

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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**Wendake, Quebec City, Quebec
November 17, 1992**

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Wendake, Quebec

--- Upon Commencing on November 17, 1992 at 8:54 am.

**LUC LAINE, REGIONAL REPRESENTATIVE OF
THE COMMISSION:** I should like to welcome everybody. The
day's program will begin without delay.

The hearings commencing this morning
will continue until 4 o'clock tomorrow. These are public
hearings; obviously, everybody is welcome.

In today's schedule, for those who
have seen the program, we shall break for coffee after the
presentation by Mrs Jocelyne Gros Louis, Grand Chief of
the Huron-Wendat Nation. The program will continue until
midday. We shall break for the lunch hour until 1:30 and
then resume until 6:00. At 5:00, for those who have not
registered, there will be an open forum at which people
can speak freely. Obviously, because it is only one half
hour, we shall ask people to be brief.

Tomorrow, we shall resume at 8:30 and
continue until 4:00 pm.

I shall begin by inviting the

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drummers, representatives of the Huron-Wendat Nation, to open the proceedings with the song known as 'The Grand Entry'. It is a truly inter-tribal song of Algonquin origin and it is played at major events to mark the reconciliation of the various nations. I think it is a very appropriate song for what will be happening here today.

People may remain seated. The drummers will play 'The Grand Entry', which will be followed by a prayer and a presentation by the Deputy Chief, Mr François Vincent. The program will then follow.

Thank you.

(Opening Ceremony)

LUC LAINE: I should like to invite Mr François Vincent, Deputy Chief, Council of the Huron-Wendat Nation, to say a prayer, please.

(Opening Prayer)

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LUC LAINE: Once again I should like to invite Mr François Vincent to make a presentation giving the history of the Huron-Wendat Nation for the benefit of the audience and also of the Commissioners, and I should like to take this opportunity to introduce these members.

We have the honour of welcoming the Co-Chair of the Royal Commission on Aboriginal Peoples, Mr René Dussault, accompanied by Mrs Bertha Wilson, a former judge of the Supreme Court of Canada, and Mr Paul Chartrand, of the University of Manitoba, and also Mrs Heather Bastien, of the Huron-Wendat nation, who will sit as a Commissioner for one day during the session to be held here at Wendake.

Now I shall invite Mr Vincent to give the historical presentation.

ASSISTANT CHIEF FRANÇOIS VINCENT,
COUNCIL OF THE HURON-WENDAT NATION: Good morning, Mr Chairman, Mrs Wilson, Mrs Bastien, Mr Chartrand. I should like to make my presentation and also occasionally to make some comments on it at certain points.

We were put here by the Creator perhaps
some 5,000, 6,000

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or 7,000 years ago, according to the archaeologists. We were called the "Wendat", which meant "The island-dwellers" or "the people of the island". We were the kings and masters of the trails and rivers leading and flowing away from the Great Lakes, that is to say, from Georgian Bay along the North Shore of the St Lawrence as far as the Saguenay River.

Formerly there were some 20,000, 30,000 or 40,000 of us. We were great farmers, fishers, experienced hunters and the most powerful traders on the continent. Trade among other nations made us a people with relations and many external relations. The Huron-Wendat language became the international language of business and travel. It is even said that some fifty nations understood this language.

We were also known for our hospitality, our diplomacy, and our courtesy was quite often proverbial. The first French people who met us, including Champlain in 1615 in Huronia, called us 'Hurons' because of the 'boar's head', the

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way our hair was cut, because we wore it somewhat raised just like the head of a boar.

A confederacy was established consisting of four nations: the nation of the deer, the nation of the bear, the nation of the rope and the nation of the rocks. We are the descendants of the nation of the rope, the Atignongowahak (PH) nation.

When Jacques Cartier arrived in 1534-35, he spent some time at Quebec City. At the present time historians and archaeologists tend to call us 'the St Lawrence Iroquois'. I believe that at that time we were part of the St Lawrence Iroquois. Cartier talks about the Grand Chief Donnacona, among others. Thus it can be concluded from both archaeology and language that we are descended from those who were met by Cartier at Quebec City and when Cartier stayed there, that is, when he wintered over in Quebec. Thus we were certainly there.

In Ontario the person who discovered us was Samuel de Champlain in about 1615. However, it must be said that previously

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Champlain had succeeded in concluding a major alliance with the Hurons, Malecites and the Etchemins. So we were known.

Champlain founded Quebec City in 1608, travelled up the St Lawrence River in 1615 and discovered that the Huron nation was already established on Georgian Bay. Our numbers, as estimated by the missionaries, by the Récollets sagards, or by Champlain himself were around 40,000, 50,000 or 60,000. The people lived in a sort of bark cabin and they also had a very highly structured organizational system. There was a confederacy made up of four nations consisting of eight clans.

I have already explained that we were traders, farmers and great hunters. We were the masters of the trails leading out of Ontario, that is from Georgian Bay to the Saguenay River. We also visited the south shore because we went as far as Gaspé and also traded and bartered goods with the Algonquins and Nipissings (PH).

Between 1639 and 1649 the French established a fort called 'Sainte-Marie among the Hurons' in

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Ontario. Unfortunately, disease began to spread -- among other things, diphtheria, tuberculosis, small pox -- and in the space of ten years or so some 30,000 or 40,000 Huron-Wendats died of these terrible diseases which I think to some extent explains the decline in Huron power. There are references to the Hurons, of course. Perhaps the Iroquois and the Hurons were the victims of trade with the White Man.

In 1649 we decided to spread out. Following the extensive attacks of the Five Nations Confederacy at that time, the limited and reduced number of warriors and the decline in Huron power, some 600 Hurons left Ontario and the Georgian Bay area to move down here to Quebec City.

In the Quebec City area we spent some time on the Ile d'Orléans. The warriors of the Five Nations Confederacy travelled via Lake Champlain, the Richelieu River, past the Château Saint-Louis in Quebec City -- the French did not do a thing -- and the Iroquois came to attack about 80 members who were working in the fields on Ile

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d'Orléans.

It was customary for the Iroquois, as it was for the Hurons, to impose themselves or, in other words, to want to go to the lands of the other nations.

The Iroquois forced us to move away with them. Some 300 to 400 Hurons decided to leave with the Mohawks and with the Onondaga.

We, the descendants of the Atignongowahak (PH) nation, the nation of the rope, decided to remain with the French in Quebec City. We stayed for some time very close to what is now the Château Frontenac in Quebec City, which was at that time called 'the Fort', under the protection of the Governor, Louis Daibout (PH), who was one of the governors of New France. We later spent some time on the shores at Beauport. Subsequently, we were granted a concession called 'Sillery'. On March 13, 1651 the Company of New France -- and this was also ratified by the King of France -- gave the Indians generally, the Catholic Indians, for evangelization, Catholicism, a concession called 'Sillery'.

Later, some time around

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1673 we moved to Ancienne-Lorette; 'Lorette' was, by the way, the name given by the Jesuit Father Chomoneau (PH) to end up, in the period around 1697, on the banks of the St Charles River, called 'Kabir-Kouba'; the Hurons also called it 'Trout River'.

In about 1656 a major alliance was concluded with the principal Catholic nations, what they called the "Christian savages in Lower Canada". The seven nations included the Mohawks in Kahnasatake, in Kahnawake and in Akwesasne; the Algonquins were also in Kahnasatake and in Trois-Rivières; then came the Abenakis from Bécancour and Odenak (PH) and, of course, ourselves, the Hurons of Lorette.

At that time, around 1656 we concluded agreements including those with the Algonquins to obtain subsistence land, that is, territorial rights over the expanse of land extending from the Saint Maurice River to the Saguenay River and the St Lawrence River. This agreement was reached by means of a wampum, that is, what we call the 'necklace of

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truth'.

At that time each family had its own land for hunting and fishing. Moreover, in 1819, when Grand Chief Nicolas Vincent Sawenoje (PH) commented in the Lower Canada House of Assembly on the hunting and fishing lands, we obtain an idea of their size.

I should like to show you a map made by an ancestor of mine in 1829, when he was exploring; in a sense, as a result of the judgment of the Supreme Court in Sioui dated May 24, 1990, it depicts rights; we have rights over a territory situated between the St Maurice River and the Saguenay River. This territory extends for approximately 120 miles by 180 miles. Here we see the notation "40 leagues by 60 leagues". Nicolas Vincent made this when he was exploring in 1829 and, according to my information and that of historians in the federal and Quebec governments, it is a map that is conclusive, in the final analysis. It must be noted that at that time Vincent knew the territory very well and that is the same thing ... as the Montagnais have already done elsewhere in other different commissions.

Also, we have always been

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privileged partners of the French, through various alliances, among other things, and through Champlain and others. Indeed, we were experienced warriors. It must also be said in passing that we were always at the centre of all the diplomatic dealings. I have a little story, among others, where the Marquis de Montcalm said: "We do not consider them to be subjects, we do not consider them to be slaves; rather we see them as equals".

So we took part in a great number of warring expeditions with the French and, finally, not long before the conquest, that is, shortly before September 8, 1760, in order to prove that we were a sovereign and independent nation, three days before the surrender of the Canadians, we concluded a separate treaty with James Murray who allowed us the free exercise of our religion, the free exercise of our customs and freedom to trade with the English.

We were, to be sure, in the Seigneurie de Saint-Gabriel, even though we currently overlap the concession called 'Sillery", of which at that time the

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Jesuit missionaries were the guardians. Thus pursuant to the agreement each chief, each captain, was to receive an annual pension under the conditions governing this Seigneurie de Sillery, although this was never received.

You may also know that the Sillery concession, which belonged to the Indians generally because there was a clause there -- we were called 'the neophytes' at that time -- we lost that seigneurie.

At the moment, with the title dating from 1794, the missionaries ... shortly after the conquest we again asked the bursar of the Jesuit Fathers, Father Cazeau (PH), for our lands to be returned to us because everybody knows that around 1773-74 a Pope disbanded the Society of Jesus and, finally, the British decided to seize the lands and property of these gentlemen, namely, the Jesuits.

Thus, in February 1794 the Huron chiefs went down to Charlesbourg, very near Quebec City, to have their lands returned to them. At the time we were given our current concession, which is in the old part of the Huron Village and consists of approximately forty acres.

Furthermore, in 1794 we were given

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1,352 acres called the '40 arpent reserve'.

It should be noted in passing that there was also a Royal Commission of Inquiry because shortly before that period, from 1819 to 1836, that is until the popular uprising in St-Denis, in 1836-37, the Hurons always claimed the concession in the seigneurie of Sillery. They even went to London. On April 8, 1825 they were received at the Court of King George IV. At that time they presented to King George IV a belt, a necklace of truth, which symbolizes an alliance. This belt still exists; it is in the McCord Museum in Montreal. It symbolizes the alliance, that is, the treaty between the British and the seven aboriginal nations in Lower Canada that concluded a peace alliance, a lasting peace.

Thus, we had hunting rights, places where we could go hunting between the Saint-Maurice River and the Saguenay River. Unfortunately, in 1895 the Quebec government established the Laurentians National Park. That was the beginning of the troubles relating to the land. We were systematically evicted from the lands

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on which we had formerly hunted and fished on the ground that they were needed as a game reserve. This was done gradually and systematically.

In the early twentieth century, to be sure, we earned a living by carrying on activities as tradespeople, semi-industrialized in the development of our resources, that is, with the products of the hunt. We were also forced to become involved in manufacturing boats, snowshoes and making moccasins. But this was a major loss at that time when it is considered that we were the kings and masters of the trails and rivers leading from the Great Lakes to the Saguenay River, to be reduced to a small territory and systematically to abandon our hunting and fishing lands and to be limited quite simply to a small reserve.

Despite the fact that in a deed of 1852 we obtained a 9,600-acre concession at the end of Portneuf called 'Rocquemont', it is true that in 1903-04 for political reasons and through trickery we lost 1,352 and 9,600 acres, which meant that in 1905 out of a possible 11,000 acres of land, the limits of the reserve had quite simply shrunk to about forty acres or so.

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At the present time the population of the Huron Village here is approximately 1,000 people; and about 1,500 live outside. I should also point out in passing that we have compatriots, namely in Detroit, descendants of the Huron-Wendats who spread out in about 1649. Other descendants of the Huron-Wendats spread as far as Oklahoma in 1649 and they are also known as the 'Wyandots'.

All of this is essentially to give you a little bit of background to our infamous history and our travels.

Finally, with the political and economic autonomy of the Wendat Hurons, with the application of the Murray Treaty, with all the land claims already under way, we hope that one day we will be able to act as kings and masters of our own house.

Thank you.

CO-CHAIR RENE DUSSAULT: I should like to thank you, Mr Vincent, for giving us this historical background which, I feel, will enable us to begin the day here at Wendake with some valuable information. I feel that history is certainly one of the

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fundamental aspects in an understanding of the relationship between the aboriginal peoples and Canadians generally.

