I think the development of the
20 youth is there. It is just the lack of resources
21 available to them to participate in organized
22 sports and I don't know -- to get into organized
23 sports you need all the equipment, such as hockey.

24 If you take a look, we just had a
25 request from a young boy who is going to be

May 20, 1992

307

Royal Commission on
Aboriginal Peoples

1 representing Manitoba. He came to us and
2 requested \$600.00 worth of hockey equipment just
3 to be an aboriginal person representing Manitoba
4 in the midget leagues. Now we are raising funds
5 like crazy to try and send this kid to represent
6 the aboriginal people.

7 So we are looking at resources,
8 which I guess again is one of the main concerns
9 that the Friendship Centres have. We are trying
10 to address the whole issue of getting them
11 involved through various fund raising events that
12 we have. I know that within the movement itself,
13 at the provincial level, we have very limited
14 resources that the government gives to us to
15 provide those kinds of services.

16 So we rely quite heavily on the
17 fund raising endeavours of the Friendship Centres
18 to help these people. It says right in the
19 evaluation again, when you take a look at it, the
20 amount of dollars that we raise through various
21 activities that we have. It will give you an
22 indication of how much work goes into Friendship
23 Centres seeking other funding.

24 COMMISSIONER PAUL CHARTRAND: So
25 the involvement of the Friendship Centres is by

May 20, 1992

308

Royal Commission on
Aboriginal Peoples

1 way of encouraging young people to participate in
2 existing leagues, not in leagues that have been
3 established by the Friendship Centres themselves?
4 Is that so?

5 MR. RICHARD CHASKE: Yes, that's
6 right.

7 COMMISSIONER PAUL CHARTRAND: I
8 thank you very much for your brief and for your
9 further comments.

10 CO-CHAIR ALLAN BLAKENEY: Thank
11 you very much.

12 MR. RICHARD CHASKE: I would like
13 to thank the Commissioners and also, Elder, Mr.
14 Lathlin for allowing us this time. Thank you very
15 much.

16 CO-CHAIR ALLAN BLAKENEY: Thank
17 you. We will take a ten minute break. Try to be
18 back by 10:50 to take the next presentation.

19
20 --- Upon recessing at 10:40 a.m.

21 --- Upon resuming at 11:00 a.m.

22

23 CO-CHAIR ALLAN BLAKENEY: We are
24 to hear a presentation from Keewatin Community
25 College.

May 20, 1992

309

Royal Commission on
Aboriginal Peoples

1 This is a good time for me to
2 acknowledge some people from the Band of Northern
3 Administration Group at Keewatin Community College
4 that have been with us for some time and we
5 welcome their presence.

6 Ms DeLaronde, who we have seen
7 before.

8 **MS SANDRA DeLARONDE:** Good
9 morning. This is my official hat. I am Co-
10 ordinator of Extension Services with Keewatin
11 Community College. With me is Doug Lovestead, who
12 is a Communications Offices for the College.

13 I would like to thank the
14 Commission for the opportunity to present to you
15 today and to speak on behalf of Keewatin Community
16 College on issues regarding aboriginal people.

17 For the most part, the
18 presentation will be limited to the issues of
19 aboriginal people in post-secondary education. As
20 well, I will address what Keewatin Community
21 College will be doing to assist the aboriginal
22 community in their quest for self-determination
23 and to improve the educational experience.

24 I would like to begin my
25 presentation by giving you, the Commission, some

May 20, 1992

310

Royal Commission on
Aboriginal Peoples

1 background on the College.

2 The Northern Manitoba Vocational
3 Centre was opened in October, 1966 and
4 subsequently renamed Keewatin Community College
5 two years later. The College is mandated to offer
6 certificate and diploma programs to individuals
7 residing in the area north of the 53rd parallel.

8 The College also offers a wide
9 range of programs ranging from
10 recreational/leisure programs to highly technical
11 professional upgrading. We serve a geographic
12 area of approximately 204,000 square miles with a
13 population of approximately 65,000, of which one-
14 third are of aboriginal decent.

15 1986 census data indicates that 63
16 per cent of the population has less than high
17 school education with only 17 per cent having
18 completed high school. Illiteracy rates average
19 35 per cent and run as high as 50 per cent in some
20 communities. The unemployment rate averages 15
21 per cent and can be as high as 95 per cent in
22 remote communities.

23 Since opening in 1966, Keewatin
24 Community College has experienced a steady growth
25 in the number of aboriginal students and currently

May 20, 1992

311

Royal Commission on
Aboriginal Peoples

1 identifies 53 per cent of the student population
2 as aboriginal.

3 In spite of this increase in
4 participation rates, the number of aboriginal
5 students graduating from the College continues to
6 be unacceptably low. As an example, in the
7 1990/91 academic year, 52 per cent of the enrolled
8 students claimed aboriginal ancestry and of the
9 363 who did not graduate, 252 or 69 per cent were
10 aboriginal.

11 The College recognizes that
12 aboriginal people and people from remote
13 communities face many barriers. These include
14 inadequate educational attainment, limited
15 financial resources, distance, and cultural
16 differences. Limited housing for students with
17 dependents also prohibits many potential students
18 from attending post-secondary institutes.

19 While there are some barriers
20 faced by aboriginal people that the College is not
21 mandated to address, we are committed to increased
22 accessibility by the aboriginal community, as well
23 as improved retention and success rates of
24 aboriginal students. To accomplish this, we
25 propose two initiatives:

May 20, 1992

312

Royal Commission on
Aboriginal Peoples

1 1. the establishment of an
2 Aboriginal Council that will allow aboriginal
3 people to participate in a meaningful way in the
4 decision making process of Keewatin Community
5 College; and

6 2. the establishment of an
7 Aboriginal Learning Centre at The Pas and Thompson
8 campus locations to increase successful completion
9 of study.

10 The Aboriginal Council would have
11 the following guidelines as a mandate:

12 - to advocate and make
13 recommendations on issues related to access,
14 recruitment and retention of aboriginal students;

15 - to promote an awareness of and
16 appreciation for the diverse culture and language
17 of aboriginal people;

18 - to consult and make
19 recommendations regarding the goals and objectives
20 for the College's five-year strategic plan as it
21 relates to aboriginal students; and

22 - advise on the development and
23 inclusion of culturally specific programs and
24 courses across College programs.

25 Membership of the Committee will

May 20, 1992

313

Royal Commission on
Aboriginal Peoples

1 be chosen from northern aboriginal organizations.

2 Following the establishment of the
3 Aboriginal Council, College staff and members of
4 the Council will collaborate to develop a model
5 for an Aboriginal Learning Centre. A Centre will
6 be established on both The Pas and Thompson
7 campuses and is expected to provide, in addition
8 to a comfortable meeting place:

9 - personal and cultural counsel
10 provided by aboriginal Elders and cultural
11 teachers based on the principles of the Medicine
12 Wheel;

13 - academic counselling;

14 - development of culturally
15 appropriate curriculum;

16 - student recruitment;

17 - a library of information on
18 aboriginal culture and issues;

19 - leadership, co-ordination and
20 support in the development of seminars,
21 conferences, and workshops for the community;

22 - recruitment, orientation and
23 on-going support for aboriginal staff; and

24 - cultural training and awareness
25 for non-aboriginal staff.

May 20, 1992

314

**Royal Commission on
Aboriginal Peoples**

1 The College has set a target date
2 of September 1992 for the start up of the
3 Aboriginal Learning Centre and expects the Centre
4 to be in full operation, with all components in
5 place, by September of 1994.

6 In conclusion, I would like to add
7 that Keewatin Community College sees itself as the
8 focal point of Education and Training for northern
9 Manitoba. As well, we are keenly aware that any
10 economic development cannot occur unless there is
11 human resource development. This is particularly
12 true for the country's aboriginal people as they
13 strive to develop self-determination.

14 Thank you.

15 **CO-CHAIR ALLAN BLAKENEY:** Thank
16 you very much for that comprehensive outline of
17 the work of the Keewatin Community College. I
18 suspect Commissioner Chartrand, who knows the
19 post-secondary education field in Manitoba much
20 better than do I, will have some questions, but I
21 will ask one.

22 I ask: What links does the
23 Keewatin Community College have with any of the
24 other post-secondary institutions, particularly
25 universities with respect to Brandon or Winnipeg

May 20, 1992

315

Royal Commission on
Aboriginal Peoples

1 or U of M?

2 MR. DOUG LOVESTREAD: The College
3 is currently trying very hard to get into
4 articulation agreements with the universities. We
5 currently have just got into one agreement with
6 Brandon University and inter-universities north to
7 develop a Northern Business Management Course,
8 where students can take programs in their
9 community or at the college and have those credits
10 go towards a Bachelor of Arts with a Major in
11 Business Administration.

12 We have a Natural Resource
13 Management Program where credits are transferable
14 to the University of Manitoba and the University
15 of Winnipeg, as well as our own Business
16 Administration Program.

17 One of the areas the College would
18 like to expand into is in allowing northerners to
19 get access to education that they carry on with
20 them into the baccalaureate or university area.

21 MS SANDRA DeLARONDE: I guess the
22 other thing to add on the Northern Business
23 Administration Program is that it has a unique
24 program in that it has university and college
25 involvement, as well as the involvement of the

May 20, 1992

316

Royal Commission on
Aboriginal Peoples

1 Swampy Cree Tribal Council and private funders.

2 MR. DOUG LOVESTREAD: We also have
3 an agreement with the University of Manitoba where
4 our students who are graduates of the Registered
5 Nursing Program at the College can use that as
6 prerequisites and carry on and take a Bachelor of
7 Nursing Degree here, right in The Pas. The courses
8 are on campus and we provide a number of supports
9 to the University.

10 COMMISSIONER PAUL CHARTRAND:

11 Thank you. I have just a very few questions.

12 In exploring the field of
13 education in this country, which is within our
14 mandate, and its relationship to aboriginal
15 peoples and the educational requirements of
16 aboriginal peoples, there are a number of
17 important issues that seem to me to arise.

18 It might be said that there are
19 likely two tendencies in assessing the
20 relationship between aboriginal peoples and post-
21 secondary institutions. One, aboriginal peoples
22 will see the need to establish their own and we
23 see that in a number of places in Canada where
24 this has already been done. Alternatively it
25 appears that it is possible for aboriginal peoples

1 representatives to work with existing institutions
2 to see what can be done to better the services
3 that are provided by the existing institutions.

4 With that background I ask you
5 then to elaborate, if you will, on the relations
6 of the Keewatin Community College with
7 representatives of aboriginal peoples. I will use
8 an example to invite you to comment on. It is a
9 reference to the proposed Aboriginal Council.

10 What is the relationship, if any,
11 of the political representatives of aboriginal
12 peoples in your endeavours to establish this
13 Council? Who are the aboriginal people that you
14 are dealing with?

15 MS SANDRA DeLARONDE: By
16 organization it has been proposed that the
17 Manitoba Keewatinowi Okimakanak, the Manitoba
18 Métis Federation, the Indigenous Women's
19 Collective, Northern Representatives, the Manitoba
20 Association of Friendship Centres, the Northern
21 Centre Component, will all be invited to provide
22 names of people to sit on the Council.

23 Currently we have some formal
24 relationships that are program specific, as Doug
25 has mentioned, with the Northern Capital

1 Reconstruction Authority that are involved with
2 the Natural Resources Technology Program, as well
3 as Swampy Cree and the Bachelor of Northern
4 Nursing Program.

5 As well, we currently have 19
6 program Advisory Committees of which 21 per cent
7 of the membership is aboriginal people and two
8 committees. There is an Aboriginal Advisory
9 Committee to the President which is 100 per cent
10 aboriginal participation. The total participation
11 of aboriginal women on all committees is 31 and
12 the total participation of aboriginal men is 24.

13 MR. DOUG LOVESTREAD: I think if I
14 can add the College is also targeted to be
15 incorporated under a Board of Governors on April
16 1, 1993. The legislation is very specific in that
17 the Board of Governors has to be representative of
18 the demographics of the area that we serve.

19 COMMISSIONER PAUL CHARTRAND: If I
20 may say so then, you are adopting the approach
21 which has been adopted in other places across the
22 country, that is that the institution does not
23 enter directly into a relationship with the
24 political organizations, but rather tries to
25 secure its political agreement to the constitution

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 of the particular board or committee or council or
2 whatever.

3 All right, so that is helpful and
4 I thank you for that.

5 My next point is this, let me try
6 to explain it as best as I can. In looking at the
7 matter of implementing aboriginal self-government
8 there is a fundamental issue that has to be faced.
9 That is the matter of identifying the relevant
10 people who are aboriginal people for the purposes
11 of establishing institutions of aboriginal self-
12 government?

13 Now, the problem of identifying
14 people, not only for the purposes of aboriginal
15 self-government, but for other purposes, such as
16 administering educational policy. It has already
17 arisen in a number of forms and it is one that is
18 giving rise to a number of perplexing
19 difficulties. This is so in the United States,
20 for example.

21 The difficult issue is the matter
22 of identifying those individuals who are entitled
23 to the benefits of whatever programs are
24 established for aboriginal peoples in this case.
25 I make a distinction between that and the

May 20, 1992

320

Royal Commission on
Aboriginal Peoples

1 identification of aboriginal individuals who might
2 be entitled to participate in aboriginal self-
3 government. That would be a different matter.
4 The definition might be the same, but not
5 necessarily so.

6 I have come to your reference then
7 to two terms. You talked about aboriginal people,
8 you said that a certain percentage were aboriginal
9 people. Then you said a different thing. You
10 talked about a certain percentage of people, I
11 think it was 52 per cent, who claim aboriginal
12 ancestry. You also refer to people of aboriginal
13 decent. To me that is a distinction between the
14 two. That is, aboriginal decent does not
15 necessarily mean that the individual is an
16 aboriginal person for any particular purpose, no
17 more so than the fact that a person might have an
18 Irish grandmother is Irish, for purposes of Irish
19 nationalization law.

20 So the question is this then:
21 Could you assist us by telling us about the
22 experience and the facts at Keewatin Community
23 College? What are the criteria for identifying
24 aboriginal people for your purposes?

25 You referred to two expressions

May 20, 1992

321

Royal Commission on
Aboriginal Peoples

1 and it is unclear to me what criteria they are
2 derived from. Do you accept that people are
3 aboriginal people because they claim aboriginal
4 ancestry? Or does aboriginal decent ipso facto
5 make the individual an aboriginal person for your
6 purposes? Can you assist me by describing the way
7 in which KCC approaches the matter of identifying
8 aboriginal individuals?

9 MR. DOUG LOVESTREAD: For the
10 purpose of the statistics, enrolment statistics
11 and such, what we use to determine this are the
12 application forms. There is a section where
13 students have the option of declaring whether they
14 are status or non-status, Métis, Inuit. That is
15 pretty well the criteria we go back to for our
16 statistical information. Of course, there are
17 other -- it is a self-identification process.

18 There are other programs and
19 services that are available through the College or
20 through other government agencies that are like
21 Indian and Northern Affairs Canada sponsorship of
22 post-secondary education. Then we would go by
23 what their definition is in those situations.

24 COMMISSIONER PAUL CHARTRAND: You
25 have had no problems with accepting self-

May 20, 1992

322

Royal Commission on
Aboriginal Peoples

1 declaration alone as your sole criterion? I know
2 there have been problems in other places and I
3 suspect that problems will arise. That is why I
4 raise the issue to ask you if you have had any
5 experience to indicate the nature of the
6 difficulties that will arise?

7 MR. DOUG LOVESTREAD: None that I
8 am aware of, unless Sandra has.

9 COMMISSIONER PAUL CHARTRAND: My
10 last question, if I may, has to do with the
11 recreational and leisure programs that you have
12 talked about.

13 One of the points of our mandate
14 is to deal with what we can by way of making
15 recommendations with respect to young aboriginal
16 people. I am asking if you can assist us by
17 giving us some details about the nature of these
18 programs?

19 I am assuming, tell me if this is
20 right, that you actually teach courses having to
21 do with the administration, creation of
22 recreational and leisure programs. Could you tell
23 us a little bit about the nature of those
24 programs? Also a related question: Do you have
25 experts here, people who could assist the

May 20, 1992

323

Royal Commission on
Aboriginal Peoples

1 Commission, with their learning, by advising us on
2 such things as the relationship, if any, between
3 the establishment of recreational leisure programs
4 in communities and social behaviour of young
5 people in those communities?

6 MR. DOUG LOVESTREAD: The term that
7 we use for recreation and leisure programming are
8 things like our evening programs where it could be
9 just general interest, flower arranging or right
10 up to specialized computer training offered during
11 the evening.

12 It is more of the general
13 interest, the self-improvement courses. We don't
14 have a specific course for recreational
15 programming or administering recreation. We do
16 offer a number of programs in the communities.

17 We have, I think, a total of five
18 community co-ordinators in various communities in
19 the north as well as two regional centres. They
20 are responsible for identifying programs that the
21 community would like to see in place, whether it
22 is an upgrading course or a computer course or
23 just a general interest program.

24 So with the network that we have
25 we try to fulfil what the people in the community

May 20, 1992

324

**Royal Commission on
Aboriginal Peoples**

1 see as their needs in terms of the general
2 programs.

3 **COMMISSIONER PAUL CHARTRAND:** If I
4 may ask for an elaboration on that. So you would
5 have the capacity then, if the community were to
6 say to you that they would like some assistance by
7 way of getting some expert help to establish and
8 administer a sports and recreational program. Do
9 you have the expert personnel here to do that?

10 **MR. DOUG LOVESTREAD:** We have a
11 market driven training centre which is basically
12 contract training. As an example, we did a Native
13 Management Course in Norway House through market
14 driven training. We have a curriculum development
15 centre and have the ability to hire people to go
16 out develop and deliver programs based on what it
17 is that is wanted in the community. So if a
18 recreation program was required we could go out
19 and deliver it, for a fee.

20 **MS SANDRA DeLARONDE:** I just
21 wanted to add that the College participates in an
22 advisory capacity to the Northern Recreation
23 Directors Training Program which is a joint
24 program by the Department of Northern Affairs and
25 new careers of the Department of Education and

May 20, 1992

325

Royal Commission on
Aboriginal Peoples

1 Training.

2 COMMISSIONER PAUL CHARTRAND: I
3 wonder then if you would be willing to assist us
4 by identifying -- and maybe we could have a staff
5 contact your individuals or experts in this
6 field -- who could presumably assist us, as you
7 said, for a fee?

8 MR. DOUG LOVESTREAD: I am sure
9 that we would be more than happy to assist in any
10 way that we can in working with you, with the
11 Commission.

12 COMMISSIONER PAUL CHARTRAND:
13 Thank you very much.

14 MS SANDRA DeLARONDE: Thank you.

15 MR. DOUG LOVESTREAD: Thank you.

16 CO-CHAIR ALLAN BLAKENEY: Thank
17 you very much. Now I will invite a representative
18 of the Cree Nation Tribal Health Centre. Is it to
19 be Mr. Glen Ross, a Council Member of The Pas
20 First Nations? Lead off any time you are ready.

21 MR. GLEN ROSS: First of all, I
22 would like to welcome you all here. I am making a
23 presentation this morning on behalf of the Cree
24 Nation Tribal Health Centre based in The Pas.

25 I guess our presentation this

May 20, 1992

326

Royal Commission on
Aboriginal Peoples

1 morning will consist of giving you an idea of what
2 the Cree Nation Health Centre is about, when it
3 was started and how, and some of the issues that
4 we would like to relate to you in terms of the
5 problems that we have and areas that we would like
6 to get assistance through this Commission.

7 To start off with, the Cree Nation
8 Tribal Health Centre based in The Pas was
9 federally incorporated in 1990, to represent the
10 common health interests of the seven First Nation
11 member bands of the Swampy Cree Tribal Council.
12 It is governed by a Board comprised of
13 representatives from seven communities and these
14 representatives also come from health boards.

15 Its focus is to support and
16 enhance community capabilities to address common
17 community needs. Its function is to provide
18 quality health services to the communities,
19 specialty services which are beyond the resource
20 base of individual bands. Examples of these
21 services are health education, substance abuse
22 program co-ordination, nursing co-ordination,
23 environmental health advice and enforcement,
24 medical officer of health consultation, dental
25 care, financial advice and referral services.

May 20, 1992

327

Royal Commission on
Aboriginal Peoples

1 There are approximately 8,000
2 members on the seven reserves which are serviced
3 out of the Tribal Health Centre. Each band has a
4 health service facility in the community. Two of
5 these facilities are off-reserve in the adjoining
6 Métis communities.

7 Now under the health transfer, the
8 Health Transfer Agreement was signed on March 20,
9 1992 between the Tribal Council, representing five
10 of its bands, and the Federal Government. Prior
11 to this, two of the other Swampy Cree Bands had
12 signed agreements with the Federal Government:
13 Mathias Colomb First Nation at Pukatawagan and The
14 Pas Indian Band.

15 The reason for separate agreement
16 phases was that the Provincial and Federal
17 governments had made an agreement between
18 themselves, in 1964, during hydro developments, in
19 which five of our bands were to receive all health
20 services from Provincial Health and two bands from
21 the Federal Medical Services Branch. This was to
22 avoid duplication of services by the two
23 governments, but the bands were not consulted in
24 this decision at that time.

