

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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Ontario

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"for the record..."

STENOTRAN

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1 Sault Ste. Marie, Ontario

2 --- Upon commencing June 11, 1992, at 8:54 a.m.

3

4 **COMMISSIONER GEORGES ERASMUS:** I think
5 we are going to start. I will ask people to take their
6 seats. We are going to start with an opening prayer.
7 Jerome Syrette will do that for us.

8

9 (Opening prayer in native language.)

10

11 **COMMISSIONER GEORGES ERASMUS:** Thank
12 you for a wonderful opening prayer. Before we start, I
13 would like to ask people to bear with us today. We expect
14 this place to get warm as the day goes on, so we would
15 like, if possible -- and it is also a small enclosed area
16 -- for those people who smoke, if you could, please, go
17 outside and do that. I expect it is going to get a little
18 smoky in here in addition to the heat if we have people
19 overdoing the smoking in this little enclosure.

20 Welcome to the hearings of the Royal
21 Commission. This Royal Commission was appointed last
22 August. It has seven commissioners on it. We are now
23 travelling in three groups. We have two Commissioners

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1 here, myself and Viola Robinson, sitting next to me.

2 We can hear presentations on any of the
3 parts of our mandate. It is very varied. It is quite
4 comprehensive and, obviously, anyone can present to us,
5 whether they are aboriginal or not.

6 This Commission is unique in a number
7 of ways. It has a mandate that covers all aboriginal
8 people and all of the country and it has an aboriginal
9 majority. Of the seven Commissioners, four of the
10 Commissioners are aboriginal.

11 We have Viola Robinson who has stepped
12 down from the Native Council of Canada leadership to accept
13 this position. We also have Mary Sillett, an Inuit, that
14 stepped down from the vice-presidency of the ITC, the Inuit
15 Taperis of Canada, that is the national Inuit organization.
16 Plus, at the same time she was the President of the Inuit
17 Women's organization. She stepped down from that also.

18 The other aboriginal person, besides
19 myself, is an aboriginal lawyer, a Métis from Manitoba,
20 Paul Chartrand, who is a Professor at the moment at the
21 University of Manitoba.

22 My name is Georges Erasmus. I am a Dene.
23 I am from northern Canada. Not too long prior to

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1 accepting this I had stepped down from the National Chief
2 position of the Assembly of First Nations.

3 The non-native people on the Commission
4 start with the co-chair, an individual by the name of Rene
5 Dussault who is a Judge from Quebec in the Appeal Court,
6 Bertha Wilson, who was formerly on the Supreme Court of
7 Canada and Allan Blakeney who was the former Premier of
8 Saskatchewan.

9 So, the other Commissioners are
10 travelling in two other places in the country right now.
11 We are travelling in three groups so we can cover as large
12 an area as possible.

13 The Commission can hear submissions on
14 just about anything, but just to give you some of the ideas
15 we can hear presentations on self-government, on what
16 people's ideas are on self-government. If people have
17 any concerns, they can present them to us. If they have
18 any ideas on how it should be implemented, we would like
19 to hear about them. Social issues -- we have been hearing
20 about the kind of problems people have in their
21 communities, whether it is in urban areas, on reserves
22 or Métis colonies.

23 We would like to hear about the problems,

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1 but we would also very much like to hear about the
2 solutions.

3 The primary objective of the work of this
4 Commission is to find the long-term solutions.

5 We can deal with economic issues,
6 whether it is traditional activity on the land, hunting,
7 fishing and trapping or full wage employment, industrial
8 development and so forth.

9 Everyone is well aware that aboriginal
10 people have a high unemployment problem in their
11 communities. We would like to hear, not only the numbers,
12 but we would like to hear of people's ideas and how we
13 can resolve those issues. That is why we are holding
14 hearings.

15 We know the problems are there. We are
16 looking for the solutions. So, we would like people to
17 assist us with that.

18 We can deal with land questions, whether
19 it is the aboriginal title issue in British Columbia,
20 treaty issues in the prairies, comprehensive claims in
21 the north, Métis aspirations for a land base. We can hear
22 any of the issues dealing with land, expansion to reserve,
23 et cetera, treaty land entitlement, whatever is the

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1 particular issue, in your area.

2 We have been mandated to deal with both
3 self-government and justice. There have been many
4 inquiries in Canada on justice, Manitoba, about a year
5 or so ago. They just finished a report, the Donald
6 Marshall Inquiry in Nova Scotia, and in places like Alberta
7 and Saskatchewan they have also done some studies into
8 justice. We would like to build on those studies that
9 have occurred to date and come up with the final solutions
10 on whether there should be a separate justice system or
11 if we are talking about simply modifying a present Canadian
12 justice system or if we are talking about both.

13 We are supposed to make sure that by the
14 end of our work that we have a very good impression of
15 both youth, elder issues and women's concerns and
16 aspirations for the future. So, it is very important for
17 us to hear from those sectors of the aboriginal community.

18 In addition, the future of Indian
19 Affairs, the Indian Act, is all tied into our mandate
20 because we are talking about self-government and more
21 control for aboriginal people, so obviously if there are
22 going to be aboriginal governments, and it looks very much
23 like there is going to be, in this country, then we are

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1 talking about different relationships. We are talking
2 about the relationships between aboriginal people and the
3 rest of this country being on the basis of government to
4 government and obviously having a lot more control, so
5 it naturally means that there will be change for the
6 Department of Indian Affairs and there will be change for
7 provincial governments and other federal departments.
8 So, we have a mandate also to deal with those issues.

9 Things like taxation, finances for
10 aboriginal governments is very much a part of our mandate.
11 Culture, language -- we have heard a lot about the impact
12 on aboriginal languages, the impact of residential schools
13 and the very strong concern that there still is amongst
14 aboriginal people to preserve their culture, their values,
15 their traditions and to do whatever is necessary to bring
16 back the languages of the First Peoples here.

17 That gives you a general idea, but
18 obviously, since we are dealing with all of the aboriginal
19 people, we also very clearly have Métis issues as part
20 of our concern, Inuit issues, the treaty issues, status
21 Indians, and another relatively big issue with us is
22 aboriginal people living in an urban setting.

23 In addition to holding hearings like

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1 this, we are doing some research and we are also going
2 to be conducting round-table discussions. The first one
3 is in a couple of weeks in Edmonton. It will be on the
4 issues of aboriginal people living in an urban setting.

5

6 We will be holding round tables on other
7 issues, youth, women, elders, and probably the north, which
8 is another subject heading that we can deal with is issues
9 of northern aboriginal peoples.

10 In addition to the Commissioners that
11 I introduced here, I would like to introduce some other
12 people that we have with us. The staff -- we have Ava
13 Hill who is sitting at the table over there, Tammy Solace
14 who is team leader here, Dolores Comegan, Al Gabriel, over
15 here, Brad Michael and we have a court reporter with us,
16 Bill Jones, and that instrument that he has on his face
17 there does not mean that he is taken ill. He is recording
18 everything that we are saying.

19 Our committee representative here is
20 Carol Simoncini.

21 We have a couple of Commissioners of the
22 day with us and we are hoping to have another one a bit
23 later. The Commissioners of the day are Jerome Syrette,

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1 the elder who did the morning smudge before we started
2 and then this wonderful prayer we just did, and Michael
3 Cachagee is another Commissioner of the day. We have a
4 youth Commissioner, Trixie Jones, who will join us in a
5 little bit.

6 So, we are going to begin right away and
7 I am going to be asking Michael here to introduce people
8 as they come forth, say a little bit about the individuals
9 just so we have something on our official records about
10 the individuals who speak here.

11 Perhaps you could start by introducing
12 Mary there.

13 **COMMISSIONER MICHAEL CACHAGEE:** Our
14 first presenter today will be welcoming remarks and is
15 from Mary Desmoulin and she is the Executive Director here
16 at the Friendship Centre. I think she has been here, what,
17 five years now, Mary? Seven years. That shows you how
18 long I have been away. Mary is going to open now.

19 **MARY DESMOULIN, SAULT STE. MARIE**
20 **FRIENDSHIP CENTRE:** Before I begin, I would like to welcome
21 the Aboriginal Royal Commission to the Indian Friendship
22 Centre on behalf of the board and staff of the centre.

23 It is, indeed, a great pleasure to be

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1 able to provide you this service and it is also a great
2 pleasure for us in this community to be able to address
3 some of the issues that come to us on a daily basis,
4 concerns, issues that urban native people tend to face
5 in this community.

6 In going back to how the friendship
7 centres originated, I think maybe that is one of the things
8 we should do today is just give you a little bit of a profile
9 where friendship centres started. They started in the
10 early 1970s.

11 I think the old reason behind having the
12 Friendship Centres was to have a medium or a place where
13 people can gather, especially people that were migrating
14 from further communities from the north and communities
15 from other areas. They wanted to have a place where people
16 can meet and talk to each other and get to know each other.

17 That is how it started. It started as
18 a social type of a gathering place. Over the course of
19 the years it became where people were coming in and looking
20 for some kind of assistance. Can you refer us? Can you
21 help us finding housing? Can you help us do this? It
22 was a request on behalf of the urban native person that
23 was a new resident in this community or in any community.

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1 Our particular centre started in 1972.

2 It was incorporated then with the same idea of having
3 a medium and a place for people to gather.

4 Over the course of the years we started
5 off with different programs. I think the first initial
6 programs that started here was the Native Employment
7 Outreach Worker. This was under the Employment Centre.

8 The Little Beavers Program came into place and the
9 Criminal Corporate Program came into place shortly after
10 that.

11 At the present time the centre here now
12 is situated in two different offices here in the city,
13 but we also have two outlying offices in Hornepayne which
14 we try to keep in touch with and I make usually visits
15 to the centres out in Hornepayne every two months. I try
16 to run into them and talk to them and see what is happening
17 with them, but there is continuous daily contact with these
18 people.

19 I think our main focus in having the
20 Friendship Centres and what we want to do and what we have
21 been doing so far, in the last 20 years we have made
22 significant success in aspiring to our goal, which is to
23 improve the quality of life for native people in an urban

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1 environment by supporting self-determined activities
2 which encourage both equal access to partnership in
3 Canadian society and in native culture distinction. That
4 is our ultimate goal.

5 Our ultimate goal is to provide people
6 with a service. We never close our doors to anyone,
7 whether it be native or non-native.

8 In going back and making this
9 presentation a little shorter, I would like to say our
10 major concern right now is with -- my major concern, I
11 should say, because I am the one that is really voicing
12 this concern, is towards our children.

13 Over the last few months and over the
14 last years I have heard the governments, all levels of
15 government, telling us "oh, we have a concern of our
16 children" and I believe they rightly do so, but they are
17 taking poor action towards this concern. The poor is that
18 the major, the very essence of these people, of these young
19 people's lives, is taken away from them, the essence of
20 having a proper education, the essence of having good
21 health services, the essence of having a spiritual
22 developing type of programs for them in our centres.

23 Every time I hear the government

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1 officials at the federal level or at the provincial level,
2 whatever level it may be, when they address to the people
3 and say: "Well, we have a concern for our children", but
4 yet nothing is being done.

5 I want something done for our children
6 because we do not stand behind our children now today.
7 We do not guide them and give them the proper direction.
8 We can only hope that we will have the rightful people
9 sitting just as you people are right now today. These
10 are the concerns that I have.

11 My whole staff that I have here has a
12 concern towards children in different areas. Some have
13 concerns where their education is concerned, yet cutbacks
14 have been made on education. Their health is concerned.
15 Cutbacks have been made in health.

16 They have been saying: "Well, we can
17 only provide you with so much and that's that". It is
18 even more difficult for urban native people because we
19 do not have that access of being able to say: "Well, I
20 have got the money that I can go and buy a drug that the
21 doctor has prescribed for me." They are not always covered
22 because maybe at some point in their lives they have been
23 taken out of the context of band membership.

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1 So, when I am addressing with the
2 children, I am thinking of everything about them. I am
3 thinking about their spiritual development, their personal
4 growth, their emotional growth, everything about them,
5 because as we sit here today we can address all of these
6 things, but if no action is taken, then we should not expect
7 to have good leaders 20 years from now.

8 We have to think of our future. I may
9 not be around, but I do know for a fact that my grandchildren
10 will be here and I would like to see them have the same
11 opportunity, the same kind of things that are available
12 to every other person in this community and in this Canada.

13 Thank you.

14 **COMMISSIONER GEORGES ERASMUS:** Thank
15 you. Could you just wait a little bit, please.

16 We generally, if you don't mind, ask just
17 a few questions. As the day goes on we may find that we
18 are rushing for time so we won't have any time for
19 questions, so at the moment we might. Viola, do you have
20 any questions?

21 **COMMISSIONER VIOLA ROBINSON:** I would
22 like to thank you for your presentation here this morning.
23 I just wonder about services. You are delivering some

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1 services and support for the urban constituency here and
2 you are having a problem here. For instance, what is it
3 that you do with respect to education?

4 **MARY DESMOULIN:** At the present time we
5 have our community worker who looks after education for
6 us and she does a lot of the schools, which is not part
7 of her mandate really, but because we do not have anybody
8 to represent the schools and to be able to say to go to
9 the schools to teach the languages, to teach the arts and
10 crafts, we would not have any contact with the schools
11 and we would not have any contact with our children. So,
12 this is one way of our community worker doing this job.

13 **COMMISSIONER VIOLA ROBINSON:** Are there
14 a large number of aboriginal children going to the schools
15 here?

16 **MARY DESMOULIN:** We have a fair amount
17 because the population here itself in this particular
18 community as far as aboriginal people go is anywhere from
19 three to four thousand.

20 **COMMISSIONER VIOLA ROBINSON:** Are you
21 the only delivery group here that delivers any kind of
22 support services for aboriginal people?

23 **MARY DESMOULIN:** We are not the only

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1 group, but I think we are the only group that pays a lot
2 of attention to education as far as where children are
3 concerned and youth people as well.

4 **COMMISSIONER VIOLA ROBINSON:** And
5 health. Is it safe to say that the majority of the clients,
6 clientele having problems with, say, resourcing for health
7 services, would be probably those that might not be
8 registered with Indian Affairs?

9 **MARY DESMOULIN:** They may not be
10 registered or they may be band -- you know, they are under
11 the Bill C-31 and sometimes that takes time. I have had
12 incidences and I have had reports from the community
13 members saying: "Well, it is taking me time to get
14 registered" and the prescription was given out to this
15 person. They had to go to the drugstore. The drugstore
16 cannot -- not accept that they are not on the band listing,
17 so the drugstore says: "Well, we don't have you on the
18 band listing so, therefore, we can't accept you right now
19 at the present time." And then they say: "Well, you know,
20 but we are reinstated and this is our reinstatement" --
21 if they are not on the listing, they won't accept them.
22 They won't accept them.

23 It is so much with the drugstore people

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1 because they can only do so much.

2 **COMMISSIONER VIOLA ROBINSON:** I think
3 there might be something that could be clarified that can
4 be looked at rather quickly from our point anyway through
5 the staff because that should not be so and that is
6 something that I think just needs some further
7 clarification or something.

8 **MARY DESMOULIN:** To go further on this,
9 Ms Robinson, I would like to address that. In our
10 centre here we had a program up until the end of March.
11 It was a six-month program which was initiated by the
12 Family Support Program to bring in a health worker and
13 to bring in a person who was going to be teaching nutrition,
14 helping with nutrition classes, helping with exercises,
15 teaching people that exercise is as important as eating
16 properly. At the end of March, the program continued
17 because we were given money by the government, by this
18 particular agency, particular ministry, that only allowed
19 us to service this program for six months.

20 This program was very successful. We
21 had the kind of people that we wanted in here to be
22 interested in nutrition. We addressed it to the children
23 as well as to adults, as well as to senior citizens. The

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1 adults we covered were from the area of young mothers and
2 pregnant women and they had their time to have this done.
3 Then, they also had their time where we had the elders
4 come in and this was something we were doing positive,
5 and all of a sudden it was cut off.

6 This is what I have been trying to tell
7 the ministries, why give us money for one time? Where
8 do we get the money to continue on with this? We were
9 doing really well. We were getting the people involved.
10 They were coming in and they were interested. Prevention
11 is the first force of any disease, preventing and making
12 people understand, but we cannot seem to make headway with
13 the ministries, one time projects and that is it, and that
14 is not good enough.

15 **COMMISSIONER VIOLA ROBINSON:** Thank
16 you.

17 **COMMISSIONER GEORGES ERASMUS:** Do
18 either of the Commissioners of the day want to say anything
19 or ask questions?

20 I was a little interested in what you
21 were saying about if we don't do something now with young
22 people, in 20 years time we will not have the good leaders
23 that we need.

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1 What kind of programs are you talking
2 about or what kind of services? What kind of action are
3 you talking about?

4 **MARY DESMOULIN:** I would like, in this
5 centre particularly, I would like to see where we could
6 have a drug and alcohol worker. I would like to see more
7 programs in health. I would like to have more input in
8 our educational system.

9 Those are the areas that I am interested
10 in. The other part of the area is our own spirituality.
11 We can address that and ask our elders to guide us and
12 advise us on these areas. But those are areas that we
13 do not have this kind of money to be able to do anything
14 with and if we are handed money, it is in very small amounts.

15 **COMMISSIONER GEORGES ERASMUS:** Okay,
16 thank you.

17 Our next presenters are from the Ojibwe
18 Peacekeepers Society and Paul Stevens, Wallace Belleau
19 and Bob Pelletier is here too.

20 While these people are sitting down, I
21 would just like to remind people that we are discouraging
22 people from smoking in here, if you don't mind. Please
23 bear with us. To those of us who have to sit here all

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1 day, it is going to get a little stuffy. I have not noticed
2 anybody smoking, but as Mary was just saying, prevention
3 is 90 per cent of the story here. Thank you.

4 Please use the microphone so we can
5 record what you are saying.

6 Welcome everybody. Start whenever you
7 are ready.

8 **PAUL STEVENS, OJIBWE PEACEKEEPERS**

9 **SOCIETY:** Good morning. On behalf of the Peacekeepers
10 Society, I would like to thank the Indian Friendship Centre
11 for their invitation.

12 Before we get started, the peacekeepers
13 would like to do our opening ceremony.

14

15 (Opening ceremony by Ojibwe Peacekeepers Society)

16

17 **PAUL STEVENS:** Thank you. What the
18 peacekeepers would like to do is give you a presentation
19 on the issues that we feel are important, but before we
20 get into that, we will give you a short overview on who
21 the peacekeepers are.

22 The Ojibwe Peacekeepers Society is an
23 organization of concerned native and interested

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1 non-natives who are dedicated to the pursuit and the
2 advancement of aboriginal issues. The society acts as
3 an advocacy group to ensure that treaties are adhered to
4 and the protection of our territories covered within the
5 treaties. The peacekeepers are also prepared to protect
6 citizens in their own land from outside forces if so
7 requested by that tribal government or that particular
8 First Nation.

9 We are not interfering with the
10 sovereign jurisdiction of any First Nation unless
11 requested by their legally recognized government. The
12 Ojibwe Peacekeepers Society is not a para-military group
13 or organization. It has set for itself a high moral
14 standard of its members to adhere to in order to qualify
15 and retain membership within the movement.

16 The peacekeeper's presentation to the
17 Royal Commission will convey our concerns with issues that
18 reflect the possible abrogation of our tribal rights.
19 These are a result of some First Nations and other
20 aboriginal organizations pursuing their own
21 self-government agenda to the expense of the collective's
22 well being. Our most important, prominent concern is the
23 apparent lack of responsibility displayed by thee groups

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1 towards the sacredness and the legality of the contents
2 of our treaties. We are deeply concerned with the
3 possibility of having many of our treaties circumvented
4 due to the actions by some special interest organizations.

5 Now, that introduction gives you an idea
6 of what the peacekeepers group is all about. Another
7 member of our group will give you more in depth of our
8 concerns, concerns we would like to get across.

9 **WALLACE BELLEAU, OJIBWE PEACEKEEPERS**

10 **SOCIETY:** My name is Wallace Belleau. I am a member of
11 the Peacekeepers Society. I would like to read you a
12 prepared statement and also give you some statements of
13 my own and observations.

14 The Ojibwe Peacekeepers Society is a
15 community based advocacy and action group of dedicated
16 native and non-native persons that have been organized
17 to address issues that threaten to abrogate the sacredness
18 of the treaties and the traditional land base. During
19 the Oka crisis it became apparent to the founders of the
20 Ojibwe Peacekeepers Society, native people in Canada could
21 not rely on the Government of Canada to live up to their
22 obligation as allies and protect our lands.

23 Instead of protecting these lands as

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1 allies, the Canadian government criminalized the actions
2 of our Mohawk brothers and sisters as they attempted to
3 protect their lands from the invaders.

4 One disturbing point about the Oka
5 crisis from our perspective was the fact that the Mohawk
6 Nation has always been a military ally of the British Crown,
7 yet during this crisis found themselves under siege from
8 the Canadian forces. We still believe the standard norm
9 for one to qualify as a member of the Canadian Armed Forces
10 is to swear allegiance to the Queen. This being fact,
11 we question the whole process of the protection and
12 ensurance of our treaties and lands if left to the Crown
13 as the enforcing power. Furthermore, we believe
14 the protection of our lands as sovereign nations is
15 guaranteed by international law. Needless to say, we
16 became very concerned as a result of the position displayed
17 by the Government of Canada during the Oka crisis.

18 We have taken the initiative to begin
19 a process to inform as many of our people at the grass
20 root level to be aware of this precarious position we may
21 find ourselves in today and in the future. We feel the
22 responsibility for the protection of our lands and treaties
23 cannot be entrusted to the Government of Canada and must

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1 be taken up and returned to aboriginal nations.

2 I stress this and I would just like to
3 stop here and make a comment about this in explaining it.

4 We look at the Royal Proclamation of 1763
5 where the Canadian government and governments of the Crown
6 were told not to harass or bother Indian people. They
7 continue to harass and bother Indian people. They do not
8 listen to their laws. In some cases it is in the
9 Constitution they make laws to protect us. They allow
10 provincial governments and other governments, Quebec for
11 instance, in the Cree situation.

12 Also, in Quebec they had the Suui case
13 where the Supreme Court of Canada ruled in favour of Suui
14 for the Huron people not to be molested while doing their
15 traditional ceremonies. They went to the Supreme Court
16 of Canada, won the case, yet Quebec keeps breaking these
17 laws and harassing these people.

18 We look at the Treaty of Vienna where
19 it states that no country can make laws which abrogate
20 or supersede treaties. Canada is a signatory to this law,
21 yet they keep harassing guys, harassing our hunters,
22 fishermen and breaking their own laws to harass our people.

23 I ask the Commission and I challenge the

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1 Commission on this, who is to say when the Commission comes
2 in and fulfils their role as a Royal Commission that Canada
3 is going to follow their laws and situations are set down.

4 Looking at the past history of the
5 Canadian government, I believe they are not to be trusted.

6

7 I will read on again.

8 One other issue we wish to raise today
9 is the question of sovereignty. In the Province of Ontario
10 most of the lands have been dealt with in a treaty process.

11 These treaties are either pre-confederation or
12 post-confederation and encompass a large portion of the
13 First Nations and their traditional lands.

14 Our concern is the status regarding the
15 sovereignty our nations have traditionally exercised over
16 these treated lands. We firmly believe that as
17 signatories to these treaties, any negotiations that will
18 have a direct or indirect influence on these treated lands,
19 the involved First Nation has to be included in the process.

20

21 We cannot accept the position being
22 taken by one particular aboriginal organization in this
23 province that has taken upon itself to circumvent and

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1 compromise the First Nations and begin a separate process
2 of land base negotiations with the provincial government.

3

4 The lands covered in these treaties are
5 shrinking as the province continually disposes of these
6 lands and designates them for private use. The First
7 Nations that are dependent on these lands for the pursuit
8 of their traditional hunting, fishing and gathering
9 techniques are beginning to find themselves at a distinct
10 disadvantage to continue their lifestyle.

11 This, unfortunately, is becoming quite
12 common in the territories that were at one time to be
13 isolated and beyond the encroaching dominant society.

14 There is one issue we feel requires
15 immediate redress. During our travels to different native
16 communities -- I would like to stress in this too, we are
17 not the only peacekeeping group. We have peacekeeping
18 groups in other parts of Ontario, and we travel around
19 to these different groups and we learn from them how each
20 community is going and we talk political issues, land
21 issues and other things -- we found a complete void in
22 the area of information on these issues surrounding
23 aboriginal self-government.

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1 The grassroots people lack in the basic
2 concepts of what aboriginal self-government will entail
3 and basically what is happening in the whole process.

4 There appears to be a limited number of
5 our leaders that have this information on native
6 self-determination. However, there is no communication
7 with any of the grassroots people. You know, we have
8 people negotiating right now self-government and I do not
9 know what the hell is going on.

10 We believe that the diverse composition
11 of our members' ethnic backgrounds and the fact that we
12 are all volunteers allows the Ojibwe Peacekeepers Society
13 to be objective and unbiased when opinionating our
14 perspectives and concerns.

15 We do not attempt to be swayed by popular
16 opinion or by the influences of special interests or fringe
17 groups. Our sole purpose is for the betterment of all
18 aboriginal people and as the need arises where we have
19 to openly criticize one particular group or nation that
20 threatens our collective tribal rights, then be it so.

21 We are becoming quite cynical as we watch
22 the performance of some of the aboriginal leaders. At
23 times many of these leaders appear to have forgotten who

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1 their constituents are. This practice must end.

2 One of the things I think about -- I would
3 like to elaborate on some things here. I have been doing
4 a lot of reading since becoming involved with the
5 peacekeepers and since the Constitution has come into
6 focus. I read a book on when they were forming the U.S.
7 Constitution, Thomas Jefferson spoke about Indian treaty
8 rights and Jefferson was talking about the Constitution.

9 He said, "a Constitution is like putty in the hands of
10 the judiciary. They can mold that into any way they want
11 to mold it."

12 An example of that is the land claim,
13 Timagami land claim, where it was passed over to the Supreme
14 Court of Canada. The ruling they made on that was
15 disgraceful and it did not take any Indian considerations
16 into being.

17 One of the things that we advocate is
18 that we are sovereign people. When people make treaties,
19 treaties are between sovereign nations. As a Canadian
20 citizen, you cannot have a treaty with your government.
21 Treaties are between nations and between sovereign
22 states.

23 The Canadian government or the British

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1 Crown recognized our sovereignty when they made treaties
2 with us and we have never relinquished that sovereignty
3 to anyone.

4 When we talk about self-government, we
5 are sovereign people.

6 Also, I would like to say something on
7 taxes. I get a lot of people asking about Indians not
8 paying taxes. Well, we have treaty rights. When we made
9 the treaty we were traded off. We gave up a lot of land
10 for this. We paid for this, the right to an education
11 and the right to medical.

12 A lot of people say: "You get free
13 medical." Well, this has been paid for a long time ago
14 by my ancestors, paid for on the land that non-natives
15 got rich on. The funding for our schooling and medical
16 comes out of taxation and people who are taxed pay for
17 this thing and if we pay taxes as native people, we are
18 paying for our own treaties.

19 Also, in line with what Thomas Jefferson
20 says, I watched the program the other day about Andrew
21 Jackson with the so-called five civilized tribes in the
22 United States. They had a Removal Act to remove them west
23 of the Mississippi and this is where the "Trail of Tears"

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1 came out that everyone hears about. Well, these five
2 nations took the United States government to court and
3 they went to the United States Supreme Court and they won
4 their decision and the comment from President Andrew
5 Jackson was: "The Supreme Court judge made that decision.
6 Let him enforce it. The Indians will move." And they
7 moved and that is where the trail of tears came out.

8 This is what I look at. I look at this
9 government's past history of dealing with native people
10 and breaking their own laws and I see this Commission going
11 out and to me it looks futile, dealing with people who
12 are dishonest, who have stolen, who have got rich, who
13 are greedy. How do you deal with people like this?

14 The only thing I could look at as Jerome
15 would suggest and our elders, to pray and continue on our
16 way, continue to have hope. But I do have hope, if they
17 will become honest.

18 I was at a meeting also with the United
19 Chiefs of Ontario where they met with the Ontario
20 government and they have told the Ontario government, well,
21 they were doing their spiritual thing, "you people have
22 lost your spirituality a long time ago. You know, we are
23 not dealing with spiritual people here. We are dealing

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1 with greedy people."

2 And those are things I look at. When
3 the Canadian government looks at pride in themselves, or
4 the Canadian people, they should not be silent about
5 mistreatment about native people because silence is
6 complicity. I look at every citizen who sits back and
7 says nothing, that they are complying with this thing.

8 So, I would just like to thank the
9 Commissioners at this time, Commissioner Erasmus, Ms
10 Robinson, Jerome, Mr. Cachagee, Trixie Jones, our elders
11 and group. All the group is not here, but we do have other
12 groups across the country and it was formed as a self-aid.
13 In case of intrusion by outside forces, we have other
14 reserves around and other groups that will come to our
15 aid, so we are not alone, and I would like to pass over
16 to Paul at this time.

17 **PAUL STEVENS:** We have quite a big
18 membership in the Peacekeepers Society, but for the ones
19 here we would like to acknowledge them to give you an idea
20 of what kind of people we have here.

21 For an elder, we have Irene. She is one
22 of our elders. Blaine Belleau, Bob Pelletier. He is one
23 of our veterans. Wally, who is also a peacekeeper and

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1 a veteran. Belinda -- that is for the younger girls in
2 our group -- and Pat, for non-native people in our group.

3 So, we have quite a diverse people in our group and
4 speaking with the elders, specifically Peter Ocheese in
5 Alberta. When you start a group like this, everyone is
6 represented in some way or some how.

7 So, that is what we went out and did.

8 We got elders to join. We got veterans. We got men,
9 women. We have had children at our meetings.

10 One of the concerns we did not think we
11 would get into depth to was the treaties. The native
12 people hold a lot of sacredness to the treaties. We
13 consider those treaties the only binding document that
14 keeps our First Nations alive.

15 I have a treaty book here signed by Queen
16 Victoria in 1860. This must mean something to us. It
17 has to mean something to us.

18 So, like Wally was saying, if we do get
19 a paragraph or something inserted on inherent right to
20 self-government and get our treaties protected, that does
21 not do very much here at the grassroots level.

22 We have had agreements in place before
23 on fishing and stuff like that, but as soon as the papers

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1 are signed and the ink is not even dry yet, they are out
2 doing the same thing they were.

3 So, we say we are concerned that the
4 Commission, on their recommendations, would have at least
5 put the majority of it into effect.

6 **BOB PELLETIER, OJIBWE PEACEKEEPERS**

7 **SOCIETY:** My name is Bob Pelletier and my role in the
8 peacekeeper strategy is as an elder, advisor. I have been
9 travelling around most places, a lot of reserves in Canada
10 and the United States. I have attended a lot of powwows
11 and met many medicine men from different areas.

12 I have a lot of experience in conversing
13 with many peoples on various different subjects, so that
14 is my main role here as an elder advisor.

15 Thank you.

16 **PAUL STEVENS:** Okay, thank you very
17 much. On behalf of the peacekeepers we say meegwetch.

18 **COMMISSIONER GEORGES ERASMUS:** Thank
19 you for a very interesting presentation. It is the first
20 one that this part of the Commission has heard that is
21 something like this.

22 I will see if the Commissioners are
23 interested in asking you any questions. We will start

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1 with Viola.

2 **COMMISSIONER VIOLA ROBINSON:** Thank
3 you. I have a couple of questions for you and one of them
4 is when we were in Winnipeg and I had the occasion with
5 some of the other Commissioners -- we were travelling to
6 different places in Winnipeg -- to visit an organized group
7 there and they had a peacekeepers society, I guess it is.
8 Their role, it was rather new, and what they were doing
9 is they were working with the other service groups in the
10 City of Winnipeg and they were really out there to combat
11 the violence of the kids on the street and the abuse.
12 They were combatting that and it just had begun.

13 I am just wondering, is that your role
14 too in the Town of Sault Ste. Marie? Do you use street
15 patrols?

16 **PAUL STEVENS:** No, not exactly, but some
17 of the things that we do do to support our people is when
18 we have incidents where native people are involved, for
19 example, discrimination issues. We had a 14-year-old
20 native boy who was refused transportation on the Greyhound
21 Bus Terminal here because the driver thought he was drunk
22 and native people put their heads down like that. Most
23 of them do when they are walking and he kicked him off

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1 the bus. That is one issue.

2 We have right here a member of our group
3 who was assaulted by a non-native person who ran into her
4 with a car. Apparently this person is very rich and well
5 off and we had a hard time going about and having charges
6 laid. Now, that is not police procedure.

7 So, only after we talked to district
8 attorneys and we have talked to some native advocacy
9 women's groups and stuff like that did we convince the
10 Crown to proceed with some charges, but if on that same
11 note a policeman, a friend of the man who attacked this
12 girl called up her mother and tried to convince her not
13 to lay any charges because this is a very influential man
14 in the city. So, we were notified of the court date finally
15 and we went up there and when we got there, they said we
16 were late. The court had happened yesterday. There were
17 two different documents subpoenaed to the witness and they
18 both had the wrong dates on them.

19 Even after we did get into court and we
20 talked to the district attorney who asked for those
21 documents back that we shared with him and we would not
22 give it back for about two hours later. We had to keep
23 sticking around. They were trying to cover up for this.

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1

2

3 It is instances like that that the
4 peacekeepers would like to support. We have supported
5 sending our people to different workshops such as this.

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6 We go to racism workshops. We go to lands claims
7 workshops. We go to fishing workshops. We give our name
8 and our organization to every First Nation around here,
9 around the north shore, Quebec, that we are available to
10 help in any way we can. Some of the simpler things we
11 would like to do is help on the reserves. If a house burns
12 down and they need a lot of things to be done, the
13 peacekeepers would most certainly volunteer to help build
14 a house, stuff like that.

COMMISSIONER VIOLA ROBINSON: I had one
15 other question and this one deals with a couple of
16 statements that you made here, is that one about accepting
17 a position being taken with respect to aboriginal
18 organizations, getting to the separate process of land
19 base negotiations and the other one is the limited number
20 of our leaders have information on native
21 self-determination.

22 Now, that appears to be a problem with
23 you and I guess a lot of people, you are saying, really

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1 do not know, do not understand, or have access to
2 information with respect to what is being talked about
3 in native self-determination or self-government.

4 What do you think is the problem? How
5 would you alleviate that problem or what would you propose
6 should be changed that would correct that kind of
7 situation? What do you think should happen that would
8 involve all the people and could correct that kind of a
9 situation?

10 **WALLACE BELLEAU:** The situation with
11 the people being informed, I believe we would have to go
12 back to a traditional way of government because the way
13 it is set up right now, you have your most popular guys
14 elected into office, not necessarily the most intelligent
15 or the smartest, and that seems to be the norm with Indian
16 politics and things.

17 People, not only at the grassroots level
18 who elect these people, it is not like Kennedy said, "ask
19 not what your country can do for you; ask what you can
20 do for your country." Well, people are looking at the
21 people that they elect and they are saying, "I wonder what
22 he can do for me." Nobody can do for the nation as a whole.

23 This is one of the things I look at.

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1 I look at some of our leaders who have favouritism and
2 right now I look at Indian elite. I see elite Indians
3 springing up. I see grass root level Indians and I see
4 another group of Indians coming from the side who are the
5 elite and also I see self-government coming up as not
6 changing anything back to the traditional ways, but I see
7 that all they are doing is carrying on the same policies.

8 All they are doing is just changing the people who enforce
9 these policies. Instead of white enforcers, you are
10 having brown enforcers.

11 Getting back to your first question
12 about people asking for land bases, sometimes that
13 interferes in some of our treaty lands. We have treaty
14 lands which we are willing to share, but we are left out
15 of this negotiation. The provincial governments or
16 federal governments are side-stepping treaties and
17 disregarding treaties and going right to aboriginal
18 organizations and dealing alongside. We are willing to
19 share, but we want to become part of this.

20 It is just like the constitutional
21 process. We are willing to share, but we do not want to
22 be legislated. We like being dealt with on any treaty
23 right. We are willing to compromise on treaty rights.

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1 We spoke to lawyers in the United States
2 where Indians have given up treaty rights and the U.S.
3 government has paid dearly financially. They have not
4 got these things for nothing.

5 Today, the federal government thinks
6 they are going to give us self-government and forget about
7 all these treaty rights. Well, these treaty rights to
8 us, as the other speaker said, are sacred.