Thank you.

LUC LAINE: To mark the beginning of the hearings, I should like to invite the Grand Chief of the Huron-Wendat Nation, Mrs Jocelyne Gros Louis, to express a word of welcome to the members of the Commission.

Mrs Gros Louis.

CO-CHAIR RENE DUSSAULT: Good morning.

GRAND CHIEF JOCELYNE GROS LOUIS,
HURON-WENDAT NATION: Mr Co-Chairman, Commissioners, Ladies and Gentlemen, members of the Huron-Wendat nation, on behalf of the Huron-Wendat Nation and on my own behalf, I am very pleased to welcome you to our land on the occasion of this second series of public hearings which, we hope, will lead to increased harmony in the relationship between us.

As was recently said by some of our representatives of the First

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Nations, Canada must take a break and realize that the aboriginal peoples do not want Canada to continue to give them certain things. What we want is to be given the support we require to regain our own strength so that once again we can walk on the right trail under our own power. This means sharing with us the renewal of our self-respect and our pride in our heritage. This means paying attention to the use of language, symbols and cultural opinions so as not to offend our peoples. This means letting us to take care of ourselves through equal access to the income generated by our traditional lands and working with us as partners in this immense territory.

We dare to believe that the Huron-Wendat Nation will be able to make its contribution to the construction of a great project for an independent society of the First Nations. May this Royal Commission generate a new loyal dialogue based on honour and respect, a candid and honest dialogue that, we hope, will finally end by bringing to fruition some of our most profound convictions.

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Meegwetch.

CO-CHAIR RENE DUSSAULT: Thank you, Mrs Gros Louis, for your invitation and for those words of welcome.

First of all, I should like to welcome everyone. For us, this is a very special opportunity to be able to meet with the Huron community of Quebec City and with the residents of the City of Quebec and the surrounding municipalities.

The Royal Commission on Aboriginal Peoples was created toward the end of August 1991 in following a process that was unique to Canada under which, contrary to custom, it is not the officials of the federal government who drafted the Commission's mandate; rather, the Prime Minister of Canada asked the former Chief Justice of the Supreme Court, Mr Brian Dickson, to consult with all Canadians, in particular, of course, the various aboriginal peoples of Canada, and to recommend the Commission's mandate and also the members of the Commission.

Chief Justice Dickson submitted his report in August 1991 and proposed a mandate containing sixteen points

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covering more or less all the questions likely to interest the aboriginal peoples of Canada, including the Inuit, Metis, status Indians under the federal Indian Act and non-status Indians generally who live in the urban environment.

This is the first time that a commission of inquiry has been given such a broad mandate that covers not only all the aboriginal peoples but also issues such as the question of self-government, which caused a great deal of ink to flow on the occasion of last year's constitutional discussions, the issue of land claims and the process governing such claims, more concrete and immediate issues for various communities such as living conditions in the communities and thus questions of social development in, for example, the fields of justice, health, social services and also education, problems that are often associated with social questions, such as alcoholism, substance abuse and drug addiction, the high level of

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suicide among natives and the whole question of AIDS, which is a problem that seems to be reaching us with a certain delay but which currently hangs over aboriginal communities, the cultural issue of the affirmation of aboriginal cultures and languages and, obviously, the whole issue of economic development, which is essentially the motor of future self-government.

The Commission's mandate also covers very specific and important questions in the legal field, the field of history, relations among the aboriginal nations that signed treaties prior to Confederation and those that signed treaties after Confederation, after 1867. All questions likely to be of interest to and to affect relations between the aboriginal peoples and Canadians, especially Quebecers, are on the table.

The principal object of the Commission is essentially to ensure that this relationship is reestablished on new bases, on bases of respect, on

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principles of self-sufficiency, on principles that ensure that the vision of the aboriginal peoples of Canada is fundamentally changed.

When we speak of vision, attitude and mentality, it must be realized that this is much more complex than when we talk about the administrative structure or even about budgets. It takes a lot of time to change perspectives that often developed because there was a certain misunderstanding that occurred for historic reasons. It is obvious that the aboriginal peoples of Canada -- and this is true of Quebec -- have in a sense lived parallel in many respects to the mainstream society.

Once again I think that to be here at Wendake, which is a reserve in an urban environment, is a very important step for us. We feel -- and we see this in the process on which we have embarked; we have met with communities throughout Canada -- that, of course, a community such as this has its problems but it also has a great deal to offer. Success stories may be found in aboriginal communities but unfortunately they are not

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common and they are not given sufficient prominence.

We feel that it is the role of the Commission not only to identify the problems and to attempt to find solutions for them but also to do this often on the basis of solutions that have been found in communities that, for historic reasons, geographic reasons, perhaps have had additional opportunities to succeed and have taken these opportunities.

Essentially, what I should like to say this morning is that we as a Commission have undertaken a considerable process of public participation, probably the biggest that a federal Royal Commission of Inquiry has ever undertaken. Normally, federal Royal Commissions looked at thirty or so cities, usually in the south, the main capitals in the two territories for a few months and returned to their offices to draft a report and recommendations.

From the outset we felt it was necessary to meet with all the premiers of the various Canadian provinces, the ministers responsible for aboriginal affairs and

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provincial aboriginal organizations and it was our concern, on the one hand, to look at the kind of public participation and the Commission's mechanisms of public participation because we wanted to set up a dialogue and also, on the part of governments, essentially to ensure their co-operation and also to convey the message that the Commission should not be used as an excuse for inaction.

The Commission was not created so much to identify problems -- this has been done by many task forces and commissions in the past -- as to attempt to develop solutions, to formulate solutions that can be both viable and acceptable since they have been tested by the aboriginal communities, but translated into terms that are acceptable to Canada as a whole, for the general public of this country.

This is obviously a challenge. A Commission such as this can in essence only be successful to the extent that people are willing to make an effort to participate in the search for lasting solutions.

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We decided to proceed by means of four series of public hearings specifically to establish this dialogue. While we should not make comparisons, which are always difficult, our Commission is broadly similar to the Commission of Inquiry on Bilingualism in the 1960s, the Laurendeau-Dunton Commission, in the sense that we are working on the relationships among peoples.

It is obvious that this involves an additional requirement. It is different from a Commission that works on one particular subject of study, on one topic in the field of health, transportation or communications.

This is a context where we have to work in a more political environment on the social level.

Within this framework we felt that it was absolutely essential for us to be able to return to the communities, to the regions, in order to test ideas and, essentially, to ensure that the Commission's work would not in the end cause major surprises when the final report is issued because we will have taken this path in company with the aboriginal peoples and with the general public.

At the end of each of our series of public hearings we shall publish a

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document. We held the first series of public hearings in April, May and June. We visited thirty-seven communities across Canada in all ten provinces and the territories.

We also heard over 850 presentations in oral and written form. We published a document entitled "The questions involved", which attempts to state what we heard and which also raises a number of questions. Now as we begin this second round of public hearings, we hope to go further in answering these questions and to have the components of an answer. We shall then hold a third and a fourth round of public hearings in 1993, lasting until September 1993.

Parallel to this we hold meetings in community centres, we have meetings in locations where people can be found when people cannot come to us, in hospitals and in schools. We meet with a very large number of young people in elementary and secondary schools also because the question of education is fundamental, both the drop-out issue and also the

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need for students to continue their studies at the post-secondary level. We are always very happy when young people come to talk to us at the public hearings held in schools because the Commission's work is to a large extent concerned with the future of the new generation of natives in Canada.

Parallel to this process of public participation, which is sizeable -- we shall visit between 120 and 125 communities in Canada --, we have also undertaken a research process, a research program that is undoubtedly the largest that has been undertaken on aboriginal questions in Canada.

Our approach to the sixteen points in our mandate has been synthetic in nature, it is an approach in which we attempt to see the relationship between social questions and questions of economic development, a relationship between self-government and the distribution of services in the fields of health, education, justice and social services. The whole question of self-government will be examined in depth by the Commission.

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On the basis of the reality with which we are dealing, we feel that the essential approach is to move from the bottom to the top, starting with what is known.

We know that the constitutional discussions made major progress on aboriginal matters with respect to knowledge of the issues and the major principles involved. We also know that the unknown was also an important factor in the questions that arose and we view the Commission's role as primarily one of creating an overall picture and, by clarifying concepts, using models of self-government that may vary from one nation to another, depending on the communities, depending on the lands of groups or nations that have signed treaties with the federal government, we hope that we can produce a report that will create momentum to take us forward and take a decisive step in our relations and in the vision of the relationship between the native peoples and the government of Canada.

The Commission's primary objective is, in essence, to attempt to achieve a reconciliation but also to

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ensure that a much more adult and mature, a much more enlightened, relationship or vision is created between the aboriginal population, the aboriginal peoples and Canadians and the governments of this country that will ensure that government policies are good policies rather than bad policies such as have, unfortunately, been all too common in the past.

I have in mind the whole policy under which elementary schools were not established on reserves but rather children were taken away from their families and taken to boarding schools in the south, into religious communities, and this has contributed to the loss of culture, the loss of language and the dislocation of families.

We think of policies such as those governing the relocation of populations to other land at very high human costs. In the first series of public hearings Mrs Wilson was with me and we were in Inukjuak in the first week in June. We heard first hand a presentation by five people who were in

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1953 Inuit children or teenagers from seventeen families who were moved to the north of Baffin Island.

Obviously, regardless of the intentions, this relocation was a mess on the human level since there was a lack of information and the harm that resulted was considerable. And there have been several other examples over the last few decades.

It is obvious that the object of the Commission's work, among other things, is to avoid a repetition of human dramas like these.

We heard from a broad group of individuals during the first series of public hearings.

Essentially, the groups told us that, in their view, the maintenance and affirmation of cultures were dependent on self-government. On the subject of social services and services in the fields of health, justice and education we were told: "Pay attention. The question of self-government is not a panacea for all the problems".

In several

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communities we were told: "First the social problems must be resolved before you can think of moving toward a certain amount of self-government".

We are aware that considerable technical problems remain to be resolved and these include funding, the land question, questions of royalties for resources. We realize that solutions in terms of the distribution of services and in respect of problems with education are often not solely solutions involving money but often solutions that depend in the final analysis on the value that communities, parents and aboriginal leaders place on education and on the cultural security that can be given to young people when they come south to take post-secondary training and return to take up employment on the reserves or in northern communities or choose to become integrated and to participate in the majority society.

What is important and what young aboriginal people are telling us is that: "We want to have a choice. We are not afraid of computers or of the modern world; on the contrary. But

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we want to have the option of functioning in modern life but at the same time we do not want to lose our soul, our roots or our cultures." I feel that this is one of the main challenges that we must all face.

At this point I should like to state that the opportunity to make presentations to the Commission is a very special occasions, for us in any event. I feel that everyone should feel comfortable in doing so, whether they do so orally or in writing. We try to create a formula that enables people to communicate with us to the maximum degree possible.

This afternoon we shall have a free discussion where the people attending the meetings can come and express some of their concerns at the microphone. The transcript or the depositions given before the Commission form part of the public record. We have translation this morning into French, English and Montagnais. So I feel that everybody should feel at ease in making presentations in any of these languages. We want to ensure that things are as easy as possible.

With a view to

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visiting as many communities as possible, the Commission has divided up into various groups. This week we are here in Quebec City, at Wendake. We shall go to Sept-Iles. I am with Mrs Wilson who was a judge of the Supreme Court of Canada until early 1991 and who had an opportunity to take part in a very important way in many judgments relating to aboriginal rights. Paul Chartrand is a professor of law at the University of Manitoba and a Metis from the province of Manitoba; he lives in Winnipeg.

Parallel to this meeting this morning we have another team of Commissioners; Georges Erasmus, who is the former president of the Assembly of First Nations, is with Mary Sillett, who is an Inuk from Labrador. They are in the Yukon. Mr Allan Blakeney, the former Premier of Saskatchewan who held that office for ten years, is with Viola Robinson, the former president of the Native Council of Canada, who is a Micmac from Nova Scotia. They are in Cambridge Bay and Rankin Inlet in the Northwest Territories and are also holding public hearings.

We were ready to set to work on October

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the day after the referendum, in three Canadian provinces, because we knew that, regardless of the result of the vote, there was a tremendous amount of work to do in order not only to give a concrete form to self-government but also to come up with solutions to social problems, problems relating to aboriginal economies, that have arisen on our lands.

Our interpretation of the referendum vote is not a negative one as far as aboriginal issues are concerned in the following sense: on the one hand, there was a major process of public education that took place, given the level of the discussions held with the Prime Minister of Canada, the various premiers of the provinces and the leaders of national aboriginal organizations. I feel that, when we consider that one year ago the very notion of an inherent right to self-government was something quite unknown, we must place the speed with which the subject has developed in perspective.