25 When the Federal Government

May 20, 1992

328

Royal Commission on
Aboriginal Peoples

1 implemented the Health Transfer policy in 1964,
2 the Chiefs and Councils of the Swampy Cree Tribal
3 Council area decided to pool resources for the
4 planning and development phase. This was supposed
5 to be funded for a maximum of two years. The
6 negotiation phase was to be another six months.

7 The major obstacle to achieving a
8 complete transfer of local services in that time
9 frame was Provincial Health's unwillingness to
10 negotiate with a treaty people's organization. We
11 were stuck in a situation in which the Province
12 would not negotiate, and the status quo persisted.

13 For nearly ten years we had been
14 explaining our concern to both governments that
15 the provincial services did not equal the
16 standards or resources of the Federal governments
17 health operations on other reserves, and we did
18 not want the status quo to persist.

19 Eventually, in early 1991, we
20 threatened the Federal Government with a lawsuit
21 regarding the health resources being locked into
22 provincial hands. Soon after, both the Federal
23 and Provincial Governments came to the table with
24 us and we formed a three-party Working Group to
25 resolve the impasse. A Memorandum of

May 20, 1992

329

Royal Commission on
Aboriginal Peoples

1 Understanding was worked out by June, 1991 and
2 this May, 1992, we began negotiations with the
3 Province.

4 In all our negotiations and
5 agreements in Health Transfer, we have clauses
6 which assert that the agreements will not
7 prejudice or threaten existing treaty rights or
8 land claims. Our position is that Health Services
9 are a treaty right, and we would like to see the
10 Federal Government acknowledge that fact.

11 However, they have never agreed to
12 a clause asserting that fact in any agreements
13 with them. We view the current negotiations with
14 the Province as a process which will result in a
15 bilateral contract for us to provide health
16 services. At the same time, we want the Federal
17 Government to realize we regard the fiduciary
18 responsibility as theirs, because of the treaties.

19 In entering the transfer process,
20 we viewed it as a way of achieving some of our
21 objectives through managing our own health
22 services. There remain a number of issues which
23 are barriers to providing comprehensive health
24 care services for the Tribal Council membership.
25 Some of these are that we have inadequate

May 20, 1992

330

Royal Commission on
Aboriginal Peoples

1 community based mental health programs, we lack
2 adult care and we lack services for the disabled,
3 and we have poor inadequate emergency medical
4 transportation services.

5 Transportation is a non-insured
6 health benefit and we protest that these benefits
7 are not on the table for transfer of control.

8 In April 1992, the Cree Nation
9 Tribal Health staff moved to a building in the
10 Town of The Pas and have recently assisted the
11 five bands in hiring Health Administrators, from
12 their communities, to deal with local health
13 services.

14 In the area of the need for
15 aboriginal health professionals: The health
16 status and services of native Canadians has shown
17 some improvement in the past decade. However,
18 many studies and surveys have been done and the
19 findings documented that demonstrate the health of
20 aboriginals remains the poorest of any group in
21 Canada.

22 With the transfer of control of
23 health services to Indians bands, there is the
24 continuous problem of recruitment of health
25 professionals who are able to deliver the required

May 20, 1992

331

Royal Commission on
Aboriginal Peoples

1 services identified by the aboriginal communities.

2 There are few aboriginal health
3 professionals, though the numbers are slowly
4 increasing. These numbers do not come close to
5 representing the aboriginal population fairly in
6 the health professions. We stress to you the need
7 for continued support to all needy students
8 entering the health professions, in particular
9 those that make a commitment to providing health
10 services to northern and aboriginal communities
11 upon graduation.

12 We recommend that funding into the
13 health professions be expanded for aboriginal
14 people, and further that funding to post-secondary
15 programs which provide for special cultural needs,
16 curriculum needs, and academic supports be
17 expanded, through First Nation or Tribal approved
18 mechanisms.

19 Before the health transfer policy
20 was implemented, the Swampy Cree Tribal Council
21 had begun lobbying for funding to support a
22 northern based Bachelor of Nursing Program. We
23 were concerned that we would inherit a system with
24 the constant problem of recruitment and retention
25 of health professionals, especially nurses.

May 20, 1992

332

**Royal Commission on
Aboriginal Peoples**

1 Program funding was eventually
2 obtained through the Indian and Inuit Professional
3 Health Careers Program of Health and Welfare
4 Canada. Our program was implemented in 1990.
5 There are currently 10 full-time and a few part-
6 time aboriginal students enroled in the post-
7 diploma University of Manitoba Degree Program,
8 here in The Pas.

9 Elements in the curriculum to
10 increase relevance to the northern setting are
11 advanced primary nursing skills, to address the
12 expanded role and responsibilities of nurses in
13 isolated communities; native medicine; native
14 studies; and extra tutoring supports. We
15 recommend that programs such as ours receive
16 continuing support and set-up in other parts of
17 the country, which experience shortages of health
18 professionals.

19 In the area of dental concerns,
20 the native population in Canada has a dental decay
21 rate that is three times higher than in non-
22 reserve areas. This high dental decay rate in the
23 native population is due to three factors:

- 24 1. poor nutrition;
25 2. poor oral hygiene; and

May 20, 1992

333

Royal Commission on
Aboriginal Peoples

1 3. low fluoride levels in
2 drinking water.

3 The recommendations we have is:

4 - nutritional education for
5 native people especially in schools, prenatal and
6 postnatal classes by public health nurses and
7 nutritionists;

8 - classroom dental health
9 education and school oral hygiene programs such as
10 daily brushing in schools;

11 - running water in reserve homes
12 would facilitate good oral hygiene; and

13 - fluoridation of water on
14 reserves in which the natural fluoride content is
15 less than 0.7 ppms.

16 In the area of AIDS, the Swampy
17 Cree Tribal Council AIDS Project, which is funded
18 by the Federal Centre for AIDS, was established to
19 head off the potential threat of an AIDS epidemic
20 in aboriginal communities. This would be achieved
21 by research in the communities, an education and
22 awareness program for and by the people in the
23 communities, and the development of a strategy and
24 pool of resource materials to help communities
25 carry on meeting the AIDS challenge after the

May 20, 1992

334

Royal Commission on
Aboriginal Peoples

1 three year AIDS Project mandate was complete.

2 The project is now in its third
3 year. There is a concern that just as the project
4 ends, reality of persons with HIV and AIDS in our
5 aboriginal community is increasingly becoming a
6 new factor. This reality will call for responses
7 including diagnosis, care, treatment, home care,
8 counselling, and patient advocacy, most of which
9 is in short supply or non-existent in many
10 communities.

11 The experts continue to say that
12 aboriginal communities are under great threat of
13 the devastating AIDS virus. They point to higher
14 rates in communities of sexually transmitted
15 diseases, teenage pregnancies and young runaways
16 which are often forced into prostitution and the
17 drug culture to support themselves.

18 Now the bands and people that
19 service are -- the whole area of AIDS is being
20 touched upon and it is a very great concern for
21 our people because it is an area, like I said,
22 that we have never encountered before and it is
23 very foreign and we have to get the message across
24 to the people that this disease can afflict
25 anybody and that it is a problem that we should be

May 20, 1992

335

Royal Commission on
Aboriginal Peoples

1 concerned with. However, you know that we have
2 many problems on the reserve.

3 In many areas we have the lowest
4 socio-economic status in the country and a common
5 lifestyle of poverty, unemployment, and substance
6 abuse which further the risk behaviours. A lot of
7 these problems again stem from the lifestyle that
8 we have because of the economic problems and
9 everything else associated with it. The youth in
10 our communities run an average of 60 to 80 per
11 cent of the population and we have to do more for
12 them. We have to get more programs going for them
13 to ensure that they at least know that the problem
14 is out there.

15 There is another area that we are
16 concerned with and it is with the justice system
17 which has been shown to imprison a much higher
18 percentage of First Nations people than the
19 percentage they represent of the Canadian
20 population. Canadian prison authorities have by
21 in large not acknowledged that drug abuse and
22 sexual relations take place in prisons and,
23 therefore, no AIDS intervention such as the
24 availability of condoms are necessary which does
25 increase the high risk situation for prisoners.

May 20, 1992

336

Royal Commission on
Aboriginal Peoples

1 All of these things conspire to
2 give credence to the experts predictions that
3 native people will be devastated by this disease
4 which is beginning to show up more and more in the
5 native society.

6 Now the Swampy Cree Tribal Council
7 AIDS Project is mandated to approach this problem.
8 The best approach to keep dire predictions of an
9 aboriginal AIDS epidemic from coming true is
10 preventative measures through education.
11 Education delivered to First Nations people by
12 First Nations people.

13 That means dollars to train
14 community based people concerning AIDS prevention.
15 It also means dollars to train aboriginal
16 professionals and dollars to expand First Nation
17 community services, such as family counselling and
18 home care, to deal with the reality of AIDS
19 diagnosis, care and treatment.

20 People from outlying areas will
21 also need culturally sensitive, appropriate
22 medical care and treatment if it cannot be
23 provided in local or regional settings. That
24 should mean translation services and aboriginal
25 support teams or service departments in major

May 20, 1992

337

Royal Commission on
Aboriginal Peoples

1 treatment facilities.

2 Because lifestyle is related to
3 risk behaviour, a large number of community people
4 have been calling for a development of community
5 service roles, such as recreation, counselling,
6 social/club leaders, volunteer co-ordinators that
7 will operate outside of school hours to provide
8 positive options to young people and others who
9 can take advantage of supervised activities where
10 skills, co-operation and positive relationships
11 can be role modelled and developed.

12 In summary, local problems need
13 local solutions. Aboriginal communities need the
14 financial resources to train community based human
15 resources and aboriginal professionals, as opposed
16 to using resources to find outside experts and
17 drop-in professionals.

18 In this way, the training and
19 expertise will remain as resources to the
20 community and the community will be affirmed in
21 its ability to manage its own problems.

22 Support should be given to
23 institutions that include culturally relevant
24 material, such as the place and importance of
25 traditional practices in holistic healing in post-

1 secondary and post-graduate level educational
2 programs. This strategy needs to be implemented,
3 with urgency, to meet the AIDS challenge and more
4 generally to include AIDS awareness in related
5 health, social and educational issues.

6 That concludes my presentation to
7 the Commission and I would like to thank you for
8 hearing our ideas.

9 CO-CHAIR ALLAN BLAKENEY: Thank
10 you, Mr. Ross, for that comprehensive brief on how
11 you are organizing health care and the particular
12 stresses and challenges which you are facing.

13 With respect to getting more
14 health professionals who are aboriginals and who
15 are resident rather than drop-in, if I can make
16 that distinction as you did, how do you see that
17 progressing? Are you getting a flow of the
18 diploma nurses now coming out of Keewatin?

19 You also spoke of the desire to
20 get degree nurses. Are there some dental health
21 people coming out of the local institutions here?
22 How is it coming?

23 MR. GLEN ROSS: Right now a
24 majority of the native health professionals that
25 we get are from different places in Canada, not

1 local. But the programs based out of KCC, which
2 include the dental and nursing, are slowly
3 bringing in more and more natives from the region,
4 nurses and dental hygienists and also dental aids.

5 Those are some of the areas that
6 are a positive sign for our communities, except we
7 still don't have the doctors coming back.

8 The Pas Band actually has one of
9 the bands members who is a doctor, but who has to
10 practice in the States for the time being and then
11 eventually move his way in. One of the reasons is
12 because he had his training there and there are
13 better health training facilities in the south.

14 It is slowly coming around, but
15 there is still a lot of work that has to be done
16 to bring those people in.

17 CO-CHAIR ALLAN BLAKENEY: You
18 mentioned AIDS and the three year project for
19 developing a strategy for AIDs, if I may summarize
20 it that way, that the end of the three years is
21 fast approaching and the problems have been
22 clearly identified, but perhaps no real strategy
23 as to how to cope with them. I don't want to put
24 words in your mouth, but that is sort of what I
25 was taking out of it. What do you think should be

May 20, 1992

340

Royal Commission on
Aboriginal Peoples

1 done now by yourselves and by the governments?

2 **MR. GLEN ROSS:** When the AIDS
3 project started the information that was
4 available, the whole concept of the problem, was
5 not really promoted as much as it is now in
6 Canada, and a lot of the material that we have now
7 was not available then.

8 I think what we have to do is we
9 have to continue with the program in any way that
10 we can, because I it is not a matter that we
11 should do it, I think we are going to have to do
12 it. It has got to continue so that the people get
13 more information to promote the awareness,
14 especially at the community-based level. Even in
15 a community such as The Pas, we still have to hit
16 that home to the people, that it is a very serious
17 problem and anybody in this reserve can get the
18 disease.

19 It is something that we still have
20 to do. I think we have to continue with that.

21 **CO-CHAIR ALLAN BLAKENEY:** You
22 shouldn't feel that somehow something was not done
23 that should have been done because everything is
24 not up to speed. There is hardly a community in
25 Canada which is not learning something new about

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 AIDS and realizing that it would have been a good
2 thing if they had done something two years ago,
3 but the information was not available or the
4 impact was not appreciated.

5 So this is a whole learning
6 experience for all of us, and you are in some ways
7 particularly vulnerable, perhaps because your
8 general structure is just developing for community
9 based health.

10 MR. GLEN ROSS: Right. Yes.

11 CO-CHAIR ALLAN BLAKENEY: It has
12 to be attacked at the community level, so you say,
13 and I think I agree with that.

14 COMMISSIONER PAUL CHARTRAND:
15 Thank you for your presentation.

16 I have a few very brief questions
17 that I will ask. If they are not the kind of
18 questions that fall within your bailiwick, please
19 advise me. I am trying, of course, to find
20 information that will be helpful to us in our
21 deliberations.

22 One of the issues that certainly
23 shocks the conscience of Canadians is the high
24 suicide rate amongst young people and particularly
25 amongst young aboriginal people in this country.

1 My question is: Is your centre involved in any
2 way in doing anything regarding suicide
3 prevention? I am not saying that it should be, I
4 am asking should we get assistance from your
5 centre in examining that particular issue?

6 MR. GLEN ROSS: The whole issue of
7 the problems that are being experienced by the
8 youth right now in all of our reserves, I believe,
9 is that we are just starting to take a look at
10 ways in which we can help the people cope with the
11 system that they are living in right now. Through
12 our addictions program we do deliver services to
13 the youth, but we still have to do more.

14 There is, like I was saying
15 before, the socio-economic conditions on reserves,
16 the economic conditions, lack of jobs, lack of
17 opportunities, all that affect the youth in a very
18 negative way.

19 They are open to media more than
20 ever. They see things on TV that they try to
21 emulate. There are only limited opportunities and
22 in the whole area of youth we have to target
23 education, try to get them educated, get them off
24 the reserve working. There is a whole range of
25 things we have to do that we have not really

May 20, 1992

343

Royal Commission on
Aboriginal Peoples

1 targeted yet.

2 COMMISSIONER PAUL CHARTRAND: I
3 take your point that the socio-economic conditions
4 are very much involved in these kinds of
5 statistics.

6 The name of the health centre is
7 the Cree Nations Tribal Centre. Could you assist
8 us by describing who is the Cree Nation for the
9 purposes of this health centre? Who are the
10 constituents?

11 MR. GLEN ROSS: Who are the Bands?

12 COMMISSIONER PAUL CHARTRAND: Or
13 whatever, yes. I am asking you to describe it. I
14 don't want to describe it.

15 MR. GLEN ROSS: The Cree Nation
16 Health Centre consists of seven bands altogether.
17 There is the Mathias Group First Nation, Moose
18 Lake, Chemawawin, Easterville.

19 COMMISSIONER PAUL CHARTRAND: Let
20 me put it another way. What are the common
21 characteristics of these bands that bring them
22 together to form this health centre? What is
23 their treaty relationship? Are they all members
24 of the same treaty group, for example?

25 MR. GLEN ROSS: No, actually we

May 20, 1992

344

Royal Commission on
Aboriginal Peoples

1 are kind of split between Treaty Five and I
2 believe, Treaty Six.

3 COMMISSIONER PAUL CHARTRAND: But
4 all Treaty Five are included?

5 MR. GLEN ROSS: Yes.

6 COMMISSIONER PAUL CHARTRAND: Yes.
7 But only the Treaty Six that are located in the
8 Province of Manitoba? Would that be right?

9 MR. GLEN ROSS: Yes.

10 COMMISSIONER PAUL CHARTRAND: Is
11 it possible for you to assist us now by
12 clarifying, if you would, a point having to do
13 with the issue of treaties and the relationship of
14 treaties to aboriginal self-government, which is a
15 very important issue. I wonder if you could help.

16 You talked about health services
17 as a treaty right. Would you care to elaborate on
18 that? What is meant by that? What is the nature
19 of that right? Is it to receive health services
20 from elsewhere, say the federal government?

21 Alternatively, is it another kind
22 of right? A right to establish ones own health
23 service? That is not clear to me. I wonder if
24 you might assist us on that point.

25 MR. GLEN ROSS: The way we are

May 20, 1992

345

Royal Commission on
Aboriginal Peoples

1 working is that we are moving towards establishing
2 our own health programs, taking control of that
3 delivery. The way we view the way the system
4 should work is that it should be delivered by the
5 control of treaty Indian bands, or their
6 representatives. That we, at the community level,
7 should have a say and also be involved in the
8 planning stages and we do that.

9 Because I guess we know ourselves
10 exactly what the needs are of the communities and
11 how they should be developed. That is the way we
12 view the delivery of health services and one of
13 the areas that is kind of a confusing area for a
14 lot of our people is that the delivery, the
15 funding delivery, is kind of mixed. The delivery
16 of programs is mixed between the federal
17 government and the province. That is what we are
18 working on.

19 We are working towards taking over
20 control of that delivery also. I don't know if
21 that answers your question or not, but I guess
22 what we are trying to do is to control that.

23 COMMISSIONER PAUL CHARTRAND:

24 Thank you very much for your response.

25 MR. GLEN ROSS: Thank you.

May 20, 1992

346

Royal Commission on
Aboriginal Peoples

1 CO-CHAIR ALLAN BLAKENEY: Thank
2 you very much, Mr. Ross.

3 I wonder if I might invite the
4 representatives of the Umpherville Women's Group,
5 Marion Lindsay to make their presentation.

6 Welcome, Mrs. Lindsay, and feel
7 free to address us.

8 MRS. MARION LINDSAY: First of all
9 I would like to thank you for giving us the
10 opportunity to have our concerns heard and to
11 welcome you to The Pas.

12 Today I will be making the
13 presentation on our community, which is the
14 Umpherville Settlement. First I shall enlighten
15 you with our statistics.

16 Our community has a population of
17 approximately 200 people consisting of men, women,
18 and children, and it is made up of treaty, Métis
19 and non-native people. The settlement is located
20 2.5 kilometres from town of The Pas.

21 The land, lots and houses are
22 owned by Canada Mortgage and Housing Corporation,
23 but Manitoba Housing Authority was in care of our
24 area until recently, and now CMHC is in charge of
25 our area. CMHC is the Federal Government Crown

May 20, 1992

347

Royal Commission on
Aboriginal Peoples

1 Corporation who is in partnership with Manitoba
2 Housing. The streets are owned by local
3 Government District of Consol, but neither of them
4 will take the responsibility for improving the
5 community area.

6 For many years this community has
7 never received assistance to improve the area or
8 its facilities. We all feel that this area is a
9 forgotten community because of the lack of
10 resources and facilities.

11 I will read the areas of concern
12 that will be identified in following order as
13 housing, street lights, play ground, recreational
14 facilities or park, water works and sewer systems,
15 garbage disposal, hall, road, UWG, and the
16 conclusion, in this presentation.

17 The residents who have paid rent
18 for 15 years will get to own their own house, but
19 after 15 years it is in need of renovations and
20 repairs. The back yards of the lots are full of
21 buried underground waste disposal which are from
22 the holes of the outhouses, in which they are from
23 the houses that do not have water works and sewer
24 systems.

25 When a resident does own a house

May 20, 1992

348

Royal Commission on
Aboriginal Peoples

1 and lot they do have to pay taxes, and the houses
2 are in bad shape after 15 years, in which the
3 owners have to pay their own repairs and
4 renovations. Even before the residents owned the
5 houses and lots, they had trouble trying to get
6 Manitoba Housing to repair them.

7 Manitoba housing always stated
8 that it was not in their budget. The residents
9 are still left coping with the unfinished repairs
10 that Manitoba Housing does not want to finish
11 repairing, and if they do repair, the residents
12 have to continually keep on bothering them. These
13 are the concerns in the housing area that we have.

14 There is definitely a need for
15 street lights in the community and along the road
16 that leads to the community. There is
17 approximately four lights that are posted on the
18 outer sides of the community, and only one that is
19 in the inner area, but they are not posted by
20 streets. In the evenings, it is very dark in the
21 streets, in the community area, and also for
22 people who do not own vehicles and have to walk on
23 the road which leads to our community.

24 The houses in the area do have
25 outdoor lights, but it only ranges around one side

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 of their houses. People who do get outdoor
2 lighting that can range further, do have to pay
3 for their own costs, and still it is only in their
4 yards.