9 **COMMISSIONER GEORGES ERASMUS:** Do any
10 of the other Commissioners want to make a comment or ask
11 questions?

12 You said earlier that you are a bit
13 cynical about the government in relation to the Commission
14 because of many things they have done in the past.

15 We certainly cannot guarantee that the
16 governments of Canada are going to do anything different.
17 The Commission is independent. We will make
18 recommendations. There is no way of enforcing the
19 implementation.

20 What we are taking some kind of, I guess,
21 sustenance from is the fact that we are working in a very
22 positive climate right now. The Canadian people want
23 something to be done. We believe this is largely why

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1 Canadian governments are moving ahead at the
2 constitutional table right now.

3 We received a very good send-off in
4 Ottawa with the federal government being very, very
5 strongly supported by the two opposition parties for the
6 make-up of this Commission, for the mandate of this
7 Commission.

8 So, even though we will probably be
9 reporting after the next federal election, we feel fairly
10 confident that whichever political party is in place, that
11 we still will receive some good reception.

12 We are putting a lot of emphasis on the
13 work of the Commission and the participation of people
14 across the country. We think a lot of it is going to depend
15 on the way we do our work and the quality of the work,
16 it is makes sense, if it is logical, if it is clear cut,
17 so that people cannot squirm out of the issue.

18 It means that our report cannot simply
19 say: "Aboriginal people should have self-government."
20 End point, that's it, tout fini. We have to go further
21 than that.

22 Likewise, if we are talking about land
23 or the preservation of culture and language, we are going

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1 to have to go far further than just the principles.

2 There seems to be general agreement and
3 general agreement on principles in the country right now,
4 but it is when you start getting into the details is where
5 the failure starts.

6 The way we hope to conduct ourselves is
7 that we will be coming out with documents over the next
8 couple of years to stimulate discussion and feedback and
9 response from people, so that we hear both from native
10 people and non-native people to see where we think we should
11 be going, if that is correct or not.

12 Those ideas we intend to get from the
13 hearings, from our research, from our looking at other
14 situations in the world where aboriginal people live, but,
15 obviously, in the end we really cannot guarantee anything.

16 **COMMISSIONER GEORGES ERASMUS:** I kind
17 of had the impression from what you said, you are against
18 any negotiations with the province or did I misread that?
19 The province -- your group does not want First Nation
20 people to negotiate for a land base with the province?

21 **WALLACE BELLEAU:** It was with another
22 aboriginal group. The province is dealing with aboriginal
23 groups within our treaty area and without including us.

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1 I explained to Ms Robinson. If they are going to
2 negotiate our treaty lands away, we want to be part of
3 that negotiation.

4 **COMMISSIONER GEORGES ERASMUS:** I am
5 glad I asked you that because the impression I had was
6 don't work with the province. Fair enough.

7 You said you feel a responsibility to
8 protect aboriginal rights and treaties and so forth. I
9 think you are saying you are different from the Mohawk
10 warriors or are you saying you are the same?

11 **WALLACE BELLEAU:** I would say we are
12 different in that we are not -- if you read the book "People
13 of the Pines", you had people who consumed alcohol within
14 the group and they got them in trouble a couple of times.
15

16 Our group does not advocate the use of
17 alcohol. I think we are very selective on members and
18 we are not a rambo type, we are middle aged people who
19 are looking -- I think when we went to a meeting on the
20 island, I think one of the members, a lady member from
21 one of the other reserves, said that we have to be
22 exemplary, the word she used, and I agreed with her. We
23 have a lot of ex-military men, not only in our place here,

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1 but in peacekeepers in London and Detroit, who are involved
2 with groups all across Ontario and some in the United States
3 and some in Manitoba also.

4 We cannot control other groups, but we
5 can control our own group as to the selection of the people
6 in our ideology. Our ideology is non-violent, but I
7 sometimes question the right. I feel that we are equal
8 partners in the treaty. I sometimes question the right
9 of the other side to come towards us with arms, enforcing
10 their laws, breaking our treaty, come with arms and yet
11 they are not called gangsters, and yet when Mohawk people
12 defend themselves, defend their lands, they are called
13 gangsters and criminals and bandits. This is what I
14 question about some of the things.

15 At the stage that we are in right now,
16 we are non-violent and I think if somebody steps on your
17 toes, you step on his toes back and this is the way that
18 we are operating from day to day, month to month depending
19 on the reaction from the other side. If they are
20 non-violent, we are non-violent and we will remain
21 non-violent. Our first choice is to negotiate. But if
22 our lands are being encroached, we will protect the lands
23 any way that we know how.

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1 **COMMISSIONER GEORGES ERASMUS:** Thank
2 you for your presentation this morning.

3 We are going to take a very brief break,
4 let those people who want to smoke go outside.

5 Thank you.

6

7 ---Short Recess at 10:15 a.m.

8 ---Upon Resuming at 10:25 a.m.

9

10 **COMMISSIONER GEORGES ERASMUS:** Our next
11 presenters are from the Ontario Métis and Aboriginal
12 Association.

13 Please begin whenever you are ready.

14 **HENRY WETELAINEN, ONTARIO MÉTIS AND**

15 **ABORIGINAL ASSOCIATION:** The Ontario Métis and Aboriginal
16 Association wishes to welcome the Royal Commission on
17 Aboriginal People.

18 I am going to do the introduction. I
19 am the First Vice-President of the Ontario Métis and
20 Aboriginal Association. I am Henry Wetelainen. Our
21 President is in Ottawa with the constitutional talks.

22 I have with me five of our zone
23 presidents and I will be introducing them. On my extreme

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1 left is Sheilagh Chief which is from the Northwestern
2 Ontario region which covers our Zone 1 area. To her
3 immediate right will be Mr. Howard Restoule which is our
4 Zone 3 area which is the Timmins, Cochrane, up to James
5 Bay area. Beside him is Ron Swain, our Zone 5 which is
6 all southern Ontario, French River South. On my right
7 is Mr. Joe Majors which covers the Zone 2 area, Thunder
8 Bay as far as Long Lac up in that area, all through that
9 area north as far as Raith, and beside him is Agnes
10 Lidstone. This is her area here and she is the President
11 of the Zone 4 corporation.

12 I guess for an introduction to OMAA, I
13 would like to sort of give you some background of the
14 association. I introduced you to the five zone presidents
15 which make up our organization.

16 They cover five geographical zones which
17 include about 63 communities and by communities we mean
18 Métis communities, Indian people that may live off reserve,
19 may have band membership, may be treaty, and have chosen
20 to by membership or work within our organization.

21 These community groups have evolved over
22 the last 20 years into what is present day OMAA.

23 We represent roughly 200,000 people in

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1 the Province of Ontario and we are presently negotiating
2 in a number of areas.

3 In this area alone, the history of the
4 Métis will go back prior to the Royal Proclamation. This
5 traditionally was an old Métis community with a long
6 history. During the War of 1812 many Métis joined and
7 went and fought for this country.

8 We are in varying degrees of discussion
9 with the Ontario and federal government on
10 self-government. We have developed a model in Eastern
11 Lake Nipigon area which Mr. Joe Majors is the President
12 of, through the Environmental Assessment Board to study
13 on timber management.

14 The model was very detailed and was
15 presented to the Ontario government earlier this year.

16 The MNR in this province went out of
17 their way to fight this model being developed. They
18 actually had their lawyers at the board meetings trying
19 to deny the model being presented, even though that it
20 had a loss of grassroots, participation and backing.

21 We had the reeves of the local
22 communities in the area backing the proposal. We had the
23 Fishing and Hunting Association in the area backing it.

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1 We had the Tourist Outfitters backing it and our
2 communities backing it. So, we went out and did our
3 consultation, but the Ontario government has seen fit not
4 to negotiate in that area.

5 We then presented the Métis Court which
6 was to cover this area for Métis people. It is outlined
7 in our proposal. It was a good reasonable proposal for
8 the first Métis Court in Ontario. The elders were to sit
9 as judges and would handle only sentences after guilty
10 pleas.

11 We were fairly excited that this proposal would go.

12 The government's position was that we
13 had to study the question more and that was put on the
14 sidelines.

15 We have been involved in all kinds of
16 issues, the Ontario Hydro hearings through the
17 Environmental Assessment hearings, and we have been run
18 into roadblocks in a number of areas.

19 I guess there are very few avenues open
20 to the Ontario Métis and Aboriginal Association and we
21 feel that this Commission can take the role of the Métis
22 up and present it in a positive light.

23 We know that it is not going to be an

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1 easy fight and we know your job is not going to be easy,
2 but we have been around a long time and we know that nothing
3 is going to be easy and without a fight.

4 I would like to let our zones now
5 probably fill in more of the detail and I would like to
6 start off with our Zone 5 President, Ron Swain. It is
7 a little bit out of order, but it will fit the presentation
8 better. Ron.

9 **RON SWAIN, ONTARIO MÉTIS AND ABORIGINAL**
10 **ASSOCIATION:** Thank you, Henry. Elders and attendants,
11 Chair, Commission members, good morning. My name is Ron
12 Swain and I am speaking on behalf of the Southern Ontario
13 Métis and Non-Status Indian Association which is Zone 5
14 of OMAA.

15 I would like to tell you before we start
16 that we have a brief before you and the comments you see
17 there were written by myself and I will be making reference
18 to them because they are so important. I would like to
19 read from the body of my text. If it sounds bland, I
20 apologize, but they are my own words.

21 Two distinct nations make up
22 S.O.M.N.S.I.A., the Métis Nation and Affiliated First
23 Nations persons off First Nation Territories. Our home

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1 is southern Ontario. The boundaries are from Windsor in
2 the west to Ottawa in the east and as far north as a line
3 drawn from Parry Sound to just south of Mattawa.

4 S.O.M.N.S.I.A. is a collection of
5 individual locals. Locals are the very foundation of our
6 organization. Geographic and community boundaries are
7 self-imposed. We are a group of Métis and native people
8 who gather for political, cultural and social reasons.
9 Our common goal is working towards the betterment of our
10 two nations.

11 I will be speaking on behalf of each
12 nation separately.

13 The Métis nation is without a doubt the
14 most ignored and systemically isolated of all the
15 aboriginal peoples of Canada and Ontario.

16 First Nation blood lines are a common
17 linkage, but non-native lineage is as much our heritage
18 as was the Métis role in forming Canada.

19 The Métis are a distinct people, culture
20 and nation. The Métis nation values and protects
21 individual choice which is reflected in the very way we
22 define ourselves. Self-identification is a first step
23 in what it means to be Métis.

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1 Aboriginal ancestry is a common lineage
2 and paramount is acceptance by the Métis nation.

3 This is an example of our collective
4 right.

5 I would like to reflect to the past in
6 order to better understand the present. In the beginning
7 at the dawn of the Métis nation our people were the
8 explorers, the traders, the communicators. We, as a
9 people, helped bridge the chasm between two vastly alien
10 and foreign cultures.

11 The Métis nation, through the provincial
12 government of Louis Riel, set up the list of rights and
13 fought for Manitoba's entry into Confederation as a
14 province. The Canada of today would not exist if it were
15 not for the Métis.

16 Throughout the proceedings, the
17 Canadian party continued to harass the Provisional
18 Government and attempted twice to overthrow it. Although
19 these attempts failed, it was the arrest of one man who
20 was later executed, that would drastically affect the Métis
21 national, represented by S.O.M.N.S.I.A. today.

22 Thomas Scott from Ontario was working
23 as a labourer in the Red River Settlement. He became

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1 involved in the Canadian party's attempt to overthrow the
2 Métis Provisional Government and was executed. Thomas
3 Scott's execution caused shock waves to be felt in what
4 is now southern Ontario. Scott became a martyr which led
5 to armed intervention in the Red River Settlement.

6 The Métis of southern Ontario were under
7 extreme pressure. The Editor of the Globe, now called
8 the Globe and Mail, placed a \$5,000 bounty on the head
9 of Louis Riel. Legislation was passed banning Métis from
10 having public meetings. The Métis nation of southern
11 Ontario became outcasts, the scorned, traitors. The Métis
12 Northwest Rebellion and defeat at Batosh destined the Métis
13 to persecution and generations of systematic exclusion.

14 The 1982 Constitution Act, section 35(2)
15 identifies the aboriginal people of Canada as the Indian,
16 the Inuit and the Métis. It took until 1982 for Canada
17 to recognize this fact.

18 The Métis are aboriginal people without
19 a land base. The Métis are recognized as aboriginal people
20 in the Constitution, but without any negotiated rights.

21 Why is this?

22 Because the prejudice, initiated by
23 revenge for Thomas Scott's execution established the chain

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1 of events and attitudes that persist today: indifference
2 to Métis rights; no political will by the federal
3 governments pas and present to accept its role as being
4 fiscally and morally responsible for addressing Métis
5 rights; rating the Métis at the bottom of the priority
6 list when compared to First Nations issues; the lack of
7 commitment to meaningful core funding of Métis
8 institutions has left the most needing of the three
9 distinct aboriginal entities without the structure to
10 compete for present funds and political action.

11 We want and need access and control of
12 all areas of Métis life. For example, the delivery of
13 education, thereby ensuring respect and protection of
14 Métis values and culture. The need for an education system
15 that works for the Métis nation is required. The cycle
16 of poverty and being relegated to the bottom run of an
17 economic ladder must stop. Control of services that
18 affect the health and safety of the Métis, for example,
19 child and family services, social services and health care.
20 Control over a Métis judicial system, natural resources
21 and law enforcement.

22 Self-government is what the Métis nation
23 wants, needs and has a right to. The Second Nation

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1 represented by S.O.M.N.S.I.A. may seem complex but has
2 been forced to be so by the Indian Act.

3 Affiliated First Nations off the
4 territories encompass many people.

5 Non-native terms used are: non-status
6 Indians and the status Indians off the reserve. I will
7 use the terms hereditary First Nations persons off the
8 territories and the First Nation persons off the
9 territories.

10 Again, a little history is required to
11 understand the present day situation. The very nature
12 of the Indian Act passed was to ensure segregation and
13 destruction of ancient cultures. The paternal system
14 established by the Indian Act forced native females to
15 leave their homes, families and stripped them of the legal
16 right to their heritage. This is so offensive that it
17 still makes the hair on the back of my neck stand up today.

18 An attempt to correct this systemic
19 sexism has turned out to be too little too late. Bill
20 C-31 was not designed to address the new cultures which
21 have evolved. Many First Nations people have no
22 intentions of returning to the territories, still have
23 rights which are not being respected and they are locked

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1 out.

2 Many First Nations people have entered
3 into the Bill C-31 process only to be sadly disappointed.
4 Why, again?

5 No real funding was allocated to ensure
6 their needs would be met. Isolation, intolerance and
7 denial by territorial administrations has occurred.
8 Insufficient lands for the needs of the First Nations who
9 entered the process is one of the barriers faced. Labelled
10 as second-class First Nations people again is the
11 end-product of this legislation. Many hereditary First
12 Nations people who do not meet the inflexible guidelines
13 of Bill C-31 have fallen through the cracks, again denied
14 legal recognition of their aboriginal rights and heritage.

15 The frustration and anger felt by First
16 Nations people off the territories who have clearly defined
17 aboriginal rights but are denied access is paramount.
18 The access and control of every facet of First Nations
19 lifestyle off the territories is what we want in
20 S.O.M.N.S.I.A. The ability to have clear control over
21 accessibility and direction of education, health care,
22 social services, law enforcement, natural resources which
23 includes game and fish, and a distinct judicial system

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1 embracing native values, culture and tradition is a
2 hereditary right.

3 Equitable access and independent
4 delivery of all services and rights entrenched now is the
5 immediate solution.

6 Self-government that meets the needs of
7 the First Nations people off the territories is what is
8 fair, just and right. The Métis Nation and First Nations
9 off the territories in southern Ontario have a right to
10 what I have addressed.

11 The need for a land base is fundamental
12 but not entirely necessary for a working self-government
13 for my people.

14 The acceptance of this fact is required.
15 The necessary resources to create the structure for the
16 two nations to prepare for self-government and negotiate
17 this reality is required. Finally, the resources to
18 implement a working self-government model established by
19 the Métis Nation and First Nations off the territories
20 is what is required now.

21 The time for action is now. The people
22 of Canada and the nations of S.O.M.N.S.I.A. clearly support
23 the need for a new relationship based on respect, fairness

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1 and what is right.

2 Meegwetch.

3 **HENRY WETELAINEN:** Thank you, Ron.

4 I would like then to turn to our Zone
5 1 President, which is Sheilagh Chief, to do her
6 presentation. That will be under Tab 6.

7 **SHEILAGH CHIEF, ONTARIO MÉTIS AND**

8 **ABORIGINAL ASSOCIATION:** Good morning. My name is
9 Sheilagh Chief and I am the President of Wesawkwete Inc.,
10 Zone 1.

11 Zone 1 is in the northwestern part of
12 Ontario and covers from the Manitoba border to east,
13 Upsala, north to Sioux Lookout and south to Fort Frances.

14 The membership that makes up Wesawkwete
15 includes mostly low-income, unemployed and single parent
16 families. We also have a few small business owners which
17 deal in the forestry or the tourist industry.

18 When I was asked to be part of the
19 presentation to the Commission to deal with the problems
20 and concerns of the aboriginal people, I read the terms
21 of reference from the Royal Commission on Aboriginal
22 Peoples and decided that I would speak on a few of the
23 items that were listed.

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1 The first topic of concern that I would
2 like to speak on is the position and the role of aboriginal
3 elders. In the community that I am from the elders play
4 a big role in the lives of my people. They are the ones
5 that you go to for healing for your body and mind and they
6 are there for guidance and support, for example, going
7 through a divorce, separation or problems at school or
8 work. They are the therapists, doctors, resource
9 managers, judges and the social workers of our community.
10 We go to different elders in the community for different
11 problems. Each of the elders has their own special gift
12 that is shared in the community.

13 There has been much discussion on the
14 role of elders in politics and I have taken this question
15 to the elders in my community and the communities in my
16 area. The elders that I have spoken to feel that politics
17 should be left to the politicians.

18 Once you become an elder, your place is
19 to provide guidance and support to the people and to the
20 politicians. We do not make decisions that elders must
21 live by. We are taught to go to the elders and ask for
22 their opinions on all the concerns affecting our people.
23 The elders are the backbone of our community. They are

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1 the ones that make us good leaders and good politicians.
2 Our elders should not be neglected or disrespected by
3 omitting them from our meetings, whether it be a local
4 meeting or a national meeting. They have the insight and
5 the foresight to see what we cannot see and we have the
6 responsibility to our people to seek out the guidance of
7 our elders in every situation.

8 We are here today to speak on the
9 concerns of our people. Our people include the youth of
10 our communities. They also have serious concerns. I
11 myself have five children ranging from 2 to 13 years.
12 My sister has three young children. Together we have eight
13 children and that someday they will be going to college
14 or university. I know now that money to pay for their
15 education will be scarce and they will have to live in
16 a city which is at least four hours away. Hopefully, my
17 children will be gifted enough to win scholarships in their
18 chosen fields or possibly they will be able to work their
19 way through. With the money that we are already saving,
20 scholarships and loans, both my sister's children will
21 have a chance to go to college.

22 Unfortunately, most of the members in
23 my communities will not be able to afford a college

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1 education for their children. What kind of education can
2 a single mother pay for or a family which depends on
3 seasonal work? What kind of education can they afford?

4

5 After high school most of the young
6 people in my area have only the hope of getting hired at
7 a local tourist camp or maybe if they are lucky they will
8 get a job cutting wood for the local pulp and paper mill.

9

10 Without the aid of some kind of funding,
11 the children in our area will not be furthering their
12 education. Moving to a city for education brings a whole
13 new set of problems, like racism, alcohol, drugs and the
14 culture shock of leaving their small communities.

15 Adult education is needed in our
16 communities. Education leads to employment and if our
17 people are not educated, then we cannot hope for a good
18 paying job to support our families.

19 Starting or running a small business can
20 be done by most of our people, but it is the bookkeeping
21 and/or the paper work that is the stumbling block. My
22 father has worked in the tourist industry most of his life
23 and he would have enough clients to start his own tourist

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1 camp, but he only has Grade 4 education and he does not
2 know how to read. How can he do the necessary paper work,
3 know how to market his camp or even do the accounting?
4 So, for now, all he can do is work for the local tourist
5 camp owners for a little more than minimum wage and hope
6 that he can save enough money to make it to trapping season.

7 I have an uncle who can easily start a
8 small logging business in our area. He works all year
9 long cutting and skidding wood for the local pulp and paper
10 mill. Again, he only has a Grade 2 education. How can
11 he start a business without some kind of education?

12 I believe that my people could have a
13 chance at making a decent living if the opportunity for
14 education was there.

15 I have only spoken a little on the elders
16 and education and there are so many other concerns that
17 need to be addressed.

18 In Zone 1, the problems of child abuse,
19 wife abuse, alcoholism, drug addiction and also gambling
20 addiction are some of the major concerns that I did not
21 have time to speak on.

22 These concerns have to be dealt with and
23 not swept under the carpet because we are too embarrassed

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1 to say that they exist or hope that they will go away.

2 We, the leaders of our communities, have
3 a tough job in front of us and with the help of the Royal
4 Commission, maybe together we can find a solution to some
5 of the problems that face the aboriginal people today.

6 Thank you.

7 **HENRY WETELAINEN:** Thank you very much,
8 Sheilagh.

9 Now, I would like to turn to Joe Major
10 which will be under Tab 7. Joe.

11 **JOE MAJOR, ONTARIO MÉTIS AND ABORIGINAL**
12 **ASSOCIATION:** Good morning. I do not think I need a
13 microphone. My name is Joe Major. Don't get me confused
14 with John Major. We are a different colour.

15 Again, my name is Joe Major. My name
16 is not important, but the concerns of my people are.

17 Before coming here my education here is
18 very limited. I asked for guidance from the Creator to
19 give a good presentation and, as I say, without the
20 education my speech comes from the heart.

21 I have no titles following my name and
22 I have no formal education. My education has come mainly
23 from the school of hard knocks throughout my life. I state

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1 this as I represent the grassroots people of our zone.
2 I feel I speak from the heart on matters which concern
3 my people and myself.

4 Many of the people in my zone are located
5 in isolated regions in northern Ontario and have no true
6 method of accessing such luxuries as education, a simple
7 thing as education when we are trying to provide for our
8 families the best that we know how.

9 This puts us in an extreme contrast with
10 the society changes that we have to face from day to day
11 activities. In trying to achieve an equal footing and
12 keeping up with mainstream society, we have difficulty
13 as we have been excluded from and held back for centuries.
14 Now we are expected to progress at such a rate that it
15 would surely befuddle mainstream society, yet we do the
16 best we can and I feel we are progressing well.

17 When our organization, our parent
18 organization, OMAA, approaches government with its
19 concerns towards our future, I do not see how one delegate
20 can truly represent all five zones. Each of our zones
21 has a different geological, economical, social and
22 political framework. We are one organization, yet we are
23 divided due to our concerns from one zone to zones. There

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1 is such a wide spectrum of issues I cannot see one person
2 being able to communicate our zones' individual needs
3 without favouring their own zone needs.

4 Within Zone 2, the three main concerns
5 I have are justice, health and sports, recreation for my
6 people.

7 I would like to speak briefly on these
8 issues and suggest a few recommendations that are long
9 past due.

10 There are going to be some negative
11 comments, ladies and gentlemen, and with some of these
12 negative comments, hopefully, will come some hope.

13 Justice: Concerning justice, our
14 people have been unfairly dealt with due to a lack of
15 understanding of the justice system and a conflict between
16 the European, Canadian and native cultures. We have been
17 dealt a gross injustice.

18 The past and present workings of such
19 a system results in conditions of offenders worsening
20 instead of being rehabilitated as they are supposed to
21 do. Simply look at the institutions, federal and
22 provincial.

23 Ladies and gentlemen, I as a coach --

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1 I have been a coach for 29 years; I coach amateur boxing.
2 Many of my former students and present students are being
3 held in Manitoba in Stony Mountain, in Alberta at Fort
4 Saskatchewan and in Ontario in Kingston Penitentiary.
5 When I go to these penitentiaries, I always come away with
6 a heavy heart because I see a lot of misguided young men
7 -- when I see the total population, if you go to, say,
8 Stony Mountain Penitentiary, I would say 87 per cent of
9 Stony Mountain inmates are of native ancestry.

10 Now, if you look at some of these
11 offences, and I have chronicled this, I have seen a
12 youngster from my area from a reserve break six windows
13 and get six months in jail in a provincial institution.
14 I have seen another case where there was a murder and
15 the fellow got two years less than a day. Now, where is
16 the justice.

17 But I would like to mention the fact here
18 that these institutions, the more I see of them, the more
19 discouraged I get because when I come away from there,
20 it is not the youngsters that I know, but it is the
21 youngsters that I see and more and more and more of them
22 are natives.

23 Now, I know the cost of keeping an inmate

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1 for a year. It runs approximately \$47,000 to \$53,000.
2 This includes psychiatrists, psychologists and I would
3 just like to dwell on this fact. These psychiatrists and
4 psychologists are educated in the white man's world.
5 These youngsters that are being incarcerated in these
6 penitentiaries come from a native culture, and I cannot
7 blame the psychiatrists and the psychologists, but they
8 do not know lickety-split about our culture and they do
9 not know how to treat these youngsters.

10 Now, there have been some incidents in,
11 especially Stony Mountain, they are leading the way in
12 penal incarceration for working with elders and medicine
13 men. Now, there have been some incidents where there has
14 been some pretty tricky situations where there have been
15 some precarious situations where they have called an elder
16 in instead of a priest or be it a hostage or whatever.

17 Now, these elders are proving to be a
18 lot better than anybody because what they do is actually
19 sit down with the prisoner and say, "let's talk." Now,
20 these psychologists and the psychiatrists are pretty upset
21 with this system because, I will tell you, it comes down
22 to dollars and cents. These psychiatrists and
23 psychologists are losing a lot of money, but we are losing

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1 a lot of young men. If you knew the number -- if it was
2 to be made public the number of youngsters that are not
3 prepared through our culture that commit suicide, that
4 come out of there with a broken spirit, and I speak of
5 this as a coach, once you have an athlete, if you break
6 that spirit, it takes a lot of work to get it back.

7 I speak of justice with a negative
8 attitude because I have went in there and I have seen it
9 first hand and I think it is terrible. But one
10 recommendation I would like to make is that we get, and
11 I don't talk against the educated Indian, but I would like
12 to see more elders and more grassroots people on probation,
13 sitting on probation boards. You are there to help the
14 youngster. You are not there to judge and sometimes these
15 educated -- our educated people -- I have run amuck with
16 them -- they get so educated, they become white. I am
17 sorry to say that, but it is true. Enough on justice.

18 I will just go over these again. I don't
19 want to be long-winded, but I love to say these things.

20 Involve the grassroots people on
21 probation boards, specifically the elders.

22 Pressure government to enforce and
23 encourage employment of natives so natives can come out,

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1 can look through these bars and see natives on the other
2 side working within the system.

3 Have elders working with native inmates
4 as they understand and are respected by these inmates.

5 After incarceration, more emphasis put
6 on opportunities, school work, programs so natives have
7 the option to put their energies towards something useful
8 and meaningful.

9 I mean working with your hands. They
10 talk about lawyers, doctors and whatever. Ninety per cent
11 of our people have to work with their hands. Let's get
12 back to the basics.

13 I would like to talk on health care.
14 The matter of health care is so large that I cannot do
15 it justice in so short a time. I think it is very important
16 that this Commission focus on the many inequities of our
17 health care system. In many cases the solutions might
18 be merely a change in technique. For instance, the
19 involvement of OMAA or of hiring more native workers are
20 matters that do not require more money, but rather changed
21 attitudes.

22 I would like to elaborate on that.
23 Like in the community of Thunder Bay, there are 113,000

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1 people there, and I am specifically talking about the older
2 people. They are turning our people out of the hospitals.

3 I am talking about aboriginal people. Their homes and
4 their apartments are substandard. Now, when they get
5 turned out of the hospitals, and they are getting turned
6 out before they should be, the VON will come in. Because
7 they are regulated by law, they have to look in at the
8 patient.

9 But these health care workers, they are
10 called, the Red Cross and I cannot say the other one because
11 I reported them to Human Rights already, but these are
12 the people that come in and clean, make beds and whatever.

13 Well, if these people come in and they say they do not
14 like the conditions of your home, they have every right
15 to refuse.

16 Now, in Thunder Bay we have had an
17 incident where an elderly couple -- one of the gentleman,
18 his wife had died over night and he was with her body for
19 about 14 hours -- that health care worker was supposed
20 to come, refused to come and it was an incident that was
21 despicable. Now, I went to this organization and asked
22 them because I figure that with our native ladies,
23 especially in health care, I don't care what conditions,

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1 if you saw an older couple there, I think it would break
2 any young woman's heart that is in the health care, the
3 native, to go in and work with them.

4 I asked to see their books of employment.

5 They refused and they told me that was confidential.

6 I was very upset and explained the fact to the Human Rights
7 people that if we had some say in this, I think it would
8 be a lot easier on our people that are sick.

9 The third thing I would like to speak
10 on is sports. Ladies and gentlemen, boys and girls, I
11 have been involved as a coach in, particularly, boxing.
12 Most of my life I was a competitor and then as a coach.

13

14 My third issue is sports, recreation.

15 I have worked in amateur sports as a coach most of my
16 life and have experienced or felt prejudice against
17 natives. Non-native Canadians have the money so that they
18 are able to compete for everything and anything in sports.

19 Native communities lack the facilities, equipment and
20 resources to allow them to compete. Even when they are
21 able, the fact that a native could be better is just not
22 accepted in the white society. Natives have been labelled
23 lazy, good for nothing, and this is before they got the

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1 opportunity to excel.

2 I would just like to mention one person
3 that I know has excelled in this community. His name is
4 Ted Nolan. He is the coach of the Sault Greyhounds. I
5 know a young boxer from Sault Ste. Marie. His name is
6 Steve Nolan. I have been around this sport for 30 years.
7 He is one of the best amateur boxers I have ever seen.

8 The recommendations that I would like
9 to make and, ladies and gentlemen, the natives have truly
10 neglected sports. I know it is because of a shortage of
11 money, but indeed it is a shame. I have something to say
12 here because I think you should know. I am known to be
13 outspoken. I have been in this sport for, as I say, 30
14 years. Twenty of the years I have been mistaken in Boxing
15 Ontario as a fat Greek, but just three years ago I had
16 an argument with one of the judges. He happened to be
17 a fellow from Britain. Well, he mentioned me as the fat
18 Greek from Peterborough, Ontario, so I stood up and I said:
19 "My name is Joe Major. I am not a fat Greek, but I happen
20 to be a fat Indian." Well, lo and behold, ladies in
21 gentlemen, my competence in Boxing Ontario just went right
22 down to nothing.

23 Before I was asked to put on lots of

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1 clinics, to do this and that, but once they found out I
2 was a native person, it is amazing how your credence will
3 fall to nothing. But that does not bother me. It makes
4 me a stronger person.

5 One thing I would like, if I can make
6 you aware of this, in order to compete and represent, not
7 only Ontario but Canada, you must have a card from Ottawa
8 that makes you a carded athlete. This costs \$10.

9 Now, I have had native boys box and in
10 the ring fight their heart out, have beaten another
11 fighter, and they were not just judged on their ability
12 in the ring, they were judged by the colour of their eyes
13 and the colour of their skin and, believe you me, it made
14 me sick.

15 These boys never said anything in the
16 ring, but I see them go into the dressing room and shed
17 a tear, guys that have served time in jail, guys that were
18 as tough as you could be, go in the dressing room and shed
19 a tear because they were embarrassed. They shouldn't have
20 to be embarrassed.

21 The recommendations that I will make are
22 to form a committee with OMAA to card athletes with Ottawa;
23 to pick an outstanding athlete of the year amongst our

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1 members; to secure funding for sports within native
2 communities on and off reserve -- this sickens me when
3 I go to put on a sports clinic on a reserve, here are these
4 little gaffers going around sniffing glue. It would take
5 \$500 to get a heavy bag, a couple of pairs of gloves,
6 skipping ropes and whatever, but nobody seems to care.
7 It is ridiculous. Bats and balls -- you know, get these
8 kids interested, instead of sniffing glue, buy them mouth
9 guards, teach them how to run; to secure funding to promote
10 sports within native communities on and off reserve; to
11 promote events to encourage participation in sports among
12 members of our organization, federally and nationally.

13 In the past the Canadian government and
14 society have hindered our progress in these three areas
15 a great deal. We are still adapting and hope to one day
16 walk beside and be accepted as part of this society on
17 an equal basis. I realize we have a way to go in achieving
18 this goal, but we are trying our best to be an equal partner
19 in this society and the great country we call home, Canada.

20 Thank you very much.

21 **HENRY WETELAINEN:** Thank you very much,
22 Joe.

23 Now I would like to turn over to Agnes

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1 Lidstone, Zone 4.

2 **AGNES LIDSTONE, ONTARIO MÉTIS AND**

3 **ABORIGINAL ASSOCIATION:** Good morning everyone. I would
4 like to explain this sash I am wearing first before I start
5 my presentation. The sash represents the Métis people
6 and I wear it with honour and pride for my people. I am
7 a Métis person with dual heritages and I am very proud
8 of both and I hope to draw from both of my nations to provide
9 the best presentation I can for our people and to emphasize
10 a strong battle for our people as Métis people.

11 I am Agnes Lidstone, President of the
12 Alliance for the Advancement of Nishnawbe of Central
13 Ontario, AANCO, OMAA's affiliated Zone 4 regional
14 organization. Our area represents the geographic area
15 bounded by the Michipicoten River in the north, the Quebec
16 border on the east and the Magnetawan River to the south.
17 This area includes the cities of Sault Ste. Marie, Sudbury
18 and North Bay.

19 I wish to specifically address the issue
20 of education as part of this presentation with specific
21 emphasis on the issues of the lack of financial support
22 to Métis people and inadequate educational opportunity
23 in northern Ontario. Education is the most vital link

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1 to the future of our people and our communities, yet no
2 specific initiatives recognizing both the needs and the
3 rights of Métis people as one of the three aboriginal groups
4 identified in the Constitution exist at any level of
5 government in Ontario.

6 Funding is provided annually to
7 approximately 22,000 status Indian students in Ontario
8 through the federal Department of Indian Affairs,
9 totalling in excess of \$50 million. This is certainly
10 an impressive figure, but it completely fails to address
11 the needs of Ontario Métis people. There is currently
12 no provision at either the federal or provincial level
13 to provide financial assistance for the education and the
14 training of Métis people.

15 Programs that do exist to provide some
16 form of assistance to Métis students are private and/or
17 organizational initiatives, handicapped by a lack of funds
18 and a limited mandate. An example of such a program is
19 the bursary program for Métis, elementary and secondary
20 students operated by the Federation of Women Teachers'
21 Association of Ontario. I state the Federation of Women
22 Teachers' Association of Ontario because my daughter was
23 attending university at Ottawa this year and, as we all

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1 know, the financial costs are very heavy to send your
2 children to university and I asked this association,
3 because we were aware that they did some funding for them,
4 and she was denied access because they said of her blood
5 quantum.

6 Well, I am sorry to state, but my colour
7 dictates else-wise, my children's colour dictates
8 else-wise, and I do not think blood quantum is fair to
9 say that we are not right.

10 I had to take my daughter out of a school
11 in Sault Ste. Marie because of racial prejudice and it
12 was a very emotion and hard time for me at that time.
13 Then, I go ahead and I still continue to fight and say
14 that I want my children to go on further education and,
15 again, they tell me, "I am sorry, you are not an aboriginal
16 person". But I am sorry, I am here and I am Métis and
17 my children are and my children's children will be.

18 Métis students continue to struggle very
19 hard to improve their education without the supports
20 available to other aboriginal people. The Métis people
21 have never signed treaties extinguishing their rights,
22 yet we are continually discriminated against by all levels
23 of government.

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1 In addition to the needs of the Métis
2 people, those persons who have been reinstated as status
3 Indians under Bill C-31 continue to be included by reserves
4 in obtaining funds for education and other purposes, yet
5 they are placed at the lowest priority in the distribution
6 of these funds.

7 As an organization OMAA has grave
8 concerns over the under-representation and provision of
9 services to this group of aboriginal people.