In addition, when we see that there has been considerable progress both on the part of

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governments and on the part of aboriginal associations in attempting to define both the principles and the parameters or the limits of self-government, I feel that this meeting of wills is highly significant. Moreover, we know that governments and aboriginal organizations were prepared at a specific point in time to conclude mutual agreements.

Of course, we know that what will be important in the coming months is to examine in greater depth the meaning of the rejection of the Charlottetown Accord, although we are convinced that this does not involve a return to the starting point; quite on the contrary. A great deal of progress was made and we think this will facilitate the work of the Commission and receptiveness to the recommendations it will make.

The Commission intends to submit its final report to the federal government in September 1994, three years after the Commission was established. We obviously have a lot on our plate. We think that the Commission's main contribution will be to paint a general picture that will give us a full global view of social questions

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and those relating to economic development, land and to the mechanisms for implementing self-government.

I would like to repeat what I said earlier: a Commission like this needs the active support of the population as a whole. The presentations that you make here today will have an influence on the report that the Commission will submit.

We hope finally to be able to integrate the information generated by the public participation mechanism with the academic research in a dialogue that will enable everyone to recognize himself in the choice of words we make, in the way we shall express ourselves, and not solely because we are going to use quotations or embellish our report with quotations. We want to go beyond that and ensure that it gets into the very veins of the Commission and that this fact will be evident from the text of the Commission's report.

At this point I should like to welcome you and invite you to feel at ease as you tell us about your

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concerns and your preoccupations. This is intended not only for aboriginal witnesses but also for Quebeckers and people from the rest of Canada and the various institutions.

We feel that it is essential for the discussion to continue throughout the life of the Commission. We wanted to be sure that there was a process of public education that in essence exists to ensure that we do not find ourselves in a situation where too often commissions of inquiry submit their report and people begin to think about it afterwards and in essence begin to react and to lobby governments with all the difficulties that this involves.

As a Commission of Inquiry, we intend to grapple with the difficult questions. We think that if we wish to ensure that the report does not end up on the shelf, we have a responsibility to provide answers to the most important questions.

We shall have a round table on questions of justice in the week of November 23, that is next week, in Ottawa. There have been several commissions of inquiry examining the field of aboriginal justice. There are

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fundamental questions to which we must provide answers including, among others, whether the system can be adapted to serve the needs of aboriginal peoples or whether we have to adopt separate aboriginal systems, at least at the local community level and, if so, how this can be done.

Once again, I should like to welcome you and wish you a productive day. I shall now like to ask Mrs Wilson to say a few words and also Commissioner Paul Chartrand. Thank you very much.

Mrs Wilson.

COMMISSIONER

BERTHA

WILSON:

[English]

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[English]

CO-CHAIR RENE DUSSAULT: Paul.

COMMISSIONER PAUL CHARTRAND: Thank you, Mr Co-Chairman.

It is a great honour for me to be a member of the Royal Commission on Aboriginal Peoples and it is a particular honour to be here at Wendake in Quebec.

I should like to thank Mr Vincent and Chief Gros Louis for their presentations and their words of welcome. I am also pleased to see the interest displayed by the young students who are here with us this morning.

I hope that, at the end of the week spent here in Quebec, it will be a little easier for me to understand French and to

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speak in French. I do not often have an opportunity to speak French in Winnipeg. I can assure you that the French mixed with a little Saulteaux, which I spoke at home when I was young, is very different from the French I am speaking or that I am trying to speak at the present time. It got off to a good start this morning with a conversation with Mrs Louise Delisle, whom I knew in Manitoba. I look forward with pleasure to the presentations and the other events of the two days that we shall spend here.

Thank you very much.

CO-CHAIR RENE DUSSAULT: Thank you, Paul.

Before I ask Mrs Jocelyne Gros Louis to make her presentation, I should perhaps introduce Mrs Ethel Bastien, who probably does not need any introduction in this community. Mrs Bastien is with us as a Commissioner for the duration of the public hearing here over the next two days.

The idea of having a one-day Commissioner with us is one that proved to be very productive during the first series of our public hearings. The objective is essentially

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to have someone sitting with us on the same footing with whom we can exchange views on our community, essentially on the people who submit briefs to the Commission and this gives us a better understanding and helps ensure that we fully grasp the subtleties of what is said to us, the community context.

In this sense I should like to thank Mrs Bastien for agreeing to play this role with us over the next two days. It is a real role and one that is important to the Commission. Mrs Bastien will ask witnesses questions in the same way as Mrs Wilson, Paul Chartrand and myself.

Thus, once again, this is a formula that has a lot of advantages and we thank Mrs Bastien for joining us.

I should now like to ask Mrs Jocelyne Gros Louis, Grand Chief of the Huron-Wendat Nation, to make her presentation.

Mrs Gros Louis.

I should perhaps point out at the outset that we have approximately thirty minutes, one half-hour, and that we would also like to have a discussion.

So that is the framework in

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which we should like to have the presentation made. Thank you.

JOCELYNE GROS LOUIS: First of all I should like to thank you, Mr Co-Chairman, for allowing the Huron Nation to submit its brief to the Commission. Today I am accompanied by Assistant Chief Vincent, who will be present and can also answer your questions, and by our legal adviser, Mr Michel Pouliot, who is sitting on my left.

This is the document "Positions of the Huron Nation concerning its recognition as an aboriginal people for the purpose of attaining self-government".

The positions of the Huron-Wendat Nation on its recognition for self-government are based primarily on those of the Assembly of First Nations. They interpret the inevitable fact that section 35 of the Constitution recognizes our ancestral and treaty rights and this also includes recognition of the inherent ancestral right to self-government.

The aboriginal nations have the power of self-determination as a result of their

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historic and cultural roots, but although this inherent right to self-government is entrenched in section 35 of the Constitution and is recognized as such, it is not yet accepted as being part of the Canadian situation. The provincial governments are attempting to limit the implications of our ancestral rights in the Constitution.

The federal government, for its part, retains its obvious preference for legislation that only delegates administrative powers to the aboriginal governments, subject to rigorous controls. Its political attitude toward Indian affairs suggests an approach that is still paternalistic, not to say colonial.

This finding results from the discussion about the source of authority for self-government that has been going on since the end of the Second World War. This is why the federal government, while it recognises the need for self-government, expresses it in terms of delegation of authority rather than as a recognition of inherent powers.

The parameters of the policy laid down by the federal government do not therefore provide

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the First Nations with an opportunity for negotiations in which they could discuss several pressing questions concerning the form of government with which their communities must deal. For example, questions such as citizenship and status under the Indian Act are not negotiable in the current process. However, citizenship is fundamental to government. Additions to reserve lands and access to natural resources on the traditional lands are not open to discussion under the existing process and improvements in existing policies in these areas are extremely limited.

The federal government has not yet developed its own negotiating positions in several key areas such as financial relationships, systems of taxation, the nature of the involvement of provincial governments, questions of justice and the interests of third parties.

In the particular instance of specific fiduciary duties under the treaties an on-going effort is being made to reduce disclosure rather than to clarify matters openly and constructively.

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Basic issues such as community, social, cultural and economic development are not priorities of the federal government in the process.

It is accordingly a matter of the greatest importance that the federal government should take a position in these key areas and define its priorities for the whole matter of concluding agreements on self-government. The whole negotiating process should be geared toward such implementation. In order for this to occur, several questions affecting the government must be answered since they all focus on the ability to pay the cost of self-government, including access to resources and a funding base. They will also include financial relationships, the development of human resources and economic development.

In January 1992 the Huron-Wendat Nation ratified a framework agreement with Canada that was designed to develop a new system of government for the Nation and to create a new relationship between it and Canada.

It is in a spirit of sound co-operation with Canada that our nation intends to continue

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the process begun by this agreement until it is implemented.

Will the process continue at the same time as the resolution of the fundamental questions to which the government must find answers? This must be the case because otherwise the implementation of our framework agreements will never occur.

Our Nation continues to believe in the federal government's good faith in negotiating to establish structures and resources for our self-government and, in this context, submits this brief.

Ratification of the framework agreement between Canada and the Huron Nation has led to the creation of the Committee on the Future of the Nation, which has set up forums for consultation, the following general recommendations of which have been approved by the new Council.

Self-government for the Huron Nation must:

- be designed to protect the rights acquired under the Indian Act;
- give us the legal and financial means required to make our own social choices;
- be designed to protect what has

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been attained by means of constitutional amendments;

- protect the acquired rights resulting from the Murray Treaty of 1760 and ensure that its contemporary impact is recognized;

- anticipate the potential for developing future agreements;

- define the priorities for action concerning citizenship and the Nation's method of electoral representation.

The advisory forums have made more specific recommendations in several areas of activity. We shall go into detail about the main recommendations approved by our new Band Council later. Beforehand, however, as regards our position on the negotiations of our treaties with a view to attaining political and economic self-sufficiency, this is what it turns on if we are to be fully certain of self-government for the Huron-Wendat Nation.

The James Murray Treaty.

The Murray Treaty dated September 5, 1760, which was recognized by the Supreme Court of Canada in the case involving the Sioui brothers, Regent, Konrad, Hughes and Georges, gave the Hurons of Lorette their

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freedom of custom, trade and religion. This Treaty is unique of its kind because it recognizes that the Hurons have rights and freedoms without in any way extinguishing the power to manage the future of their nation with respect to their political institutions and their traditional rights as owners and occupants of large areas of land.

Our historic, legal and political rights steer us as a nation toward the recognition of these rights so that we can ensure our economic development through the exploitation of our resources, assets and wealth on lands that have still to be defined and through fair financial compensation to be paid to our people, where appropriate.

Interpretation of the treaties.

The Murray Treaty should be given a large and liberal interpretation that takes account of the historic context that enables us to identify what was the real intent of the parties. A process allowing clarification of its scope and meaning through negotiations between the parties concerned should be started. Any disagreement should

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be submitted to the courts only as a last resort.

The link between the treaties and self-government.

The Murray Treaty recognized our freedom of custom, and this includes, in our opinion, our nation's power to create, control and maintain its own independent government. Moreover, two years after this treaty was signed, Murray was given a mandate by London to study and subsequently to inform his Britannic Majesty of our form of self-government, institutions and traditions.

Lands and resources.

The Hurons claim further lands and resources. Such assets are essential to ensure the organization and maintenance of a viable, permanent and effective self-government.

Grant programs and other financial assistance

The Hurons intend to ensure the survival and development of their traditional and contemporary economic activities. Canadians should compensate the Hurons for the loss of their assets and rights or envisage the

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possibility of sharing in the survival and economic development of our nation, failing which our people will have no alternative but to assert their rights to the exploitation and control of their traditional lands, in order to benefit from the heritage and resources of this Huron territory which is much larger and more extensive than that on which our reserve is currently located.

Economic development.

Economic development must attain the levels that would allow us to resolve a number of social problems. Our nation wishes to apply without delay all practical solutions that would enable us to resolve the problems of economic dependence and the resulting social problems. The Hurons anticipate that the negotiations currently under way will enable them to receive fair financial compensation or reasonable use with payment from the profits, of the natural resources and other territorial assets.

Now the following are our specific recommendations concerning the areas of activity involved in implementing self-government for the Huron

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Wendat nation.

It is recommended that:

- a general right to trade be recognized as applying to all the lands under the 'Vincent plan' ...

We shall give a quick overview of the various topics without describing them as such because the whole topic is very long and we feel that the time available to us is limited. So we shall simply have to state them and move on to the question period.

Necessarily, then, the land is a subject; the Wendat constitution that we shall have to put in place will contain various elements; the charter of individual and collective rights, the Huron-Wendat government; citizenship; economic and social development; social services; housing; communications; education and training; culture; justice. These are the various subjects that we dealt with in the proceedings of our sectoral forums and that the people want to use as a basis for a self-government project.

Perhaps I can read by

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way of conclusion that the Crown must help the governments of the First Nations to reconstruct what has been lost or what has been weakened. Self-government established on honour and respect remains the key to what is missing.

Canada must take a break and realize that the aboriginal peoples do not want Canada to continue to give them certain things. What we want Canada to do is to give us the support we need in order to regain our own strength so that we can once again take the correct path to our own empowerment. This means sharing with us the renewal of our self-respect and our pride in our heritage. This means paying attention to the use of language, symbols and cultural opinions so that our peoples are not offended. This also means letting us take care of ourselves through equal access to the revenues generated on our traditional lands and working with us as partners on these vast expanses of land.

CO-CHAIR RENE DUSSAULT: First of all, Mrs Gros Louis, I should like to

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thank you for presenting such a substantial, precise and detailed brief on your nation's vision of self-government and the resolution of many economic and social problems.

I feel that it is certainly a brief that is well along the lines of what the Commission wants in this second series of public hearings where, once again, we are looking for solutions and a concrete discussion of ways and means of taking action.