5 Residents have tried to approach
6 LGD or CMHC to try to install some lighting in
7 this area, but neither of them would take the
8 responsibility, and they would give us the run
9 around by sending us back and forth to their
10 offices. We would like to receive lighting for
11 the road which leads to the community and the
12 community itself. Even if it is only one light on
13 each street, and a couple on the road, at least
14 there would be lighting. The duplex housing where
15 the oldest people are living have absolutely no
16 lighting whatsoever.

17 For our children there is no play
18 ground for them to safely play, instead they play
19 where they may be seriously harmed, or killed.
20 Our children would have to go 2.5 miles for their
21 recreational activities, which are located in
22 reserve or town. The older children walk over or
23 ride their bikes, and this is very dangerous as
24 our children could be hurt by vehicles or bears.

25 The children play on roads where

1 they may be hit or run over, and there has been
2 accidents in the past where children were injured
3 by traffic. There is people travelling fast in the
4 area and also for the other people who travel
5 through this community to get to work, which is
6 Repap.

7 The children also play in and
8 around bushes where they may be injured, attacked
9 by bears, or lost in the bushes. During the
10 spring and summer months, bears have had the
11 tendency to enter the community area, and we are
12 afraid that a child may be seriously harmed. We
13 are fortunate that this has not occurred due to
14 parents spotting the bears and immediately
15 contacting the RCMP or Natural Resources to come
16 and apprehend the bears.

17 Or they play on peoples property
18 where they get into trouble, and even playing down
19 by the river where they could drown, and this also
20 has occurred in past times to a young child.

21 There is no other recreational
22 facilities, equipment or even a park for the
23 residents to occupy their time. The only
24 facilities that are within this community is a
25 baseball diamond, hockey rink, and a community

May 20, 1992

351

Royal Commission on
Aboriginal Peoples

1 hall, but these facilities do require repairs. We
2 would like to see the hockey rink repaired before
3 winter comes so our children, teenagers and adults
4 can safely skate in a rink, so they won't have to
5 skate on the Saskatchewan River.

6 The community area only has 15
7 houses that do contain water works and sewer
8 systems, but the water is undrinkable in these
9 houses. These people have to pay for water which
10 comes in weekly or haul water for daily usage from
11 the pump house, but the water from the pump house
12 is not good for infants or children to consume.

13 While the remaining 37 houses are
14 also left with these tasks of receiving water by
15 paying or hauling it. These houses also have no
16 sewer systems, so they use outhouses and pails,
17 and still it has to be dumped into back yards or
18 into the outhouse.

19 As I mentioned before about the
20 lots, if the outhouses are full, then there has to
21 be another hole made again and again. This does
22 cause a problem in the summer months because it
23 gives off an unpleasant stench, its messy, and it
24 does attract animals.

25 The community area also does not

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 have any garbage disposal service, and garbage is
2 either burnt or discarded in back yards, or stored
3 in outhouses, until the residents can hire someone
4 to dispose of it for them. The children play
5 around in yards, and we feel that it is unsanitary
6 for them to have it laying around. This does
7 cause a problem with bears and especially dogs,
8 they dismantle the garbage and make it even
9 messier.

10 The community hall is in need of
11 repairs and indoor washroom facilities. We have
12 applied for a grant to assist in these repairs,
13 but we were turned down. If we received funding
14 then this hall would be repaired, and it would be
15 used for various ways to the community and public.

16 It would be used in having
17 recreational indoor activities, community
18 meetings, a drop-in centre, conferences,
19 workshops, having children's parties, wedding
20 receptions and socials, bingo's, and for fund-
21 raising events. This hall is very essential to
22 the community and we hope that we receive
23 assistance to repair this hall.

24 The gravel road leading to the
25 community and also the streets of the community

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 have never been paved, and it has many problems
2 involving pedestrians and drivers. There is so
3 much dust on the road that pedestrians can hardly
4 be seen. The road conditions are in need of
5 repairs because of the many pot holes.

6 The residents are very tired of
7 the terrible road conditions, especially in the
8 summer months and we hope that it will get paved.
9 We feel that it is only a band-aid solution when
10 they grate and salt it, because it will occur over
11 and over. We would like to see that this road
12 gets paved, to end the costs of the band-aid
13 solutions and use it for paving costs.

14 These are reasons why our group
15 was formed. We are tired of being a left-out
16 community and we will keep on trying to receive or
17 raise funds that will assist in enhancing our
18 community in the areas that were mentioned. The
19 Umpherville Women's Group is a non-profit
20 community-based organization which was formed in
21 July of last year by concerned women who wanted to
22 try to improve this area for a better lifestyle
23 for the community, and the residents.

24 Our group is currently trying to
25 raise funds for a play ground and having it

May 20, 1992

354

Royal Commission on
Aboriginal Peoples

1 installed within the community. We are seeking
2 for donations from the area of town, but most them
3 are reluctant to donate. We feel that other
4 organizations should give outside of town, rather
5 than to the town area only, because most of our
6 people do contribute to organizations in town.

7 We wonder why it is so hard to
8 find funding for our community in the areas that
9 were mentioned. I am sure as residents of
10 Manitoba, we must be able to receive funding.
11 This is why I stated that our community is a
12 forgotten community, because of the lack of
13 resources and facilities.

14 It seems that in every other
15 community there is progress taking place, and we
16 wonder when or if we will be receiving assistance
17 to improve our community. There are other
18 communities that take it for granted for having
19 all kinds of facilities and resources. There are
20 some other less fortunate communities like ours
21 that have a great resemblance to ours in certain
22 ways. The residents of the community are all
23 Canadian tax payers and we wonder why we are still
24 living in the past times when it is the 1990's.

25 In closing, we would like to thank

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 the Commissioners once again for giving us the
2 time to express our concerns and needs of our
3 community of Umpherville Settlement.

4 I would like to add that we had
5 received a letter from Premier Gary Fullman about
6 repairs on the road. He said in the letter that
7 he would start some time this summer, whether it
8 is going to go through or not, we don't know that
9 yet.

10 Thank you.

11 Mrs. MacKenzie would like to say a
12 few words so I will try to interpret to the best
13 of my ability.

14 MRS. MACKENZIE (through
15 Translator): I am the one that started this
16 Women's Umpherville Group and they elected me
17 President. When you talk about education and all
18 that, I like that very much because it is up to
19 the young people to carry on in the future.

20 Maybe the government in the end
21 will start helping the younger ones to try to do
22 what we have been trying to do. When a white man
23 runs a country we are all in it there too because
24 they pull us in with them and the way to run the
25 country. We are trying to do that.

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Before the white man came there
2 was never any sickness or any others. The
3 sickness I am talking about, and all the other
4 stuff, there was never any of that here.

5 When the white man came it was
6 like he brought everything with him. The white
7 man wants the Indians to be like them, so if you
8 could help them now when they are in need.

9 I am not trying to get anybody mad
10 by saying this, but that is the way I see things.
11 I never went to school, but I can write my name.
12 That is why I am happy that these young kids are
13 learning and being taught. What I would like is
14 the government to give orders to try and ask the
15 people what they want first, not what the
16 government wants for the people to do.

17 Thank you.

18 CO-CHAIR ALLAN BLAKENEY: Thank
19 you and we certainly appreciate your having come
20 here and telling us of the problems in
21 Umpherville. It is the problems of people who are
22 living in communities who are grappling with the
23 problems and organizing to deal with them, that we
24 very much want to hear about.

25 You people have identified some

May 20, 1992

357

Royal Commission on
Aboriginal Peoples

1 problems that you think should be dealt with and
2 you have told us what these problems are and to
3 some extent, who you would like to act to deal
4 with them.

5 I am going to ask a question or
6 two, if I may, and the others will probably have
7 questions as well.

8 Is there a school in the
9 community?

10 MRS. MARION LINDSAY: No, there
11 isn't. All our kids go to town to go to school.

12 CO-CHAIR ALLAN BLAKENEY: All the
13 kids come into The Pas for school, do they?

14 MRS. MARION LINDSAY: Yes, or else
15 on the reserve here.

16 CO-CHAIR ALLAN BLAKENEY: Or here?

17 MRS. MARION LINDSAY: Yes.

18 CO-CHAIR ALLAN BLAKENEY: Who owns
19 the hall?

20 MRS. MARION LINDSAY: The
21 Umpherville community, I guess. But, I don't
22 really know. I am just here to make the
23 presentation.

24 CO-CHAIR ALLAN BLAKENEY: I am
25 just trying to -- I ask that to see whether I

May 20, 1992

358

Royal Commission on
Aboriginal Peoples

1 could find out who --

2 **MRS. MARION LINDSAY:** The
3 Umpherville Women's Group have been paying for the
4 -- trying to get it repaired and all that. We
5 have been working very hard towards that goal, to
6 get it repaired and all that, like putting the
7 lights back on, and all that.

8 I would imagine you could get more
9 answers this afternoon, later on, from Roland
10 Lavalee. He is supposed to be the Chairman of the
11 place. I only moved here about a year ago and she
12 has been here for I don't know how many years.

13 **CO-CHAIR ALLAN BLAKENEY:** Do you
14 think of it as the job of the Local Government
15 District of Consol to fix the roads and that sort
16 of thing? Are those the people who you think
17 should be fixing the streets and providing a
18 playground? Or is it somebody else who you think
19 should be doing this?

20 **MRS. MARION LINDSAY:** We
21 approached LGD for fixing the roads, but they
22 would not have anything to do with it. Or even
23 putting up lights, they won't have anything to do
24 with that. A person has to pay out of their own
25 pockets if they want street lights.

May 20, 1992

359

Royal Commission on
Aboriginal Peoples

1 So why do we have a representative
2 in Umpherville through the LGD if they are not
3 going to do anything to help out?

4 When we ask for something they
5 either send it to the LGD office or they send us
6 to Manitoba Housing. We get the runaround all the
7 time. We never get a straight answer.

8 **CO-CHAIR ALLAN BLAKENEY:** Does
9 Umpherville have a representative on the Local
10 Government District of Consol Council?

11 **MRS. MARION LINDSAY:** Yes, Jim
12 Lamontagne is supposed to be the representative of
13 Umpherville. He has been approached many times.

14 **MRS. MACKENZIE (through**
15 **Translator):** I'm sorry, nobody tries to stop me.

16 People told us not to use our
17 language in Umpherville and the government that
18 forced us not to use that language, our language,
19 while that happened.

20 All the people that are not
21 supposed to use their language are the Cree. The
22 Cree, that is the teaching that we have had. That
23 is my gift to use my Cree language and that is the
24 only statement. I just make that as a remark.

25 **COMMISSIONER PAUL CHARTRAND:** I

May 20, 1992

360

Royal Commission on
Aboriginal Peoples

1 just want to take a brief moment to thank you for
2 your presentation. You have talked to us about
3 difficult problems and they are difficult.

4 Our mandate is to make
5 recommendations to the federal government and it
6 will be difficult, speaking for myself, to see
7 clearly the relationship between the kinds of
8 recommendations we can make and the particular
9 difficulties that you described to us, until we
10 have talked to a lot of people.

11 You know that we are going across
12 the country and talking to a lot of people, and
13 hopefully they will -- I am confident they will be
14 able to assist us in trying to make
15 recommendations that are able to address these
16 issues.

17 You talked about the fact that you
18 do not write and you talk to us in the Cree
19 language. I want to say that I am glad that you
20 came and talked to us today. I am glad that we
21 are able to operate in such a way that you are
22 able to come and speak to us in the Cree language.
23 The fact that you do not write certainly does not
24 stand in the way of you being able to give us your
25 opinion.

May 20, 1992

361

Royal Commission on
Aboriginal Peoples

1 Again, thank you very much.

2 MRS. MARION LINDSAY: Thank you.

3 CO-CHAIR ALLAN BLAKENEY: Thank
4 you.

5 We will adjourn now and come back
6 at 1 o'clock or shortly thereafter.

7 --- Upon recessing at 12:15 p.m.

8 --- Upon resuming at 1:25 p.m.

9

10 CO-CHAIR ALLAN BLAKENEY: I wonder
11 if we could come to order. Our apologies for
12 being a bit late. It took us longer to get lunch
13 than we thought.

14 I would invite the Brandon
15 University Students Union, Mr. Walter Madonick to
16 make a presentation.

17 Welcome, and if you would like to
18 introduce your group and then carry on, that would
19 be appreciated.

20 MR. WALTER MADONICK: My name is
21 Walter Madonick and I represent the Canadian
22 Federation of Students, Manitoba Unit. To my
23 right is Diane Schribe-MacPherson, she represents
24 Brandon University Native Organization. To my
25 further right is James Murray, he represents

May 20, 1992

362

Royal Commission on
Aboriginal Peoples

1 Brandon University Student Union. All three of us
2 have prepared separate things and so I have been
3 nominated to begin.

4 I would just like to extend my
5 greetings to the Chairpersons, Elders,
6 Commissioners, Guest of Honour and fellow
7 interested parties.

8 As Aboriginal Commissioner of both
9 organizations, it is my job to ensure that the
10 voice and culture of the aboriginal students are
11 demonstrated at Brandon University.

12 Many differing views are expressed
13 daily by the aboriginal students concerning the
14 evolution of the relationship between aboriginal
15 peoples and Canadian society as a whole. Apart
16 from the confusion created by the lack of
17 available information that is decipherable,
18 aboriginal students do have opinions to be aired.

19 Being students, future laws and
20 agreements that affect education are in our minds
21 a priority. Education for aboriginal people is a
22 must. Through education our children, who are the
23 future of our nations, will be able to develop and
24 guarantee an equal existence with the balance of
25 Canadian society.

1 If education was used as the
2 measuring stick of the past relationship between
3 aboriginal peoples and Canadian society, the
4 perception of Canada promoted internationally
5 would surely be tarnished.

6 From the days of first contact,
7 the settling people would not be believe that
8 existing inhabitation educational ways were of
9 worth. Education that lacked to aboriginal
10 content was forced upon past generations and
11 continues to this day.

12 Education became a nightmare that
13 often forcefully took our young away, separated
14 families and destroyed the needed cultural link
15 between continuing generations.

16 Where are the benefits for the
17 past generations of aboriginal peoples that
18 education is supposed to realize? Only anguish
19 and tears resulted from past education policies
20 that were imposed upon our ancestors. This past
21 is well documented, not only on paper, but also in
22 the minds, hearts and spirits of today's
23 aboriginal peoples.

24 But what have we to know of the
25 future? Nothing, except that today's actions will

May 20, 1992

364

Royal Commission on
Aboriginal Peoples

1 be reflected. If the state of today's aboriginal
2 peoples reflects the actions of those of
3 yesterday, I am sure that all would agree that
4 education must change in content to agreeably suit
5 us. Status, non-status, Métis, Inuit, West coast,
6 East coast, Central, Northern, all aboriginal
7 people are deserving of an education that is
8 beneficial to them.

9 What are the fiduciary
10 responsibilities that Canada has in relation to
11 education for the aboriginal people? Are these
12 responsibilities restricted in legal definition to
13 be only for a select few? Does this legal
14 definition bend and twist with the financial
15 storms that periodically blow across this land?
16 Does this definition change to the whim of
17 changing governments? Where in this legal
18 description are the words Provincial Government.

19 Education being a right to
20 aboriginal peoples has to be constitutionally
21 protected. Protected for all aboriginal people.
22 Through education the visions of those from the
23 past will be unfolded. But also the visions
24 aboriginal leaders today have, will be realized by
25 future generations.

May 20, 1992

365

Royal Commission on
Aboriginal Peoples

1 Counter to a former Prime
2 Ministers expressed view that no society can be
3 built on historical might-have-beens, I counter
4 that through constitutional protection these
5 might-have-beens will build a great non-dependent,
6 just and prosperous society. Benefits to both the
7 aboriginal peoples and Canadian society as a
8 whole, would be the direct result of
9 constitutional protection of education in relation
10 to the aboriginal peoples.

11 Whatever educational system is in
12 place constitutionally, fairness, morality and
13 equal opportunity for future generations must be
14 governing parameters. Finding levels that only
15 ensure that a few select can acquire post-
16 secondary education does not employ the true
17 potential for today's aboriginal peoples possess.

18 Funding levels that are depressed
19 and often killing the needed incentive to acquire
20 and continue in the educational process have to
21 change. Funding that is available to non-
22 aboriginal people has to be made available to
23 aboriginal people. For as times change I want to
24 believe that this country will bring aboriginal
25 people up to the status quo.

1 As far as self-government, the
2 views held in the past by fellow aboriginal
3 students were those of hope. Hope that this
4 constitutional process would enact and guarantee
5 the concept of self-government. We give credit to
6 those that have expressed the realization that
7 these words be included in the to be drawn up
8 constitution.

9 But to whoever started the war of
10 words pertaining to the meaning of self-
11 government, you should be awarded the costs of
12 this war. Whoever thought that a single line
13 definition could be given to the words aboriginal
14 self-government must have been as narrow minded as
15 the definition this person thought could be
16 employed. Self-government is a broad concept for
17 a culturally diverse peoples, who have become to
18 be known as the First Nations.

19 No single line definition could be
20 accurately applied to the many differing forms of
21 government the First Nations hope to employ.
22 Through these forms of self-government our leaders
23 state and predict that First Nations will become
24 non-dependent, equal, self-healing, accountable
25 financially in a democratic way, and most

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 importantly, will have a future. A promising
2 future for our children and our children's
3 children.

4 Also, I have to comment on the
5 justice system. Not wanting to be repetitive, I
6 would like to state that the aboriginal justice
7 inquiry did justice in revealing what is lacking
8 when justice is brought to the aboriginal peoples.

9 My worries started when the AJI
10 ended. What are the problems with acting on the
11 many recommendations this inquiry offered?
12 Through the media I listened to many celebrate
13 this inquiry. Now the media informs us that
14 trying to act on these recommendations is being
15 seemingly stalled. With few willing to cooperate.
16 This saddens me.

17 The jails are still full.
18 Aboriginal peoples still cannot afford to pay
19 their fines. There is still a lack of aboriginal
20 representation on the major police forces in this
21 province. The last fact causes me more worries.

22 Why is having adequate
23 representation of aboriginal peoples on police
24 forces causing such a stir in this land where
25 equality is supposed to be a ruling factor? Why

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 is this a problem for aboriginal societies?

2 It also worries me that aboriginal
3 peoples are still more likely to go to jail for
4 crimes that could be viewed as against non-
5 aboriginal society, than non-aboriginal people
6 that commit crimes that could be viewed as against
7 aboriginal society.

8 Supporting facts for this
9 statement can be found right here in this
10 community. I am sure that if the tables were
11 turned and four aboriginal men were involved in a
12 rape/murder against a non-aboriginal woman, all
13 four would have been sentenced fairly to lengthy
14 jail terms at the utmost speed the existing
15 justice system surprisingly finds at times.

16 Also, I have to mention that in
17 the east where it seemed that many native people
18 were rebelling against non-aboriginal society,
19 most of them went away or are being sentenced to
20 lengthy jail terms. Where the tables are turned,
21 many non-aboriginal people stoned and threw things
22 at the Elders and the women that left the area
23 where the problems were two years ago. What did
24 they get? They got \$50 fines, \$500 fines. Jail
25 sentences were not imposed. I think that is very

May 20, 1992

369

Royal Commission on
Aboriginal Peoples

1 unfair.

2 In my ending, it must be stated
3 that in all fairness and honesty, a realistic
4 appraisal of past mistakes and expressed hope by
5 all concerned will ensure a promising future for
6 the aboriginal peoples of Canada, the First
7 Nations.

8 **CO-CHAIR ALLAN BLAKENEY:** Thank
9 you. I think it probably would speed us up if we
10 had all three presentations and then had a general
11 question period, if that is all right with you?

12 Miss Schribe-MacPherson?

13 Mr. Murray, please.

14 **MR. JAMES MURRAY:** Thank you.

15 First of all I would like to thank
16 the Commission and I would like to thank the
17 aboriginal peoples for including within the
18 mandate of the Commission consultation with non-
19 aboriginal people.

20 I am speaking today on behalf of
21 non-aboriginal students at Brandon University
22 Student's Union. We believe that it is through
23 mutual consultation and mutual sharing and mutual
24 listening that our objectives can be achieved, and
25 the objectives of the Commission can be achieved.

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 The non-aboriginal students at the
2 Student's Union at Brandon University decided to
3 focus on the issue of racism. We believe that
4 racism is the founding support for non-aboriginal
5 attitudes towards aboriginal peoples in this
6 society. We believe that is founded in ignorance
7 on behalf of non-aboriginal people which is
8 supported through an education system that teaches
9 us that aboriginal people are savages, and that
10 Columbus was a hero.

11 I can remember growing up in
12 Brandon as a non-aboriginal person and studying
13 Canadian history and learning that aboriginal
14 people were primitive, simple people and Columbus
15 was this hero that came and saved them. All the
16 myths have been perpetuated. Those myths were
17 carried on over time to develop into racism, which
18 is hatred.

