

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

LOCATION/ENDROIT: INN ON THE WOODS
 KENORA, ONTARIO

DATE: WEDNESDAY, OCTOBER 28, 1992

VOLUME: 1

"for the record..."

STENOTRAN

1376 Kilborn Ave.

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INDEX

Kenora, Ontario
October 28, 1992

NAME	PAGE
Opening Remarks by Community Co-ordinator, Garnet Cumigant	1
Presentation by Colin Wasacase and Josephine Sandy	15
Presentation by Joe Seymour and Reuben Wasacase	31
Presentation by Chief Eli Mandamin Shoal Lake 39 First Nation	45
Presentation by Richard Greene	60
Presentation by Moses Tom	76
Presentation by Peter Kelly	84
Presentation by Frank Bruyere United Native Friendship Centre Fort Frances	100
Presentation by Elder Alex Skead	115
Presentation by Richard Kelly	126
Presentation by Brian Tuesday	135
Presentation by Charles Wagamese	147
Presentation by Don Imbeau	158
Presentation by Tommy Keesick	184
Presentation by Chief James Henderson and Steve Fobister	189

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Kenora, Ontario

2 --- Upon commencing on Wednesday, October 28, 1992

3 at 9:12 a.m.

4 **(Opening Prayer)**

5 **MODERATOR GARNET LANDON:** Good morning,
6 everybody. I would like to start the day. I would like
7 to thank the Elders first, Alex Skead and whoever
8 participated, Roy Preponpay(PH) and Joseph Red Thunder
9 Boy and, of course, Mr. Jim Compton.

10 First of all, I would like to introduce
11 our Commissioners. To my far left is Mr. Paul Chartrand
12 from the University of Manitoba. Sitting right beside
13 me is Joseph Red Thunder Boy and he is the Commissioner
14 of the Day. Immediately to my right is Mary Sillet.

15 We are going to begin our day with Garnet
16 Cumigant who is going to make some remarks about the
17 historical perspective of Kenora. So I would like to ask
18 Mr. Cumigat to come up and do his thing, please.

19 **GARNET CUMIGANT:** The following was
20 taken from a text book with my mom. This little
21 presentation was meant to be a historical perspective of
22 the Town of Kenora, and most of what I will read for you
23 today is taken from the text book at the library, but most

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 of the history lies within the hearts of the people who
2 are sitting around us today, the Anishinabe people. It
3 is a historical perspective of the Town of Kenora.

4 The Town of Kenora gets its name from
5 the first two letters of each of the surrounding townships
6 known as Keewatin, Norman, and Rat Portage. The three
7 communities have been in existence since the late 1800s
8 but the area has been populated for many years by the Native
9 people of northwestern Ontario known as the Ojibway or
10 the Anishinabe.

11 To the Anishinabe, the north end of the
12 beautiful Lake of the Woods, the Kenora area, where the
13 Winnipeg River flows into the lake, is known as "Wazhusk
14 Onigum" or Portage of the Muskrat.

15 To the arriving Europeans, it quickly
16 became known as the Gateway, a link between the east and
17 the west. A legislative battle between the province of
18 Manitoba and Ontario over this area developed and
19 eventually led to the creation of the provincial borderline
20 about 40 minutes west of here.

21 Throughout the past 100 years, major
22 economic ventures in logging, mining and tourism have
23 moulded Kenora into what it is today: a product of its

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 own environment. It is surrounded by approximately 40,000
2 lakes. In 1888, the Lake of the Woods Milling Company
3 was established. Gold mining reached its height in 1893
4 and the Canadian Pacific Railway started making its way
5 through by 1904. The pulp and paper mill and other related
6 timber activities flourished and even the National Hockey
7 League's Stanley Cup made its home here in 1924.

8 It is also surrounded by several First
9 Nations who are part of the 55,000 square mile territory
10 known as Treaty #3, the Wazhusk Onigum First Nation being
11 the most adjacent. Named after the agreement that was
12 reached between the Federal Crown and the Anishinabe of
13 the Lake of the Woods area in October of 1873, Treaty #3
14 continues to operate as a government serving its 25 First
15 Nations.

16 It is divided into three main tribal
17 areas including: Kenora, Dryden and Fort Frances. Each
18 area is headed by a tribal chief who, along with the 25
19 First Nation chiefs and a grand chief, comprise the
20 government structure of Treaty #3.

21 Kenora is home to several provincial and
22 federal government offices including the Ministry of
23 Natural Resources, Employment and Immigration Canada, the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Provincial Court and Northern Development and Mines. It
2 is also where Treaty #3's main office headquarters are
3 located.

4 Meegwitch.

5 **MODERATOR GARNET LANDON:** Meegwitch,
6 Garnet. Thank you, Garnet Cumigant.

7 I would like to now introduce the
8 Commissioners and do their remarks regarding the
9 Commission.

10 First of all, I would like to introduce
11 Mary Sillett.

12 **COMMISSIONER MARY SILLETT:** Thank you
13 very much.

14 Before I make my comments, I would like
15 to introduce our Moderator. This is Garnet Landon. I
16 would also like to introduce our Commission staff. Jim
17 Compton is a Saulteaux Indian from Saskatchewan; Mary Jane
18 Commanda is an Algonquin from Maniwaki, Quebec; Katherine
19 Boissonneau is an Ojibway from Ontario; and Becky Printup
20 is an Algonquin from Maniwaki, Quebec.

21 I would also like to give recognition
22 to our local Community Coordinator, Garnet Cumigant,
23 because he did a lot of the work which made this happen

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 today. Today we have two Ojibway interpreters and I would
2 also like to recognize them. We have Henry Chief and
3 Dorothy Parenteau.

4 Good morning. It is a privilege for us
5 to be in Kenora today. There are many initiatives which
6 are being undertaken which will have an impact upon our
7 lives and the lives of those who come after us.

8 The Royal Commission is only one of those
9 processes and we are in the second year of operation and
10 second round of hearings. As we sit here today, our fellow
11 Commissioners -- and there are five others besides Paul
12 and myself -- are holding simultaneous public hearings
13 in Saskatchewan and Alberta. We have broken up into three
14 teams in order to maximize the participation of the
15 Aboriginal and non-Aboriginal public.

16 Up until June of 1993, we plan to have
17 more public hearings, more special consultations, more
18 roundtables, more mini-roundtables, and then we will
19 spend the final year concentrating on our final report.

20

21 During the first round of hearings, we
22 heard from more than 850 people and we visited 37 locations
23 across Canada. We heard many testimonies revealing the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 issues confronting Aboriginal people today. We heard of
2 pain. We heard of anger, but yet we also heard about hope
3 that someday we can see a Canada which allows for the
4 equality and respect of Aboriginal Canadians. One
5 of the key things that came out of the first set of hearings
6 was that there must be a fundamental change in the
7 relationship between Aboriginal and non-Aboriginal
8 Canadians.

9 Our hearings were summarized in a
10 discussion document called "Framing the Issues". We also
11 have a video which accompanies that document.

12 During the first round of hearings, I
13 think what happened was that there was a true
14 identification of the problems facing Aboriginal peoples.

15 But during the second and later rounds, we are hoping
16 to find some answers to the questions that have been
17 identified.

18 For example, on the issue of
19 self-government or self-sufficiency, we heard that
20 Aboriginal people want to become more autonomous and more
21 self-sufficient. So the questions that we want answered
22 are: How will Aboriginal self-government lead to
23 political and economic self-sufficiency? Should

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Aboriginal governments be accountable? To whom and for
2 what? These are some examples of the kinds of questions
3 that we will be asking.

4 We will also be asking similar questions
5 on the areas of justice, education, health, language,
6 culture and every other issue that has been identified
7 in the first set of hearings.

8 This Commission has a job to do, and at
9 the end of the day we will have to write a report containing
10 recommendations. There are a number of steps we must take
11 in order to encourage the implementation of our proposals.

12 We must go beyond stating principles. We have to address
13 specific and extremely difficult issues. The second thing
14 we have to do is to show how these proposals will work
15 and what they will mean for both Aboriginal and
16 non-Aboriginal peoples in this country. Third, we must
17 make sure that our proposals are fair and that they reflect
18 what we have heard and what we have learned.

19 I think there is a recognition that the
20 policies of the past with respect to Aboriginal people
21 have not worked and that there must be a better way. The
22 time is right for change and it is with the deepest respect
23 that I ask you to assist us in the work that we have to

2 Thank you very much.

5 I would like to introduce the other
6 Commissioner, Mr. Paul Chartrand.

9 It is a good day here in Kenora and I
10 want to begin by thanking Alex Skead for leading the opening
11 drum ceremony. It is good to be here. We are grateful
12 to be here in the land of the Ojibway.

16 However, in turning toward history, I
17 have been impressed by the great significance of the
18 history that passed here in the land of the Ojibway.

StenoTran

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 those treaties, and more. How many would know about the
2 long history that preceded these negotiations between the
3 Ojibway and Canada?

4 I have done my bit to try to learn what
5 I can, but I suspect that most of it is not known to Canada
6 and, as a result, I think the soul of Canada is that much
7 poorer. I think it is one of the things that we have to
8 do in looking to establish a new relationship between
9 Aboriginal peoples and other people in Canada. It is to
10 understand each other and in order to do that, I think
11 we have to understand each other's history. That must
12 begin by making that history known, making that history
13 available to the young people in the schools in the lower
14 grades, middle grades, higher grades and in the
15 universities. I think that is one of the areas in which
16 things must change.

17 I am committed to that notion and I think
18 all Commissioners are committed to that notion: that
19 things must change. How they must change we cannot yet
20 be committed. We are required to make policy
21 recommendations to the government. But before we can make
22 those recommendations, we have to convince ourselves as
23 to how things must change. So that is why we are here

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 today.

2 This Commission was established over a
3 year ago as a result of the recommendations made by the
4 former Chief Justice of the Supreme Court of Canada, Brian
5 Dickson, who himself was from Manitoba, and the Prime
6 Minister accepted those recommendations for a very wide
7 mandate. It covers, I think it is safe to say, all the
8 issues that have importance as far as the Ojibway and the
9 other Aboriginal peoples in Canada are concerned.

10 The Chief Justice, in his
11 recommendations, recommended a Commission comprised of
12 seven people to represent the various views in this country
13 and to try to bring them together. Who are these people?
14

15 There are two Co-Chairs. One is a Judge
16 of the Quebec Court of Appeal, René Dussault, and the other
17 is Georges Erasmus, the former Chief of the Assembly of
18 First Nations. There is Viola Robinson, a Micmac from
19 Nova Scotia, who was formerly the President of the Native
20 Council of Canada. There is Mary Sillett who has
21 introduced herself. There is Bertha Wilson who recently
22 retired from the Supreme Court of Canada and was involved
23 in giving a number of important decisions respecting rights

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in Canada, particularly Aboriginal rights. She was the
2 first woman appointed to the Supreme Court of Canada.
3 There is Allan Blakeney, the former Premier of the Province
4 of Saskatchewan and now engaged in teaching law at the
5 College of Law at the University of Saskatchewan in
6 Saskatoon.

7 As I said before, I have an appointment
8 to the Department of Native Studies at the University of
9 Manitoba where I have been teaching a law course on law
10 as it pertains to Aboriginal peoples since the early 1980s,
11 and I grew up in the Interlake area of Manitoba.

12 We are here, as I said, to get your input.
13 In order to make sound recommendations, we are organizing
14 to get input from public hearings such as this, from
15 conferences, symposiums, roundtables to gather debate
16 around specific issues.

17 We have established an intervenor
18 participation program to provide funding to organizations
19 so that they can do their research from their own
20 perspective and put their own recommendations to us based
21 on that developed perspective. We have organized our own
22 research program to do research on all the issues in our
23 mandate, and this of course must all be put together so

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 that at the end we have a credible report that we are aiming
2 to give to the government in the fall of 1994. That is
3 our goal, but we want to promote dialogue in the meantime.

4 If we are to make a good report, I think
5 it is necessary for us to provide the necessary detail.

6 What kind of detail? I think the kind of detail that
7 will permit our recommendations to be put into action as
8 opposed to the kind of recommendations that the government
9 could respond to in this way, "Well, let us put together
10 a committee to see how we can put these recommendations
11 into action," which of course, as you know, has happened.

12 Many people have been cautious about accepting the
13 validity of another commission. They say, "Well, maybe
14 the report will gather dust."

15 So it seems that all we can do, because
16 our job is done once we have made the recommendations,
17 is to do the best we can to try to extract from the hearings
18 and from our research and other sources the best advice
19 that we can possibly get to initiate a dialogue on those
20 developing recommendations so that we have sufficient
21 detail that the government can act on the recommendations
22 that we make.

23 With that background, then, you will

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 understand, to the extent that there is room, that we will
2 be anxious to seek detail as much as possible from those
3 who make presentations here today, and I sincerely thank
4 you in advance for your worthwhile contributions.

5 Meegwitch.

6 **MODERATOR GARNET LANDON:** Meegwitch,
7 Paul.

8 I would like to also introduce the
9 Commissioner of the Day, Joseph Red Thunder Boy. He is
10 going to say a few words.

11 **COMMISSIONER OF THE DAY JOSEPH RED**

12 **THUNDER BOY:** (Native Language - not translated):

13 (English) About four o'clock yesterday
14 I was informed that I would be replacing Charlie Fisher
15 as he wouldn't be able to make it today due to health
16 reasons. But I am very honoured to sit on his behalf and
17 try to fill in his shoes which is quite impossible. I
18 guess he wears a size 13 and I wear a size 10.

19 I don't want to take much of your time
20 for your presentations. I am very honoured to sit with
21 these individuals and we are very anxious to hear your
22 presentations.

23 Meegwitch.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 **MODERATOR GARNET LANDON:** Meegwitch,
2 Joe.

3 I guess we will be starting our
4 presentations. First, I would like to say that the
5 presenters will roughly go around 20 minutes to do their
6 presentations. For roughly the next ten minutes will be
7 questions and answers from the audience, you people.

8 We are supposed to start at 9:30 and it
9 is ten to ten. So I guess Colin only has five minutes.
10 No, I am just kidding.

11 I was instructed earlier that we could
12 handle an extra hour or two, an hour and a half. So let's
13 start off with Colin Wasacase. He is the OTFS, Ojibway
14 Tribal Family Services Executive Director, and I guess
15 we will pretend it is 9:30, Mr. Wasacase. So you can start
16 your presentation.

17 **COLIN WASACASE:** Thank you very much,
18 Mr. Chairman, and good morning, Commissioners, ladies and
19 gentlemen.

20 Before we start, I would like to honour
21 the drum as well and one of the customs is for us to share
22 gifts for guests who come to visit. We would like to
23 present you with a set of paddles. As you know, the people

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in this area -- the water is very important for them and
2 their mode of travel for many years was water. The paddles
3 are an indication of being able to move along the waters
4 and we are now saying that these also indicate our movement
5 on self-government.

6 As we present these gifts, we hope that
7 you will remember the Ojibway Tribal Family Services in
8 this area as that group which is trying to move with
9 self-government on the issues of child and family services
10 support. So I am going to present these as tokens of our
11 appreciation.

12 I believe the Commissioners have been
13 given a copy of our presentation. I would like to introduce
14 now the Chairperson of the Ojibway Tribal Family Services,
15 Ms Josephine Sandy from Northwest Angle 33.

16 As you know, the Ojibway Tribal Family
17 Services represents 15 First Nations in the Treaty 3 area.
18 Of the 25 bands, that is three-fifths. The Chiefs in
19 this area wanted to develop a child and family services
20 support system which reflected their particular customary
21 laws, and this was the process which they chose.

22 It is a struggle as we move with both
23 governments, the federal government and the provincial

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 government, in trying to make this happen within our First
2 Nations because, as you know, there is a Child and Family
3 Services Act which infringes upon that particular mandate
4 that the First Nations are trying to put forward.

5 With that, I would like to now introduce
6 Mrs. Sandy to you.

7 Josephine Sandy, please.

8 **JOSEPHINE SANDY:** I am happy to be here
9 to present you this copy of our initiatives for our families
10 in the area of child and family services. So I will read
11 that.

12 On behalf of the Board of Directors of
13 Ojibway Tribal Family Services, I am proud to be able to
14 speak to the Royal Commission of Aboriginal Peoples today.

15 I Chair the Board of Directors of Ojibway Tribal Family
16 Services.

17 OTFS is a special initiative to provide
18 culturally sensitive support for our families in need.
19 A primary objective of our work is to bring to life the
20 spirit and intent of our treaty relationship with the
21 federal government.

22 Firstly, you might like to know a little
23 bit about me. I am a member of the Northwest Angle 33

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 First Nation. We are located in an isolated part of the
2 Lake of Woods. I was raised in the traditional way of
3 the Anishinabe people out on this beautiful lake of 15,000
4 islands.

5 Over the years, I watched with pain and
6 suffering that resulted as non-Indian law came to control
7 more of more of our lives and our traditional lands. I
8 have watched my people struggle to survive in the face
9 of this foreign law.

10 Nowhere has this pain been more
11 difficult to experience than in the area of family life.

12 I and all other Anishinabe people of my generation have
13 seen the pain and humiliation created by non-Indian child
14 welfare agencies in removing hundreds of children from
15 our communities in the fifties, sixties and the seventies.

16 My people were suffering immensely as we had our way of
17 our life in our lands suppressed by the white man's law.

18 This suffering was only made worse as
19 we endured the heartbreak of having our families torn apart
20 by non-Indian organizations created under this same white
21 man's law.

22 People like myself vowed that we would
23 do something about this. We had to take control of healing

**Royal Commission on
October 28, 1992
Aboriginal Peoples**

1 the wounds inflicted on us in this tragedy.

2 As you know, our people have been
3 entering into a period of cultural revival over the last
4 several decades. We are re-building our political, social
5 and cultural strength. Most importantly, we are
6 revitalizing our spiritual strength. The centre of this
7 renewal is the healing of our families and our family life.

8 In the late 1970s and early 1980s, the
9 bitterness of our experience of the white man's laws and
10 institutions that controlled our families pushed us into
11 action on this matter. At that time, the non-Indian
12 Children's Aid Society was continuing the practice of
13 removing large numbers of our children from our
14 communities. It was threatening the very survival of our
15 culture, and we had to act.

16 We had to call the federal government
17 to accountability on this matter. The idea of the Province
18 of Ontario being allowed to destroy our culture was simply
19 unacceptable to us. Within a short time, our activism
20 had the Province of Ontario and local CAS in a state of
21 crisis. We showed the federal government the
22 destructiveness of the non-Indian provincial child welfare
23 system on our culture. We showed the federal government

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 the need to provide support for our families in accordance
2 with our own customs and traditions.

3 By 1986, we had completed negotiations
4 and established our own bilateral OTFS family support
5 initiative. Since 1986, the mandate of OTFS has been to
6 assist in the re-building of our communities by providing
7 family support services in harmony with our culture.

8 This has been a bitter pill for the
9 Province of Ontario to swallow. You see, the jobs of many
10 non-Indian people in the child welfare bureaucracy
11 depended on the control of our lives and our culture.
12 It is this addiction to power and security at our expense
13 that was so destructive to our people.

14 However, we have now created a new family
15 support setting for Anishinabe people in northwestern
16 Ontario. We can never go back to the way things were done
17 20 years ago in our communities. That is now impossible
18 and we should all be glad for it.

19 But we are only at the beginning of
20 revitalizing our culture and protecting our way of life.

21 I have said this earlier this year in a presentation on
22 behalf of OTFS to the First Nations circle on the
23 Constitution. In reality, with OTFS, we did not so much

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 develop a family support model. More accurately, we are
2 restoring our responsibility as First Nation People to
3 take care of our own families. For us, this is both a
4 responsibility and a right.

5 The OTFS initiative was established to
6 provide practical support to our families in harmony with
7 our culture. The authority of the provincial child
8 welfare law and institutions over our people was not
9 abolished in this process, but we have gone a long way
10 to making it obsolete at the practical level.

11 Now we are coming to the time where
12 non-Indian governments must recognize in their law our
13 right and responsibility to take care of our own families.
14 We must cut the last remaining formal legal ties which
15 give non-Aboriginal provincial child welfare agencies
16 legal jurisdiction over child welfare and family support
17 in our First Nations.

18 We want to make clear to you the
19 responsibility of the federal government on this matter.

20 We want you to know that our understanding of our rights
21 has been handed down to us from our ancestors. It is passed
22 on from generation to generation by our spiritual people
23 and Elders. I have said this before: We are nations,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 First Nations. We have never given up the right to govern
2 ourselves. We retain this right because we have the
3 responsibility and the duty to protect our culture, our
4 customs and our way of life.

5 This understanding is central to what
6 we know must be the treaty relationship between our First
7 Nations and the federal government. For our people, the
8 purpose of our treaty with the federal government was to
9 establish a relationship of friendship, equality, respect
10 and co-operation between two cultures.

11 Our people have always understood that
12 we must be able to continue to live our lives in accordance
13 with our culture and spirituality. Our Elders have taught
14 us that this spirit and intent of our treaty relationship
15 must last as long as the rivers flow and the sun shines.

16 We must wait however long it takes for non-Aboriginal
17 people to understand and respect our way of life. This
18 will be the respect that the treaty relationship between
19 us calls for.

20 You can ask any of our people and they
21 will tell you that the spirit and intent of our treaty
22 has not been respected by the federal government or the
23 Canadian courts. Simply put, the white man has not

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 understood us, but we will continue to struggle to make
2 sure that the federal government accepts its treaty
3 obligations to our First Nations.

4 OTFS will work for this in the area of
5 family support. We will not rest until we have this
6 recognition. It must confirm our right and responsibility
7 to govern ourselves in the area of child welfare and family
8 support.

9 I have also said this before: In OTFS,
10 we have achieved a level of support for our children and
11 our families that could never be possible under the
12 provincial child welfare system. Our own people, working
13 through OTFS, support our families in need. We give
14 support to our families on the basis of our Anishinabe
15 way of life. We respect and follow the customs of our
16 people that have been handed on from generation to
17 generation. These are in harmony with our spirituality
18 and our way of life as First Nations people. As First
19 Nations, we co-operate with each other to move ahead in
20 this work.

21 Now it is time for the federal government
22 to recognize our customs and our way of life in relation
23 to child welfare and family support. I can express this

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in the following way:

2 One, the federal government must
3 recognize the uniqueness of our culture and that support
4 for our families in need of support cannot be effective
5 unless it comes up through our culture.

6 Two, there is no possible way for the
7 Government of Ontario to retain jurisdiction over our lives
8 and to provide effective family support for our people.
9 Our cultures are as different as night and day. This
10 is reflected in the very structure and content of the white
11 man's law on child welfare itself.

12 Three, our customs and ways of providing
13 support for our families must be allowed to flourish.
14 This means that it is essential for the non-Indian law
15 to give up its control over our lives in the area of family
16 support and to recognize that only we can do this in a
17 way that is appropriate for our cultures.

18 Four, it is not possible for any
19 provincial government to provide family support in harmony
20 with our culture. The very ways of providing support,
21 the very laws and customs governing the provision of family
22 support -- these are part of our culture. By definition,
23 they cannot possibly be assumed by the white man. This

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 is a bridge that cannot be crossed using non-Indian law
2 to govern us.

3 Five, for all of these reasons, both the
4 federal government and the Ontario government should fully
5 support and endorse our proposal for a three-year pilot
6 project for the establishment of our Anishinabe Tribal
7 Family Court.