In your brief, obviously, you mention the Sioui decision of the Supreme Court of Canada, which interpreted the Murray Treaty. You also mentioned the need, from your viewpoint, to extend the reserve lands.

It is perhaps not altogether clear at this point to my mind. We had the map that was presented by François Vincent, the Deputy Chief, a little while ago.

My first question is designed to clarify to some extent the scope of your land claims. Once again, are you seeking to exercise rights over these lands that, as you mentioned, are much more extensive? Are you seeking

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ownership of these lands. Can you give us a bit more information on the nature of the land claim that you are talking about?

**MR MICHEL POULIOT, LEGAL ADVISER TO
THE HURON-WENDAT NATION:** That's it. When the Sioui case was argued, that judgment and that case were visionary. At the time experts in constitutional law claimed that there was no treaty in Quebec.

Obviously, in my opinion, that treaty will play an extraordinary historic role on the following basis; that treaty was signed in a context where the Hurons were recognized as military allies and that treaty recognizes, as was pointed out in the brief, rights and freedoms.

Obviously, in our view, there is work to be done from the legal point of view, concerning the claim to rights and at the political level, where we have another role to play over the next 10 or 20 years. Our objective will be as follows: It will involve showing the people of Canada that

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the aboriginal peoples of Canada were military allies with independent governments. Obviously, the nations held rights in practice; this means that they managed territories.

When I meet Europeans and tell them that for the last 10 years I have been conducting research to prove to our courts in Canada that the aboriginal peoples were there first, managed territories, had rights that were certainly equivalent to rights of occupation and possibly rights to exploit the natural resources, they tell me: "That's obvious". But clearly, the Murray Treaty went against the trend. We are dealing with a corrective movement where we are going to reestablish the facts.

When people have studied, even only superficially, the history of the Hurons in North America, they will confirm that the Hurons played an extremely important role. The conquest of Canada, that is the British victory over the French, occurred in 1760. Subsequently, even over a period of three years, there were other wars with Pontiac, who

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was a Huron.

The Hurons have traditional lands. Here in Quebec near the area of Quebec City, you have the Vincent Plan which extends to Tadoussac and goes up as far as Lac-Saint-Jean; in the west the Hurons settled in Trois-Rivières, Montreal and as far away as Detroit, where trade was extremely important, even following the conquest.

One of the reasons for the coming into force of the Royal Proclamation was the need to buy peace because the British government realized that trade or free trade with the aboriginal nations was an extremely important factor. It is costly to wage war against aboriginal peoples and it is not worth while because the fur trade and so on are unusually important.

In short, it can be seen that this was an alliance, somewhat along the lines of the Free Trade Agreement; so the modern Canadian Free Trade Agreement is considered to be the first treaty but, in our opinion, when the Murray Treaty speaks of "freedom of trade", we

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are dealing with a fee trade treaty where even the Hurons, after the surrender of the French, recovered lands and so on.

In short, the objective of the nation before the courts and in negotiations is to make it clear that the Hurons had access to territory, managed lands and formed governments that had practical powers to manage these lands.

Obviously, it is now 1992 and every-thing is possible; it is possible to envisage harmoni-zation. But tomorrow morning it would be possible for the Hurons to envisage that this form of autonomy would be recognized by the courts ... that is to say, in the case of any claim whatsoever.

It is clear that the lands that were recognized in the Sioui case, there was quite simply an interest in showing that the Jacques Cartier Park, where the Siouis were arrested, was part of an undisputable territory. In that case the parties restricted themselves to proving that, at a minimum, the lands of the Hurons extended along the north shore of the St Lawrence River, between

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the Saint-Maurice and the Saguenay Rivers -- therefore, from Trois-Rivières to Tadoussac and the Jacques Cartier park was right in the middle of it.

A more detailed study would show that the Hurons acted as intermediaries in the south and among all the aboriginal nations of the north in their trade with the Americans and the British so at that time the Hurons played a major role. They obviously know that in a modern society they will not be happy today to be told that they are being given privileges, but they will have to make it clear to Canadians with diplomacy and using reasoned arguments that, unfortunately, certain important facts have been forgotten.

It is clear that as a result of historic research we are already in possession of documents in which senior military leaders in about 1760 told the aboriginal peoples: "Don't worry. We were never given orders to take the ownership of your lands away from you.

Even the forts where trading posts have been set up to protect you against the French, you were never deprived of the ownership of that land."

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Obviously, this requires very specific research. Such research has been undertaken by the aboriginal peoples in recent years.

It is clear that this may cause a certain shock; accommodations will need to be made. But the minimum aim is that the aboriginal peoples wish to make it clear that they have rights over the lands and not simply over reserves consisting of one or two square miles; and at that point, starting with access to the lands, they are able to manage them using considerable human resources to ensure their independence, to avoid this argument of paternalistic guardianship which is usually understood to mean that these people would be given privileges.

If the aboriginal nations, among others, have in their societies large numbers of people on welfare ... we are not criticizing Quebeckers and other Canadians for not paying tax, for example, when they receive welfare but this is an argument that can regularly be heard.

It is obvious that control of the

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land is the fundamental basic counterweight. So it is absolutely essential to envisage the possibility that aboriginal people can manage more extensive lands than those on the reserves. These lands will have to be defined. They will be subject to negotiation or will be recognized by the judiciary, if necessary.

CO-CHAIR RENE DUSSAULT: We are in an urban area here and I think one of the concerns of the general public is essentially: 'Will the land claims affect Quebec City, Charlesbourg, Sillery, Sainte-Foy?' How will it be, in actual fact? We shall be visiting the Algonquins in the first week of December and there are land claims that, in essence, also affect the downtown area of the city of Ottawa.

I think that if we are to gain public understanding, it is important for problems of this kind to be defined because the whole issue can easily be given a bad name.

MICHEL POULIOT: That is an interesting and important question. We are looking at the development in North America of relations between

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Whites and Aboriginal Peoples or even the relationship of the Americans ... the Americans purchased states from the Mexicans. The same thing can be done with the aboriginal peoples. If at some point the Hurons held rights in Sillery, they can be compensated for these. That is negotiable. It is not a problem. But we obviously have to avoid the tendency to want to frighten Quebecers and other Canadians in the sense that clearly any negotiation is impossible. It is not necessarily a question of denying ownership rights that may be acquired, but it is also necessary to reestablish the facts and there maybe some reason or other to provide compensation.

So once Quebecers and other Canadians have a sense of security on that basis, if they are told: 'In fact, if there have been irregularities, if we took possession of lands and never provided compensation for it ...', I feel that Quebecers and other Canadians will see that it might be the honest, appropriate, fair and equitable thing to provide compensation. Those people will have a feeling of security and we shall no longer hear it said that at such and such a time they will lose their property and so on. It is a

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very important factor as a basis for discussion and an exchange of views.

CO-CHAIR RENE DUSSAULT: To take this a little further, I should like to ask Mrs Gros Louis the following question: If your territory is enlarged and you have powers that are still to be defined, the other question that arises is always what role, in essence, will the non-aboriginal people be allowed to play who would be located on these lands, to take part in aboriginal government or finally to have their say in a process to which they will be subject to a certain extent.

There is also another important question that arises: What will be the impact when the area of a reserve is extended or powers are conferred over lands where a largely non-aboriginal population is living? What arrangements would have to be made? Can you give some examples of that?

JOCELYNE GROS LOUIS: I think that if we have a Huron-Wendat government with its own laws and legislation and its own government, there will certainly be an opening and

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a place for all the people who are located on the land.

It is not by excluding the people who are going to live on the lands and who rub shoulders with the Huron-Wendat people every day -- that they must be excluded, because I feel that there will be contacts on a daily basis and, with a view to making those contacts more harmonious, it is necessary to involve them, to inform them and to make it clear to them that it is possible to live together and to allow the other part of the population, which wishes to live where it is, to participate.

I think that the Huron nation, the history of which has always been peaceful, is capable of having such great openness, specifically to enable these people to live together and to participate in this process.

Moreover, we provide daily proof of this. For many years now part of the population of Huron Village has consisted of people who live there and are not members of the Huron Nation. I do not think that people have been excluded in the past.

Obviously, they are excluded from the system in terms of enjoying certain privileges that are reserved under the Indian Act for our people, our members.

But these people

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are not penalized in the sense that they are not entitled to the protection of the Huron-Wendat police. The people who live here, we have our own police system and these people are also protected.

We have an education system. Obviously, the difficulty -- because the federal government is responsible for us -- is that education involves a transfer of money and not a complete assumption of power.

At this point those who are not members of the aboriginal nations, who are not Hurons, are not able to attend our school. They must go elsewhere to schools that are in the surrounding area and for which the Quebec Department of Education is responsible, because we are a federal school.

Except that perhaps they would at that time have the privilege and the opportunity of attending the school with our young children.

I think that there are some things that can be brought into harmony and that people would not be penalized as such. Obviously, that is an opening that the people should make and allow. Except that what we do not want is that these people become more

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numerous than the Hurons and assume decision-making power and so on.

As far as our electoral system is concerned, obviously they could eventually ... that has been discussed during our sectoral forums. Non-natives would like to have the right to express their opinions, would also perhaps like to have representatives -- and maybe that will come about in the future -- around the table of the Council of the Nation and to have decision-making powers. Those are potential problems.

For the time being, we say that there are possibilities for living together, of having people participate and not excluding them.

CO-CHAIR RENE DUSSAULT: So, if I understand you correctly, it is not something exclusive in your thinking, the possibility of having people in some way who are not Natives share in decision-making powers if, following the attainment of self-government, there is a much greater involvement of those who are not Natives.

I say this because we were in British Columbia two weeks ago and there was a group in Vancouver that essentially came

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to tell us this: They are on the lands of an aboriginal band that was given the power to levy taxes by the government of British Columbia in an agreement like a municipality.

In essence they told us: "We are taxed but we are not represented".

I think that this clearly demonstrates the kind of problem that is likely to occur and to which we must give some thought together in a broader development with respect to lands and the powers of aboriginal governments.

JOCELYNE GROS LOUIS: There is a possibility under our Huron-Wendat charter of openings that we have thought of providing for residents who are not members of the Huron-Wendat nation. For the time being, obviously, since we have only a small territory and we are still at the discussion stage and not yet giving concrete form to a self-government project, we are still at the foundation, once again, and I feel that it would be premature to make such a large opening.

As you know, since our community exists in an urban environment, obviously there are

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a lot of mixed marriages. This situation has had the specific result that non Natives live in our community; this problem we have to deal with on a daily basis because it is not necessarily clear that it has been resolved at this time. Non Natives live and reside with Huron-Wendat spouses, male and female, and they are not protected in any way and cannot currently participate in the whole process that we have here.

So it is one of the points that we must, in the coming months ... perhaps it will be a rather long discussion because we still have difficulties in accepting changes in our populations because there are always fears and apprehension. But I feel that, as people's thinking evolves, there are openings and we shall have to deal with this fairly soon in order to meet the expectations of our people.

CO-CHAIR RENE DUSSAULT: Thank you.

I shall ask Commissioner Wilson, Mrs Wilson, whether she has any questions.

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[English]

JOCELYNE GROS LOUIS: We have several negotiations going on with the federal government, including specific claims that are listed in our brief.

Among others, we have the 40 arpents, Rocquemont, we have the Murray Treaty, naturally, and the seigneurie of Sillery.

Obviously, there is still our self-government project and we are in the middle of discussions on that. We have a framework agreement but we still have other stages to complete and clearly there are fairly tight discussions with the federal government concerning our approach to this subject.

We are waiting for the federal government to respond on questions that have arisen, discussions that have gone on specifically about our framework agreement with the federal government on the self-government project of the Huron-Wendat Nation.

Clearly, there are still

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difficulties or points and, on both sides, there is a need for reassurance before we embark on a project like that.

Our questions have not yet been answered. Recently, we had a meeting with representatives of the federal government, the Minister, Mrs Landry, and we should very soon receive news as to where we stand with our framework agreement and the possibility of ratifying another agreement to carry on with our self-government project.

MICHEL POULIOT: I should like to add one further comment.

One of our problems is the type of negotiation program created by the federal government; that is to say that in our case we have a specific problem.

The federal government was interested in discussing self-government as long as negotiations concerning the Murray Treaty were postponed. So the Murray Treaty itself is not currently the subject of negotiations.

Except that this treaty, which guarantees freedom of custom, recognizes very extensive rights.

The principle behind the self-government program is to postpone

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negotiations on the Treaty until later, and this means in practice that in our case two stages of negotiations have been created which may well be pointless, and this explains the importance at this time of making clear to the federal government that it should quickly adapt these negotiation programs so that it can consider the specific case of Quebec.

It was felt that in Quebec, after all, there were very few or no treaties whereas elsewhere in Canada the governments of this country had expanded onto aboriginal lands by signing treaties in which the aboriginal peoples transferred rights to these lands. Those treaties are easy to interpret.