19 The non-aboriginal people of the
20 Student's Union, one of the recommendations that
21 we would like to make to the Commission is that
22 post-secondary institutions strike a task force on
23 curricula to critically examine the criteria at
24 the post-secondary institutions. This is
25 something that the government can do to secondary

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 and elementary schools as well, to make the
2 curriculum more inclusive of all people's
3 experience in all fields.

4 For example, you can take a course
5 at Brandon University right now in Canadian
6 history, with no guarantee of learning any kind of
7 realistic view of aboriginal peoples experience in
8 the history of this land.

9 You can take a course in political
10 science without ever studying aboriginal means of
11 decision-making or aboriginal political
12 structures. There is no guarantee in the content
13 of any courses at Brandon University of learning
14 of aboriginal experiences.

15 It is that lack of education which
16 fosters the ignorance of non-aboriginal peoples
17 towards aboriginal people and we believe supports,
18 if not re-enforces, the racism that we hold.

19 This racism is something that I
20 believe we have inherited as non-aboriginal
21 people, as well. The structures that exist in the
22 society, the education system, the political
23 systems are exclusionary to aboriginal people.
24 They aren't conducive to aboriginal input. They
25 were created by white people. They are structures

May 20, 1992

372

Royal Commission on
Aboriginal Peoples

1 created by white men mostly, and therefore not
2 conducive to aboriginal input.

3 One of the things that we are
4 trying to do at our Student's Union now is we have
5 included an aboriginal student representative on
6 our Student's Union Council in an effort to open
7 up the links of communication between the Brandon
8 University Student's Unions and the Brandon
9 University Native Organization, and to make our
10 Council more representative of the membership of
11 our Student's Union, which is approximately 30 per
12 cent aboriginal.

13 This is something that the federal
14 government and the provincial governments can do
15 on a macro level, as well. They can look at
16 changing the structures that exist in government
17 which are white structures to make them more
18 accessible to aboriginal peoples and to all
19 marginalized peoples of society.

20 To that end, it requires some sort
21 of affirmative action on behalf of government and
22 on behalf of all levels of political decision-
23 making, including Student's Unions. Progressive
24 Student's Unions in this country have taken a step
25 forward in making their Councils constituency-

May 20, 1992

373

Royal Commission on
Aboriginal Peoples

1 based where they provide a women's Commissioner or
2 an aboriginal students Commissioner or a Lesbian,
3 Gay, Bisexual students Commissioner to offer a
4 forum or a portfolio for traditionally
5 marginalized peoples to bring their concerns
6 forward and be heard finally in our society.

7 That is one of the recommendations
8 that we had, as non-aboriginal peoples, is for
9 non-aboriginal structures to be restructured to
10 make them more accessible to aboriginal people and
11 traditionally marginalized people.

12 The fundamental message that we
13 wanted to bring forward is that we believe that
14 non-aboriginal people must recognize that they
15 have inherited a privilege in this society and
16 they have inherited the resources and the power in
17 this society, and that is wrong because it is
18 based on the exploitation of aboriginal peoples
19 and other marginalized peoples in society.

20 We believe that through education
21 and through an expanded and inclusive curricula,
22 non-aboriginal peoples will realize that they are
23 in an exploitive position and that they will be
24 more willing to share the resources, which is what
25 is necessary is for them to share the power that

May 20, 1992

374

Royal Commission on
Aboriginal Peoples

1 they hold.

2 That is the message that we wanted
3 to bring as non-aboriginal people. That could
4 also go into areas of affirmative action hiring
5 policies to include aboriginal peoples.

6 For example, we were discussing on
7 the drive up that the individual that teaches Cree
8 at the Brandon University is a white man and that
9 is very inappropriate. There is only, to our
10 knowledge, two aboriginal professors at Brandon
11 University with a student population of 30 per
12 cent aboriginal.

13 It is definitely not conducive to
14 aboriginal input and certainly not a comfortable
15 environment for an aboriginal to be in. So
16 affirmative action hiring policies for staff and
17 professors and administrators would be one area
18 that non-aboriginal peoples can start to share the
19 power and the resources that they hold.

20 Perhaps I could just read my
21 conclusion to the -- we brought a brief to give to
22 the Commission that I will give to you when I
23 finish.

24 It just reads that Brandon
25 University Student's Union believes that racism is

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 the foundation by which non-aboriginal people
2 continue to hold the majority of power in this
3 society.

4 Racism is founded in ignorance and
5 forced invisibility. It can be combatted through
6 education and affirmative action.

7 There needs to be a critical
8 examination of university curricula. A university
9 curricula should be inclusive of the experiences
10 and realities of all people in society. An
11 inclusive curricula would better educate students
12 on the injustices and power imbalances that exist
13 in their society and ultimately will result in the
14 breakdown of racism and all systems of
15 discrimination.

16 At the same time, non-aboriginal
17 people must consult with their aboriginal brothers
18 and sisters towards a redistribution of power in
19 society. We must determine together which
20 structures and systems are best for all people.
21 The process of redistributing power in society
22 will foster awareness and consciousness and
23 ultimately the removal of discrimination.

24 This requires an affirmative
25 action effort on behalf of the power holders.

1 Non-aboriginal people must work with aboriginal
2 people, listen to their concerns, and then act
3 upon that mutual consultation. Affirmative action
4 means increasing accessibility to university
5 structures.

6 The creation of aboriginal
7 portfolios which are justly resourced, and the
8 development of inclusive affirmative action hiring
9 policies, are two means by which the non-
10 aboriginal power holders can begin the
11 redistribution process.

12 However, this restructuring must
13 be undertaken at all levels and within all systems
14 of society. Those who hold power must actively
15 share that power with less privileged members of
16 society. Non-aboriginal people must learn to
17 respect, indeed embrace, the richness and
18 diversity of other cultures if this redistribution
19 is to succeed.

20 The redistribution of power to all
21 members of society is not a loss to those who
22 traditionally hold the power. This mistaken
23 belief must be combatted through education and
24 affirmative action. A truly equal and just
25 society will be good for all its members, non-

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 aboriginal and aboriginal alike.

2 CO-CHAIR ALLAN BLAKENEY: Thank
3 you.

4 Ms Schribe-MacPherson, please.

5 MS DIANE SCHRIBE-MacPHERSON: It
6 is a great honour to be here. I didn't know I was
7 going to be here until Sunday so I am not as
8 prepared, but I would like to tell you a little
9 bit about the Brandon University Native
10 Organization.

11 It has been in operation for
12 almost 11 years, we are on our 11th year. It has
13 only been in the past two years that we have had
14 accountability. We have had our books kept up-to-
15 date and kept minutes to our meetings.

16 It is a social and a cultural
17 recreational organization and in the past year we
18 have become more of a political organization.
19 There are more students starting to speak up.

20 We had an incident at the
21 University last September where a very racist
22 letter was put in the newspaper, the school paper,
23 and it caused a lot of people to take action. We
24 began to open the channels between the BU Student
25 Union and the BU Native Organization. We are

May 20, 1992

378

Royal Commission on
Aboriginal Peoples

1 trying to work together and trying to overcome
2 this barrier of racism.

3 We have a lot of apathy on our
4 campus among the native population. We have a
5 very difficult time trying to fill all our
6 positions on our Council. This is one thing too
7 that we are trying to battle, because personally I
8 feel that the BU Native Organisation is our chance
9 to practice self-government at that level. It is
10 a learning experience and it is a chance to
11 practice honesty and integrity. It is very sad
12 that we can't fill these positions and the
13 positions are there.

14 Because of the racism that has
15 come out, we have taken a good look at ourselves
16 and our own constitution. There was a time in our
17 constitution when we did not have non-natives
18 voting in our elections. We realize that we can't
19 do that. It is open to anybody that has a student
20 number and our positions, like I said, they are
21 hard to fill. So we are happy to get anybody that
22 will answer these positions. That is one thing
23 that we are trying to deal with.

24 Another thing that I would like to
25 bring up about our organization is that we host

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Canada's largest native volleyball tournament in
2 November. This is going on its 11th year now. We
3 have had 18 women's teams, 24 men's teams and many
4 many spectators. It brings thousands of dollars
5 into the City of Brandon and we have a very, very
6 difficult time trying to get support from the
7 community.

8 We go out trying to solicit
9 donations or trophies, or we have even offered to
10 let the teams know about their hotel, but they say
11 they don't care because they are going to stay
12 there anyway. We have tried to make deals and
13 stuff. We have implemented a public relations
14 officer to work in this area and we are trying to
15 work hard at that. It was very difficult trying
16 to gain that recognition in the city.

17 We have also tried to approach the
18 administration at BU to find out how many Métis,
19 non-status and status students that we have there.
20 We have encountered barriers that they don't want
21 to give us that information. We have tried twice
22 that I know of in two years. That is one thing
23 that is kind of a problem for us because they are
24 our target group, being a native organization, and
25 we would just like to get that information.

May 20, 1992

380

Royal Commission on
Aboriginal Peoples

1 Also it has been said that Brandon
2 University has a 30 per cent native student
3 population and they get a large chunk of money
4 into the university. The BU Native Organization
5 has not received any -- well, we have received
6 \$400 in the past two years from the Student's
7 Union. We are basically pretty independent and we
8 have done our own fund raising. We are getting
9 there.

10 We are doing pretty well, but it
11 is the issue that we don't get part of this money
12 that goes into the student fees. That is
13 something that we are trying to work on too, and
14 it is very hard.

15 That is all I have to say on the
16 University Native Organization, but I have a
17 couple of issues of my own that I want to address.

18 One is the welfare system in
19 Brandon. This is my own understanding of this. I
20 understand that Brandon is having a difficult time
21 getting reimbursed for the native students that go
22 on welfare in the summer.

23 I am a single parent and I go to
24 school full time and there are times when I want a
25 break. I want to stay home with my son for maybe

May 20, 1992

381

Royal Commission on
Aboriginal Peoples

1 the summer or take spring courses and take the
2 summer off. I feel that I will not be able to go
3 on welfare.

4 I can't move back to my reserve
5 because I haven't lived there for over 12 years.
6 It is not my home. Brandon is my home. This is
7 something of real concern to me, because if I work
8 I have to pay daycare fees, my rent and I am
9 living on practically nothing. It is a really
10 tough issue for me personally.

11 I look at going to school as a
12 job. I get paid by my Band to go to school. That
13 is my job. I am a student. I am very fortunate
14 to be sponsored. I am very thankful for that.

15 I have another issue that was
16 brought to me by a former BU student as she wanted
17 me to read it out so I will just read it out.

18 As a former student of the Brandon
19 University, I would like to discuss our education
20 for native students who are pursuing our careers
21 by educating ourselves.

22 To start off, I come from a
23 reserve in Northern Manitoba with a population of
24 4,000 people, of all the people living on this
25 reserve from the survey I did a few years back, I

May 20, 1992

382

Royal Commission on
Aboriginal Peoples

1 found out that 70 per cent of our people are
2 presently unemployed, and not doing anything to
3 try and upgrade themselves.

4 Thirty per cent of the people are
5 either employed or out getting their education.
6 So with the people who are unemployed, they are
7 collecting welfare. Although many of us have
8 tried to find many different solutions into
9 getting back on our feet towards education we
10 didn't have many other options to go forth.

11 For example, a friend of mine who
12 is presently on welfare and has been on it since
13 he turned 18, her and I have tried so many ways to
14 get through anywhere for sponsorship, she was
15 denied in most of the places which led her to
16 believing that there was no other way to go about
17 it.

18 This friend of mine has been so
19 depressed and felt so alone lately although we
20 wrote a letter to our welfare administrator on the
21 reserve, we still didn't get the reply we wanted
22 to hear. What I am wanting to say is if there is
23 a way we can work together in helping native
24 people in bettering our education instead of
25 making so many cutbacks or limiting our funding

StenoTran

May 20, 1992

383

Royal Commission on
Aboriginal Peoples

1 maybe this way we can achieve what we have always
2 dreamed of being.

3 Another option I was wondering
4 about is maybe there can be a way set up to go
5 through our welfare system for us who have been on
6 it ever since it existed, maybe this way if we go
7 at it this way, we will be out of that line many
8 of us wish we weren't following.

9 As many of would like to follow
10 that line of true knowledge, and at the end
11 achieve that goal.

12 Thank you, yours in education, a
13 concerned student, Miss Shirley Robinson.

14 That is all. Thank you.

15 **MR. WALTER MADONICK:** I guess I
16 would like to wrap our presentation up. We all
17 thank you for the opportunity to speak and thank
18 you for the opportunity to bring forth our issues.

19 Just in conclusion, I would like
20 to show you something. This is the spring issue
21 of a magazine that is published in Nova Scotia and
22 it is called 500 Years of Resistance in
23 Perspective. On the "Did You Know" page there was
24 something that I found very shocking to me and it
25 will probably shock a lot of people. They are

May 20, 1992

384

**Royal Commission on
Aboriginal Peoples**

1 reporting that in Nova Scotia today there is still
2 a statute on the law books that says if an Indian
3 scalp is brought in that bearer will receive a
4 reward.

5 This is something that this
6 Commission should look into. I have tried to
7 verify it and look into it, but I am finding a lot
8 of people and agencies in Nova Scotia and other
9 universities basically trying to slant the opinion
10 away from that.

11 I would like to know for myself,
12 not only for myself but for the native people that
13 I do represent, whether this statute is true. If
14 it is I would sure like to see it excluded or
15 removed. I just can't believe that there can be a
16 statute like that still in Canadian law. I will
17 be giving you this magazine.

18 That is all I have to say.

19 **CO-CHAIR ALLAN BLAKENEY:** Thank
20 you. We will have a few questions, if we may. I
21 will start out and my colleagues here will tip in.

22 I was certainly interested in the
23 numbers. I had not realized that perhaps 30 per
24 cent of the students at Brandon University would
25 be of aboriginal origin. That is, in a sense, a

May 20, 1992

385

Royal Commission on
Aboriginal Peoples

1 very impressive number and an encouraging number.
2 I would like to see it more, but that is an
3 encouraging number.

4 I will deal first with Mr.
5 Madonick's presentation. He spoke of
6 constitutional protection for aboriginal education
7 and my question to you is this: Do you feel that
8 if appropriate arrangements or appropriate wording
9 is in the Constitution for aboriginal self-
10 government, and that is seen to include aboriginal
11 control over aboriginal education, would that do
12 the job as far as you are concerned? That is
13 question number one.

14 MR. WALTER MADONICK: Okay, to
15 answer that question. I believe that at a reserve
16 level, yes, that is adequate. But at an off-
17 reserve level it is not adequate because basically
18 off reserve our treaty rights seem to end when we
19 step off reserve. So that off reserve we do not
20 have the input or the guidelines that were drawn
21 up to suit our needs.

22 CO-CHAIR ALLAN BLAKENEY: Thank
23 you.

24 That sort of presupposes that
25 aboriginal self-government is going to be sort of

May 20, 1992

386

Royal Commission on
Aboriginal Peoples

1 reserved based or land based and that is a
2 reasonable supposition. But we are looking for
3 and asking people whether they have any other
4 concepts of self-government which would include,
5 let us say, aboriginal people in Winnipeg having
6 control over their education. They have to sort
7 of opt into it, but that if they did they would
8 have a separate educational system there if the
9 aboriginal people wished it.

10 I can see this as possibly having,
11 let us say, an educational board which would also,
12 in a sense, deal with post-secondary education as
13 well. Not necessarily that they would want a
14 separate institution, although they may well go
15 for a community college, but then they would
16 probably arrange services with the University of
17 Manitoba and the University of Winnipeg.

18 I am just batting around ideas
19 because we are trying to put flesh on this idea of
20 aboriginal self-government for people who live off
21 reserve and it is not so simple a concept.

22 Where it is all right is when the
23 people are in a majority, such as Nunavik in the
24 eastern Arctic. But let's say in Winnipeg and try
25 to put flesh on this concept that -- if you want

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 to tip in here with any thoughts we would
2 certainly welcome them.

3 One last question and then I will
4 stop. Do you think that the Brandon University
5 has the statistics on who are status and who are
6 Métis and they simply don't want to disclose them
7 to you? Or is it the fact that in their
8 registration they simply don't gather in that
9 information? There is no reason why they couldn't
10 gather it in.

11 At one stage of the game we didn't
12 like to ask people what their racial origin is, as
13 the phrase then was. We have now found that some
14 of those statistics are very useful to deal with
15 the sorts of things that Mr. Murray was talking
16 about. How do we break the stereotypes? How do
17 we empower people who have been disadvantaged? It
18 is hard to come up with models unless you know a
19 few numbers. So what do you think Brandon
20 University might have?

21 MS DIANE SCHRIEBE-MacPHERSON: On
22 one of our registration forms there is a box that
23 you check if you are status. I am not sure there
24 is Métis -- I just checked the status line so that
25 is the only one I see. So I know that they do

May 20, 1992

388

Royal Commission on
Aboriginal Peoples

1 have some numbers that maybe it would be good just
2 to have it on there so that we could know.

3 We, as an organization, would like
4 to know just who our target group is and for the
5 recommendations that James made too, it would be a
6 good thing. It would be used in a positive way, I
7 think.

8 CO-CHAIR ALLAN BLAKENEY: So long
9 as it is optional. I don't see any objection to
10 it. If you did, I would appreciate the comment.

11 I think a lot of organizations are
12 finding, like yours, that they simply don't know
13 the numbers involved. Accordingly, it is hard to
14 pick up how you want to shape a campaign, if I may
15 use that term, to break down some stereotypes
16 which are all too prevalent in our society, even
17 at universities.

18 COMMISSIONER PAUL CHARTRAND:
19 Thank you.

20 I have a few questions and
21 comments. I will go through them in the order
22 that I have them here.

23 Commissioner Blakeney has already
24 referred to one that I had with regard to the
25 matter of identification of aboriginal students

May 20, 1992

389

Royal Commission on
Aboriginal Peoples

1 and I think you said that you weren't sure about
2 the information.

3 I wonder if you would clarify for
4 me the point you were making about your desire to
5 take some time off during the summer. There was
6 some sort of obstacle to that, I didn't get that
7 point. Do you mind explaining that?

8 MS DIANE SCHRIBE-MacPHERSON: I
9 have been going to school for -- I went all last
10 fall and winter and I took the summer off and this
11 summer -- I lived on Peglus for a while and I
12 stayed with my sister. So I had to pack up my
13 things and store them and move to the reserve. I
14 was fortunate that the Band helped me out then,
15 but I am not from that reserve and I don't know
16 that if I went back and asked again that they
17 would help me again.

18 I have been going to school again,
19 fall and winter, and I am registered for spring
20 and summer. I would like to keep my home in
21 Brandon and stay in one place and not have to move
22 my son around and have to pack up my things. I
23 feel established there. I feel like I have a home
24 there. I can't go back to my reserve in our
25 house. I don't know the people there and to move

May 20, 1992

390

Royal Commission on
Aboriginal Peoples

1 for two months and come back in September again,
2 it doesn't make sense to me.

3 **COMMISSIONER PAUL CHARTRAND:** What
4 is your recommendation? Who should do what?

5 **MS DIANE SCHRIIBE-MacPHERSON:** The
6 way I understand it is that Brandon is having
7 difficulty trying to get reimbursed for ---

8 **COMMISSIONER PAUL CHARTRAND:**
9 Brandon? I'm sorry I don't follow that?

10 **MS DIANE SCHRIIBE-MacPHERSON:** The
11 City of Brandon.

12 **COMMISSIONER PAUL CHARTRAND:** The
13 City of Brandon. How is the city involved there.
14 I am not sure.

15 **MS DIANE SCHRIIBE-MacPHERSON:** That
16 if you go apply for welfare there you kind of get
17 problems because my reserve is Norway House and
18 they will say, "Well, you should go to Norway
19 House and get welfare there".

20 **COMMISSIONER PAUL CHARTRAND:** I
21 see.

22 **MS DIANE SCHRIIBE-MacPHERSON:** I
23 would just like to take two months off to spend
24 time with my son and to take a break, or even a
25 month.

May 20, 1992

391

Royal Commission on
Aboriginal Peoples

1 COMMISSIONER PAUL CHARTRAND:

2 There are no employment opportunities?

3 MS DIANE SCHRIEBE-MacPHERSON: No,
4 you see that is it. I would like to take a break
5 and if I worked I don't know that I would make
6 enough to cover my daycare. My son has to be in
7 daycare and I would have to pay for my daycare
8 too. It is a real tough decision for me if I want
9 to take a break off of school. I look at it as a
10 full-time job right now.

11 COMMISSIONER PAUL CHARTRAND: All
12 right. I understand and thank you for explaining
13 that to me.

14 Again, going in the order that I
15 find my notes, Mr. Madonick, you might want to
16 check the library at the University of Manitoba in
17 Robson Hall, they would have the statutes there of
18 the Province of Nova Scotia. It is no large task
19 to find the answer to your question.

20 I simply have a comment about Mr.
21 Murray's presentation. I want to assure you, at
22 least of my belief, that the involvement that you
23 have with the aboriginal students at the
24 university is not to be regarded as a small step.

25 I congratulate you and it appears,

May 20, 1992

392

Royal Commission on
Aboriginal Peoples

1 at least to me, that these are significant
2 endeavours in working towards what is called in
3 our mandate a reconciliation between aboriginal
4 peoples and other peoples in Canada. I
5 congratulate you, if I may, on your interests in
6 the conventional writings about aboriginal
7 history.