8 While we can work together toward
9 greater unity and respect, we must recognize the
10 differences between our cultures that exist at the present
11 time. OTFS really wants the Royal Commission on
12 Aboriginal Peoples to understand this. We can only take
13 care of our families in our culture. In the end, we can
14 provide better services and give greater respect to the
15 rights and freedoms of our people than any non-Aboriginal
16 government ever could. We have much work in front of us,
17 but only we can do it.

18 Our OTFS family support model provides
19 support to our children in ways that are different from
20 non-Indian institutions, but this does not mean that our
21 children and our families get any less support. Indeed,
22 when Anishinabe people look at the non-Aboriginal society,
23 we are often distressed by the lack of support that is

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 given to families.

2 We are worried that our children will
3 be forced to accept this way of life. We are concerned
4 that this will be done in the name of protecting our
5 children and our families, but the extended family in
6 non-Aboriginal society does not enjoy the same status as
7 it does in our culture. It is not given adequate support
8 so that children can be properly nurtured and prepared
9 to live spiritual lives in the world.

10 To conclude, we strongly urge the Royal
11 Commission to recommend that:

12 One, our responsibility and rights to
13 provide support to our families in accordance with our
14 customers is firmly recognized by the federal government.

15 Two, this recognition should include
16 acceptance of the fact that we must be able to establish
17 our own institutions such as Tribal Family Courts to
18 resolve problems amongst our families in accordance with
19 our customs and that the pilot project that OTFS has
20 developed for the establishment of an Anishinabe Tribal
21 Family Court should be fully supported.

22 Three, the federal government must
23 recognize its trust responsibility to provide adequate

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 financial resources for us to undertake this work.

2 Non-Aboriginal governments have extracted untold amounts
3 of wealth from our lands at the expense of our culture.

4 The obligation to provide financial support to our people
5 for child and family services cannot be denied in light
6 of the trust responsibility of the federal government to
7 our people.

8 Four, we request that you urge the
9 federal government to immediately legislate recognition
10 of our rights and responsibilities in the area of child
11 and family support as I have outlined above.

12 If the Royal Commission can have some
13 effect in creating a climate for change amongst
14 non-Aboriginal governments in Canada that respects our
15 way of life in the area of child and family support, it
16 will be a major step forward for us. We urge the Royal
17 Commission to push the Government of Canada to act on these
18 matters without delay. This is the path forward to
19 reconciliation and peace between our peoples.

20 Meegwitch.

21 **MODERATOR GARNET LANDON:** Meegwitch,
22 Josephine. Meegwitch, Colin.

23 I will have the Commissioners ask you

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 some questions.

2 **COMMISSIONER PAUL CHARTRAND:**

3 Meegwitch.

4 I am not plugging into the earphones to
5 get the Ojibway translation. I am a little hard of
6 hearing, so I am using them.

7 I want to begin by thanking you both for
8 the gift of these paddles. Now I can look forward to never
9 being up the creek without a paddle. I sincerely
10 appreciate the gift and I will treasure it. Thank you
11 very much.

12 I think it is very valuable that you
13 record these things, put them in writing where they are
14 on permanent record and they can be referred to. This
15 will be very useful.

16 It is clear, and that is why I do not
17 have specific questions about the thing because you have
18 done an excellent job in making your points very, very
19 clear, and they are indeed valuable. In particular, your
20 expression of the kind of thing that a Commission can do
21 on page 11 is of great assistance to us in trying to
22 understand what it is that we might do to be helpful.

23 I do have one query, not about the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 content, but you referred to a proposal for a family court.
2 That is a most interesting proposal and my question is:
3 Could we see it? You are asking us to support it. I
4 would very much like to look at the details of it. It
5 is very innovative and I would be grateful if we could
6 have a copy down the road or whenever.

7 **COLIN WASACASE:** Yes, we can make that
8 available to the Commission probably later this afternoon.
9

10 One of our problems today as well is that
11 our Ojibway Tribal Family Services Board is meeting, and
12 Josephine has been snuck out of there because she is a
13 Chairperson. We start at ten. So that part is also --
14 but we will try to get a copy here this afternoon for you.

15 It is a process that began three years
16 ago to get the Anishinabe Tribal Family Court. We have
17 met with officials from the Justice Department as well
18 as the Attorney General and the Solicitor General of
19 Ontario to try to move that in a way that is important
20 for the people.

21 **COMMISSIONER PAUL CHARTRAND:** Thank you
22 for that. I really look forward very much to reading that.
23 It really sounds like a practical, helpful thing that

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 can work and change things. I thank you again for it.

2 **COMMISSIONER MARY SILLETT:** I too would
3 like to thank you very much for the gift and your
4 presentation. Thank you very much.

5 **COMMISSIONER OF THE DAY JOSEPH RED**

6 **THUNDER BOY:** I can't agree more on your presentation.

7 **MODERATOR GARNET LANDON:** Meegwitch,
8 Josephine Sandy and meegwitch, Colin.

9 **COLIN WASACASE:** Thank you very much for
10 the opportunity of making our presentation today.

11 **MODERATOR GARNET LANDON:** Our next
12 presenter is from -- actually, he is my boss, so I will
13 have to be really nice to this guy. He is Joe Seymour.
14 He is from the Ne-Chee Friendship Centre in Kenora,
15 downtown here, and I guess he is going to do a presentation
16 himself.

17 So I would like to ask Joe to come up
18 and do your stuff. I guess he is also being helped or
19 co-presenting with Mr. Wasacase, Colin's brother, Reuben
20 Wasacase.

21 **JOE SEYMOUR:** Good morning.

22 I guess I should start off by introducing
23 my friend here who is Reuben Wasacase. He is going to

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 be doing the details of certain things that arose out of
2 this housing survey that we had started with.

3 One of the main reasons why there are
4 two of us here -- and this is kind of ironic, I guess is
5 the word. We started off by having what you would call
6 a housing survey in aid for veterans. Over the course
7 of the actual footwork, if you want to call it that, which
8 Reuben did here visiting all these veterans and going to
9 the reserves, towns, cities, whatever, certain issues and
10 concerns were stated by the veterans, and this is why there
11 are two of us.

12 I am addressing the first part which is
13 the situation that this research was funded by the
14 provincial government under the Ministry of Citizenship,
15 under the Native Community Branch, a project at \$13,000.

16 The Ne-Chee Friendship Centre acknowledges the Native
17 Community Branch and appreciates their assistance but,
18 as usual, we always run into situations where there is
19 never enough funding.

20 This project was to be conducted
21 throughout Ontario, but Kenora was selected as the first
22 part of the study and that we would do the Native veterans
23 in the Kenora area only.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Now, as I said before, this was a housing
2 project and other concerns, other issues which were brought
3 out were not discussed directly to me as the Executive
4 Director of the Friendship Centre. It was directed to
5 Reuben and this is why Reuben is here. He is the one
6 who carries that firsthand knowledge from these veterans.

7 So, with that, I will let Reuben take
8 over. Meegwitch.

9 **REUBEN WASACASE:** Thank you, Joe.

10 During my research on the Native
11 Veteran's Housing Project, there were several issues that
12 came to light that were identified by the veterans that
13 I had spoken to. My primary contact with the veterans
14 had to deal with those veterans who were residing on
15 reserves and those who were recognized as status Indians
16 under the Indian Act.

17 The areas of concern and issues that were
18 highlighted focused on land entitlement, Native veterans'
19 pensions and allowances, medical benefits and
20 entitlements, veteran housing, and some of the unfair
21 treatment and recognition that the veterans did not receive
22 or were being neglected.

23 On land entitlement, during our last

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 great war, veterans being discharged from active duty were
2 entitled under the Veterans Land Act to a parcel of land
3 equal to 160 acres or fair compensation in lieu of land.

4 Aboriginal veterans being discharged from active duty
5 were given land taken from their respective reserves under
6 the Veteran's Land Act. Those Aboriginal veterans
7 interviewed received approximately 10 acres from reserve
8 land.

9 I can give you an example of two veterans
10 who disenfranchised themselves from their band in order
11 to receive the land allocation of 160 acres. To date,
12 this land is no longer in their possession for reasons
13 of their own.

14 Again, another glaring example of
15 misinformation was that some veterans were never made aware
16 of this land entitlement or compensatory benefits.

17 The big concern here is the conflict with
18 the Indian Act versus the Veteran's Land Act. This
19 conflict deals with particular lands on reserve that were
20 given to veterans. Under the Indian Act, reserve land
21 is all band controlled and considered common land, and
22 this has proved to be an issue of great concern to those
23 people residing on reserves as well as their respective

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Chiefs and Councils.

2 Going further, on the veterans' pensions
3 and allowances, there was a glaring act of non-services
4 or non-information being passed by the bureaucracy of the
5 Department of Veterans Affairs. The Department of Veteran
6 Affairs should and must be more diligent in servicing our
7 veterans in the proper administration of their
8 entitlements under veterans' allowances, benefits and
9 pensions.

10 We have our horror stories where, in
11 certain cases, veterans were given no help in applying
12 for their entitlements at the age of 65 and even upon their
13 actual discharge from war services.

14 Just for example purposes, I have been
15 assisting a veteran in one of our local communities. He
16 has been fighting the bureaucracy for the last five years
17 in trying to regain back his benefits. He was getting
18 an allowance until he reached the age of 65 and because
19 of the procedures, regulations, policies within
20 bureaucracy, under the DVA and National Health and Welfare,
21 veterans must, just like all senior citizens who reach
22 the age of 65, apply for their old age security.

23 However, for some reason unknown, DVA

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 or Medical Services suspends all payments that the veterans
2 are presently receiving until all of the benefits are
3 applied for through the old age pension. Sometimes that
4 information doesn't get down to the veterans and,
5 consequently, these veterans are left destitute and are
6 forced to turn to welfare to subsidize their living
7 conditions.

8 As I said, it has taken this one veteran
9 five years to achieve in gaining back some of his
10 entitlements that he has lost to date. I am not too sure
11 whether he is actually receiving it now, but he was notified
12 that it has been cleared up.

13 The other concern was medical
14 entitlements. Again, Aboriginal veterans appeared to be
15 excluded from medical entitlements or not advised at all
16 about these entitlements. It has been placed upon the
17 onus of the veteran to prove their medical condition as
18 a result of their combat during war time.

19 One particular story that stands out is
20 how the government treated our veterans. The commissioned
21 officers were given medicals before discharge. The
22 enlisted veterans below the officer level were given
23 immediate discharge without medicals resulting in lack

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 of medical evidence to prove their condition was brought
2 on as a result of the war.

3 To clarify that, at the time of discharge
4 after the war, the officer level in the army level were
5 all given medicals and that was put on their medical file.
6 Those who were not at the officer level, the enlisted
7 men, which was the majority of our Armed Forces, were given
8 immediate discharge without any medical checkup
9 whatsoever. So none was placed on file and, again, there
10 are several veterans in our area who have come up against
11 brick walls towards the medical department in trying to
12 prove that their condition was as a result of the war.
13 As a result, these veterans just gave up and said, "What's
14 the use?" There was no point in fighting that.

15 As Joe mentioned earlier, the study
16 focused on veterans' housing; the need for housing for
17 our veterans. Again, like the Indian Act, housing for
18 veterans is non-existent for those who are on reserve and
19 the DVA is not obligated to provide housing for these
20 veterans. The responsibility is then placed upon the Band
21 Council to provide housing for all band members who reside
22 on the reserve.

23 We explored different avenues, or areas

12 Some of the unfair treatment and
13 recognition, or lack of recognition, given to the veterans
14 is that our Aboriginal veterans live in conditions that
15 are below the average normal living conditions as compared
16 to the rest of the Canadian population. They are virtually
17 forgotten. The saying goes: once out of sight, out of
18 mind.

StenoTran

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 people at \$20,000 apiece, whereas our veterans, who are
2 virtually neglected, receive nothing. These people were
3 classified as enemies to the country during wartime;
4 however, today's government feels that they should be
5 compensated for the injustice placed upon them.

6 I made several recommendations in my
7 report, and a copy has gone to the DVA regarding some of
8 the follow-up that DVA should take. My recommendations
9 did not constitute any increase in dollars to the DVA,
10 but just the fact that our veterans are not registered
11 with the Legion. The DVA that I talked to -- the rep that
12 I talked to -- in Thunder Bay has said, "I should place
13 my ad in the paper when I'm going to be up in the Kenora
14 area." Not many of our veterans pick up the paper, and
15 not many of our veterans have access to transportation
16 and getting into town to meet the representative. The
17 allotted time that they are given is something like 15
18 minutes to half an hour. If they miss their appointment,
19 they don't see the DVA until the next time around, if they
20 are lucky at all.

21 Some of my recommendations were that the
22 DVA rep should be out in the communities visiting these
23 veterans to square up their entitlements that they are

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 entitled to, giving them the services that they need.
2 However, to this day, I don't think that is forthcoming.

3

4 I did this study back in the spring of
5 1991. To my knowledge, it is the veterans that have to
6 come into town. When you look at transportation costs
7 coming into town, it's roughly anywhere from 20 to 40 bucks
8 one way for these people, and these veterans can't afford
9 it.

10 That concludes my presentation on the
11 needs for veterans. Thank you very much.

12 **MODERATOR GARNET LANDON:** Meegwitch,
13 Joe. Meegwitch, Reuben. Do you guys have anything
14 further to add to that?

15 All right. Commissioner Mary Sillett
16 will ask you a few questions now.

17 **COMMISSIONER MARY SILLETT:** First of
18 all, I would like to thank you both for your presentation.
19 You can well appreciate that we never got a copy of this
20 until a few minutes ago. I am wondering, did you have
21 a different paper, other than this project, that you read
22 from?

23 **REUBEN WASACASE:** I, more or less,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 summarized the study in this presentation. I can leave
2 a copy for the panel.

3 **COMMISSIONER MARY SILLETT:** Yes, I
4 would really appreciate that.

5 I have just one or two questions. In
6 terms of the recommendations, you said that you presented
7 that to whom? The DVA? And there has been no action to
8 date on those recommendations?

9 **REUBEN WASACASE:** To my knowledge,
10 there has not been any response to the report to the Ne-Chee
11 Centre.

12 **COMMISSIONER MARY SILLETT:** Who were
13 the recommendations directed to, specifically?

14 **REUBEN WASACASE:** When I did the report,
15 I did it for the Ne-Chee Friendship Centre, and I made
16 my recommendations to the Nechee Friendship Centre who,
17 in turn, passed it on to the funding agency, which was
18 the Native Community Branch. The DVA was aware of the
19 study being conducted, and they had asked for a copy of
20 the report. Jamie Bolton, who is the Native Community
21 Branch consultant, sent them a copy. That is the extent
22 of my knowledge as to how far the report got.

23 But in my discussions with the DVA

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 representative, Miss Bannon at that time -- I don't know
2 if she is still there or not -- her comments were that
3 she can only go into the Legion to set up office on one
4 day a month, and it's up to the veterans to make that
5 appointment to come in and see her.

6 As I said, these people don't have
7 transportation. They are lacking an awful lot of
8 information that should be passed on to them, even the
9 services assistance that should be provided to them. They
10 don't know that. There is legislation that has been passed
11 where -- new legislation, I should say, that wherein the
12 spouse of the veteran is entitled to benefits for one year
13 after the veteran has passed on. I don't think any of
14 these veterans know about that. This is where the DVA
15 is lacking. They should be out there, out in the field
16 doing this work. That is what they are paid for.

17 The other glaring issue -- and I've
18 talked to Dan Delguard from Saskatchewan. He encouraged
19 me to try and set up a study on land claims on behalf of
20 veterans. Saskatchewan is in the process of setting up
21 a land claims issue for negotiations on behalf of their
22 veterans in the province of Saskatchewan. However, like
23 all good studies or research, we always don't have enough

4 The other glaring question is: does the
5 Veterans' Lands Act supersede the Indian Act? These are
6 both acts, passed by legislation through the federal
7 government. These issues have to be addressed.

10 **COMMISSIONER PAUL CHARTRAND:** Thank you
11 for your presentation regarding a matter that must shock
12 the conscience of all reasonable-minded Canadians. I
13 think, if a country wants to take stock of its moral fibre,
14 it could do worse than start with an assessment of its
15 treatment of children and war veterans.

16 I have some small experience in looking
17 at the circumstances of Aboriginal war veterans and have
18 some familiarity with some of the points you have made,
19 particularly relating to the difficulty to prove that
20 medical conditions arose from the war. I think there are
21 also difficulties associated with the statute that
22 permits, even if the proof is provided, that compensation
23 is going to be backdated only a few years, as opposed to

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 back to the time of the war.

2 In any case, I want to thank you for your
3 presentation. This is a very important issue and I can
4 assure you that the Royal Commission on Aboriginal Peoples
5 will take a very close look at these matters and include
6 the view you have given us today. Thank you.

7 **COMMISSIONER OF THE DAY JOSEPH RED**

8 **THUNDER BOY:** I just want to thank Reuben and Joe for their
9 presentation. It is well accepted. Meegwitch.

10 **MODERATOR GARNET LANDON:** Meegwitch,
11 Joe. Meegwitch, Reuben. I don't think there are any more
12 further questions, unless somebody wants to ask one.
13 Meegwitch.

14 Our next presenter, who was scheduled
15 here, is not present at this moment, so we are going to
16 have a few minutes of coffee break and we will do a
17 presentation later on. We will take about ten minutes.
18 Thank you.

19 The schedule has been changed a little
20 bit. After the coffee break, we will have Chief Eli
21 Mandamin, of Band 39, do a presentation, followed by Mr.
22 Richard Greene, of the Ne-Chee Friendship Centre, and we
23 will break for lunch after that. Meegwitch.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 --- Short recess at 10:30 a.m.

2 --- Upon resuming at 10:50 a.m.

3 **MODERATOR GARNET LANDON:** I would like
4 to introduce the next person, Chief Eli Mandamin of Band
5 Shoal Lake 39 First Nation. He told me that he was going
6 to speak French. I don't know if we have a French
7 interpreter here. No, I was kidding.

8 Chief Eli Mandamin, take it away.

9 **CHIEF ELI MANDAMIN:** Bonjour.

10 (Translated) Hello, everybody. I
11 have already passed tobacco to the drum. Now, it is, when
12 we don't really listen to each other, I wish to get help,
13 help to do my protesting.

14 Some of you people here must have heard
15 in the Constitution paper that was passed around here a
16 while ago that we didn't want it. This is the reason why
17 we didn't take it.

18 ... I'd pass the tobacco to the drum so
19 I could speak of the paper, and I wish they understand
20 me as I speak. I really think that is why we didn't take
21 the Constitution. We said No.

22 I just want to briefly explain what I
23 said so maybe somebody will understand and listen to what

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 I am trying to say.

2 I also ask for directions. I am going
3 to be speaking about the treaty, and treaties are very
4 sacred to us. So, I hope that I can get the message across
5 that I am trying to get across, regarding the treaties.

6

7 In my community, the treaty is a very
8 respected document. I guess we proved that last week when
9 we were asked to vote on the white man's paper and we didn't
10 vote. My whole community decided not to participate in
11 that vote because of the trust and the respect we have
12 for our treaties.

13 To the Commissioners and staff of the
14 Royal Commission on Aboriginal Peoples, I bring greetings
15 from all of the members of the Shoal Lake #39 First Nation.

16 It is a pleasure to be able to speak to you here today.

17 On behalf of my Council, I wish to thank you for your
18 efforts to come to Northwestern Ontario to visit us. Your
19 work is appreciated in our community.

20 I have to tell you, however, that there
21 is a certain amount of exhaustion in my community. We
22 have just come through some real turmoil with respect to
23 the constitutional change. It has not been easy for us.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Our community went through painful
2 deliberations over the proposed constitutional Accord.
3 In the end, there was a consensus in our community that
4 the Accord did not reflect the spirit and intent of our
5 treaty relationship with Canada. My people decided that
6 they could not vote on the Charlottetown Accord.

7 I, myself, have represented the other
8 14 nations in the Kenora and Dryden tribal areas on the
9 constitutional discussions over the last six months. The
10 pace has been hectic.

11 Now we are about to be surveyed on health
12 issues by the Government of Ontario. If you come to my
13 office, I can show you shelves of reports on Aboriginal
14 issues. We just wish that non-Aboriginal governments
15 could come to terms with our Aboriginal culture and respect
16 it.

17 There have been so many commissions and
18 investigations in relation to Aboriginal affairs in
19 Canada, yet the pace of progress is not improving the
20 situation. It seems painfully slow. We hope the Royal
21 Commission on Aboriginal Peoples will be different.

22 The Royal Commission on Aboriginal
23 Peoples has a broad mandate to examine the relationship

6 Today I want to speak to you about issues
7 that are very important to the people in my community.
8 They are especially important to the Elders and the
9 spiritual people of Shoal Lake #39 First Nation. In
10 particular, they relate to the treaty relationship between
11 Anishinabe First Nations and the federal government.

StenoTran

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 could be made from. Huge profits could be made from the
2 simple act of buying and selling land. This is not
3 to say that Aboriginal people did not make their living
4 from the land. Our relationships to our lands are complex
5 and sophisticated. They have always been this way. Our
6 people have always had secure and recognized rights of
7 access to resources on the land within our culture, but
8 we have emphasized the principles of co-operation and
9 sharing with respect to our relationships to the land.
10 We have done this in order to maximize the appreciation
11 and awareness of every one of our people about the land.
12 The non-Indian society emphasizes competition and
13 individualism.

14 It is sometimes strange for us to listen
15 to non-Aboriginal people talking about the need to
16 co-operate in creating a new constitutional framework in
17 Canada. At the same time, the non-Aboriginal society
18 consistently emphasizes the value of competition over
19 co-operation. How do they think it will be possible to
20 achieve a common vision for the land when there is such
21 an emphasis placed on competition and individual interests
22 and so little priority given to sharing, co-operation and
23 responsibilities? We do not understand this.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 This remains the way it was at the time
2 of the signing of the treaty between our First Nations
3 and the Crown in Right of Canada. The Government of Canada
4 came to our people thinking that we would sell the land
5 for the payment of \$5 a year. This is totally opposite
6 to our view of our treaties. This was in keeping with
7 the European view of the land as being material only and
8 having no sacred value. There couldn't have been a greater
9 conflict of cultures in this regard if we had tried to
10 make it.

11 The Government of Canada has
12 consistently refused to recognize our historical
13 relationships in our customary lands, yet these are central
14 to our understanding of our treaty relationship. This
15 relates to what we mean by the spirit and intent of the
16 treaty. The Government of Canada has all along maintained
17 that we have sold the land, rather than shared in its
18 wealth, and the courts have accepted this position.

19 The law in Canada has consistently given
20 an interpretation of the treaty relationship that should
21 be a source of a profound embarrassment to Canada.
22 Non-Aboriginal governments have seen us as people who have
23 merely subsisted on our lands. They have never recognized

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 the complexity of our relationships to the lands and the
2 sophistication of our resource stewardship practices.
3 They have never recognized the dynamic nature of our
4 trading relationships with other First Nations and the
5 affluence that was ours before the Europeans came to these
6 lands.

7 Even though we endured centuries of
8 plagues and diseases brought by the Europeans, we still
9 have maintained a vast knowledge of our land. We kept
10 relationships to our land which ensured the abundance of
11 resources in it.

12 Everywhere non-Aboriginal governments
13 have come the land has suffered as a result of them. It
14 is said that one century -- from the year 1950 to the
15 year 2050 -- that half of all living things that were placed
16 on this earth by the Creator will disappear as a result
17 of European relationships in this land.