In our case, in Quebec, we are dealing with a different kind of negotiation where the treaties have recognized extensive rights and the programs are not designed for this. In the final analysis, the policies of the federal government do not take this new trend in Quebec into account.

Often, people who have had to examine the Canadian compensation system have found that in Quebec there has been a problem. In most provinces in this country compensation

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was paid for each inch of land belonging to the aboriginal peoples whereas here in Quebec, except for the James Bay Agreement, there is nothing. At this point it is necessary to adapt. It must be realized that we must adjust the program to show flexibility in order to avoid wasting time and to become aware of all the rights of the nations with which the governments are negotiating, to achieve something concrete and ensure that the program makes it possible to negotiate all questions so that the problem can be resolved quickly.

[English]

CO-CHAIR RENE DUSSAULT: Commissioner Chartrand.

COMMISSIONER PAUL CHARTRAND: I should like to ask my question in English.

[English]

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MICHEL POULIOT: In our opinion, Canadian federalism opens very wide doors. At one point I read a judgment of the Privy Council on the Canadian federal system before the independence-seeking parties were created in Quebec in roughly the 1890s. The Privy Council said: 'The Canadian system is not complicated. There are autonomous independent provinces which have delegated their powers to a federal government.'

I look now at the situation of aboriginal peoples. Section 35 opens the door. The judgment of the Supreme Court in Sparrow, said on

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the subject of fishing, for example, that it was necessary to recognize a prior right of the aboriginal peoples to fish first of all, before users from Quebec and the rest of Canada. So here already a door was opened within the Canadian system to prior rights, so the right to do something first, a little as if we were remaking history and admitting the principle that the aboriginal peoples were here before, first, that the Europeans arrived second and lived in harmony with the aboriginal peoples, as well as the principle that they have first call and later on the resource will be used.

So section 35 may allow us to go a long way but it is clear that aboriginal powers ... that is to say that in 1760 we start with the idea that the aboriginal peoples were independent allies and not British subjects.

In negotiations on self-government would we not be in a somewhat similar situation here once it was recognized that these aboriginal governments had the power to trade with aboriginal nations, to recognize that it is possible to have several governments on our North American territory such as

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exist in Europe?

So there is room for manoeuvre but it is necessary to know how we are going to define the powers of the entities and autonomous aboriginal governments.

Let us take the example of the provinces, which have after all broad sovereign powers over the exploitation of mines and natural resources, over the area of education and health matters. It is easy to conceive of a Canadian superstructure where there would be one law, for example, providing for peace, order and good government in order to permit the free circulation of goods. It's a possibility.

It is also possible to envisage a situation where Quebeckers and other Canadians have an interest in ensuring that aboriginal peoples are well provided for financially. If there is an interest among the aboriginal peoples in having commercial exchanges, in promoting a situation, for example, where Indian bands settle in Huron Village because it is close to a major commercial centre, these are things that should be contemplated but that are favourable, in our view.

It is the other view, that

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Canada can be strong when each of the individual parts or when each of the peoples is strong individually and has room for manoeuvre in developing its economy. So there is not necessarily a contradiction.

It is clear that in the case of the Hurons, however, we are looking for the greatest possible autonomy, the broadest possible autonomy. When the time comes to talk about the constitution or the organization of powers, everything is possible; that is then a purely technical issue. But the objective is that we must have access to the lands in order to be able to receive the benefits. This is the source of income that means that we do not have a government in theory that receives only delegated powers and that is at the mercy of having to satisfy the conditions imposed by people who create a certain guardianship.

At the present time we are in the process, for example, of negotiating concerning hunting.

At some point we should be interested in having a Huron code governing this and having our own customs, but there are no courts that would allow us to control our people if they breached the agreement that was reached.

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At this point we must make use of institutions in Quebec and the rest of Canada, the legal organization of the courts.

Self-government may allow for a lot of things. In effect, it is possible to contemplate the creation of courts managed by the aboriginal people that will enforce the laws and also take aboriginal customs into account, as was the case with the civil law of Quebec.

So there is in fact a discussion about the division of powers. What will be the final outcome?

Anything is possible. But it is possible that there will be a form of organization falling under some Canadian laws.

In our opinion, however, there is excellent room for manoeuvre and many powers that the aboriginal peoples would be interested in taking back and seeing themselves recognized as having those powers or being granted such powers.

COMMISSIONER PAUL CHARTRAND: Thank you very much.

CO-CHAIR RENE DUSSAULT: I just want to make sure that I introduced Mrs Bastien correctly: it's 'Heather' and not 'Ethel'.

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Mrs Bastien, do you wish to make any comments?

COMMISSIONER FOR A DAY HEATHER

BASTIEN: No, that's fine.

CO-CHAIR RENE DUSSAULT: That's fine?

Very good.

Thank you very much, Mrs Gros Louis and your team.

I should simply point out that we are running a little behind schedule. We shall resume in ten minutes after a coffee break. We have some room for manoeuvre and can go until 12:30 pm. Obviously, the presentations would be made in the order laid down in the schedule. Thank you.

LUC LAINE: Mr Co-Chairman, I should just like to explain something.

I want to invite people to take advantage of the coffee break to obtain listening devices for the simultaneous translation. They are here at the back. They are free of charge for those who need them. You simply have to ask for them.

I should also like to thank the young students from Ecole Hutté (PH) who unfortunately have to

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leave in order to travel back to school. Thank you for participating.

--- Brief adjournment at 10:50 am

--- Resumption at 11:16 am

LUC LAINE: I would ask people to return to their seats so that the hearings can start as quickly as possible. We are already running a little late in this morning's program. If you don't mind, we shall probably encroach on the lunch hour so that the witnesses can make their presentation.

CO-CHAIR RENE DUSSAULT: I should now like to ask the Deputy Mayor of Quebec City, Claude Cantin, who is accompanied by Réginald Gravel of the Planning Department, to present their brief.

Mr Cantin.

CLAUDE CANTIN, DEPUTY MAYOR, QUEBEC CITY: Mr Chairman, Commissioners, I must first convey the regrets of the Mayor, who had at the last minute to deal with other matters and who asked me to meet with you in his place.

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Quebec City wishes to thank the Commission for its invitation to take part in these public hearings concerning the aboriginal peoples.

These proceedings are very important to us in a number of ways. First and foremost, because Quebec City, as the capital, has a duty to testify concerning its interest in the aboriginal peoples. In our various functions as a capital we must take into account the place they occupied before our arrival and their support in creating our society. This explains our presence here today. We are here also because the discussions under way will result in decisions that shape the future of our country and its people, because we believe that the aboriginal question should not be left to lawyers and constitutional experts and, finally, because Quebec City wishes to testify concerning its experience in living together with the members of the Huron-Wendat Nation.

Quebec City is not alone in its interest in aboriginal questions. During the last round of constitutional negotiations the Federation of Canadian

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Municipalities, which represents 70 per cent of the people of Canada, expressed its concern with certain aspects of the problem. In a letter to the Premier of Quebec, Mr Bourassa, the FCM specifically noted that:

- In several cases the geographic borders between the aboriginal peoples and municipalities were contiguous or overlapped. The municipalities wondered whether the lands claimed within a municipality or other local government area would be considered to be aboriginal lands.

- Aboriginal laws could take the place of federal and provincial laws and, no doubt, municipal by-laws. How could the aboriginal laws be harmonized with the concerns of municipalities?

- We do not know how the aboriginal peoples view their relationship with municipal governments. What mechanisms will be put in place to take these mutual concerns into account, especially those concerning land use?

Quebec City shares these concerns and
it happy to see

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that the same is true of the members of the Commission, since their background paper refers to them.

Two worlds that are unaware of each other.

First of all, the Commission refers broadly to the need to restructure relations with the aboriginal peoples on the basis of mutual respect and the need to eliminate the prejudices and negative stereotypes held by many Quebecers and other Canadians on this subject.

It has also considered how this could be achieved.

Coupled with this ignorance of historical fact is a quasi-ignorance about the customs and practices and the culture of the First Nations, from which we could learn a number of things, especially as regards the profound respect shown by the Hurons for children and the elderly and their use of a system of justice that provides compensation for wrongs rather than punishing them, to mention only a few examples.

We believe that in order to promote better understanding between Whites and Natives, we must first rehabilitate history as an essential component of academic training, which over the last few

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years has tended to emphasize technical and scientific subjects. I think that those who spoke before us, the representatives of the Huron-Wendat Nation, broadly alluded to this. History is important because it is our collective memory; the history of the aboriginal peoples and their culture should be an integral part of the subject, with the help of revised academic materials, in programs in the schools of Quebec and the rest of Canada.

We also believe that the preservation of aboriginal languages and cultures should be emphasized.

The First Nations will strive to preserve them and they must be encouraged to do so in the same way as Quebec society is striving to protect its language and culture.

Along the same lines and in order to promote a better understanding of the aboriginal question, the people of Canada as a whole should be made more aware of the laws and other arrangements governing the aboriginal communities and of the various treaties concluded with them over the years. The general public knows virtually

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nothing about how a reserve functions, the way in which Band Councils obtain their authority or the powers they have at their disposal.

The Commission has also raised the question of the great deal of prejudice suffered by Natives and wonders whether they should be publicized. We are also responsible since it forms part of our shared past, but we believe that it is even more important to inform our young people about the contribution made by the aboriginal peoples to our society. Just as Quebecers no longer define themselves in terms of the vicissitudes of history, which, we should remember, subjected them to the conquest of 1760 and excluded them for many years from access to leadership positions in the same way as the Acadians, who have been able to make their presence felt despite deportation and exile, the First Nations have more than ever an opportunity to turn their gaze toward the future.

From this point of view, it is not an exaggeration to say that Francophone Quebecers are in a good position to understand the wish of the aboriginal peoples to affirm themselves and to protect

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their cultural identity. Furthermore, they are not indifferent to their desire to break their way out of the vicious circle of dependence and poverty and their attempts to obtain more power in the name of their inherent right to independence.

Our neighbours the Hurons.

Having said this, the events of the last few years have no doubt enabled the people of Quebec the better to appreciate the harmony that has characterized the relations between us and the Huron-Wendat Nation over the last more than 300 years. The links with the past remain, of course, but time and urbanization have brought communities closer together and today they occupy sites that are now only artificially, albeit legally, distinct.

Far from creating tension, this development has encouraged the emergence of new social networks and interpersonal contacts that the Hurons have used to avoid being marginalized and to integrate themselves fully into modern society.

Despite this, however, their community has not disintegrated. It continues to exist, more aware than ever of its distinct character,

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thanks to its active participation in social contacts. Its increasing political involvement and the notoriety it has gained, which has gone beyond our borders and which we also enjoy, provide the most telling proof of this.

The way in which the Hurons are themselves clearly shows that while the space they occupy still constitutes an essential reference point, the reserve is perhaps no longer either the main factor in their identity or the main point of support for their culture. This no doubt helps to explain why the actions taken by the Hurons for the purpose of extending their reserve have always been undertaken in conjunction with the neighbouring communities and their representatives. In this connection I must note that on two or three occasions the Huron-Wendat reserve has requested that it be extended onto lands forming part of the City of Quebec and hitherto the City has always shown itself very open to this question.

Consistent legislation.

This basic principle, that is, the principle of consistency, is, in our view, an absolute precondition for the creation of future aboriginal governments and will shape the

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definition of their powers and the extent of their jurisdiction. In our opinion, the laws and regulations that would be adopted by the aboriginal governments should be consistent, that is, should not be intrinsically contrary to the Constitution and the laws governing the rest of the country. The aboriginal peoples have rights but they cannot expect to live eternally in the margin of historical change. The same was true of the first European immigrants to America who, if they were still alive today, would probably furrow their brows if they read some of the provisions of our Charter of Human Rights and Freedoms.

Moreover, this Charter is at the heart of one of the thorniest problems relating to the establishment of aboriginal governments. Since the aboriginal communities are distinguished by their ethnic origins, does this mean that ethnic origin is the basis for these rights? On a specific territory will people who have more than 50 per cent aboriginal blood in their veins have different rights from those enjoyed by other individuals?

It is true that distinctions

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based on race and blood were introduced into Canada in the first enactments government aboriginal peoples and that the Indian Act perpetuates membership criteria based on blood relationships. It is also true that a few decades ago the aboriginal peoples were still deprived of the right to vote in federal and provincial elections.

The aboriginal communities, especially the Inuit, have generally welcomed groups living near them but we believe that the political rights of non-Natives who may eventually live on aboriginal lands should be guaranteed. Everywhere in modern states the right to be different, to form part of a minority, is protected by formal mechanisms designed to avoid the tyranny of the majority.