10 It is therefore a recommendation of OMAA
11 that the Government of Canada assume its right to provide
12 provincial support for the education of Métis to the same
13 degree and in a manner consistent with that provided to
14 the status Indians under an operations plan developed in
15 partnership with OMAA.

16 On the question of access to educational
17 opportunity in northern Ontario, it has long been
18 understood that all people in the north are to some extent
19 disadvantaged in the ability to attend post-secondary
20 institutions. Aboriginal peoples are further
21 disadvantaged in attending these institutions due to the
22 following: Lack of financial support institutions,
23 including direct institutional costs, tuition, tests, lab

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1 fees, et cetera, and living costs while attending
2 institutions, rent, food, travel, et cetera;

3 Displacement from family and community
4 in attending centrally located institutions. A limited
5 number of programs are available on a part-time or
6 infrequent basis through such means as satellite campuses
7 or distance education, but only rarely can elements of
8 technical/lab-based programs be delivered in this manner.

9 Students are therefore required to leave their families
10 and home communities to attend post-secondary institutions
11 or, given that a disproportionate number of aboriginal
12 person are single parents or attend institutions as mature
13 students, relocate their families when attending these
14 institutions with a corresponding increase in costs and
15 housing requirements. I feel so strongly about this
16 statement because of, as I state, my daughter attended
17 Ottawa University and the aboriginal people has been based
18 on a family environment. It is part of our history and
19 when we have to take our children from our communities
20 in northern Ontario to send them to south or eastern
21 institutions, it is very hard for them to exist in those
22 areas. I know from personal experience. I speak from
23 the heart when I say this because I know what she had to

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1 overcome, the barriers that were there;

2 Systemic barriers to education,
3 including the lack of appropriate cultural content and
4 teaching methods for aboriginal students;

5 A lack of professional programs
6 delivered in the north, including law and medicine.

7 OMAA therefore recommends that: the
8 federal government, in co-operation with the provincial
9 government, provide funding for the establishment and
10 delivery of more community-based programs for aboriginal
11 peoples in communities across northern Ontario; that
12 financial support be provided for the establishment of
13 one or more aboriginal post-secondary institution in
14 northern Ontario; and that additional funding for the
15 development and delivery of culturally and logistically
16 appropriate programs and services to be provided to
17 mainstream and aboriginal institutions.

18 I am saying that people in northern
19 Ontario, a lot of students go away and maybe they cannot
20 cut it and they have to return home. But out of those
21 students, there could be our great doctors and lawyers
22 and scientists, and we are disadvantaging ourselves by
23 not having these area institutions available to us in

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1 northern Ontario, and I think it is a very important thing
2 because we know ourselves in southern Ontario, the doctors
3 when they go there, they stay there. We have so many areas
4 in northern Ontario that have a need for this and
5 particularly the aboriginal peoples in their remote
6 reserves or wherever, wherever our Métis communities are
7 located.

8 For far too long, post-secondary
9 institutions have demonstrated an attitude to the
10 education of aboriginal people that centres on getting
11 tuition dollars and not providing value for those dollars
12 in terms of appropriate programs or services to aboriginal
13 students. The education system as a whole has failed
14 aboriginal people in terms of their being admitted to and
15 graduating from the system with education and training
16 that prepares them for a substantial role in their
17 communities.

18 This situation must not be continued,
19 and the recommendations made above are what we feel are
20 at a minimum first steps towards the increased control
21 of education for Métis people by Métis people.

22 In summation to all of this, the theme
23 for our system seems to be the rich get educated, the middle

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1 class keep the system going, the poor struggle along, the
2 status Indian gets recognized and the Métis must continue
3 to battle for what little they have.

4 Thank you.

5 **HENRY WETELAINEN:** Thank you very much,
6 Agnes.

7 Now, I would like to introduce Howard
8 Restoule, Zone 3. Howard. That is under Tab No. 8.

9 **HOWARD RESTOULE, ONTARIO MÉTIS AND**
10 **ABORIGINAL ASSOCIATION:** Good morning. My name is Howard
11 Restoule. I am the President of Zone 3. Its
12 incorporation name is the Aboriginal People's Alliance
13 of Northern Ontario and we refer to it as APANO for short.

14 Perhaps a little bit contrary to my
15 colleagues, my presentation will be in response to what
16 the Commission had sent to aboriginal organizations and
17 so on asking, I believe, the 16 questions, and I will
18 briefly respond to those questions.

19 Number one, the history of relations
20 between aboriginal peoples, the Canadian government and
21 Canadian society as a whole.

22 Well, the relationship between
23 aboriginal peoples and the Canadian government and the

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1 Canadian society as a whole has been one, we are all aware,
2 of deceit and mistrust. Most treaties have been broken,
3 if not in law certainly in spirit. From the mass genocide
4 of the Newfoundland natives, the government policies of
5 assimilation or the expansion policies of the Hudson Bay
6 Company, this Commission can answer the question of the
7 history of relations between us. We hear much talk,
8 followed by procrastination and delays when it comes down
9 to setting our rightful land claims. On our homeland
10 today, we who share so much, must now pay a fee to be guides.

11 I recall the day -- I don't know,
12 probably some of you have -- I recall the day when I had
13 to pay \$1 a day to get a job for guiding and the total
14 day, all you got was \$5, for you had to give up 20 per
15 cent of that in order to get a job to guide.

16 Number two, the recognition and
17 affirmation of aboriginal self-government, its origin,
18 content and a strategy for progressive implementation.

19 There has to be extreme caution in
20 signing agreements. We must understand what we are
21 signing. Self-government is at one time both constructive
22 and destructive.

23 Number three, the land base for

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1 aboriginal peoples, including the process for resolving
2 comprehensive and specific land claims, whether rooted
3 in Canadian constitutional instruments, treaties or in
4 aboriginal title.

5 I am unable to comment on that one.

6 Number four, the historical
7 interpretation and application, and future scope of
8 section 91(24).

9 I leave that to the people who are more
10 of an expert at that Act.

11 Number five, the legal status,
12 implementation and future evolution of aboriginal
13 treaties, including modern-day agreements.

14 Where OMAA constituents are concerned,
15 aboriginal rights and certain sections of agreements must
16 be entrenched in the Constitution in order or alleviate
17 some of that mistrust that was previously mentioned.

18 Number six, the constitutional and legal
19 position of the Métis and off reserve Indians.

20 Legally the Métis and off reserve
21 aboriginal people do not have any significant agreements.

22 The off reserve status Indians have some benefits;
23 prescription drugs -- I imagine what it is; limited

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1 education assistance to Bill C-31 which comes last usually
2 over the reserve status Indian student. OMAA will
3 continue to fight for these and other rights and benefits.

4 However, I implore the Commission to
5 support that, support OMAA's cause. It is imperative that
6 at least some of these rights, land base being the most
7 important, be entrenched in our Constitution.

8 Seven, the special difficulties of
9 aboriginal people who live in the north.

10 Well, I do not know if anybody in the
11 Commission lives -- well, I believe Mr. Erasmus comes from
12 the north. In the north, access to medical facilities
13 and treatment, the high costs of goods and the absence
14 of -- rather than, it says, elementary here -- it should
15 be high school and college education in most communities
16 are all special difficulties.

17 Eight, the Indian Act and the role,
18 responsibilities and policies of the Department of Indian
19 Affairs and Northern Development.

20 The federal government must recognize
21 that benefits are an aboriginal right. Reserves are part
22 of an historical policy that has never worked, and living
23 on a reserve should not be the criteria for benefit

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1 eligibility.

2 Number nine, social issues of concern
3 to aboriginal peoples. It is obvious that drugs, alcohol
4 and high unemployment are permanent concerns. This is
5 initiated by parental lifestyles in some cases.

6 Uneducated parents who do not see the importance of
7 education, thus not being concerned about unemployment,
8 tend to break down the family unit. Poor housing is
9 rampant for those who do not qualify for specific programs.

10 Control of child and family services, education and health
11 care may help in alleviating these problems. A good
12 starting point would be aboriginal involvement in the
13 decision making on school boards, welfare agencies, liquor
14 control boards and colleges and universities and all that
15 kind of stuff.

16 We need more. We need to have more
17 aboriginal people on these things. Back where I come from,
18 we try to get on just the school board and it is very
19 difficult. They find all kinds of excuses and reasons
20 not to get you to be a voting member. They will create
21 some kind of a committee and they put you on that committee.
22 You don't have a vote on that.

23 Ten, economic issues of concern.

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1 Employment is the foundation of any
2 society, of course. It fosters pride and self-worth.
3 If the job generates a reasonably good income and if it
4 is steady employment, everything else falls in place
5 usually: home ownership; food on the table; family
6 stability; education for the children; et cetera.

7 In order to secure jobs, we must have
8 training for our people, especially those who do not get
9 a proper education. We must push and convince governments
10 that people who have accumulated a variety of life-skills
11 through proper training and accreditation will stimulate
12 interest, create self-esteem, inspire more education, and
13 encourage entrepreneurial spirit and aspirations.

14 Eleven, cultural issues of concerns to
15 aboriginal people.

16 Native languages must be revived.
17 While there is a native language teaching in some schools
18 today, and in a lot of schools it is not a part of the
19 curriculum, we must convince the parents to learn the
20 language -- and I for one certainly feel that today. I
21 wish I knew, I wish I knew how to speak my language --
22 because the language must be used in the home to be
23 maintained and be spoken fluently. By that I mean you

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1 have to talk it pretty well every day. You can learn it
2 in school, but if you do not use it afterwards, you will
3 lose it very fast again, as we all know. This is what
4 I am saying here, we must speak it daily.

5 Traditional ceremonial practices must
6 be emphasized and utilized to counteract the influences
7 of the vices that grip our young people today. Our
8 traditional arts and crafts as well as the hunting, fishing
9 and harvesting, and especially our traditional medicines
10 must be maintained.

11 Twelve, the position and role of
12 aboriginal elders.

13 Again, in order to establish some
14 measure of self-worth and dignity in our young people,
15 the elders must play an important part. The elders must
16 be utilized in developing institutions such as the
17 aboriginal justice system, aboriginal elder tribunals to
18 deal with our own lawbreakers. The practice of religion,
19 counselling and guidance are among the many things that
20 must be practised as part of aboriginal self-government.
21 Aboriginal elders must be used to fill that role.

22 Thirteen, the position and role of
23 aboriginal women under existing social conditions and

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1 legal arrangements.

2 In 1991 the Ontario Native Women's
3 Association conducted a survey of aboriginal women. Their
4 report stated that there is considerable violence against
5 women. This is intensified because their spouses are
6 unemployed and taken out their frustrations against their
7 wives. The majority of aboriginal women are at a
8 disadvantage as they feel that they have to tolerate the
9 abuse. There is no escape or opportunity to join the
10 workforce due to the lack of educational opportunities,
11 no past family encouragement or stimulation to pursue a
12 career, language barriers, cultural differences and living
13 in isolated communities. Today the aboriginal women do
14 not want to be under the thumb of aboriginal men. They
15 want the Charter of Rights to protect them.

16 Fourteen, the situation of aboriginal
17 youth.

18 The high school drop-out, as we all know,
19 is very high. What is the cause? I would say racism is
20 the main reason followed by others such as drugs, alcohol,
21 family fragmentation which results in conflict with the
22 law and incarceration. Once a criminal record has been
23 established a native cares even less than he/she did

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1 before. Without rehabilitative structures in place the
2 individual becomes even more vulnerable. In order to
3 reduce their rate or level of delinquency the Commission
4 must, among other things, emphasize the importance of
5 facilities structured for these purposes.

6 Fifteen, educational issues of concern
7 to aboriginal people.

8 The main educational issues are
9 financial assistance and unavailable opportunities as a
10 result of remote communities. Further, there is an
11 absence of native culture in the colleges and universities
12 and there is no representation with a vote on boards of
13 local schools, colleges or universities. There must be.

14 Sixteen, justice issues of concern to
15 aboriginal people.

16 Sensitization of judges, crown
17 attorneys and police officers through workshops and
18 seminars are needed, and there must be greater exposure
19 of aboriginal plights through the radio and television
20 and the printed media.

21 In conclusion, the problems are immense,
22 but they will disappear unless they are addressed honestly
23 and openly.

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1 We wish you all well and hope that we
2 get your complete and total support.

3 Thank you very much.

4 **HENRY WETELAINEN:** Thank you, Howard.

5 Now, I would like to wrap up fairly
6 quickly here. I would also like to mention that the people
7 who have spoken to you today are volunteers from the Ontario
8 Métis and Aboriginal Association. They are not paid
9 politicians. They are volunteers.

10 You have Sheilagh Chief who is a
11 homemaker, Howard Restoule, Executive Director of a
12 friendship centre, Ron Swain, Sgt. of the OPP, Native
13 Recruitment, Mr. Joe Major, a long time barber and coach,
14 and you have Agnes Lidstone, a small business person who
15 has had to suffer the effects of our recession and knows
16 full well what it is like to be out there.

17 We hope that with this presentation that
18 we give you an overview of OMAA and the plight of its people.

19 Of all the aboriginal people we are the most dispossessed.

20 Why? Because we have no land base. Without a land base
21 and the express acknowledgement of our rights,
22 self-government is just a word. It has been said that,
23 "what good is freedom of the press if the government owns

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1 all the printing equipment." Without the tools to
2 implement self-government we are impotent.

3 We require the right to royalties, fees,
4 taxation, equitable transfer payments to carry out our
5 programs and policies. If a Canadian is poor, what
6 difference is it that his necessities are administrated
7 by us or the governments? The answer is we can do it better
8 and what's more, we can do it with pride and full knowledge
9 that we are partners in Confederation.

10 I would like to just deviate from this.
11 If we can bring the native population to full employment
12 or to the Canadian standard of employment, we will actually
13 add 2 per cent to the GNP of this country. That translates
14 in this province alone to \$8 billion. That is a heck of
15 an impact.

16 We can only solve the problems of
17 unemployment, role models and progression if the
18 governments are able to reach one small mental plateau
19 which is, "yes, we trust you." In its simplicity lies
20 the blueprint for our people and our country.

21 The Commission's task is not easy, but
22 then if it were, anybody could do it.

23 May the Creator give you guidance, and

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1 thank you very much for listening to the presentation of
2 the Ontario Métis and Aboriginal Association.

3 **COMMISSIONER GEORGES ERASMUS:** How many
4 billion would that be added?

5 **HENRY WETELAINEN:** Eight billion in the
6 Province of Ontario alone.

7 **COMMISSIONER GEORGES ERASMUS:** Thank
8 you for a very interesting presentation. It was nicely
9 separated between you. It certainly gave us a good picture
10 of the problems.

11 Viola, do you have any questions or
12 comments?

13 **COMMISSIONER VIOLA ROBINSON:** I want to
14 commend you for a very good presentation. It has been
15 well thought out and I know you must have worked very hard
16 to make this such a good presentation.

17 I guess what we want to say is one of
18 the major issues that the Commission is faced with is the
19 issue of the Métis issue because of the very reason that
20 you have laid out here and government does recognize that,
21 otherwise it would not be included in the mandate of this
22 Commission. They recognize there is a problem there and
23 it has to be addressed.

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1 Your presentation has clearly touched
2 on all of the sixteen items here that we have and I believe
3 that will give us a good feel and direction as to some
4 of the solutions that you want to see. That is what we
5 are here for, is to listen and hoping that people will
6 come up with some solution-oriented recommendations and
7 you have clearly did that in a lot of areas.

8 We hope that with presentations like
9 this -- I do not think I have really any questions. You
10 did not leave me a lot here to question. Really, you have
11 done a very good -- some of things that you have made
12 reference to we have heard and you have just validated
13 and sort of reiterated and strengthened some of the
14 proposals, like for instance, with the Stony Mountain
15 issue. I visited Stony Mountain as part of the Commission
16 and I can see what you are talking about because we
17 witnessed that coming from the inmates themselves.

18 About the elders -- somebody said the
19 importance of elders -- again, you have reinforced that.
20 We have been hearing that, hearing that right along.
21 So, I really do not have any questions. I would just like
22 to commend you for your excellent presentation.

23 **COMMISSIONER GEORGES ERASMUS:** Do

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1 either of the other Commissioners want to make a comment
2 or ask questions?

3 **HENRY WETELAINEN:** I guess we would like
4 to further invite the Commission to visit some of the Métis
5 communities in the Province of Ontario and I think you
6 have written a letter to us and we will be responding to
7 that and down the road you will be getting further
8 recommendations from us as you do your deliberations.

9 **COMMISSIONER GEORGES ERASMUS:** There
10 were some interesting comments that were made I wouldn't
11 mind just checking on. Somebody here made a comment in
12 relation to the north -- it was Joe Major I guess -- "many
13 people have no access to education." What was that about?
14 There are no schools? There is no access to elementary
15 or high school? Did you mean post-secondary?

16 **JOE MAJOR:** Post-secondary. It is
17 limited because there are so many cost-cutting ventures
18 in the north.

19 **COMMISSIONER GEORGES ERASMUS:** So the
20 point is there are no institutions up there and there are
21 no funds for people to go.

22 **JOE MAJOR:** Right.

23 **COMMISSIONER GEORGES ERASMUS:** I just

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1 did not understand when you just made the statement.

2 **HENRY WETELAINEN:** I think one thing he
3 is referring to, too, is the busing, the amount of time
4 that our people spend on buses. Some of them, like from
5 McDiarmid, I believe spend an hour and a half on the bus
6 and some of them are leaving.

7 **COMMISSIONER GEORGES ERASMUS:** Now we
8 are talking about high schools.

9 **HENRY WETELAINEN:** High schools, yes,
10 high schools, just to get to high schools. It is a long
11 time. They get up at six in the morning, back at six at
12 night, which is very strenuous.

13 **JOE MAJOR:** In the winter time the
14 conditions are --

15 **COMMISSIONER GEORGES ERASMUS:** Agnes,
16 you made some points in relation to status Indians, 22,000
17 students. Again, are we talking post-secondary here?

18 **AGNES LIDSTONE:** Well, it is in the
19 Royal Commission Report that I took that figure from and
20 it was 22,000 across the province. It came right from
21 the Royal Commission Report. I have it in the book that
22 you sent to us. That is where I got that statement from,
23 22,000, and it wasn't post-secondary. I believe it was

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1 across the board. But, again, it was, of course, not
2 Métis, it was status.

3 **COMMISSIONER GEORGES ERASMUS:** Okay,
4 because I think for post-secondary, 22,000 is the national
5 figure. It is not a figure just for Ontario. If it was,
6 it would be wonderful -- you know, to have over 100,000
7 in the country, I guess, in university.

8 **AGNES LIDSTONE:** Well, my statement is
9 that it is an impressive figure, but there is no Métis
10 involved in anything.

11 **COMMISSIONER GEORGES ERASMUS:** There is
12 no Métis going to university or no Métis getting funding
13 to go to university?

14 **AGNES LIDSTONE:** There is no Métis
15 getting funding for university.

16 **COMMISSIONER GEORGES ERASMUS:** How many
17 Métis are going to university, do you think, in Ontario?
18 Five, 10, 15, 100, 1,000?

19 **AGNES LIDSTONE:** We must be in the
20 thousands at least because a lot of Métis, of course are
21 not -- you know, colour does not dictate that you are a
22 Métis because even in the status. Some people may just
23 go to university and maybe they are of Métis heritage,

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1 but just go and do not say "I am Métis. Hello, I am Agnes
2 Lidstone. I am a Métis and I am attending university."
3 They go as a student attending a university.

4 **HENRY WETELAINEN:** We have done
5 extensive drop-out studies in the Métis population in
6 Ontario and we can provide those types of data further
7 on.

8 **COMMISSIONER GEORGES ERASMUS:** That
9 would be very useful.

10 **HENRY WETELAINEN:** We have spent a lot
11 of time and effort in the Province of Ontario studying
12 that problem and we can get that to you.

13 **COMMISSIONER MICHAEL CACHAGEE:** I have
14 a question for Joe there. You mention about these cards
15 for your boxers. Have you ever tried accessing First
16 Nations for a card to qualify instead of going to Ottawa?

17 **JOE MAJOR:** No, no.

18 **COMMISSIONER MICHAEL CACHAGEE:** Well,
19 maybe you can try that.

20 **JOE MAJOR:** First Nations.

21 **COMMISSIONER MICHAEL CACHAGEE:**
22 Because when we look at the sovereignty issue here, a lot
23 of First Nations now are backing off and they are starting

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1 to take a lot of those responsibilities among themselves,
2 passports particularly. So, if they can issue a passport,
3 I am sure they can give you a card for one of your boxers.

4 **JOE MAJOR:** It is not only boxers, but
5 there are a number of girls. In order to represent your
6 country, say, in track and field, you must be a carded
7 athlete.

8 **COMMISSIONER MICHAEL CACHAGEE:** We can
9 issue our own cards. The First Nations are sovereign
10 nations.

11 **JOE MAJOR:** Well, good, because you are
12 the guys I have been trying to get a hold of because we
13 have had runners, we have had --

14 **COMMISSIONER MICHAEL CACHAGEE:** Maybe
15 get a hold of somebody at Akwesasne. They could probably
16 help you with that.

17 **JOE MAJOR:** Good, good. Thank you.

18 **COMMISSIONER GEORGES ERASMUS:** Thank
19 you. Did you want to make any comment?

20 **RON SWAIN:** I just wanted to speak to
21 that statement. Part of our emphasis here is that the
22 Métis nation have that ability to be seen as a sovereign
23 nation and have that role of administrating cards to

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1 athletes.

2 **COMMISSIONER MICHAEL CACHAGEE:** I think
3 he was talking about, particularly, people of First Nations
4 in the whole. So, I mean if you are going to --

5 **RON SWAIN:** But one of the issues also
6 is --

7 **COMMISSIONER MICHAEL CACHAGEE:** If you
8 are going back to sovereignty, the Métis people cannot
9 be interfering with the sovereignty of a First Nation if
10 it involves their children and vice versa I imagine. So,
11 I was just suggesting to Joe that if he has children from
12 First Nations, to access that particular First Nation or
13 the nation for that --

14 **COMMISSIONER GEORGES ERASMUS:** The
15 point is you have two types of membership, right.

16 **RON SWAIN:** One of the issues, too, is
17 First Nations individuals off the territories, the whole
18 system is set up that you have to go back to the territories
19 to access these services and we are looking for a change
20 in that relationship that there could be off the territory
21 access to services and delivery of those services.

22 **COMMISSIONER GEORGES ERASMUS:** By off
23 the territory, are we talking about the homeland or are

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1 we talking about the reserve? Are you talking about the
2 whole territory?

3 **RON SWAIN:** Not so much the whole
4 territory as reserve and some sort of relationship,
5 negotiated relationship, to better represent individuals
6 who are off territories, people who are urban First Nations
7 individuals.

8 **COMMISSIONER GEORGES ERASMUS:** Who are
9 off reserve.

10 **RON SWAIN:** Off reserve.

11 **COMMISSIONER MICHAEL CACHAGEE:** I think
12 you are probably going to get some statement from the First
13 Nations this afternoon regarding that. The question of
14 sovereignty, I do not think it is within the Royal
15 Commission's mandate to discuss that and sovereignty in
16 itself is a very, very touchy issue with a lot of First
17 Nations.

18 I am a Cree. I belong to the Chapleau
19 Cree Nation and wherever I go, my sovereignty goes with
20 me.

21 **COMMISSIONER GEORGES ERASMUS:** Once
22 again, thank you for coming forth with your views.

23 **COMMISSIONER MICHAEL CACHAGEE:** We are

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1 running a little late here, so Georges has cracked the
2 whip.

3 Our next presenters are John Corbiere
4 and Frank Nolan. I see John, Duke, here.

5 **COMMISSIONER GEORGES ERASMUS:** Just a
6 reminder for everybody. We are encouraging people not
7 to smoke in the room. We thank you for your patience and
8 your endurance and all the rest of the things it takes,
9 fingernails, the giving up of the fingernails.

10 **COMMISSIONER MICHAEL CACHAGEE:** Is
11 Frank with you, Duke, or are you going to do it alone?
12 We are always excusing Frank.

13 **JOHN CORBIERE, BATCHEWANA BAND:** Our
14 particular issue is the native voting rights issue.

15 Chairman and members of the Royal
16 Commission on Aboriginal Rights, my name is John Corbiere.
17 I am a member of the Batchewana Band and a former Chief
18 of the band. My terms consisted of 14 consecutive years,
19 1966 to 1980. I have been active with other members of
20 the band to obtain court challenge funding which has
21 enabled our off reserve resident members and reinstated
22 band members to contest the discriminatory native equal
23 voting rights issues here in the Batchewana Band. We are

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1 the only native group in Canada that has successfully
2 acquired this funding to challenge this particular
3 equality of rights issue.

4 This brief is being presented consistent
5 with the terms of reference, Royal Commission on Aboriginal
6 Peoples, No. 6, re: the constitutional and legal position
7 of the Métis and off reserve Indians.

8 This brief is presented by myself and
9 Mr. Frank Nolan on behalf of the interests of our off
10 reserve residents and our reinstated band members who have
11 an individual and common interest in band moneys and band
12 assets and have a right to participate in determining their
13 priorities and use.

14 The present leadership in this elected
15 council has denied the basic democratic right of our off
16 reserve members to participate in our own band elections
17 and self-determination. This is in direct contrast to the
18 Canadian Charter of Rights and Freedoms and our own
19 aboriginal and band custom rights.

20 The recent Canadian Constitution talks
21 invited a cross section of people in Canada to an equal
22 opportunity to give their views on the direction Canada
23 should go. The Canadian government is in agreement that

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1 the native people must have equal rights and that the native
2 people have the inherent right to govern themselves. In
3 direct opposition to the Canadian government's concern
4 for equality, the present elected band leadership is
5 denying our off reserve members the opportunity to vote
6 on the basic things that have a crucial effect on their
7 lives.

8 Our members are being denied the right
9 to participate on an equal basis to serve and make decisions
10 on band committees and in band elections and, thereby,
11 being shut out from the decision-making process and thus
12 being excluded from the social and political prosperity
13 of the band. This is being done through the use of our
14 own band funds without the informed consent of the band
15 membership to use band funds to pay lawyers fees and court
16 expenses to deprive our off reserve and reinstated members
17 of equal rights and equal opportunity. A public band
18 meeting has never been called to publicly and properly
19 inform our people of this court challenge.

20 The present elected band council are
21 trustees of band assets, not the owners. The elected
22 leaders disregard of the elected trust responsibilities
23 to uphold and respect off reserve and new members' equal

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1 rights is a direct and intention abuse of public office.

2 We are in the era of self-government for
3 First Nations and the Batchewana Band Council has declared
4 itself to a First Nation. The band should ensure that
5 section 77 of the Indian Act does not apply to the
6 Batchewana Band unless the majority of the band members
7 agree that section 77 is best for the band.

8 First Nation self-government should at
9 all costs promote equality and fair play for its people
10 because Indians are already a disadvantaged group, whether
11 or not they live on a reserve. A local elected government
12 that perpetuates the disadvantage contradicts all
13 principles of native culture and tradition.

14 Our off reserve and reinstated members
15 have been excluded from band activities through no fault
16 of their own. The band council is expecting the federal
17 government to recognize and uphold its treaty rights, but
18 it will not recognize the rights of its own band members
19 who live in the area in which they assert they can
20 rightfully exercise treaty rights.

21 The '90s promise to be a new era for
22 native opportunity. There is endless economic
23 opportunity involved in the form of constructive community

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1 development through the construction, operation and
2 maintenance of band revenue-generating facilities.

3 In this court challenge we hope to prove
4 that band membership means much more than just a number
5 of a band list. We feel it is our citizenship. By
6 presentation of this brief, we are requesting your support
7 and assistance to get an early court date to have this
8 case heard in the Federal Court at the earliest possible
9 time. We request the Royal Commission's support of our
10 position in this equality of rights court challenge.

11 Thank you.

12 I wonder if there are any questions I
13 could answer?

14 **COMMISSIONER GEORGES ERASMUS:** Thank
15 you for your presentation.

16 I was just trying to remember, section
17 77, that is the section of the Indian Act that allows a
18 band to decide whether or not its custom, customary
19 election or not and if it not customary, then it is the
20 section that suggests that off reserve Indians cannot vote.
21 Is that the section?

22 **JOHN CORBIERE:** Yes.

23 **COMMISSIONER GEORGES ERASMUS:** In the

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1 many years that you were chief, what was the practice?
2 Were you using customary --

3 **JOHN CORBIERE:** The Notice of Motion
4 will show that our custom was because of the unique
5 situation of our particular band which was at one time
6 landless, all of our members voted regardless of residency.
7 Now, we have continually tried to have the off reserve
8 members vote.

9 The motion there -- sorry, the judgment
10 will show that.

11 What we are requesting is the
12 Commission's support on this particular issue which is
13 a precedent setting court challenge in Canada. It will
14 probably affect the majority of native people in the
15 country.

16 **COMMISSIONER GEORGES ERASMUS:** We will
17 certainly look at your documents, but it is very unlikely
18 we will be involved in any kind of court challenge, whether
19 recommending it or getting involved as an intervenor or
20 anything like that. But it is certainly an issue that
21 is, obviously, going to affect the work that we are doing.

22

23 If you are going to challenge a section

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1 of the Indian Act, and actually there are a number of court
2 challenges underway across the country right now that we
3 will probably have to keep a very close eye on. It is
4 a very interesting point.

5 So, just another question. Was there
6 ever a time when the band decided one way or another whether
7 they were going to use custom?

8 **JOHN CORBIERE:** The band had never
9 accepted the section 77. They have always been against
10 that part of the Act.

11 **COMMISSIONER GEORGES ERASMUS:** What
12 about when you were chief?

13 **JOHN CORBIERE:** We did not have access
14 to lawyers and funding for lawyers during my term of office.
15 We had to do all this work ourselves and our file will
16 show that.

17 **COMMISSIONER GEORGES ERASMUS:** Was
18 custom always used as the way of election?

19 **JOHN CORBIERE:** Custom was used up to
20 1978. We had an independent lawyer do a report and the
21 off reserve people were to allowed to vote at that time.

22 The terms of reference for that
23 particular independent report included a definition of

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1 residency. The lawyer defined residency which allowed
2 our people to vote and then the next following elections,
3 they reverted back to excluding, again, our off reserve
4 people.

5 So, I believe, if we had not got this
6 funding from court challenge we would still be running
7 in circles. You cannot negotiate with the Department of
8 Indian Affairs. They have access to lawyers and
9 everything and you cannot talk to them.

10 Like I said, we are the only group in
11 Canada that has successfully been awarded a court challenge
12 funding for this particular purpose.

13 **COMMISSIONER GEORGES ERASMUS:** If there
14 are any -- Vi, do you want to make any comment?

15 **COMMISSIONER VIOLA ROBINSON:** No, I do
16 not think so.

17 **COMMISSIONER GEORGES ERASMUS:** Anyone
18 else?

19 Thank you for your presentation.

20 Our next presenter is Lucienne Robinson.

21 Is she here?

22 **LUCIENNE ROBINSON:** I am coming here
23 today as a native woman who has been brought back by Bill

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1 C-31 and have been coming up with all kinds of fences such
2 as wanting to move back on the reserve and instead of my
3 people accepting me, just saying you actually don't belong
4 here.

5 I would like to explain a little bit of
6 how I got on Bill C-31. When I was a child of three years
7 old, my mother and father franchised me off of the
8 Michopcoten Reserve, so at that time I had no choice.
9 It was not as if that I married a white man and lost my
10 rights that way.

11 So, I have really been going with those
12 issues against my own band to say why don't you try and
13 recognize how some of us did get off of the reserve.

14 Right now I am really being bullheaded
15 about getting back on my reserve and on the weekends I
16 go up there and I reside on the Lake Superior shores of
17 the Gros Cap Reserve in Michopcoten with some of my family
18 and my grandchildren. I will continue to do this all
19 summer and I encourage a lot of the band members up there
20 that are not getting any answers from our chief in council
21 to do this this summer once our children are out of school.

22 We have been led around ever since I got
23 back as a band member. I reside in Hamilton at this time

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1 and I not only phoned my chief, but I also went up there
2 and made a personal visit and said that I would be glad
3 to travel at my own expense to go back to my reserve for
4 any meetings and I was really interested in what is really
5 happening in our culture.

6 I went so far as in Hamilton to start
7 up my own group, called the Anishnabe Gaatawebin Group
8 and we are a group of Mohawks, Ojibwes, Crees and many
9 nations, but what we are trying to stress is that we are
10 all natives.

11 I have started up a small food bank down
12 there for native people out of my own home and I hope to
13 continue this to go back to my reserve, not as a burden
14 to my reserve, but as a person to come there and also help
15 my people.

16 I have 10 children, 6 boys, and I have
17 also voiced to my chief that my sons would help build
18 housing up there without being paid for it, just to help
19 us people get back. There are nine houses up there and
20 five of them don't have anybody living in them, and I am
21 staying on the beach.

22 I have two children left at home. One
23 is 14 and one is 15, and I will continue to stay up there,

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1 even if I have to live in a little hut for the winter.

2 There are a few residents up there whose
3 homes are empty and I have approached them. One resident
4 is going to be losing his home because he has a child with
5 cerebral palsy and he was forced to bring his child to
6 Elliot Lake for schooling, and since then the band is going
7 to be taking back his home because they said that when
8 I brought up that his child needs education from down there,
9 that is just a crock of crap. That is what they told me.

10

11 I also have a deaf grandson and my
12 daughter is a member up there and for several years, she
13 won't be able to move back home because of him having to
14 have special education in Milton, Ontario.

15 I think it is really unfair that a lot
16 of our chiefs in council do not fully understand the band
17 members and why some of us are off the reserve.

18 I am all for self-government, but I also
19 think that self-government should start in our own homes
20 to help one another.

21 All summer long I am going to be working
22 on a food bank for our reserve. Even though my people
23 don't want me there, I still want to help them.

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1 I guess a lot of the members of our band
2 are just looking for direction and where to seek help.
3 What are our rights on the reserve? We ask questions.
4 A lot of the questions said that a lot of this information
5 has been destroyed from moving from one house to another.
6 The chiefs just have their offices in their homes.

7 We want a lot of answers. We don't even
8 know what our band owns up there any more, other than a
9 bulldozer, we were told, and some kind of machinery, like
10 a skidder. But other people have informed us that there
11 is a school bus up there and it is to be used as an ambulance
12 and a school bus for children. There are only two children
13 that are going to school from up in that reserve and when
14 we ask about that, they said they said there is no such
15 vehicle up there.

16 So, what we really want to know is how
17 to get information about -- answers I guess that we really
18 want to know about.

19 This is what I am here for today, hoping
20 that I can get some answers.

21 **COMMISSIONER MICHAEL CACHAGEE:** I will
22 give you a number of a lady here locally that belongs to
23 the same First Nation that you belong to and she could

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1 probably help you.

2 **COMMISSIONER GEORGES ERASMUS:** I am not
3 familiar with this reserve that you are talking about.
4 It sounds like it is a very small one. You said there
5 were only nine homes. Is that what you said and only four
6 of them are being used?

7 **LUCIENNE ROBINSON:** Five homes are
8 being used, four empty.

9 **COMMISSIONER GEORGES ERASMUS:** How big
10 is the band?

11 **LUCIENNE ROBINSON:** Apparently with the
12 new membership, it could go as high as 300 hundred, but
13 the last count, they said, was 150.

14 **COMMISSIONER GEORGES ERASMUS:** It
15 sounds like Michael may be able to give you the name of
16 someone who can help you with some of the information you
17 are after.

18 What you are saying is that the band
19 won't let you come back to the reserve.

20 **LUCIENNE ROBINSON:** They are saying
21 that they can't stop us, but on the other hand, they are
22 saying they really don't want anybody else on there. I
23 have asked the Chief, "does she have that authority?"

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1 And some of the residents up there have been told that
2 if they were to give the chief in council \$10,000, that
3 they would get them a home.

4 **COMMISSIONER GEORGES ERASMUS:** How big
5 is the reserve?

6 **LUCIENNE ROBINSON:** They say four miles
7 by four miles.

8 **COMMISSIONER GEORGES ERASMUS:** So, if
9 they cannot stop you from going back and your children
10 are prepared to build houses, what is stopping you?

11 **LUCIENNE ROBINSON:** Funds. They say
12 there are no funds there. You phone the government. They
13 say there are funds there. So, we are in between there.