18 What I am saying here is that, one way
19 or the other, the white man will come to respect the
20 Aboriginal culture and live in harmony and partnership
21 with us. If the white man does not do this through
22 negotiations now, he will be forced to do it through his
23 own unsustainable way of life.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 All this relates to the sense of what
2 we consider to be the spirit and intent of our treaty
3 relationship with the federal government. It is to be
4 built around the principles of mutual respect, consensus
5 building and sharing. Generation after generation of our
6 Elders and spiritual people have taught us that the essence
7 of the spirit and intent of our treaty relationship is
8 that we should be able to maintain our way of life in our
9 ancestral lands. Hunting and fishing for food is only
10 one small aspect of this relationship.

11 Prejudice has prevented non-Aboriginal
12 society from recognizing the depth, sophistication and
13 beauty of our culture. In order to maintain a proper
14 balance with all living things in our land, our culture
15 emphasizes community-based decision-making. For our
16 First Nation this is both a strength and a major difficulty
17 in our relationship with non-Aboriginal governments. We
18 maintain that much more should be done at the local level
19 than non-Aboriginal governments can accept. Because our
20 power is spread out at the local level, it has been
21 difficult for us to have non-Aboriginal governments
22 respect our way of life. But this must change, or there
23 will be immense suffering in the future in this beautiful

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 land which the Creator has bestowed upon us.

2 So, in the end, there is only one thing
3 to do. The Royal Commission on Aboriginal Peoples must
4 work tirelessly to convince the Government of Canada to
5 respect a true and living relationship between itself and
6 our First Nations as treaty First Nations. We must breathe
7 new life into implementing the spirit and intent of our
8 treaty relationship. The health and prosperity of both
9 Aboriginal and non-Aboriginal people depend on this.

10 Here is what we have to do:

11 1. Recognize and accept that our
12 cultures are different and that Aboriginal cultures must
13 not be suppressed.

14 2. Recognize that Aboriginal culture
15 is not inferior to or less sophisticated than
16 non-Aboriginal culture, especially in relation to the
17 land.

18 3. Recognize that Aboriginal culture
19 has not and never has been a subsistence culture. It is
20 the damage inflicted on our First Nation cultures by
21 everything from epidemics to boarding schools to
22 systematic legal discrimination against our cultures that
23 brought our Aboriginal people to the point where it has

7 4. The spirit and intent of the treaty
8 relationship is based on nation-to-nation relationships
9 between the First Nations and the Government of Canada.

6. The Government of Canada must come
to terms with its own historical self-interest in its
relationships with our people that are expressed in the
white man's legal documents relating to treaty
relationships.

StenoTran

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 challenge to all Canadians. Our challenge is nothing less
2 than to develop tolerance and respect for each other.
3 We must have a pluralism in this country which allows our
4 Aboriginal laws, traditions and customs to flourish. It
5 can no longer be the case where non-Aboriginal courts will
6 tell us what our hunting and fishing rights will be on
7 the basis of biased attitudes about our cultures.

8 We must come to understand each other.
9 The time is short for this and we must work as hard as
10 we can on it right now.

11 The Shoal Lake #39 First Nation is
12 already moving ahead in this work on a more practical level.
13 For example, right now we are working toward a
14 co-operative relationship with the Government of Ontario
15 in relation to the Shoal Lake watershed region and the
16 stewardship of all living things in it. All through this
17 century the Province of Ontario has systematically
18 suppressed our traditional management of our resources
19 in this region. We have had our fishing rights shut down,
20 unilaterally, after it gave out licences to non-Aboriginal
21 fishermen. We have had water taken out of our lakes to
22 meet the needs of Winnipeg without a penny of compensation
23 being paid to us. We have had a channel blasted between

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Shoal Lake and Lake of the Woods which affected Shoal Lake
2 water. Dams on Lake of the Woods flood out our wildrice
3 crops in most years.

4 All of this has taken place without any
5 input or consensus from us. Our culture was simply
6 ignored. But this cannot take place any longer. We are
7 all coming to recognize the seriousness of the situation
8 we are in now. Ontario has agreed to work with us so that
9 our knowledge of the land and the stewardship of the
10 resources in it can ensure sustainability for the Shoal
11 Lake region. This work can give us a glimpse of what the
12 true spirit and intent of our treaty relationship is with
13 the federal government.

14 We ask the Royal Commission to urge the
15 federal government, in the strongest language possible,
16 to respect the spirit and intent of the treaties that it
17 entered into with First Nations. Listen to us. Learn
18 from us. Above all, respect us. In this way we can
19 contribute to the health and the future of all generations
20 to be born in this land.

21 Meegwitch.

22 **MODERATOR GARNET LANDON:** Meegwitch,
23 Eli. I will have Mary ask you a few questions. I think

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Paul wants to ask you first.

2 **COMMISSIONER PAUL CHARTRAND:**

3 Meegwitch for your paper. It certainly is a useful
4 document. Not only that, but it is a very powerful and
5 inspiring document. It is very clearly written. It is
6 very clear what your message is. I know that it will help
7 me in doing my best to try to move the federal government
8 to move in the right direction. I want to thank you for
9 it.

10 **COMMISSIONER MARY SILLETT:** I, too,
11 would like to thank you very much. You can rest assured
12 that treaties is an issue that is something that will be
13 looked at. It's within our mandate. It has been
14 discussed by many groups, as we have crisscrossed this
15 country.

16 Secondly, I would like to say that there
17 are many people who share the fatigue that you have
18 expressed; the fact that they have participated in so many
19 studies and those studies have done absolutely nothing
20 to improve the quality of life in their communities.

21 As we have crossed this country, I think
22 many people have said, "We hope that the Royal Commission
23 will be different." All we can say is that there are no

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 guarantees, but we will try our best.

2 You talked about something in your paper
3 that has been identified many times, and that is the
4 difficulty in the relationship between Aboriginal and
5 non-Aboriginal peoples. What we have been hoping to do
6 is ask the presenters some questions which will help us
7 in our work, and I am going to ask you, as you have
8 identified the problem very eloquently: the problem in
9 the relationship. You have, more or less, said that there
10 is a need to change that relationship; a relationship where
11 non-Aboriginal governments don't treat Aboriginal people
12 with prejudice, where they actually respect and treat us
13 with dignity. I will ask you, what do you think? What
14 specific actions can be done to change that relationship?
15 What do you think is necessary in order to improve that
16 relationship?

17 **CHIEF ELI MANDAMIN:** The only thing that
18 I have always consistently reminded people in capacities
19 that have direct contact with the federal government, such
20 as this Commission -- and I have also expressed this at
21 the treaty meeting in Edmonton, and I have expressed this
22 to the AFN -- is that, regardless of how tiring people
23 think us for bringing up the treaties all the time, we

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 shouldn't let them bother us. We have to consistently
2 put our faces in front of their faces and keep reminding
3 them of the treaties. That is the only thing that I have
4 as a solution, to keep reminding them that we have a special
5 relationship that we should be respected for and that we
6 should also respect. Meegwitch.

7 **COMMISSIONER OF THE DAY JOSEPH RED**

8 **THUNDER BOY:** Meegwitch, Eli.

9 (Translated) There are a few things I
10 would like to say. The Indians are being ... and the police
11 are being after them, and the courts. When they see the
12 colour of your skin, then the white man don't have no
13 respect for you. That's the way they look at us. They
14 want to try to put us in jail and try to cheat us.

15 That is why I think so much of your
16 report. Thank you.

17 **MODERATOR GARNET LANDON:** Thank you.

18 Our next presenter -- I will have to correct myself on
19 this one. I said it was Mr. Richard Greene from Ne-chee,
20 but he told me to say, "Mr. Richard Greene from Kenora."

21 I guess he is taking this from an urban perspective,
22 Indians from off reserves, or urban issues regarding
23 native people.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 You are on the air, Richard.

2 **RICHARD GREENE:** Good morning. I would
3 like to take this privilege of thanking the Commission,
4 and also Garnet, to submit my name as late as yesterday
5 to make a presentation today to this Royal Commission.
6 I also invited my son to sit beside me, because he has
7 been my strength. My family has been my strength to give
8 ourselves the ability to speak to issues without fear of
9 intimidation and without fear of those consequences that
10 native people have suffered through years and years.

11 My son is a survivor. My son is a
12 survivor of the social elements that are still present
13 today. Years ago we fished him out of the water. I don't
14 know how long he was in the water. We pulled him out and
15 he's still with me today. Four years ago he lost his sister
16 in a house fire, and he is a survivor of that also. He
17 was in there 15 minutes. It's amazing how he was able
18 to come out of it. He's still with me today. I didn't
19 want to upset him. I know he's crying right now, but I
20 think these are some of the examples, some of the
21 demonstrations, that I wanted to put forth to the
22 Commission today.

23 But I want to make it known that I have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 very little faith in any commission, Aboriginal or
2 non-Aboriginal, because of the very fact that our people
3 have been moving very, very slowly. They have been going
4 backwards.

5 Years ago an Elder talked to me about
6 my role as an individual, my role as an Ojibway; my purpose
7 in life. I was told to consider the role of putting things
8 together; reconciliating people, places and things. You
9 see, that was really hard for me because my life was not
10 always in order. My life was ashambles. My biography
11 was something short of writing home to mother about.

12 As a very young boy I remember -- and
13 understand that life is not always a bed of roses, but
14 when it was a bed of roses it was a very happy, secure
15 feeling. When it wasn't a bed of roses, it rained. It
16 poured. As a young man I relied on my parents, as any
17 normal child would. At the age of six I was placed in
18 an institution; a boarding school. The umbilical cord
19 was severed again, for the second time. Three years later
20 my mother died, when I was nine years old, of a violent
21 death. Again, severed again, for the third time.

22 The glimpse that I had of my mother --
23 the last one -- was when I was nine years old, when the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Ontario Provincial Police were showing me pictures of my
2 mother's dead, naked corpse, to coerce me into telling
3 them that my father did it. It was at this time that I
4 believe major damage was done. I had no one. My dad was
5 in jail and my mother was dead. I had no one to go to
6 bat for me.

7 I turned everything inward. I was
8 living at an Anishinabe park with my siblings, all six
9 of them. The youngest was ten months old. We were
10 separated. We were sent back to the residential school
11 system for another six years, along with its abuses:
12 physical assaults, physical abuses, sexual abuses, sexual
13 assaults. The emotional trauma, the total abnormal
14 environment, was there. I think they had all the Stephen
15 King horror movies put to shame. Today, I don't like
16 Stephen King's movies because they remind me of the
17 holocaust that went on through the residential school
18 system.

19 I can't talk about anybody else today.
20 I can't even talk about my younger brother, the very
21 youngest one, because I can only imagine what he went
22 through. I talk about me, because I think that is where
23 the healing is going to take place. First, with me. I

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 need to be ready for those dynamics that are already
2 beginning to take place in our communities. It is here.

3 As my good friend and brother Phil Fontaine says,
4 "Showcasing one's personal life is a little risky." It
5 gets a little tricky, because people still don't
6 understand. Some of them will probably never understand.

7 But the process has to be initiated somewhere, from
8 inside. Healing is an inside job. One has to want it.
9 One has to desire it, but it is here.

10 This modern age has seen great events
11 where people have been pitted against each other.
12 Ideologies clash in spiritual division, religious
13 division, political division, economic disparities,
14 ethnic division; ethnocentric ideas that one race is better
15 than another one. Apartheid is alive and well. Ethnic
16 cleansing is what we really must do. There is oppression,
17 repression and suppression. There is disease. There is
18 hatred. There is murder. There is witchcraft. There
19 is gossip. There is corruption, child abuse, wife abuse,
20 husband abuse, elderly abuse, political abuse, alcoholism,
21 lesbianism, homosexuality, cavities, bad breath,
22 haemorrhoids, poverty, incest, B.O., warts. All those
23 things. We have those same problems today. I get

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 annoyed when leadership tells me that we never had these
2 problems. But we have them now and we must take care of
3 those things.

4 In the last, most recent, useless
5 exercise of the constitutional referendum, we find that
6 this is, again, another prime example of those discouraging
7 kinds of things that interfere with native people moving
8 ahead by the very fact that people are never involved in
9 the processes. We are always left behind. Decisions are
10 made by very few people, and that includes our Indian
11 governments.

12 It's hard to concentrate on a specific
13 issue when there are no provisions for the everyday guy
14 to come forward and feel free to discuss his or her problem.
15

16 There is a problem in Kenora today. I
17 want to talk about housing, because I think we can talk
18 about housing and apply it to any other problem. A crisis
19 exists in the non-existence of native urban housing.
20 Presently, today, there is no place for individuals, Native
21 people, to draw from in the communities. As we advance
22 other programs there is a sense of confusion as to how
23 to make sense of all those other programs when the basic

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 need of housing is absent. We say that we have to have
2 our kids go to school, get an education, and meanwhile
3 the basic housing is not there. We require them to be
4 honour students at the schools.

5 Today there is still that blatant denial
6 extended to these people. There is not enough
7 representation at our Indian government level to address
8 these issues. It's not happening.

9 In 1965 there was a march in Kenora to
10 address many issues, to bring many issues to light in
11 Kenora. There was an armed occupation of Anishinabe Park
12 in 1974. Today the advancements of the native peoples
13 to capture and reap the economic, social and educational
14 benefits of this country is not here. Our people are
15 struggling to come to parity with the rest of Canadian
16 society. Instead, what we have today is the citizens of
17 this country, even our own people, stepping over, walking
18 around, ignoring the people that are flat on the street;
19 ignoring the men, the women and children that are
20 struggling out there. Personally, I don't care about the
21 title that people assume. I have a beef.

22 The recommendations that I want to put
23 forth is that unless we go to the street, go to the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 alcoholic, go to the poverty-stricken homes, go to the
2 hospital wards, the mental institutions, the jails, the
3 federal penitentiaries, where there is this despair, this
4 apathy, that neglect -- those people don't want lip-service
5 any more. I think that is the role that politicians, even
6 in our own Native governments, have been doing for many,
7 many years. The recommendation that I put forth
8 today is the dismantling of Indian Affairs. I also
9 recommend a total dismantling of the Indian Act. I said
10 that before, in the other hearing. I also recommend the
11 dismantling of the AFN, the Chiefs of Ontario, #3; National
12 Friendship Centres -- to dismantle so we can rebuild, so
13 that there would be a rebirth of a nation and not be stuck
14 with the Indian Act blueprint that we have been living
15 with for years. That's what I urge this Commission, to
16 go forth and address the total restructure, the total
17 rebirth of our nation. We have nothing to save by saving
18 the AFN. We have nothing to save by saving the Chiefs
19 of Ontario, because, when we take a close look at it, it's
20 derived from the Indian Act. People are left out. They
21 don't have the right to come forward and speak.

22 I have problems with the Commission of
23 Aboriginal People's poster: "Time to talk. Time to

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 listen." We have them demonstrated in good faith, and
2 I would like to interpret that by the lack of presence
3 of our community people to come forward to this Commission
4 today. There is not enough information going out to
5 encourage the grassroots people to come forward and speak.

6 I was asked also to touch a little bit
7 on the justice system that is prevalent in this area.
8 There is an over-representation of our Native people in
9 prisons today. That hasn't changed. The judicial system
10 at the court level is ashambles. Come and see. I invite
11 the Chiefs, I invite the Commission to come in one day
12 and sit in the court level. Come and see. I don't have
13 to tell you this. Come and take some interest in our
14 people, where they're going, what's being done to them.

15 The police complaint system is not a good process. People
16 make complaints and there are repercussions to those.

17 We need leadership. We need our people
18 to be able to address these issues together and understand
19 them fully. The implications that are present right now
20 are such that they were there when our first contact with
21 -- when Columbus came. All of these things probably came
22 when Columbus came in 1492, but they are here now and we
23 have to deal with them.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 The report here -- there's a lot of
2 recommendations here. I urge the Commission to act on
3 the first round. There's a lot of stuff that is restated
4 today -- reiterated today -- by the presentations. I
5 am getting sick and tired of commissions coming around.
6 I know that behind me there was an Indian First Person
7 taking notes as to the proceedings here and the information
8 that was going around. I dare say that is probably a
9 mechanism for damage control. "We know all this stuff",
10 they'll say. "We know all this stuff." We need the
11 Commission to speak to those kinds of things.

12 Meegwitch.

13 **MODERATOR GARNET LANDON:** Meegwitch,
14 Richard. Thanks for those words of wisdom. I think Mary
15 will ask you a few questions.

16 **COMMISSIONER MARY SILLETT:** I would
17 like to thank you and your son for coming out today and
18 talking about issues which are really difficult, but, as
19 you say, nevertheless, are here.

20 You mentioned that there are not enough
21 ways for people outside of the leadership to make their
22 views known. I can assure you that when we talked long
23 and hard about how we could make sure that we could hear

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 from everyone, not only the leadership, we talked about
2 ways of making sure that we heard from as many people as
3 possible. That's why our hearings are open, not only to
4 the leadership but to anyone who cares to come.

5 We have made an attempt to go to the --
6 we have been in the federal penitentiaries. We have been
7 in women's shelters. We have gone to group homes. I think
8 we have made some effort and we have to continue trying.

9 The purpose of the document that you have
10 before you is to summarize what people have said. I think
11 that the reason there aren't really any recommendations
12 -- there are a number of questions that we're asking people
13 to help us with, and the reason that no action has been
14 taken yet is because we haven't heard from enough people.

15 We have heard from 37 communities. We have heard from
16 850 presenters. But there are a lot more people who would
17 definitely like to participate in this process and we have
18 to make sure that their voices are heard, as well.

19 I think that you have mentioned two
20 issues which I would like you to help us with. One of
21 them is the residential schools. As you have said, it's
22 a big issue. It's a bad government policy. It's
23 something that should never have happened, and it's

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 something that we're hoping will never, ever happen again.

2 So, I am going to ask you to help us with a question that
3 we have with respect to the residential schools, that is,
4 what action is necessary to set the record straight with
5 respect to the historic wrong that has been done to many
6 people as a result of the residential school? What should
7 happen? Who should take this action in correcting that?

8 **RICHARD GREENE:** I think there has got
9 to be a commitment from government and the state -- from
10 the church and state, I should say, to acknowledge that
11 conspiracy that happened years ago. I think the Anglican
12 church, the Presbyterian church and the Roman Catholic
13 church have to acknowledge, in a real way -- not by exchange
14 of letters, saying that "we agree" -- to come forth and
15 be a part of that healing process that needs to take place.
16 That's a beginning.

17 **COMMISSIONER MARY SILLETT:** That's a
18 beginning. Okay. The second question I have is, you
19 mentioned that there should be a dismantling of Indian
20 Affairs and the Indian Act. We have heard that a lot.
21 You said that we should rebuild. Do you have any ideas
22 as to how we should rebuild? I mean, what should replace
23 the Indian Act? What should replace Indian Affairs?

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 What's in your mind to replace them, if they're dismantled?

2 **RICHARD GREENE:** There, again, we have
3 to go back to the people. We in power, we have been
4 disempowering the people to make those kinds of decisions.

5 That's where we go to, to the people. What has happened
6 is that we have lined up our governments with the Indian
7 Act and how they describe it, the way it should work, and
8 that, ultimately, our Grand Chief is the Minister of Indian
9 Affairs under the Indian Act. We have got to rebuild that.

10 We have got to change those kinds of things. If that
11 is not understood yet, at this time, we are going to be
12 struggling for the next hundred years. Very basic,
13 fundamental changes have to happen. There's got to be
14 a -- that revolution has to take place.

15 **COMMISSIONER PAUL CHARTRAND:** Thank you
16 for your presentation. I note that you have some faith
17 in the Commission, because you are here talking to us today.

18 I have some faith in the Commission, too, because I have
19 accepted to be on it, although we can all be cautious about
20 our expectations. We can only do our best.

21 There is little that I wish to say. The
22 little goes as follows: In undertaking this work, I knew
23 that I had to learn all sorts of things and I will have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 to do investigating in all sorts of corners and other places
2 to uncover information. People do, as you have done, give
3 us advice and it leads me to read and to talk to people.

4

5 You have introduced me to a new thing
6 here; Stephen King movies. I don't know what that is.
7 I hardly ever go to movies, so that is one thing I will
8 have to go to to acquaint myself with that climate, that
9 atmosphere that you have talked to me about.

10 May I talk to your son and ask, what is
11 your name?

12 **JASON GREENE:** Jason.

13 **COMMISSIONER PAUL CHARTRAND:** Welcome,
14 Jason. We are glad you are here. How old are you?

15 **JASON GREENE:** Twelve.

16 **COMMISSIONER PAUL CHARTRAND:** You are
17 twelve years old. I am glad you are here. I want to wish
18 you well. I am glad you came before us.

19 **JASON GREENE:** Meegwitch.

20 **COMMISSIONER PAUL CHARTRAND:** Mr.

21 Greene, you have talked to us about an attractive phoenix
22 option and you still see some work for us in assisting
23 with the development of work that needs to be done, if

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 some existing structures are going to be dismantled. So,
2 there is lots of work that has to be done. We must work
3 and we must seek the advice of a lot of people. I think
4 we must do it for your son and for my son, and for the
5 sons and daughters of everyone in this country. I think
6 you and I believe that it is worthwhile and we will go
7 on. I thank you for having done your share here this
8 morning.

9 **RICHARD GREENE:** Meegwitch. Thank you
10 very much.

11 **COMMISSIONER OF THE DAY JOSEPH RED**
12 **THUNDER BOY:** Meegwitch, for your presentation. Your
13 words of wisdom were very powerful. I respect your
14 intelligence and your work in helping our Native people
15 move forward. As far as the justice system is concerned,
16 I have witnessed a lot of injustices made toward our own
17 people and I hope this breaks the ground that something
18 will happen for the benefit of our people. Meegwitch.

19 **RICHARD GREENE:** Meegwitch.

20 **MODERATOR GARNET LANDON:** Meegwitch,
21 Richard and meegwitch, Jason.

22 As you can see on the agenda -- if you
23 don't have it, it's there somewhere -- it's lunch time.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 We will be breaking until one o'clock, and then we'll
2 have Mr. Moses Tom do his presentation. I will look
3 forward to seeing you after lunch. Meegwitch.

4 --- Luncheon recess at 11:45 a.m.

5 --- Upon resuming at 1:00 p.m.

6 **MODERATOR GARNET LANDON:** We will move
7 on to our next agenda item. Our next presenter is Moses
8 Tom. I would like to call on Moses.

9 Ladies and gentlemen, this is Moses Tom.
10 He is going to be on behalf of the Weechi-it-te-win Family
11 Services, based -- I think it's in Keewatin and in White
12 Dog. Of course, there is one in Fort Frances. Moses,
13 go ahead.

14 **MOSES TOM:** Meegwitch. I am just going
15 to be very brief. I'm not going to go into details, or
16 elaborate any, because we tried to get a younger person
17 to come up here and do that; some educated individuals.

18 So, I finally said, "It's your future. These commissions
19 are taking place." I said, "For me, I don't work any more.
20 I just sort of help out here and there, but I don't have
21 a job."

22 That's one of the things I want to talk
23 about. In a dominant society, they call them senior

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 citizens. But, in Native communities, we call them
2 Elders. I see them being neglected. There is nothing
3 for our Elders. We just wait until they get old and we
4 ship them to an old folks' home and forget about them.
5 I believe, in my own opinion, that is what, to me, is a
6 very sad situation. So, I would be recommending to the
7 Commission to look into that very seriously. I think our
8 people are capable of finding a way to treat those Elders
9 more respectfully. By respecting I mean a good place for
10 them, not where they are in a shut-in environment.