As a sociologist has pointed out, it is necessary to acknowledge that the population of Canada is made up of three separate components: one with memories of New France, one with memories of British North America and the other with a pre-Columbian memory. Whites and Natives are

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therefore not the only people facing the need to establish new relationships with each other. The same applies among Francophone Quebecers, Anglophones and Allophones and among Canadians who speak French and those who speak English and this is true throughout the country.

However, this does not mean that the status quo must persist since arrangements can be made to accommodate the wishes of the aboriginal peoples to be different. We referred earlier to the case of the development plan for the CUQ and the collective desire to control urban sprawl. Let us now look at another example applying to the Quebec City region: the current rules governing fishing, hunting and trapping, which places restrictions on all users of Quebec wildlife and that takes little account of the reality and traditions of the aboriginal peoples. Would it not be possible to amend the regulations, especially in protected areas of exploitation, to allow certain traditional aboriginal activities to be carried on while respecting our common desire to ensure the conservation of

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wildlife?

If this question is answered in the affirmative, it might well be an avenue for the Commission to explore on a case-by-case basis, by considering the best way for the aboriginal peoples to take charge of certain areas where their culture, language, customs and traditions are on the line. In fact, when white society recognizes that the aboriginal peoples have a right to be different -- and it has done this -- and when these peoples agree in return not to live at odds with this society, a reconciliation of the different points of view is possible.

But besides the question of powers and the type of relationship to be created with the rest of the country, one of the fundamental factors in the concept of self-government is taxation: without independent funding there is no genuine self-government. We must be clear on this because people have asked the following question: Who will pay for all the powers that the aboriginal peoples want to assume and for the services they wish to enjoy, be they in the field of education,

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justice or health?

Here we are dealing with several questions raised by the Commission with respect to self-government and natural resources. In fact, unless we wish to keep the aboriginal nations in a state of dependence on government assistance, it could well be that their well-being depends on access to the profits resulting from the exploitation of natural resources.

Some have received compensation, for example for James Bay, but other models are possible such as the recognition of rights to the sale of resources -- water for example -- or a share of the profits resulting from the exploitation of these resources, for example electricity. We could also consider with aboriginal groups extending the delegation of management, if not even the exploitation of certain lands; governments have already done this with private suppliers in CEZs or with private organizations and even companies in other areas.

But before a solution of this kind can be put to the people, one question remains for our aboriginal peoples to resolve among themselves: Who

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would benefit from this? Would there be two categories of aboriginal peoples: those living on lands that are rich in natural resources and those who live, for example, near major urban centres?

As a result we need to note that the Commission should take into account in its recommendations the considerable differences that exist among the aboriginal peoples of Canada in terms of their culture, the size of their communities and their habitat and the kind of problems they have to deal with.

If the claims of the aboriginal peoples are legitimate, despite the problems they raise, and if the opening displayed by governments at Charlottetown serves as a precedent even though the agreement was rejected, the path toward self-determination will require some healthy common sense if not pragmatism.

The last round of constitutional negotiations marked a major change in views of the aboriginal peoples who were ignored in the Constitution Act, 1867. The inherent right of the aboriginal peoples to self-determination

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in their form of government was recognized within Canada and it was agreed that this right would lead them to provide their communities with legislative and governmental structures. However, the rejection of the agreement showed that the federal and provincial governments as well as the aboriginal peoples did not have a common understanding of the powers that had been negotiated and the respective obligations that this new division of power presupposed.

Those who take up the torch to advance these discussions -- such as, probably, the Commission -- will, in our opinion, have to take other paths. This experience shows that the process was possibly not sufficiently well defined and the deadlines were not realistic. In three years it was necessary to achieve negotiated agreements with some 600 aboriginal bands scattered over more than 2,200 reserves across the country, failing which the parties could go to court to obtain decisions the terms of which nobody could predict.

The first reef to be avoided, if we may go so far as to make a suggestion, would be not to try to circumscribe powers in a constitutional framework the content of which is not

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sufficiently or clearly defined. There is too great a risk that tensions will be exacerbated and a climate of confrontation created that would jeopardize the progress already made.

The disappointment of the aboriginal leaders who take part in the Charlottetown negotiations at the rejection on October 26 is understandable. However, it is wrong to maintain that the Whites rejected the Natives when a majority of them voted against the agreement. After all, the agreement affected various aspects of Canada's future and it was differences in opinion on a number of these issues that explain the result of the vote, which was based on different reasons that often varied from one province to another.

It is not a question of asking our aboriginal peoples to wait another 125 years but rather of ensuring that we do not rush matters. A Commission such as yours has a heavy burden in this respect since the process that has begun will change the country profoundly. Both our First Nations and our non-Natives must be given time to get to know each other better since, overall, they must literally invent new models of

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coexisting. If this process were given enough time to succeed, it could very well serve as a model.

This is particularly important if it is admitted that not all aboriginal bands are ready to negotiate the creation of autonomous governments at the same pace. Furthermore, although aboriginal communities generally gave majority support to the 'yes' side, at least in eastern Canada, in the last referendum, it should not be concluded from this that they constitute a monolithic block. In Quebec, for example, a Montagnais village voted 'no' while on other reserves the rate of participation in the poll did not exceed thirty per cent.

Finally, we should repeat the wish expressed by the Federation of Canadian Municipalities that local and municipal authorities in Canada should be represented at any future negotiations on self-government and aboriginal land claims. Only direct participation by municipalities will make it possible clearly to define how the rights of residents of municipalities can be guaranteed.

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Thank you very much.

CO-CHAIR RENE DUSSAULT: I should like to thank you for your excellent presentation, Mr Deputy Mayor. I feel that your brief gives an extremely useful survey, not only for the Commission but also for the purpose of encouraging reflection and making concrete and realistic proposals over the next few years relating to both issues of self-government and also avenues for economic development.

On page 8 of your brief I think you touch on one of the no doubt most difficult and thorny questions, especially when we examine the situation of a reserve in an urban situation: the question of the interface between future aboriginal governments and the white population or, if you prefer, the non-aboriginal population. As you know, the urban question is a major problem not only for the Commission but as a factor in Canadian reality; more and more aboriginal people are leaving reserves in the North and coming to the major cities.

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The idea of creating urban reserves is an idea that is talked about a great deal, especially in the western part of the country. Obviously, here in the Metropolitan Quebec City region, for historic reasons, this is exactly what has happened over the last few hundred years. I think that within this framework the reflections of both the aboriginal community and of the principal surrounding towns may be of benefit to the country as a whole.

When you raise the substantive question of ethnic governments on page 8 of your brief, it is, I think, a question that goes to the heart of the matter when it is discussed with the general public. What is at issue is essentially this: It seems essential to the aboriginal peoples that they should obtain self-government in order to maintain, affirm and develop their culture; obviously, it seems essential in such a framework to exercise a certain control over such fundamental services as education, the health field, social services and others and the organization and promotion of culture.

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The question that arises is undoubtedly one of transition. It is clear that the existing situation on reserves was created by the non-aboriginal population. In 1969 we saw how the federal government tabled its White Paper which concentrated on opening up the reserves without providing anything in return to guarantee cultural security, and this was an essentially impossible situation since it was more a process of assimilation than a positive step toward participation as full Canadian citizens for the aboriginal peoples.

Within this framework the Commission would like a city such as yours to continue its reflections on how we can carry out a transition that will provide cultural security and, as Mrs Gros Louis said this morning, there are openings.

What we are being told in essence at this time is that we cannot think of moving from one system to another without a transition that may be brief or lengthy to provide a guarantee of protection for aboriginal cultures and in some cases their languages that are still alive and dynamic.

In this framework -- and I know that

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this is an extremely difficult question -- the possible participation by non-Natives, by the public, in any decision-making that may take place ... what I am doing this morning is simply to draw the attention that we need, as a Commission, to serious reflection on the part of aboriginal groups, aboriginal nations and also organizations such as cities, especially when reserves are located in the urban environment, where it is likely to occur in an even more significant way.

In essence, you have raised the question and I understand why you did so at this time, but I wish to urge the City of Quebec and the Federation of Canadian Municipalities to continue their reflection on this subject because we need paths toward a solution. It is easy to raise the question; it is more difficult to formulate answers.

At this point I should perhaps ask you whether you have contemplated a framework for reflection, either in Quebec City or in the Federation of Canadian Municipalities, on such a fundamental question as this.

CLAUDE CANTIN: In Quebec City,

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Mr Chairman, we have not done any very structured thinking on this subject. Let us simply say that this is sometimes a subject of discussion because, as we indicate in our report and as you also know from the situation with which you are familiar, the village is a neighbour of Quebec City; I am the alderman for the neighbouring ward. In 1990, I think, the reserve was enlarged to the east onto land belonging to Quebec City.

It seems to me -- and here I am speaking in my personal capacity -- that Natives must, in order to promote their culture and their customs, have a certain critical mass; that is to say that they must to some extent be located in a place or in an institution where they are a majority and where they can accordingly have this necessary critical mass. This is what we Francophone Canadians and Quebecers require. We have seen how minorities in other parts of the country, when they do not have this critical mass, are assimilated and disappear.

But 'critical mass' does not necessarily involve an exclusion of others. I

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am thinking of what we have experienced, for example, and what is currently being experienced in the Inuit communities in the northern part of the country -- obviously, they are further from the urban centres, it must be admitted -- where the non-Inuit in this case, whether whites or other aboriginal groups, are perfectly integrated, if you like, into the community, and I think we shall also see this in the creation of Nunavut, which was announced recently following a referendum.

In the Federation of Canadian Municipalities there are a lot of concerns. I am a member of the Federation's board of directors and, at our congress in June 1992 -- so before the referendum -- the Federation decided to set up a standing committee on aboriginal questions. I should tell you that many municipal representatives from many provinces, especially in the West but also, I must admit, also from Ontario and Quebec, are concerned about what they see coming. So at the time of the referendum we certainly had texts for the referendum but there were all kinds of rumours concerning the actual agreement, the concrete offers that the federal government

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would make to the aboriginal peoples.

The municipal representatives had a lot of fears, a great deal of apprehension, a lack of confidence in the provincial negotiators, who theoretically had to represent them since the municipalities are creations of the provinces. This concern may be found in the federal government as against the provincial governments and in the provincial government as against the municipalities when they said: 'Everybody is going to bring their problems to us'. It is us, the municipalities, that will have to provide services, for example, to the reserves that are near cities, who will perhaps have to provide health services or services that are not currently provided but that will be downloaded, as they say, onto the municipalities. This is why the Federation of Canadian Municipalities has strongly insisted on a seat at discussions at this level.

It seems to me -- and I do not have any advice to give to anyone -- that the aboriginal peoples have an interest, and it may be to their benefit, to have more precise and more consistent contact with municipal representatives that have

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a great deal of influence on their community, that tend to have a certain "fear" of non-Natives, given everything that may happen and who may, I think, if they are convinced and if persuaded to talk about it, take some of the drama out of the questions and help them to reach pragmatic agreements that are easier than what can be negotiated at the federal or provincial level.

This is how I see the question.

CO-CHAIR RENE DUSSAULT: I think that I can tell you that in the case of the Commission we are extremely interested in the participation of the Federation of Canadian Municipalities and of each municipality in the Commission's work, in thinking about solutions.

As you know, we held a Round Table on Urban Issues in Edmonton, Alberta last June in which we invited mayors and municipal representatives -- police chiefs and all those who are involved in providing services -- to participate with the recipients of services essentially in a basic discussion first on the notion

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of self-government in an urban environment and later on the question of the provision of services as such. This involved nine cities: Halifax, Montreal and the major cities in the west.

I must say at this point that we had a limited response in terms of participation by municipalities; please realize that it was held at the same time as the constitutional discussions were going on.

All this goes to say that you are certainly welcome, and we shall share what you have told us this morning. I think that if you have an opportunity, as a member of the board of directors of the Federation of Municipalities, to pass on the message, we should like the cities to become involved in our public hearings. We were very pleased that Quebec City has submitted a brief.

We think it is essential in proposing solutions that the cities have a concrete and practical knowledge of the territory that they can share with the aboriginal peoples, with the Commission and with the general public.

Now I should like, for my part,

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to thank you for having taken this first step. We see here the start of a dialogue and we would like to be able to continue it. We hope that you will continue the reflection process you have begun and that we can go further on some other occasion. We shall return to Quebec, possibly to Quebec City.

Thank you for your presentation.

I should like to ask Mrs Wilson whether she has any comments or questions.

[English]

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CLAUDE CANTIN: If I may, Mr Chairman,
I think that the Commission's disappointment at the Edmonton
meeting is easy to understand but, as you said a moment
ago, it also took place at a time that coincided with the
discussions preceding the referendum.

At that point also the Federation of
Canadian Municipalities

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did not yet have the standing committee on aboriginal issues, because at the time of the constitutional discussions there was in the Federation a certain feeling of frustration at the fact that the Federation had not been invited at any level at all to even the informal meetings with the first ministers or with the senior officials who were discussing the Constitution.