8 You referred us, for example, to
9 the traditional learning of Canadians generally
10 about Columbus in 1492 and so on. We have been
11 exposed to these myths. There are myths, for
12 example, that have no room in them to recognize
13 the great civilizations of the aboriginal peoples
14 of the America's that were there in 1492, that as
15 a matter of demonstrable scientific fact far
16 surpassed many of the achievements of those
17 contemporary European societies at that time.

18 I suppose one of the positive
19 outcomes of the 1492 events, as it were, is that
20 it has generated a fair amount of writings which
21 have, in fact, brought out this history which was
22 formerly housed more in archives certainly than in
23 high school libraries, for example. We certainly
24 share with you the desire to have this information
25 made generally available in the school system.

May 20, 1992

393

Royal Commission on
Aboriginal Peoples

1 In considering the difficulties of
2 aboriginal students in universities, I am
3 interested in the question of whether the
4 aboriginal students organizations have any
5 capacity to make contact with other aboriginal
6 students organizations at other universities
7 across the country. I wonder if you would
8 elaborate a bit on that?

9 I think, Mr. Madonick, I am not
10 clear on the position that you have, but it seems
11 that there is some sort of a link between a
12 Canadian Federation of Students and you might be
13 the individual who is a local representative. I
14 am wondering out loud whether there is a structure
15 within a national Federation of Students, of
16 whatever sort, that has a capacity to get
17 aboriginal peoples from different universities
18 across the country together to discuss these
19 various issues? That is my question to you or to
20 anyone else that wishes to comment.

21 MR. WALTER MADONICK: Yes, the
22 Canadian Federation of Students, the national
23 organization, does have an aboriginal constituency
24 group. It is basically just for gathering and
25 putting together statements to advise the Canadian

1 Federation of Students as far as policy and
2 directions and different programs that want to be
3 implemented by the aboriginal university and
4 college students across Canada.

5 This national organization is
6 further broken down into provincial organizations
7 and that is where I sit. I am the interim
8 aboriginal Commissioner from Manitoba right now.
9 To break that down even further, I sit on the
10 Brandon University Student Union as the aboriginal
11 Commissioner again, but I was appointed by Brandon
12 University Native Organization to sit on Brandon
13 University Student Unions. So that is the
14 breakdown.

15 COMMISSIONER PAUL CHARTRAND: I
16 thank you very much for that.

17 In this particular forum we are
18 constrained in a number of ways and it is not here
19 that we have the opportunity to delve more deeply
20 into the many important issues that you have
21 brought before us. But I want to say to you that
22 our Commission will be doing its job for some time
23 to come and I invite you to correspond with the
24 Commission and to assist us by providing us with
25 information, identifying the issues for us and

May 20, 1992

395

Royal Commission on
Aboriginal Peoples

1 providing any kind of advice that you see fit.

2 We definitely look forward to
3 talking to you again. If not you personally, your
4 colleagues, aboriginal and non-aboriginal students
5 in universities across the country that have an
6 interest and particularly good recommendations to
7 make about our mandate.

8 I finish by thanking you again and
9 congratulating you and wishing you well in your
10 work.

11 CO-CHAIR ALLAN BLAKENEY: Thank
12 you.

13 I underline what Mr. Chartrand has
14 said and one further point. If you have any
15 thoughts about the point Mr. Murray was raising
16 about constituency-based representation on the
17 students council, as you are aware, there is a
18 view in society that to give a special place to
19 aboriginal people, women, gay, lesbian or
20 something, is somehow discrimination in itself.
21 This view that equality is always equity which
22 doesn't bear examination on the ground.

23 We will undoubtedly be putting
24 forward proposals for what amounts to "special
25 status" for aboriginal people in certain

May 20, 1992

396

Royal Commission on
Aboriginal Peoples

1 situations, it can't be otherwise.

2 If you work up any material, if
3 you find yourself defending this position of
4 constituency-based representation, to use your
5 phrase, and have any material, we would be happy
6 to have it because I suspect we are going to need
7 it.

8 Do you have any questions that you
9 want to ask?

10 COMMISSIONER GEORGE LATHLIN:

11 There is a lot of hatred that is bad about people
12 of different races, white people, and also other
13 nations like the black nation. It seems that
14 white people hate the black more and sometimes it
15 happens that white people hate the Indians and
16 vice versa. It would be very well recommended
17 that people of different races work together,
18 whether they are black, white or brown and have a
19 good relationship amongst all people.

20 That is about all. Thank you.

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

23 I would like to invite the
24 Opasquiak Aboriginal Women and The Pas Reserve
25 Youth Project Committee to make a presentation.

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Miss Kathy Martin and perhaps some others.

2 Welcome. I would ask you to
3 introduce your group and make the presentation in
4 any order and in any way that you would like.

5 MS KATHY MARTIN: First of all,
6 the Opasquiak Aboriginal Women Organization would
7 like to share our table with the Youth Council
8 from the community here. So I will make my
9 presentation and in the last ten minutes of my
10 presentation I would like the youth to do theirs.

11 My name is Kathy Martin and I am
12 the President of the Opasquiak Aboriginal Women's
13 Organization in The Pas.

14 Good afternoon, ladies and
15 gentlemen, Commissioners and Elder George Lathlin.

16 I am very happy to sit here before
17 you to present to you our concerns. The two
18 topics that I would like to address is the role
19 that aboriginal women play in this country and I
20 would also like to address the justice system of
21 our aboriginal people.

22 First of all I would like to tell
23 you a little about our organization. We are a
24 local body of aboriginal women working together
25 for the primary purpose of acting on matters of

1 common concern and dealing with issues affecting
2 our legal, political, social, economic and
3 educational rights.

4 Our membership does not restrict
5 any one group. We deal with all aboriginal women.
6 Whether it is working towards ending sexual or
7 racial discrimination and also to be a voice for
8 aboriginal women. To develop and maintain a
9 communication system among the local and
10 provincial women's groups.

11 The Opasquiak Aboriginal Women
12 Incorporation realizes the need to be active and
13 to be equal participants in the political, social,
14 economic, legal and education systems.

15 At this time I would like to
16 mention something about the education system. In
17 the past the education system has not worked for
18 our native people. One example, the residential
19 school system was a very devastating experience
20 for our people and it continues today to be
21 affected by the system that our people attended.

22 There was a resolution that was
23 made by the Assembly of Manitoba Chiefs at the
24 previous Family Violence Conference in Winnipeg in
25 December. That resolution included for aboriginal

1 people to be compensated for the problems and the
2 devastating experience that they faced while
3 attending residential schools. The reason for
4 that is the issue of family violence and a cycle
5 of sexual abuse continues.

6 Aboriginal women are exercising
7 their right to self-determination in all fields.
8 Issues we feel are important for the betterment of
9 life in our communities. Many groups deliver
10 services and programs on a project to project
11 basis. These projects are very important to the
12 aboriginal woman.

13 Therefore, the Opasquiak
14 Aboriginal Women Incorporation are recommending
15 that core funding be available to aboriginal women
16 groups.

17 At this time we would like to
18 point out some statistics about aboriginal women
19 in Manitoba. In 1986 there were 43,370 Manitoba
20 aboriginal women, of whom one-third were younger
21 than 15 years of age. This population is
22 concentrated in the north.

23 In Canada approximately 72 per
24 cent of Canadian aboriginal women do not have a
25 high school diploma. This is the reason why we

May 20, 1992

400

Royal Commission on
Aboriginal Peoples

1 need to have core funding.

2 The reason why I am addressing
3 this is the active role that aboriginal women
4 play. Our organization also does a lot of
5 lobbying to various different governments, so that
6 we can be heard. One example is the continued
7 lobbying that we did to end the sex discrimination
8 in the Indian Act, to eliminate Section 12.1(b).

9 I would like to read a portion
10 from our position paper that we forwarded to the
11 standing committee in Ottawa.

12 Throughout the years aboriginal
13 women spoke out against this unjust Canadian law.
14 Organizations of Indian women were established to
15 change the law in our favour. While our culture
16 was being undermined we were not content to sit
17 and wait for changes.

18 In 1973 the law was challenged in
19 the courts, Jeannette Corvette-Lavalee argued that
20 Section 12.1(b) contravened the equality
21 provisions of the Canadian Bill of Rights because
22 of the greater ability of Indian men to retain and
23 pass on their status. In a much criticized
24 decision, the Supreme Court of Canada held that
25 equality required only equal enforcement and

May 20, 1992

401

Royal Commission on
Aboriginal Peoples

1 administration of the law. Discrimination on the
2 basis of sex in the substance of the law as with
3 Section 12.1(b) was not a violation of equality.

4 Indian women, aboriginal women
5 discovered that the Canadian Bill of Rights failed
6 to protect our rights as aboriginal women.
7 Although aboriginal women were very disappointed
8 with the loss, our determination did not lose its
9 momentum. However, we were convinced that we
10 could not look to the Canadian courts or to the
11 Canadian Government to remedy the injustice that
12 the Canadian Government had placed us in.

13 In 1981, Sandra Lovelace took her
14 case to the United Nations Human Rights Committee.
15 It held that Canada was in contravention of
16 Article 27 of the International Covenant on Civil
17 and Political Rights. The Committee ruled that
18 the cultural rights guaranteed by Article 27 of
19 the Covenant were denied because she was forced to
20 be separated from her community. Only after this
21 decision did the Canadian Government try to
22 correct the situation, finally enacting Bill C-31
23 in 1985.

24 However, the Government never
25 consulted the people most affected, aboriginal

May 20, 1992

402

Royal Commission on
Aboriginal Peoples

1 women. Non-status women in Manitoba were never
2 given the opportunity to voice their opinions or
3 solutions about their predicament. Financial
4 support was also not provided to the non-status
5 women in the same way as other organizations.

6 This could not have happened if it
7 were not for the aboriginal women speaking out.
8 We know our rights. When the Queen signed
9 treaties with our aboriginal people it was done
10 with a trust that was for as long as the sun
11 shines, the rivers flow, and the grass is green.
12 On this we will continue to fight for the
13 recognition of our aboriginal people and the right
14 to self-government.

15 The other issue I would like to
16 address is the justice system. We, as aboriginal
17 women, do not see a justice system working for our
18 people. We are very concerned about our men going
19 to jails because of wife battering. Wife
20 battering is a crime. We do not see any education
21 awareness of this crime in the communities. Our
22 men are thrown in jail for as long as three years.
23 Men are the prime providers of the family unit and
24 what happens to our women? They are on welfare.

25 At present there is no system in

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 place for this crime. We are, therefore, making a
2 recommendation that the communities be educated
3 about this crime. We are aboriginal people of
4 this land. For the past 500 years we have been
5 oppressed and it is sad today to see our men
6 sitting in jails. We have a right to form our own
7 justice systems, but we cannot do that if the
8 federal government continues to play a colonialism
9 system.

10 This ends our presentation and at
11 this time I would like to mention something about
12 our youth. When I was 17 years old, and that was
13 19 years ago, a group of young people travelled to
14 Ottawa to attend a National Native Youth
15 Conference there. We heard from many leaders and
16 we talked to the Deputy Minister of Indian
17 Affairs. We were asked at that time: How do you
18 think our country should be run? Today they are
19 still looking for answers. Today they continue to
20 study us.

21 With that, I would like to ask the
22 native youth now to do their presentations.

23 Thank you very much.

24 CO-CHAIR ALLAN BLAKENEY: Thank
25 you.

May 20, 1992

404

Royal Commission on
Aboriginal Peoples

1 MR. DANIEL DANIELS: Good
2 afternoon, Commissioners and Elder George Lathlin.
3 My name is Daniel Daniels. I am
4 Treasurer of The Pas Reserve Youth Project
5 Committee. Speaking as an adult involved with the
6 youth, I find that the greatest difficulty for the
7 youth is not necessarily their problems, but the
8 way in which adults are involved with the youth.

9 All the counselling, recreational
10 youth activities, etcetera, will not succeed
11 unless more adults hear the voices of the youth
12 and become more involved and willing to donate
13 freely of their time, knowledge, experience and
14 resources, be it financial or specific skills.
15 This must be done in such a manner as not to seem
16 patronizing or condescending to the youth.

17 Yes, the youth need help, but it
18 cannot be forced upon them. It has to be offered
19 freely from one person to another regardless of
20 their age. Since it is the adults who form the
21 government, they then have to assume more
22 responsibility in dealing with the youth.

23 I would like to pass it on now to
24 Delilah Young.

25 MS DELILAH YOUNG: Good afternoon,

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 Commission and Elder George Lathlin.

2 My name is Delilah Young and I am
3 representing The Pas Reserve Youth Project
4 Committee.

5 We, as youth, have encountered
6 many stumbling blocks in achieving our goals. The
7 major stumbling blocks are the adults. Adult
8 apathy towards youth is what we are constantly
9 facing.

10 Adults give us a tough time when
11 we set out to do something such as fund raising.
12 Adults are always complaining that there is not
13 enough activities for youth to do, yet they don't
14 assist us in implementing such activities.

15 When counselling is most needed,
16 counsellors are not available. Counsellors work
17 from 9:00 to 5:00, however, most youth-related
18 problems occur in the evenings or on weekends.
19 The only time adults do care about what youth are
20 doing is when we, the youth, do something that we
21 should not have done.

22 The youth should have more control
23 of input into matters which directly affect the
24 youth, such as recreation and counselling.
25 Although there are grants for youth, these grants

May 20, 1992

406

Royal Commission on
Aboriginal Peoples

1 are hard to access. Easier access to grants for
2 the youth should be greatly considered.

3 With regards to youth employment,
4 most jobs for aboriginal youth are either manual
5 labour or outdoor jobs as opposed to office work.
6 Greater stress on the value of education because
7 there is a high rate of aboriginal youth drop-
8 outs. A remedy for this is to promote staying in
9 school initiatives in the aboriginal community.
10 Also, promote teachings of native culture and
11 language in the school system, since most youth
12 now can no longer speak their own language.

13 There is also a problem of
14 alcohol, drug and solvent abuse in aboriginal
15 communities. This is caused by peer pressure
16 stereotyping, since most people depict aboriginal
17 people as being alcoholics and unemployed. The
18 alcoholic parents and family members influence the
19 children since this is what they see. There is a
20 lack of positive role models. We see adults
21 partying, therefore why shouldn't the youth party.

22 There are ways to deviate from
23 this problem or any problems that are related to
24 the youth. One way is to find an alternative
25 means of passing the time for youths, to socialize

May 20, 1992

407

Royal Commission on
Aboriginal Peoples

1 in an alcohol, drug and solvent free environment
2 such as a youth centre.

3 Community awareness and
4 involvement is necessary. Most adults will easily
5 overlook the daily problems that the youth face.
6 Emphasis must be made by the entire community on
7 the youth regardless of social or cultural
8 background. All youth in this country are
9 tomorrow's future.

10 Action must take place now so that
11 the next generation of youths are not here saying
12 what we have just said. Newer problems will
13 arise, but we must take the action now.

14 Thank you.

15 CO-CHAIR ALLAN BLAKENEY: Thank
16 you, Delilah.

17 We probably have a question or
18 two, so if we may?

19 I had two questions and I will
20 just direct them to the group of you. One dealt
21 with the matter of spouse and the suggestion was
22 that communities need to be educated about wife
23 battering and my question is: Are there any steps
24 or programs now operating on the reserves or in
25 aboriginal communities directed to that issue of

May 20, 1992

408

Royal Commission on
Aboriginal Peoples

1 wife battering?

2 That was my first question and my
3 second one, I guess, would be directed to Delilah
4 or perhaps to Daniel.

5 You spoke of the fact that more
6 role models are needed for aboriginal youth. Do
7 you see positive favourable role models for
8 aboriginal youth in a setting like this school,
9 where you have a fair number of aboriginal
10 teachers doing a good job and enjoying some
11 measure of recognition and success?

12 I will ask you to deal with one
13 first, if you don't mind.

14 MS KATHY MARTIN: I would like to
15 address the question.

16 When you are talking about
17 programs, if there are any programs that are set
18 up to deal with this, I guess in my presentation
19 what I failed to say was that within our
20 aboriginal society, within our aboriginal
21 communities, these kinds of programs and these
22 kinds of systems are not in place, whereas in the
23 non-aboriginal urban centres those systems are in
24 place through the probation officers, through the
25 women crisis shelters, there is counselling

1 available for the woman.

2 There is the mens networking group
3 in Winnipeg. These are the kinds of groups or
4 systems that we would like to see in our
5 aboriginal communities.

6 Did I answer your question?

7 CO-CHAIR ALLAN BLAKENEY: Yes.

8 I wondered whether there were
9 other things that might be done, just by the group
10 itself. The women getting together and talking to
11 the men or whatever needs to be done in a small
12 community, perhaps you don't need a big elaborate
13 program.

14 MS KATHY MARTIN: But because of
15 the cultural differences between a non-aboriginal
16 and the aboriginal people, and because of the
17 special bond that they have with each other, I
18 think they can communicate and come up with
19 solutions that are their own solutions and not
20 made up by other levels of government or other
21 forms of governments. Rather, we would like to
22 see our own system in place, our own justice
23 system.

24 CO-CHAIR ALLAN BLAKENEY: I
25 certainly can't quarrel with that. The non-

May 20, 1992

410

Royal Commission on
Aboriginal Peoples

1 aboriginal systems with respect to spousal
2 violence don't work very well for non-aboriginal
3 people. I think that the same system is unlikely
4 to work as well for aboriginal people and
5 therefore we need some different structures
6 controlled by aboriginal people. I think there is
7 no question about that.

8 I refer to the question on role
9 models, would you like to make a comment?

10 **MS DELILAH YOUNG:** Most teachers
11 work from 8:30 to 4 o'clock and most don't
12 socialize after school hours with the students.
13 Also, most native teachers are not from this
14 community. Positive role models can be found
15 anywhere in the community, however when it comes
16 to after hours, they may be doing something that
17 would not be ideal for a youth to observe, causing
18 the youth to also wonder "Well, that is a great
19 job, but why don't I try what he is doing right
20 now?"

21 Really there has to be positive
22 role models in the community, when possible, for
23 the youth to follow.

24 That is all I can possibly come up
25 with right now.

May 20, 1992

411

Royal Commission on
Aboriginal Peoples

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

3 I will ask my colleagues,
4 Commissioner Chartrand or Commissioner Lathlin
5 whether they want to make any comments.

6 COMMISSIONER PAUL CHARTRAND: A
7 brief question first to Kathy Martin.

8 In trying to identify the group
9 that you represent, may I ask: Are you a member
10 of the Indigenous Women's Collective or another
11 such association in Manitoba or nationally, or are
12 you associated in some way with any other
13 organization?

14 MS KATHY MARTIN: Yes, I am an
15 aboriginal woman that is involved in politics.
16 Obviously we do a lot of research on who the
17 political organizations are not only in Manitoba,
18 but also in Canada. We are affiliated with the
19 Indigenous Women's Collective in Winnipeg.

20 COMMISSIONER PAUL CHARTRAND:
21 Thank you.

22 We have a list of people and we
23 are not familiar with the organizations and at
24 times it gets a little difficult.

25 Commissioner Blakeney has already

May 20, 1992

412

Royal Commission on
Aboriginal Peoples

1 dealt with the questions that I had jotted down to
2 ask.

3 I must say that the three of you
4 have done a good job in describing the problems
5 and we are anxious to carry on with consultations
6 to hear from you and from other people across the
7 country and to seek concrete solutions to these
8 problems. We are looking forward to the
9 opportunity to come back, if not in this
10 particular place, to a place nearby to give you an
11 opportunity to comment on the solutions that we
12 will be working on.

13 So I wanted to thank you again for
14 your helpful presentations.

15 MS KATHY MARTIN: Thank you.

16 COMMISSIONER GEORGE LATHLIN

17 (through Translator): About these Elders that are
18 not doing the right thing. There are only a few
19 of us that do this, but also you young people, you
20 are not identical to the way you do things. There
21 is only a few that don't do the right things.

22 Just like sniffing, I don't think
23 too many old people would do this, but young
24 people there are lots of them that would do this,
25 and there are a lot of them that would take

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 solvents. Therefore, today you won't see to many
2 young people getting taken by sickness by alcohol
3 and sniffing. Therefore sometimes they commit
4 suicide or fall down for no purpose.

5 These youths, truly I would like
6 to see that you people will work towards and
7 strive for. Thanks.

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

10 I would like to invite the Leaf
11 Rapids Relocation Group to make a presentation.

12 Our apologies for shuffling our
13 agenda a bit and I invite you to introduce your
14 group and move with your presentation. There is -
15 - I don't see our translator in the booth.

16 TRANSLATOR: I'm here.

17 CO-CHAIR ALLAN BLAKENEY: Yes, of
18 course. That is why you are not in the booth.
19 Away you go then.

20 MR. KENNETH SPENCE (through
21 Translator): The first thing I would like to
22 address is that I am very grateful and we welcome
23 you from our group from Leaf Rapids to hear our
24 petitions, grievances rather. I shall read as
25 requested by Margaret Sprowl.