14 **COMMISSIONER GEORGES ERASMUS:** So,
15 there are only nine homes and only five are being used
16 and the band is 300 strong. Ninety-nine per cent of the
17 people are not living on the reserve. Is that it?

18 **LUCIENNE ROBINSON:** That is right, but
19 a lot of them want to go back to live there. So, that
20 is what we are trying to do right now, is to get a group
21 and a body of people to go up there this summer and just
22 reside there on the beaches or whatever. Then, they are
23 going to have to acknowledge us.

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1 **COMMISSIONER GEORGES ERASMUS:** Do you
2 have any comments or questions?

3 **COMMISSIONER VIOLA ROBINSON:** It
4 certainly is, I guess, a difficult issue that you raise
5 here, but again, I do not know if there is anything that
6 we can do to change that as a Commission. It is probably
7 policy or whether Indian Affairs or the Indian Act policy
8 has once again managed to fragment and divide our people.
9 We keep hearing this over and over and over again, so
10 if that changes, whether it will change or not. But
11 hopefully, maybe, maybe with this situation where it is
12 small numbers there and maybe something some others, like
13 our Commissioner of the day, can give you some help and
14 guidance to try to solve that entirely amongst yourselves.
15 It probably would be the best solution, best approach.

16 **COMMISSIONER GEORGES ERASMUS:** Do any
17 of the other Commissioners want to make any comments or
18 ask any questions?

19 Perhaps Michael will be able to offer
20 some assistance to you.

21 **LUCIENNE ROBINSON:** Okay. Meegwetch.

22 **COMMISSIONER GEORGES ERASMUS:** We are
23 going to break for lunch now. I think we will try and

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1 get started at 1 p.m. rather than 1:30 so that we can deal
2 with the many presentations that are going to happen this
3 afternoon. So, we will start at one.

4

5 --- Luncheon Recess at 12:05 p.m.

6 --- Upon Resuming at 1:10 p.m.

7

8 **COMMISSIONER GEORGES ERASMUS:** Just
9 before we begin with the students, the elder would like
10 a moment just to say a few things. So, we will start off
11 with Elder Jerome Syrette saying a few things.

12 Could I ask the rest of you to find a
13 place to sit down, please. Go ahead, Jerome.

14 **COMMISSIONER JEROME SYRETTE:** (Native
15 language).

16 I would like to mention that as I sat
17 here this morning looking into the faces of the people,
18 I detect very many different minds. We gathered
19 together to find a way to go ahead with the things that
20 we are after, the rights of our people.

21 As I look on this paper here some place,
22 it mentions Charter of Rights. Oh, we are all taken away
23 with that, oh gosh, we want our rights.

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1 I do not know how many of you give thought
2 that your rights did not come in a charter. Your rights
3 were given to you when you were placed here on this Mother
4 Earth. That is your rights to take care of Mother Earth.
5 These are the things which make up our being.

6 He also gave us laws to live by which
7 we call spiritual laws, period, spiritual laws. But I
8 see many different minds far away from that spiritual
9 understanding.

10 In order to know who we are, we have to
11 get back to those spiritual laws and we feel good about
12 ourselves. We know who we are.

13 True, in this day and age it is
14 different. Material things, many things have changed,
15 but the spirit does not change if we follow that.

16 In my prayers this morning, I asked for
17 guidance that this whole party of people would move
18 together into something better. We cannot sit around and
19 wallow in self-pity and remorse. Today is a different
20 age.

21 Each one of you people that call
22 yourselves Nishnaabe must know the importance of that
23 (Native language), first and foremost in your life, (Native

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1 language)

2 Help me.

3 I do not know how many Nishnaabe believe
4 in that, but this is the basis, this is the start of coming
5 to that understanding by doing it the way we are supposed
6 to. (Native language)

7 Help me, grandfather.

8 Otherwise, our minds are going to be all
9 messed up.

10 We have people coming to the table,
11 talking. They are looking for their place in society.
12 If you marry a white man or the other way around, your
13 children are half. They in turn marry white,
14 three-quarters. They in turn marry white, no more
15 Indians.

16 What good is our clan system? We have
17 clans and we have laws. I married into Eagle Clan. My
18 children are all Wolf Clan. This is what we have got to
19 get back to and keep ourselves on Mother Earth, otherwise
20 we are going to be bickering and bickering without an
21 understanding of who we are.

22 Now, like that man that was sitting
23 there, I am very, very outspoken. Keep your mind open

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1 and nothing will hurt you.

2 I want to thank you all for listening.

3 **COMMISSIONER GEORGES ERASMUS:** Thank
4 you.

5 Our next presenter is Carol Gauthier.
6 She is from the Shingwauk Anishnabek Student Society which
7 is a subversive student wing of Algoma University. We
8 have a population at Algoma University of about 50 native
9 students and about 15 of them contributed to the input
10 for this submission, so Carol is ready. She is a little
11 nervous so bear with her.

12 **CAROL GAUTHIER, SHINGWAUK ANISHNABEK**
13 **STUDENT SOCIETY:** Not a little. I am Carol and I am a
14 student from the Shingwauk Anishnabek Student Society and
15 I have been asked to read this presentation by the other
16 students and I hope that if you have any questions that
17 myself or Mike can answer them.

18 AANIN. We would like to express our
19 gratitude to the Commissioners, the elders and the Indian
20 Friendship Centre for extending the invitation to
21 participate in this forum. To you we say Meegwetch and
22 we are honoured to be here today. The submission the
23 Shingwauk Anishnabek Student Society will be presenting

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1 today will hopefully convey some of the concerns and
2 aspirations of our group as well as the concerns of those
3 who could not be here today.

4 We also hope that our input will be
5 useful in any future endeavour that will bring about
6 equitable and justifiable changes for the aboriginal
7 people of Canada.

8 The contemporary issues of aboriginal
9 self-government and self-determination have brought to
10 our people feelings of hope and fulfilment in addressing
11 many of the historical wrongs the native people of Canada
12 have suffered.

13 Most of our people embrace native self-government as the
14 final release of the grips of colonialism. The acceptance
15 of this paradigm we wish not to dispute. We recognize
16 the need to be a self-determining and a self-governing
17 society. However, we are also concerned for those among
18 us that are as not informed about self-government and its
19 possible ramifications.

20 Recent news reports in both the
21 electronic and print media have carried stories about the
22 concerns some of the native women groups have expressed
23 regarding the possible abrogation of their rights that

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1 are now protected by the Canadian Charter of Rights. To
2 evaluate the native women's position solely from the media
3 reports would not adequately offer our group enough
4 substantial information to formulate a concise opinion
5 on that issue. However, we can arrive at a fairly
6 conclusive opinion by using the information that is now
7 available on native self-government. The issue of
8 information distribution as it currently applies within
9 the native community is one of the issues we wish to raise
10 at this time.

11 Historically, native people have been
12 one of the least politically informed segments of the
13 Canadian society. This could be attributed to many
14 factors, however, we recognize one of the main contributing
15 ingredients to this dilemma is being the non-importance
16 politically of native people when viewed by the politicians
17 dominant society. This, unfortunately, has relegated
18 native people to a second class citizen status under the
19 present political scheme. Basically, native people
20 lacked in political clout and, consequently, this
21 adversely affected their ability to bring about change
22 through political process.

23 The point we will be attempting to

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1 formulate is the possibility of a similar type of
2 phenomenon being created within a native self-governing
3 scheme. If the question on aboriginal self-government
4 was raised at this assembly today, the results would be
5 the majority lacking in enough topical information to
6 render an informed opinion on the subject. We view this
7 communication gap between the aboriginal elites and the
8 grassroots people as a major flaw in the whole negotiating
9 process on aboriginal self-government.

10 We can certainly sympathize with the
11 position taken by many native women. Many of these
12 aboriginal elites appear to be functioning in a vacuum
13 or within a secret society. Information to these
14 aboriginal elites is deemed to be for their individual
15 use only or, at best, to be shared with only a privileged
16 few. It is no wonder there are more aboriginal people
17 within their respective communities that are beginning
18 to express their fears and concerns about aboriginal
19 self-government. The non-informed or misinformed are the
20 majority of these communities which in itself is a
21 contradiction to the traditional aboriginal consensual
22 decision-making process. This closed informational
23 system must end immediately. Failing this, these

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1 aboriginal elites will only be masking the colonial
2 attitudes they have inherited from the dominant society.

3 The perpetuation of the settlers class
4 system will continue, the exception being the purveyors
5 of this phenomenon will be red instead of white. Instead
6 of having to deal with a covert style of paternalism, the
7 system will adopt an overt attitude of paternalism.

8 The "Indian industry" has proven to be
9 a very lucrative business for many opportunistic
10 non-natives for many years and, unfortunately, this still
11 continues today. There are non-native parasitic
12 consultants waiting in the wings to seize the opportunity
13 to move in on the misinformed aboriginal communities and
14 dispense their own versions on the applicability of
15 aboriginal self-government.

16 This situation could also be extended
17 to some "aboriginal organizations". There are,
18 unfortunately, some aboriginal groups that have more
19 non-native experts on staff than native people; so much
20 for self-determination. The point we are attempting to
21 focus on with this scenario is if we are to be
22 self-determining, then we must begin accessing more of
23 our own people. Failing to achieve this will result in

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1 the transference of the colonial ideologies from the
2 dominant society that has over time proven to be oppressive
3 and paternalistic towards aboriginal people.

4 To the non-native people in attendance,
5 we apologize if we have offended you. However, we
6 passionately believe that our future must be formulated
7 by those that will have to live within the confines of
8 aboriginal self-government. Aboriginal
9 self-government is our life. We cannot practise
10 self-government from 9 to 5 and then return to our homes
11 in suburbia. Our future and the future of those that come
12 behind us will be impacted by what we will accomplish today.

13

14 To those non-natives who have entrenched
15 themselves in the different aboriginal organizations, we
16 ask you to consider what the importance of aboriginal
17 self-determination means to our people. Your type of
18 hierarchical governing structure is contrary to our
19 traditional values. Hierarchy, as we have witnessed from
20 observing your system, breeds power struggles among those
21 at the top and alienates those at the base. The aboriginal
22 people do not require the transference of colonial
23 ideologies that will further alienate different factions

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1 from our communities.

2 Aboriginal people will have to undergo
3 a long healing process to de-program ourselves from the
4 negative impacts of the colonial powers. The last thing
5 aboriginal people need is to be advised by people who lack
6 in the area of sensitivity and understanding of our
7 cultural values and lifestyles.

8 As stated earlier in this submission,
9 we have not attempted to insult or to show disrespect to
10 anyone intentionally. However, we firmly believe that
11 the negatives of the aboriginal self-government process
12 are as important as the positive aspects.

13 There are aboriginal organizations who
14 have, in our opinion, used a positive approach in getting
15 the message out to their constituents about aboriginal
16 self-government. Two organizations that come to mind are
17 the North Shore Tribal Council and Nishnabe-Aski Nation.
18 Both of these organizations have utilized the electronic
19 and print media at their disposal as effective means of
20 delivering the pros and cons about aboriginal
21 self-determination.

22 One of the most positive aspect in their
23 delivery of this message was the use of layman's

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1 terminology instead of the usual legalese rhetorical
2 language associated with other presentations. This
3 approach must be expanded and used by more aboriginal
4 organizations.

5 As aboriginal people move towards
6 establishing systems of self-determination and
7 self-government, there will be different issues and
8 perspectives the native people have to deal with. The
9 areas of economic development, resource extraction, the
10 sharing of resources, social and cultural programs and
11 a justice system are going to require input at the community
12 level to ensure these issues meet and address the people's
13 needs.

14 Many communities will require the help and expertise of
15 those aboriginal communities which are strong in one given
16 area and be willing to share with the less fortunate
17 communities.

18 The spiritual and cultural
19 responsibilities of those particular nations will have
20 to undergo an awakening that will view tribal rights as
21 being tantamount as opposed to community and individual
22 rights.

23 The incorporation of the whole circle

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1 must be viewed as the point of reference to guarantee the
2 survival of our peoples as nations. The extended family
3 concept must be inclusive and applied not only to the
4 citizens on the traditional homelands, but also to our
5 people in the inner cities, prisons and smaller
6 communities. Shared leadership responsibilities must
7 become more fluid which will allow a more positive approach
8 to begin addressing many of the social problems that impact
9 on our people daily. We have to begin to take a more
10 holistic approach to these social issues.

11 Remember the plight of the single
12 parent, the imprisoned, the elderly and the disillusioned
13 youth are all members of the nation regardless of their
14 place of residence and should be accepted
15 responsibilities. A closer liaison between care givers
16 and providers should be instituted, thus avoiding
17 duplicating many services and, therefore, providing a more
18 effective delivery of social programs.

19 The well-being of our people has to be
20 the most important issue rather than the pursuit of the
21 political agenda of an involved aboriginal organization.

22

23 The use of numbers as a statistical base

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1 for the appropriation of dollars for some aboriginal
2 organizations has become the norm as opposed to the number
3 of people actually utilizing the programs they lobby for.
4 The end result of this type of selfishness is the continued
5 suffering by those that require the services the most.
6 This must end immediately if we are to begin our healing
7 process.

8 We have tried to be as objective as
9 possible without appearing to be offensive to anyone and
10 still be able to relay our opinion to the Commission.
11 There are, unfortunately, more lost cultural values than
12 retained by many aboriginal organizations and aboriginal
13 people. The important tradition value of
14 self-examination and criticism appears to be the one that
15 has suffered the most.

16 It has always been accepted in our
17 society the practice of self-cleansing was deemed an
18 honourable ritual which was not confined only to the
19 individual, but also practised at the clan and community
20 level. To begin our healing process as aboriginal people
21 we must first undergo a cleansing process. We must begin
22 prioritizing the issues that will require our utmost
23 efforts and resources. We feel the most important

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1 resource base we have as aboriginal people is our people.

2 The need to instill the proudness of being who we are
3 is going to take concerted efforts by all members of our
4 nations. The petty jealousies, prejudices and unfounded
5 suspicions will have to be dispelled in order for the
6 process of cleansing and healing to become effective.

7 Failure to act will only prolong the
8 hardships many of our people now experience on a daily
9 basis. The need to encourage our youth to remain in school
10 and complete their education is of paramountcy importance
11 for the success and survival of our nations. The inclusion
12 of the elder's teachings to the young will guarantee the
13 survival of our traditional value system and the end result
14 will be a healthier, proud and a more informed populace
15 ready to embrace the future.

16 Aboriginal self-government is the
17 future of our aboriginal people and should be accepted
18 as our collective responsibility.

19 To summarize our presentation, we would
20 like to offer some points for consideration we deem could
21 be utilized in correcting some of the negative effects
22 aboriginal people have suffered due to the colonial
23 socialization scheme.

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1 As native students we emphasize the
2 importance of the need to continue the funding of native
3 post-secondary education. We view education as the
4 vehicle that will guarantee our nation's future. We also
5 recognize the need to extend post-secondary funding to
6 include more comprehensive graduate studies.

7 The past few years have been encouraging
8 as more aboriginal students graduate from post-secondary
9 institutions. However, we still have a long way to go
10 if we are to address the needs of our communities. At
11 the community level, the need for more dollars and
12 resources will be required to meet the increasing demands
13 our front line care-givers are experiencing. One example
14 of this situation is the recent identified "Indian
15 residential school syndrome".

16 We believe this phenomenon should
17 receive a priority designation as it epitomizes the
18 devastating effects the negative colonial attitudes have
19 had on aboriginal people. The negative influence this
20 syndrome has had on aboriginal communities cannot begin
21 to be rectified with a simple apology from the offending
22 parties. A public apology is only a beginning. It will
23 require great amounts of dollars and resources to complete

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1 the healing process to overcome the devastating effects
2 this syndrome has had within our community.

3 The final issue is the need of a process
4 to begin the reconciliation of differences between the
5 aboriginal communities. We believe the aboriginal people
6 have before them an opportunity to convey to the rest of
7 Canada that differences can be reconciled when the success
8 of nationhood is at stake.

9 **COMMISSIONER GEORGES ERASMUS:** See,
10 that was easy.

11 **CAROL GAUTHIER:** Oh yeah.

12 **COMMISSIONER GEORGES ERASMUS:** Thank
13 you.

14 **CAROL GAUTHIER:** Thank you.

15 **COMMISSIONER GEORGES ERASMUS:** Do the
16 Commissioners want to make comments or ask questions.
17 Viola, do you want to start examining?

18 **COMMISSIONER VIOLA ROBINSON:** I want to
19 thank you for your presentation. It is one that is really
20 very concise and I think right to the point.

21 You talk about, I guess, right now the
22 way the system is now with the aboriginal groups, as you
23 mention and I guess you are talking about the governing

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1 systems that are in place now the govern, if it's bands
2 or if it's tribal groups or organizations or whatever,
3 that there is a lack of communication and it is not reaching
4 the people and not getting the kinds of direction and
5 decisions are not being made the right way.

6 **CAROL GAUTHIER:** Yes, the one example
7 would be the lady that spoke before we broke for lunch,
8 like, the lack of communication and her lack of housing,
9 or a place for her to stay, for instance. We find that
10 happening a lot.

11 **COMMISSIONER VIOLA ROBINSON:** How do
12 you propose the best way to resolve that? I know you are
13 talking about -- and we hear this a lot. We are hearing
14 people talk about a healing process and in the end you
15 talk about the residential school. It is really quite
16 alarming to put it mildly. I think for me we are only
17 in our first round and as we go around to communities and
18 to people, this is being echoed over and over again. It
19 is that now you have a term here "residential school
20 syndrome", and I think we are coming up with a new glossary
21 of words here that we are going to leave as a Commission.
22 But certainly that is being repeated over and over, that
23 the impact and a lot of the problems that our communities

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1 and our people today are facing is a result of the
2 residential school era and the kinds of things that it
3 imposes, a loss of culture and a loss of language and a
4 loss of relationship between the elders and the youth.

5 Certainly -- going back to the
6 traditional consensual way of making decisions is very
7 important. But what do you think should be done about
8 the effects of residential schools? It seems to me because
9 that is such an issue and it is evolved so frequent that
10 because this Commission is not going to report for another
11 two years or more, it might be something that needs more
12 immediate attention because you are talking about a healing
13 process and, obviously, it is a healing process that is
14 going to correct the effects that evolved out of the
15 residential school era.

16 What would you propose that should be
17 done? Like you say, apology is not enough, and I agree
18 with you. So, what would you suggest?

19 **CAROL GAUTHIER:** I think down here it
20 is mentioning that an apology is not enough and there is
21 going to be a need for more dollars to put people in place
22 of care-givers, or front-line care-givers, where people
23 who are having difficulties can go and deal with this.

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1 I believe for myself, as a woman, and as a single mother
2 who raised two children off the reserve it was very, very
3 difficult. There need to be places of healing where people
4 can go and deal with their issues if they need.

5 The residential school syndrome is vast.

6 There have been, from the people who came from the
7 resident, not all -- we are talking about sexual abuse
8 issues here and what continues to happen is that sexual
9 abuse perpetuates sexual abuse and I personally believe
10 that has to stop. There has to be healing for the victims,
11 survivors of sexual abuse and there has to be healing for
12 the offender as well because if the offender is not treated
13 and not healed, they are going to do it again and that
14 has been proven over and over and over through generations.

15 **COMMISSIONER VIOLA ROBINSON:** Do you
16 think it would be appropriate to establish some kind of
17 a study, specifically on the effects of residential
18 schools?

19 **CAROL GAUTHIER:** I think a study with
20 a recommendation and moneys guaranteed because it is there.

21 It is there and the ramifications are, like you were
22 saying, astounding. Something has to be done. There are
23 people who are in extreme pain and have nowhere to go to

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1 deal with this stuff.

2 **COMMISSIONER VIOLA ROBINSON:** Do you
3 think that this healing process has to happen, both for
4 people who are within their communities and also extended
5 to people beyond those communities as well, that it should
6 be for both?

7 **CAROL GAUTHIER:** Yes. I think it has
8 to come out of the closet and has to be talked about and
9 the shame has to be placed where it belongs and not on
10 the people. It has to stop and then people can talk about
11 it more openly and freely and realize that it is not theirs.

12 **COMMISSIONER VIOLA ROBINSON:** I will
13 just move from that a little bit. When you talked about
14 the traditional -- going back to the traditional ways of
15 governing, are you talking about abandoning the Indian
16 Act and going back to the -- I know this is an issue that
17 has been brought up before. There are a lot of nations
18 in this country who believe they are nations and their
19 nationhood comes before any Indian Act. The Indian Act
20 has been imposed on them and has created lots of divisions
21 and stuff. Do you believe that it has to replace that
22 or do you think that it can work within the Indian Act
23 system?

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1 **CAROL GAUTHIER:** I do not know about
2 that part.

3 **COMMISSIONER MICHAEL CACHAGEE:** I am
4 from the university, Vi, and I correlated most of the
5 thoughts from the students. They were not speaking about
6 as, per se, government, governing structure. What they
7 were looking at is basically what our elders spoke about
8 just before we began this afternoon's deliberations, and
9 that is going back to the basic concepts of respect, mutual
10 respect of each other.

11 The one student that brought this up,
12 what he was concerned about was the petty jealousies and
13 the suspicions within our own communities because of
14 hierarchial structure that has been introduced and
15 enforced by the Indian Act which, in turn, has deteriorated
16 our relationships with each other and specifically to
17 ourselves and he was kind of adamant that I include that,
18 but he has left for Chicago so we cannot really question
19 him today.

20 **COMMISSIONER VIOLA ROBINSON:** Thank
21 you.

22 **COMMISSIONER GEORGES ERASMUS:** Do any
23 other Commissioners want to make any comments or ask

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1 questions?

2 I was wondering if you were aware that
3 on the Canadian Charter of Rights how it was finally
4 resolved to date. Are you aware that in the package that
5 has been put together that the charter is going to apply
6 to self-government?

7 **CAROL GAUTHIER:** No, no, I did not.

8 **COMMISSIONER GEORGES ERASMUS:** That was
9 actually on the news, but if you do not hear the news every
10 day, it is hard to keep up to it. So, the charter is going
11 to apply to aboriginal self-government.

12 You talk about the Indian residential
13 school syndrome. Do you know of any studies or any books
14 actually written on this subject? We, at the Commission,
15 have been trying to actually trace down where that was
16 started to be used and if there are any authorities out
17 there on it. Has anybody done any work on it? Do you
18 know of any authors?

19 **COMMISSIONER MICHAEL CACHAGEE:** Again,
20 I can't submit to myself, Georges, but I will put the hand
21 up so you can see me submitting.

22 There has been a study initiated out in
23 Vancouver. I think the Union of B.C. Indians have begun

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1 an initial study on that. We have here at the university
2 in Sault Ste. Marie began initial studies on it. They
3 are very, very in their infancy right now. I think what
4 you are going to find as you travel across the country
5 with this Royal Commission is that you are going to be
6 impacted probably at every hearing that you choose to do
7 and where you are doing it if there has been a residential
8 school within a hundred miles.

9 We have people in this area that are both
10 from the Shingwauk Residential School in Gardiner and the
11 ramifications of the syndrome was just devastating within
12 all of the communities from James Bay over east into
13 northern Quebec and right down to the people at Oka and
14 Kanesatake and Kahnawake, and inevitably when you find
15 their roots, they all lead back to an Indian residential
16 school, the dysfunctional families. The problem with this
17 is it's an inherent. You will find within, particularly,
18 my family I am the second generation. My mother went
19 there. I had a grand uncle go there, so in essence I am
20 the third generation that has been subjected to that type
21 of treatment in those schools.

22 The Anglican church in particular just
23 the end of May released a press statement where they have

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1 set up a panel where they are going to start addressing
2 some of the issues. That was distributed by the Anglican
3 Church of Canada. They have set up a Commission of two
4 people to look into this. So, the process is beginning.

5 **COMMISSIONER GEORGES ERASMUS:** Yes, we
6 have heard a lot about the impact of residential schools,
7 a tremendous amount. That is not what I was asking about,
8 but certainly it is useful to hear, again, the impact of
9 it. What we are trying to do is we are trying to put our
10 finger on who actually coined the phrase "the residential
11 school syndrome" and whether or not somebody has actually
12 done some work on defining what that means.

13 He is whispering to me that it is people
14 in British Columbia who are the authors.

15 Thank you for the presentation you have
16 made. It is very useful.

17 **CAROL GAUTHIER:** Thank you.

18 **COMMISSIONER MICHAEL CACHAGEE:** Our
19 next presenter this afternoon is from the Phoenix Rising
20 Women's Centre, Lorrie Armstrong.

21 **LORRIE BOISSONEAU-ARMSTRONG, PHOENIX**
22 **RISING WOMEN'S CENTRE:** Bonjour. Boozhoo, Oza-wa-a-nung
23 Ekwe dizhnakas. Mukwa n'dodem. Ketegaunseebee

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1 doonjaubau.

2 My English name is Lorrie
3 Boissoneau-Armstrong. I belong to the Bear Clan and I
4 come from Garden River First Nation.

5 I would like to begin my presentation
6 by welcoming the Royal Commission members to the Ojibwe
7 Territory, (native language) Ms Robinson, Mr. Erasmus,
8 Mr. Cachagee and Ms Jones.

9 This afternoon, my issues of concerns
10 will be presented as an Anishnabe woman and a social worker
11 who is employed in a non-aboriginal agency.

12 There is not one particular subject that
13 I desire to speak on, but I will address a few important
14 components from your terms of reference.

15 I am support worker with Phoenix Rising
16 Women's Centre and Non-Profit Homes Inc. We offer one
17 to one support, referrals, group programming, advocacy
18 and information services to women. We also operate a
19 25-unit apartment building for women with or without
20 children.

21 Anishnabe women play an important role
22 in the operation of Phoenix Rising. There are five
23 Anishnabe women that are members of our Board of Directors,

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1 including myself as a staff member.

2 These roles are not as a stoic "token
3 Indian" or as a generous gesture from the kindhearted
4 "white women". These roles combine guidance, teachings
5 and knowledge from Anishnabe and non-aboriginal women who
6 share concerns.

7 Phoenix Rising is making conscious
8 efforts to facilitate special programs for Anishnabe
9 women. Some of these efforts include the Sacred Tree
10 Program that was offered which taught universal teachings
11 of the Anishnabe and included life-skills such as
12 self-esteem, assertiveness and self-awareness.

13 A beadwork class was taught by one of
14 our elders where women and children learned that when you
15 are beading that a prayer goes into every line and many
16 other traditional and sacred teachings took place at that
17 time.

18 Our resource library contains
19 periodicals, aboriginal newsletters, special articles and
20 books such as the Mishomis Book by Eddy Benton-Benai, In
21 Search of April Raintree by Beatrice Culleton and Ojibway
22 Heritage by Basil Johnson and much, much more.

23 We also have video tapes and children's

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1 books especially geared to Anishnabe people and our way
2 of life.

3 The programs that I mentioned were only
4 open to Anishnabe women but the books and video tape
5 resources are used by Anishnabe and non-aboriginal women
6 who access our drop-in centre.

7 Recently, Anishnabe professions
8 sponsored a Cross-Cultural Workshop to provide a cultural
9 link for non-aboriginal agencies and organizations and
10 service providers who were and are directly affiliated
11 with our people.

12 The workshop proved to be an enormous
13 success. Evaluation comments included:

14 "The information presented here was very
15 appropriate and clear as to the nature of native culture."

16 "We need more workshops like this, more
17 professional people need to attend."

18 "Very good beginning to a process that
19 is long overdue. Cross-culturalism is the vehicle which
20 will provide a better understanding of each culture and
21 thereby beginning the healing process."

22 With the guiding efforts of our elders,
23 we were able to provide an understanding to non-aboriginal

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1 people. We cannot fill all agencies with Anishnabe
2 people, but we can do our best to give an enlightenment
3 of our culture to the best of our ability.

4 As an employee of Phoenix Rising, I
5 develop and facilitate programs for Anishnabe women that
6 utilize our centre.

7 I am also given the unique opportunity
8 to support Anishnabe women in their healing in our
9 traditional ways.

10 My work hours include time to make
11 preparations for our sweat lodge, accompanying women in
12 meeting with our elders and participation in the sweat
13 lodge and at our women's circles.

14 The significance of the roles as
15 Oskawabis helpers are very important for women seeking
16 help and to the women that give the assistance during our
17 sacred ceremonies because you have to be prepared mentally
18 and spiritually.

19 Approximately, 25 per cent of women that
20 we assist at our drop-in centre are Anishnabe. Seventeen
21 per cent of the women and children residing in our apartment
22 building are Anishnabe.

23 I am fortunate that Phoenix Rising

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1 understands that Anishnabe women may want to do their
2 healing by our process.

3 I discovered that professional
4 counselling did not work for me nor did it provide me with
5 a sense of ownership in dealing with my problems. My
6 healing took place through our sweat lodges, speaking with
7 elders and having our women's circle for support and
8 guidance as I continue to heal through that same process.

9 As a support worker to non-aboriginal
10 and Anishnabe women, I appreciate both ways of healing
11 and therefore I can offer the best of two unique worlds
12 to women.

13 Women of different races, ages, economic
14 status and pain are facing societal suffering such as
15 spousal, emotional, physical or sexual abuse and many forms
16 of discrimination.

17 Anishnabe women face double, triple and
18 quadruple discriminations; being a woman, being Anishnabe,
19 living below the poverty line or just above and many times
20 not possessing the necessary education equivalent to the
21 status quo.

22 Phoenix Rising acknowledges that
23 Anishnabe women's needs are indeed diverse and distinct

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1 and their positive movement to this effect includes:
2 instituting culturally appropriate programs by furnishing
3 books written by Anishnabe authors which show the true
4 Anishnabe, unlike the history of books of years ago. We
5 also have videotapes, resource material, newsletters, et
6 cetera, by and for Anishnabe people; sponsoring Anishnabe
7 specific programs such as the Sacred Tree, Aboriginal
8 Program Committees, et cetera; hiring Anishnabe people
9 within their organizations and ensuring that they are
10 represented on committees and boards; understanding that
11 our culture is not a religion, but a way of life that is
12 alive, well and thriving.

13 In conclusion, organizations and
14 agencies that service our Anishnabe people at all points
15 of delivery can follow the example that has been set by
16 Phoenix Rising.

17 I believe we are responsible for our
18 Mother Earth and her inhabitants, whether we are red,
19 white, black or yellow.

20 It is time to stop the "divide and
21 conquer" mentality.

22 We as Anishnabe can explain our way of
23 life to non-aboriginal people, but do not ask us to

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1 participate in our spiritual ceremonies or to carry our
2 sacred bundles and pipes. This is ours only.

3 Non-aboriginal people need to find their
4 own spirituality and we can guide and introduce them and
5 their path is their own to follow.

6 An awareness of Anishnabe culture is
7 needed to understand why our land is so very important
8 to us and why we need culturally appropriate programs for
9 our people.

10 It is because of our instinct of survival
11 that we have endured and existed since Christopher Columbus
12 set foot upon our land 500 years ago.

13 I ask non-aboriginal people to plead
14 ignorance no long.

15 If you cannot do it for yourselves, then
16 for our generations of children yet unborn.

17 Meegwetch.

18 **COMMISSIONER GEORGES ERASMUS:** Thank
19 you for a very good presentation. Viola.

20 **COMMISSIONER VIOLA ROBINSON:** I want to
21 thank you, as well, for your eloquent presentation. I
22 think it is one that is very helpful, and in particular,
23 about the area where you mention where you have had your

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1 cross-cultural workshops and I couldn't agree with you
2 more. I think this is something that is certainly a
3 mandate of the Commission, too, is to educate the
4 non-aboriginal society to the culture of our people. We
5 can only work together if we can understand one another
6 and we have to start learning from each other.

7 I commend the work that you have done
8 here as a person and what has come out of this.

9 I really do not have any questions. I
10 think you are doing a great job.

11 **COMMISSIONER GEORGES ERASMUS:** I wanted
12 to say that it is really good that you presented to us.
13 What we are discovering is that the pain that aboriginal
14 people have experiences from things like the residential
15 school and so forth that we were just talking about little
16 while ago, the impact from that, and the family breakdown,
17 the sexual abuse, imprisonment, loss of culture and so
18 forth, that there seems to be a way in which aboriginal
19 people are starting to deal with that. What you deal with
20 here about what worked for you and what is working for
21 aboriginal people is what we are hearing over and over.

22 We went into quite a few of the major
23 correctional institutes in this country so far, big ones

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1 like Stony Mountain, the one in Saskatchewan at Prince
2 Albert, and some provincial ones and we have gone to youth
3 centres and so forth, and what we are being told by women,
4 by men, is that what works for them is not sitting down
5 with psychiatrists and psychologists and group therapists,
6 if they are non-native, if they have been educated on how
7 to deal with mainstream problems, that they are not very
8 effective.

9 They can take alcohol and drug abuse
10 education. They can take anger management. They can take
11 group therapy and those things. They are of very little
12 use until they start actually working with elders, and
13 until they actually have the sweat lodge either come into
14 the prison or in the school, and now we are also hearing
15 it from women's centres, and until the elders are involved
16 and until there is traditional aboriginal spiritualism,
17 it does not work.

18 In the healing circles that are being
19 created, all of the other stuff that is being attempted
20 are addressed that way. It is a group therapy. It is
21 a self-learning. It is a self-help. It is a way in which
22 people can learn to speak. They bring out their pain.
23 They start to grow, and they start to find something in

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1 them again that starts to bubble and becomes very strong.

2 We heard people talking to us that have
3 never said anything in public before talking about painful
4 things that they couldn't even share with their closest
5 friend at one point in their lives. So, it is really useful
6 what you are bringing to us.

7 I think that the women, obviously, are
8 going in the right direction.

9 **LORRIE BOISSONEAU-ARMSTRONG:** One
10 point I would like to mention is that I am only Anishnabe
11 woman in our centre and I had the opportunity because they
12 operate almost as a feminist scale, that they believe in
13 the uniqueness of women and I believe that if I was to
14 work in another organization and non-native organizations,
15 they would not allow that to happen. I could take time
16 off to do those preparation and to attend those sweat
17 lodges, or even to say: "No you can't do this because
18 this is not the way counselling goes for people."

19 I think the Commission should make note
20 of it is that a lot of the non-native agencies do not allow
21 their people to participate. They still have to go
22 underground to do that or time after and still report in
23 to work the next day or whatever. Allow them the time

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1 to go and do all those things.

2 **COMMISSIONER GEORGES ERASMUS:** True.

3 Thank you.

4 **LORRIE BOISSONEAU-ARMSTRONG:**

5 Meegwetch.

6 **COMMISSIONER JEROME SYRETTE:** This
7 morning I head a lot about aboriginal people, traditional
8 people, traditional way, and I have to put a question to
9 my sisters out there.

10 This day and age where -- she wants to
11 make more money than I am making. She will put in an extra
12 hour. She just came from the hospital 30 days ago. We
13 found ourselves a baby sitter. When the baby got old
14 enough, he was pawned to the day care centre. From day
15 care, he went on to junior school. How much time did my
16 wife spend with my baby? Where are the songs? Where is
17 the nursing and the holding? Healing that baby through
18 the songs.

19 We call ourselves Indian people. We
20 have a job to do as women. The life that was given to
21 you there is only on loan to you for a little while and
22 your job is to take care of that life. If you don't want
23 it -- like, a lot of people today don't want their children

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1 any more.

2 We have lots of things to think about.

3 I am not a backbencher, but I am bringing forward things
4 that we seem to disregard. My cheque can wait. I will
5 look after my son first.

6 You call yourselves traditional women,
7 aboriginal peoples. You had better learn something about
8 yourself. Some place they wrote about this boat landing.

9 I don't know how long ago. They brought with them a way
10 of life that was put onto our people. We thought it was
11 nice. We thought it was good. And we had all the
12 education in the world before. We knew all about the
13 cosmic elements. We did not need compasses and papers
14 and we travelled by the stars and we got there where we
15 wanted to go. My people built big pyramids -- them stones
16 weigh thousands of pounds -- long before machinery came
17 in. But this was nice. Here we are sort of begging like.

18

19 My friends, when that boat landed, most
20 people thought they were in India so they called us Indians.

21 What would they be calling us if they thought they landed
22 in Turkey?

23 Thank you for listening.

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1 **COMMISSIONER MICHAEL CACHAGEE:**

2 Meegwetch, Jerome.

3 Our next presenter is an individual
4 presentation, Brenda Jonah.

5 **BRENDA JONAH:** Good afternoon. My name
6 is Brenda Jonah and I am a former student from Sault College
7 and I have taken the Native Community Worker Program there,
8 the Child and Youth.