11 The second one I want to talk about is
12 our family services, itself. We began this situation back
13 in 1978-1979, but they tell us -- they are telling us that
14 the province gave us that authority; designation. No,
15 it's not the province. That's what a lot of people will
16 have to understand. It's the ten Chiefs from Rainy Lake
17 Tribal Area that gave us that mandate. So, I think a lot
18 of people are misinformed; misinterpretation.

19 That's what we're following. In the act
20 it's at Part X, where Native communities can use customary
21 care in whatever way they want to use that. It's their
22 own interpretation. However, we are finding out as we
23 go along that there's a lot of interference by courts;

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 lawyers. It is sad sometimes, because they have the
2 ultimate authority. So, it's sad when people like that
3 interfere with Native people. They just will not give.
4 They will not give, because they seem to think they are
5 the professionals; they know more about Native people.
6 I think our Native people are far, far wiser than six of
7 those social workers put together. They don't know
8 anything about the Native people. So, this is why we asked
9 the Chiefs to support us. Let's do something. Let's grab
10 the bull by the horns and do something. Now, we
11 don't have any courts. We don't have anybody. It's the
12 wisdom of those parents. Sure, we all realize that
13 families' difficulties are not going to go out of style.
14 It's always going to be here. So, what I would propose
15 and recommend to the Commission is to give us all of it.

16 Back in 1985 we presented this type of
17 a proposal to the Senate committee in Ottawa. We haven't
18 heard a thing about it. Whatever happened, we don't know.

19 So, now, that creates the trust. We can't trust our
20 politicians; our bureaucrats. That's the most important
21 thing in life, trusting.

22 That's the first thing that came to my
23 mind when I was asked to come here. I tried to make an

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 excuse: "Get a younger -- after all, it's their future;
2 their children."

3 So, that's the recommendation I want to
4 put forward to the Commission. They have to give all of
5 it, not just customary care. Meegwitch.

6 **MODERATOR GARNET LANDON:** Meegwitch,
7 Moses. I think these people are going to ask you some
8 questions. Mary, are you going to start off, please?

9 **COMMISSIONER MARY SILLETT:** Thank you
10 very much. When you were giving your presentation I was
11 reminded of something, you know, like the Commission
12 accepts any kind of presentation. It doesn't necessarily
13 have to be written. I want to emphasize that, because
14 that was a concern that was raised this morning. We
15 respect the fact that the Elders have an oral tradition.
16 Some Native societies have an oral tradition, and we felt
17 that in order to get the most out of people we would accept
18 both written and oral presentations, because we do have
19 a court reporter who is reporting all the proceedings.

20 I would just like to thank you very much
21 for taking the time to come here to raise some very special
22 issues. I am sure that many Elders -- many Native Elders
23 -- would be grateful to you for the issues that you have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 raised on their behalf. Please, rest assured that we will
2 be giving them serious consideration.

3 Meegwitch; thank you.

4 **MOSES TOM:** It is very intentional that
5 I didn't want anything in writing. We have about 70 people
6 working for us. Any one of them could have made a written
7 presentation. But every time I do that, when I read it
8 -- did I say that? You know.

9 **COMMISSIONER PAUL CHARTRAND:** I, too,
10 want to thank you for your presentation. I do not want
11 to ask you any questions, but I want to say that you have
12 introduced us to some important matters. One of these,
13 by introduction -- and I believe this is your introduction;
14 yes, it is -- is the legislation here governing what is
15 called the "Indian and Native Child and Family Services"
16 legislation. I think that raises an important issue about
17 how laws in this country are framed. It raises the issue
18 about some of the underlying assumptions. What are people
19 thinking about? What kind of attitudes do they have?
20 Perhaps some of that is revealed in the wording of these
21 laws.

22 I have here one page from a statute that
23 you have given to us and I see some interesting phraseology.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 For example, there is reference to Indian and Native child
2 services. If the goal of this part of the law is to
3 distinguish between Indian Bands, so-called under the
4 legislation, or other Aboriginal communities that are not
5 Indian Bands, it occurs to me that can be done very simply,
6 without doing violence to the idea that the Anishinabe
7 on reserves, who happen to be defined as Indians for the
8 government's purposes, are not Aboriginal people, which
9 is what this phraseology does, because the term "and" here
10 must be read in a disjunctive sense. In other words,
11 either Indians are not Natives or Natives are not Indians.

12 It would be simple to do that. For
13 example, to suggest that there is reference to Aboriginal
14 communities including Indian Bands, or perhaps to say
15 "Indian Bands and other Aboriginal communities", or
16 Native, if you wish to use that. So, this raises some
17 important questions about what is going on in the minds
18 of those who frame such legislation.

19 "Child and family services." That,
20 too, must be understood in a disjunctive sense, that is,
21 the child is, by these words, separated from the family.
22 Why is that? What kind of thinking underlies the idea
23 that children are not a part of the family? Because,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 certainly, if the child is a part of the family, it is
2 not necessary to refer to the child. If you refer to the
3 family, it necessarily includes the child.

4 These are just some examples of the
5 issues that arise by looking at the way the laws are framed.

6 I think it is very important to look at these issues.
7 They may reveal some very important things about some of
8 the things that go wrong when, as it has been put to us,
9 laws are imposed upon people without, as we have been told
10 this morning, the input of the Anishinabe people into the
11 creation of these laws.

12 Again, I want to thank you for having
13 brought these and similar ideas before us. Meegwitch.

14 **COMMISSIONER OF THE DAY JOSEPH RED**

15 **THUNDER BOY:** Meegwitch, Moses.

16 (Translated) Thank you, Moses. It's
17 really worth lots, for your presentation. When we talk
18 about our Elders, just like when we look at them, and they
19 are getting crippled, we just like to throw them out into
20 the white society and to the wolves, and when they are
21 taken into old folks' homes. Sometimes, maybe, the
22 Creator doesn't look at us right. Sometimes when we do
23 that to the old, the elderly, it is not right. And the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 children, when you fight for them to live a better life,
2 and to really listen to you, ... the way the Natives would
3 look after themselves. I guess the thinking will have
4 to go to the children for help, because they are going
5 to be our leaders.

6 I have heard Elders say that the kids
7 are just given to us as a loan and we are responsible for
8 the way that they will be in their lives. We are not seeing
9 children for nothing. God has given us these children.
10 God has loaned us these children to love.

11 We thank you for what you have presented
12 us with.

13 **MODERATOR GARNET LANDON:** If there are
14 people who don't understand what these guys are saying,
15 I think there are some headsets at the back. So, if you
16 are really interested, and if you want a translation, there
17 is a translator there. I think it's available back there.

18 Our next presenter is Mr. Tobasonakut.
19 He's the big Chief of all Chiefs; Grand Council Treaty
20 #3. Mr. Peter Kelly is his English name, but I like to
21 call him "Tobasonakut".

22 **PETER KELLY:** I have copies of my
23 presentation. There are corrections. That's not been

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 proofread.

2 (Translated) I have to speak in Ojibway
3 because I am an Indian. I would like to say hello to these
4 people, ... and the name of the lady, and the visitors,
5 and the drum and the pipe, ... and all the relations ...
6 .

7 "Low Cloud" is my name. My grandfather,
8 his name was "Eagle". My great-grandfather, "White
9 Eagle". That's why I use this name. Indian Affairs call
10 me Peter Kelly. I don't know if my mom or dad was Irish.
11 I guess that's why the white people give us names.

12 Why do I speak in Indian? There are some
13 things that we do. Some young people, the boys and the
14 girls, will listen to this, maybe fifty years from now.
15 It would be nice for our language, to hear it once in
16 a while. I guess that's what the Elders said a long time
17 ago. That is why I am speaking in the Ojibway language
18 and that's why I am giving a paper for the people that
19 don't understand the Native language.

20 To my relations, one of them is my
21 nephew's relation, This I would like to tell you.

22 I'll translate this later on. ... gave me, when they
23 came in, and the other. Now he's in the three level of

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 the (Native name) group. That's where he gets his strength
2 from, from (native name). What the other is saying. ...
3 there's nowhere to talk about this. If we never talk about
4 it, we will lose them. That's what I used to ask my mother:

5 If you don't tell me what I'm asking you, I'll never know
6 anything. If you don't teach the legends, we won't know
7 nothing. I won't know how to tell the legends to my
8 children or grandchildren, so that's why I'm saying this.

9 I have never seen anything. There is nothing to be afraid
10 of. All these are in the legends. When God put us on
11 this earth he chose the way for us to go. This is what
12 I want to speak to you about now.

13 One of the Chiefs spoke here this
14 morning. Treaty #3, he called this area "God's Book".
15 The reason why they call this that is, when they first
16 made the treaty it was in the spirit of God, and that's
17 why they called it "God's Book". The ones that speak
18 English, or the white people, how he goes about his life
19 ... I don't call the white people the boss man. The
20 Indians, when they were all brought in together to have
21 a gathering, with a ... plan in their life, and that's
22 where they got this there, and the difference ... and the
23 different religion.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 That's what the boss at that time, that's what he was told.
2 He told of all the legends and everything else, and that's
3 what they found. ... I guess this man was a very powerful
4 medicine man. He was a real fine individual. Anything
5 that was good, he followed; how he could help his fellow
6 men. He didn't see the white or the French, and that's
7 why I don't call them to be the boss. The way I feel is,
8 the one that's the boss of everything is the way the Indian
9 -- is the leader of all things. I guess, when the white
10 man first came, he was thought of ... so that the white
11 man's word was right. That's why the Elders and the Queen
12 and the white people -- that's where the name comes from.
13 The leaders, they are the ones that's broken the thing;
14 the names they were given.

15 Another thing I would like to tell you
16 is about the Elders, that they spoke about something.
17 There was Elders here speaking this morning, already, and
18 the way I understood this Elder that gave me
19 Everything that the Indian person uses, like the birch
20 bark. He asked this Elder, "What will happen if all these
21 birch bark things go, or are lost?" He says, "The pipes
22 and the bows and the guns" ... he called a bow and the
23 arrowhead, and now everything is getting lost. He says

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 that the white people never lose that. If the Indian
2 follows his ways, when they find our paintings on the rock,
3 everything is marked there, and we will never lose that.

4

5 Then I asked him again, when these white
6 people change the writings on the rock, if they can change
7 them The way everything is ... it's in the stars.

8 I guess that's the way he explains it. An Indian will
9 have to try to find his way through the paintings and all
10 the other gifts that were given to him by the Creator.
11 That's why I'm telling you this. ... The Creator comes
12 down from the sky and the sun comes up to become sunrise,
13 and then when he stops at dinner time, and then when he
14 settles in the afternoon, it's the way of the road of the
15 group.

16 I am telling you all of this because I
17 am old enough and I would really like the young people
18 to seek this way of life. I hope they understand me.
19 When the spirit came down, ... four layers of the sky,
20 and then one the four layers of the earth, and he went
21 all through that. ... He also gave something in return.
22 ... All the Native religions, that's where they come
23 about, and that's what I'm talking about, and all the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 paintings on the rock.

2 I would like to leave you with one of
3 the legends that is marked on the rock. There is a rice
4 maker, that the Indian would never ever lose his rice
5 making. We just about lost our rice making, so that's
6 why we bring out this thing, where this thing is marked
7 on paper. All along the sun goes through the sky, and
8 the rivers flow, these peoples will never disappear. He
9 says that there will be more Chiefs and Natives will carry
10 on, and the Indians will respect everything that is here.
11 It is medicine to the Native people. We were given the
12 job to look after it, and we really have to. Nanabajo (PH),
13 he gave words to everything, but what will they be used
14 for? And the animals, birds, and everything that we see,
15 he's the one that's given the names of this, and now it'll
16 happen.

17 And now we are changing our ways, when
18 the white man says the Indian Act is not right. He says
19 when the Indian Act was made there were guns pointed at
20 our grandfathers and great-grandfathers. That's why the
21 Indians took the Indian Act. He didn't want that, but
22 the gun was pointed at them. So, now that's why we have
23 all the white way; the white language. They wish that

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 we would speak in French or white so that we would lose
2 our language.

3 There is another thing I would like to
4 tell you. When a young boy, or a young girl has grown,
5 when the young fellow gets to be a young woman and this
6 young fellow becomes a man, they are a long time a girl
7 and then, after a while, they turn out to be men and that's
8 where this person gets lost, that has worked hard all of
9 his life. ... The man was given a job to help the Elder
10 and the one woman that couldn't get their own wood, and
11 the great spirit had given them this job. He says, you
12 just go ahead and work. ... That's all the things I've
13 been talking about, and the things that I've been saying,
14 I want them to understand and I'd like to tell them.

15 They talked for a long time before they
16 made the treaty and, what their thoughts were, it was marked
17 on paper. Just the white man's part was written on paper.
18 What Treaty #3 -- what these guys are ... they want to
19 know what people think that come here. That's where they
20 get their information from when they send these
21 commissions, and that's how come they beat us on some
22 things, so I'm cautioning all our people here. Everything
23 is marked down.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 When they brought down the referendum,
2 a lot of the Natives didn't join in on the referendum,
3 and some of them said, "No". They said to just let Natives
4 do whatever they want so they will ... and then after we
5 will talk about this. Anyway, the white people or the
6 French, ... how the Indian thinks. Something that
7 disturbs the way he thinks. The Indian Act, the Native
8 person, if he wants to be oppressed by the white man, ...
9 either white or French, the Indian will suffer from this;
10 the hunter, the trapper, and the blueberry picker. That's
11 where all this comes from. All the white people and the
12 French, when they made the Charlottetown Accord, now that's
13 where the Natives will start, from this, which way our
14 young people are going to look after themselves. We should
15 have had Elders and stuff. We should have had something
16 presented to these people.

17 When I talk about rice picking, and a
18 painter, and then there's another thing, there's
19 blueberries. He says, "I will give tobacco to the Elder
20 who spoke here this morning." That's as much as I
21 will say for now to you people. If the Natives want to
22 change the head of Treaty #3 ... everybody, the Elders,
23 and kids, and women and everything, Treaty #3 will have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 some changes made. When I met with some people, the people
2 weren't satisfied a bit the way Treaty #3 is operating
3 now. We have to go to the spiritual side. That's what
4 these people were telling me. That's the way I see Treaty
5 #3 working better; if we don't listen to the white man,
6 that we will use our own thoughts, and the ones that really
7 can talk good Indian and white language. If they really
8 want me to translate this, I will translate this for you.

9 **COMMISSIONER PAUL CHARTRAND:**
10 Meegwitch for your presentation to us today. Among other
11 things, it's good for us to know that we had the opportunity
12 to provide a forum so that there is a public record of
13 the learning of the Anishinabe, which is long overdue in
14 many ways in this country, as I was saying this morning.
15 We thank you for the advice that you have given us.

16 There is much here. I know that I will
17 take particular care to read this several times, to
18 understand it as best as I can.

19 These are very important issues. They
20 are fundamental to the work of the Commission. We need
21 advice about the kind of recommendations that we should
22 make to the federal government; about the kind of
23 institutions in the future that would help the federal

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 government to respect the treaty obligations that it has.

2 As you have stated, it is not doing that now, and that
3 has been stated several times today. What ought,
4 specifically, we say to the federal government so that
5 its future behaviour is more in accord with the treaty
6 relationship? That is one of the fundamental issues.
7 What should we do? What should the government do? By
8 what means should it carry out its side? I want to
9 read that, but, also, if you have some further comments
10 to make about that, I would welcome them.

11 Another important point, among others,
12 that we must, I think, meet, has to do with an understanding
13 of who are the treaty people, in any particular case, that
14 the government has to deal with. That is something on
15 which advice is needed. In the past, as you know, the
16 government has unilaterally applied its own definition
17 of the system through the Indian Act. That is not the
18 definition of the system of the Anishinabe. So, that is
19 another important part of this general issue and we welcome
20 your advice on that. So, as I said, I will need time to
21 look at this with care, but if you wish to respond and
22 take time to elaborate on these points, I think they are
23 of particular importance. But, in any case, I do thank

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 you again. Meegwitch.

2 **PETER KELLY:** Thank you, Paul. I would
3 want to give you an example, which I believe that any
4 Aboriginal person sitting here would clearly recognize
5 as a law-making authority of our people, and the people
6 would recognize the source of that law, because it is on
7 that basis of which I spoke, that is, I can't speak of
8 anyone else, I can only apply to myself.

9 I lost two sons in the last twelve years.
10 Each time that happened, one of the Elders from the tribe
11 would come in and would take me aside and say, "I will
12 take over these functions for you", that function being
13 the gathering of all the personal items. In some cases,
14 it would have been the trap line; the rice picking area
15 of that deceased person. It was the distribution of the
16 personal property of that deceased person.

17 If that particular function were not to
18 be recognized and carried out, the Elder advised me, "If
19 you don't do this, you will have dreams of this deceased
20 person and no one knows how those dreams could be
21 interpreted, and until you carry out this distribution
22 of the personal property, then you can rest assured that
23 the spirit of the deceased is in good hands." This is

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 a fundamental law.

2 This is one law that the Indian Act, the
3 Christian churches, have never been able to obliterate.
4 They have never been able to do this. It is recognized
5 today, as it was a hundred years ago, as it was a thousand
6 years ago. It is expected by every person, when we come
7 to that time. We expect to do this. This is the final
8 journey, to which I referred to, that the sun travels;
9 the four-day travel.

10 Now, this is a fundamental law.
11 Everybody recognizes this. Beginning from there, then
12 all laws of our people were codified, as I said, in
13 birch-bark scrolls, rock paintings, rock carvings. When
14 these laws were enacted by our people, a particular star
15 would be selected, according to the sky. A star would
16 be selected. That star represents this particular law.
17 They would speak to that star -- they would speak with
18 that star -- in reference to that particular law. So,
19 this is a law-making authority.

20 As far as institutions are concerned,
21 one of the things that has happened under the Indian Act
22 was this example that I used here about the tribal council.
23 The tribal council was developed in B.C. by the B.C.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 tribes, obviously, but what happened is that after the
2 tribal concept began to really work good with the people
3 in B.C., Indian Affairs came in and they took the concept
4 of the tribal council. They usurped the concept of the
5 tribal council and began to change it into an Indian Act
6 concept of tribal council. What happened there is that
7 in B.C., and elsewhere in Canada, the matter of tribal
8 council does not equate with the treaty-making ability
9 of our people. So, the usurpation of Indian institutions
10 -- Anishinabe institutions -- must stop, because we have
11 all the institutions here in Treaty #3 that we need.

12 What we need here, in this area, is the
13 political will to make those a reality, to bring them so
14 that they will work, because no society in this world,
15 in this universe, is so bereft of institutions that it
16 is incapable of being called a society. We are a very
17 rich society. The drum is a very sacred institution.
18 The pipe is a very sacred institution. Our laws are very
19 sacred institutions. It is a matter of, now, our people
20 reaffirming and reasserting what those laws will be.

21 All the solutions that are needed by our
22 people are contained in the teachings of our traditions
23 and in the teachings of our treaty, and our greatest teacher

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 is our language. I would like to give you an example of
2 what I'm talking about.

3 A few years ago there was a meeting
4 around the Kenora area. Some people were standing around
5 and this guy drives in, in a Camaro. This middle-aged
6 man drives in in a young man's car. The other guys see
7 this guy getting out of this automobile and they said,
8 "(Native language)." Any good speaker would pick that
9 up right away. Any good speaker will see a situation and
10 be able to take all the stems, the suffixes, the prefixes,
11 and put them together so that a concept, which had never
12 existed prior to that time, that person would be able to
13 describe it. What they said is, "Don't get out of that
14 young man's car", implying that this guy is an old man,
15 "because you are so full of rheumatism that your bones
16 are stuck in that car. Don't even try getting out of the
17 car." That's what they said. Now, obviously, a car would
18 not have existed a thousand years ago and, yet, this is
19 our inheritance, that ability to see the beauty of our
20 language. So, our greatest teacher is our language.

21 **COMMISSIONER MARY SILLETT:** I have no
22 questions, but I would like to thank you very much for
23 your presentation and for your advice. Thank you.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 **COMMISSIONER OF THE DAY JOSEPH RED**

2 **THUNDER BOY:** Meegwitch.

3 (Translated) I really understand you.

4 I have only one matter. Old people brought me up. I
5 was really young when I lost my parents, and I think about
6 this. Sometimes I think that we should use what our Elders
7 taught us. But, now, we have been watching the white man's
8 way so long that they are slowly starting to beat us.
9 If we used what our gift was, we would probably start
10 getting things to run better.

11 I wish I had known a little bit better
12 about languages. I really thank you.

13 **MODERATOR GARNET LANDON:** Meegwitch.

14 **PETER KELLY:** I just want to say one
15 thing in conclusion. I have seen a lot of tragedy in my
16 life. I have been placed in jail here in Kenora when I
17 was sober, and I was jailed for one week. My charge was
18 being drunk on the streets. I hadn't had a drink. So,
19 I know what it's like to grow up on the streets of Kenora.

20 I went to residential school here, in
21 St. Mary's and, in spite of that, I was able to graduate
22 out of university. I have never seen anything placed in
23 front of me by the Department of Indian Affairs, the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 provincial government, the game wardens, or any
2 institution of the Europeans that would make me lose faith.
3 I have never seen anything. I don't despair. I believe
4 in the strength of my traditions. I believe in the
5 teachings of our people. So, I don't dwell on the
6 negative, because whenever a tragedy befalls me, whenever
7 an obstacle befalls me, it is just simply something that
8 I've got to resolve and figure out. I haven't found
9 anything yet that I couldn't resolve. So, I'm very
10 positive and I think that, you know, I have the greatest
11 faith in our people. We have survived.

12 From the time in 1959 when our people
13 could not vote, to 1992, a span of 33 years; from being
14 a totally enfranchised people -- inability to vote because
15 of racist policies emanating from England, to 1992, when
16 we were right on the verge of Indian self-government.
17 Man, I tell you, 33 years to becoming a non-voting people
18 to the top-notch lobbyist in Canada, to the top-notch
19 negotiators. I think we're a great people and I have
20 nothing to be ashamed of. I am very proud of my people.
21 I thank you very much.

22 **MODERATOR GARNET LANDON:** We are right
23 on schedule here. I must add that our next presenter is

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Mr. Frank Bruyere. Mr. Bruyere is from Fort Frances.
2 He works at the United Native Friendship Centre in Fort
3 Frances. I guess he is going to talk about whatever he
4 wants to talk about. Mr. Bruyere.

5 **FRANK BRUYERE:** I would like to
6 acknowledge our Elder, Alex Skead, the Commissioner and
7 Commission members. It is with pleasure that I, on behalf
8 of the United Native Friendship Centre, take the
9 opportunity to make this presentation to the Royal
10 Commission on Aboriginal Peoples. At the time of
11 preparing this submission the vote on the referendum had
12 not taken place; however, it is apparent that much of Canada
13 is going to say "No", and it has said, "No". As well,
14 many Native leaders and First Nations have decided to vote
15 no, or to boycott the vote altogether.

16 Regardless of the outcome of the vote
17 on October 26, one thing is clear: the issues facing us
18 as a country, as Canadians and as Aboriginal people, will
19 remain. We will still be at a starting point of a process
20 to implement self-government. The dream will not have
21 died as a result of a "No" vote, because we as Aboriginal
22 people will not give up on the need to control our own
23 lives and the future of our children and our grandchildren.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 The beat of the sacred drum will never be extinguished.