At the time the Federation also had a standing committee on racism, which still exists, and which vaguely brought together aboriginal representatives and other visible and non-visible minorities.

I think that now we are beginning to be a bit more systematic, which we were not at the start.

At first, people felt threatened at the thought of being surrounded by aboriginal nations or having the carpet taken from under their feet. So there was to some extent a feeling of anxiety that led to a rather negative reaction.

But I feel now that the Federation is beginning to structure its thinking, to see that the situations are totally different.

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The situation for Quebec City, to take it as an example and compare it with Regina, for example, or Edmonton, is completely different. The Mayor of Regina told me that thirty per cent of the population of his city was aboriginal or of aboriginal origin whereas here, in Quebec City, there is the Huron-Wendat Nation, which is not very big or very sizeable and is also almost invisible, if you wish, when they are in the City of Quebec.

So, obviously, the municipality or reserve -- which, for the people of the Quebec City region, is a municipality between Neuchatel, Saint-Emile and Loretteville -- does not have this urgency and this very continuous presence that we find in several cities in the West or even in Toronto, where I was told that there were a lot of Natives living in the city but, like all other citizens, they do not have the critical mass, about which I spoke earlier, to represent them and also do not have any institution with the slightest strength and with any amount of funding.

CO-CHAIR RENE DUSSAULT: We are very pleased and interested to receive

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your information to the effect that the Federation of Canadian Municipalities has not only established a standing committee on aboriginal questions but also intends to become more involved. Once again, we encourage this. We feel that you are very closely involved with this issue in a very important way and your role in proposing solutions is, for the Commission somewhat unexpected.

I should perhaps ask Paul Chartrand, who actually lives in Winnipeg, where the proportion of Natives living in the urban environment is considerable, to ask some questions.

COMMISSIONER PAUL CHARTRAND: After all that I don't have any questions but I would like to thank you for your presentation and your brief.

Thank you.

CO-CHAIR RENE DUSSAULT: Thank you.

I should now like to ask Mr Bernard Arcand of the Department of Anthropology, Laval University, to meet with us at the table and make his presentation.

BERNARD ARCAND, DEPARTMENT OF

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ANTHROPOLOGY, LAVAL UNIVERSITY: Mr Chairman,
Commissioners, first, thank you very much for this
invitation and at the same time I should add immediately
that it is embarrassing to be invited to come and speak
in my own name. I do not represent anyone here.

My first wish is to make sure that I
do not waste your time, which is precious, by coming here
and repeating either what you have already heard or what
you will hear elsewhere because there are many others who
are perfectly capable of testifying better than I on several
aspects of the relations between Canada and the aboriginal
peoples.

No doubt others have already shown you
to what extent the current situation of the aboriginal
peoples is often difficult and have told you that immediate,
direct action is a matter of urgency for this country.
Yet others have explained to you the aspirations and wishes
of the aboriginal peoples, the wish, first of all, to remain
alive and also to have greater control over the future that
will be theirs. The aboriginal peoples have been repeating
all this for centuries; this

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is nothing new. What is new is that for once Canada seems prepared to listen and that is all for the good. But all this can be said much better by the aboriginal representatives than by me. So, in short, I do not have very much to say to you concerning the aboriginal peoples.

This comes at a good time because the problem on which your Commission's mandate is based has never in essence been an aboriginal problem. It is a problem, of course, for the aboriginal peoples but the source of the problem and thus also its solution needs to be sought in the society that has the power to create problems and also the power to resolve them. Therefore, we must pay attention -- and I shall be very brief in the hope that this will help somewhat to make up the delay that occurred this morning -- to the non-aboriginal peoples and their relations with the aboriginal peoples.

Here I feel somewhat more at ease since I have in the past conducted some small studies of what people in this country learn about the aboriginal peoples, what they think of them, what they say about them and often what they imagine. In any event, I feel sufficiently comfortable to

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make a modest suggestion to the effect that the Commission seems to me in a way to have taken a wrong turning, specifically when it stated in background paper No 1, which I have had the pleasure of reading, that "what we need is nothing less than a total restructuring of relations between the aboriginal and non-aboriginal peoples in Canada". You add a little later that "this renewal would be in the interests of all Canadians".

The meaning you subsequently give to these fine words often seems, in my view, to be a pious wish that sometimes, unfortunately, has perhaps little chance of succeeding. Let me make myself clear.

First of all, I certainly do not wish to take anything away from the recommendations toward which you seem to be steering. Of course, it is essential for all the inhabitants of this country to be better informed about the actual living conditions of the aboriginal peoples because ignorance on this subject is still very wide-spread.

Of course, it would be useful to carry out popular education programs concerning the societies and cultures of the aboriginal peoples. Of course, we urgently need to combat all forms

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of prejudice and racism. All this is my conclusion after reading a first preliminary document.

Where I do take the liberty of suggesting that the recommendations will be less than satisfactory is when people hope that the situation will correct itself through sheer good will. When you combine the decency to impose respect for aboriginal rights with compassion for those who are oppressed, sympathy for people who wish to get out of such a situation, when we decide to appeal to the generosity, not to say the love, of Canadians, you are relying on the theory that Canadians are essentially good and that their goodness must be encouraged.

This is a strategy of intervention that may, of course, lead to a popular charitable movement; at worst, however, it would enable people to excuse themselves by blaming the spitefulness of other people.

It cannot be claimed that it would be pointless or crazy to appeal to the compassion of Canadians; of course not. But what I would suggest -- and this is the reason why I accepted your invitation -- is that we base this appeal on reasons

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that are much less noble and much more egotistical. It is simply a question of advising Canadians to continue to concern themselves with their problems while simply adding an aboriginal contribution.

Obviously, this is the argument of an anthropologist who is annoyed to see that his profession is always so poorly used. It seems clear to me that beyond good will, beyond love of doing good and justice, the people of this country are unaware of what could be very useful to them if they had a better idea of how to understand aboriginal cultures. This can be stated in purely egotistical terms that is, to put oneself in a position where one can borrow if not even steal the ideas of others for one's own interests, to help resolve one's own problems, and without regard for other people.

That in short is, in my view, what your Commission should also recommend; and I stress the word "also" once again.

The Commission should realize that this is an objective that will be difficult to achieve because it requires much more than mere good will; in fact, it requires a real cultural revolution. These are the thoughts that are provoked by the

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question you ask. We can go much further, the question of collective thinking about aboriginal peoples, than the discussions currently under way in Canada. I shall briefly give you three examples of what could bring about a Canadian cultural revolution with the help of better knowledge of the aboriginal peoples; here too I shall be very brief.

First, for at least thirty years now this country has been burdened with constitutional discussions. The country has been reflecting at great length and in depth on such questions as: how can we give life to a federation, how do we create a power that is sufficiently central and sufficiently strong and that still respects distinctions, cultural difference and the personality of every individual.

How many Canadians know that the Haudenosaunee League, also known as the 'Iroquois League', is one of the very rare federations that functioned at a major point in the collective history of mankind? There is here a whole body of thought on problems that are very familiar to Canadians. There is here a considerable experience of

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political life of which Canadians are, for all practical purposes, completely ignorant.

Today we are on Wendat territory. How many people really know about the political forces that influenced the creation of the association and the dissolution of the association between the Wendat and the rest of the Iroquois League? That might be a lesson that would enrich our constitutional debates in Canada.

A second example: For at least 40 years Quebec, Canada and possibly the whole of the western world have been discussing the relationship between men and women in society. We have witnessed the feminist movement; we are aware of all the analyses of the feminine condition.

There has been research and there have been on-going discussions of the profound nature of maleness, femaleness, of what the social relationship, the cultural relationship and the political relationship between the sexes should be. All of western science, from social psychology to neurology, is concerned with the question. All social institutions are concerned with it from the Anglican Church to the Supreme Court of Canada. These are questions that concern our society.

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How many Canadians know that when researchers ask whether it is possible to have relationships of equality between men and women, Montagnais society could serve as an example? The Montagnais are at the heart of a discussion on the question as to whether the differences between the sexes are innate differences or whether they are learned through a culture and therefore changeable or malleable?

How many journal articles, how much teaching in our colleges, how many discussions on the television, in court, among lawyers and our elected representatives, how many discussions in polite society and perhaps even how many of our private and domestic relationships would be different and richer if Canadians were familiar with Montagnais society and what it has to say on the subject?

My last example: We are fascinated by the economy. Canada, like the rest of the western world, adores the economy. The economy has become a magic word in our society. Since God is no longer creating unanimity and since we do not live in a country that takes the liberty of saying "In God We Trust", we have replaced it with

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the economy, which has become the essential, the fundamental, the ultimate reference, the essence of life.

And when things go badly, such as, for example, when we have just lost a referendum, what do we say? We say: "Let's move on to the economy. We'll deal with the economy", as though it wear a life buoy.

It is not necessarily as simple as that and it might be useful for Canadian society to give some thought to what the economy is, especially perhaps, as the ecologists say, when it realizes that economic development cannot necessarily be reconciled with lasting development.

Such questions as 'Are there limits to growth?' or, even more fundamental, 'What is the economy?', 'what does it mean to have material goods?', 'what is the meaning of welfare?', 'What is the point of saving and spending, pension funds, professional sporting events?', like many others concerning the whole system of economic values, are questions that have

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been admirably explored by aboriginal societies on the northwest coast of Canada, especially in the institution of the potlatch, about which the great majority of Canadians who earn a living, provide themselves with a certain amount of economic security and hope to succeed, know absolutely nothing.

I shall conclude by noting that it is not a question of foolishly adopting practices, modes of thought ideas that were meaningful in very different contexts. Nor is it a question of saying that some were right and others were wrong. Rather, I am saying that it is a question of becoming informed about and benefiting from aboriginal thinking and experiences with the highly egotistical hope that we can advance our discussions and deepen our understanding of the problems since this would probably also allow us to offer more profound solutions to these problems.

There is in this country a variety of experience and human knowledge that it is, to be blunt, criminal to ignore. In short, I am not taking anything away and I am not even correcting what has been said or about the direction, once again, that your work seems to be taking. I would

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simply like to encourage you to go a little further, a step that would enable you to go beyond compassion, understanding or pity itself and finally achieve the respect that comes from recognizing that, sometimes in spite of appearances, while human beings may not all be the same, they at least have to cope with the same problems in life and this is an area where we should consider providing mutual assistance.

Thank you for listening to me.

CO-CHAIR RENE DUSSAULT: Thank you, Mr Arcand.

I should certainly like to say how much we appreciate your remarkable presentation. Since the Commission began its work, we have realized -- and we have said so on several occasions -- that we cannot base a human relationship of respect solely on a feeling of guilt and the corresponding compassion that flows from it. We are aware that there are human experiences from which the society of Quebec and the rest of Canada has closed itself off. We have ignored unexplored resources.

What we would like -- and I

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think that your contribution in this regard is certainly remarkable, not only by reminding us of this but also by indicating concrete paths -- what we are trying to do is to attempt to cast as much light as possible on the essential richness that exists in the experiences of the aboriginal peoples, that is part of their on-going experience in Canada and that is almost totally ignored.

In a very practical light, if we wish to create a positive partnership, we must look for solutions not only in the resources that are close to us and of which we are unaware but also in a less fundamental but broader way. When we mentioned to the representatives of the City of Quebec earlier that perhaps thirty per cent of the population of Regina in Saskatchewan is of aboriginal origin, it is clear on a practical level with an aboriginal population that is increasing -- and that is another fact that is ignored; the birth rate is three times higher than the Canadian average -- that we cannot ignore the new generation of aboriginal people and

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the contribution that young members of the First Nations can make to Canadian society; and this is true of Quebec society in the same way.

In a purely egotistical way once again, of course, we must try to act in such a way that the approach is adult and positive and respectful because it is essentially understood that this is in everybody's interest.

Your contribution is certainly very useful. We thank you for making it this morning. At this point, given how late it is, I should like to ask my colleagues for their comments.

Mrs Wilson.

COMMISSIONER BERTHA WILSON:

[English]

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CLAUDE CANTIN: If I might briefly
try to answer your question and also respond to the comments,
what I would suggest

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is a piece of the jigsaw puzzle; it is a part that I think is important. If we had enough time to discuss this, I would even suggest that it is an essential part because it is in this part that we find a good source of respect, of autonomy, that is not simply an administrative arrangement and a question of funding, of who will be able to tax whom.

But respect and egalitarian relationships depend partly on this kind of exchange of ideas and concepts.

The formula was perhaps used to provoke you and stir your curiosity but at the same time also to force you to go a little further. When you say "justice", you also depend on a sense of decency. Justice is a fundamental value that must be respected and what you will be appealing to is a sense of decency in the people of this country.

I would suggest that you go a little further. I personally am not as optimistic as your Chair.