9 Through my personal involvement within
10 the system I saw a need for a native liaison person to
11 work with the students and staff in the education system.

12

13 I graduated from Sault College and
14 completed this program and during this course I did my
15 placement at a high school with a high population of native
16 students.

17 There is a need for more cultural
18 awareness for the staff and students, both native and
19 non-native. These workshops would provide an
20 understanding of the issues that our people are faced with.

21 During my placement I developed a
22 program which consisted of life skills to build up the
23 students' self-esteem and self-concept.

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1 The majority of the students requested
2 to know their native culture. I provided speakers and
3 showed films to the students. Awareness of AIDS, drugs
4 and alcohol were only a few of the topics that were made
5 available to the students.

6 We also worked together as a group to
7 put on a mini-social and a native heritage display. This
8 taught the students how to work together as a group and
9 have individual responsibilities and how to organize.

10 I provided informal one on one
11 counselling with the students on academic and personal
12 problems. The staff in the high school depended on me
13 to discuss concerns with the students, knowing that they
14 were more comfortable talking to one of the same culture.

15 A proposal was submitted to Pathway's
16 to have a native liaison person in three of the high schools
17 here in Sault Ste. Marie. A job description was based
18 on the program that I developed in the high school.
19 Training will take place as soon as funding is made
20 available.

21 One of my concerns also is that a
22 proposal is not enough because when you develop a program
23 into a situation like that, the students depend on that

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1 and they look forward to having this year after year.
2 Through experience working with these students -- they
3 are asking me now if I am going to be coming back next
4 year and there have been disappointments. I do not know
5 if the proposal will go through, but it is not something
6 that is going to happen year after year. If it did go
7 through and then the year comes up, you know, will they
8 be funded again?

9 So, I feel that we are setting up the
10 students and staff within the high schools with
11 opportunities that we may not continue to do so.

12 These are some of the students that have
13 been into the course that I have developed and Trixie Jones
14 is going to tell you how she felt about the program.

15 **COMMISSIONER TRIXIE JONES:** (native
16 language)

17 I felt that when Brenda came to this
18 school, it was a big change because we couldn't speak to
19 our teachers about problems. It was different. I don't
20 know, I just think we needed someone there that we knew
21 who would be there. Meegwetch.

22 She has been there for everybody. When
23 you need her, she is there, or when you are down, she asks

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1 you how you have been. I think of every school that has,
2 like, native students and they have got a counsellor, it
3 would be a big change. I think the students would go to
4 school more because they know if they have a problem, they
5 have someone to go and see. That is how I feel.
6 Meegwetch.

7 **MARYLIA TANGIE:** My name is Marylia
8 Tangie. It was good having Brenda around. She helps me
9 a lot. It is good to have her around. It would be nice
10 to have her back in the school again, like in September.

11 **COMMISSIONER GEORGES ERASMUS:** Good,
12 thank you.

13 You brought up something that we have
14 heard a number of times before, how students that are
15 involved in either college or post-secondary education
16 or high schools away from home really need some
17 counselling. It is an issue that we certainly have heard
18 more than once, the very same kind of problems and so forth.
19 We understand the issue.

20 Viola, do you want to make any comments?

21 **COMMISSIONER VIOLA ROBINSON:** I guess,
22 as Georges said, we are pretty much aware of this issue
23 and certainly education is a big priority. It is coming

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1 out everywhere, and I guess for education you need
2 counselling as well in the schools. That is an important
3 element of education for aboriginal people, students in
4 non-aboriginal schools. You are talking about the high
5 school? Is that where your placement was done, in high
6 school? Is there a large concentration of aboriginal
7 people in this high school?

8 **BRENDA JONAH:** Yes, there is.

9 **COMMISSIONER VIOLA ROBINSON:** Indian
10 Affairs does not provide counselling services for
11 aboriginal students?

12 **BRENDA JONAH:** Through other bands,
13 like the Garden River Band and the Batchewana Band, but
14 there is nobody right in the school every day.

15 **COMMISSIONER VIOLA ROBINSON:** They are
16 not right in the school?

17 **BRENDA JONAH:** No.

18 **COMMISSIONER VIOLA ROBINSON:** I see.

19 **BRENDA JONAH:** They come and visit maybe
20 every so often.

21 **COMMISSIONER VIOLA ROBINSON:** I guess
22 that is a point that we should really look at, is to have
23 these students, should be right on the premises, so that

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1 they could counsel all aboriginal students.

2 **BRENDA JONAH:** Yes.

3 **COMMISSIONER VIOLA ROBINSON:** Thank you
4 for making your presentation.

5 **BRENDA JONAH:** Okay, thank you.

6 **COMMISSIONER GEORGES ERASMUS:** Thank
7 you.

8 **COMMISSIONER MICHAEL CACHAGEE:** Our
9 next presenter is Chief Darrell Boissoneau from the Garden
10 River First Nation.

11 **CHIEF DARRELL BOISSONEAU, GARDEN RIVER**
12 **FIRST NATION:** Bonjour. (native language)

13 My English name is Darrell Boissoneau.

14 I am Chief of the Ojibwe's of the Garden River First
15 Nation. On behalf of myself, the council from Garden
16 River, the elders and our citizens, I would like to extend
17 a welcome to our distinguished table here.

18 It is our hope that the presentations
19 that are being made here today by the different people
20 and, particularly, from our community, that the Commission
21 will hear the words of the people.

22 It is also our hope that the words that
23 are being spoken, a lot end up on a shelf where

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1 recommendations or the words of the people are going to
2 collect dust. Too often in the past we have experienced
3 a number of surveys that were done of our people, a number
4 of commissions that were undertaken by different
5 governments and that they simply went nowhere.

6 Throughout all those different
7 processes, and I guess Mr. Erasmus, as the former National
8 Chief of the Assembly of First Nations, you are quite well
9 aware of what happened to a lot of those studies.

10 So, indeed, we hope that our words are
11 heard and that something is a result of it.

12 We have been honoured in our area the
13 last little while to have the First Nations circle on the
14 Constitution come to Garden River. We've had round table
15 discussions with regard to the statement of political
16 intent come to Garden River in which we have advocated
17 our position.

18 I would like to welcome you to what is
19 called Sault Ste. Marie, but to our people it is called
20 Balti (ph). Our people have occupied these territories,
21 this territory, since time immemorial.

22 Life of the Ojibwe people did not begin
23 in 1492, nor did our systems of government begin in 1492,

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1 but it existed long before that.

2 We have experienced over the last 300
3 years much frustration amongst the people. We have
4 experienced much suffering and I am sure that has been
5 communicated to each and every one of you here today.

6 We have experienced cultural genocide
7 and some of our nations, close to cultural genocide, the
8 disappearance of our language, the inability to practice
9 our traditions and our culture.

10 We have felt paternalism. We have felt
11 colonialism. We have felt assimilation. We have felt
12 our exclusion in the development of Canada. We have felt
13 the non-recognition of our systems of government. We have
14 felt the detrimental effect and the paternalism that is
15 played by the Indian Act and how much it has hindered the
16 development of our people and how much of that has held
17 us prisoners within our own communities, and how much that
18 we have not enjoyed as the rest of the Canadians do --
19 and in our particular case the rest that the citizens of
20 Ontario do -- reap the benefits of the resources that are
21 attached to the land.

22 In 1850 our people signed a treaty, a
23 treaty of co-existence undertaken by Robinson Huron and

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1 in that treaty we were guaranteed specific hunting and
2 fishing rights.

3 Along with that, there was also the
4 recognition that health care, education, housing and
5 everything else that came with the operation of government
6 would be there.

7 We agreed to at that time share with the
8 non-Indian people the resources of the land, and yet today
9 we do not receive any of those benefits.

10 We do, however, received \$4 a year in
11 recognition of the treaty that was signed between our
12 people and the settler people who came to our territory.

13 Since 1850 our people have maintained
14 and lived up to the spirit and intent of our treaty, but
15 yet Canada and Ontario continues to violate the treaty
16 that our people have signed, so much so that our people
17 are all going to court for hunting and fishing violations,
18 so much so, that now, in this area, that there is an increase
19 in the proliferation of racism and discrimination as a
20 result of people not understanding what our rights are
21 and that indeed there is much concern that what may occur
22 in the next little while.

23 So, we hope that we can share, as we did

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1 in the past, with Canada and with Ontario our aspirations,
2 our wishes, because what we ask for is not great nor is
3 it any less than any other Canadian or citizen of Ontario
4 wishes to have. We ask for our own form of government
5 and we are not begging anybody for this. We are simply
6 going to do it. We are going to establish it.

7 We are going to remove how much impact
8 the Indian Act has on our life and a part of our
9 recommendation to the Commission is the abolishment of
10 the Indian Act and dismantling the Department of Indian
11 Affairs and the creation of a Commission that is undertaken
12 by the responsibility of our people, and that we also have
13 to extend -- beyond the borders of our communities, that
14 we also have to extend assistance to our citizens who live
15 outside of our territories, who live in the urban centres,
16 and that we also have to understand that we have to protect
17 the women, the elders and the children in our communities,
18 and that is our responsibility. That responsibility does
19 not rest with any other government and the protection of
20 their rights is an integral part of that.

21 So, we wish to continue after we now have
22 examined the last 500 years of our relationship with these
23 people who come to our lands and the destruction that they

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1 have put on Mother Earth and how much abuse that they have
2 brought into our community.

3 We have examined the gloom and doom of
4 our people and we know very much what it is that has
5 happened, but we also wish to examine what the next 500
6 years is going to be like. We want to build our
7 communities, our communities that are going to survive
8 and have economic stability and which we do not have today,
9 our communities where we can teach our children the proud
10 language, the proud history of our people.

11 We want our communities to have access
12 to those other facilities that non-Indian communities
13 enjoy because we need those institutions, as well, within
14 our communities.

15 We know what those institutions have
16 done to us, the residential school system, the governments,
17 the churches. We know what they have done.

18 We could dig up their grandfather's
19 bones and probably kick them around all over dirt and say:
20 "Do you know, this is how much of a terrible life that
21 you did to us." But we also have a vision, we also have
22 dreams in which we want to build a better future for our
23 people, so the quality of life is there, so that we know

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1 when our children walk out the doors, that no harm will
2 come to them, so that we know that when they go to school,
3 that they will be embraced over there and that love will
4 be given to them, so that we know that our women won't
5 have to suffer from physical abuse, that we as a people
6 won't suffer from spiritual abuse, so that we can rid our
7 communities and begin to understand how much alcohol and
8 drug abuse has prevented our people from developing as
9 well, and it is we as a people that can only do that, that
10 no other government, no other agency, no other outside
11 influence can solve our own problems.

12 We do, however, ask that they join with
13 us because they do have access to resources that we don't
14 have so that we can do this.

15 We say this to you as a sovereign people
16 because we have never surrendered. We've never lost in
17 war, we've never extinguished, we've never relinquished
18 our sovereignty. We are still a sovereign nation. We
19 have never given up our lands and the words of the late
20 James Gosnow (ph), "we own this land, lock, stock and
21 barrel."

22 So, Mr. Chairman, Madam Chairman, Elder
23 Syrette, Commissioner Cachagee and Commissioner Jones,

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1 I would like to thank you for this little bit of opportunity
2 of trying to speak in hyperspeed because I know I was
3 accommodated to fit into this schedule.

4 I would like to welcome you and invite
5 you to the home of aboriginal government. If there is
6 another round that the Commission is going to, I would
7 like to invite you to Garden River, so that you can feel
8 and meet the people in our community because we believe
9 that as the centre of the universe, that is where Garden
10 River is and that is where the Indian government started
11 from, despite what Saskatchewan earlier, other groups,
12 have been saying.

13 I would like to thank you for this time
14 and appreciate these words that I was able to speak.

15 **COMMISSIONER GEORGES ERASMUS:** Thank
16 you. There will be many rounds. Extend us the invite
17 and we will give it some consideration. We are going to
18 try and go to other places that we have not gone to before.

19 I think when we said that we did not envisage how close
20 this is, but certainly it may well deserve us coming back
21 to this part again for sure.

22 You talk about the need for the internal
23 healing that other people have mentioned and how it has

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1 to be done by the people themselves, by the community.
2 I think we could not agree more. Not a lot of presenters
3 have actually stated that fact though. It is very
4 necessary for the responsibility to be assumed.

5 What needs to be discussed then is the
6 kind of assistance that is needed to allow the healing
7 to occur internally.

8 What would you suggest is some of that
9 healing assistance that you need?

10 **CHIEF DARRELL BOISSONEAU:** Obviously we
11 need financial assistance. We see the inadequacies
12 currently in place. If you compare First Nations
13 communities to other systems of government, we are severely
14 under-funded. You could look at, in each of the
15 communities, at inadequate housing that is provided to
16 our people, the level of subsidy that is being provided,
17 the capping of education, the inadequate funding, again,
18 for health care.

19 Every time that we turn around we have
20 to jump through some hoop or over some hurdle in order
21 to provide adequate service to our people, and the monster
22 that is created in the bureaucracy prevents our people
23 from doing that.

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1 We know what our requirements are very
2 much so. We have undertaken in the last little while in
3 Garden River and have been successful in getting funding
4 to construct a spiritual healing lodge that will help our
5 people to start moving towards some of the healing that
6 we are talking about. Obviously, one of the things in
7 order to do that is that we need access to utilization
8 of resources and those resources that lie either through
9 a trust responsibility or a fiduciary responsibility from
10 the federal government and because we live within the
11 perimeters of a province, that Ontario has to contribute
12 to that as well.

13 **COMMISSIONER GEORGES ERASMUS:** Could
14 you tell us about this healing lodge.

15 **CHIEF DARRELL BOISSONEAU:** It is a lodge
16 that was the vision of one of the elders in the community.
17 He was honoured a couple of years back with a doctorate
18 degree. His name is Dr. Dan Pine, Senior. He is the
19 grandson of Chief Shingwauk, who is the signatory to our
20 treaty. He carried his vision with him for many, many,
21 many years.

22 We were successful in this last eight
23 months to convince the province to contribute to the

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1 construction of the lodge and Elder Pine's vision is that
2 it will be a place for Ojibwe people and all Indian people
3 to come and to begin whatever healing that they may require,
4 as well as, it is his vision, that it will be open to
5 non-Indian people as well because non-Indian people need
6 to go through healing as well. It will offer both
7 traditional healing and contemporary healing.

8 **COMMISSIONER GEORGES ERASMUS:** We heard
9 earlier today about another situation, not in your
10 community, but about -- and we have heard at other places
11 about people off reserve being disconnected from their
12 community and not being serviced, not being allowed to
13 vote. What is your community's approach to these kinds
14 of issues and concerns of people once they leave the
15 reserve? What links are you trying to keep if any?

16 **CHIEF DARRELL BOISSONEAU:** Well, what
17 we have undertaken is Garden River, jointly with the North
18 Shore Tribal Council, is that we are in a process to
19 negotiate self-government right now through the Department
20 of Indian Affairs and one of the areas that we are looking
21 at is our citizens who are leaving our communities are
22 going somewhere else.

23 There is always the assumption that it

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1 is the leadership, it is the chief in council, it is the
2 citizens of the community that prevent access or citizens
3 to services and programs in our communities.

4 It is not the case because we know that
5 it is the policies, the guidelines, the legislation of
6 the Department of Indian Affairs and the federal government
7 that prevents us from doing that, and to extend services
8 to our citizens, outreach programs to our citizens, it
9 is necessary because we still maintain the position that
10 regardless where our citizens reside, that we are still
11 their government and we are still accountable and
12 responsible to them.

13 Therefore, we have to provide access to
14 them so that they can petition their government. They
15 can bring their concerns to their government and that
16 abolishing the Indian Act, we believe, and dismantling
17 the Department of Indian Affairs, we believe, can achieve
18 that, and that we establish our own procedures of
19 government, that we establish our own structures of
20 government that will accommodate all of our citizens.

21 **COMMISSIONER GEORGES ERASMUS:** Let's
22 take it from this discussion that it is a given that the
23 Indian Act will wither away at the vine some day. What

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1 is the transition period that needs to take place so that
2 people are aware, they understand what is going on and
3 that the transition is as -- as little harm happens as
4 possible? There is as little disruption as possible for
5 the people and that it is smooth and that it is acceptable
6 and that it is going at the pace that people want.

7 What are the stages? What do you see
8 happening in between?

9 **CHIEF DARRELL BOISSONEAU:** Well, the
10 transition and the implementation indeed is critical
11 because, number one now, over 100 years we have grown to
12 know some sort of sacredness to this Indian Act, that is,
13 it is the ultimate saviour to our people. Indeed, we are
14 finding out through our own consultation process that it
15 has to be at the leisure of the people because there are
16 a lot of unknown fears that simply people do not understand.

17
18 Through this particular policy,
19 however, there are time frames that are imposed upon us
20 that says that "within two years you have to have this
21 in place; within six months you have to have these
22 structures in place." It becomes very, very frustrating
23 on our part as negotiators and as leaders of our communities

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1 because there is still the consultation process that has
2 to occur in the community.

3 We have many groups of people, young
4 people in particular, who want to see radical changes now,
5 yesterday, the older people who tell us: "Well, be a
6 little bit more cautious", that if change is going to occur,
7 you have to ensure that all the people are informed. We
8 have, also, people that are satisfied with the status quo,
9 that they are quite comfortable with the way things are.

10

11 So, it is important that when it comes
12 to ratification, when it comes to support, when it comes
13 to acknowledgement, that change is going to occur, but
14 the people have to be informed, and they have to make an
15 informed decision. If it takes five years, if it takes
16 10 years, if it takes 20 years, it has to be at the leisure
17 of the people, but throughout the total transition there
18 are things that can be instituted as it is moving along.

19 **COMMISSIONER GEORGES ERASMUS:** Viola.

20 **COMMISSIONER VIOLA ROBINSON:** I
21 couldn't agree with you more on your statements that you
22 have made here and certainly if we could change that
23 tomorrow, I would be the first one to change it. But I

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1 think Georges asked the question I was going to ask and
2 that was we hear a lot of people coming up and they just
3 say, "abolish the Indian Act; dismantle Indian Affairs",
4 but nobody has yet told us what comes after that, what
5 would be the relationship then between the people,
6 aboriginal communities or people or nations, to the federal
7 government. Obviously, there has to be some form or some
8 relationship or something there that would still address
9 the concerns of these communities.

10 I know that you also mentioned here that
11 you do have a treaty and there has not been much done about
12 it. It is sitting there and you do have rights in that
13 treaty and you have not been too successful in getting
14 those right implemented.

15 I do not know if any of those rights have
16 any, if there is any financial obligation with respect
17 to the treaty. I don't know what is in there or how it
18 would be interpreted in today's language. So, maybe that
19 is another area that you are considering.

20 I think you have pretty much answered.

21 I am just making these comments because those are things
22 that ran through my mind. Again, you say you are in the
23 process of negotiating self-government now with the

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1 Department of Indian Affairs. Is that self-government
2 that you are negotiating and what is going to happen there?
3 Is that going to accommodate your aspirations that you
4 have outlined to us here?

5 **CHIEF DARRELL BOISSONEAU:** Well, I
6 would just say the situation is you're damned if you do
7 and you're damned if you don't. If tomorrow or if today,
8 at the end of today, that Canada, the provinces and the
9 territories agree to the inclusion of the inherent right
10 to self-government, then I believe that those other First
11 Nations are going to have to go through a similar process
12 that we are going through.

13 They are going to have to gather the
14 information. They are going to have to understand where
15 it is that they wish to go. They are going to have to
16 look at what is their procedures of government, what was
17 their traditional forms of government. They are going
18 to have to understand what are their structures. They
19 are going to have to look at the Indian Act. They are
20 going to have to look at their treaties. They are going
21 to have to say that, "yes, we are talking of a new
22 relationship, but there is still a trust responsibility;
23 there is still a fiduciary responsibility that must be

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1 maintained and the integrity remain there."

2 But what we are saying is that we have
3 the ability to manage our own affairs. We have the ability
4 to take care of our people. We can govern ourselves
5 accordingly. We can elect our leadership accordingly.
6 Our leadership has to be responsible and accountable.
7 If there is a dispute within our community or within a
8 nation, it is not necessary for us to run to the Minister
9 of Indian Affairs for him to resolve this problem.

10 If there are matters of how we wish to
11 enter into relationships with other nations, then that
12 should be there as well.

13 We cannot simply progress to a level
14 where our people are going to have a better quality of
15 life under the current system.

16 Things are going to change. I think
17 what we are trying to do is trying to educate and create
18 that understanding at that particular level.

19 **COMMISSIONER VIOLA ROBINSON:** I share
20 your views. I want you to know that I am confused too
21 because I know what you are saying and I know that you
22 want change and how we have the job of trying to recommend
23 what is going to give you what you want and we are trying

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1 to find and we are hearing all kinds of different things,
2 but you do make a lot of sense here. I agree with what
3 you are saying, but it is how to get there that puzzles
4 me.

5 Thank you.

6 **CHIEF DARRELL BOISSONEAU:** Follow me,
7 I will show you the way.

8 **COMMISSIONER GEORGES ERASMUS:** Are
9 there any other Commissioners who want to make any comments
10 or ask questions? I guess not.

11 Thank you, Chief.

12 **CHIEF DARRELL BOISSONEAU:** Just one
13 final comment to both Chairs, I guess, is that in the week
14 of August 17 on through to the 23 the Anishnabe Nation
15 is gathering in Garden River. It is an historic occasion
16 in which we are going to unify the three fires of
17 confederacy and which the invitations have been sent out
18 to the Anishnabe people of Manitoba, Wisconsin, Minnesota,
19 Michigan, Quebec and all within Ontario, Saskatchewan and
20 that gathering is going to be located in Garden River and
21 we extend an invitation to you in light of your hectic
22 schedule to come down and to be part of our gathering.

23 Meegwetch.

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1 **COMMISSIONER GEORGES ERASMUS:** Thank
2 you.

3 **COMMISSIONER MICHAEL CACHAGEE:** Our
4 next presenter is from Sault College, Mary O'Donnell.

5 **MARY O'DONNELL:** Good afternoon,
6 Commissioners. Good afternoon, native community.

7 What I would like to present this
8 afternoon is a few words on post-secondary education and
9 our responsibility, our responsibility as the native
10 community.

11 I do not have a prepared speech and I
12 do not have a hand-out for the Commissioners. What they
13 are looking at is the background that I gave to be able
14 to sit here today.

15 I am employed at Sault College. I work
16 on behalf of the native community there as co-ordinator
17 of native education. I have worked there for the past
18 six years and in those six years I have seen beautiful
19 accomplishments and success of many native students and
20 we have some of them sitting in the room today, native
21 people who are taking their place as leaders in the native
22 community.

23 I have seen a lot of hard work on the

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1 part of the native staff that is employed at the college
2 and to me that is the key, hard work of native people.
3 It was hard work for the students and it is hard work for
4 the native people that are there working every day to
5 encourage them and support them in their endeavours.

6 With that hard work comes responsibility
7 and we as a native community have a responsibility. We
8 have a responsibility to sit on the boards that are involved
9 with education. We have a responsibility to sit on the
10 committees, the PTAs, all of the little things that go
11 on concerning our children's education, and I say PTAs,
12 we don't have them at the post-secondary level. They are
13 at the elementary level, but we inherit the drop-outs from
14 the elementary and the secondary school level so that is
15 why I address those.

16 As a native community, we should be out
17 there working on these committees, giving advice, sharing
18 what we know, showing that we care for these children and
19 these adults that are in the education system. We should
20 be getting involved.

21 I recommended to someone that they sit
22 on a committee up at the college and the response was,
23 "Mary, I can't go do that; I only have my Grade 6." Well,

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1 they can do that. They are the people that we need sitting
2 out on those committees. They know why they dropped out
3 of the system. They are the ones that can tell us. "Don't
4 make that mistake again. Do this. This will work
5 better."

6 So, when I get that kind of response I
7 encourage them to come out anyway, get involved, get in
8 there, get your say, speak on behalf of those kids.

9 I am asking for support for the native
10 staff that is working in the colleges and universities.
11 Right now we have elders and people that have knowledge
12 that come in from Batchewana, Garden River, Goulet, West
13 Bay, Wekemicon (ph), Serpent River. These people have
14 come in. They share of their time and their knowledge.
15 They sit with the students. They talk with them. They
16 listen to them.

17 That is the kind of thing that we need.
18 We cannot do all of those things. We do not have your
19 knowledge.

20 We have had people come in to share their
21 talents. Some of them know how to step-dance, some of
22 them know how to play a fiddle. They have come in and
23 shared those things with the students. They have

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1 role-modelled a positive lifestyle. That is the kind of
2 thing that we need.

3 As far as education, some of them that
4 are pursuing formal education, when I worked with them
5 and they talked to me about not having the education to
6 get involved, I suggest to them that they take courses
7 part time. If they want to know that other side, European
8 culture, education, go at night, take a night course or
9 something.

10 I have people that say that they do not
11 have the cultural education so I encourage them, get out
12 to the gatherings. We have everything going in our
13 community now. This is a beautiful time for the native
14 people.

15 Darrell just mentioned the big gathering
16 in August. That is going to be a fantastic opportunity.
17 So, if you feel like you want to get involved in education,
18 there are many, many levels to get involved.

19 What I would like to say to the
20 Commission and to the community is that you have to take
21 the responsibility. Right now we have people that are
22 in the school that are reinstated under Bill C-31. They
23 are coming to the classes to learn about themselves and

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1 for some of them that is the first step. That is the first
2 time they have been able to say, "I don't know who I am",
3 and so we are doing that in the schools. But we need the
4 support of the community to keep doing that and do it right.

5

6 We have people that are getting back
7 their rights, getting back their hunting and fishing
8 rights, and they don't know what that means. They don't
9 know what respect should go with that.

10 I was at home about three weeks ago and
11 a young man had killed a very young moose and the community
12 was mad at that young man, but he did not know. Nobody
13 had taught him when he was young about what he should do
14 and not do.

15 So, we have to take that responsibility.

16 We have to show that love and we have to show that respect.

17 When I look at education, when I look
18 at where we are going today, and I am quite involved at
19 the college and I try to keep involved in the community,
20 I keep seeing the European system being presented to us.

21 Like, you want to do native education, well this is the
22 model. But that is not the model for us. That is the
23 model that failed us, so when we see some of these papers

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1 coming out and people are saying that, you know, I look
2 at them and I am always looking for that. Is there the
3 native holistic point of view in that? And quite often
4 it is not there.

5 So, as far as post-secondary education,
6 the community has to be involved, not only in
7 post-secondary education, all over. The community has
8 to be involved. We have to take our responsibility. We
9 have to keep our way, the native way, in mind when we are
10 talking about education.

11 Since I have been involved I have heard
12 a lot of people talking about native control of native
13 education and we say that so glibly sometime, like it is
14 just a phrase, native control of native education. But
15 it is something very serious.

16 That is my presentation. I would like
17 to ask the Commission to keep that in mind as you go into
18 your deliberations and are talking about what needs to
19 be said three years from now that native education has
20 to be native.

21 Meegwetch.

22 **COMMISSIONER GEORGES ERASMUS:** Thank
23 you for a very positive presentation on the kinds of things

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1 that should occur in the long road back that some people
2 are on. It is a very good presentation.

3 Viola, do you have any comments or
4 questions?

5 **COMMISSIONER VIOLA ROBINSON:** No.

6 You mention that you are working with the Sault College
7 and you talked about native staff. How many staff do you
8 have there?

9 **MARY O'DONNELL:** Right now we have five
10 full-time staff and that has just occurred in the last
11 six years.

12 **COMMISSIONER VIOLA ROBINSON:** In what
13 area?

14 **MARY O'DONNELL:** Teaching,
15 secretarial, like, support staff. I co-ordinate. We
16 have someone working in the coffee shop. Like, so the
17 students are seeing role models. They are seeing that
18 we can get out there. We can do it.

19 **COMMISSIONER VIOLA ROBINSON:** I do not
20 have any questions for you. I think you have made a very
21 good presentation. So, thank you.

22 **COMMISSIONER GEORGES ERASMUS:** Other
23 Commissioners? No.

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1 What I would like to say is that I
2 personally think you are on the right road. I know it
3 is hard to convince people to get involved in a formal
4 education experience. If they themselves did not get it,
5 they feel that they are not educated.

6 The most amazing thing is some people
7 that feel they are not educated have three or four languages
8 -- they are fluent in them -- can be put on the land anywhere
9 and can survive with very little in their pocket, know
10 all kinds of things about traditional herbal medicines
11 that it would take someone a lifetime to learn and they
12 have many, many other gifts. They are very sensitive.
13 They are understanding and so forth.

14 So, I agree very much with what you are
15 doing.

16 The other thing I would try and tell them
17 is that they also educated people. Perhaps they are either
18 self-taught or else they were taught in a traditional
19 method, as you said. Perhaps they went through what
20 remains of the aboriginal education system. So, it
21 primarily was not through books. It probably was through
22 watching, observing, doing your own, learning from
23 experience and that education system has lasted a lot

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1 longer than this mass education that now exists throughout.

2 It is very unfortunate, very colonized
3 to believe that the only way to get educated is to prove
4 that you can regurgitate back to your instructor the same
5 thing that he or she just told you and call it education.

6 **MARY O'DONNELL:** Right.

7 **COMMISSIONER GEORGES ERASMUS:** So, I
8 would like to encourage you to keep doing what you are
9 doing.

10 Thank you.

11 **COMMISSIONER MICHAEL CACHAGEE:** Next we
12 have one more individual presentation by Harvey
13 Thunderchild.

14 **HARVEY THUNDERCHILD:** Good afternoon,
15 honoured guests, Chairman, Co-Chairman, Commissioner,
16 other Commissioners.

17 I have another individual beside me
18 here, Alfreda Trudeau, pretty well does the same kind of
19 field that I do with the other institution. After I do
20 my presentation, she is going to follow.

21 Tansi, I am harvey Thunderchild. I am
22 a Native Inmate Liaison worker for the Sault Ste. Marie
23 Indian Friendship Centre and the Ministry of Corrections.

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1 I have recently been hired and because of this I am only
2 able to provide you with a broad overview of the program.

3 I have held this position for two months.

4 The program has been in operation for
5 eight months. It is funded under the Victim Assistance
6 Awareness Program, under the Ministry of Corrections.
7 It is designed to assist incarcerated native people by
8 providing liaison services with families, lawyers,
9 correctional staff in application for Temporary Assistance
10 Program, pre-release applications, probation, parole and
11 includes obtaining transfer from correctional centres to
12 treatment centres for drug and alcohol substance abuse.

13

14 As I said, I have only been with this
15 position for two months. However, there are certain
16 issues that cause me concern.

17 First is the literacy rate of
18 incarcerated aboriginal inmates. Approximately 65 per
19 cent of aboriginal inmates experience literacy deficiency.

20 The actual rate of deficiency and severity is unknown
21 for a number of reasons, primarily, due to the
22 embarrassment that most illiterate people experience.
23 A high percentage of these inmates are elementary and high

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1 school drop-outs who possess very little or no writing
2 skills.

3 This concerns me because we live in a
4 "reading" society. In order to survive we must know how
5 to read and write. If we are unable to read we become
6 frustrated and this can be quite dangerous when people
7 are asked to comprehend legal jargon that most people find
8 foreign.

9 How do we actually know incarcerated
10 inmates understand what they are being asked to sign?
11 I was recently involved with one man who did not realize
12 that he had signed a paper waiving his request for parole.
13 He thought he was signing an agreement for treatment for
14 alcohol abuse.

15 Niin Sakaan, the aboriginal literacy
16 program here in Sault Ste. Marie, which operates through
17 the Friendship Centre here in Sault Ste. Marie, has been
18 contacted to provide literacy training for aboriginal
19 inmates. They will begin training next week since
20 security clearance for the Niin Sakaan staff has been
21 authorized. But the need continues to be great, and we
22 are just in the beginning stages of making change.

23 Secondly, is the high proportion of

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1 incarcerated aboriginal people for crimes committed
2 involving drugs and alcohol. What concerns me as an
3 aboriginal person is the restrictions of treatment
4 programs for inmates. If a person is sentenced for less
5 than six months, they do not qualify for treatment.
6 Because of this, inmates are transferred to different areas
7 for available treatment programs that are less than three
8 months.

9 What is more scary is the fact that
10 restrictions exclude inmates who have committed sex
11 related crimes. Although they may require treatment for
12 drug and alcohol abuse before they can receive treatment
13 for their sex related crime, they are prevented from
14 receiving other kinds of treatment.

15 Furthermore, there appears to be little
16 or no programs in place for the treatment of sexual abuse
17 either as an offender or victim. Apparently, there are
18 programs for victims here in the city for sex abuse victims.

19 The local Correctional Centre is in the process of
20 developing a sexual abuse program, but I believe as
21 aboriginal people our experiences are different and we
22 require different treatment.

23 From what I understand with the sex abuse

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1 program that is being made available within the
2 Correctional Centre here is going to be one of the first
3 of its kind and other institutions across Canada, they
4 do not have such programs for sex abuse offenders.

5 Most of my involvement at this time has
6 been mostly with adult offenders. I have had contact with
7 two young offenders incarcerated at the Correctional
8 Centre. I am in the process of developing contacts with
9 officials at the Young Offenders Unit because it is my
10 understanding that a high percentage of this population
11 are aboriginal. Due to time constraints and the demands
12 of adult offenders I have not had the opportunity to really
13 become involved with young offenders to the degree I
14 believe is needed.

15 Going off track for a minute, they have
16 got a new building here in the city that was opened a few
17 months back. It is a new Young Offenders Facilities and
18 we had the opportunity, myself and some of the staff from
19 here, to tour the place. What we found is they do not
20 have no native staff and the percentages of the
21 incarcerated native young offenders are pretty high in
22 there. And, too, with talking with the institution over
23 there, they are having a lot of difficulties with the native

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1 kids inside there.

2 I tried to make arrangements with people
3 in there to offer my services, but no answers yet.

4 Because the need of incarcerated
5 aboriginal inmates is so high and because I am only one
6 person I have not yet had the opportunity to become involved
7 as an aboriginal liaison person for Indian people who are
8 involved in the Community Resource Centre. This centre
9 is a transition house for inmates who are involved in 28-day
10 drug and alcohol treatment program.

11 But for aboriginal people I believe we
12 are shy amongst ourselves, but even shyer amongst
13 non-Indian people. I believe if aboriginal people who
14 entered this program had the support of an aboriginal
15 worker they might have a better understanding of the
16 process of alcohol and drug abuse, as a disease and how
17 serious this disease is.

18 WE do have cultural services provided
19 at the Correctional Centre. Elders attend and provide
20 pipe ceremonies and counselling services. But, again,
21 this is offered only to adults at this point in time.
22 Even though this service is provided, we are limited in
23 the number of inmates who will participate in the ceremony.

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1 Only seven inmates at a time are allowed to participate
2 according to the rules of the institution, due to size.

3 The size of the room where the ceremony is currently
4 provided is approximately twelve feet by twelve feet.
5 This type of service needs to be extended to young offenders
6 and inmates who are housed in transition homes.

7 In closing, I would like to remind people
8 how important this program is. At this point in time,
9 incarcerated aboriginal people have one voice who provides
10 liaison services on-site. The types of services required
11 continue to grow as aboriginal needs are defined within
12 the boundaries of incarceration.

13 Finally, it is beyond the time limits
14 of this presentation to begin to discuss the need of
15 cross-cultural education for employees of institutions.

16 But the need is there. It requires definition as it
17 applies to this local situation.

18 Thank you.

19 Now, if I can listen to Alfreda.

20 **COMMISSIONER GEORGES ERASMUS:** Go
21 ahead, Alfreda.

22 **ALFREDA TRUDEAU:** Boozhoo, my name is
23 Alfreda Trudeau and I am presently the Native Program

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1 Co-ordinator at the Northern Treatment Centre under the
2 Ministry of Correctional Services. I have been involved
3 in the provincial and federal system for approximately
4 three and a half years.