2 It is imperative that greater dialogue
3 occur amongst all segments of Canada's population if we
4 are ever to understand the issues we are fighting for.
5 The lack of such dialogue is, perhaps, the major factor
6 for the rejection of the Charlottetown Accord. Canada,
7 as a whole, does not understand the equality issues of
8 women in Canada. We do not understand why Quebec feels
9 it is necessary to have distinct society. And Canadians
10 do not understand why we, as Aboriginal people, need to
11 be self-governing, if we are to overcome the horrific
12 health, social, educational, economic and cultural
13 desecration of our First Nations, including that of the
14 urban Aboriginal people.

15 We, as Aboriginal people, must be
16 prepared to express our views and opinions, our goals and
17 our aspirations, our real history, our beautiful culture
18 and all which is good with larger society so that people
19 may really understand who we are and where we are headed.

20 We, as individual Aboriginal people,
21 must take every opportunity to educate ourselves on our
22 culture and our history, not as told by the textbooks
23 written by the white historians, but as told by our Elders.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 We must go beyond using our Elders to open our meetings,
2 beyond having our Elders present so that we can feel good.
3 We must stop using our Elders and begin to utilize them.
4 We must begin to follow their advice and their direction.
5 We must begin to talk the walk and walk the talk.

6 The future lies within the teaching of
7 our Elders and our ability to return to the values, beliefs
8 and traditions of our ancestors. This is not to say that
9 we must forgo formal education, or return to the days of
10 gatherers and hunters. It means we must learn to respect
11 ourselves and each other. We must be compassionate and
12 forgiving toward those who, through ignorance and greed,
13 have attempted to destroy us as a nation and as a people.

14 We must act with kindness and
15 understanding to our brothers and sisters who are caught
16 in the cycle of family violence and alcoholism.

17 We must acknowledge -- and I can't
18 over-emphasize this -- that corruption exists within our
19 own Aboriginal government, as we know it today. We must
20 make our leadership accountable before these negative
21 effects filter in and destroy the very foundations of
22 future self-government initiatives.

23 Mr. Chairman, Commission members, one

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 could speak for hours on the basics. However, I know that
2 time is short and we must provide time to others with
3 important messages for you today. Therefore, I would like
4 to provide the Commission with some suggestions,
5 recommendations, or ideas on how individuals, communities,
6 organizations and government can work in partnership to
7 improve the quality of life for Aboriginal people and,
8 subsequently, all of Canada.

9 Our recommendations are as follows:

10 1. (a) That we conduct a thorough
11 review of all educational materials available within
12 publicly funded schools that are used to teach Aboriginal
13 history to determine the accuracy and the impact such
14 materials have in promoting negative stereotyping of
15 Aboriginal people; that this review be done by Aboriginal
16 people and educators and, where funding is necessary,
17 provided by the federal government and provincial
18 education departments and ministries.

19 (b) We must eliminate all materials
20 deemed to be inaccurate or offensive to Aboriginal people.

21 (c) Federal and provincial governments
22 must provide sufficient funding to develop new materials
23 that accurately and positively reflect the history of

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Aboriginal people and, specifically, Elders should play
2 a key role in rewriting the historical records.
3 Opportunity should be given to developing materials
4 relevant to a specific region, for example, the history
5 of the Treaty #3 area.

6 (d) Government investment into
7 Aboriginal cultural centres, with sufficient funding to
8 develop educational materials. These cultural centres
9 could serve as resources to the entire community.

10 (e) Specific funding should be made
11 available to Aboriginal friendship centres to develop
12 materials for use in working with local industries,
13 businesses and institutions in the areas of race relations
14 and employment equity.

15 (f) The development of local
16 partnerships consisting of Aboriginal people, including
17 individuals, organizations and First Nations, and other
18 community entities, such as multicultural associations,
19 school boards and other affected parties willing to work
20 toward building strong, healthy and caring communities.

21 2. (a) Funding to First Nations and
22 urban Aboriginal organizations to conduct comprehensive
23 community consultations in order to review current

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 programs, services and policies to determine their
2 relevance. Where possible, the community members should
3 be permitted to recommend the necessary changes and monitor
4 the implementation of the appropriate change or changes.

5 (b) The development of local and
6 regional prioritization and plans of action to address
7 social, economic, educational, health and cultural needs
8 of Aboriginal people.

9 3. (a) Joint lobbying efforts by First
10 Nations and urban organizations for local support for
11 culturally appropriate responses to the needs of
12 Aboriginal people by town and city councillors, municipal,
13 city and provincial police services, and non-Native
14 service providers.

15 (b) Aboriginal participation in
16 developing a local network with Aboriginal and
17 non-Aboriginal service providers.

18 (c) Federal and provincial funding to
19 Aboriginal organizations to develop Aboriginal awareness,
20 sensitivity packages for use with non-Aboriginal service
21 providers.

22 (d) Increased provincial resources.
23 For example, the Ministry of Citizenship, and for the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 hiring of sufficient staff to work with communities to
2 develop race relations and cross-cultural initiatives.

3 4. (a) Continued networking of
4 provincial and territorial Aboriginal organizations to
5 advocate support and lobby for localized programs and
6 services.

7 Unfortunately, what I am seeing
8 happening a lot is that our provincial organizations and
9 our territorial organizations are lobbying for funding,
10 but that money is not filtering down to the communities,
11 and we are hiring a lot of high-priced policy analysts
12 to work in these organizations, travel around and talk
13 with themselves. It is not really benefiting what is going
14 on in our communities.

15 (b) The development of awareness and
16 sensitivity programs for the government departments and
17 ministries.

18 (c) The removal of senior level
19 government officials responsible for delivering programs
20 or services to Aboriginal people, yet hinder our programs
21 because of their negative values and beliefs concerning
22 the abilities of Aboriginal people.

23 It is nice to have a New Democratic

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Government in Ontario who is supporting Aboriginal
2 self-government and Aboriginal programs, but,
3 unfortunately, they left all the senior bureaucrats there
4 and the ability to actually create change has really been
5 hindered by that.

6 Commissioners, these are but a few
7 suggestions on possible ways to improve access and delivery
8 to Aboriginal programs and services.

9 In conclusion, while additional
10 resources are required for Aboriginal communities, the
11 first real step begins with each of us as individuals.
12 We must look within ourselves to find the necessary spirit
13 to respect ourselves and each other. We must honour the
14 teachings of the Creator that all mankind is created equal
15 and we have been placed on this world to live as one and
16 in harmony with each other. Meegwitch.

17 **MODERATOR GARNET LANDON:** Meegwitch,
18 Frank Bruyere. I think I will ask Paul to say a few words,
19 or ask a question.

20 **COMMISSIONER PAUL CHARTRAND:** I want to
21 thank you for your presentation. One of the ways to really
22 bowl one over is to make a very short and to-the-point
23 presentation loaded with all sorts of recommendations.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 It is difficult, in the short time available, to go through
2 them and understand them in such a way to dig at them and
3 to question you further on them. But they are there and
4 we will, of course, consider them with care.

5 The issues that you raise here, I know,
6 are of fundamental importance, not the least of which is
7 the kinds of policy recommendations that we can make to
8 the federal government to assist with whatever shape
9 governments might take in the towns and cities.

10 With that, I will only be able to thank
11 you for your presentation today.

12 **COMMISSIONER MARY SILLETT:** I would
13 like to thank you for the tobacco. I would also like to
14 thank you for your presentation.

15 I started out with Friendship Centres
16 many years ago and I have a lot of respect for the kind
17 of work that they do, particularly in the area of service
18 delivery and race relations.

19 There are just two questions I want to
20 ask. You made some very good points. One of them is
21 accountable leadership. I think that is an issue that
22 has been raised many, many times. If we have Aboriginal
23 self-government we must ensure accountable leadership.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 I am wondering, have you ever thought about how you would
2 ensure accountable leadership within existing and future
3 Aboriginal institutions?

4 **FRANK BRUYERE:** I think, almost
5 immediately, in our area, the old boys' club has to go.
6 Those people that walk forward and tell us that they are
7 traditional people and have us follow that and respect
8 that, and turn around and do things that are totally against
9 our traditional values and beliefs, we have to challenge
10 them when that occurs.

11 We have to be prepared to suffer the
12 consequences when we try to make our communities
13 accountable, our leadership accountable, and our service
14 providers accountable.

15 I recall one incident working with an
16 organization in the Kenora area when one of our workers
17 was raped by their supervisor and a senior member of the
18 staff in their community. As a person responsible, or
19 person that I felt responsible, I took the initiative and
20 the authority that I had to fire the person. A meeting
21 was called in the community. The staff was present,
22 including the girl that was raped. For 45 minutes that
23 girl was raped all over again by her Chief and Council.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 In the end, they said, "Let's forget about it. Let's
2 pretend that it doesn't happen." The people that were
3 my bosses accepted it and walked away from it. But the
4 pain that that girl had continued. The suffering
5 continued.

6 I think we, as individuals, have to
7 continue to challenge that and be prepared to challenge
8 that, but, in doing so, know that we are going to risk,
9 at times, our very careers, our very well-being, our very
10 health, because there will be people out there that will
11 use medicine against us, because they have something to
12 protect. They have their greed to protect. It's a risk
13 that we have to take. But it begins as we, as individuals,
14 insisting that our members -- our leaders -- be
15 accountable, and that we have provisions in our government
16 that when our leadership is failing us that we have the
17 opportunity to recall that; that we don't have to follow
18 the system of waiting until an election to vote that person
19 out, because two years of corruption can really destroy
20 a community.

21 **COMMISSIONER MARY SILLETT:** I find
22 very, very encouraging, though, as we cross this country,
23 that people do have the courage to talk about those issues.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Those issues are very, very difficult. I think, unless
2 these are expressed, especially in public, change will
3 never come. So, I am glad that these kinds of issues are
4 being brought out.

5 The second question is, I am fully aware
6 that the objectives of Friendship Centres are supposed
7 to be apolitical. You are not supposed to be political,
8 right?

9 **FRANK BRUYERE:** The organizations are;
10 the people within them sometimes are very political.

11 **COMMISSIONER MARY SILLETT:** Yes, I
12 know. The objectives are supposed to be non-political,
13 and I am sure that there have been some discussions about
14 this issue that I am going to ask you about. I am asking
15 you because I think Friendship Centres definitely are
16 bodies within urban centres. I am wondering, have you
17 ever thought about what urban self-government might look
18 like?

19 **FRANK BRUYERE:** There have been times
20 when people have thought about urban Chiefs and urban
21 councillors. I think it is really up to the community
22 themselves to decide. But to implement self-government
23 in an urban community is going to be very, very difficult,

9 The only thing right now that I can hope
10 for is that, in the self-government process, the urban
11 Aboriginal people, their need for services, their need
12 for programs, their need to have their rights as Aboriginal
13 people protected, will be considered and will be included
14 when the leadership of the First Nations, who I'm
15 acknowledging now refers to "on reserve", are negotiating.

17 Because more and more we are seeing, as
18 an organization, Aboriginal people heading into urban
19 communities. Over the last year, especially, I have
20 noticed a great influx of people coming into our
21 organization looking for services; looking for housing.
22 They are there, sometimes by choice, but more often by
23 necessity. They are escaping cycles of violence in their

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 own community or in their own home, back on their First
2 Nation. They are coming for health reasons. They are
3 coming for educational needs. They are still Aboriginal
4 people.

5 When I leave my community, am I no longer
6 a community member? I live in Fort Frances, but I am a
7 Couchiching Band Member, although sometimes I feel very
8 ashamed of that, because of some of the actions of the
9 government in my community and the things that I have
10 experienced lately: the nepotism, the favouritism, the
11 lack of support to people that really need it. But I am
12 still proud. I am still proud to be an Aboriginal person.

13 I don't shed my skin. I don't shed my values and my
14 beliefs as soon as I leave my community, nor does anybody
15 else when they leave. You are an Aboriginal person
16 wherever you walk on this earth and you should be afforded
17 the rights and the protection as Aboriginal people,
18 regardless of where you go. I think Treaty #3 is
19 talking about that. I hope that they consider that; that
20 we live in a geographic area. We live in a treaty area,
21 we don't live in treaty communities.

22 **COMMISSIONER OF THE DAY JOSEPH RED**

23 **THUNDER BOY:** I would like to thank you for your

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 presentation. I think it was excellent. I would like
2 to add on that I am really pleased for bringing out the
3 issues that a lot of people I've noticed have avoided,
4 that is, in regards to being alienated by your own
5 leadership in communities and that. I have experienced
6 that, personally, and it is quite unpleasant that you have
7 to move to the urban area and be independent and be looked
8 at the same as any other individual in this country. I
9 am very glad that you brought these issues out and I hope
10 that, in the future, we will all be looked at the same
11 way as an individual living on a reservation.

12 Meegwitch, Frank.

13 **FRANK BRUYERE:** Meegwitch.

14 **MODERATOR GARNET LANDON:** Meegwitch,
15 Frank.

16 **ELDER ALEX SKEAD:** This is a very strong
17 invitation when I get tobacco. This is the way we do,
18 when we invite an Elder, when we invite someone to come
19 to our gathering. I am very pleased, I am very glad that
20 this gentleman -- he's a friend of mine for a long time.
21 We even fast together. So, I would like to share a few
22 things that I have learned.

23 As an Elder, I am the grandfather of all

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 you people here. I am seventy years of age and I still
2 feel very small. So much things to learn in life.

3 I was talking to a young gentleman here
4 this morning. He taught me a lot of things. He brought
5 a lot of things in my mind. The country is a great teacher.
6 The things that we see outside we call our culture. This
7 is our teacher.

8 What you see here is a drum. It is a
9 messenger for us people. I didn't make this drum on my
10 own. It was a message that I got from the spirit. When
11 I fast I get a lot of messages. This is the kind of thing
12 I am going to share with you.

13 I have been going to a sweat lodge quite
14 a few times. In the last three days I've been in a sweat
15 lodge every night. People come in with the stress,
16 unpleasant feelings in their bodies. I can say that I'm
17 not a medicine man, but I'm a healer as well. But I don't
18 do the healing. The rocks that's been here for many years,
19 they are the healers in my sweat lodge.

20 Some time ago I didn't have that sweat
21 lodge. But I lost my nephew not very long ago. I would
22 say about four years ago. He used to run the sweat lodge
23 and I used to go in there. As a matter of fact, I went

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in there before I went fasting. At that time, when I was
2 going to that sweat lodge, I learned something. Before
3 that I had visions that I had to work with people;
4 Anishinabe people. I didn't have very much to offer, but
5 gradually it came to me.

6 I was at the first conference on the
7 Constitution. I seen that before I went in. So, as I
8 was going to that sweat lodge I had a dream of that sweat
9 lodge. I was going into my nephew's sweat lodge. Before
10 I got there he got into his house. There was a big turtle
11 in there, sitting outside his door. That turtle was
12 talking to me. He stuck his head out and he started talking
13 the Ojibway language. I didn't quite understand what he
14 was talking about. That bothered me a long time, because
15 I didn't listen good enough.

16 So, one day when they were having a
17 shaking tent, there were a lot of people there who wanted
18 to ask questions about things that bothered them. It
19 bothered me because I didn't listen. I wanted to know,
20 because I hear the turtle talking inside that shaking tent.

21 I had a handful of tobacco and I thought, "Well, I'm going
22 to put my hand inside and ask a question." So, I said
23 to the turtle, "I see you in my dreams and you told me

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 something but I guess I didn't listen. I didn't know what
2 you were talking about." He said, right away, "You people
3 are very ignorant. When I try to tell you something you
4 never listen."

5 So, I said -- I admitted that I wasn't
6 listening that good enough. He said, "I'll get another
7 one that talked to you." So, he went out and came back
8 again. Then there was two turtles talking inside.

9 The same thing that second turtle told
10 me. I was very stubborn. I didn't listen to what he was
11 trying to tell me. He said, "You are working for people",
12 I guess he meant Aboriginal people across Canada, "and
13 you didn't have anything. You didn't have a tool to help
14 you. But I was going to give you something to use when
15 you go and work with people." I said, "I am sorry. I
16 am very ignorant. I admit that." Then I said, "I'll
17 accept whatever you tell me", and he warned me to be very
18 careful about what I'm going to tell you.

19 You put your hand inside this shaking
20 tent. I can feel the vibration of that stick standing
21 inside. He was praying and he was singing. After he told
22 me, "That stick you are holding, I was going to give you
23 this, so he can teach you something." I said, "I'll accept

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 it. I'll take it." "You be very careful", he warned me,
2 "You do exactly what I tell you. You go and put tobacco,
3 and go and take a tree and put it alongside your bed."

4 So, that's what I did. The next day I
5 took a tree; a little tamarack, the height of a man. I
6 put it alongside my bed. Sure enough, as soon as I went
7 to sleep, I saw two young men coming from the west. They
8 were in a blue suit, they had long braids, they had a flag
9 with golden letters and silver letters on it. When you
10 offer something like that, it is a great honour.

11 I know I was sleeping. I was laying in
12 bed. There was a big table there, on the side. It was
13 just like a big room. As I was going to reach that flag,
14 that tree turned out to be a man. He said, "You hold it.
15 Don't you take that first. First of all, I want to tell
16 you", he said, and he talked to me in the Ojibway language,
17 "(Native language.)" He said, "First, think before you
18 take something." He said, "You are gifted with something
19 in your life", in my language; my Ojibway language.

20 Secondly, he said, "There was songs that were given to
21 you." The third one is, "There was dances that were given
22 to you." The last one is the culture. So, he only told
23 me four things, and I woke up before I could even accept

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 that flag that was given to me.

2 I got out of my bed and I picked up my
3 pipe that you see here. I loaded it up and I started
4 praying with it, just like something came over my head
5 to talk to me. What does that mean? I was sitting there.
6 I was wondering, what does that mean? That, number one,
7 is my language, yet I can accept other people.

8 There is a lot of languages. For
9 instance, you take the European language. You call it
10 English. Also, I have some brothers that are Blackfoots,
11 Sioux; you name them. All kinds. My main thing is my
12 language, but I can accept the people, because this was
13 something that had been offered to me.

14 Another one is the song. I have songs
15 that I dreamt about. That was given to me from the spirit.
16 The pipe song, that was given to me. It was a white horse
17 and it turned out to be a pipe; a white pipe. I received
18 that in January of last year. Yet, there is a lot of songs.
19

20 I used to play guitar and sing cowboy
21 songs, yet I have songs of my own. Anybody that offers
22 me a song, I will learn it; like Blackfoot or Sioux songs.
23 I'll use it in my drum to entertain myself and also as

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 a prayer. I never know what that means.

2 So, those are the two things already.

3 Now, my dancing again. We are gifted as how to dance
4 as Ojibway people. Also, there is dances of Sioux, or
5 of Blackfoot, or of white man. You wiggle when you dance.

6 So, those are the things I have to accept. To entertain
7 myself it must be something that really means to join the
8 people. When there is a big dance here, I could come in
9 and wiggle my ass. That's the same thing. I can also
10 share mine; all of us, dancing.

11 Culture. I go to a sweat lodge. I have
12 white people come and sit with me in the sweat lodge because
13 they have stress. I feel sorry for them. They want
14 healing. I accept them. I also accept what they offer.

15 I can live in a hotel. I can go to a doctor in a hospital.

16 Yet, I can help people from the hospital. All these kinds
17 of things that came, I accepted. Just like this man said,
18 he is in an urban area. This is a native country. It
19 would be different if he went to England, but he's living
20 in the same place. I'm also here, in this beautiful
21 building. And we have a house with a telephone in it.
22 We have electric lights. I accept that. There's nothing
23 wrong with that. That's the same thing with

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 self-government. We have to deal with people. We have
2 to make friends.

3 For years and years I have been trying
4 to help make that good relationship with the white people.

5 I have a lot of good friends here in Kenora. I feel that,
6 even if somebody says, "Hi", it hits me inside. That
7 relationship will go a long way, if we can work together.

8 So, those are the four things. When I
9 began to think about this flag, someone mentioned, when
10 we were having a meeting, when I shared that, "What about
11 the gold and the silver letters? That's money. We have
12 got to use that money, today. We will starve without
13 money. We have to use that. Even schools, and all this
14 kind of thing, we need that."

15 So, those are the things I'd like to
16 share. I'm not saying we are different than anybody else.
17 That's my thinking. It's not going to be done in one
18 day. We have got a lot of struggles to go on and work
19 with, our people, Aboriginal people, to get back all these
20 rights that we had.

21 And we have our laws. They have been
22 passed on for many years. This new law that came from
23 England, that's what we're using today, here. We forget

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 everything that the Creator has provided in this country.

2 This is my way of life. I believe in
3 it, yet we have to struggle and carry on with our loss,
4 and respect one another, and work together.

5 I will tell you a joke that happened to
6 me just recently. I told that to this gentleman that is
7 sitting in front. I went on a healing trip to Grassy
8 Narrows. For a long time my old gun -- 30/30 -- was hanging
9 on the wall. It was pretty rusty and dusty. I had two
10 shells. I thought, "Well, I'll take that gun with me,
11 so I can maybe see a deer", because I don't go in the bush
12 any more. I'm not young any more, not like I used to be.

13 Anyway, for the hell of it I took it along with me. We
14 stayed there until about eleven o'clock at night. On the
15 way back home I saw a moose standing up by the road. He
16 was looking at us. His eyes were shining. The ears was
17 like this, and there was a big stack of horns. My wife
18 says, "Get the gun." My gun, it was at the back of the
19 car; way back there. So, it took me a long time to get
20 out and get my gun. Well, I thought, "What the heck.

21 I can see the sight anywhere. It might be a fluke I could
22 hit that thing." I took a pop at it. Nothing happened.

23 It was still standing there. So, I took another one,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 and I put another one. The last, I took a pop at it again;
2 nothing happened. In a few minutes a car pulled in. There
3 was another one in front of me. The lights were blinking.
4 There were those two and there was reservation officers.
5 "What the hell are you doing? You are hunting at night."
6 He showed me his badge. He said, "I have to take the
7 gun away from you." So, he took my old, rusty gun. But
8 he never told me yet. Maybe he's going to put me in jail
9 yet, I don't know.

10 Anyway, that was a joke. That happened.
11 Yet, it's not a joke when you start playing that kind
12 of thing; you put in a false moose, a stuffed moose, or
13 something, in the bush where they are right close to your
14 reservation. They are teasing the Indian people that are
15 living there. It would be different if it was in the middle
16 of somewhere where nobody would be hunting, but right
17 outside the reservation.

18 Now, today, we try to make friends with
19 the white people. We try to get that understanding between
20 us people. If they are going to start teasing like that,
21 how are we going to make friends? That's something that
22 bothers me. I don't care if they put me in jail for that,
23 but still, I'm talking for the people of Grassy Narrows.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 They shouldn't play a trick like that. But, it had to
2 be me. I didn't belong to Grassy Narrows.

3 This is all I'm going to say.
4 Meegwitch, to every one of you.

5 **MODERATOR GARNET LANDON:** (Native
6 language.) Meegwitch, Frank, and thank you for the
7 tobacco.

8 We will take a coffee break right now.

9 So, if you guys want coffee, drink some. If you don't,
10 don't.

11 --- Short recess at 2:45 p.m.

12 --- Upon resuming at 3:00 p.m.

13 **MODERATOR GARNET LANDON:** I would like
14 to introduce the next presenter, who is Richard Kelly.

15 Richard Kelly is from the Onegaming
16 First Nation, which is located south of Nusoos Arrows,
17 or within Esther Falls, and I guess he is going to talk
18 about his own community. Mr. Kelly.