1 This report was done by Margaret
2 Sprowl on behalf of all the other former South
3 Indian Lake residents who are presently living in
4 Leaf Rapids, Manitoba.

5 **TRANSLATOR:** Shall I read this in
6 English first?

7 **CO-CHAIR ALLAN BLAKENEY:** Yes. I
8 think so.

9 **MR. KENNETH SPENCE (through**
10 **Translator):** We, the people, formerly of South
11 Indian Lake are very frustrated and hurt by the
12 ignorance of the Manitoba Hydro. We are also
13 victims of the flood that destroyed our beautiful
14 community. We have been affected in a lot of
15 different ways.

16 We once had a very quiet,
17 peaceful, pretty and prosperous community. We
18 lived, like our forefathers, surviving on fishing
19 and trapping which was plentiful before the flood.
20 You would hardly ever find anybody ever living on
21 welfare. The flood changed it all.

22 All of a sudden there were no
23 jobs. People used to live a few miles apart, were
24 all of a sudden moved into one area of the
25 community. A lot of us suffer emotionally because

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 of this. A lot of us didn't qualify for housing.
2 My father fished and trapped in South Indian Lake
3 most of his life, lost his home, trap line, fish
4 camp, bombardiers, nets and numerous supplies but
5 he has never seen one cent from the Manitoba
6 Hydro, because when he lost everything he left the
7 community. A lot of us left, not because we
8 wanted to, but we had to.

9 We needed jobs and housing, now
10 because we left we were told we can't get
11 compensated from the Hydro. We had a meeting with
12 a guy from Manitoba Hydro who told us, our
13 questions would be answered but we never heard
14 from him again. Why should lawyers benefit with
15 millions of dollars while we, the people, who lost
16 our community, our homes, our livelihood, be like
17 the trees that once stood proud on our land, now
18 stand dead in the water.

19 **TRANSLATOR:** That is the
20 presentation. From here he is going to add a bit
21 more of his own.

22 **MR. KENNETH SPENCE (through**
23 **Translator):** When my dad was growing up there, at
24 the time, he taught me how to work and live off
25 the land myself because that was the only thing

May 20, 1992

416

Royal Commission on
Aboriginal Peoples

1 that was there. I made a very good living at what
2 my dad taught me around that lake. When I was 27
3 I got married and had 10 children of my own. All
4 the things that my dad showed me, I tried to leave
5 to my kids.

6 I never once had to stand in the
7 welfare line before the flood. I had never had to
8 do that in my life. There are 140 people that
9 have requested me to come in and make this
10 presentation because of what happened to us in our
11 lives. Quite a few of them have children.

12 There are all different types of
13 species of animals and birds and fish which seem
14 to have sunk or drowned in this flood. Where once
15 the ducks and the geese fed and gravelled in areas
16 and our children saw these birds, there is nothing
17 left for us in that area because that area is
18 flooded over now. It is hard for us to express
19 how much it changed our lives.

20 When the homes were constructed
21 far away from our community and they were moved
22 over to our new area that was selected for us.
23 First of all, by the time we reached the community
24 we were allotted to have settled, they were out of
25 kilter, they were out of shape so therefore we

StenoTran

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 were not happy right from the very beginning.

2 As I sit here and make this
3 report, I find it very hard to try and find some
4 ways of making my livelihood survive and those of
5 others and those of my children as the victims of
6 the flood find it hard to go back to the community
7 they once knew.

8 I managed to obtain a job in Leaf
9 Rapids and I managed to find housing in Leaf
10 Rapids where I bought a house. I got everything
11 on my own.

12 This relocation, I had to
13 contemplate very much on what I was going to be
14 doing. Some of the single parents are located in
15 apartment blocks with no furniture or no
16 furnishing whatsoever and hydro expects the single
17 parents to raise their children with an
18 unfurnished apartment.

19 In the past 17 years since the
20 flood occurred, we have been frustratedly looking
21 for some government official to speak on our
22 behalf to get the attention of Manitoba Hydro.
23 Some of the people that are victims of the flood
24 are just crawling around and are very very
25 despaired. We have been searching and searching

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 for someone to have a voice for us to see what
2 could be done and what could be said about our
3 community and about the future of our people.

4 The people that relocated
5 themselves were told that they are not to receive
6 any compensation as they left the community
7 themselves. Therefore they are looking for some
8 form of compensation as their land was flooded so
9 they didn't actually have any land to go home to.

10 We were not notified about such a
11 meeting that occurred until February 27th. By
12 that time it was too late to make a move of any
13 sort and Manitoba Hydro said it was too late to
14 be seeking any sort of compensation, but we did
15 not know of a meeting until February 27th of this
16 year.

17 So whatever occurred, we did not
18 know. We were not notified as we had relocated
19 ourselves to a different place. The ones that
20 left early for their relocation themselves, it was
21 kind of difficult for others to get together
22 because some were forced to Thompson and some were
23 forced to move to Leaf Rapids area, South Indian
24 Lake.

25 It was very very difficult to try

May 20, 1992

419

Royal Commission on
Aboriginal Peoples

1 to get together and form some kind of a voice that
2 could be heard throughout our area and things are
3 always a little bit too late for whatever happens
4 ahead. We are not told until things are a little
5 bit too late.

6 Upon raising our children, being
7 taught our own traditional and cultural values by
8 our fathers, we were not able to teach our
9 children these values of cultural and traditional
10 ways of life because we did not have land to teach
11 them on because of the flood. Therefore, they are
12 the ones that are really suffering right now,
13 because they are lost since the flood. We have no
14 means to teach them because we have no land,
15 nothing to teach them with.

16 When we inquire about ourselves to
17 be heard, nobody seems to have any idea as to
18 where we could go for help or compensation, mostly
19 for help in lifestyles.

20 The people I represent here, some
21 of them are treaty and some of them are non-
22 treaty, and when I heard about this meeting I felt
23 that I had to come and speak on behalf of the
24 people. I, myself, financed this trip on my
25 money, out of my own pocket, the place I am

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May 20, 1992

Royal Commission on
Aboriginal Peoples

1 staying and the food. I financed myself to come
2 and put this before you.

3 When we asked for assistance
4 financially from our neighbours, which is the
5 MMF -- although we do support their bingo's very
6 much 100 per cent, our people are lined up in
7 numbers to play bingo, to support programs like
8 that -- when we ask for a little bit of money for
9 things like this we have a hard time trying to
10 receive finances from different places like that,
11 especially from the community I come from.

12 You watch, there is a big bingo
13 going on in The Pas here, they won't have any
14 hesitation about coming 300 miles to support a
15 bingo locally here. You watch for that, there
16 will be people coming in for that.

17 When it comes down to finding
18 finances to financially support such a thing as my
19 presentation here, it is a very difficult task for
20 people to come up with money and support a trip
21 like this for a beneficial presentation. We can't
22 seem to get together on these kinds of things,
23 because people have lost hope and despair in many
24 ways.

25 We are told that we have no

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 business in monies that are there set aside
2 because Manitoba Hydro brings it in or makes it
3 available to some kinds of other things. If it
4 wasn't for Manitoba Hydro coming into our area, I
5 would still have smoke coming out of my chimney, I
6 would still find ways and means of supporting my
7 family and carrying on my lifestyle that was given
8 to me. I also wouldn't be here for any pleas or
9 any presentations.

10 The same way with my children.
11 They would have continued my traditional and
12 cultural lifestyle. They would have learned to
13 survive from the land, live off the land, and also
14 be able to feed their families from the land and
15 make a good living off the land, if it wasn't for
16 Hydro coming in.

17 The frustration and the damage
18 that Hydro caused, I end up paying lots of hydro,
19 so do the other people that are located in this
20 area. They pay thousands and thousands of dollars
21 from our little community and hydro never once
22 looks back and gives us any form of money or any
23 form of compensation for what they have done to
24 us.

25 For the past 17 years for the

May 20, 1992

422

Royal Commission on
Aboriginal Peoples

1 amount of hydro that we have paid, I don't think
2 compensation would be enough to pay for the damage
3 that it has cost us culturally and traditionally
4 and the principles and values for which we have
5 found a place in our lives are irreplaceable.
6 Money-wise Hydro would never put another penny in
7 our community, but they would take money out
8 without thinking.

9 Although it is our opinion as
10 Hydro has -- although Manitoba has left us
11 orphaned, we expect some form of communication
12 from there and also from the Royal Commission that
13 I am presenting to and sitting at. I feel very
14 privileged to be sitting in such a presence of
15 Royal Commission people.

16 I also wish that the Royal
17 Commission would forward any form of reports that
18 they would have in the future so that the people
19 that I represent would be able to see that the
20 communication is starting to flow.

21 Also, I wish that things like the
22 Royal Commission would visit our community in Leaf
23 Rapids and be able to hear and see for themselves
24 the lifestyles of the people that has greatly
25 frustrated them.

StenoTran

May 20, 1992

423

Royal Commission on
Aboriginal Peoples

1 I never had to worry about a
2 \$46,000 home before Hydro moved into the area to
3 devastate our area. To this date, I still would
4 have been able to live in my log cabin, happily,
5 with the smoke pouring out from the top. I
6 wouldn't be worried about a \$46,000 home. I
7 wouldn't be worrying about repairs. I wouldn't be
8 worrying about any kind of hidden costs regarding
9 the house.

10 If it wasn't for Hydro I would
11 still be living the same lifestyle that my dad
12 left me and taught me and I would be able to
13 transfer all my learning to my children in regards
14 to their lifestyle and they would be happy and
15 smoke would still be pouring out of my chimney
16 happily and pretty as it once did.

17 I am grateful that I was able to
18 come forward and present the presentation that the
19 people in my area wanted me to. I am grateful
20 that I came here in good health and I am grateful
21 to you people that you listened to us. Hopefully
22 from there, our voices will have some kind of an
23 echo and that our voices will be heard at
24 different levels of government. I know my people
25 would be happy that a presentation was made on

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May 20, 1992

424

Royal Commission on
Aboriginal Peoples

1 their behalf and thank you very much.

2 Box 871, Leaf Rapids. That is my
3 address. Relocation Leaf Rapids, R0V 1W0

4 **CO-CHAIR ALLAN BLAKENEY:** Thank
5 you very much. Let me just ask a question or so.

6 Clearly nothing can reverse the
7 fact that the land is flooded. That is water over
8 the land as you might say. The compensation has
9 been provided or agreed for some of the people who
10 lost their homes in the South Indian Lake
11 Flooding. Your group, I take it, are people who
12 were excluded from the compensation pool because
13 they relocated early. Have I got that right?

14 **MR. KENNETH SPENCE (through**
15 **Translator):** Unfortunately some of the records of
16 people who were residing there were not available
17 at the time of the Hydro flooding damages, so that
18 is how come the exclusion was there. They were
19 not registered in that area or not recorded to be
20 in that area at the time, to have lived in that
21 area.

22 **CO-CHAIR ALLAN BLAKENEY:** Let's
23 see if I understand you. Some people were missed.
24 There were 140 people missed? Is this what you
25 are telling me?

May 20, 1992

425

Royal Commission on
Aboriginal Peoples

1 MR. KENNETH SPENCE (through
2 Translator): There were 140 people plus the
3 children that were missed. Some of them as high
4 as 14 children each.

5 CO-CHAIR ALLAN BLAKENEY: I am
6 having some trouble with this. Are you telling me
7 that you had a house there. You had a fishing
8 camp and you had fishing gear and a trap line and
9 you had a snowmobile and you lost it all.

10 MR. KENNETH SPENCE (through
11 Translator): That was my dad.

12 CO-CHAIR ALLAN BLAKENEY: All
13 right, your dad then. And nobody knew you were
14 there? I mean you were missed?

15 MR. KENNETH SPENCE (through
16 Translator): When the Hydro flooded, it may have
17 well have been enclosing people in glass cases
18 like this and putting a top on them so they would
19 have no where to go, nowhere to breathe and that
20 is the way his life felt like. Besides once they
21 were moved to that location they had no choice, no
22 employment, nothing to do, no matter to make, all
23 they did was stay in that one house. So, most of
24 them left.

25 Although he did most of the work,

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 foot work on taking names, somehow he got left out
2 too, but he also got a house from the Hydro, but
3 he got left out on other compensations because
4 there was financial compensation. Also housing
5 compensation.

6 These people, these 140 plus here,
7 are people that don't have anywhere to go and they
8 want some form of compensation. These are 140
9 plus that were missed during the count of Hydro.
10 They are located all over the place. There are
11 some in Winnipeg, Saskatchewan, Nelson House,
12 Frankberry, Ontario. They are all over the place
13 because they had nowhere to go. They did not know
14 what to do with their livelihood all gone.

15 It is the same situation as any
16 status person that is living on the reserve. If
17 they relocate to a different province or a
18 different area, educational needs are cut off, or
19 funding is cut off and they don't qualify.
20 Although they do have a treaty card stating they
21 are from that Band, they are not recognized to get
22 assistance or whatever from that Band because they
23 are not living immediately on the reserve.

24 This is one continuing problem
25 that his children are receiving because of the

May 20, 1992

427

Royal Commission on
Aboriginal Peoples

1 runaround that there is no reason to stay on the
2 reserve because there is nothing on the reserve
3 any more. So the children are looking elsewhere
4 to try and find their identity again, whatever
5 they can find.

6 Thank you.

7 CO-CHAIR ALLAN BLAKENEY: I will
8 ask my fellow Commissioners whether they wish to
9 direct any questions.

10 COMMISSIONER PAUL CHARTRAND: I
11 want to thank you, sir, for your presentation.
12 The matters that you have brought before us today
13 are certainly part of a problem of great
14 dimensions. The matter of having aboriginal
15 people dislocated by flooding is a problem of very
16 broad scope. It is a problem internationally of
17 aboriginal peoples, everywhere around the world
18 that is happening. Across this country, this is
19 happening.

20 It is a classic type of problem,
21 as you have indicated to us here, you were looking
22 after yourself. You were relatively self-
23 sufficient and because of actions of others that
24 affected you, by means that were beyond your
25 control, you say that you have been injured as a

1 result of that.

2 It takes longer in Cree, I will
3 try to be more brief.

4 It is a long story over 17 years
5 and we cannot certainly learn the story in detail
6 here and I understand that it is part of a larger
7 story. I know that we have an Intervener
8 Participation Program that you will probably want
9 to look into and take advantage of that.

10 As I said, I believe that it is
11 apparent to me that this is part of a larger
12 story. There are other parties involved. We must
13 here their side of the story. We have not heard
14 it, at least not in this forum. The Northern
15 Flood Agreement people, we have not heard from
16 Manitoba Hydro, they are not here. We have to
17 hear from them. We have to get to the bottom of
18 this story.

19 I hope that in some way this forum
20 provided by the Commission can indeed provide you
21 with a voice and other people who have been
22 affected by the flooding in Manitoba and in other
23 places in Canada, who have been affected by
24 flooding in these circumstances. I hope that we
25 can indeed assist them by giving them a voice and

May 20, 1992

429

**Royal Commission on
Aboriginal Peoples**

1 we will do the best that we can.

2 I want to finish by referring to
3 two points if I may. One, your request to have
4 information sent back to you is a very important
5 point. We will take that back and we have
6 discussed that within the Commission and it is our
7 desire to keep you informed on that score and
8 perhaps the staff or the Chair might have some
9 comment to make with respect to the policies of
10 people travelling to make submissions in this
11 phase of the hearings.

12 Again, thank you very much.

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

15 We will have a break until 3:45
16 for a stretch and a coffee. There will be some
17 coffee outside in the lobby.

18

19 --- Upon recessing at 3:30 p.m.

20 --- Upon resuming at 3:55 p.m.

21

22 **CO-CHAIR ALLAN BLAKENEY:** I would
23 like us to reconvene. I would ask everybody who
24 wishes to be part of our hearings to come and take
25 your seat and we will revert back to our agenda

1 from this morning. The Mathias Colomb First
2 Nations. I will ask Chief Pascal Bighetty and his
3 group to come and make a presentation.

4 If you would introduce your
5 colleague and then just carry on, Chief.

6 CHIEF PASCAL BIGHETTY: Yes, first
7 of all I would like to introduce elected Junior
8 Chief from our Band, Darryl Linkletter. He has
9 been represented to represent the youth in our
10 community of 2,025 people.

11 I would like to apologize on
12 behalf of Elder Dominick Hart who was supposed to
13 be with us today. He is attending another meeting
14 across the river. I am also the Chairman of
15 Manitoba Keewatinowi Okimakanak which represents
16 23,000 treaty people. However, I am not
17 presenting this presentation for MTO rather from
18 the Missinipi people from Churchill River.

19 I realize the seriousness of this
20 Commission. I attended a bingo game here the
21 other day, just to have a little joke before we go
22 to the serious stuff. When one of the ladies
23 stood up and said, "We hear about self-government,
24 but please, if you go to the Commission", she
25 says, "make sure that you entrench bingo as an

1 aboriginal right". I told her that would not be
2 possible, but I will tell it to the Commission
3 anyway.

4 **CO-CHAIR ALLAN BLAKENEY:** You will
5 fight hard for it.

6 **CHIEF PASCAL BIGHETTY:** Welcome,
7 Commissioners of the Aboriginal Commission. I
8 would like to reiterate the treaty promises of
9 self-government which our forefathers signed in
10 1876. Our people from the Missinipi Nation told
11 the treaty party that we would share the land with
12 white nations.

13 After days of discussions among
14 the Chiefs they agreed to sign Treaty Number Six
15 on a nation to nation basis. Therefore, in August
16 1876, Treaty Six was signed by our leaders and
17 Great Britain at Fort Carleton, Saskatchewan.

18 I am most concerned that our right
19 to self-determination, which our forefathers never
20 signed away, will be further diminished by this
21 new concept of Indian self-government. If
22 ratified by Parliament, and the Assembly of First
23 Nations, it shall be enshrined into the highest
24 law of the land which is the Canadian
25 Constitution.

May 20, 1992

432

Royal Commission on
Aboriginal Peoples

1 What is self-government? Our
2 people are saying at the grassroots level, at the
3 local level. Could you explain self-government to
4 us? I will attempt to highlight a few self-
5 government models which are being used in Canada,
6 in the United States and world-wide.

7 We have a system called -- one is
8 the equality model which is used in Australia. At
9 first central government had no statute in dealing
10 with the aboriginal people. The aboriginal people
11 had no special status. They were accorded
12 ordinary rights of citizenship, no more and no
13 less. They were provided for by local
14 governments.

15 A good example of this model is
16 found in Norway and Sweden, in which no treaties
17 between the Sami and the colonializing countries
18 were promulgated. There is no trust relationships
19 between the Sami and the central government which
20 has contributed to the assimilation of the Sami
21 people.

22 The other model which is being
23 used in Canada is called the hierarchical model.
24 In this model of aboriginal relations, central
25 governments are given our assured responsibility

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 for the aboriginal affairs constitutionally, or by
2 statute or by edict. Aboriginal governments are
3 not recognized as having any degree of sovereignty
4 and are integrated into the central administrative
5 apparatus used by the government to deal with
6 aboriginal affairs.

7 Authority is given from the
8 central government to aboriginal groups.
9 Activities are limited which are of no interest to
10 the central government. The central government
11 assures treaty and predictorial rules in
12 relationship to its aboriginal subjects. In that
13 sense, at least, these subjects have special
14 status.

15 This model was originally used in
16 Japan during the 19th century and is operative in
17 Canada as in its relationship to its First
18 Nations, who are under the authority of the
19 British North America Act and the Indian Act of
20 Canada.

21 Central government of Canada
22 attempts to limit the functions of aboriginal Band
23 Councils. In this case Band Councils cannot deal
24 with the holistic nature of band life. Aboriginal
25 cultures tend to foster a great deal of inter-

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 dependence between the individuals and families.

2 On one hand the economic and
3 cultural values, and the political aspects of the
4 community on the other hand. Functions of Band
5 Councils are narrowed which forbids them to deal
6 with the richness of the community life, such as
7 the cultural enrichment.

8 Band Councils cannot represent the
9 interests of their people because the priorities
10 and procedures are established by a central
11 government. Councils tend to orient themselves
12 with a central government rather than to their
13 communities and to their constituents. It is said
14 that Band Councils do not have a great deal of
15 latitude in self-government.

16 The other model could be the
17 integration model. In this model aboriginal
18 peoples are recognized as a unique group. For
19 example, they have special status as in the
20 hierarchical model, but some arrangements and
21 structures are formally created to ensure their
22 authoritative participation in policy-making.
23 However, traditional political authority of the
24 aboriginal people is not recognized. Sovereignty
25 is afforded to them by the larger society.

May 20, 1992

435

Royal Commission on
Aboriginal Peoples

1 This type of self-government
2 exists in New Zealand. New Zealand Parliament
3 reserves four seats for the Maury people. A
4 statutory council is recognized to oversee Maury
5 affairs. Similar statutory councils are
6 recognized in Finland.

7 The creditability of Maury
8 representation in parliament has been more than
9 questioned by the electorate, not because they are
10 dishonourable, but because they are unable to act
11 as effectively on Maury concerns. Despite the
12 fact that they have four people in parliament,
13 they still have problems getting their concerns
14 dealt with at the house because Maury electorate
15 are less active in non-aboriginal politics.