5 I have been asked to re-affirm some of
6 the concerns of the aboriginal peoples who sit in the iron
7 walls.

8 The high literacy rate within the
9 institutions seems to be rising. The upgrading is
10 available along with tutoring, but cultural differences
11 are present in most cases. In our Treatment Centre, their
12 three- to four-month stay is not long enough and after-care
13 may not be taken. The choice is up to the individual.

14 The legal laws and terms -- not
15 understanding the system makes new inmates angry. The law
16 need to be defined in a simple method. This is an added
17 stress and frustration for blaming the system.

18 Our institution is a joint
19 federal-provincial system that allows residents a 90 to
20 120 day treatment program. Some of the programs are:
21 substance abuse, life/living skills, recreation, health
22 care, anger management, stress management, abuse
23 counselling, one on one counselling, A.C.O.A., and Native

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1 Interpersonal Skills Program.

2 The Native Interpersonal Skills Program
3 consists of an overview of programs, but from a cultural
4 perspective.

5 The teachings of problem-solving
6 methods or as a way of life from the medicine wheel and
7 the sacred tree value systems, these are a beginning for
8 most native residents. Native residents learn their
9 native culture within the iron walls of this land and they
10 feel that cultural awareness is not on the street. So
11 the residents question the ways and this is an added job
12 stress for the workers.

13 Treatment for the aboriginal resident
14 in the correctional system is too short. The
15 incarceration period takes one to two months to apply to
16 the Northern Treatment Centre. Then there is a three to
17 four month stay and one month to return to their home
18 institution for release. Then, their way of life is again
19 a part of them, such as the alcohol abuse, the drug abuse
20 and the violence. The list may go on, but they return
21 to what they know.

22 An added frustration, the sexual abuse
23 -- the residential school system has played a major role

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1 in the aboriginal people's way of life in one way or
2 another. We are at a day and age where people who are
3 healing.

4 The step of sharing the healing process
5 within the incarcerated victims is limited. For a person
6 who is willing to come in and share their experiences from
7 being abused and also from sharing their abuse and sharing
8 the tradition value system is very difficult and this
9 causes the added frustration for the worker and also the
10 resident.

11 The cultural services that are provided
12 include native value system, the cultural teachings,
13 ceremonial and spiritual teachings and the sweat lodge
14 is on its way. The ministry is open to aboriginal
15 programming.

16 The first native program co-ordinator
17 was hired here in the Sault, then Monteith Correctional
18 Centre in Monteith, Cecil Fraser Youth Centre in Sudbury
19 and then the Thunder Bay Correctional Centre in Thunder
20 Bay. Also, native community care workers are available
21 under the Probation and Parole offices in Ontario in order
22 to assist in the community sentencing programs.

23 Cross-cultural training is a component

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1 of the Native Department for the education to the staff
2 of the aboriginal peoples of this land.

3 I also personally feel under the
4 Harassment Act for the organizations, native stereotyping
5 should be included. As a native person working in a
6 non-native organization, we have added job stress because
7 of our teachings. We must be positive. In addition, we
8 must not be used as token Indians. In my present job I
9 am a recognized professional and not a token, but in the
10 past, sitting on certain committees, our voices were not
11 heard.

12 Tokenism is an abuse and it is an issue
13 that aboriginal people need to see that it exists.

14 I am only one voice and I speak from my
15 experience and my knowledge and from the hurts and
16 struggles of my co-workers, not only in my organization,
17 but in other institutions.

18 I hope I have not offended anyone.

19 I would like to say Meegwetch for
20 listening.

21 **COMMISSIONER GEORGES ERASMUS:** Thank
22 you. You both made very excellent presentations.

23 Alfreda, if you could tell us what is

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1 A.C.O.A.

2 **ALFREDA TRUDEAU:** Adult children of
3 alcoholics.

4 Just an added comment, within those
5 programs, the psychology department recognizes that most
6 of the testing for aboriginal people is not made for our
7 people and they recognize, they reassure at case
8 conferences that the intelligence level is high or low,
9 but not made for a native person. Does that make sense?

10 **COMMISSIONER GEORGES ERASMUS:** So, they
11 recognize that the testing is not made for aboriginal
12 people. So, are they saying anything different is going
13 to occur?

14 **ALFREDA TRUDEAU:** Not at this point.
15 We try and accommodate by using the resources of our elders,
16 one on one counselling, pipe ceremonies, teaching circles,
17 sacred circles, you know, as part of their healing process
18 within the institution.

19 **COMMISSIONER GEORGES ERASMUS:** How
20 would you improve the situation now, particularly for the
21 people with the short sentence, and also what we heard
22 in other places, not in Ontario, but elsewhere, was that
23 when people are put in jail, it seemed that the system

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1 was 90 per cent punishment and 10 per cent focus on
2 rehabilitation. So, anyone with a sentence under six
3 months, they were pretty well there for punishment.

4 So, somebody who will get two years or
5 four or five years, they are in there for years before
6 they can start getting -- and virtually what they said
7 was the mandatory time to be in prison normally is either
8 approaching or over before they actually start getting
9 their treatment, and that native inmates hardly ever get
10 probation because the kind of testing that occurs and all
11 the rest of it keeps them in because it is not appropriate
12 to aboriginal people and the programs are so late in it,
13 that they need to take the anger management. They need
14 to take these things, and there are long lists to get on
15 it and they just cannot get on it.

16 The other thing they said was that the
17 sweat lodge, the pipe ceremonies, the elders, the
18 aboriginal group therapy through the healing circles just
19 were not being recognized by the Parole Board, so it had
20 no value in judging whether or not the inmate had gone
21 through some kind of growth process.

22 **HARVEY THUNDERCHILD:** I think we have
23 encountered the same problem with the institution here

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1 when we use elders as part of the references where people
2 on the Parole Board, they don't recognize that as treatment
3 and it is frustrating because they are our elders within
4 the communities where they come from and they ask you to
5 assist them upsetting plans before their release.

6 What you are looking for is the type of
7 treatment, what is available, they say, going to AA or
8 drug and alcohol rehabilitation programs. Those have to
9 be concrete before the elders. Those are more important
10 aspects. They don't look on elders in the community as
11 a necessity for people that are supposed to be released.

12 And those are the things that are frustrating, especially
13 with the kind of work -- I sat on four parole hearings
14 in the past week and the four individuals are being, I
15 guess, set aside until July 6 now, but we have to come
16 up with a program for them, a plan for them, but it is
17 harder with the isolated communities for the people that
18 drink. That type of services are not available.

19 **COMMISSIONER GEORGES ERASMUS:** The
20 other thing we heard was that also a lot of these inmates
21 this is the first time they are running into their culture,
22 as you said, and there is no follow-up once they get out
23 on the street. The irony is that it is behind the bars

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1 that they are hearing more about their culture than
2 anywhere else and there is a real lack of follow-up. Once
3 they are out, there is virtually nowhere they know of they
4 can go where they can get follow-up on it.

5 **HARVEY THUNDERCHILD:** One of the things
6 that I find when I was talking about the illiteracy in
7 the prison over there, when they do go to treatment, they
8 are required to read and write and a lot of these people
9 when they go for treatment, they do not have that ability
10 to read and write in the first place. And if they don't
11 do half the stuff that they are supposed to, they are sent
12 back to the institution to complete the sentence.

13 That kind of defeats the whole plan of
14 action of getting treatment. We are, in the process right
15 now, we are setting up with Niin Sakaan literacy program
16 of getting a worker from there to come and work in the
17 institution to work on one and one individuals who are
18 having a problem with writing skills or reading skills.

19 So, that was all set up for us. Next week they are going
20 to start coming in from what I understand.

21 **ALFREDA TRUDEAU:** I know in the past as
22 part of one of the recommendations for parole stipulations
23 is they attend native ceremonies, either sweat lodges or

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1 pipe ceremonies, but in this one particular case where
2 she returned back to the east coast, there was not anyone
3 available there, small community, small reserve, no
4 support, and returning back to her home from an institution
5 in Ontario. But that is one of the things we have tried
6 to add is that it is part of their parole stipulation.

7 **COMMISSIONER GEORGES ERASMUS:** It is
8 sounding more and more like unless the outside starts to
9 heal itself and it has the services to heal the average
10 aboriginal person on the street, we are not actually going
11 to be able to help the inmates inside, that they are likely
12 to fail, unless the services are outside also.

13 **HARVEY THUNDERCHILD:** I guess the other
14 point I wanted to go back to was when I mentioned that
15 we had the opportunity to tour the Young Offenders Unit
16 that was recently opened here in the past few months, but
17 it was a bit of a disappointment because we did not get
18 to tour the whole place. We were only limited to the living
19 room area and the hallway. That is all we saw because
20 of certain things that they were having problems with,
21 with the individuals, young offenders and we could not
22 go on to continue, so our tour was cut short and when they
23 were questioned about how many native staff they have in

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1 there and the population of the native young offenders
2 was pretty high, they did not have any native staff. They
3 did not give us an appropriate answer.

4 I had made previous contacts with the
5 Assistant Superintendent over there to try and make time
6 available for myself over there, but she has not returned
7 my calls. Nothing has been said. All she kept telling
8 me was sometime in June we will get together. It is halfway
9 in June and I have not heard any answers yet.

10 But there is a definite need over there
11 for a liaison person. In the past week there, that is
12 all I hear, the institutions over there are acting up again
13 over there and you hear all kinds of comments because they
14 are all native incarcerated young offenders.

15 **COMMISSIONER GEORGES ERASMUS:** Where is
16 the centre?

17 **HARVEY THUNDERCHILD:** In town here. It
18 is Guley Avenue and Second Line. It is a newly-opened
19 facility. It just opened a few months ago.

20 **COMMISSIONER GEORGES ERASMUS:** Just
21 opened a few months ago and they have not organized
22 themselves to hire aboriginal people.

23 **HARVEY THUNDERCHILD:** No.

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1 **COMMISSIONER GEORGES ERASMUS:** Oh my,
2 how encouraging.

3 Viola, any comments.

4 **COMMISSIONER VIOLA ROBINSON:** Well, you
5 know, I really share your concern. I was particularly
6 interested in the new facility that just opened. It is
7 something like a youth detention centre, is it?

8 **HARVEY THUNDERCHILD:** Yes, it is a youth
9 detention centre.

10 **COMMISSIONER VIOLA ROBINSON:** Because
11 I think, you know, it is a --

12 **HARVEY THUNDERCHILD:** It is a closed
13 custody facility.

14 **COMMISSIONER VIOLA ROBINSON:** I visited
15 one in B.C. and it has been there for a long time and I
16 visited with some of the inmates in there and the
17 frustration that they expressed and they did have one
18 worker there, but just one, well actually, two, and they
19 were expressing as much frustration as the inmates were
20 and actually led almost to racism. They hired native
21 students and then they were intimidated so bad by the other
22 co-workers that they just could not stay and the facility
23 -- there was nothing; it was really bad and that has been

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1 going on for a long, long time. And this is a new one.

2 It is something --

3 **HARVEY THUNDERCHILD:** It is a new one,
4 yes. Compared between the differences, the one I used
5 to work in in Saskatoon is different from these ones here.
6 Within Gilbert Hall in Saskatoon, the young offenders,
7 they had a high population of native staff in there
8 supporting because of the high population of native kids
9 inside the institution. So, the differences between there
10 and here are different.

11 **COMMISSIONER VIOLA ROBINSON:** Do you
12 know if there has been any kind of a study or anything
13 done in Ontario about the institutions or anything at all?

14 **HARVEY THUNDERCHILD:** There was a study
15 done, but I am not too sure what it is called. I do have
16 a catalogue at the institution here. It is about native
17 inmates, incarcerated inmates at correctional facilities.
18 There is stats within northern Ontario and southern
19 Ontario I suppose.

20 **COMMISSIONER VIOLA ROBINSON:** Because
21 that is one area I think that we are getting a lot of
22 feedback on and, again, it is really surprising how the
23 concerns are all related and much the same.

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1 So, any added information we could get
2 on that would be really helpful to us, but I encourage
3 you to keep your work going, do whatever you can. It is
4 good thing we do have someone at least out there.

5 **HARVEY THUNDERCHILD:** At least we are
6 trying.

7 **COMMISSIONER VIOLA ROBINSON:** Thank
8 you.

9 **HARVEY THUNDERCHILD:** Thanks a lot.

10 **COMMISSIONER GEORGES ERASMUS:** Do you
11 have any questions?

12 Thank you.

13 We are going to take a short coffee
14 break. I think some people are already doing it anyway.

15

16 --- Short Recess at 3:17 p.m.

17 --- Upon Resuming at 3:35 p.m.

18

19 **COMMISSIONER GEORGES ERASMUS:** We will
20 resume our hearings for the afternoon.

21 **COMMISSIONER MICHAEL CACHAGEE:** Our
22 next presenter is Claudette Chevrier-McLeod. Are you
23 doing the taxes? I think we are going to have unanimity

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1 on this one. We have been waiting all day for this one.

2 **CLAUDETTE CHEVRIER-McLEOD:** I will just
3 read the speech that I presented. I am not one for reading
4 speeches, but because of our time limitation, I think it
5 is probably best that I just follow what I wrote and I
6 provided all of you with a copy.

7 The point I wanted to make, I wanted to
8 talk about the GST and how the exemptions should be the
9 same for natives that live both on and off reserves.

10 The way things stand right now our native
11 people are being discriminated by legislation that was
12 enforced by the government and this is an unfair taxing
13 system.

14 Right now any native person that lives
15 on Indian land is exempt from both the taxes, provincial
16 and the GST, yet any native person who happens to reside
17 in an urban setting such as Sault Ste. Marie is subject
18 to paying the GST and sometimes the provincial sales tax
19 as well.

20 A native person living on or off reserve,
21 regardless of residency, should be exempted to both taxes,
22 goods and services tax and the provincial sales tax.

23 The reality is that there are treaties

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1 and they should be honoured. The GST just destroys the
2 people by causing dissention among them. This is very
3 much evidence in the non-native communities when a person
4 such as myself has to stand in line at a department store
5 and have to make necessary purchases for everyday living,
6 in order to exercise my right for tax exemption, I have
7 to show my status card to the check-out clerk and then
8 she takes all my -- whether it is 10, 20, 30 items of
9 purchases that I am making, and she records them manually
10 on a separate sheet of paper. This not only annoys me,
11 but it also annoys the next person who is in line.

12 This, again, causes dissention in the
13 non-natives as well as the natives because they know in
14 order for us to get the tax exemption that we are causing
15 them to wait in line -- like, the check-out lineups are
16 long enough as it is, let alone someone causing undue delay
17 in getting through the store as quickly as possible.

18 This is the procedure that I must go
19 through if I want to buy goods in a store in this community.

20 It does not seem that annoying if the person at the
21 check-out counter has been instructed to accept my status
22 card, but in some departments stores here in Sault Ste.
23 Marie, the sales clerks are instructed by their managers

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1 to outrightly refuse to accept my status card if I do not
2 have a reserve address. This refusal is substantiated
3 by a letter that they received from Michael Wilson. The
4 memo that was sent out to all retailers and it was received
5 just shortly after the GST was put into place in January.

6 This memo was sent out to all store owners and it outlined
7 who was entitled to tax exemption.

8 Well, I feel that Michael Wilson has not
9 done his homework because if he had, he would have read
10 the Indian Act and saw for himself that it states:

11 "(a) that the interest of an Indian or a band in reserve
12 or surrendered lands and (b) the
13 personal property of an Indian or
14 a band situated on a reserve and
15 no Indian or band is subject to
16 taxation in respect of the
17 ownership, occupation, possession
18 or use of any property mentioned
19 in paragraph (a) or (b), or it is
20 otherwise subject to taxation in
21 respect of any such property."

22 And then it goes on about inheritances, et cetera and it
23 is found right in the Indian Act itself.

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1 I don't want to bore you. It is hard
2 enough to understand, but the point is that taxes are exempt
3 from any Indian and no matter what kind of tax you call
4 it, the GST, the MST, the BST, whatever you want to call
5 it.

6 Again, I have to ask you, what exactly
7 are surrendered lands, the definition of surrendered
8 lands, and my interpretation of surrendered lands is all
9 of the land that is occupied by the non-native people today.

10 If the land was not surrendered by the
11 natives, it would still belong to us.

12 If the government wishes to offer tax
13 exemption to natives that reside on reserves, then I will
14 move on my reserve today. As well, my sisters and their
15 families, and so will my cousins and their children and
16 so on and so on.

17 Where is the money for the housing?
18 Where is the land to accommodate us on our reserves? The
19 space was set aside for our future generations, and right
20 now there is not adequate space. There is not adequate
21 housing.

22 The GST is a tax and all natives are
23 exempt from any tax no matter what you call it.

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1 The government contradicts its own
2 values and one perfect example that comes to mind is the
3 gambling issue. I recall a few years ago that a group
4 of natives had plans to go ahead with legalized gambling
5 on reserves just as the Americans have on their lands,
6 but the Canadian government strictly forbid it. Yet a
7 few short years later, it is our government itself that
8 is planning to have gambling legalized in order to generate
9 revenue. Is this fair? Is this a government that holds
10 true to its values? It appears to me that if an idea is
11 good for the people, then it is even better for the
12 government.

13 There are a few questions that I would
14 also like an answer to. One, as I stated earlier, exactly
15 what does the word "surrender" mean?

16 Well, I looked it up in the Oxford
17 Dictionary and according to the dictionary it means, first,
18 verb, hand over, relinquish, possession of; abandon, hope,
19 et cetera; accept enemy's demand for submission; submit
20 to; give up rights under insurance policy in return for
21 smaller sum received immediately.

22 Next, what has become of the resolution
23 that the Assembly of First Nations has put forth on June

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1 10 of 1991? And I also have a copy for that resolution,
2 and it is signed by Georges Erasmus, and it was put forth
3 on June 10 of 1991 and I would like to find out where exactly
4 that stands right now.

5 Is it your signature?

6 **COMMISSIONER GEORGES ERASMUS:** It looks
7 suspiciously like mine, yes.

8 The personal surrendered lands in the
9 Indian Act refers to reserve land that was surrendered
10 for use generally in a commercial way when suburbs were
11 being developed for businesses, non-native people perhaps
12 coming in, renting land and establishing businesses.
13 Prior to an amendment that occurred three or four years
14 ago, I guess, now the only way that could occur was to
15 surrender part of the reserve to allow that to occur.

16 What happened was that provinces could
17 then tax on that part of the reserve and these non-native
18 businesses that were established there were not being
19 provided services like garbage pick-up, water and sewer
20 and so forth, by the province even though they were
21 collecting tax on it. The bands, to keep the businesses
22 there, had to deliver service to these businesses and so
23 there was I guess maybe somewhere between a 10 to 15 year

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1 process to amend the Indian Act so that that section could
2 be changed so that provinces could not tax that part of
3 the reserve and there was another way of doing it. There
4 was another way of developing part of reserves so that
5 you could allow non-native business to come on reserve
6 and all the rest of it. And that tax money, then, could
7 go back to First Nation governments.

8 In relation to this particular
9 amendment, signing this and the other resolutions probably
10 was one of the last things I did. In fact, I probably
11 did this either in the last day of the Assembly or else
12 I may have even done it immediately after. That is why
13 you will notice here that it was Ovide Mercredi that
14 actually had to implement it. So, the person to actually
15 ask about what is happening on this is our dear friend,
16 Ovide.

17 **CLAUDETTE CHEVRIER-McLEOD:** Okay, I
18 will do that. Thank you.

19 **COMMISSIONER GEORGES ERASMUS:** I would
20 like to thank you on your presentation on the taxation
21 question. You bring up the rights of aboriginal people
22 in relation to treaties, being able to exercise their
23 rights both on and off reserve, and it is an issue that

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1 has been brought up before.

2 Taxation has not been brought up that
3 often in hearings that I have been involved in, but it
4 has been brought up and obviously it is a treaty issue
5 also. So, thanks for bring it up.

6 Viola, any comments?

7 Thank you for waiting all day to present.

8 **COMMISSIONER MICHAEL CACHAGEE:** There
9 is a positive aspect to taxes when you look at them maybe
10 from behind the door because I do not think there is
11 anything positive about taxes, but if you take the standard
12 norm of the Canadian populace, they pay on the average,
13 including property, sales tax, GST, or whatever other kind
14 of tax they throw in, personal income tax, when you take
15 the population of Canada and you include all who are defined
16 as aboriginal people, there are 500,000 living off the
17 reserve, so if they pay the normal of \$10,000 a year in
18 taxes, that generates an income of \$5 billion.

19 The dollars that are appropriated to the
20 Department of Indian Affairs and Northern Development,
21 their budget last year was \$4.2 billion. In that \$4.2
22 billion generated by these taxes that aboriginal people
23 pay, the cream is skimmed off the top by the bureaucrats

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1 in Ottawa. So, you take that cream away off the top of
2 that \$4.2 billion, there is a shortfall of \$1.5 billion.

3 So, in essence, when these non-native
4 people come up to native people and say that you aren't
5 paying your way, they owe us a billion and a half dollars
6 and maybe we should bring that up at the next discussion.

7 **COMMISSIONER GEORGES ERASMUS:** Just a
8 little bit of information on that. That figure of \$4.2
9 billion is actually all moneys that all government
10 departments spend either for or on aboriginal people.
11 That includes their internal expenditures. It includes
12 the funding that goes to the two northern territories on
13 a pro rata -- they do a per capita basis. They figure
14 out how many native people there are in the Northwest
15 Territories and they suggest so much.

16 They do the same thing in a couple of
17 other departments, so as much as Harry Swain would love
18 to have \$4.2 billion in his budget, he does not actually
19 have it. It is what the government overall spends.

20 Thank you.

21 **COMMISSIONER MICHAEL CACHAGEE:** Our
22 next presenter is Marlene Antoniow. She has an individual
23 presentation. Where is Marlene?

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1 Here she is.

2 **MARLENE ANTONIOW:** Good afternoon, our
3 Elder, Jerome Syrette, Viola Robinson, Commissioner,
4 Georges Erasmus, Co-Chair, Mike Cachagee and Trixie Jones,
5 Youth Commissioner.

6 My name is Marlene Antoniow and I am the
7 Family Support Worker Co-ordinator at the Friendship
8 Centre here in Sault Ste. Marie. My Indian name is Wasai
9 Onakwidwe Dishnekas (ph).

10 I have been employed at the Indian
11 Friendship Centre for the last five years and within those
12 five years I have held different positions, one as a Family
13 Court Worker, the Health Promotion Practitioner, and now
14 I am the Family Support Worker. Within those five years
15 I have seen some concerns that I think should be addressed
16 today.

17 The majority of the staff here at the
18 Friendship Centre run into clients every day that are
19 seeking help as far as addictions goes and as a native
20 person we are always there to help one another, but I find
21 that we should have trained personnel on staff to deal
22 with these problems.

23 I am aware that the reserves have NNDAP

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1 workers, but they don't address the community natives.
2 We also have our Drug and Alcohol Assessment Centre here,
3 Detox. We have counselling services, but it seems when
4 the native people come in off the street to speak to staff
5 here at the centre, we are not sure if they actually go
6 to these places we refer them to.

7 I guess one solution for that would be
8 I would like to see a NNDAP worker here at the Friendship
9 Centre.

10 The only other solution I can see is if
11 staff go with these people to these different places for
12 an interview or to Detox, but then, again, that takes the
13 staff away from the job that they are already doing.

14 Another concern that I had was a lot of
15 our clientele needs transportation to and from doctors'
16 appointments, hospitals and therapy. It seems that money
17 is an issue and it costs quite a bit to get back and forth
18 for these doctors' appointments. Parabus is not always
19 available to take the clients and you have to fit a certain
20 criteria to get the Parabus. And lots of times our clients
21 just need that emotional support to go to these
22 appointments.

23 Another concern that I have found within

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1 these five years was that women, when attending doctors'
2 appointments do not necessarily tell their doctors
3 everything that is wrong with them. A lot of times they
4 do not even get the prescriptions filled. They throw them
5 out. Or they feel that they do not even understand
6 sometimes what the doctor is saying to them, and I have
7 been requested on different times to go into that examining
8 room with them.

9 This is not a part of our job
10 descriptions here at the centre, but we do these things.
11 I guess a solution for that would be a need for a health
12 worker here at the centre, a nurse who could do these
13 things.

14 Another concern that I have is that we
15 have put on workshops here at the Friendship Centre within
16 these last five years addressing family violence,
17 addictions, different health workshops dealing with
18 diseases such as diabetes, and they have always been well
19 attended.

20 Again, the problem is funding. There
21 is always some place we have to look for money to put on
22 these workshops.

23 I would like to give an example of a

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1 health issue that has come up within this week. We had
2 an elder who was requesting to have his toenails cut so
3 we referred him to a foot clinic here in town and because
4 he was status, he needed a referral from his doctor so
5 that their bill could be paid by Medical Services. When
6 we contacted the doctor, he didn't want the man to go to
7 the foot clinic. He had a special place for him to go
8 at the Group Health Centre here in the Sault. Once the
9 Group Health Centre was contacted, it took a couple of
10 months before he could be seen.

11 Our solution for this was we contacted
12 the Wilderness Care Centre in Sault Ste. Marie, Michigan,
13 where his needs were taken care of the next day. The man's
14 feet looked like claws digging into his skin and the nails
15 were all fungi. Needless to say, the man is happy today.

16 Another problem we encountered is
17 finding adequate housing for our elderly in the community.
18 If our elder is living on a reserve prior to an old age
19 home, then his care at the home will be covered. Indian
20 Affairs will pay. But if they haven't resided on the
21 reserve, no assistance is available, this leaving the
22 elderly often without proper housing in Sault Ste. Marie
23 and for the people in town I imagine they know quite a

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1 few of our elderly and how they live in the city.

2 Thank you for listening to my issues and
3 concerns today.

4 **COMMISSIONER GEORGES ERASMUS:** So,
5 Indian Affairs will cover the costs if the elderly person
6 at some point lived on the reserve, but if they didn't
7 live on the reserve, then --

8 **MARLENE ANTONIOW:** They will cover the
9 cost if he is applying for the home if he has lived on
10 the reserve prior to that, but if he hasn't, they won't
11 cover it. Like, say, if he has moved into the community,
12 then he is applying -- no, he has got to come from the
13 reserve to the old age home.

14 We have an example of that where we have
15 had an elder who has lived on the reserve for quite a few
16 years, moved to the community for health needs, being
17 closer to doctors, hospitals and then was ready to go into
18 an old age home, but was refused.

19 **COMMISSIONER MICHAEL CACHAGEE:**
20 Marlene, it seems kind of strange that an elder can't get
21 his toenails cut in Sault Ste. Marie. He has got to go
22 over to Michigan. Here is this town screaming and yelling
23 about cross-border shopping and they can't even cut an

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1 elder's toenail in the city. It is ludicrous. I have
2 never heard of anything like that before in my life. It
3 borders on being insane.

4 **MARLENE ANTONIOW:** Well, we were
5 fortunate in that incidence because one of the staff who
6 we saw at the Wilderness Clinic is a Sault resident on
7 this side, so she even greeted us more warmly over there.
8 She was glad to see us and she was appalled herself that
9 we were not taken care of right away.

10 **COMMISSIONER GEORGES ERASMUS:** Is there
11 a waiting list or something?

12 **MARLENE ANTONIOW:** There is a waiting
13 list.

14 **COMMISSIONER GEORGES ERASMUS:** There is
15 a waiting list.

16 **MARLENE ANTONIOW:** I know.

17 **COMMISSIONER GEORGES ERASMUS:** You're
18 kidding.

19 **MARLENE ANTONIOW:** I guess cutting
20 toenails is in the area of chiropodist, so that is a whole
21 section of the Group Health Centre and they see so many
22 people a day I guess and that is how they work it.

23 So, there is really a definite need for

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1 the centre. A lot of native people access here. There
2 is a definite need here for a health person in this building
3 to address all kinds of issues, not just a sickness. It
4 could be anything. Like I said, we have the numbers to
5 show for the workshops people have attended. We have the
6 numbers of people that have come into the centre for health
7 reasons.

8 As a family support worker now, I am
9 supposed to be helping young single moms and pregnant moms,
10 but the majority of my client load is health related.
11 I am spending a lot of time dealing with health issues.

12 **COMMISSIONER MICHAEL CACHAGEE:**

13 Marlene, the situation, like, with the problems you are
14 having here at the Friendship Centre, maybe Mary, between
15 you, are those problems, are they fairly common in other
16 communities also to your knowledge?

17 **MARY DESMOULIN:** That would be very
18 difficult to answer because I really do not know what the
19 other centres are doing. The centres here are autonomous.
20 We do not know what they are doing and what kind of
21 situations. But I am sure that with all of the workshops
22 and all the clientele we have coming into the centre we
23 do know that there are health issues that are not being

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1 addressed out there. We just do not have the human
2 resources or the financial resources to meet these needs
3 and that is something of the government, whether they are
4 National Health and Welfare or the Medical Services,
5 whoever they are, don't seem to understand that. They
6 think that health issues are a nine to five thing and that
7 people are there and they have money in their pocket to
8 go to a doctor's appointment or they do not comprehend
9 English well enough for them to go there. So, there are
10 issues that have to be addressed, particularly in the
11 centre, because we are dealing with those things.

12 **COMMISSIONER GEORGES ERASMUS:** I wasn't
13 trying to stop you. I was just trying to encourage you
14 just to walk a few feet here in your own centre.

15 You are suggesting there should be an
16 addictions counsellor here at the centre and you say that
17 there are quite a few workers on the reserves and the
18 surrounding reserves. There is a Detox Centre and there
19 is an After-treatment Centre, there is counselling service
20 and a Drug and Alcohol Assessment Centre here, all of them
21 in Sault Ste. Marie, and yet, you still think there needs
22 to be an addictions counsellor here at the centre.

23 **MARLENE ANTONIOW:** Sorry, we have two

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1 native workers, one for Batchewana First Nation and one
2 for Garden River First Nation, but they service their own
3 reserve. They are pretty busy there.

4 In the City of Sault Ste. Marie, there
5 is the clientele, if they went to detox, we now have a
6 native girl in at detox now, a native staff member, and
7 we also have a native staff member at the Alcohol and Drug
8 Assessment Centre. But sometimes you don't always get
9 those workers either. It is just a hit and miss sometimes
10 for the people to come in.

11 But the Friendship Centre has always
12 been a gathering place and once they meet a friendly person
13 that they can trust and somebody to talk to, this is where
14 it all happens. This is where it all begins, is here,
15 and if there was an alcohol and drug counsellor on staff,
16 then those steps might be taken for them. They could take
17 those first steps into full recovery.

18 **COMMISSIONER GEORGES ERASMUS:** All
19 right. Viola.

20 **COMMISSIONER VIOLA ROBINSON:** Thank you
21 for your presentation. I think I understand what you are
22 saying. There is a lot of service out there, but it is
23 service just for anybody and they are not equipped or

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1 adapted to service aboriginal people in the urban setting
2 and there is nothing that is specialized or adapted to
3 service aboriginal people in the urban setting is what
4 you are saying. And this is the only facility that could
5 accommodate that kind of services if you had the resource.

6 **MARLENE ANTONIOW:** That is right. We
7 are the only native centre in the city.

8 **COMMISSIONER VIOLA ROBINSON:** I know
9 you made a presentation, but I would like to see more clear
10 documentation of what you are saying. Just how many people
11 would you be talking about in the urban and how many of
12 those require, you know, if you had some kind of statistical
13 information you could give us because, clearly, this is
14 a very important mandate of ours, is the urban situation,
15 because it is a situation that has never been addressed
16 by any level of government.

17 We have been told to assess that and we
18 have to recommend something, but we would like more
19 information on what you are saying.

20 **MARLENE ANTONIOW:** From the staff that
21 I carried from September to December of '91, just the
22 clientele and from workshops, people have accessed through
23 the centre, there was 700. That is a high number, I think,

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1 from September to December. People are coming and they
2 are coming to hear what we have to say, what we have to
3 share and it is information that is native, like you can
4 relate really to it.

5 **COMMISSIONER VIOLA ROBINSON:** Thank
6 you.

7 **MARLENE ANTONIOW:** Thank you.

8 **COMMISSIONER GEORGES ERASMUS:** Thank
9 you.

10 **COMMISSIONER MICHAEL CACHAGEE:** Our
11 next presenter is from Niin Sakaan Literacy, Kathy Sauve.

12 **KATHY SAUVE, NIIN SAKAAN LITERACY:**

13 Good afternoon. On behalf of the Niin Sakaan Literacy
14 Program I would like to speak to the Royal Commission about
15 native literacy and the importance of it. My name is Kathy
16 Sauve and I am the Assistant Co-ordinator with the Niin
17 Sakaan Literacy Program.

18 This program is one of the many programs
19 offered by the Indian Friendship Centre. We have been
20 in operation for five years. Our program covers the area
21 of urban Sault Ste. Marie as well as the first two nearby
22 First Nations, those being Garden River and Batchewana.

23 Our program is a member of the Ontario

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1 Native Literacy Coalition which is an umbrella
2 organization representing 35 native literacy programs
3 throughout Ontario. These programs are located both on
4 reserve as well as in urban communities. As a member of
5 the ONLC we share the following philosophy:

6 As native people, learning is a
7 life-long path which has no end. This path of learning
8 must be available to all people within our circle,
9 children, adolescents, adults and elders, and must
10 continue for the survival of native people.

11 Our statistics have shown that many of
12 our people have been through the formal education system,
13 however, have found that this system has failed them.
14 Learners have spoken of being treated as the dumb Indian
15 who is incapable of learning. Some of these people have
16 been passed on through grades without acquiring the skills
17 needed. Many of our people have later gone on to
18 post-secondary institutions and have been told that they
19 are at a Grade 8 level or lower when they have graduated
20 with a Grade 12 diploma.

21 Within this formal education system our
22 people encounter many situations that reduce their
23 self-esteem. These situations included teachers

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1 segregating native students which resulted in their peers
2 not accepting them as people.

3 Native literacy programs play an
4 essential role in the path of learning. By using the whole
5 person approach which accommodate the various native
6 learning styles, our learners leave our program and
7 successfully go on to other training or educations
8 programs.

9 Once a learner enters our program, we
10 are faced with the many barriers that have been built up.
11 We begin to break these down which enables the learner
12 to begin their learning path. We provide life-skills for
13 these learners to increase their low self-esteem and to
14 help them see that they are important members of our
15 community.

16 We encourage our learners to build
17 support groups among one another and this has proven to
18 be very successful.

19 As Harvey Thunderchild mentioned
20 earlier, our program will be going into the city jail to
21 teach literacy skills to the inmates. We are also
22 preparing to deliver a positive Indian parenting program
23 to the Northern Treatment Centre in the fall.

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1 We have four staff within our program
2 and we consistently meet with the young people who come
3 in for a coffee or for the older adults coming for a coffee
4 to sit down and talk about their educational plan and to
5 offer them the support to go into the educational system.

6 We help them to acquire the skills necessary for that.

7 As staff members, we also sit on various
8 committees and boards, both locally as well as
9 provincially, to educate our non-natives, brothers and
10 sisters, about the different learning styles and letting
11 them know that different does not mean wrong.

12 The Ontario Native Literacy Coalition
13 is currently wrapping up a year-long training program for
14 the co-ordinators of literacy programs and we earned a
15 Native Communications Certificate which teaches us about
16 the native learning styles and how to incorporate them
17 into our programs for our people.

18 One of our learners who had been in our
19 program for over a year recently began to attend a
20 non-native literacy program in her new community and could
21 not fit in. She spoke of being unable to learn the way
22 that they were teaching her and they were telling her they
23 were teaching her the right way and what we had taught

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1 her before was the wrong way, but she had learned with
2 us. She spoke of her frustration that she feels and she
3 wants to come back into this community to be with our
4 program again.

5 The point I am stressing is that native
6 literacy programs must continue in order for the survival
7 of our younger generations and the generations yet to come.

8 There are other literacy programs within our community.

9 However, our people have felt uncomfortable within these
10 programs. We are not duplicating services. However, are
11 providing a much needed service to our children,
12 adolescents, adults and elders.

13 It is our strongest hope that our
14 government recognizes the importance of the native
15 literacy programs where natives are assisting natives to
16 be a stronger people.

17 When our leaders speak of native
18 self-determination, native literacy is a very important
19 stepping stone to this approach.

20 Meegwetch.

21 **COMMISSIONER GEORGES ERASMUS:** It
22 sounds like a very good program. You have 35 native
23 literacy programs. How many people would that employ?

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1 Do you know?