19 **RICHARD KELLY:** First of all, I would
20 like to thank the Elders, Commissioners, ladies and
21 gentlemen. First of all, I would like to thank Treaty
22 3 organization and the general public for being here and
23 to give me this opportunity to express some of the concerns

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 and the experiences that the Ojibways of Onegaming have
2 encountered and are presently going through with the
3 federal and the provincial governments.

4 As we all know, as an Aboriginal of this
5 nation, as we call Canada, I am deeply disappointed with
6 the turn of events that have taken place and that will
7 affect the lives of the First Nations and the citizens
8 of Canada, and that was with the Charlottetown Accord.

9 Again, the First Nations of Canada are
10 scarred and face oppression, as we have in the last 125
11 years. I must express this as dissatisfactory, the
12 illusions I have heard during the Charlottetown Accord
13 campaign by career federal and provincial elected
14 politicians and the opportunists of this country.

15 This proves to me that the average
16 Canadian citizen will believe any surrealist politician
17 who pretends the vision of a unified Canada, but also the
18 average citizen will vote to that vision. To this fact,
19 we as Aboriginals of this nation will be continued to be
20 toyed with -- our lives and our affairs -- by the federal
21 and provincial governments, and First Nations will be
22 limited to be self-sufficient and self-governing.

23 I had good intentions to come here with

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 a really good paper, but I really had to brainstorm. I
2 guess, being realistic about it, with our Constitution
3 talks that have been going on, since we had the right to
4 vote, the White Paper of 1980 or 1982, the Constitution,
5 and then just this past one again, I guess I could say
6 that I have not seen a realistic relationship between the
7 First Nations and the federal and provincial governments.

8 So far, I have seen the First Nations to be undermined
9 to control their own affairs, simply because of the Indian
10 Act.

11 A prime example that I would like to use
12 would be the outstanding land claim issues that have yet
13 to be settled throughout this country. In most cases there
14 has been a process that continues delays in negotiations
15 to these settlements. A lot of times First Nations
16 experience exhausting the funds that they receive from
17 the bureaucracy of DIA. Only then, when the land claims
18 are ready to be settled, or are about ready to be reached
19 to a settlement, these funds are taken from the settlement,
20 and then there is very little to settle for. Often the
21 provincial or the federal government gets an advantage
22 over that. In most cases, such land claim settlements,
23 when the federal government or the provincial governments

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 are involved, these settlements are taken grudgingly by
2 both governments.

3 What we have experienced in our
4 community, with our negotiations for our self-government
5 initiatives, we had begun to negotiate with the federal
6 government and had involved the Ontario Native Affairs
7 Secretariat, as well. In early August of 1991, when there
8 was an agreement signed with Ontario Chiefs and the Ontario
9 government, this document, called "A Political Statement
10 of Relationship", recognized that Native peoples have an
11 inherent right to be self-governing and that all future
12 negotiations between the province and Native peoples will
13 be done on a government-to-government basis. Now, I would
14 sort of like to believe that Ontario would wish, or for
15 me to see it acknowledge that document to be in existence.

16
17 I simply say that because the federal
18 government suddenly broke away from our negotiations when
19 Ontario was a little willing to sit down with Onegaming,
20 with the federal government and the province, and there
21 was a lack of communication between the two governments,
22 simply saying they couldn't get either government to sit
23 down with each other, and us being the third government

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 to be there. We had strongly, strongly told both
2 governments that we were ready to proceed with the
3 negotiations, and that was to get a Memorandum of
4 Understanding.

5 We were asking, as a First Nation, why
6 there was so much reluctance by one government to the other;
7 why these proceedings could not go to negotiations, to
8 be tabled. We had fulfilled our reports, or our
9 negotiations, what was to be negotiable, either a sector
10 or something that was a whole. A prime example would be
11 our education. That's already been in place for a number
12 of years.

13 This sort of ignorance and dishonesty
14 has misled us to believe that there is a relationship,
15 but we have yet to have the federal government tell us
16 that they will endorse this statement that was signed.

17 When documents are signed and witnessed
18 by a number of Chiefs, I have no doubt in my mind: a man
19 with a pipe must have been present. This pipe being there,
20 in our culture, is an honour, with respect to that document,
21 signed by parties who, I think, should fulfil these --
22 I wouldn't call them promises, but a process. I guess,
23 in all nature, whether it be plants, insects, or Mother

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Earth, I would have to say that the lowest of all animals
2 would be the human race itself, simply because we take
3 and use for practical purposes, such as our customs and
4 ceremonies within our traditional beliefs. These items
5 are not items that should not be called novelties, as such.

6

7 I don't know how the white man feels when
8 they see a man or a woman putting out tobacco, as a number
9 of us have done in front of this drum. I am not sure how
10 the Caucasian person takes that. But these items that
11 are given to us by the Creator are for a purpose, such
12 as our language. I cannot believe how the federal
13 government would endorse the English and the French
14 language to be the official languages. I don't know how
15 many dialects of Aboriginal language there are in our
16 country, but it's a lot older than Columbus.

17 For us to honour and respect these
18 documents that they present to us, they must honour us
19 too, our way of life. The signing of these documents are
20 witnessed. I must say, they are witnessed by the Creator
21 as well. I think these practices that have been done to
22 us by the governments are unjust for the last 125 years.

23 I can't say how long it's going to take before they give

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 some sort of indication to recognize our inherent right
2 to be self-governed, to our lands and resources.

3 There has been 125 years of corruption
4 and cultural genocide, attempted assimilation,
5 alienation, yet the federal and provincial governments
6 continue to practice these tactics simply because of this
7 document called the Indian Act.

8 Every attempt that is made by the First
9 Nations to be self-sufficient and self-governing is
10 enforced with the federal and provincial governments
11 producing this Indian Act. I don't know how many times
12 we have been attempted to control by different ministries.

13 I, personally, can say that there's four of them, where
14 they have, each time, passed this authority over us, over
15 the last -- I can't say how many years.

16 I would like to remind the federal and
17 provincial governments that this is not the seventeenth,
18 eighteenth or nineteenth century. We are in the
19 nineteenth century. I am not a person who will live by
20 the Indian Act. I have seen how generations past have
21 been controlled; how they have been alienated into
22 residential schools. I, myself, was one of them. That
23 was just a few years ago.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Sure, I have to admit, society and the
2 political environment change, so the Anishinabe people
3 change quickly too, spiritually, culturally, and now we
4 are in the same level in the political field.

5 (Translated) I don't know how the people
6 looked after themselves a long time ago. ... , when the
7 treaty was made for them. I wish I knew the way the people
8 lived, the ones that wrote the treaty, and all this was
9 strong. When they made the treaty, just like when somebody
10 is tripped, it made to suffer and to crawl. That's the
11 way I feel about the Native people. When we think of
12 kindness, when a man -- when an Indian -- gets up, when
13 he can grow strong. It really bothers me that they really
14 think that we are weak and now we should help each other
15 to be strong. I don't know, the people, how they can follow
16 their lifestyle. Like the pipe, that's what I depend on
17 ... that's where we get our strength and that's why we
18 live longer.

19 He doesn't really believe that they
20 should be kept in a basement. I really hope that the
21 younger people ... he says that he would like to help,
22 how we can stand strong. He says, "I'm not going to crawl
23 any more." That's it.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Thank you.

2 **COMMISSIONER PAUL CHARTRAND:** I want to
3 say meegwitch for your presentation. We are definitely
4 convinced, as I said at the beginning this morning, that
5 there must be a change in the relationships between the
6 Anishinabe and the people in Canada. It is unfortunate
7 that the practices of the past are still with us. These
8 things must change and, of course, that is one of the
9 reasons for the existence of this Commission.

10 We must do, and we will do, what we can
11 to move the government to change, to do its fair share
12 to change that new relationship. I can say that your
13 presentation today, and that of others, has certainly
14 inspired me to work and do the best that I can to try to
15 move that change, and I want to say meegwitch.

16 **COMMISSIONER MARY SILLETT:** I, too,
17 would like to thank you very much for your presentation.
18 I think you raised some very crucial and some very
19 emotional points. I don't know what to say, except I think
20 we all share the belief that there must be a better way.
21 Thank you very much.

22 **COMMISSIONER OF THE DAY JOSEPH RED**

23 **THUNDER BOY:** Meegwitch, Richard. (Native language.)

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 (Translated) Sometimes it's very hard,
2 when somebody has really suffered; when somebody is trying
3 to help out. This is all I've got to say. Still, once
4 you start something, you just keep on going. I really
5 thank you for the things that you have reminded us of.

6 **MODERATOR GARNET LANDON:** Our next
7 presenter is Mr. Brian Tuesday. On our agenda it says
8 Anishinabeg of Sabaskong, but I think he's from Big Island,
9 or Big Grassy. He will probably tell us what he is going
10 to talk about here. Here is Brian Tuesday.

11 **BRIAN TUESDAY:** Good afternoon. Five
12 hundred years ago we had Columbus. Today we have the
13 Indian Act. We have Indian Act governments. Our life
14 is permeated with control, intimidation and whatnot. I
15 am #54, Big Grassy 35-G, and I am a ward of the government
16 and subject to the Indian Act.

17 In my very small world of
18 maternalism/paternalism, my father is the government, my
19 mother is the Department of Indian Affairs, and my
20 designated babysitter is the Band Council. Where does
21 that leave me, the Anishinabe, a grassroots person, the
22 one who bears the pain and the suffering of 500 years of
23 oppression?

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 We speak of self-government; of our
2 people achieving this concept which is being called
3 self-government. I don't know if that is the proper term
4 for it because myself and the people I represent don't
5 see nothing in the process which will in any way enable
6 them to live a life that is free of oppression and
7 repression. Unless we, as a people, those who I represent,
8 conform to the Indian Affairs' definition of "Indian",
9 then we do not merit consideration as a people in
10 transition. So, what is it that we have to do to be able
11 to achieve those goals, to realize those visions that we
12 have for our children?

13 It is our belief that our children are
14 our most prized and precious gift from the Creator and,
15 as such, we should be allowed to foster and nurture our
16 children in an environment conducive to healthy
17 development. Unfortunately, it is not seen that way.
18 It is not seen that way by our own leadership, by our own
19 organizations, simply by reason that we do not conform
20 to that definition that I just mentioned. There is a
21 perception, an emerging idea, that the old Indian Affairs'
22 definition of "Indian" is really emerging, and the
23 definition is "other than a human being".

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 When I go out making presentations and
2 I travel to Elders, there are mothers, grandmothers and
3 Elders of the community I represent. On a couple of
4 occasions they were denied travel expenses simply by reason
5 that we were not recognized. What does that mean, we are
6 not recognized? We are not recognized as people? We are
7 not recognized as Anishinabe? So, it means, to us, that
8 we are other than human being.

9 I get emotional when I talk about these
10 things; the treatment of our people by our own, against
11 their own. It is frightening to even begin to think what
12 is going to happen if we have self-government, because
13 the term "self-government" itself doesn't mean nothing.
14 It will avail us nothing. It is we, as people, who must
15 respect each other. We must respect ourselves. We must
16 acknowledge and accept ourselves. We, the Anishinabe.

17 Far too many of us do not have the
18 slightest hint of who we are, consequently many of us go
19 to our graves without ever having the slightest hint of
20 who we were. That is tragic, in terms of our children,
21 in terms of our people, in terms of our nation, our
22 communities, our families. It is time for us to look
23 within ourselves, to take that inward journey of

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 self-discovery and awareness of self, to rediscover the
2 traditions and the customs of our people, and the values
3 that have sustained us for centuries. We are tired of
4 surviving. We want to start living. Repealing the
5 Indian Act is not going to solve anything simply by reason
6 of indoctrination; psychological conditioning. The
7 education system itself, those things we expose our
8 children to, in order to be somebody, are we not somebody
9 already? Are we not the Anishinabe? Are we not gifted?
10 Do we not have a mind and a will?

11 Far too often our reason has so much
12 control over our lives that we have a tendency to
13 intellectualize everything: to intellectualize our
14 problems; to intellectualize self-government. It is a
15 proven fact that our mind is connected to our mouths, and
16 so we talk a lot. The time has come to exercise our will,
17 to assert our will, from the bottom of our hearts, to help
18 our people, to help each other.

19 To us, to those people I represent,
20 self-determination is an expression of self-government,
21 it is not the other way around. Self-government will not
22 give us self-determination. Self-determination can't be
23 legislated, it can't be negotiated, and it can't be

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 enshrined in the Constitution, because it comes from
2 within; your own constitution, the very essence of our
3 being, the Anishinabe. Once our leaderships, our
4 organizations, realize the fact that the power is within,
5 the power of the grassroots people, once they come to
6 realize that they represent that power and that they are
7 not a power within themselves, can we begin to emerge from
8 the shadows of western European civilization. The
9 people I represent are the Anishinabe of Sabaskong, also
10 known as (native name). We live in the wilderness of
11 Stephen's Bay, Lake of the Woods. We have been living,
12 experiencing, and exercising self-determination every day
13 for the last year and a half. We are not recognized.
14 We speak our concerns. We tell of our vision and nobody
15 listens. Why? Because, to us, the empowerment of an
16 Indian Affairs' creation, Band Council, supersedes the
17 value of lives -- the value of life. We do not understand
18 that. You cannot have sanctity -- you cannot have
19 reverence for the sanctity of lives and choose to empower
20 the oppressor. It is contradictory.

21 I have here a piece of paper that I wrote
22 last year to reflect the ideas, the thoughts, and the
23 visions of the people I represent. It goes like this:

Royal Commission on
October 28, 1992 **Aboriginal Peoples**

1 "We will live for the sound and cry from the bush people.
2 Our commitment is the better tomorrow.
3 The future is the children and the
4 generations to come. The silence of the
5 Anishinabe grassroots is deafening.
6 Listen to the sound, cries reaching out
7 from within. See and feel the hurts and
8 pain of our people. See the
9 hopelessness and despair. They are
10 suffering and dying out in the vast
11 wilderness of the unknown. Reach out
12 and touch the human spirit in compassion
13 and understanding. Then, can you, the
14 elected leadership, truly understand
15 vision, the vision of our people, the
16 prophecies of the Anishinabe, the wisdom
17 and knowledge of our Elders and
18 spiritual leaders. They await
19 patiently, unseen, unheard, suffering
20 in silence at the reality before them.
21 Forget foolish pride and personal
22 ambition. Let's approach them who are
23 our gifts from the Creator for guidance

Royal Commission on
October 28, 1992 **Aboriginal Peoples**

1 and direction. Let us bask in the
2 warmth and comfort of their knowledge
3 and wisdom. For the sake of our
4 children, and the generations to come,
5 let us no longer be lost in a tangled
6 maze of vendetta and dissension. Lead
7 us out of the wilderness of confusion
8 and lost identity. Never mind the image
9 and illusion of the proud-defined Indian
10 of Hollywood fame. We are lost and
11 confused. Let us emerge from the
12 shadows of western European
13 civilization and reclaim sovereignty
14 over ourselves. When we can do all this
15 without reservation then, truly, the
16 eagle has landed."

17 These are the thoughts and ideas of the
18 people I represent that I have put on paper. I just wrote
19 them. I just put on paper what their ideas were. It seems
20 to me that whenever a people -- the Anishinabe -- seek
21 to arise out of the ashes of oppression, repression, they
22 come to be seen as harbingers of malcontent, dissidents,
23 or whatever. What does that say for our struggle? What

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 does that say for our people, when we can fight among
2 each other, instead of respecting, understanding and
3 having compassion for each other?

4 We all share the same struggle. Why not
5 allow those people, who have the guts and the courage,
6 to break away from the status quo? Why not allow them
7 to live in peace and harmony with themselves, with the
8 environment, and with other people?

9 It is a fact that we are our own worst
10 enemies. It cannot be said otherwise, because that is
11 the condition of our people at the present. We have to
12 look at these things. We have to start dealing with these
13 things. That is the reality of our existence.

14 Why talk about self-government? Why
15 talk about political power? Why talk about our own
16 institutions; our own legislative assemblies? We have
17 to begin to understand that it is we, the Anishinabe, who
18 can assert our sovereignty, who can assert
19 self-determination, who can assert our individual
20 identities, who can assert our collective identity.

21 It has been 500 years since Columbus came
22 here. Our families have been dismantled. Our values have
23 been pushed aside. Our culture has been ridiculed. Yet,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 we persist in believing that self-government is going to
2 change all this.

3 You know, when you talk about social
4 issues that affect our people, and some of the work that
5 some of our people have been attempting to do to help our
6 people to come to grips with the past, with the present,
7 there are people out there, but they get ridiculed. Their
8 messages for healing are called "corny". You have another
9 man to show compassion, to show understanding, you are
10 already labelled.

11 What has happened to us? What has
12 happened to our values; the teachings of our culture?
13 What has happened to the respect for our Elders and
14 spiritual leaders? What is to become of us?

15 You know, I'm really afraid. I'm not
16 afraid of the government. I'm not afraid of the
17 institutions; of the law. I'm afraid of our own, for our
18 own.

19 **MODERATOR GARNET LANDON:** Brian, I
20 don't like to interrupt you, but I have to call it off.
21 I know we could always talk, and talk, but we only have
22 X amount of time and there's X amount of people.
23 Meegwitch, Brian. That was very good. You said quite

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 a bit.

2 **BRIAN TUESDAY:** I just want to read a
3 philosophy here that we wrote, in terms of our education,
4 and in terms of our culture. We believe that the
5 educational system itself has been a very destructive force
6 in our culture. The philosophy goes like this:

7 "Being that a native person is in cultural crises,
8 dispossessed of his rightful
9 inheritance, stripped of his
10 self-esteem and inner vision, we will
11 seek the spiritual reawakening and
12 rebirth of our heritage and culture.
13 We will seek to rekindle the vision of
14 continuity and totality of one's self."

15 **MODERATOR GARNET LANDON:** Meegwitch.
16 Mary, would you like to start off?

17 **COMMISSIONER MARY SILLETT:** I have no
18 questions, but I would like to thank you very much for
19 your presentation.

20 **COMMISSIONER PAUL CHARTRAND:** Thank you
21 very much for your presentation. You have put before us
22 quite a number of very important ideas, among them the
23 important difference, and sometimes it's not appreciated,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in the various meanings of self-determination, with
2 reference to the self, the individual, and the self as
3 a group. You have put them before us eloquently, with
4 great skill and great care. We thank you for advising
5 us on some fundamental issues that we have to deal with.
6 Meegwitch.

7 **COMMISSIONER OF THE DAY JOSEPH RED**
8 **THUNDER BOY:** Meegwitch, Brian. I guess I can only
9 sympathize with your struggle and your determination for
10 independence. Your presentation was certainly, at times,
11 emotional. One of my grandfathers, his name was Alec Tom,
12 he was one of the original band members of that reservation
13 that you presently live in. If he was still alive today,
14 I am pretty sure he would support your struggle for
15 survival. Meegwitch.

16 **MODERATOR GARNET LANDON:** Meegwitch,
17 Brian. I didn't want to be rude, but there are other
18 people. I could let you go on and on and on.

19 **BRIAN TUESDAY:** Well, I would have.
20 Thanks for stopping me.

21 **MODERATOR GARNET LANDON:** Our next
22 presenter is Mr. Charles Wagamese. It looks like he is
23 representing #465 Islington. So, I would like to ask Mr.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Wagamese to come and say his two cents.

2 **CHARLES WAGAMESE:** First of all, I would
3 like to acknowledge the kind old man here who has brought
4 his drum to come and help us with the meeting this
5 afternoon. Meegwitch.

6 I took the liberty, Alex, of offering
7 tobacco to your drum here, and I asked them to help us
8 with the meeting and, myself, to remember humbleness and
9 forgiveness and to ask guidance, so in that way I hope
10 to have the assistance of what you have brought here this
11 afternoon.

12 I would like to pay my respects to the
13 Anishinabe who are gathered here. I thank them for coming
14 and listening patiently all day. I have another set of
15 words to put in their ears, and I hope that they are taking
16 it in a good way. I was thinking about them as these words
17 were put to paper.

18 In talking to Alex over lunch, he was
19 telling me about being patient and about using certain
20 kinds of words. I would like to speak to that for a moment.

21 I think, one of the things is, my words will have a certain
22 tone. They have that tone because I, myself, work within
23 one of the Aboriginal governments/organizations. I have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 done some work on the Constitution. I have worried about
2 the effect of the constitutional process on our
3 nation-to-nation arrangement, and I have not had the
4 opportunity, as a worker, to express those views. When
5 those views had been expressed to the leadership, they
6 did not respond to them. They were offered in the way
7 of our mutual responsibility toward the treaty. So, I
8 am glad to have a chance to speak those words to you this
9 afternoon.

10 Those words will also have a certain tone
11 because, at this age perhaps, I feel a sense, rightly or
12 wrongly, of responsibility to protect the treaty, in
13 whichever way a person can, to protect the lands and to
14 protect the people, and whatever gifts and capacities you
15 are given. I get a little confused sometimes when they
16 say about patience and kind words, when you think about
17 some of the young kids who are walking around in our
18 communities, and the young people who are trying to survive
19 in the educational system, and the kinds of social problems
20 that affect our people. It's pretty hard to say, "Be
21 patient." It's a lot easier for us in this room because
22 we have dealt with many things and have reached a state
23 of comfort.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 So, in the tone of some of these words,
2 please, accept it on the basis of trying to put it in a
3 good way and recognizing that there are some people who
4 can't wait. Those people are on my mind also.

5 A question enters my mind as a treaty
6 person, as a member of a nation-to-nation treaty, who for
7 various reasons feels a responsibility to maintain that
8 understanding. That question is there, notwithstanding
9 the Statute of Westminster of 1938 and, of course, with
10 all due respect to each of you as Commissioners -- and
11 also to the Commission workers, I would like to acknowledge
12 them as well, the people working at this desk, the people
13 working at this desk, the translators and so on, and also
14 to the Commissioners -- who may have been given a historic
15 task to undertake, my feelings go out to you for all the
16 early-morning flights, the many meals you will eat cooked
17 by strangers, and the times when you talk over the phone,
18 when your hearts are separated by thousands and thousands
19 of miles from your lands and from your families.

20 The question that is on my mind is this:
21 Where is the Queen? This is a Royal Commission, after
22 all. "Royal" means Queen. I'm not saying that I expected
23 to see Queen Elizabeth with her little wave here today.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 But, I have a reason for asking that. Where is the Queen?
2 If you are acting as her representatives, tell her that
3 we need her over here. We are sad to say that her children,
4 who believe that they carry out the nation-to-nation
5 treaty, have grown confused on the matter. They say now
6 that we must beg on our hands and knees for our rights.

7 When we stand on our feet to assert those
8 treaty understandings, they surround us with barbed wire.
9 They hold guns to our heads, and they smile, and they
10 say, "The Queen might like to golf here some day." They
11 address us as though they have conquered us; that they
12 have won this land by armies. They address us as though
13 we have signed all our rights over to them. How can this
14 be?

15 We call the treaty, as published by
16 Canada, a virtual fraud. Why? Because we, as Anishinabe,
17 cannot sign away our responsibility to these lands and
18 the people who lived here and even those who live here
19 now. The Creator gave us those instructions, those
20 responsibilities, and we go on maintaining those to the
21 degree possible.