16 The other model would be the
17 multi-level system. The multi-level system is
18 represented in Australia. At first the central
19 government had no responsibility over the
20 aboriginals. However, after 1967, the States
21 assured them some responsibility. The States have
22 not adopted this model. They are pessimistic
23 about sharing revenues with the central
24 government.

25 The reverse is happening here in

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 western Canada. In 1930 Canada gave up its
2 natural resources to the provinces, who are now
3 hesitant to share their natural resources with a
4 central government. This system is not without
5 problems because the two levels of government are
6 in constant disagreement over mineral rights in
7 the same land.

8 The other model could be the
9 territorial self-government. This model is used
10 by governments to decolonize aboriginal peoples.
11 It consists of a grant by constitution of some
12 measure of home rule. Governmental bodies are
13 established, or if they already exist are
14 recognized to exercise political administrative
15 and some judicial powers on territories occupied
16 by or reserved for the aboriginal peoples.

17 Aborigines are empowered to levy
18 taxes and are vested with spending power. A
19 limited form of sovereignty is sometimes
20 recognized and accorded to the government of the
21 aboriginal territory. Greenland fits this model,
22 as do on-reserve Indians in the United States.
23 However, the American Indians have jurisdiction on
24 their reservations. In Greenland, the landers
25 though in minority, share their sovereignty with

1 the non-aboriginal minority.

2 The other model could be
3 provincial status or a third level of government.
4 There are perhaps basically two futures for
5 Canada's aboriginal self-government process.

6 One, the continued modification of
7 a colonial framework and integration of Band
8 Governments into a statutory system or municipal
9 government.

10 The other one is the devolution
11 scenario. The development of Indian Government as
12 a distinct and unique level of government. After
13 all, Indian people did not surrender their right
14 of self-determination.

15 Indian Nations would be governed
16 by an all First Nations legislature which as a
17 public service would be responsible to its
18 electorate. The legislature would have a Senate
19 and a Lieutenant-Governor to serve as First
20 Nations Crown and whose role would be to ensure
21 that the intent and the spirit of aboriginal
22 rights guaranteed in the treaties are strictly
23 observed. Like Quebec, the First Nations Province
24 would enjoy special status under the Canadian
25 Constitution.

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 During my school years I attended
2 a lecture presented by one of the Elders, who is
3 not with us today, but who is well known. He was
4 speaking about property, land rights and European
5 law. He was concerned, very concerned, about the
6 manner in which First Nations were displaced in
7 their homeland.

8 Reluctantly he accepted intrusion.
9 He summarized Indian and white relations from 1492
10 to 1979 in the following manner:

11 "When the first white man
12 arrived in our home land, he
13 had the Bible. He handed the
14 Bible to our fathers. After
15 480 years of relationships we
16 now have the Bible and he has
17 all our land".

18 Missinipi people no longer believe
19 in the white man's laws, especially when it
20 relates to land and self-determination. During
21 Confederation in 1867, First Nations of Canada
22 were not invited to sit with the Fathers of
23 Confederation. It has been 125 years since First
24 Nations were neglected in nation-building. Times
25 have changed.

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 We see First Nations around the
2 world, whose populations exceed over four billion
3 people, taking their lives and destinies. I wish
4 to take this message to Parliament, that even
5 though we are only one million in Canada, there
6 are from three and half to four billion First
7 Nations coloured people around the world.

8 We, in Canada, should recognize
9 our right to govern ourselves as a nation inside a
10 nation. The First Nations of Canada are not
11 asking the white government of Canada for our
12 lands back. We are asking for equal footing with
13 white nations. We have already given the white
14 nations over 44 million square kilometres of land
15 in the entire western hemisphere, and 9.9 million
16 square kilometres of it is in Canada and over
17 200,000 square miles is in Treaty Six territory.

18 Where else in the world can you
19 find a people that are so generous? Attaining a
20 place in the Canadian Constitution is but a drop
21 in the bucket to what First Nations have already
22 given the white nations, whose governments are
23 predominantly white. I say this because even the
24 Prime Minister of Africa, whose history has always
25 been apartheid and white, has announced

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 disbandment of his white-dominated parliament and
2 to invite the First Nations of Africa to sit side
3 by side in the parliament.

4 The time is now for the Prime
5 Minister of Canada to lift up his iron curtain in
6 his palace in Parliament and to legislate at least
7 four aboriginal Members of Parliament for election
8 1993 and 1994. If not then Canada and the
9 parliamentarians are not sincere about self-
10 government. If the aboriginal people are to
11 obtain a place, their place in Canada, where laws
12 are made, if they are not there, a self-government
13 is going to once again be made for them by white
14 people.

15 I also would like to send a
16 message to the Assembly of Manitoba, to the
17 Assembly of First Nations, Chief Ovide Mercredi,
18 that these Commission hearings are very urgent,
19 are very important. He should listen to the
20 grassroots people as we are presenting to you.

21 That was our presentation and we
22 would like to once again thank the Commission for
23 taking the time. We can answer questions, if
24 there are any questions.

25 CO-CHAIR ALLAN BLAKENEY: Thank

1 you very much, Chief Bighetty. I think there will
2 be some questions.

3 I will start with one. As we
4 think of a model for aboriginal self-government,
5 we are pretty well -- I think the equality model,
6 which was one that was in essence offered in 1969
7 by the White Paper and was largely rejected by
8 aboriginal people at the hierarchial model, was
9 the one we had for some decades. It is the
10 breakdown of that model that causes all of us to
11 be assessing this matter. So we go on from there.

12 The multi-level system, I leave
13 that aside. We are talking about something more
14 than that. Territorial self-government combined
15 with something else in the urban areas or some
16 sort of provincial status or third level, those
17 are not mutually inconsistent.

18 I noted that you said upwards of a
19 million people in Canada, you talked about that.
20 That will include Indian, status or non-status,
21 Métis, Inuit?

22 **CHIEF PASCAL BIGHETTY:** Yes.

23 **CO-CHAIR ALLAN BLAKENEY:** If you
24 are thinking of a provincial status or a third
25 level of government with sovereignty -- if I may

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 use your terms, and very good terms they are, they
2 are precise terms. That was an interesting brief
3 in its precision.

4 Are you thinking of the
5 possibility of an aboriginal governmental unit --
6 I will call it a province like Tom Courchesne
7 calls it a province -- which will include all
8 aboriginal peoples? They would have to decide
9 whether they were aboriginals, it is a self-
10 selecting model, but this would include Métis as
11 well and we would have a legislature that would
12 represent aboriginal people?

13 I think I picked that up from your
14 presentation, but I don't want to put words in
15 your mouth.

16 CHIEF PASCAL BIGHETTY: Could I
17 maybe clarify that? When I said, I will use the
18 term provincial government or third level of
19 government -- in today's tough budget, I will just
20 give you an example, is the Department of Indian
21 Affairs. The treaty people have, let's say, about
22 \$4.5 billion a year, and that is for the treaty
23 people for medical services, for education and
24 etcetera, -- I am sorry, I made an error -- the
25 4.5 billion is exclusively for social services and

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 education and medical services has their own
2 budget also. I don't know how much it is. Also
3 you have the other legal counselling dollars.

4 Now, you have -- and I am sure the
5 other aboriginal people, the Métis, I am sure they
6 have a budget too, which is given to them by the
7 provinces. If we could amalgamate all these
8 aboriginal dollars given to the aboriginal people,
9 let's say, all the Métis, treaty and non-status,
10 suppose it comes up to about \$15 billion, I am
11 pretty sure I am just about -- I won't say I am
12 correct but just about in the ball park figure --
13 supposing they have that, they will be able to
14 administer their programs.

15 As an example, of the \$4.5 billion
16 given to the treaty people, more than half of that
17 goes to the civil service, to the big buildings in
18 Winnipeg, you know right across Canada. Very
19 little trickles through to the reserves. We can
20 take all of that and give it to the reserves, but
21 there has got to be a structure where we will have
22 to be accountable to Parliament, to Treasury
23 Board. If we can establish a form of self-
24 government on that mode, on that model.

25 CO-CHAIR ALLAN BLAKENEY: It is

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 useful, the figures don't necessarily have to be
2 accurate. We are talking globally now, but there
3 is no question that if Indian Affairs is spending
4 \$4.5 billion, and a fair bit of other money is
5 being spent by provincial governments and other
6 governments for aboriginal people who may not be
7 status, and this is through the health systems,
8 the education systems, the child welfare systems,
9 they all have big price tags for aboriginal people
10 just assuredly as they have for non-aboriginal
11 people, the amount of money being spent could be
12 of the figure that you mentioned. It could be \$10
13 billion even and that is more than is spent for
14 all governments in Manitoba.

15 If I roll in the provincial
16 government and the municipal governments -- I am
17 not talking now about the federal government for
18 the Armed Forces or anything like that, I am just
19 talking about the service delivery. The point you
20 make is that we shouldn't assume that aboriginal
21 self-government is going to cost all that much
22 more money.

23 There may be some extra money
24 involved, but it is very largely a reordering of
25 priorities and a redistribution of who has

1 responsibility for spending it that we are talking
2 about. That is a point that we want to make to
3 Canadians because some of them feel that
4 aboriginal self-government is going to be
5 horrendously costly. I think the point is that it
6 probably will not be because most of the money is
7 now being spent.

8 **COMMISSIONER PAUL CHARTRAND:**

9 Thank you, Chief Bighetty, for your excellent
10 presentation. I just have two brief questions.

11 I know that you have been
12 examining these different models for some time and
13 I would like you to elaborate, if you would, on
14 this particular point. It is unclear to me what
15 the relationship might be between what I
16 understand to be your suggestion for the
17 establishment of positions for four aboriginal
18 Members of Parliament in 1993 or 1994, you said.
19 What is the relationship between that and the
20 aboriginal province model that you mentioned?
21 Would you like to elaborate on that?

22 **CHIEF PASCAL BIGHETTY:** On that
23 proposal on the provincial status, on the third
24 level of government, where the aboriginal treaty
25 people in that forum could work in conjunction

May 20, 1992

446

Royal Commission on
Aboriginal Peoples

1 with the Métis people or the non-status they could
2 have their own form of government, but in that
3 provincial status or the third level of
4 government, the aboriginal treaty people will make
5 sure that they have their treaty rights protected.

6 Also, the Métis nations will also
7 ensure that their rights are protected too and
8 they will work together and make their governments
9 strong, because during Confederation in 1867 they
10 only established two levels of governments and
11 that is the federal government first and the
12 provincial government.

13 Why not Indian government this
14 time around, or an aboriginal government? When I
15 mentioned the Maury parliament gaining two seats
16 from them for the aboriginal people, I think it
17 has been in place there since the 1800's that four
18 seats to the Maury people. They are able to speak
19 for the Maury people.

20 I think if you compare the Maury
21 nation of New Zealand and the Canadian nations, I
22 think the Maury people are about 20 to 30 years
23 ahead of us in their plight to attain self-
24 government. We are following behind.

25 However, in history which has not

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 been told to us, the treaty of the Whatanyey in
2 New Zealand is the duplicate. It is the treaty
3 they bought from New Zealand and they just changed
4 a few words around on a treaty and called it
5 Treaty Number One, Two, Three, Four, Five and Six.

6 Then, as you know, in the studies
7 and even in your study poll, they did a commission
8 on the treaty in New Zealand which has now
9 accepted sovereignty to be entrenched in the New
10 Zealand parliament. This is exactly what we would
11 like to do here, is to try to recognize the
12 sovereign status of the First Nations and to
13 recognize that we do have a right to have our own
14 government inside a nation, a nation inside a
15 nation.

16 We don't have to be outside. We
17 can work with Canada because we are concerned also
18 if Quebec has the right to secede that that will
19 be detrimental to the aboriginal people of Canada
20 because their power is based on a strong central
21 government. If that is diminished the aboriginal
22 people are going to lose one seat and if Quebec
23 secedes you know there is going to be just like
24 the Commonwealth nations. Instead of having one
25 central government, we will be having 10

May 20, 1992

448

Royal Commission on
Aboriginal Peoples

1 independent governments, federal governments.

2 That is what we are afraid of.

3 I hope that I have answered your
4 four seats question?

5 COMMISSIONER PAUL CHARTRAND:

6 Thank you for that elaboration.

7 A number of people have been
8 working on the development of these models over
9 the last few years. Commissioner Blakeney
10 mentioned the published work by Tom Courchesne.
11 There is also the recent work published by the
12 University of Alberta Centre for Constitutional
13 Studies by David Elkins on a non-territorial
14 province model.

15 My point is that I would invite
16 you to continue to offer your views to the
17 Commission on these models as they develop. They
18 are very useful.

19 I wonder if I might ask one last
20 small point. If you would, for the record, care
21 to explain to us the relationship between the
22 Missinipi Nation in Treaty Six with the other
23 members of Treaty Six, who, if I understand these
24 things, are located in Saskatchewan. Would you
25 care to say maybe a thing or two about that, about

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 the identification between those groups in Treaty
2 Six?

3 And thank you very much.

4 **CHIEF PASCAL BIGHETTY:** Our
5 Missinipi Nation from Churchill River,
6 Pukatawagan, we are signatories of Treaty Six. We
7 are part of Saskatchewan. We are the only band in
8 Manitoba under Treaty Six.

9 Jokingly, Treaty Five people were
10 telling me that "Hey, you are intruding on Treaty
11 Five territory. Go back to Treaty Six." But we
12 have lived there from the beginning of time.

13 Then we were a migrating people.
14 The Churchill River extends from Alberta and
15 tributaries to B.C. and all the way to Hudson Bay.
16 Then we migrated for thousands of years. At one
17 time we would be at Hudson Bay, maybe at South
18 Indian Lake, maybe at Pukatawagan, maybe at
19 LaRonge, maybe at Lac LaRonge, and maybe in
20 Alberta. We kept this wide.

21 Missinipi means big body of water,
22 the Churchill River, and I guess the white people
23 or the Jesuits, I don't know who it was, said
24 Churchill River. But we accept that name, even
25 though it is Missinipi to us.

May 20, 1992

450

Royal Commission on
Aboriginal Peoples

1 CO-CHAIR ALLAN BLAKENEY: Thank
2 you very much, Chief.

3 We now move to the individual
4 presentations and the first one is Leo Marcellous.

5 Leo Marcellous. Welcome.

6 MR. LEO MARCELLOUS: Thank you.

7 CO-CHAIR ALLAN BLAKENEY: It is a
8 little hot in here.

9 MR. LEO MARCELLOUS: Yes, it is.

10 My name is Leo Marcellous. I
11 thank you Commissioners for being here. Good
12 afternoon to all, ladies and gentlemen.

13 I was just discussing some matters
14 out in the hallway here about -- first of all,
15 maybe I would like to say that I see many problems
16 with native people, our people, and I come here, I
17 think, with solutions. I would like to think I
18 have come here with solutions.

19 I find on my reserve it is, I
20 shouldn't even mention it, but we all know now how
21 native people live with violence, alcoholism.
22 There is no sense going into all that.

23 We find that Commissions like this
24 are here to study native people and why they are
25 the way they are.

May 20, 1992

451

Royal Commission on
Aboriginal Peoples

1 What I have found -- and I heard
2 some gentleman mention here earlier -- that the
3 way of life as a native person was lost.
4 Therefore, I see that when we study these people
5 all we find is that they are brown skinned and
6 that is as far as it goes.

7 We do not know how are forefathers
8 used to live, how they thought, our cultures, our
9 values. I see that all is lost. It was taught to
10 me by an Elder. We lived by four laws. White man
11 has ten laws or ten commandments and we have four
12 he said.

13 One he mentioned was faith and
14 when I started to learn this new way, I
15 questioned: Faith in what? I was taught the
16 things that are used, sweet grass, etcetera. I
17 learned that there is a faith, we have a faith in
18 which we call Creator or whatever.

19 Honesty was the next law or
20 commandment, whatever. In my community I do not
21 see faith. I do not see honesty. I do not see
22 kindness. I do not see caring and sharing. Of
23 all the things that are happening in my community,
24 I was taught to better myself as an individual,
25 for my mind to be good. Personal growth in my

May 20, 1992

452

Royal Commission on
Aboriginal Peoples

1 mind and then I will be able to help other people.

2 I was taught the four circles,
3 like I just mentioned. I, myself, or whoever, the
4 individual first, for his mind to be good, mind,
5 body and spirit. The second circle would be
6 family. To look after his family, to see his
7 family is well, that are living this way of life.
8 After you have done that you move on to the third
9 circle which would be community, where you are
10 helping your community with programs or whatever
11 it takes to help your community. The fourth
12 circle would be the nation, we are all people.

13 Today, I find, I look, I see in my
14 community everyone is working in the community.
15 So I find it is more or less the blind leading the
16 blind into nowhere. That is what I see. I see
17 that in all people where -- in my mind I see they
18 have no right being there because of the way I see
19 their lifestyles. I see how their children are.
20 I see how the past five years -- I will just say
21 five years -- how progress has been in my
22 community.

23 It has grown not for the better.
24 It has grown for the worse. I see the reason for
25 this. We have to go back to the old way of the

1 people, our forefathers, the way they used to
2 think, the way their values were of life.

3 Maybe I should mention here how it
4 was explained to me. How I caught on to this way
5 of life. How I began to understand it.

6 The Elder says -- and I will try
7 to make this fast -- Prime Minister Trudeau at one
8 time asked all native leaders to come to Ottawa
9 and he asked them: "What do you leaders want?"
10 What do you Indians want? The hands went up. We
11 want jobs. We want education. We want housing.
12 We want compensation. Trudeau at that time said
13 "Okay, then, I will give you these things.
14 Limestone. Gillum."

15 He gave them first chance at this.
16 He trained them in programs which taught native
17 people carpentry, heavy duty equipment, etcetera.
18 He gave them housing.

19 You go to my reserve and you look
20 at the houses today. Plastic in the windows. I
21 don't know if you have ever seen anything like
22 that, but I grew up and I have seen it. He gave
23 them education. He gave them grants to go to
24 school. Whatever the grants were to educate
25 themselves. He gave them compensation.

1 The point I am trying to make here
2 is I went to Limestone, I lasted maybe two months
3 at that time, because of alcoholism within two
4 months I was kicked off that project. I was given
5 a house and in a matter of months the windows were
6 out, there were holes in the walls. So much for
7 the housing.

8 All these things were given to me.
9 Compensation. Today if Brian Mulroney were to sit
10 right here and ask me: "What do you Indians
11 want?" I would certainly today say that you don't
12 have to give me a job, or you don't have to give
13 me a house. I will make my own house. I would
14 tell him that I want an understanding of my
15 culture. I want an identity, my identity, as a
16 native Cree person, how he is supposed to think.
17 These are things I would ask from him this time.
18 To teach other people this new way. Therefore, we
19 grow strong as native people.

20 With that I think the time is
21 running out. I thank you all very much and I
22 thank the Commissioners for listening this time
23 and I thank the people that are here.

24 Thank you.

25 CO-CHAIR ALLAN BLAKENEY: Thank

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 you for that presentation and you have put your
2 hand or fingers on the problems of your society
3 and many of those problems are the problems of
4 society in general, when you speak of the four
5 principles or laws of faith, honesty, kindness and
6 caring and sharing being not adhered to in
7 aboriginal communities as you would wish.

8 **MR. LEO MARCELLOUS:** That is
9 correct.

10 **CO-CHAIR ALLAN BLAKENEY:** I think
11 of the ten commandments of the Christian faith and
12 I would not want to test virtually any society on
13 whether or not -- look at the ads, are we -- thou
14 shalt not covet, is that the message? Or honour
15 thy father and thy mother. We have much to learn
16 from you people in that regard. Thou shalt not
17 bear false witness.

18 Again, if I hear what you say, we
19 are always trying to put a twist on something
20 which is essentially to make it false. All I am
21 saying is that while aboriginal communities have
22 certainly major problems in straying from the
23 faith, so indeed do other communities. So, it is
24 all not lost or we are all lost together. I will
25 put it that way.

May 20, 1992

456

Royal Commission on
Aboriginal Peoples

1 I think you put your finger on
2 another key matter in that until people are
3 comfortable and satisfied with who they are and
4 what their identity is, their problems will not be
5 solved by the mere provision of a house or
6 something of that nature. There has got to be
7 something more fundamental. That is a problem for
8 aboriginal people. It is a problem for quite a
9 few non-aboriginal people, and a look at our inner
10 cities will tell us that.

11 MR. LEO MARCELLOUS: I think I
12 should mention why I said that as a native people
13 we are lost to our culture. Maybe I should say
14 that it is like taking a wolf from his environment
15 and it growing up in the city or town and the wolf
16 therefore grows up not knowing what he is or how
17 he is, if he is fed three meals a day or whatever,
18 and taken outside.

19 If you take this wolf back into
20 the wilderness, I am sure he would not survive
21 there because of his loss of not knowing who he is
22 or what he is. A mouse would probably scare this
23 wolf who is a very cunning, vicious animal that
24 can bring a moose down in hunting.

25 Using the same principle towards

1 native people, that is what we are. We are lost.
2 We don't know our culture. If you look in the
3 institutions, federal or provincial, this is what
4 you find. Native people, 70 to 80 per cent of
5 these people all -- many streets across this land,
6 this is what you see is native people.