2 **KATHY SAUVE:** Most literacy programs
3 are running with one co-ordinator and that co-ordinator
4 is co-ordinating the program and tutoring at the same time.
5 Our program is very fortunate enough to have extra staff
6 to do that. There are not a lot of people through the
7 ONLC.

8 **COMMISSIONER GEORGES ERASMUS:** What are
9 the programs generally? Are they very early writing,
10 spelling, reading skills, or do you actually do upgrading
11 or what are we talking about? Just the basics -- no ability
12 to read and write at all and then you give them that ability
13 so that they can enter another program? Is that it?

14 **KATHY SAUVE:** That is what we have been
15 dealing with. We have been dealing with people that have
16 gone through the educational system that can't read. We
17 deal with elders that are just beginning to write their
18 names and that is a big stepping stone for them too, instead
19 of when they go to that bank putting an "X" to put their
20 name.

21 We have after-school programs to
22 encourage those students to bring it to their school so
23 they can continue in their school and they don't fall

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1 behind, and whatever instruction they are getting from
2 their teachers, if they can't learn that way, then we will
3 accommodate to teach them what they are learning.

4 **COMMISSIONER GEORGES ERASMUS:** Where is
5 the funding for this kind of program coming from?

6 **KATHY SAUVE:** We are funded through the
7 Ministry of Education through the Literacy Branch.

8 **COMMISSIONER GEORGES ERASMUS:** If, in
9 the best of all worlds, you could get the kind of program
10 you really wanted, the Cadillac Program, what kind of
11 program would that be?

12 **KATHY SAUVE:** Our program -- no,
13 programs that look at natives teaching natives and looking
14 and recognizing different learning styles and
15 accommodating it to whatever way we can. If we have to
16 go out and teach someone how to shop instead of using that
17 calculator or whatever, then we will go out to that grocery
18 store and we will do it. We just have to accommodate
19 whatever way they are going to learn.

20 **COMMISSIONER GEORGES ERASMUS:** How long
21 does it take to give somebody the basics if they start
22 out with no reading and writing skills at all? Does it
23 take a couple of years? Is it a program that lasts that

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1 long or is it just a very brief program you have, a week
2 or two weeks?

3 **KATHY SAUVE:** I don't think you could
4 say with every person it would be the same amount of time.
5 Before that learner can begin to learn, we need to break
6 down those barriers and build that trust up and for some
7 people it may only take a little bit. For other people
8 it may take longer and we have to accommodate how long
9 it will take for them to learn.

10 **COMMISSIONER GEORGES ERASMUS:** Is this
11 a one to one program or is it done in classes?

12 **KATHY SAUVE:** Yes, it is one to one.
13 We do encourage our students or learners to work amongst
14 each other and if one has already worked on that part of
15 his reading and spelling, then he can help someone else.
16 We encourage that amongst our people.

17 **COMMISSIONER GEORGES ERASMUS:** Where do
18 you get your supplies and books and course work?

19 **KATHY SAUVE:** We have been very
20 fortunate in a lot of donations from the schools. They
21 have used old textbooks and we have tried to revise them
22 to the best that we can. I also go to the Learning
23 Disabilities Association and get material specifically

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1 for a problem.

2 We are in the process, in the Ontario
3 Native Literacy Coalition, of developing a native
4 curriculum for our learners and that is a process that
5 is ongoing right now.

6 **COMMISSIONER GEORGES ERASMUS:** For some
7 time how aboriginal educators in the country, and
8 particularly those that are interested in aboriginal
9 languages, have been trying to suggest to the world that
10 literacy comes in a lot of different shapes and forms and
11 all the rest of it and if you are literate in your own
12 language, if you have reading skills in your own language,
13 then you already have one gift and that people should take
14 some pride and some self-esteem in that, and that all you
15 are really doing is either learning a second language or
16 a third language and so forth. Is that the basis of your
17 program, or is it understood?

18 **KATHY SAUVE:** I am not too sure what I
19 am hearing you ask.

20 **COMMISSIONER GEORGES ERASMUS:** I am
21 just wondering if you are, for instance, sitting down with
22 an elder and that elder does not know how to read and write
23 English, but on the other hand, perhaps understands one

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1 or two aboriginal languages, may even in fact know how
2 to write in one of those languages and read in one of those
3 languages, then what I am suggesting is perhaps what you
4 should be passing along, I guess, is the concept that that
5 person already has some literacy obviously in their own
6 area.

7 **KATHY SAUVE:** Oh yes, we do recognize
8 that. We would also encourage that particular elder to
9 teach us. So, it is a two-way learning process where we
10 are not labelled as the teachers, but we are learning from
11 each other. That is a strong philosophy within our
12 program, that everybody is learning together.

13 **COMMISSIONER GEORGES ERASMUS:** Good.
14 Viola.

15 **COMMISSIONER VIOLA ROBINSON:** No, I
16 have no questions. Thank you.

17 **COMMISSIONER MICHAEL CACHAGEE:** The
18 ages -- like you are looking at demographics, are they
19 younger or are they a cross like from -- what I was concerned
20 about was the age, like, say, the ages that you are being
21 impacted with, say, under 20, a majority, well then there
22 is obviously a problem in the school system.

23 **KATHY SAUVE:** Currently right now

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1 within our own program we are working with learners that
2 are probably between the ages of 20 to 35 so they have
3 gone through that system already and they just haven't
4 learned in it and they need those skills. We do try to
5 reach the younger kids, but we do hear the younger kids
6 telling what the schools aren't doing for them.

7 **COMMISSIONER MICHAEL CACHAGEE:** Twenty
8 to 25?

9 **KATHY SAUVE:** Twenty to 35.

10 **COMMISSIONER GEORGES ERASMUS:** Thank
11 you.

12 **COMMISSIONER MICHAEL CACHAGEE:** Our
13 next presenter is from the Algoma Health Unit, the Infant
14 Development Program, Darlene Grexton.

15 **DARLENE GREXTON, ALGOMA HEALTH UNIT,**
16 **INFANT DEVELOPMENT PROGRAM:** If I may, I would like to
17 just give a brief description of our program. You have
18 the material in front of you for future reference.

19 The Infant Development Program is part
20 of a continuum of preventive service provided by the
21 Ministry of Community and Social Services for the at risk
22 population. We deal with infants from birth to 30 months.

23

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1 There are three criteria to our program.

2 One is established, which means it could be a baby that
3 is born with Down's Syndrome, hydrocephalous, which is
4 water on the brain, biological, which is Cerebral Palsy
5 or something that affects the central nervous system and
6 the psycho-social risk in which we deal with everything
7 from a young mom, to incest, to a terminally ill mother
8 of their child, and so on.

9 The program is set up in such a way that
10 we do assessments of the child, a developmental assessment
11 and that gets a base line for the development. We also
12 do a referral service and it almost goes hand in glove
13 with what Marlene was speaking of earlier about getting
14 the right service for that client.

15 We do cover the District of Algoma so
16 we do the rural areas.

17 It creates support for the families and
18 it depends on how handicapped the child is because a lot
19 of times that is referrals to Sick Children's and a lot
20 of travel and a lot of cost that is incurred by the parents.

21 The main thing with this is to help the
22 parents adjust and educate them to be an advocate for their
23 children.

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1 That is basically our program.

2 **COMMISSIONER MICHAEL CACHAGEE:**

3 Do you do the FAS, the fetal alcoholic syndrome?

4 **DARLENE GREXTON:** Yes, we do that as
5 well.

6 **COMMISSIONER MICHAEL CACHAGEE:** I
7 didn't see it in here.

8 **DARLENE GREXTON:** We deal with
9 alcoholism, infant, yes, the alcohol syndrome. We take
10 care of that whole area in the psycho-social. We also
11 deal a lot with Children's Aid with our off reserve natives.
12 I have never been on the reserve. We have had permission
13 to go on the reserve with the program and we have certainly
14 dealt with that with them and the idea is to have a native
15 worker that is familiar with reserve and off reserve
16 natives because there are definitely two issues there,
17 two separate issues, and if the world was wonderful, like
18 you just said a few minutes ago, the ideal thing would
19 be for us to have a native worker, because last year we
20 had approximately 20 families and we missed a lot.

21 The babies that come into NICU, which
22 is the neonatal unit at the hospital, are automatically
23 referred to our program and strangely enough, native babies

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1 are usually pretty healthy. When you look at the rest
2 of the population, we have had a real upswing of premature
3 babies that survive earlier. But we miss the babies
4 because they go into the normal nursery, so there could
5 be something else that would show up maybe six months later.
6 This is what we are finding.

7 So, at the time of birth there is no
8 trauma, but later on you will pick up whatever, like the
9 baby was stiff at birth even now, so maybe the baby had
10 Cerebral Palsy because in that first year you cannot notice
11 it really. It is not that obvious.

12 **COMMISSIONER GEORGES ERASMUS:** So you
13 have no aboriginal staff. How big a staff do you have?

14 **DARLENE GREXTON:** There are three
15 full-time workers and three part-time workers, but we also
16 have a physiotherapist consultant that comes in on call,
17 speech pathologist.

18 **COMMISSIONER GEORGES ERASMUS:** You
19 don't work out of the hospital.

20 **DARLENE GREXTON:** No, we work out of
21 Algoma Health Unit as our sponsor. That is public health
22 nurses. So, that is the advantage because some of the
23 babies that we have missed off reserve, the public health

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1 nurse will pick them up for us. But we have our biggest
2 problem on reserve.

3 **COMMISSIONER GEORGES ERASMUS:** What is
4 your link to the reserve?

5 **DARLENE GREXTON:** If the baby has been
6 referred to us, for instance, from NICU then we would get
7 permission from them. We have a blanket permission slip
8 to go on the reserve, so then we plug into the family that
9 way. But if the baby is not from NICU, we miss them.

10 **COMMISSIONER GEORGES ERASMUS:** NICU
11 means?

12 **DARLENE GREXTON:** That is our Neonatal
13 Intensive Care Unit and that is where all premature babies
14 go.

15 **COMMISSIONER GEORGES ERASMUS:** Do you
16 have any comments?

17 **COMMISSIONER VIOLA ROBINSON:** Have you
18 approached any of the aboriginal organizations or the bands
19 to seek their co-operation in this?

20 **DARLENE GREXTON:** For a staff member?

21 **COMMISSIONER VIOLA ROBINSON:** Yes.

22 **DARLENE GREXTON:** I have talked with the
23 staff here on more than one occasion.

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1 **COMMISSIONER VIOLA ROBINSON:** At the
2 Friendship Centre.

3 **DARLENE GREXTON:** Yes, in fact they are
4 the ones who encouraged me to talk to you.

5 **COMMISSIONER GEORGES ERASMUS:** Do you
6 feel that people on the two reserves in the area here are
7 familiar with this program so they know if they want their
8 children to be tested that they could come to you? Do
9 you do anything to --

10 **DARLENE GREXTON:** To encourage that?

11 **COMMISSIONER GEORGES ERASMUS:** For any
12 kind of community awareness. Do you do anything to do
13 some public education?

14 **DARLENE GREXTON:** We have those
15 pamphlets that you see that I have given you in your
16 package. They are put on the babies I select and the
17 nurses, if they are in the unit, encourage them to get
18 a hold of us. But the babies in the normal nursery it
19 is put on their layette, but usually by the time the mother
20 goes home, it is lost. They are not people that would
21 come and ask for help.

22 **COMMISSIONER GEORGES ERASMUS:** Let's
23 quit talking about aboriginal people. What do you do --

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1 let's say I am a non-aboriginal person and I have just
2 had a child. What do you normally do for the non-native
3 people?

4 **DARLENE GREXTON:** I do, for all the
5 people, the same thing. We would call them. If the
6 referral came in.

7 **COMMISSIONER GEORGES ERASMUS:** So, a
8 referral has to come to you before you --

9 **DARLENE GREXTON:** Before we can
10 contact, yes, because on the referral form, it says: "Are
11 the parents aware of the referral?" It is a voluntary
12 --

13 **COMMISSIONER GEORGES ERASMUS:** Maybe
14 what I am losing is how does the referral start?

15 **DARLENE GREXTON:** It starts from the
16 hospital, the doctor, or the parent themselves.

17 **COMMISSIONER GEORGES ERASMUS:** They
18 don't refer every baby to you, they only refer some babies.

19 **DARLENE GREXTON:** Yes, from the
20 hospital.

21 **COMMISSIONER GEORGES ERASMUS:** Some
22 babies.

23 **DARLENE GREXTON:** Yes, some babies. Or

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1 the parents themselves can refer, so a lot of times what
2 happens if your friend has us and she will go in to see
3 you or your wife and say "the infant development program,
4 you know, they do assessments; give them a call", then
5 we can do it that way. But our main source is the doctor,
6 NICU and Children's Aid.

7 **COMMISSIONER GEORGES ERASMUS:** I
8 suspect you need to some public education. I wouldn't
9 be surprised.

10 **DARLENE GREXTON:** We always do public
11 education.

12 Thank you for your time.

13 **COMMISSIONER GEORGES ERASMUS:** Thank
14 you for coming.

15 **COMMISSIONER MICHAEL CACHAGEE:** We are
16 down to the seventh inning stretch here.

17 Our last individual presenter is Evelyn
18 Schrieber.

19 **EVELYN SCHRIEBER:** Good afternoon.
20 I am Evelyn Schrieber, as Mike said.

21 My concerns today are about our homeless
22 people, some who are mentally ill, young children and
23 single mothers selling themselves on the streets, our

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1 elders, some of who are ill and are no longer capable of
2 looking after themselves, and displaced native men who
3 have had their livelihood and dignity taken away from them.

4 I know what it is like to be a homeless
5 person because I was a homeless person at the age of 15,
6 but I managed to survive to this age. I have had two
7 children, two adult children, diagnosed as having
8 schizophrenia. Both of them have lived on the streets.

9 They have suffered from alcohol and substance abuse, have
10 also both been abused while on the streets. They have
11 been incarcerated and kept in solitary confinement because
12 of their untreated illness.

13 My daughter was diagnosed with
14 schizophrenia in 1985. She became pregnant due to sexual
15 and physical abuse while she lived on the streets. She
16 had a child in 1988. My grandson was made a ward of the
17 Court and was adopted out as I was unable to provide a
18 home for this child, for my grandchild, due to the ongoing
19 untreated illness of both my adult children.

20 Forty-eight hours after giving birth to
21 her child, my daughter was back sleeping in doorways.
22 She should have been in hospital, but because of the way
23 our Mental Health Act reads, she was denied the right to

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1 treatment and still is, and many people like her are.

2 My son was diagnosed in 1984 at the age
3 of 16. He passed away a year ago this week. Excuse me.

4

5 Both my children and many others like
6 them have been denied the right to psychiatric treatment
7 and proper care, proper housing, proper psychiatric care,
8 and there are many native people who are also in this
9 situation as I meet, I have met and I travelled around.

10 I am involved in a lot of committees and boards that deal
11 with mental illness and mental health.

12 Many of our native people are homeless.

13 They are not being treated with dignity that we all deserve
14 as native people. I believe we need to stand behind each
15 other and work on the solutions to our problems that affect
16 our men, our women and our children.

17 I am not going to speak too long on this
18 because this is very difficult for me.

19 In closing, I would just like to quote
20 something I heard Chief Ron George say something to this
21 effect in one of his talks. He said something to the effect
22 that "Indian people should not hurt Indian people", and
23 I would like to add "Indian people should help Indian

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1 people."

2 I would like to thank the Indian
3 Friendship Centre and all of you from the Royal Commission
4 that sit here today for letting me share this with you
5 and, hopefully, you can come up with programs to help the
6 mentally ill people that are native and non-native.

7 Thank you.

8 **COMMISSIONER GEORGES ERASMUS:** Thank
9 you for sharing your very powerful story with us. It is
10 very painful. It is amazing that you can talk about it
11 in public.

12 What would you suggest would be an
13 adequate program to deal with these situations where there
14 is no psychiatric services? What kind of services? How
15 should they be run? Who should run them? What would you
16 advise?

17 **EVELYN SCHRIEBER:** I would like to see
18 something in place where there is a home for these type
19 of people. There would be staff there who are able to
20 deal with psychiatric patients and I know what they have
21 in Whitby, the Whitby Psychiatric Hospital, is they have
22 different levels of housing before they are prepared to
23 go back into the community if those people are. Some are

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1 and some aren't. Some would never be able to cope living
2 out the way we do. My daughter is one of them.

3 **COMMISSIONER GEORGES ERASMUS:** Why have
4 these services that exist now not dealt with your daughter?
5 What is the reason? Is she falling in a crack somehow?

6 **EVELYN SCHRIEBER:** She is falling
7 through the cracks for the simple reason as the way the
8 Mental Health Act reads.

9 **COMMISSIONER GEORGES ERASMUS:** Which
10 section?

11 **EVELYN SCHRIEBER:** I can't quote the
12 section, but I have --

13 **COMMISSIONER GEORGES ERASMUS:** What is
14 the gist of it though?

15 **EVELYN SCHRIEBER:** The gist of it is
16 they cannot be brought in on a certificate unless they
17 are a danger to themselves or others. They have to have
18 maybe stabbed you with a knife. When she was pregnant,
19 I said she was a danger to her child. I phoned Queen's
20 Park in Toronto. I phoned Children's Aid lawyers in
21 Toronto. I phoned just everyone I could and they said,
22 "the unborn child is not a person."

23 I had to more or less network a system

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1 for her through the Algoma Health and Mental Health and
2 Children's Aid and doctor at the hospital. I had to do
3 all those things for her. I also had to ask the Children's
4 Aid to please take the baby because I knew, in her
5 psychosis, she would come and take the baby and I was afraid
6 to think of what might happen. So, for that reason, I
7 had to have my grandchild adopted out.

8 **COMMISSIONER GEORGES ERASMUS:** So,
9 somehow the government could see that your daughter wa
10 not capable to raising a child, but they did not see her
11 in a situation where she should get any kind of special
12 treatment herself. So, she just virtually went back out
13 into the street.

14 **EVELYN SCHRIEBER:** Yes.

15 **COMMISSIONER GEORGES ERASMUS:** I
16 presume you have tried having her live with you, but she
17 doesn't want to live with you.

18 **EVELYN SCHRIEBER:** After 1984, eight
19 years of two of them living with me off and on, untreated
20 and treated and back, I am just no longer able to cope.
21 She just moved back out on her own a couple of weeks ago
22 and she is having a very, very hard time to cope with this
23 as well.

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1 **COMMISSIONER GEORGES ERASMUS:** What you
2 are saying is she needs professional help.

3 **EVELYN SCHRIEBER:** She does, yes.

4 **COMMISSIONER GEORGES ERASMUS:** All
5 right. Viola.

6 **COMMISSIONER VIOLA ROBINSON:** I want to
7 commend you for coming forward and making your
8 presentation. I think you are very courageous to do that
9 and that certainly your concern over the inadequacy of
10 the kinds of services for mental patients or ill. It
11 is certainly inadequate and has to be something that has
12 to be addressed.

13 Once again, I guess your concerns will
14 be recorded and maybe some follow-up. I don't know what
15 can be done, but certainly we hope something will be done.

16 Thank you.

17 **EVELYN SCHRIEBER:** May I answer your
18 question about the Mental Health Act -- Justice, anyway,
19 the Committee on Justice in Queen's Park right now are
20 working on legislating new bills, Bill 87, 108, 109 and
21 110, and I did a presentation there in February and the
22 amendments they are making to these bills still denies
23 people that are mentally ill, still denies them the right

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1 to treatment, and families such as I who have children
2 with schizophrenia or manic or whatever, have made
3 presentations and we are not satisfied with these new bills
4 that they are implementing or going to implement.

5 **COMMISSIONER GEORGES ERASMUS:** I think
6 we have a good understanding of what you are saying.

7 Did either of the two other
8 Commissioners want to say anything? No.

9 Thank you for coming forth.

10 **EVELYN SCHRIEBER:** Thank you.

11 **COMMISSIONER MICHAEL CACHAGEE:** We have
12 the final presenters here for the next hour, the North
13 Shore Tribal Council, and the first one is Dawna LeBlanc,
14 the Anishinaabe Language Teachers Association.

15 **DAWNA LeBLANC, NORTH SHORE TRIBAL
16 COUNCIL, ANISHNAABE LANGUAGE TEACHERS ASSOCIATION:** Elder
17 Syrette, Counsellors, Viola, Georges and Michael.
18 Biidaaban ndizhnikaaz, zhaagnaashiiw-nikaazyaaanh dash
19 gewii Dawna LeBlanc, Wiikwenkoong ndaajbaa, mii gego oodi
20 enji-nokiiyaanh. Miigwech gii-bnigniyeg maanpii
21 wii-bi-dnaangidoonaa, niibnaa Nishnaabeg gii-naadmaagoog
22 maanda wii-zhi-biiwmaa.

23 This is not the first time you have

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1 listened to my topic, nor will it be the last time you
2 will hear it. Aboriginal languages are becoming extinct
3 at an accelerated rate. Our elders are leaving us and
4 taking the language with them.

5 In one native community, Cape Croker,
6 eight elders have died in the past year, bring the number
7 of fluent speakers and teachers to a critical level. This
8 is not an isolated occurrence, but it is happening in all
9 of our communities. Wikwemikong, a community considered
10 to be the source of language speakers, lost 18 fluent
11 speakers last years, 12 of which were elders. Young
12 parents, whose parents came through the residential school
13 system are unable to pass their language on to their
14 children. Many First Nations schools simply do not have
15 the resources to introduce a viable language curriculum.

16 In the early '80s, Secretary of State
17 commissioned a research paper on native languages. The
18 Shkilnyk Report identified 53 distinct aboriginal
19 languages that were still spoken in Canada, and that only
20 three were predicted to survive within the next 50 years,
21 Ojibwe, Cree and Inuktitut. Will these languages survive
22 without the necessary financial support that is currently
23 available to other non-native language groups?

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1 Because of the historical background of
2 native education, the elimination of language was the prime
3 target for the government and the missionaries, knowing
4 full well that without a language we would no longer be
5 a distinct people as language is culture and culture is
6 language. To quote Verna Kirkness:

7 "Language is the principal means by which culture is
8 accumulated, shared and
9 transmitted from generation to
10 generation. The key to identity
11 and retention of culture is one's
12 ancestral language. Languages
13 reflect fundamental differences in
14 culture in ways that specific
15 language groups perceive their
16 world, their family relationships,
17 kinship structure, relationship to
18 other cultures, and to the land."

19 Language impacts on our cultural, educational, social,
20 economic and political life, therefore language has a
21 direct bearing on how we see ourselves as a people and
22 our role in self-government, on land claims and our claim
23 to a distinct society.

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1 There are other benefits in speaking
2 more than one language. Academically, children who speak
3 more than one language have higher level thinking skills,
4 are able to view their world from different perspectives,
5 and therefore, have advanced critical and problem-solving
6 skills. Our future generation would not only maintain
7 and develop our languages and the pride of being distinct
8 group, but as future leaders, would have the academic
9 background and the skills necessary to protect our inherent
10 rights as a Nishnaabe Nation.

11 Although Indian Affairs introduced
12 native language teaching in First Nation schools in the
13 late '60s, the curriculum they used was based on the English
14 language teaching methodologies. It was primarily
15 vocabulary-based and subsequently the learners were unable
16 to string words together for a meaningful dialogue. These
17 children are now parents and still do not speak the language
18 and are at the best, functional. This curriculum is still
19 taught in the classroom with minor adjustments.

20 My community, Wikwemikong, passed a Band
21 Council Resolution on July 9, 1991, that declares
22 Wikwemikong a bilingual community, making Ojibwe and
23 English the working languages. Fluency in the Nishnaabe

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1 is now one of the major factors, along with education and
2 work experience in securing a job. Also in September 1991,
3 partial immersion was introduced in the Day Care and
4 Kindergarten with a goal of total immersion within the
5 next few years. Had an immersion curriculum been in place,
6 partial immersion would have been avoided.

7 There are many initiatives taking place
8 in many communities, people doing what they can do to
9 maintain their languages and dialect. However, these
10 initiatives are local and difficult to maintain. Not only
11 do they lack resource materials, but also they need
12 financial assistance to research and develop successful
13 language retention programs.

14 There are now academically-qualified
15 fluent speakers to undertake these actions. However,
16 funding is not available in meaningful amounts to begin
17 constructively.

18 The government, Secretary of State,
19 spends an annual sum of \$300 million towards
20 French-language programs and another \$46,400,000 on
21 bilingual bonuses for federal employees. For
22 multiculturalism, another \$17,500,000 is spent on language
23 instruction alone. For native languages in Canada, the

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1 government, namely, Secretary of State, allocated and
2 spent \$545,000 for the past fiscal year. In addition to
3 this, the Department of Indian Affairs provided \$300,000
4 for education and cultural centres in Ontario for the
5 salary and travel dollars of five native language
6 consultants.

7 Our politicians, nationally,
8 provincially and locally are immersed in treaty rights,
9 land claims, self-government and adequate funding issues
10 for their communities and, although, they have identified
11 language retention as a priority, other issues are more
12 pressing to them. But if we achieve satisfaction in all
13 of these and lose our language, we will have lost everything
14 including what we have just gained. We will no longer
15 be a distinct society with sovereign rights, but a nation
16 of brown-skinned people with sovereign rights and I
17 hesitated to say apples in that instance, while the French
18 and the new immigrants continue to maintain their culture
19 through their languages.

20 Several actions need to be taken
21 immediately in order to address the erosion and the
22 extinction of our languages.

23 One, on a national basis, the AFN's

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1 initiative for an Aboriginal Languages Act and the
2 establishment of an Aboriginal Language Institute must
3 be recognized and passed in Parliament.

4 Two, that the Government of Canada
5 increase the financial support to native languages that
6 reflects the current and future needs and that these funds
7 are given to native organizations whose sole priority is
8 the retention, promotion and maintenance of native
9 languages.

10 Three, on a more immediate basis, that
11 the Nishnaabe Language Institute, initiated by the
12 Nishnaabe Language Teacher's Association of Manitoulin
13 and North Shore receive adequate funding and support to
14 be able to research and develop the Nishnaabe language
15 programs.

16 This institute would be involved in the
17 following: (a) Nishnaabe language maintenance and
18 growth, so that the spoken language reflects the current
19 lifestyle; (b) Curriculum development, one that is
20 activity and content-based and conducive to native
21 learning and teaching styles; (c) Material and resource
22 production in all facets, from dictionaries, storybooks,
23 video and cassettes, et cetera; (d) Direct involvement

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1 in native language teacher training, upgrading and
2 evaluation of the program and the teachers in-class
3 performance; (e) The recognition of Nishnaabe language
4 as an accredited course in specialized educational
5 institutions, such as teacher's college, nursing, social
6 work, et cetera; (f) Develop and provide translation
7 services.

8 Four, that all non-native institutions
9 and organizations cease and desist from further
10 development in native language initiatives, namely,
11 Cambrian College, which is in the process of establishing
12 a Nishnaabemwin Institute, and that all current and future
13 initiatives by non-natives seek approval from our native
14 political representatives.

15 Five, that educational funding to First
16 Nations schools be increased to reflect the language needs
17 and initiatives, and that this funding be identified
18 specifically for native language development and
19 promotion.

20 Gchi miigwech gii-bzindwiweg. Aabdeg
21 gona gnimaa gegoo gaa-zhi-naadmowmi wii-mjimnaamaang
22 maanda ndi-nwewninaa.

23 Thank you for listening. I hope that

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1 you will be able to assist us in keeping our language alive
2 and growing. I hope some of these recommendations will
3 be acted upon immediately and not wait until this
4 Commission has completed its tour in 1993.

5 Meegwetch.

6 **COMMISSIONER GEORGES ERASMUS:** Thank
7 you for an excellent presentation. A lot of times people
8 present to us and they are very eloquent in describing
9 problems and that is where their submission stops.
10 Somebody else has to think of the solutions and in this
11 case here you have done a good job of both describing the
12 problems and suggesting a number of way in which the issue
13 of language and culture can be dealt with. It is a good
14 presentation, self-explanatory.

15 Could you tell me just a little bit about
16 the Anishnaabe Language Institute. I hadn't realized it
17 had actually been started.

18 **DAWNA LeBLANC:** It has been in
19 discussion for the last two years. It was presented to
20 the All Chiefs Conference in Thunder Bay two years ago.
21 Up to that time nothing was done and just in the last
22 couple of weeks the teachers have got together along with
23 the Metenshibek (ph) people to request assistance in

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1 beginning this institute. So, we talked for so long.

2 Now we are finally doing something.

3 **COMMISSIONER GEORGES ERASMUS:** Great.

4 Viola.

5 **COMMISSIONER VIOLA ROBINSON:** You are
6 absolutely correct. It is not the first time and it won't
7 be the last time we hear this. As a matter of fact, it
8 is just being very repetitive in all of our hearings.

9 We haven't been to a hearing where they haven't stressed
10 the importance of the revival and the retention of
11 aboriginal language. Your thoughts are shared right
12 across this country and I hope that is some form of
13 encouragement.

14 Your other comment in here about not
15 waiting three years, I agree with you. I don't think you
16 should have to wait three years. I think something will
17 evolve soon.

18 So, thank you.

19 **DAWNA LeBLANC:** I would like to have
20 some of that money Michael was talking about earlier, this
21 \$1.5 billion.

22 **COMMISSIONER MICHAEL CACHAGEE:** I will
23 see what I can do in the next election.

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1 **COMMISSIONER GEORGES ERASMUS:** Do
2 either of you want to make a comment?

3 **COMMISSIONER MICHAEL CACHAGEE:** I just
4 wanted to comment to Dawna, I haven't seen you for a while.
5 It is good to see you again, Dawna. It was a very good
6 presentation. There have been some very positive
7 initiatives taken up in this end of the country by the
8 lady sitting in the booth over there. She is from a good
9 part of the country. But they are taking some good
10 initiatives up at Sault College in the development of the
11 Nishnaabe language and also at the Shingwauk University
12 Ojibwe's class now is a modern language. So, it is
13 progress and hopefully we crack all those holes before
14 we lose it all.

15 Meegwetch, Dawna.

16 **DAWNA LeBLANC:** I guess one of the
17 things I want to go back to, just the number (e) on the
18 Nishnaabe Language Institute, is that at teachers' college
19 -- I just finished teachers' college four years ago --
20 if you had French, you received a credit for it. I am
21 bilingual and very fluent in my language. I did not
22 receive a credit for my language. I had to take an extra
23 elective and I would like to see that done as soon as

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1 possible.

2 **COMMISSIONER MICHAEL CACHAGEE:** I

3 think, Barb, can you hear me?

4 Wouldn't they allow you to do your
5 competency test, Anishnawbek -- didn't you check that out?

6 She is going to come out of her little tent here.

7 **BARBARA NOLAN:** It can be done. I know
8 people who have done it.

9 (no microphone, speaker inaudible)

10 **DAWNA LeBLANC:** That's not at teachers'
11 college. That is at university.

12 Meegwetch.

13 **COMMISSIONER JEROME SYRETTE:** That lady
14 about this language, you know, I am one of the unfortunate
15 whose language was taken away. My mother spoke very good
16 Indian, but she didn't address us enough so that I could
17 keep up a conversation, but finally I started to go to
18 school and I almost became an expert on the Latin language.
19 Now they don't even use it. So, where am I?

20 **COMMISSIONER MICHAEL CACHAGEE:** Our
21 next presenter is Lewis Debassige. He has got an
22 individual presentation.

23 **LEWIS DEBASSIGE:** Good afternoon, Mr.

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1 Chairman, Members of the Commission, ladies and gentlemen.

2

3 I would like to open by saying it was
4 not too long ago that I served on the other side of the
5 Commission. It was the AFN National Review on Indian
6 Education and like the previous presenter said, you will
7 hear our concerns, the same concerns over and over ago
8 and it will take time to present them, report them and
9 hopefully corrective action will take place.

10 I am Director of Education for Sagamok
11 Anishnawbek. Sagamok Anishnawbek has an educational
12 portfolio for North Shore Tribal Council. I was kind of
13 cajoled into making this presentation. I suggested that
14 our education person from the North Shore Tribal Council
15 be approached for time and I was later informed that time
16 was available and I was included in the presentation.

17 My presentation is rather hurried. I
18 know your time is becoming a problem.

19 As this presentation shall prove,
20 Sagamok Anishnawbek have clearly demonstrated a role of
21 leadership in responsibly moving towards the goals of
22 Indian control of Indian education. We look with
23 particular pride at the accomplishments we have made at

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1 our band-operated school, where our young people have
2 access to a quality of instruction which we believe
3 compares favourably with that offered by any other school
4 throughout this province.

5 Any further improvement of the
6 educational opportunities we are capable of extending,
7 however, is limited by the nature of the administrative
8 context in which we presently must work. Accordingly,
9 we have compiled this text in the hope that we will
10 stimulate discussion and reform within the Department of
11 Indian Affairs. Thus, we are thankful to this Commission
12 for your willingness to hear our pleas and burden you with
13 our desperate need to develop new means which will see
14 that the best use is made of scarce resources to achieve
15 maximum educational results.

16 This we shall endeavour to prove, could
17 be attained through meaningful rationalization of the
18 funding and reporting procedures which lie near the heart
19 of the relationship between the Anishnawbek and the
20 Government of Canada.

21 Our first interest in taking this action
22 is to do the best we can for all segments of our own
23 community. But we are also aware of the added

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1 responsibilities which have been placed on us because of
2 our legacy of leadership in the field of Indian control
3 of Indian education. Other First Nation groups, we have
4 been informed, are looking to us to help prepare the way
5 for them by demonstrating the benefits to be gained in
6 asserting more influence over the full spectrum of
7 administrative and institutional arrangements associated
8 with the education of our youth. Similarly, we are
9 confident that the Commission shares an interest in
10 continuing to help make us a model of the advantages to
11 be secured through the application of enlightened policy.

12 The act of asserting more authority over
13 local education has involved virtually every sector of
14 our community in some way. Parents, elders, young people
15 and community workers have experienced the need to become
16 better informed, so that we could meet our new choices
17 before us intelligently. For instance, among the most
18 significant of the educational rewards which have
19 accompanied our initiatives is the enhanced degree of
20 self-awareness we have enjoyed in collectively facing the
21 challenges before us.

22 Exercising more influence such a key
23 aspect of our future has proven to be an effective catalyst

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1 stimulating us to become more self-determining people.
2 This rediscovered community quality has recently helped
3 us endure a crisis situation regarding high cost tuition
4 billing, which the Department of Indian Affairs was willing
5 to settle by paying \$407,000 to the claimant.
6 Fortunately, our resolve prevailed which resulted in an
7 immediate saving of \$212,000 for the department or an
8 accumulated saving of \$862,000 over three years for the
9 Government of Canada. Furthermore, the situation forced
10 us to examine the tuition agreement which licensed payment
11 for such over-charged educational services and we
12 formulated a more meaningful partnership agreement which
13 has since become a model throughout Ontario.

14 While the reality and scope of the
15 programs administered by Sagamok Anishnawbek has increased
16 significantly, we are currently approaching the maximum
17 level of efficiency to which we can stretch our existing
18 financial resources. We have thus far made improvements
19 without corresponding rises in the amount of funds we
20 receive from the Government of Canada. And further
21 improvement will depend on our ability to secure a large
22 commitment of monetary backing for our endeavours.

23 If we fail to continue enriching and

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1 extending our services, we risk losing support and
2 credibility among the Anishnawbek and those new partners
3 whose confidence we just recently gained. We have come
4 to see the development of our community and any major break
5 in the momentum of constructive change would be perceived
6 as a significant setback. If the confidence of the
7 community is lost, it will be extremely difficult for those
8 most deeply involved to recapture it. The Commission
9 would greatly favour our efforts in education by examining
10 the department's resourcing bases and confirm our belief
11 for an immediate simplification of present funding
12 mechanisms. We believe that this would resolve some of
13 our problems or at least offer us relief from the
14 self-consuming process we now have to endure.

15 As previously stated in this submission,
16 our capacity for good management stems from our willingness
17 to seize opportunities which have favoured our educational
18 endeavours. In keeping with those tendencies, we submit
19 the following examples which we believe deserves your
20 attention to rectify. We also avail ourselves to advise
21 the Commission on other matters which may result in the
22 solution of other long-standing problems and lend
23 opportunity for improved relationships between the

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1 Anishnawbek and the Government of Canada.