22 The Prime Minister of this country and
23 the Premier of this province continue to act in complete

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 agreement with the proceedings and the decisions of the
2 St. Catharines milling case. The highest court in this
3 land, from their side, has called the St. Catharines
4 milling case an unfortunate decision from a more racist
5 era. The St. Catharines milling case was heard without
6 our involvement. In that courtroom they called us savages
7 and a degraded people. Then they said that the federal
8 government and/or the province owned the lands and
9 resources. They are still arguing about who owns the
10 Indians.

11 In the latest constitutional amendment
12 process these junior governments refused to entertain,
13 let alone discuss, the aspect of Aboriginal title. They
14 would not deal with it. The judges in the St. Catharines
15 milling case took the same approach. Those are judges
16 that have been identified as being from a more racist era.

17 What does Aboriginal title mean? It
18 would, nowadays, mean a fundamental altering of the
19 political and economic structure of this country. It
20 would also mean what was agreed to by the Anishinabe in
21 1873. To me, it means the possibility of the wisdom and
22 guidance our people were given that day to at last come
23 about.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 When we look across the ocean and see
2 what is happening in Bosnia and Segovia, in the Middle
3 East between the Israelis and the Palestinians, the
4 question that arises is, is it possible for two peoples
5 to occupy the same lands? In the treaty we made a
6 commitment and we made a promise that here, within these
7 55,000 square miles, that, yes, we could and that, yes,
8 we would. We, as Anishinabe, who carry that treaty here
9 and in our prayers still believe that is so. Here it can
10 be done. It is, in a way, like a great human experiment,
11 a great challenge, and a great lesson, perhaps. We who
12 carry the treaty here and in our prayers know that day
13 shall come about, one way or another.

14 I have to say that the only conquering
15 that has gone on is those who have been conquered by greed
16 and ignorance. The ones who say that we only have rights
17 on the reserve lands, that is only .01 per cent of the
18 land area of what we now call Ontario -- not 10 per cent,
19 not 25 per cent; .01 per cent. A Nishga Elder who
20 spearheaded a title case calls the reserves "monkey cages",
21 in which we will surely starve when the keepers decide
22 that the bananas are too expensive to keep passing through
23 the bars. Nationally, all across this country, all the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 reserve lands in Canada would fit into one corner of the
2 Navajo reservation in the United States. So, when they
3 talk about giving you the inherent right, and no new land
4 rights, they mean you would be stuck with self-governing
5 yourselves on the reserves. No wonder they would agree
6 to that.

7 I am sad to say that our Indian Act
8 leadership has remained in the room when the non-Native
9 governments refused to honour the treaties by ignoring
10 the Aboriginal title question. We will forgive them and
11 we will pray for them. We hope that you have room for
12 each of them in a future reformed Senate. I say that
13 because, for those of us who believe in a nation-to-nation
14 relationship, we find it very difficult to accept that
15 we would become an order of government within their
16 constitutional definition of Canada.

17 They say that we should offer solutions
18 to you as Commissioners, so that when your findings are
19 tabled they can be implemented, rather than shelved.

20 One time, at a justice conference, an
21 old man walked around the drum, softly fingering smooth
22 an eagle feather, just as softly and smoothly speaking
23 as he circled. He said that the days of the white man's

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 power over matters is not many in number. Even in the
2 non-Native circle, David Suzuki and Helen Caldicott say
3 the same, in different words.

4 Some people shudder at the thought of
5 no electricity, or maybe of the Indians, at last, getting
6 even.

7 It may simply be that what we were
8 instructed to do through the treaty will come about; that
9 the prophesy of the Native people one day offering to the
10 white man a great gift will come about.

11 I have many thoughts and feelings on the
12 matter as one person, but I need to heal myself and talk
13 to Elders and seek guidance before speaking further. For
14 today, I will leave you with two thoughts:

15 First, we must get off this paradigm,
16 or this way of conducting ourselves, of want superseding
17 need. We have to identify what our needs are first. Wants
18 tend to never be satisfied. This is poison to the lands
19 and the people. We must all work to preserve for what
20 the Mohawks sometimes call "those without faces"; those
21 yet unborn. The Anishinabe have ways on how this could
22 be done. As an individual, an agenda to do this is forming
23 in my mind.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 The other is a thought expressed by an
2 old person who spoke in Thunder Bay. He said that we must
3 end patriarchy. He said that in order for balance to be
4 restored we must respect and carry out our roles as males
5 to be helpers, in our case, to Anishinabe Equah and, in
6 the non-Native case, to women. Just thinking on that now,
7 I do not know how that will work out in political leadership
8 ways, but it is a task that, if carried out, will work
9 to restore peace and balance, in here and within our
10 families and, therefore, our lands.

11 You have not yet seen the Anishinabe
12 solutions, to my mind. These are still ahead, yet,
13 perhaps.

14 For today, let us talk to the Queen.
15 By denying us our so-called rights, by denying us through
16 force of arms the space to express and carry out our
17 responsibilities to lands and people, the junior
18 governments on this side of the ocean have plugged their
19 ears and their hearts.

20 We understand that the Queen got the
21 throne because she had a big, hairy male ancestor who went
22 around slicing the heads off people who didn't agree with
23 her family becoming the rulers. It's the same as us, in

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 some ways, when we ran the Lakota and Dakota off these
2 lands.

3 Still, our treaty is with her. She is
4 a woman, and times are changing. Her people on this side
5 of the ocean need to understand the treaty, so we need
6 her to help us create understanding. Maybe we will find
7 that her conquest habits are still with her yet, but
8 nevertheless, this is a Royal Commission and that is who
9 we would speak to on the matter of the full meaning of
10 the treaty as it was meant to be and what it is becoming.

11 Meegwitch.

12 **MODERATOR GARNET LANDON:** Meegwitch,
13 Charlie. I think we will have a few questions here. Paul?

14 **COMMISSIONER PAUL CHARTRAND:** Again, I
15 want to begin by thanking you. I am not in a position
16 to ask questions. The more I think about the important
17 issues that are before us, the more we are advised about
18 them and told about them, as you have today, in one sense,
19 one gets an increasing sense of the overwhelming complexity
20 of the task that faces us.

21 I think we are all in agreement,
22 definitely, that conquest habits of the Queen have to
23 cease.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 The questions you ask are fundamental.
2 They are important. I certainly have no answers to them;
3 such things as the relationship with the Queen and the
4 other issues that you put. Asked to remark, very quickly,
5 I would say that it is magic, I think.

6 But we definitely need advice and we have
7 to think these matters through. I certainly am not in
8 a position to say much more than that at the moment, except
9 that your advice is valued. We will look at it carefully
10 and I certainly hope that when it comes close to the time
11 that we start to formulate recommendations we can come
12 back to the Anishinabe and see how it is coming along and
13 get your advice again on these matters, as to how these
14 conquest habits can be made to stop.

15 All I can say is, meegwitch.

16 **COMMISSIONER MARY SILLETT:** I, too,
17 would like to thank you very much for your considered
18 presentation and such complex issues. I would also like
19 to thank you for remembering what we have to go through
20 in our work. I was very, very touched by that, because
21 we have been assigned a very, very difficult job, and I
22 don't think very many people think about that. But thank
23 you very much for thinking about that. I miss my kids

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 all the time.

2 **COMMISSIONER OF THE DAY JOSEPH RED**

3 **THUNDER BOY:** I just want to say meegwitch. You made an
4 excellent presentation.

5 **MODERATOR GARNET LANDON:** Meegwitch,
6 Charlie. That's pretty interesting.

7 Next on the agenda is a gentleman by the
8 name of Don Imbeau. I think he's a Frenchman.

9 **DON IMBEAU:** Bonjour Commissioners, Mr.
10 Chairman and Elder Skead. I know when you show up that
11 it must be an important meeting.

12 I received the agenda on Monday. When
13 I looked at the speakers I kind of shook my head and said,
14 "Oh, oh, I guess I'm going to be the token white man."
15 I talked to some of my friends and they said, "Watch out.
16 You are either brave, or very, very stupid." I thought,
17 and I said, "No, I'm just a Frenchman. We kind of do
18 strange things sometimes."

19 I want to emphasize at this stage that
20 what I am about to say are my viewpoints. They belong
21 to no one else but myself. These are thoughts that I
22 arrived at after a lot of careful reading and trying to
23 understand the issues that are being presented and

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 discussed at this Royal Commission.

2 Several years ago Bruce Mendewagen
3 shared with me a publication which had no title, but which
4 credited its contents to the Four Worlds Development
5 Project. I begin my presentation by quoting from this
6 document:

7 "No two people will see exactly the same things when they
8 look deeply into the mirror of the
9 medicine wheel."

10 I am very grateful to Bruce and his wife,
11 Phyllis. They introduced me to the symbolism and power
12 of the medicine wheel, the sacred tree, and started my
13 journey along a continuum of marvellous discovery and
14 understanding. As I walk along this path I gain a growing
15 respect for sacred objects, such as pipes, drums and
16 sweetgrass.

17 As well, my appearance before you today
18 is the next step in my spiritual journey. This is my time
19 to talk and my time to listen, and a time for all Aboriginal
20 and non-Aboriginal peoples to stand together in
21 friendship, to turn toward the wheel and look into its
22 glassy depths.

23 This sacred medicine wheel is depicted

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 on the covering page of my presentation. I did so in
2 respect of its powerful message, to remind myself and all
3 listeners of a fundamental edict which teaches that the
4 four symbolic races
5 -- white, red, yellow and black -- are all part of the
6 same human family. All are brothers and sisters living
7 on the same Mother Earth.

8 I firmly believe that this eternal,
9 spiritual principle must pervade all our deliberations.

10 I also hope that it will become the guiding principle
11 of your final report. This Royal Commission should
12 reflect the visions and discoveries of all peoples that
13 gaze into the mirror of the medicine wheel.

14 However, we must remember that this
15 mirror, like all mirrors, has many magical qualities.
16 A great writer, whose name I cannot recall at this time,
17 once wrote that "we see but darkly", and there is probably
18 no truer statement concerning a mirror.

19 Consider, for example, that a mirror can
20 be convex or concave, can reflect, bisect, imitate,
21 simulate, or duplicate. It grants visions and illusions,
22 delusions and deceptions. It can be treacherous, cunning
23 and sneaky; being one-dimensional and multi-dimensional.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 The ripples on its surface can be as frightful and
2 dangerous as the trickster, like the one you call -- and
3 I'm not sure if I'm saying this term correctly, but I'm
4 going to try it anyway -- it looks like "Whiskey Jack",
5 for me, but it is "Wee-sa-kay-jac". Yet, beneath it there
6 are shadows and many shifting patterns.

7 The mirror can break, shatter, splinter,
8 fracture and chip. The viewer can be myopic,
9 short-sighted, near-sighted, obtuse, lifeless, or just
10 plain stupid. Yet, to others the mirror is a constant
11 source of understanding, wisdom and strength.

12 In spite of the risks involved, I decided
13 to appear before you this day and gaze into the depths
14 of the medicine wheel and share my discoveries with you.
15 This is a new journey for me. It is fraught with many
16 pitfalls, and I ask for your patience and understanding
17 as I stumble, clumsily, along this path. I must travel
18 a long road; I am a Frenchman and a white man.

19 Aboriginal Self-Government: Two
20 children approach the mirror of life: one white, the other
21 red. As they try to look within they jostle. Angry words
22 are exchanged; a shove. In victory, the white child gazes
23 alone into the glass. The red child watches silently.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 This represents the past relationship between two races.

2 Two children approach the mirror of
3 life: one white, the other red. They smile and turn
4 together to look into the glass and see reflected two more
5 children; one black and the other yellow. Frightened,
6 all four run away. This is the view of the present.

7 Four children approach the mirror of
8 life: white from the north; red from the east; yellow
9 from the south, and black from the west. They join hands
10 and, together, they look into the glass and see the Creator.
11 This is the future I want.

12 The Creator granted each child the gift
13 of self-government; that one child should not rule over
14 the other; that all are equal in this respect. Therefore,
15 the inherent nature of self-government means simply that
16 this right is inherited directly from the Creator; a right
17 which is more fundamental than our commonly recognized
18 fundamental human rights; a right that cannot be
19 relinquished or extinguished. I call it a cultural
20 imperative, which reflects an internal desire, a racial
21 and cultural instinct that compels; compels all distinct
22 people to want to govern themselves.

23 Yet, this inherent right must not be

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 confused with the term "sovereignty". The Webster
2 dictionary defines sovereignty as "an autonomous state;
3 supreme power especially over a body politic; freedom from
4 external control". To me, a sovereign state is a country
5 like Japan, Germany, or Brazil; an artificial creation
6 of borders, politics and army. Sovereignty means a
7 separateness, a total independence, and I do not believe
8 that that is the intent of the Creator, who wants his
9 children to be together, united, yet still respecting that
10 self-governing gift that we all inherit. This is the good
11 way.

12 As a non-Aboriginal person I look into
13 the mirror and see the good way. But, before I go on to
14 explain what that is, I must first state what it is not.

15 Aboriginal self-government does not
16 mean sovereignty. I hear some of your Chiefs declare that
17 they are sovereign nations. In my mind, that means having
18 the same status as China, England, or South Africa; alien
19 and foreign states. If this is what the Chiefs mean, then
20 the relationship that exists between Canada and these
21 foreign states should also be the relationship which exists
22 between Canada and those First Nations who declare their
23 sovereignty.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Ultimately, this equates to the
2 partitioning of Canada, which is not acceptable to me.
3 If this, in fact, becomes the choice of First Nations --
4 and they do have that choice -- if it becomes the choice
5 of First Nations, then I must inform you that, in my heart,
6 and I think in the hearts of most Canadians, you will sever
7 that special relationship that exists between Canada and
8 First Nations. What it will mean to me is that the trust
9 relationship is nullified with the declaration of
10 sovereignty, and the consequences thereof are too grim
11 to bear.

12 I am not too sure what the trust
13 relationship is, because it is kind of a legal term. It
14 has something to do with -- I am not even sure I can say
15 the word: "fiduciary". It could be "fidukiary", for all
16 I know. But, I think that would threaten the declaration
17 of sovereignty.

18 The good way is the ideal described by
19 Tecumseh, in "Panther in the Sky", a book I read not too
20 long ago, who taught that people who are united together
21 are too strong to break. The good way is the vision as
22 seen by Black Elk. I quote from his words:

23 " ... and I saw that the sacred hoop of my people was one

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 of many hoops that made one circle, wide
2 as daylight and as starlight, and in the
3 centre grew one mighty flowering tree
4 to shelter all the children of one mother
5 and one father. And I saw that it was
6 holy."

7 The sacred hoop of many hoops.

8 The Aboriginal Charter: Within the
9 vast borders of Canada there is a vast diversity of people.
10 And within this vastness there are two peoples, for the
11 time being, who hunger for self-government: the French
12 and the First Nations. Another, or several peoples, will
13 clamour for the same in the distant future. What we must
14 all understand is the compulsive or addictive nature of
15 the self-government impulse. It is a need so deeply
16 embedded into human beings that it cannot be quenched,
17 and when it is suppressed there is always a violent
18 eruption.

19 Canada is not immune to this imperative,
20 nor the horror of violence which can result. Therefore,
21 we must find a way to accommodate this natural, human and
22 cultural phenomenon which will respect the inherent right
23 to self-government and still remain a united country.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 I look into the mirror and see a
2 tri-charter system of government for Canada; a
3 constitutional framework which permits the existence of
4 a unique Aboriginal Charter, a separate Quebec Charter
5 and a third Canadian Charter for all other Canadians.

6 I see the First Nations gathered
7 together, somewhat like an ecumenical movement, to develop
8 a unique charter which will apply exclusively to the
9 Indian, Métis, and Inuit peoples within a Canadian
10 co-federation. This Aboriginal Charter should be
11 comprehensive and include such aspects as a clause that
12 recognizes and confirms the unique relationship existing
13 between Canada and the First Nations. This charter then
14 becomes part of the sacred hoop.

15 I heard the Commissioners ask earlier
16 today: What are we going to replace the Indian Act with?
17 It also crossed my mind, during the constitutional
18 discussions with the Charlottetown Accord, and I reviewed
19 the items that were included for First Nations people.
20 I felt that, in order for those items to be included, a
21 lot of compromises had to be made. I have always felt,
22 when I thought about it, when you try to include the vast,
23 vast diversity and the contrast between Native and

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 non-Native peoples in Canada, it is almost impossible to
2 add that, or to blend those rights into the Constitution
3 of Canada. I have always felt that probably a better way
4 is to have something much more distinct and separate and,
5 perhaps, the replacement of the Indian Act can be done
6 with the creation of an Aboriginal Charter.

7 Birthright: I look into the sacred
8 mirror and see three children playing: one white, one
9 black, and the other yellow. I ask myself, "What is their
10 relationship to the land?"

11 As a white non-Aboriginal I was born
12 here, as was my father and my mother. The bones of my
13 grandparents and great-grandparents are buried in this
14 land. This is something I think you can understand as
15 Aboriginal people. How far back my progenitors go I do
16 not know, but this I do know: in my heart, this is my
17 homeland. There is no other land I can claim. It is true
18 that this is Indian land, but you must understand and accept
19 that by right of birth this is also my land.

20 In this homeland my people are also
21 entitled to a sacred hoop. I am not a stranger or foreigner
22 to this land. I believe that the Creator wants all his
23 children to share this land, to protect it, to nourish

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 it, together. I don't speak in terms of possession or
2 ownership of land. I am speaking in terms of a place to
3 live, a place to die, to be buried, and for my spirit to
4 be at peace.

5 Rebuilding the Relationship: As I look
6 into the mirror of history I see further shadows, a darkness
7 which blackens the light. These shadows must be dispersed
8 as we rebuild the relationship.

9 The first thing, I think, that needs to
10 be done is reclamation. In reviewing the true history
11 of Canada I must acknowledge that a great injustice has
12 been done to the Aboriginal people. For example, I was
13 surprised to learn how little land is under the reserve
14 system. I am shamed by this historical negligence. I
15 do not know what is enough or what is too much, but I do
16 know that the land base must be many times greater than
17 it presently is. I want to tell the Commissioners that
18 when I talk to non-Aboriginals and discuss the land base
19 issue, and tell them something, they even have a hard time
20 believing that the fact is that the total reserve land
21 in Canada is .05 per cent. No one believes me. The
22 average Canadian, or average person -- non-Native
23 person -- has the idea that you own a lot of land, which

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in fact is not true. But that is the misconception that
2 exists there and it creates one of the barriers for the
3 restructuring.

4 Second is the restitution. I read about
5 the crime and violence on Native reserves and within our
6 cities, the destitution and the disgraceful levels of
7 unemployment, as well as the wanton destruction of a sacred
8 culture. I am angry that this remains a Canadian legacy.

9 My first impulse is that financial restitution must be
10 made; a restitution of sufficient quantity and sufficient
11 duration to restore that which was lost or damaged.

12 I temper this view by the fact that I
13 do not burden myself, personally, with guilt concerning
14 the past, because I do not believe that I can be justifiably
15 held responsible. I was not part of that legacy. I was
16 not there. Nevertheless, I feel just as strongly that
17 I must accept the blame and responsibility for the
18 continuation of this injustice during my generation. I
19 must not permit this devastation to perpetuate itself
20 beyond this era.

21 I also believe that Aboriginal peoples,
22 themselves, are not wholly blameless for the prevailing
23 conditions that currently exist. Unemployment, the clash

8 Third is restoration. I am fascinated
9 by Native cultures, traditions and beliefs. It pains and
10 angers me to realize what has been lost, or destroyed,
11 and even stolen. I believe that Canadians have an
12 obligation to recognize and encourage the development and
13 the restoration of the Aboriginal arts as national
14 treasures; national Aboriginal treasures. Perhaps a
15 creation of an Aboriginal Heritage Foundation should be
16 done and funded with the mandate to restore the grandeur
17 of Native culture, perhaps even to help rewrite the history
18 books to reflect the truth.

StenoTran

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 must begin paying property tax. At least, those employed
2 on reserves must pay income tax to their reserves. Status
3 Indians living and working off reserves must lose their
4 tax exemption and start paying income and sales tax to
5 their reserves. This action will eliminate one of the
6 greatest causes or roots of racism.

7 I cannot emphasize just how important
8 this item is. It is very much misunderstood by a lot of
9 non-Aboriginal people, but it is so evident and so strongly
10 felt that every time I try to talk about it the reactions
11 are very severe. There is no reasoning. I can't reason
12 with them and tell them that Aboriginal peoples do pay
13 taxes, et cetera, et cetera, et cetera. There is just
14 something about it that angers people.

15 A fifth item is that I think the
16 Aboriginal peoples should put away their guns. I will
17 accept that, on rare occasions, such as Oka, a people might
18 need to embrace violence in defence, to protect itself.
19 But to use gun-toting as a means of political expression
20 is very risky, if not suicidal. There is another cultural
21 imperative, and it is an ugly one: might is right. The
22 knee-jerk reaction of any majority when facing internal
23 disturbances is to use force to restore order. The threat

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 or use of violence will simply give the powers that be
2 the excuse they need to suppress the minority in the name
3 of law and order. It doesn't matter what race of people
4 you are. If you are the majority and if you are in India,
5 or you are in Germany, or you are in Canada, or wherever
6 you are in the world, it doesn't matter what race you are,
7 if you are in charge and there is an upheaval within the
8 nation, it is just an excuse for the army, or for the police
9 to get involved and to suppress the disturbances.

10 The Aboriginal people enjoy an enormous
11 amount of good will and support from ordinary people for
12 their just causes, but they risk losing this support, or
13 causing a backlash, when resorting to armed confrontation.
14 Non-violent resistance is the preferred option.

15 Lastly, and I guess probably the most
16 important to restore the relationship, deals with
17 education. Another cause or root of racism is the abysmal
18 misinformation or ignorance that exists in mainstream
19 Canada about Aboriginal issues. Another root is the white
20 hatred harboured within the hearts of some Natives.
21 Racism is always denied, but it is there, and mostly just
22 beneath the surface of society.

23 While considering this unpleasantness,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 I concluded that there is little hope of eliminating racist
2 attitudes and actions in the present generation. The
3 attitudes and ignorance are too entrenched. However, I
4 believe that a massive program of awareness and
5 sensitization should be directed to the next generation;
6 our youth and children.

7 Conclusions: While studying the
8 teachings of the medicine wheel and of the sacred tree
9 there is one thought which is paramount: the improvement
10 of the inner self. There is no shortage of money in this
11 country that could be used to make restitution. It is
12 simply a matter of changing priorities. But this alone
13 will not improve the relationship between races.

14 Only those actions which focus on
15 improving the inner-self are worthwhile pursuing and will
16 strengthen the relationship between races.
17 Unfortunately, we all do too little of this.

18 There is much more that I want to say
19 and that I want to listen to, but my time has expired.
20 I close by quoting from the teachings of the sacred tree
21 because it is here that we will truly find the power to
22 rebuild the relationship.

23 It speaks of values: Values are the way

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 human beings pattern and use their energy. If there is
2 not a balance between our values concerning ourselves and
3 our values concerning others, we cannot continue to develop
4 our true potential as human beings. Indeed, if there is
5 an imbalance, individuals, and whole communities suffer
6 and die.

7 **MODERATOR GARNET LANDON:** Meegwitch,
8 Don.

9 **DON IMBEAU:** Thank you very much.

10 **MODERATOR GARNET LANDON:** Thanks for
11 your thoughts, your learnings and your teachings.

12 Do you want to ask him a question or two?

13 We will begin with Mary, I guess.

14 **COMMISSIONER MARY SILLETT:** No, with
15 Paul.