7 That is why I say we don't know
8 what we are, we are lost. If we go back to those
9 ways, all those teachings, I only mentioned four,
10 but with those four teachings it opens many other
11 doors, respect, honesty and many other things.
12 But it is like I say, this is how it works.

13 **CO-CHAIR ALLAN BLAKENEY:** I will
14 ask one more question, then ask my colleagues to
15 ask some.

16 Can you think of any particular
17 things that mainstream society, if I may call it
18 that, could do to assist aboriginal people in
19 reviving aboriginal languages and the knowledge of
20 and appreciation of aboriginal culture and that
21 sort of thing? What do you think might be done?

22 **MR. LEO MARCELLOUS:** I didn't
23 quite understand your question, mainstream
24 society, meaning who?

25 **CO-CHAIR ALLAN BLAKENEY:** Meaning

1 white society. If white society or the Government
2 of Canada, to whom we will make some
3 recommendations, were going to do anything to
4 assist aboriginal people to revive their language
5 and the appreciation for and love of their
6 heritage, what sort of things should be done?

7 MR. LEO MARCELLOUS: I would like
8 to see many more Elders coming to communities and
9 teaching us the old ways to fully understand our
10 culture. Maybe buildings where people could go to
11 learn these things. The way it is now, in my
12 community, if I was to speak like this I would
13 be -- you know, this guy is not well, sort of
14 thing, because of corrupt minds.

15 COMMISSIONER PAUL CHARTRAND:
16 Thank you for your presentation. I was intrigued
17 by your reference to people moving in the cities.
18 It reminded me of another ad which I think is
19 attributed to the Japanese, I am not sure though,
20 but I will pass it on to you and ask you if you
21 think that it makes the same point.

22 There was a great flood and a
23 monkey was stranded in the tree by this great
24 flood. As the raging waters are going by he
25 notices a fish struggling in the water below him.

May 20, 1992

459

Royal Commission on
Aboriginal Peoples

1 He goes out on the branch of the tree and he
2 reaches down into the waters and plucks the fish
3 out of the raging flood waters. Then it ends this
4 way, to his surprise the fish was not particularly
5 pleased that he had just been saved from the flood
6 by the monkey.

7 In any case, I only wanted to
8 thank you for your presentation. If I tried to
9 add a personal gloss to your presentation or the
10 remarks of Commissioner Blakeney, I am certain I
11 would only succeed in tarnishing them.

12 Thank you.

13 MR. LEO MARCELLOUS: Thank you.

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

16 Mr. Phillip Sinclair. A
17 presentation by Mr. Sinclair.

18 MR. PHILLIP SINCLAIR: Good
19 afternoon, ladies and gentlemen, Royal Commission.

20 I just have a short presentation.

21 I would like to present this
22 presentation on behalf of the Chief and Council,
23 and the Band members of the Shoal River Indian
24 Reserve.

25 My presentation presents the water

May 20, 1992

460

Royal Commission on
Aboriginal Peoples

1 pollution which runs from Swan River Valley and
2 other rivers and creeks that are connected to
3 Shoal River to the lake of Winnipegosis.

4 We also have a very important
5 concern about farmers that are upstream from our
6 river, as they build a lot of ditches and other
7 sources of disposals which runs through the river
8 right down the Shoal River Reserve. We have shut
9 down our pump house for the past year now, as we
10 cannot drink the water any more, for the purpose
11 of sickness, illness, other diseases, which affect
12 our health.

13 We get our drinking water from the
14 Métis side, in which an agreement was made through
15 Chief and Council to Mayor and Council. This
16 problem of water has been here for almost 10 years
17 in the Shoal River Indian Reserve.

18 So, as representative and a
19 council leader for my people, I would like this
20 matter to be taken into action for the purpose of
21 our people.

22 What I was thinking, maybe we
23 would get compensated for the damage that is done
24 by the farmers of the south area. This outlook
25 for the band would benefit the people of the Shoal

May 20, 1992

461

Royal Commission on
Aboriginal Peoples

1 River Reserve to have water and sewer system if
2 there was compensation in place for the Shoal
3 River Band, with an agreement to be made by the
4 Province and Federal Government of Canada.

5 Yours in brotherhood, Phillip
6 Sinclair.

7 CO-CHAIR ALLAN BLAKENEY: Thank
8 you very much. If I have got it right, you say
9 that there are pollutants being diverted into the
10 Shoal River upstream by farmers, and perhaps
11 others, and that it has made the water in the
12 Shoal River, which runs through your reserve, in
13 which you used for drinking water, undrinkable and
14 you have got to get your drinking water from the
15 Métis side. You feel that this situation ought to
16 be addressed.

17 That is a fairly definite problem.
18 Have you been dealing with the Manitoba Government
19 on this one for some time?

20 MR. PHILLIP SINCLAIR: We have not
21 approached the government, just the medical
22 services of Winnipeg, but we have been talking
23 about our water for the past years now and nothing
24 has come up yet.

25 CO-CHAIR ALLAN BLAKENEY: Indian

May 20, 1992

462

Royal Commission on
Aboriginal Peoples

1 Affairs would be well aware of the situation?

2 MR. PHILLIP SINCLAIR: Yes, they
3 are.

4 CO-CHAIR ALLAN BLAKENEY: Your
5 Band Council has not been in contact with the
6 Manitoba Government that you are aware of?

7 MR. PHILLIP SINCLAIR: No, we have
8 not.

9 CO-CHAIR ALLAN BLAKENEY: I can't
10 tell you how that would work in Manitoba, but if
11 it were in Saskatchewan the Department of the
12 Environment is supposed to limit the amount, or
13 regulate the amount of pollutants which flow into
14 any water course. People who divert things into a
15 water course are supposed to have a licence.

16 I can remember feedlots and these
17 sorts of things and you just can't set them up
18 beside a river because you are going to pollute
19 that river.

20 Well, I will not speculate on what
21 it may be in Manitoba. I will ask my colleague,
22 Mr. Chartrand, whether he wants to add any
23 comments.

24 COMMISSIONER PAUL CHARTRAND:
25 There is just one point that I would like to

May 20, 1992

463

Royal Commission on
Aboriginal Peoples

1 mention. I am not sure I understood your reply to
2 the question about the Department of Indian
3 Affairs. Have you contacted them and solicited
4 their assistance in this matter?

5 MR. PHILLIP SINCLAIR: One of the
6 Elder Directors for the representative of the
7 Shoal River Band, the SAPC, at the health centre
8 here, took samples. The CHR health representative
9 of the reserve took samples and we have been
10 sending the water samples to Winnipeg.

11 We have approached, like I said,
12 medical services and still they say it is
13 drinkable. To us, it is not. But other
14 management, we have not dealt with it with the
15 government.

16 COMMISSIONER PAUL CHARTRAND: You
17 have not asked the Department of Indian Affairs
18 for assistance?

19 MR. PHILLIP SINCLAIR: No, we
20 didn't. Just the medical services.

21 COMMISSIONER PAUL CHARTRAND: The
22 procedures are unclear to me. What I do know is
23 that the government has had an Indian Act in place
24 since 1876, charged with the responsibility for
25 administration of matters on Indian Reserves.

1 I also know that the courts in
2 recent times have begun to articulate the
3 existence of particular obligations on the part of
4 those officials, that they have a number of
5 obligations with respect to the administration of
6 Indian Affairs.

7 So it struck me that that might be
8 a place where you might want to seek assistance.
9 But it appears that you are saying that it is
10 being categorized as a health matter and therefore
11 others have undertaken to try to resolve the
12 problem.

13 MR. PHILLIP SINCLAIR: Yes, we are
14 looking at -- we have been talking about it as
15 Chief and Council that we have got to find a way.
16 That is why I brought this matter to the Royal
17 Commission. I just want to know how I can go
18 about it?

19 CO-CHAIR ALLAN BLAKENEY: I am not
20 sure we can help you, but would you mind giving
21 your name or the contact on your reserve, the
22 appropriate band official, to those people at that
23 table over there and we will try to -- and you can
24 get someone to write us a fairly full letter. We
25 will try to see whether it is worth your while to

May 20, 1992

465

Royal Commission on
Aboriginal Peoples

1 get in touch with the Government of Manitoba.

2 If the water quality is going down
3 because of what people are diverting into the
4 stream, the people down river have some rights.
5 We may or may not be able to help you, but we
6 would certainly be willing to try.

7 MR. PHILLIP SINCLAIR: Thank you
8 very much.

9 CO-CHAIR ALLAN BLAKENEY: Thank
10 you.

11 Mr. John Constant. Welcome and
12 feel free to begin.

13 MR. JOHN CONSTANT: Thank you.
14 Good afternoon, Commissioners, Elder George
15 Lathlin and people who are in attendance.

16 My name is John Constant and I am
17 the Treaty First Nations from The Pas Indian Band.
18 I have also made a presentation to the Manitoba
19 Métis Federation Royal Commission about some of
20 the things that I wish to talk about to this Royal
21 Commission.

22 As I heard some of the
23 presentations being made this afternoon, we
24 definitely have a plight. I think the first
25 mistake we made was welcoming that first white man

May 20, 1992

466

Royal Commission on
Aboriginal Peoples

1 in 1492, 500 years ago. They took advantage of
2 our God fearing nature of welcoming people into
3 our fold.

4 From then on others have tried to
5 look after us. They have taken away our culture.
6 A lot of people talked about it. When you take
7 away a culture from a nation of people and try to
8 teach them another culture, it does not work. It
9 doesn't work in South Africa. Even in developing
10 countries like Russia, their turmoil over there is
11 culture clashing, hierarchy developing their own
12 culture.

13 I left the force, the Royal
14 Canadian Mounted Police, in 1975. I made it a
15 point and a deliberate attempt to learn about my
16 culture. The culture that was passed on to me by
17 my parents, my grandparents and I am sure from my
18 great great grandparents. The solution that Mr.
19 Marcellous talks about is what I am here to offer
20 you.

21 I have in a pie shaped, 12
22 component -- first and foremost since like I said
23 we are a God fearing people. The culture that I
24 see as the number one priority in my life is
25 spirituality. Learning how to talk to the

May 20, 1992

467

Royal Commission on
Aboriginal Peoples

1 Creator, asking for the strength, the
2 understanding. Asking for the respect for others,
3 even though it is hard to do that at times.

4 Then I have respect for the
5 Elders, respect for the parents, respect for
6 myself, respect for others. Honesty, leadership,
7 parenting, life skills, coping skills, caring and
8 sharing. There are twelve components. I put it
9 in a pie shape and you can break that down into
10 the four directions, north, south, east and west.

11 Even further, break it down to the
12 four seasons, spring, summer, fall and winter.
13 Also, you can break that down into the four
14 components of life. The child, the parent, the
15 grandparent and the Elder. Generations have lost
16 the ability to acquire understanding, experience
17 and wisdom from the Elders, also from their
18 grandparents.

19 Many times you probably hear the
20 native people say my grandparents raised me.
21 Those are the teachers of love, respect, sharing,
22 caring. When you have a grandchild you show a
23 different love to your grandchildren.

24 When that child is finished and he
25 becomes a parent, then the parent talks to the

May 20, 1992

468

Royal Commission on
Aboriginal Peoples

1 Elder. The Elders pass on the wisdom, the
2 experience, the perseverance and a general well-
3 being of life as the understanding.

4 When parenthood is over then you
5 become a grandparent and then you have a chance to
6 dialogue with your grandchildren. When that is
7 finished you have a chance to dialogue with your
8 great great grandchildren.

9 It is a circle that is complete
10 but it never ends. It has a lot of respect for
11 the Elders. It has a lot of feeling, a lot of
12 sharing. It is a hard life to live, but for me as
13 First Nations I have to have these things in order
14 to survive.

15 I have allowed myself long enough
16 to be taken by my hand, now I am telling people
17 that I am taking back my culture. The only way
18 that anybody is going to take back my culture now
19 is to bury me. I think you are going to get a lot
20 of those very serious thoughts as you go through
21 the Commission hearings because if an individual
22 like myself has such a strong feeling about taking
23 things in my own hands now, I am sure that you
24 will hear from many others.

25 But that is not to say that the

May 20, 1992

469

Royal Commission on
Aboriginal Peoples

1 non-aboriginal people, the white people, aren't
2 any good. They are good. I always use them as an
3 example. When I look at the church on Sunday
4 morning, I see a lot of people. I sometimes go
5 and the church is full. But in my community,
6 sometimes you wouldn't even run out of fingers on
7 one side counting the congregation in my community
8 because we have lost so much over a period of
9 time.

10 So, we can't say that white people
11 aren't any good because they are good people.
12 That is why we talk about respect so much as a
13 native person.

14 Before I go I am going to give you
15 a short story that I have heard from one of my
16 nephews. In the early 70s, just before the James
17 Bay Agreement was signed, there was something that
18 happened. But I am going to start a little bit
19 after, a few years, more like last year when my
20 nephew had a chance to be in the position to take
21 over for a Chief who was sick.

22 He went over to Montreal to
23 demonstrate to the Quebec Hydro. He saw an
24 official, a very distinguished official from the
25 hydro, the hydro person was very happy to see him.

May 20, 1992

470

Royal Commission on
Aboriginal Peoples

1 Walked over to him and wanted to shake hands. He
2 blatantly refused to acknowledge him.

3 In some way his Chief heard about
4 it and called him in. He said, you know, before
5 the dam was built this one Elder, a very respected
6 Elder, the Chief and the hydro official boarded a
7 plane and circled the area where the land was
8 going to be flooded. He was talking to the Elder
9 and the Elder replied, "Yes, I know, but in spite
10 of knowing what you are going to do to my people,
11 I am still going to shake your hand because you
12 are my brother". He took the hydro officials hand
13 and shook it and he said, "That's hard to live".

14 When you talk about culture and
15 when you talk about respect, it can't be
16 superficial. It has to come from the heart and
17 this is what people have to learn. Anything that
18 they do, it has to come from the heart. But
19 before it can come from the heart, all the garbage
20 has to be cleaned up.

21 Before the Creator, God, before
22 the spirituality sets in, if you are at peace here
23 then everything will work right because God will
24 help our native people think. But since there is
25 so much garbage within us, it is going to take us

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 a while to take it out.

2 So I can say to Mr. Blakeney, you
3 are my friend, you are my brother, and not feel
4 guilty about it. I can say that to my fellow
5 native people and say you are my brother, you are
6 my sister. I have no problems with that. But I
7 have a lot of problems in saying that to non-
8 aboriginal people because I have to learn to get
9 that garbage out of myself so I will know what
10 respect means. But it is hard.

11 I was just told today that in a
12 news clip a non-aboriginal person ran over an
13 aboriginal girl, 15 years old, and got a \$1,500 to
14 \$1,600 fine and three months suspension. About a
15 year and a half ago a similar incident happened in
16 reverse. A native person ran over a white girl.
17 He got three years in jail. It is hard when you
18 start talking about the system, where is the
19 justice?

20 In order for anything to work, we
21 know what the problem is. We know where it came
22 from. Where it started. Why it started. I know
23 how to remedy it, and that is to give us a chance
24 to make our own mistakes. Give us a chance to
25 educate our own people. Give us a chance to be

May 20, 1992

472

Royal Commission on
Aboriginal Peoples

1 independent. You don't have to teach us that we
2 are savages, that we are murders. That has been
3 done for centuries.

4 We have to teach our children that
5 they can be professionals, they can be lawyers,
6 they can be politicians, they can be respected
7 leaders of our community. To me that is what you
8 call grassroots. The children, the future leaders
9 of these communities, they have to be taught.

10 Not long ago we were watching TV.
11 My wife and I adopted two little boys, a four and
12 a five year old, two little brothers. The two
13 little boys were watching TV, a John Wayne movie.
14 I said, "Son, who are you?" Like that. "Are you
15 an Indian?" He said, "No." "Why aren't you a
16 little Indian?" "Because they are bad." "Well,
17 who am I?" He said, "You are an Indian." "Do you
18 call your dad bad?" He said, "No, you are not
19 bad. You are a good dad." "Well, why don't you
20 want to be an Indian?" "Because they are bad."

21 You see, even at four and five
22 years old they have picked that up, and those are
23 our grassroots.

24 We have to turn the ship around
25 and teach them. Teach them their culture and

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 their value, so they can be proud. So we can
2 plant our grassroots, we can give them wings so
3 they can soar any place. They can go and work
4 wherever they want. So they can feel good inside.
5 So they are not shy and don't feel detrimental to
6 help culture. They can survive.

7 They can be professors at the
8 universities. They can be lawyers. They can be
9 doctors. But first we have to help them clean all
10 the garbage out that has been going for many many
11 centuries.

12 Thank you very much, I could talk
13 like this for a week but I am just trying to make
14 it short. Thank you.

15 **CO-CHAIR ALLAN BLAKENEY:** Thank
16 you very much, Mr. Constant, for that thoughtful
17 and thought provoking presentation.

18 I think we will all ponder what
19 you said.

20 I won't direct any questions to
21 you, but I will ask my colleagues, Mr. Chartrand
22 and Mr. Lathlin whether they wish to ask any
23 questions or make any comments.

24 **COMMISSIONER PAUL CHARTRAND:** I
25 don't wish to ask any questions.

May 20, 1992

474

Royal Commission on
Aboriginal Peoples

1 I do want to thank you for your
2 presentation and I think it is fitting,
3 particularly since this is the last presentation
4 that we are hearing in The Pas, for me to see that
5 with respect to one of the points that you made
6 about aboriginal people and having people that one
7 can be proud of. I am glad to be able to say that
8 there are such people from The Pas and other
9 places from this region in northern Manitoba.
10 Some of them are my personal friends and many of
11 them are well-known people, not only in the
12 Province of Manitoba, but across this country.

13 I do thank you for your
14 presentation.

15 MR. JOHN CONSTANT: Thank you.

16 Mr. Blakeney, I just want to make
17 one comment. I don't expect the people to really
18 understand what I have said, but if you take it to
19 heart and learn it maybe it wouldn't take you 34
20 years to understand it like I did.

21 Thank you very much.

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

24 COMMISSIONER GEORGE LATHLIN
25 (through Translator): Thank you, John, for

May 20, 1992

Royal Commission on
Aboriginal Peoples

1 bringing to our attention all those things that
2 you mentioned. Thank you for your presentation.
3 I am very very definite that our culture is very
4 difficult to get back because of the way that we
5 grew up. It is very very difficult and there was
6 a lot of distractions in our way and in our life
7 and all these are wasted.

8 Thank you very much, John. Thank
9 you very much.

10 MR. JOHN CONSTANT (through
11 Translator): That is the thing I mentioned, John,
12 that we have to have great faith in God, to have
13 great respect of our Elders and our parents, to
14 have respect for ourselves.

15 Also, to try and correct our lives
16 in the future, to be good parents and also to be
17 able to be good providers, and also to try and
18 live up to our standards. Also, to be quite
19 content to talk about things and talk about love
20 and also to love each other. These are the things
21 that I am talking about. The things that we have
22 to want and not trapping, fishing and hunting. I
23 am talking about life in general. These are the
24 things that I wanted to stress. I want people to
25 understand what it is like that we have to meet up

May 20, 1992

476

Royal Commission on
Aboriginal Peoples

1 with what we left far behind.

2 Thank you George.

3 CO-CHAIR ALLAN BLAKENEY: This
4 brings to an end our hearings in The Pas.
5 Tomorrow we will be doing some community visits to
6 the band and we will do a health services store
7 and we will be over at Keewatin Community College
8 and a number of other facilities.

9 Just before I call upon the Drum
10 Group, if they are still available, and Elder
11 George Lathlin to do the closing prayer, I want to
12 express our thanks to all of the presenters, to
13 The Pas reserve and band for being our hosts and
14 in particular, Chief Flett, to Mr. Edwin Jebb and
15 the Opasquiak Education Authority Incorporated and
16 the staff of this magnificent Joe A. Ross School;
17 The Pas Friendship Centre, the Circle of Hope for
18 providing us with coffee and bannack, our
19 interpreter, Ernest Constant; our local
20 representatives of the Royal Commission on
21 Aboriginal Peoples and the rest of the staff of
22 our Commission, particularly our local
23 representatives Pat Brewter and Nathan McGillbury;
24 and of course, a special thank you to the drum
25 group, the Northern Buffalo Presingers and to

May 20, 1992

477

Royal Commission on
Aboriginal Peoples

1 Elder George Lathlin who has been with us here
2 these several days assisting us in meeting the
3 presenters and assisting us in understanding what
4 was being said by the presenters in a way which we
5 couldn't possibly do. A special thanks to you,
6 Elder Lathlin.

7 Before the drums we will have
8 Elder Lathlin give a prayer.

9 (Prayer)

10 MR. NATHAN MCGILLVARAY: The Drum
11 Group will be making a retreat song meaning that
12 we will leave the room. They have identified the
13 song as the Saskatchewan River Song as part of our
14 retreat and thank you very much for joining us.

15 We will ask the Commissioners to
16 lead the way out and everybody else will follow.

17 (Drum Group)

18

19 --- Whereupon the Commission adjourned at 5:15
20 p.m.