2 Example one: Perhaps the most galling
3 exercise our administration must endure is the inattention
4 our Band Council Resolutions receive in determining what
5 resources we receive to meet our community's needs. For
6 example, we submitted ten resolutions during a period of
7 five years, all clearly indicating Sagamok Anishnawbek's
8 need for a complete school to accommodate students from
9 junior kindergarten to grade eight. We had invested much
10 effort and qualified technical advice to advance our case
11 which thus far has resulted in: (i) Securing funds for
12 two portable classrooms without furnishings; (ii) Two
13 technical studies which listed 22 deficiencies in a
14 facility which was only five years old; (iii) An official
15 premise to construct an addition to our school and correct
16 some of the most glaring deficiencies; (iv) Funding for
17 a three classroom addition which will still fall short
18 of our enrolment's space accommodation standards.

19 In return for the department's inaction
20 to our repeated requests, we have had to sacrifice our
21 band-operated school's operational funds to purchase three
22 portable classrooms, furnishings and correct some
23 deficiencies to minimal standards for the protection and

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1 safety of our students. We feel it is most laudable that
2 our education staff have been able to maintain an
3 acceptable quality of education at such costs.

4 Second example: This example will
5 attempt to demonstrate the double standards in resourcing
6 which grossly disfavours band-operated schools and negates
7 our belief that the Government of Canada fosters fairness
8 and equality.

9 This case also questions the moral,
10 political and legal defensibility of maintaining a
11 resourcing formula which clearly discriminates against
12 a disadvantaged people.

13 If you look at the total formula
14 entitlement of \$602, that is derived from a formula which
15 is part of the submission in the back for 131.5 students,
16 including school maintenance. A band-operated school
17 with 131.5 students would yield \$5,031.61 per student.
18 Comparatively, when the provincial school system bills
19 us for purchase of service for one student, it has its
20 basic billing of \$6,685 per student. There is a cultural
21 support allowance of \$35 and the band support -- that is
22 another formula -- and that totals \$6,794.06 per child,
23 per student. The difference in our case is \$1,762.45.

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1 If you multiply, again, that amount we feel that the
2 Government of Canada owes us \$231,762.18.

3 This is not a new problem. It has been
4 long-standing. It is also national. I think that was
5 a finding of the National Review on Indian Education.

6 There is also eleventh hour situation.
7 We have met and we have planned to legally challenge the
8 formula and it may come to that very soon.

9 However, I would like to make a
10 recommendation, which is not part of the text, for the
11 Commission that Sagamok recommend that the Royal
12 Commission on Aboriginal Peoples investigate options like
13 lease to own, to relieve the backlog need for new school
14 facilities on First Nations communities.

15 Number two, we further recommend that
16 the Royal Commission on Aboriginal Peoples immediately
17 requests parity-plus resourcing for band-operated schools
18 before First Nations are forced to return local education
19 to the Department of Indian Affairs.

20 I believe the situation is desperate
21 enough. We are now faced with the influence of unions
22 on reserves and they will likely raise the salary grids
23 of our teachers. Some of the unions have already been

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1 certified for some staff, teaching staff, on First Nations
2 in this area. So, I believe it is not an eleventh hour
3 situation. It is more like eleven, forty-five.

4 I know it is not one of the objectives
5 of the Commission to intervene on these matters, but if
6 you could lend us information where other groups across
7 Canada are heading to rectify these serious problems.

8 Thank you very much.

9 **COMMISSIONER GEORGES ERASMUS:** Thank
10 you. I am glad somebody has brought this up. It provides
11 the kind of evidence that we need to do our work. It is
12 very, very useful information, very precise and to the
13 point.

14 The one area which I was a little
15 interested in following up on, on page 3 of your submission
16 you talk about, something about saving some money for the
17 department, an immediate saving of \$212,000 and an
18 accumulated saving of \$862,000. Are you referring to the
19 same difference in the back?

20 **LEWIS DEBASSIGE:** No, that is totally
21 different.

22 **COMMISSIONER GEORGES ERASMUS:** Maybe
23 you could explain what you are talking about there?

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1 **LEWIS DEBASSIGE:** If you look at one of
2 the appended examples of billing, secondary level for
3 instance, I believe yields a better example, your estimated
4 per pupil costs, including what they call pupil
5 accommodation charge is \$7,926. Your daily average
6 enrolment for 62 students time .3, which is three months
7 out of a ten-month, you come up with a factor of 18.6.
8 Now, the estimated weight for high costs is 3.54. That
9 was what was disputed, the 3.54. At one time, our students
10 weighting factor, accumulated weighting factor, was in
11 the neighbourhood of 81 per cent and that is for technical
12 students, basic ed, special ed, multiple handicap
13 weighting factors. That is part of the Ontario policy.

14

15 But they were dumping our kids into these
16 high-cost programs. They were not following what they
17 call "identification review placement committee process."

18 Legislation in Ontario requires that a minimum committee
19 of three have to identify and place the child. As a matter
20 of fact, it was a committee of one that was placing most
21 of these children. So, we appealed their cases and
22 individually they were very unwilling to share information
23 about the appeal process. However, we did recover that

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1 money.

2 So, there are a lot of ways to play games,
3 number games, out there. As a matter of fact, tomorrow
4 morning, we are having a workshop for the Minister of
5 Education, an auditor from the Minister of Education, to
6 update us on how to get out of these situations.

7 **COMMISSIONER GEORGES ERASMUS:** Great.

8 So, these school boards just use your students as a way
9 to get some fast money from the province. Is that what
10 you are saying?

11 **LEWIS DEBASSIGE:** Not only from the
12 province, but also from us. There is a long history of
13 that, especially with capital agreements, signing of
14 capital agreements, which we were not a party to and Indian
15 Affairs entered into a lot of capital agreements,
16 especially in this city, the City of Sault Ste. Marie,
17 I believe there are four examples. They were just moving
18 the native kids around, so long as they received capital
19 from Indian Affairs.

20 There is a long history of bilking the
21 federal cow for moneys.

22 **COMMISSIONER GEORGES ERASMUS:** I see.

23 Thank you.

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1 Viola.

2 **COMMISSIONER VIOLA ROBINSON:** I have no
3 questions, thanks.

4 **COMMISSIONER GEORGES ERASMUS:** Thank
5 you.

6 **COMMISSIONER MICHAEL CACHAGEE:** Lewis,
7 I agree with you on capital, on capital costs. They own
8 two high schools, the university and I think six primary
9 schools through the blood and sweat with Indian money.
10 Thank you again.

11 Our next presenter is Marvin Assinewai.
12 It is an individual presentation.

13 **MARVIN ASSINEWAI:** Good afternoon,
14 members of the Committee. Before we start, I would like
15 to say Hi to my good friend, Barb, in that little tent
16 that you guys keep her in back there. I am sure it must
17 be 180 degrees in there. Hi, Barbara.

18 First of all, I would like to thank North
19 Shore Tribal Council for giving me the opportunity to come
20 and speak on post-secondary education.

21 The challenge of native post-secondary
22 education in the 1990s, completing the circle of
23 self-sufficiency by Marvin Assinewai.

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1 My outline is a brief history on
2 post-secondary education, First Nation control versus
3 I.N.A.C. control, current INAC 5 year plan of proposed
4 growth, lack of support, consultation, community
5 involvement, four, conclusion: some possible
6 recommendations to improve the current system and, five,
7 questions and answer period.

8 Some personal background: I have been
9 an elementary school teacher for eight years, six years
10 as post-secondary counsellor, the last three years working
11 with the Sudbury Anisnawbek Post-Secondary Counselling
12 Unit. Currently, I am the rep for the United Chiefs in
13 Council of Manitoulin as their Native Trustee the
14 Manitoulin Board of Education. I am married with two
15 children and I am very concerned with the entire future
16 of native education.

17 Education and the aboriginal people, a
18 brief history. The idea of education of education may
19 not have been a good thing for many aboriginal people.
20 I say this because of the early ways First National people
21 may have come to know the term "education".

22 Residential schools may have been a
23 symbol of losing your children for ten months while they

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1 were supposed to be receiving a valuable gift called
2 education.

3 This probably contributed to the fact
4 that many people in the early times have little or no
5 post-secondary education. Education probably had
6 different connotations to the average aboriginal person
7 than it did to the teachers or whomever was in charge of
8 education to First Nation people.

9 Before post-secondary comes secondary
10 and elementary. All levels of education is only now
11 beginning to have positive self-image of a native person.

12 Projection of a high self-esteem is very
13 crucial if you want to become successful at what you are
14 trying to accomplish.

15 My mother constantly reminds us when she
16 wanted to enter high school in the mid 20s, INAC would
17 only fund one member from each family. Unfortunately,
18 she was the middle between two sisters, both of whom
19 received secondary education and became very successful
20 teachers. My mother became a successful housewife and
21 successful mother. At 78 she did graduate from Laurentian
22 University with a BA in Native Studies and Political
23 Science. If she could have done it then, she definitely

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1 could have done it a lot earlier.

2 Prior to the E-12, INAC had a hit and
3 miss policy for post-secondary education. It seems either
4 you were financially assisted, at what level I am not
5 certain, but some aboriginal people did or were able to
6 access dollars for post-secondary education.

7 From 1968 to 1972 was the formation years
8 for the E-12 guidelines. This policy was in effect until
9 1988. This policy did go through a couple of revisions.

10 In 1988 a totally revised policy took
11 the place of E-12 called the Post-Secondary Student
12 Assistance Program.

13 Today many bands have the power to
14 implement their own policy, but only receive educational
15 funds according to INAC's policy.

16 Control, First Nations control of their
17 post-secondary programs has improved the level of
18 communication between the student and the funding agency.

19 Students have become more accountable to their First
20 National community, not to INAC.

21 Graduation and the success rate have
22 steadily improved since First Nations control. Abuses
23 still occur, but not as often as when INAC had control.

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1 The accessibility of the post-secondary program has a
2 huge impact on why more First Nation people are applying
3 for educational assistance. Now the program is in the
4 community, not a far away city where you have to ask a
5 complete stranger for educational assistance.

6 Mature students are very successful and
7 many statistics do verify this. I believe that the
8 national average for people entering a post-secondary
9 program is 5 per cent. The native average is slightly
10 higher than 4 per cent. We as a people have almost a full
11 percentage point to catch up to the national average.
12 With INAC's current five-year plan for post-secondary
13 proposed growth policy, how will we ever be able to get
14 equal or even catch up.

15 INAC has all the statistics. The
16 national cost for post-secondary have increased
17 approximately 20 per cent per year. These projected costs
18 should level out as the native post-secondary population
19 catches up to the national average. If this does not
20 happen by the fifth year of INAC's proposed plan growth,
21 approximately one out of two may receive post-secondary
22 funding. It would be the same as going back to the 1920s
23 when my mother was trying to receive education.

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1 First Nations communities, I am certain,
2 would not agree to Mr. Siddon's proposed growth.

3 Recommendations: Number one, that the
4 federal government recognize that all levels of education
5 is an aboriginal and treaty right.

6 Number two, another immediate solution
7 would be increase the post-secondary funding to the level
8 that each First Nation community has established by their
9 own post-secondary policy or if they follow INAC's
10 policies.

11 Why implement a First Nation policy if
12 adequate funds are not available.

13 Secondary recommendations: that the
14 percentage growth should take into consideration the
15 inflationary costs. The 2.5 per cent increase for many
16 First Nation communities in Ontario will receive for
17 1992-93 has not even kept up with the cost of inflation,
18 tuition increases, book costs, et cetera.

19 In closing, I would like to thank you
20 for giving me the opportunity to speak and I leave you
21 with many of our documents to support the comments that
22 I have previously made.

23 Some of these documents: there is a

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1 letter from the National Chief, Ovide Mercredi. I am sure
2 that as former National Chief, that everyone should be
3 aware of the MacPherson Report. I am sure Members of the
4 Committee do have this with them. I have one copy, but
5 I am sure that you can be able to access other copies.
6 I will leave that letter with you.

7 In November 27 to 29 there was a special
8 Chief's Conference on Education. That covered the entire
9 education and there are areas on post-secondary and adult
10 training in this document, so I will leave that with you.

11 Also, when we went to that conference
12 members from west Ontario and there was, supposedly, from
13 the eastern provinces, to make a presentation to the
14 Standing Committee on Aboriginal Affairs. Unfortunately,
15 the east was not there, but the west did make a presentation
16 and I was a part of the group from Ontario. You can get
17 a copy of that document from the House of Commons.

18 What we did at our unit is we just took
19 out the parts that we put together that we presented so
20 I will give you that also.

21 That was on that Wednesday. Then, two
22 days later, the Honourable Tom Siddon did come to speak
23 and gave his presentation to the Standing Committee on

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1 Aboriginal Affairs. Unfortunately, we were unable to ask
2 him questions directly, but through several other members
3 of Parliament, we were able to ask them some questions.

4 So, I will leave you his speaking notes also, if you did
5 lose your copies or don't have copies for the old E-12
6 guidelines and the new post-secondary assistance program.

7 I was told by my mother never to leave
8 a table without giving them a gift, so there's your gift.

9 **COMMISSIONER GEORGES ERASMUS:** Thank
10 you for your gifts. This is an issue we have been hearing
11 a lot about. It is an issue of great importance to First
12 Nation people and all aboriginal people so we certainly
13 will be doing some work on it.

14 Thank you for bringing it to our
15 attention again.

16 Viola, do you have any comments.

17 **COMMISSIONER VIOLA ROBINSON:** No.
18 Just I thank you for your well-documented presentation
19 here and, unfortunately, we have to leave without giving
20 you a gift. We can't return one right now, only a promise.

21 **COMMISSIONER GEORGES ERASMUS:** Give him
22 one of those plastic pins.

23 Thank you.

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1 **MARVIN ASSINEWAI:** I would like to make
2 one more comment. Since starting post-secondary, being
3 a counsellor. It seems on a yearly basis we have been
4 protesting the cutbacks or implementation of cutbacks
5 since 1988.

6 In the early years we were quite
7 successful in having demonstrations in Sudbury, et cetera.
8 Since 1988 I have been wearing the same shoes so every
9 year I have been protesting and I literally blew a shoe
10 and I have the proof. So, maybe I can get the Minister
11 of Finance, instead of buying new shoes when he introduces
12 the budget, he can repair mine.

13 Thank you very much.

14 **COMMISSIONER GEORGES ERASMUS:** Thank
15 you.

16 **COMMISSIONER MICHAEL CACHAGEE:** Our
17 next presenter will be Dolores Trudeau. She has an
18 individual presentation also.

19 **DOLORES TRUDEAU:** My name is Dolores and
20 I am from Sagamok Anishnawbek and I am an Educational
21 Counsellor for the post-secondary students of our First
22 Nation.

23 I would like to thank the North Shore

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1 Tribal Council for inviting me to take part in the Royal
2 Commission on Aboriginal Peoples and my topic for today
3 is on counselling.

4 Counselling research in the past 10
5 years advocates an increase in number of native people
6 trained as counsellors. An awareness or understanding
7 of the cultural values of native people is essential to
8 effective counselling.

9 Every effort must be made to motivate
10 First Nations students to succeed in school.

11 First Nations consider counselling
12 services for First Nations students an integral part of
13 the education program.

14 The federal government must resource
15 counselling service on a non-discretionary basis. To
16 date, the federal government has not addressed the
17 resourcing of counselling services satisfactory.

18 What should be an appropriate
19 client/counsellor ratio? Consideration be given on risk
20 factor of students. It is quite evident that the
21 counsellors and most students believe that counsellors
22 have too many clients. However, it should be remembered
23 that counsellors reported spending large amounts of time

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1 on non-counselling duties.

2 A sliding scale has been provided.

3 Kindergarten to Grade 6, in the band-operated federal
4 schools, we have a number of 7,731 students according to
5 the nominal roles and the number of counsellors required
6 are 51 person years. From Grade 7 to Grade 8,
7 band-operated federal, we have an approximate number of
8 1,760 students with number of counsellors required of 14
9 person years. From Grade 9 to Grade 12, band-operated
10 federal, we have an approximate of 350 students with 5
11 person years required. The provincial enrolment which
12 is a total of 7,483 from K to 8, we have 3,170 student
13 and the total amount of person years there is 23. For
14 4,307 students from Grades 9 to 13, the number of
15 counsellors is 61 person years. In the boarding home
16 school program, the approximate number of students is 512
17 and the number of counsellors required is 12 person years.

18 It is recommended that the
19 client/counsellor ratio be adjusted to conform with the
20 scale above this report.

21 On to my next topic. What is the role
22 of the counsellors? Time allocation in the counsellors
23 workload.

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1 Some of the functions that a counsellor
2 does in her workload is individual counselling, the
3 proportion of that is .19; for education services, such
4 as study skills, course selections, it is .07.

5 **COMMISSIONER GEORGES ERASMUS:** It is
6 .19 of what? Of one hour? A minute?

7 **DOLORES TRUDEAU:** For the day.

8 **COMMISSIONER GEORGES ERASMUS:** For the
9 day.

10 **DOLORES TRUDEAU:** Education services,
11 study skills, course selections, .07; career counselling,
12 not individual, .06; personal and social counselling, .11;
13 orientation counselling, new students, .06; testing and
14 appraisal, .02; community and parent services meaning home
15 visits, parent groups, .04; school staff services, .11;
16 placement referral and follow-up services, .02;
17 administration and office and travel time, .28.

18 The major expenditures of counsellors
19 time falls into two areas: individual counselling and
20 administrative time.

21 The most important goal to be pursued
22 immediately is drastically reducing the amount of time
23 counsellors spend on administrative and clerical duties.

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1 Some of the barriers that counsellors
2 perceive are: (a) not enough counsellors; (b) too many
3 clerical duties, lack of support staff; (c) too many
4 administrative duties; (d) personal lack of training; (e)
5 delay in contacting students due to heavy client load;
6 (f) re-assignment to non-counselling duties such as
7 teaching; (g) lack of communication among all parties
8 involved in the counselling process; (h) lack of parental
9 community support; (i) interference of First Nations,
10 politicians/ politics, in the counselling process; (j)
11 inadequate funding for students; (k) lack of community
12 based, culturally appropriate psychological and
13 psychiatric services for referral purposes; (l) lack of
14 facilities and resources, especially culturally
15 appropriate test and materials.

16 The next part is what should be an
17 appropriate salary scale for a counsellors? Most
18 counsellors indicated a salary in the range of \$39,000
19 with an overall mean of \$34,000. Over half of the
20 counsellors responded that their salary was unfair and,
21 therefore, not falling within the range above.

22 The counsellors strongly supported a
23 salary grid based on experience and qualification.

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1 INAC resourcing of counsellor salaries
2 is a mean of \$35,000 per counsellor. Therefore, the
3 expected level of salary is currently being provided to
4 the First Nations.

5 It is recommended that INAC and the
6 counsellor/First Nation representatives work out a salary
7 grid based on experience and qualifications.

8 INAC should communicate this salary grid
9 to the First Nations and advise them to compensate the
10 counsellors based on the grid.

11 The recommendations that I have is that:
12 one, that the counsellors be given whatever assistance
13 is required in order to be able to fulfil important parts
14 of their duties; two, that counsellors be given the
15 opportunity to study in a university-based degree program
16 and may practising counsellors can be considered as
17 potential clients of such a program as they do not hold
18 a degree in counselling; three, that a salary grid based
19 on experience and qualification be in place; and, four,
20 that the client/counsellor ratio be adjusted to conform
21 with the scale of this report.

22 I would like to thank the Royal
23 Commission for taking the time to listen to my request.

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1 May I add that I got the information from
2 the Native Counsellors Needs Assessment Study that was
3 done with the Union of Ontario Indians. The people that
4 participated in the survey were the native counsellors
5 that were in the Native Training, Counsellors Training
6 Program at Laurentian, and also all the native counsellors
7 of northern Ontario and the native students.

8 **COMMISSIONER GEORGES ERASMUS:** Thank
9 you for letting us know that that is where the information
10 came from. It is very useful.
11 You have just provided us with information we badly needed,
12 so it is a very useful presentation.

13 In relation to the funding level, are
14 you saying in the back here that the department is actually
15 providing \$35,000 per counsellor, but it is not actually
16 getting to the counsellors? Is that what you are implying
17 here?

18 **DOLORES TRUDEAU:** Maybe Marvin
19 Assinewai can help me with these questions also because
20 he did part of the study.

21 **COMMISSIONER GEORGES ERASMUS:** Maybe
22 you could just take the other seat there just for a second
23 or whatever. I am just trying to get an understanding

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1 of what this is here. From what I read here, you are saying
2 that INAC is providing a mean salary of \$35,000, so I guess
3 if you have two counsellors, you are getting \$70,000 a
4 year. But, then, when the counsellors were actually
5 checked to see what they were getting, they all felt that
6 their salary was unfair because it should be between
7 \$34,000 and \$39,000, meaning, I guess, that they weren't
8 getting the \$35,000. Is this what this --

9 **MARVIN ASSINEWAI:** That was the mean
10 salary, the average.

11 **COMMISSIONER GEORGES ERASMUS:** Meaning
12 that it is somewhere below \$34,000, a lot were below
13 \$34,000.

14 **MARVIN ASSINEWAI:** A lot were below
15 \$34,000 and there were a few a lot higher, but the average
16 salary was in the neighbourhood of \$35,000.

17 I can give you a copy of this document
18 if you want.

19 **COMMISSIONER GEORGES ERASMUS:** Yes,
20 okay. Thank you for bringing this to our attention.

21 **COMMISSIONER MICHAEL CACHAGEE:**
22 Dolores, I want to agree with you and, Marvin, I am also
23 in the counselling field and I know I am overworked and

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1 underpaid and I couldn't concur with you more.

2 Thank you.

3 **COMMISSIONER GEORGES ERASMUS:** So, you
4 are not getting \$35,000 either?

5 **DOLORES TRUDEAU:** And here is my gift
6 also.

7 **COMMISSIONER GEORGES ERASMUS:** Thank
8 you, a real day for gifts.

9 **COMMISSIONER MICHAEL CACHAGEE:** Our
10 final presenter for the day is Robert Beaudin. He is going
11 to do an individual presentation also.

12 **ROBERT BEAUDIN:** Good afternoon,
13 members of the Commission. Good afternoon, everybody out
14 in the audience here.

15 I am representing seven First Nations
16 on Manitoulin including Sagamok First Nation.

17 The paper in front of you -- I am not
18 going to go verbatim. I am just going to outline the points
19 that I believe are of significant interest.

20 The educational institute that I am
21 affiliated with is committed to the provision of
22 educational services which complement the First Nation's
23 education delivery in meeting the needs of all our children

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1 in our schools.

2 Encouraged by provincial legislation in
3 the WESDIAND project of Indian Affairs, the educational
4 institute supports the design and development of a
5 framework and set of procedures which will ensure that
6 First Nation schools are providing specialized services
7 which will be equivalent or superior to those available
8 in provincial schools.

9 The area of concern today is special
10 education. First, I am going to give a brief synopsis
11 of what is special education.

12 Special education is primarily a
13 refinement of existing programs offered to children. Now,
14 what I am going to be looking at is something of an
15 enhancement of what Lewis Debassige had previously
16 mentioned. The biggest point of contention here is
17 revolving around the method of funding First Nation
18 schools.

19 According to Indian Affairs, two types
20 of special education are identified, low cost and high
21 cost. Low cost special education refers to the program
22 enhancement that takes place in the classroom, such as
23 remedial or enrichment. High cost special education

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1 refers to the program enhancement where an exceptional
2 student requires additional support to meet educational
3 initiatives.

4 INAC, primarily, makes provision for the
5 access of high cost dollars through what they call a tutor
6 escort service.

7 It is our point of contention, in fact
8 it is four points of contention, this issue: the
9 council-operated formula accommodates for the delivery
10 of basic educational services. Enhancement of regular
11 programming is not identified in the resourcing
12 methodology.

13 The second point, high cost education
14 funding at the present is primarily funding for a
15 tutor-escort. It is our contention that special education
16 is more than the provision of a tutor-escort. High cost
17 special education should provide for the assessment and
18 application of an educational strategy to best meet the
19 needs of the exceptional student.

20 The third point, at the present time the
21 evaluation and assessment of identifying exceptional
22 students in First Nation operated systems utilizes
23 standard methods. Emphasis should be put forth on

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1 culturally fair methods of testing.

2 Point four, special education at the
3 present time emphasizes remedial or the low end of the
4 education spectrum. Very little is incorporated in the
5 identification or the implementation of education
6 strategies for the gifted or the highly talented.

7 In the area of responsibility for
8 delivery of services there are several levels.

9 First is the school's involvement, right
10 at the local level. They identify the student. The
11 process it goes through is that once the child is identified
12 and, as previously mentioned, another commentator's
13 delivery, the IPRC has been established, the
14 identification has been made, the next level involvement
15 includes Indian Affairs and this is where it seems to be
16 a bit of a problem.

17 The point of contention here: first,
18 Indian Affairs has repeatedly announced that they are in
19 fact getting out of Indian education. If this is in fact
20 so, then how can one justify their involvement in
21 determining exceptional students when in most cases the
22 documentation that is provided to them includes medical,
23 psychological and/or psychometric evaluations.

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1 Secondly, the costs related to the
2 medical, psychological and/or psychometric testing are
3 absorbed by the local education authorities through the
4 council formula funding. The standard answer from the
5 Department of Indian Affairs is that the testing costs
6 are included in the council formula. It is our argument
7 that the testing costs are not adequately covered, thereby
8 causing local school programs to endure financial hardship
9 in delivering an essential service.

10 An illustration of the hardship implied
11 is in the case of the Sheshegwaning First National school.
12 The band-operated formula is by far insufficient in
13 providing basic instructional services and putting forward
14 the provision of resources for testing. Prior to the band
15 operations, the school was under the federal jurisdiction
16 and at that time two students were under active therapy.
17 After assumption of local control three students have
18 been teacher identified as requiring psychological
19 assessment and therapy, but remain unserved. As well,
20 one hearing impaired and one gifted child have been
21 identified.

22 Resourcing special educational needs.
23 The Ontario Region of Indian Affairs maintains the

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1 responsibility for the approval and allocation of all
2 special education funding.

3 The District Offices of Indian Affairs
4 still maintain responsibility for the identification of
5 district needs and submitting proposals for funding.

6 Regional Office of Indian Affairs
7 reviews the proposals and recommend expenditures on the
8 basis of the justification provided and the availability
9 of funds.

10 Our point of contention, when Indian
11 Affairs was in the business of delivering educational
12 services on behalf of First Nations, it maintained an
13 organizational structure that supported the delivery of
14 educational services. A prime example is in the
15 methodology employed to determine the allocation of person
16 years to districts. The methodology employed was on the
17 basis of a pupil-teacher resourcing standard. This
18 methodology is non-comparable within the council-operated
19 education programs. Thus, it is extremely difficult for
20 local education authorities to deliver quality education
21 programs and support programs such as special education.
22 The method of resourcing special needs must be
23 re-evaluated.

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1 A comparative analysis of the three
2 different systems that are in Ontario that are open to
3 First Nation students are the federal, provincial and First
4 Nation systems, and this is probably the most difficult
5 area to provide an accurate analysis. It is basically
6 comparing apples to oranges.

7 The federal operations for delivering
8 educational services includes an organizational structure
9 that supports its initiatives. The provincial systems
10 are inclusive of a school board and also additional support
11 services through the Ministry of Education. First Nation
12 operations are "stand alone" operations. The only support
13 network is in isolated situations where an umbrella
14 organization may exist. The need for provision of an
15 umbrella organization is apparent. It is well recognized
16 that the delivery of services, especially within a small
17 system, is not cost-effective.

18 It is our point of contention that First
19 Nations enter into funding arrangements with Indian
20 Affairs with the terms and conditions that include, and
21 I quote:

22 "Council shall ensure that education standard enable
23 students to transfer within the

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1 school systems of the Province of
2 Ontario without academic
3 disadvantage."

4 There is not an argument with the term stated, but with
5 the funding methodology employed to First Nation
6 operations. It is near impossible to deliver educational
7 services comparable with provincial or federal systems
8 when support services are non-existent.

9 It is our contention that the funding
10 methodology now employed be re-evaluated to accommodate
11 First Nations in meeting and satisfying the terms and
12 conditions of the funding arrangements.

13 In conclusion, the federal government
14 has through the years been deeply involved in Indian
15 education.

16 A major theme of INAC's education
17 policies in the last two decades has been represented by
18 the evolution of band-operated schools. INAC will enter
19 into agreements with individual band councils permitting
20 them to administer all or part of the educational programs
21 for children in their schools.

22 Downsizing initiatives and
23 reorganization of Indian Affairs have assisted in the

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1 evolution of band-operated schools. In 1975/76 there were
2 53 band-operated schools across Canada. In 1990-91 there
3 were 312 band-operated schools. INAC district education
4 programs have recently been downsized to support only the
5 remaining federal school operations which are to be
6 converted by 1994.

7 Again, it is our point of contention,
8 although there is a consensus that local control of Indian
9 education is essential, it is control that must be
10 adequately resourced.

11 It is our contention that unfair
12 methodologies are employed when it comes to resourcing
13 band-operated systems. It is well understood that
14 provincial systems that provide educational services to
15 Indian students are reimbursed through tuition agreements
16 virtually unchallenged.

17 The present federal systems have within
18 their organizational structure the resources, human and
19 financial, to adequately meet their objectives. The
20 method employed for band-operated systems requires
21 extensive documentation and approval from a non-existent
22 education staff at INAC's District Offices. To provide
23 acceptable documents, it requires professional evaluation

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1 which is extremely costly to individual school systems,
2 of which they are not reimbursed at this present time.

3 There is a definite need for
4 re-evaluation of the present resourcing methodology and
5 the development of a new process.

6 **COMMISSIONER GEORGES ERASMUS:** Thank
7 you. Again, another presentation that was most useful,
8 very, very useful indeed.

9 There was something back here that you
10 brought up which I thought I would ask you about. You
11 were saying that the tests were not culturally fair and
12 that emphasis should be put on culturally fair methods
13 of testing. Are there such tests today that could be used?

14 **ROBERT BEAUDIN:** There has been some
15 discussion around that area. I think it is going to
16 require the development of culturally fair testing which
17 isn't here yet. But that is an area that has been looked
18 at by several different organizations.

19 **COMMISSIONER GEORGES ERASMUS:** Is it
20 something that would take a lot of resources to develop
21 or what?

22 **ROBERT BEAUDIN:** I don't believe it
23 would take a lot of resources to develop. I think it has

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1 taken the initiative in going with it.

2 Our present organization is doing some
3 research in the area of the highly gifted and talented
4 at the present time. There has been no identification
5 of students in that area, yet the average 2 per cent of
6 the general public falls into that category.

7 **COMMISSIONER GEORGES ERASMUS:**

8 Interesting. What happens to the students in the normal
9 program, say, in Ontario's educational program, outside
10 of the aboriginal communities?

11 **ROBERT BEAUDIN:** In the urban centres
12 that I am aware of, they do have programs to facilitate
13 -- you are talking about the highly gifted and talented?

14 **COMMISSIONER GEORGES ERASMUS:** Yes.

15 **ROBERT BEAUDIN:** Yes, they do have
16 programs in that area. The Manitoulin Board, up until
17 this year, did have a program for the highly gifted and
18 talented.

19 **COMMISSIONER GEORGES ERASMUS:** So,
20 generally, there is a program for them.

21 **ROBERT BEAUDIN:** Generally there is
22 something for them.

23 **COMMISSIONER GEORGES ERASMUS:**

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1 Something.

2 **COMMISSIONER MICHAEL CACHAGEE:** Bob,
3 that is an ongoing process within the school year, isn't
4 it, to evaluate those children, usually in urban settings
5 or other school board.

6 **ROBERT BEAUDIN:** Absolutely. The
7 problem I guess if we compare the two different programs,
8 they have access built or they have resources built into
9 their systems where they have psychologists,
10 psychometrists, speech pathologists, all built into their
11 systems. Whereas, the stand alone operations such as the
12 band-operated schools just cannot afford to do that with
13 the present funding system.

14 **COMMISSIONER MICHAEL CACHAGEE:** So that
15 in essence, then, would fall under a category set by the
16 provincial ed. as opposed to the capital costing scheme.

17 **ROBERT BEAUDIN:** I follow what you are
18 saying. I think one of the points that is brought up here
19 is when First Nation students do attend provincial systems,
20 the tuition bills are virtually unchallenged by Indian
21 Affairs. It is almost like that is a sacred cow and they
22 are paid readily. Whereas, if we identify costs at the
23 First Nation schools, we have to go through extensive

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1 documentation which is very costly and we just don't have
2 the resources at the local level. It is a double standard.
3 We find it very unfair.

4 **COMMISSIONER GEORGES ERASMUS:** You seem
5 to be indicating in here that because of the inefficiency
6 in cost-effectiveness of some small operations, there is
7 a need for more or less regional educational facilities
8 that might carry out certain functions. Is that what you
9 are kind of looking to now?

10 **ROBERT BEAUDIN:** I think you are a
11 mind-reader here. That is quite the point that I am trying
12 to get at, is that there is a need for an umbrella
13 organization and support of those organizations to deliver
14 those services in the most cost-effective manner.

15 At the present time we are representing
16 the seven First Nations that are identified on the last
17 page and we are finding some difficulty just with the costs
18 incurred at this point, just with the psychometric testing.

19 There are a lot of gaps. There are a
20 lot of voids even in the present system.

21 **COMMISSIONER GEORGES ERASMUS:** How far
22 has that thought evolved internally? Is this something
23 that is being readily accepted by the communities or

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1 anybody see as a threat to their schools?

2 **ROBERT BEAUDIN:** No, they don't. They
3 see it as being a support service. We are not intervening
4 in any other areas except for support.

5 It is identification of those needs and
6 how can we best assist in delivering the goods.

7 **COMMISSIONER GEORGES ERASMUS:** I think
8 if you develop anything further in this area, it would
9 be most useful for us to get our hands on it quickly because
10 logically it makes a lot of sense and if, in fact, the
11 per student ratio funding is way down anyway, in the range
12 of about \$1,000 per student, then there seems to be a fair
13 amount of room there for some --

14 **ROBERT BEAUDIN:** Well, if you went to
15 the council formula funding, this present year for 1992-93
16 the council formula allocates \$403 per student for three
17 identifiable areas which are native as a second language,
18 second level services and low cost special education, and
19 that is to cover the cost of all of those three areas.

20 Well, for a school, our average size
21 schools are under 100 students, whereas 100 students would
22 generate \$40,300 which is not quite adequate in meeting
23 the needs. You are just getting the tip of the iceberg.

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1 **COMMISSIONER VIOLA ROBINSON:** That
2 amount covers the whole infrastructure of the school, like
3 the teachers?

4 **ROBERT BEAUDIN:** No, no. That is just
5 for three topics.

6 **COMMISSIONER VIOLA ROBINSON:** Just
7 those three topics.

8 **ROBERT BEAUDIN:** The rest of the council
9 formula that is generated is to meet the needs of the
10 instructional services.

11 **COMMISSIONER GEORGES ERASMUS:** Are
12 there any other comments or questions from anybody else?
13 Thank you for your presentation.

14 **ROBERT BEAUDIN:** Thank you.

15 **COMMISSIONER GEORGES ERASMUS:** That
16 more or less wraps up our hearings.

17 I would like to thank the board and the
18 staff of the Friendship Centre for allowing us to use their
19 facilities here and I would like to thank Barb Nolan for
20 translating for us today and the people that organized
21 our lunch here. Some of us didn't eat here. I thought
22 it might conflict with what the lunch was originally
23 organized for, so some of ate elsewhere, but some did eat

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1 here. Thank you for organizing that for us.

2 I want to thank Brian Bennett for
3 assisting in the overall preparation, Kevin Johnson,
4 student volunteer who assisted the TV crew. We have a
5 long list of people here. This list keeps getting longer
6 and longer.

7 I would like to thank the Commissioner
8 of the day, the youth, the elders, Michael, Jerome, and
9 also our community rep, Carol.

10 I would like to also thank the staff of
11 the Commission for assisting us all day long. I don't
12 know how he did it, but I guess we are not going to break
13 the other day's record of 10 o'clock, so thank you everybody
14 for sitting through kind of a warmish day here.

15 We will close with a prayer from Jerome.

16

17 (Closing Prayer)

18

19 --- Whereupon the hearing adjourned at 6 p.m. on Thursday,
20 June 11, 1992