16 **COMMISSIONER PAUL CHARTRAND:** Thank you
17 for your presentation, which is full of interesting ideas
18 and views. Certainly, there is a lot of support about
19 the early idea about all peoples being created equal in
20 dignity and respect, in the sphere of international law.

21 I would wonder out loud, however, about the
22 appropriateness of the term "racist". It is a point that
23 I think needs some serious reconsideration. But that is

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 a dialogue for another day.

2 The fiduciary relationship, yes. I
3 certainly agree with you about the use of that expression.

4 I wonder which lawyers they were who were so empty in
5 their vocabulary that they could not deal and provide
6 advice without using such a term of art. I regret it and
7 I think it is regrettable.

8 Yes, I think your ideas about seeking
9 big structures to unite all Aboriginal peoples was very
10 important, because we must contrast that with the other
11 alternative, which is small, local accommodations. That
12 distinction is a very important one for the Commission
13 to consider on the way to making its recommendations.

14 Yes, as far as the objective that you
15 state about sharing this land, I think we heard others
16 this morning who made presentations in which, I thought,
17 at least I understood, made the same kind of
18 recommendation.

19 About the land base and your remarks
20 concerning the ignorance of many Aboriginal peoples
21 regarding that issue and other issues, and the value of
22 public education, I can say that the Commission certainly
23 believes that that is one of our functions, that of

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 assisting in public education, at least in the sense of
2 providing information to the Canadian public. In fact,
3 that is one of the intended goals of public hearings, such
4 as this. As I have said earlier on to other presenters,
5 it is a part of that process of public education that the
6 Commission has undertaken.

7 As to the causes of violence, I do not
8 know, but I am given to understand, by social scientists
9 who have studied the issue of violence turned inward, and
10 I have sought to wonder, as you have here in your paper,
11 about the root causes of such violence. I can say that
12 they have pointed to dispossession as a common factor.
13 It is people who are dispossessed, according to these
14 social scientists, who exhibit this kind of behaviour.
15 They have done studies in quite a number of countries --
16 South America, Australia, and Canada -- where that
17 phenomenon exists with the fact of dispossession. Also,
18 in Europe, people displaced by the Second World War was
19 one example given in one learned study that I looked at
20 some years ago. But, yes, it is an important question
21 and one that we must consider.

22 I can't help but remark on your point
23 about the use of violence and that it is easy, then, to

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 use the excuse to suppress in the name of law and order.

2 I recall that my own people, the Métis, in 1885, did resort
3 to violence. That is quite a long time ago, but the
4 government resorted in just that way. For good measure,
5 while they were at it, they also took the opportunity to
6 suppress the Cree, in the context of forcing them onto
7 reserves in the Treaty 6 area.

8 The matter of taxation is an important
9 one. We have been taking advice and we will continue to
10 take advice about that. We have looked at the United
11 States taxation situation, for example. It is definitely
12 an important issue that we have to deal with.

13 You have brought before us a sketch of
14 many very important issues and you have given us your views
15 on them. You must not take my perfunctory remarks as
16 anything having to do with the considered reflection that
17 the Commission will give to these suggestions. We will
18 do that.

19 I want to thank you very much for your
20 valuable input here today. The Commission on Aboriginal
21 Peoples definitely wants to hear from all sides in this
22 debate. It only remains for me to say, then, merci
23 beaucoup, Monsieur Imbeau.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 **MODERATOR GARNET LANDON:** Mary.

2 **COMMISSIONER MARY SILLETT:** I have
3 three points. First of all, thank you very much.

4 Second, the term "First Nations", we
5 have decided in our group anyway, doesn't necessarily apply
6 to -- well, certain groups don't identify with that term.

7 So, whenever I see that I always say, "That doesn't include
8 Inuit." I think I would prefer to use the term "First
9 Peoples" to identify the different Aboriginal groups.
10 "First Nations" is probably a term that is more familiar
11 to other Aboriginal groups.

12 Third, I guess your whole paragraph on
13 taxation is one which is very, very interesting. Clearly,
14 there is much discussion on this particular issue. I am
15 wondering if, for example, the elimination of taxes to
16 status Indians on reserve would actually -- do you think
17 that could eliminate racism, by itself?

18 **DON IMBEAU:** I think what I am trying
19 to say is that, for a lot of non-Aboriginal people, there
20 is this hard-to-understand anger toward people who are
21 exempt from paying a tax which everybody hates so much.

22 That, in itself, puts the whole issue of improving the
23 relationships between Native and non-Native on a very poor

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 footing, simply because of that sometimes irrational
2 understanding of that situation. So, it does tend to
3 create, in the minds of a lot of individuals, an anger
4 which is reflected in action. Sometimes it is even
5 reflected in racist actions.

6 That is basically what I mean. I was
7 trying to stress that it's a sensitive subject.

8 **COMMISSIONER MARY SILLETT:** Yes. It is
9 a subject that certainly we need to review much more in
10 detail. I think, also, one of the major issues of
11 self-government is how it will be financed. I am sure
12 we will have discussions on that in the future.

13 Thank you very much.

14 **MODERATOR GARNET LANDON:** Thank you,
15 Mary. Joe.

16 **COMMISSIONER OF THE DAY JOSEPH RED**
17 **THUNDER BOY:** Yes, I would like to thank you for your
18 presentation. But, as far as most of your points are
19 concerned, I regretfully can't support the majority of
20 your presentation. It sounds like it's the stereotype
21 of misconception that we hear from the people of Kenora
22 every day, which we don't from other parts of Canada.

23 As far as the taxation is concerned,

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Native people don't consider that as a hand-out. I happen
2 to own a house in Kenora and I have tenants paying rent
3 on a monthly basis. If they don't pay rent, I have to
4 evict them. We consider the tax exemption situation as
5 payment for rent of this land we call Canada. Usually
6 what happens, if the tenants don't pay rent, you evict
7 them.

8 That's all I have to say. Thank you.

9 **DON IMBEAU:** I just want to make one
10 final comment, if I may. In one of the copies of my
11 presentation that I left for the Commissioners there were
12 attached two publications dealing with Lac Lacroix First
13 Nations when they were dealing with a project with the
14 Ministry of Natural Resources. The method that they used
15 to explain the pros and cons of the issue was, at one side,
16 they had one publication put out by the Lac Lacroix Reserve,
17 First Nations, and in another publication they had the
18 MNR position on that same issue. I, as a not-informed
19 citizen, had the opportunity to read both documents.
20 Then, I thought it was a fair approach and probably the
21 best way of approaching issues, in order to, at least,
22 instruct ordinary people on just what the issues are and
23 how to come to some informed decision concerning those

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 particular issues.

2 So, I just wanted to suggest that if the
3 opportunity for public education ever came up, that is
4 an excellent method, in my view, of approaching it.

5 Thank you very much.

6 **MODERATOR GARNET LANDON:** Thank you,
7 Don.

8 **COMMISSIONER PAUL CHARTRAND:** Mr.
9 Imbeau, did I understand correctly that you have provided
10 our staff with copies of those two documents?

11 **DON IMBEAU:** Yes.

12 **COMMISSIONER PAUL CHARTRAND:** Okay. I
13 wanted to check that. Thank you very much. I'll be
14 looking at them.

15 **MODERATOR GARNET LANDON:** Don, thank
16 you very much.

17 Our next presenter is a massive man from
18 Grassy Narrows. His name is Tommy Keesick. He is a
19 long-time warrior. He is going to do a little presentation
20 with regards to solvent abuse. I think he is a counsellor,
21 so the Commission can talk to him.

22 **TOMMY KEESICK:** Meegwitch. I do not
23 want to be long in my presentation. I have had copies

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 made, which are to be distributed, and I don't want to
2 read from the text.

3 However, it has been said since the
4 signing of the treaties, we were told that, "You will now
5 become part of the land and, with that, you have become
6 part of everything that the land holds. Only then you
7 will have the right to speak and be heard. However, you,
8 being Anishinabe or, more in terms, you being an Indian,
9 you will be last to be heard. Even more so if you're a
10 smaller Indian. You are definitely going to be the last
11 to be heard. You may even have a Frenchman in front of
12 you."

13 But, you know, I don't want to look into
14 a mirror. I might see some other people coming in and
15 disfiguring the concept of self-government. If I had more
16 time, I can assure you, I could definitely give you my
17 own version of what sovereignty means. I can give you
18 my own definition of the inherent right, not specifically
19 to self-government, but what could be implemented into
20 self-government.

21 I just want to say this for my own
22 thoughts. To go on to the presentation that me and my
23 other co-counsellor made just recently, who is here with

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 me -- his name is Roy Assen -- since we came into politics
2 our reserve has been compounded by many problems, not only
3 the lack of education, not only the lack of medical
4 services, not only the lack of jobs, creation of jobs,
5 but we have also been struck by industrial pollution and,
6 more recently, solvent abuse through inhalants.

7 A few weeks back we lost two young people
8 because of inhalants. I cannot go on to express the
9 feelings that were hit upon members of the community as
10 to how we will combat this dire situation. As I said,
11 it is only recent, and it has already hit the scales at
12 a critical stage.

13 I am reluctant to say that we are
14 helpless to combat this new enemy of ours, but I would
15 hope, with the help of our Elders, Alex Skead, spiritual
16 healers, that we will come up with something that will
17 nullify this problem. I know that this problem is like
18 alcohol. It will always be there, regardless of what will
19 be done; supposedly to have been done, or to try and achieve
20 something.

21 We do not want, in particular, to
22 exhibit, or continue to exhibit our people with the image
23 that Native people cannot fulfil their own destiny. We

4 It has been said that we have been given
5 the rights to become part of Canada, but becoming part
6 of Canada also relinquishes us of our rights to become
7 human beings because of governmental policies. Those
8 policies are what are hurting the Native people today;
9 policies that are not ours.

15 (Translated) ... that they might see
16 the people from Ottawa. That's the ones that are doing
17 it really, and that they might be touched so that they
18 will all listen to the Native people.

22 COMMISSIONER PAUL CHARTRAND: Garnet,
23 thank you. I think if I did try to ask questions, that

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 is all they would be: a few simple questions, and I don't
2 want to ask some simple questions.

3 Thank you for the opportunity, but I
4 think I would rather say that I appreciate your submission.
5 You also have put it in writing here and we will give
6 it proper consideration and read it several times. I want
7 to thank you again very much. Meegwitch.

8 **COMMISSIONER MARY SILLETT:** I just want
9 to say that before this Commission was created there was
10 much consultation with many Canadians on what this
11 Commission should do. I know that there were some
12 Aboriginal leaders who said, "Let's look at one or two
13 things." One of them is the history of the relationship
14 of Aboriginal and non-Aboriginal Canadians. The other
15 one was self-government and constitutional issues. Many,
16 many other people said, "No, you can't just look at those
17 issues. You have to look at all issues. You have to look
18 at social issues, you have to look economic issues, you
19 have to look at cultural issues." Therefore, at the end
20 of the day, our mandate is very, very large.

21 I think, clearly, what you have said is
22 being said by a lot of other people, that you can't just
23 look at -- I mean, self-government is important. We

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 recognize that. But there is an equal recognition that
2 self-government does not resolve all of the problems and
3 that we have to concentrate on issues like these. What
4 you have brought to our attention is a very important issue
5 and you can rest assured that we will bring that to the
6 attention of our fellow Commissioners.

7 Thank you.

8 **MODERATOR GARNET LANDON:** Meegwitch.
9 Joe.

10 **COMMISSIONER OF THE DAY JOSEPH RED**

11 **THUNDER BOY:** Meegwitch.

12 (Translated) I thank you, Tommy, for
13 your presentation. We will look at it carefully. ...
14 how to make things better for yourself.

15 **MODERATOR GARNET LANDON:** We have
16 almost come to an end. We have one more presentation.
17 These guys are doing it together. I would like to
18 introduce Mr. James Henderson. He is the Chief of the
19 Stanjikoming Reserve. And Steve Fobister. I think he
20 works for CAS, but I'm not quite sure. No? His old lady.
21 Oh, his sister. Sorry. Can you introduce yourself
22 after?

23 Her name is Janice Henderson.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 **CHIEF JAMES HENDERSON:** Good afternoon.

2 My name is James Henderson. You have the presentation
3 in front of you, so I'll just read through it. For any
4 of the questions, any clarifications I have, Steve and
5 Janice, who is the former Chief, are here also. So,
6 between the three of us, we should be able to answer some
7 of your questions.

8 First of all, I would like to thank the
9 Commission for allowing me, and the First Nation that I
10 represent, the time to hear our presentation.

11 I realize that you went through a heavy
12 agenda today and, realizing that, I will speak briefly
13 about our situation and the items we want to present to
14 you.

15 The first item I want to present is the
16 flooding of the Stanjikoming Reserve. As you know, my
17 community has such outstanding claims against the
18 Governments of Canada and Ontario arising from everything
19 from loss of land, resulting from flooding, to breach of
20 trust and fiduciary obligations by the Department of Indian
21 Affairs and Indian Affairs Branch.

22 The research that we have conducted and
23 the facts we have gathered indicate that since the signing

10 This all began between 1905 and 1909,
11 as a result of the construction of the Rainy Lake dam,
12 initiated and under the direction of the Province of
13 Ontario, while my people's concerns were denied.
14 Initially, concerns by the Department of Indian Affairs
15 supposedly, at times, concentrated on it, at least when
16 the Indian agent's trees and home lawn and garden was
17 threatened.

22 Again, our research clearly documents,
23 "like the rest of everything", our Chief at the time gave

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 repeated warnings of flood damages as they would progress
2 with time around the reserve.

3 However, the Department of Indian
4 Affairs took no effective steps to restrict dam
5 construction or to obtain a settlement prior to the
6 completion of the dam. Even then, while this was
7 happening, there were no alternatives or solutions
8 provided for our off-reserve resources, which we
9 specifically retained in our Treaty of 1873. These have
10 also been taken and our jurisdiction denied by Ontario
11 and Canada.

12 Even to this day, our Elders and
13 ancestors have been driven from their hunting and trapping
14 grounds, and the lands taken for white trappers, timber
15 limits, government parks and tourist camps. Today you
16 can come to my First Nation territory and see the evidence
17 all round you; progress by many non-Natives. They have
18 become rich from our resources at our expense, from the
19 timber, minerals and fish on our lands and waters. Even
20 a blind person could tell the damage that has been done.

21 Even when I sit here today, it is hard
22 to imagine why this country, called Canada, proclaims
23 itself to be a democracy and continues to deny and

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 acknowledge our history.

2 Whereas the Japanese were compensated
3 for their losses, it was their mission to annihilate
4 democracy, yet Canada participates, even to this day, to
5 compensate them and, as a result, Japan has become the
6 world's most prosperous nation. Does this mean we have
7 to go to the same measures of confrontation before we reach
8 some kind of settlement with this nation we call Canada?

9 It appears nothing else works because we have tried just
10 about everything.

11 I say this because I happen to have very
12 little faith in this Commission, because of our past
13 examples and experiences. Although investigations and
14 testimonies were the subject of Indian commission
15 departmental investigations, the information about the
16 proximity and the nature of the land damages which had
17 occurred appeared before an International Joint Commission
18 in September 1915. Nothing ever came out of that, as it
19 was apparently extensively constrained by D.C. Scott.

20 However, more recently we have been in
21 discussion with another type of commission, in an attempt
22 to resolve another issue. I will speak to that in my second
23 submission before this Commission.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 However, the integrity and the forum of
2 any commission has yet to prove its effectiveness to us.
3 Whether this Commission will contemplate results because
4 our people demand action now from the long outstanding
5 grievances from the Government of Canada and the Province
6 of Ontario remains to be seen.

7 We require negotiations now, not just
8 talk. We need resources and dollars to put our position
9 together, and my First Nation is ready to do just that.
10 We need to go on with our own lives and prosper like the
11 rest of this country.

12 Therefore, I strongly recommend to this
13 Commission to present our case before those you must
14 influence. We want our case dealt with now, not two years
15 or ten years down the line.

16 And with that final note, I leave that
17 to you.

18 The other issue I would like to present
19 has to do with Bell Canada.

20 I realize that Bell Canada is not a
21 government, but, just the same, they operate within the
22 guidelines of Canadian law, which applies to us all.

23 However, to our frustrations, we have

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 been pursuing Bell Canada to install telephone services
2 to our First Nation and its members. In effect, Bell
3 Canada, with the support of the federal office of the
4 Secretary General of the Commission, has denied telephone
5 service to our First Nation territory. They repeatedly
6 deny our application on the grounds that we don't meet
7 their guidelines and tariff rules.

8 We have documented, in chronological
9 order, a history of what has transpired between our First
10 Nation and all institutions involved with this issue.

11 I would like to provide you with that
12 information here so that you can see what we are up against.

13 You will see from the information that Bell Canada will
14 provide us with the required services, providing we foot
15 the bill for the capital costs of the whole right-of-way
16 construction and other relevant expenses.

17 However, Stanjikoming is a small reserve
18 and we just don't generate that kind of capital overnight.

19 The fact remains that we are a First Nation; a government.

20 We have an obligation to the health and economic
21 well-being of our people, and a telephone system is an
22 essential part of that need to function as a government.

23 For that reason, we believe that the

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 policies and Bell Canada Tariff don't apply to our status
2 and situation.

3 We also feel we are suffering from
4 discrimination, because the fact remains they will provide
5 phone extensions and services to more isolated and remote
6 areas, for example, tourist camp operators and government
7 stations, and that is at the full expense of Bell Canada.

8 Therefore, information and
9 correspondence I will provide to you clearly indicates
10 their preference to cater to their policies and laws, not
11 people.

12 I ask this Commission for their support
13 and to have our position re-examined.

14 Thank you.

15 **STEVE FOBISTER:** I guess, just for
16 clarification, I have been retained by the Stanjikoming
17 First Nation to lobby these certain things, and what they
18 have presented. So, I work for them, I'm not a CAS worker.

19 **MODERATOR GARNET LANDON:** I will ask
20 Paul to ask you some questions.

21 **COMMISSIONER PAUL CHARTRAND:** Thank
22 you, Garnet.

23 In reply, I am afraid I cannot speak with

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 glowing confidence about the ability of this Commission
2 to assist you. Our mandate is broad, and very
3 comprehensive, and it does include all the issues regarding
4 Aboriginal people in this country. On the other hand,
5 it is a report to be made to the federal government. We
6 have set our goal. Given the size of the job, all the
7 issues that we have to deal with, it takes time. We have
8 to hear from people across the country. We have to do
9 the best research that we can. We cannot do it in a hurry,
10 we must take the time that is needed to do a good job.
11 We must do a good job, if it's going to be a fair job to
12 help people. So, all we can do is do our best.

13 We have, as I've said, set ourselves a
14 goal. Although our mandate is so huge, if we wanted to
15 go into every detail, we could probably study it for another
16 twenty years. But that's no good. Things are pressing.
17 So, we have tried to reach a balance, and we will try
18 to make our final report by the end of 1994.

19 But, in our discussions on the
20 Commission we have recognized that we are there and that
21 there are some matters that are very pressing. We have
22 asked ourselves if, in some small way, do we have the
23 capacity to assist? In trying to wrestle with that

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 question, we have established a system whereby we have
2 a case officer, so-called, an individual that travels with
3 us in public hearings, to whom specific issues that are
4 requested, not to be considered for the purposes of the
5 final report, but to be dealt with rather in the short
6 term, can be put. So, these issues, then, that you are
7 concerned to put before us, that you wish dealt with as
8 a matter of urgency, I invite you to put them to the member
9 of the staff of this Commission, who is in this room
10 somewhere -- to that individual -- and it will be dealt
11 with in that way.

12 May I ask about the telephone service?

13 Do you have other documents to acquaint us with that?

14 **CHIEF JAMES HENDERSON:** Yes.

15 **COMMISSIONER PAUL CHARTRAND:** You do.

16 I will be interested to read them, as well, because there
17 is an apparent problem there, on the face of that. So,
18 in addition to that, I will be looking at those documents
19 to find out the details of that, because it sounds like
20 something is not right.

21 I thank you for that. As I said, we will
22 have to look at it again. It does not seem right that
23 a community should be denied access to telephone services

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 in this day and age.

2 **COMMISSIONER MARY SILLETT:** I would
3 like to thank you very much for your presentation. It
4 is my personal feeling that if you have heard something,
5 then you have a responsibility to, at least, investigate
6 it, or to act on it, whatever the case can be.

7 We have had cases like this in the past,
8 you know, where groups have made specific requests to us.

9 The process that we have followed is, we have gone to
10 Commission meetings and discussed it as a group, when we
11 have had more time, to decide what action can be taken,
12 and then the group is advised of the action that will be
13 taken. So, that is the process that I will be using,
14 anyway.

15 **COMMISSIONER OF THE DAY JOSEPH RED**

16 **THUNDER BOY:** Meegwitch, for your presentation.

17 (Translated) I have too much to say.

18 I will tell them at the end of the meeting that they will
19 try to do something about this.

20 **MODERATOR GARNET LANDON:** (off-mic) I
21 think there is a new law, or something, or a new legislation
22 that they put in. You see, Bell Canada is one of those
23 old utilities.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 It is a very monopoly? It is called a
2 monopoly. I think that the CRTC made a ruling that they
3 cannot operate as a monopoly. I think it was like Northern
4 Telecom. Maybe you could just investigate that, because
5 I remember watching it on TV, and the news, saying that
6 Bell Canada has all these -- it used to be a monopoly,
7 but I don't think that's happening any more.

8 Meegwitch, you guys. Thanks a lot. I
9 think that's it.

10 The Commissioners, Paul and Mary, you
11 are going to say something to close before Alex?

12 **COMMISSIONER MARY SILLETT:** In my
13 closing remarks I would like to thank Elder Alex Skead
14 for having the opening ceremony this morning, and the
15 closing ceremonies.

16 I would like to thank Garnet Cunigant
17 who is our community co-ordinator, for all of the advance
18 work that he has done for this particular hearing, and
19 Joseph Red Thunder Boy, who was the Commissioner of the
20 Day; Garnet Landon, who was our moderator; Henry Chief
21 and Dorothy Parenteau who are our Ojibway interpreters.

22 We would like to thank Shirley Sereney, who is a court
23 reporter; Ron Parna, who is an ISTS recorder; the Royal

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 Commission staff -- Jim Compton, Mary Jane Commanda, Becky
2 Printup, Katherine Boissonneau -- and I would like to thank
3 all of the presenters.

4 **MODERATOR GARNET LANDON:** Meegwitch,
5 Mary.

6 **COMMISSIONER PAUL CHARTRAND:** I want to
7 thank everyone, those who are still here, and also those
8 who have left. Some days you get inspired, some days you
9 get tired; some days you get both.

10 I appreciated the comments that so many
11 of you made. One I can recall is Mr. Wagamese's reference
12 to food prepared by strangers. I think we shared food
13 prepared on a plane one time.

14 But, today we certainly did have an
15 indication, from a number of people who made presentations
16 to us, that we should have some small faith in our ability
17 to do good things. The manner in which the presentations
18 were made here today is certainly an inspiration that
19 inspires us to work hard so that, maybe, in some small
20 way and, hopefully, in a more significant way, we can help
21 to bring a brand new day to the relationships between the
22 Aboriginal peoples and others in Canada.

23 Meegwitch.

Royal Commission on

October 28, 1992 **Aboriginal Peoples**

1 **MODERATOR GARNET LANDON:** Meegwitch, to

2 everybody. Alex.

3 **(Closing Ceremony)**

4 --- Whereupon the Hearing concluded at 5:15 p.m.

5