What I would like to see in essence: for example, it was Joe Clark who, on the day after

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an effort to rethink the constitution of this country had obviously failed ... if Joe Clark was able to use this extraordinary expression when he said: 'But let us ask the experts for their opinion' ... and the experts in that case included people who were members of aboriginal societies and who had negotiated concerning this kind of problem in the past, how to recognize a distinct society while keeping power at the centre.

In the Iroquois League -- and I take this example because it is classic although there are many others --- there is an expertise that is never used. I think we would change the nature of some of our problems involving relations if we had this mutual respect that allows the leaders of the Canadian government to say openly -- and the people feel that this makes a lot of sense -- "I am going to ask the opinion of people who have experiences different from ours'.

Where I am a little more pessimistic than your chairman is in thinking that this is not so simple and that we have a long way to go. Canada is still founded on great

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certainties, on security, and we are a long way from having undermined that certainty. That is what, in essence, I am encouraging you to do.

[English]

CO-CHAIR RENE DUSSAULT: Paul.

COMMISSIONER PAUL CHARTRAND: I have nothing to add, Professor, but I would like to thank you for your fine advice and your discussion.

CO-CHAIR RENE DUSSAULT: Thank you, Mr Arcand. You have certainly succeeded in stimulating us even further. We hope you will continue your thinking on this subject.

CLAUDE CANTIN: Thank you.

CO-CHAIR RENE DUSSAULT: I should now like to ask Louis-Edmond Hamelin to meet with us to make his presentation. Then, obviously, we shall break for lunch. Thank you.

**LOUIS-EDMOND HAMELIN, SPECIALIST IN
ABORIGINAL MATTERS:** Mr Chairman, Commissioners.

Concerning a simultaneous study of

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aboriginal development.

Over the last fifteen or so years the arrival of the aboriginal peoples in two major areas of national life constitutes the principal development in modern Canada. The first of these two areas involves economic mega-projects, namely, hydro-electrical developments in Quebec in 1975, and the MacKenzie oil development project shortly afterwards, which produced the Berger Report. The other area relates to the high politics of constitutional conferences in the decade of the 1980s, the Inuvialuit Lands Agreement of 1984 and the recent Charlottetown Accord. This extension of the group of decision-makers at the summit raises a host of very fundamental questions, including the issue of the confluence of political futures within Canada.

The following are a few reflections designed to serve as a guide because I am speaking at an early stage of the Commission; like my predecessor, I prefer to speak about methodology and approach than to express an opinion on the ultimate wording of recommendations. I have five points but, given the time constraints, I shall read only two of them.

The first point involves the concept

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of "aboriginal". The French form of the word first appears in about 1560, shortly after the first attempts to colonize the Americas. It conveys an important meaning.

First, in each of the two major colonial languages in Canada, English and French, the term "aboriginal" arrives well after the cultures of nations that had existed for millennia and Canada must aim to make up this shortfall in understanding.

Second, 'aboriginal' is an expression that was created by people who were not from here rather than specifically by the persons in question. This concept may therefore be just as inadequate as the expression 'Eskimo' was for four centuries when used instead of the noble word 'Inuit'. It is accordingly possible to maintain that part of the fundamental meaning of the word was improperly understood.

Third, when it refers to 'land', 'aboriginal' means more than 'native' or 'Amerindian'. I use it deliberately and this is, moreover, in line with the increased use of the word 'aboriginal' in the standard languages of Canada. But the use of this word

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already suggests elements of a solution to the problem.

However, the centuries-old relationship that the aboriginal peoples have had with the land is different in part from that of non-aboriginal people. Developments in the understanding of this question have caused a new problem for groups such as the Metis who have no lands; and Alberta and Saskatchewan in particular have to deal with this problem, which is even more difficult.

The fourth aspect of the concept of 'aboriginal': the former concept of original inhabitants on the borders of the Roman Empire in central Europe -- this is where the idea began 2,000 years ago -- seemed to recognize a dual limitation on metropolitan power. On the one hand, these inhabitants escaped the control of the armies -- I am still speaking about Central Europe -- and, on the other hand, they did share the benefits of the laws of their peripheral competitors. Should we look to this distant historic root for the opinion that many non-aboriginal people find shocking that the Mohawks are not subject to the laws of Canada? However, Central Europe at that time was outside the pax romana, and this

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does not correspond to the situation in contemporary Canada, which is a country that constitutes a nation.

The fifth aspect of the concept: we must also be aware of a dissimilarity between aboriginal and other people. I shall give a clear example that I have taken from the western part of the Northwest Territories, a region that has been called 'Mackenzie' since 1789 but which has been named 'Dehcho' for millennia. It is difficult to rediscover what has already been discovered but this has not embarrassed us.

The regional cultural difference between the aboriginal and non-aboriginal peoples of the Mackenzie is clearly shown by two logos. On the one hand, the symbol of the Dehndhe ecumene recreates the guiding role of Yamoria, the envoy of the creator. This spiritual leader came to the region in order to plan the harmonious behaviour of man and beast. Symbolized by the powerful eagle, he can express himself through the informative medium of the drum. The drum represents not only a noise but also language. Individuals are prepared to listen to the fundamental message of survival; in the French word 'survie'* we find the word 'vie'.**

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* = survival; ** = life. - Tr.

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On the other hand, the flag of the territorial government, a non-aboriginal flag, is a business statement geared to investors from outside: the white fox trap, the gold bricks produced by the mines and the Northwest Passage.

Even though each of these two groups, aboriginal and non-aboriginal, is equally justified by law in creating these symbols, it advertises its own priority, one spiritual and one economic. It is not the same language, it is not the same category. No view of the future can ignore this fundamental distinctiveness.

The sixth aspect: the literal meaning of the word 'aboriginal' -- 'what has not come from elsewhere' -- can only be relative and understood in terms of a basic reference point that has been declared to be fixed in time. When the famous anthropologist Paul Rivest wrote in 1943 in Montreal that the American Indian was not an aboriginal, Rivest said at the same time that in his own country, France, neither the French nor the Normans were aboriginal peoples either. Both had arrived as a result of migrations. From this

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palaeontological perspective, if we go back into history, only Adam would be an aboriginal and this would rob the word of all its meaning.

Logically, and I believe you did this, Mr Chairman -- it is necessary to recognize an historical threshold as the starting point beyond which a subsequent aboriginal state could be declared to exist. When applied to Canada, 'aboriginal' would refer to an individual who was already here when the European invaders discovered him: Viking, Irish, Basque, Spaniard, Portuguese, French English or others.

Seventh, although the current situation does not correspond demographically to the original situation, this seems to me to be one of the greatest difficulties. Today's aboriginal people are the descendants of those who saw the discoverers. While, despite the mixing of races, the fact that people are related -- what I shall call 'descent' -- does not raise any major objection, the cultural definition of today's aboriginal people causes enormous problems.

The aboriginal peoples rarely refer to a culturally pure fellow Natives in the old-fashioned way, as some white people would like.

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Rather, they have borrowed a lot and even automatically received a lot from those who came and multiplied. As a result, a Native who has for some centuries now drawn sustenance from two sources of influence -- his own and that of Whites -- accordingly has two cultures within him and it will be necessary to understand both of those as one and this makes it extremely difficult to be able to create appropriate formulas. I shall continue along this line of thought.

This enriched position in which aboriginal people find themselves enable them to take one of three approaches: the traditional way of protection, which was the basis of the Northern Agreement of 1975, where we can argue within this traditional way of protection that the Native of today is a seed of his or her ancestor; the second way is the modern approach of the dominant peoples in Canada which is designed to ensure that there is no discrimination in education programs, where we could view each Native in this second category as a seed of the future quite different from the seed of his ancestor; and a third approach is the way of synthesis

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between the approach based on the past (the first approach) and the modernism of the second. And we have not gone very far in our thinking about this synthesis.

By making judicious choices of these three paths, depending on the occasion, the aboriginal people have confused many non-aboriginal people and this has led to the question being asked, in passing: What is an aboriginal claimant? I have been involved in negotiations, sometimes using the first approach, sometimes the second and occasionally the third, which is difficult to examine.

Eighth, while 'aboriginal' is a masculine noun that, for many people, seems to be a part of the political power of the warrior and that of the Elders, it conceals one of the most difficult internal problems of this society: the level of dominance of each sex. Problems of this kind exist even in groups where the women share political power. In this area as in others, it is necessary to refrain -- even though the temptation is great -- from borrowing non-aboriginal solutions indiscriminately. The cultural backgrounds of each ethnic group can never be ignored.

Ninth, there are three

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other differences that are difficult to understand between aboriginal peoples in the original colonial situation and aboriginal peoples of today. The first involves their life style. At first, they had nomadic rights; today, the vast majority of aboriginal people are sedentary. How do we translate this change of status into rights? Second, the aboriginal peoples of the past were self-sufficient although this is no longer true of many of them. How do we rectify this very negative economic development? We have perhaps made greater progress in this regard than in the first. Finally, just yesterday federal legislation governed only status Indians; until very recently the statistics showed this: approximately one-half of the existing aboriginal population no longer lives on the reserves. There is therefore, as you said this morning, an urban concentration problem in the new definition of aboriginal affairs.

These profound changes, which in the twentieth century have been more spontaneous than we might have wished, have forced us to rethink all our previous concepts and formulae. None of the persons involved can avoid such a review; when I say

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"none of the persons involved" I mean both Natives and non-Natives.

In short, to conclude this first part, the realization that there is a difference between aboriginal and non-aboriginal people seems to me to form the basis for any attempt at think about -- we are not yet at the decision-making stage -- future policies. The "otherness" of the aboriginal situation cannot be considered to be a defect, shortcoming or deviation or as something debased compared with some delayed and uniform pan-Canadian standard. We are dealing with another type of person as such. And we would do well to remember that this aboriginal person, toward whom some of our 'white' fellow citizens still display disdain, has in him- or herself an ethnic dignity equal to that of non-aboriginal people.

The most extreme state of anteriority in Canada, that of the aboriginal peoples and not of the founding peoples, goes back to the Martinez-Cobo report of the NGO Sub-Committee of the United Nations Economic and Social Council, which appeared in 1987 in five volumes.

This international report gives a provisional definition of aboriginal peoples.

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I shall base what I say on this report: 'these people, bound together by a historic continuity' -- perhaps it would have been better to say 'prehistoric' -- 'consider themselves distinct from the dominant elements of society. They are determined to conserve, develop and transmit', says the UNO report, "to future generations the lands of their ancestors as well as their ethnic identity in accordance with their own models'. The report goes on to say that 'an aboriginal person belongs in a double sense to his clan through self-identification and through the nominal acceptance by the clan'; no mention is made of the conditions laid down by the Department of Indian Affairs in Ottawa. Finally, the document mentions the fundamental problem of land -- that is the word it uses -- and the right to self-determination, which also figures in the report.

Although this multinational notion of 'aboriginal', which, I should note in passing, I find somewhat confused, in addition to being somewhat riddled with the conflicting systems of the major countries -- it was prepared in the nineteen sixties when the USSR had its own interests, as did the other countries -- takes neighbouring values into account ... and it is a little

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linked, the values of individuals, the values of minorities and the value of ethnicity which do not necessarily, when all is said and done, fit the aboriginal peoples of Canada.

While looking toward an objective of socio-economic equality, this concept of the United Nations cannot be ignored here in Canada.

Since the concept of 'aboriginal' in Canada seems to me to be insufficiently understood -- at least to me; I apologize for that -- we hope that the Royal Commission will examine in depth this very, very fundamental concept. The proposals made by your Commission can be relevant only if they are based on an exhaustive understanding of the basic theme. Otherwise, we shall never come up with a solution.

The reason why I insist that we define 'aboriginal' is that the report of the Political Committee on Northern Canada, which submitted its report in 1966, and to which I submitted a document as I have done today, in 1965, had not sufficiently studied the notion of "indigenous-ness" as I called it at that time. And not much 'indigenous-ness' came out of that report because it is impossible to take out more than has been

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put in.

Perhaps I could stop there, after just the first part, because I have four others and that will give you an appetite for later.

CO-CHAIR RENE DUSSAULT: Thank you, Mr Hamelin. I think that everybody will have understood that Louis-Edmond Hamelin, in going back to Adam, certainly included Eve as well.

We are extremely happy to have had an opportunity to meet with you. We know that you are one of the major experts in Quebec on the North and that you have a great deal to teach us as a Commission.

I think that what you have highlighted, essentially, goes back to one of the Commission's major concerns: the meaning of words, in-depth knowledge of certain key words. And it is clear that the concept of 'aboriginal' is one of these.

There is a project that we are thinking of carrying out to accompany the Commission's final report: a glossary that will enable us, we hope, provide a little help in

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discussions, essentially by making it possible, in essence, to have a certain understanding of a number of key words in the aboriginal field. We realize -- and we often see this -- that people often are not speaking about the same thing and that creates a lot of difficulty when we move on.

If I understand you correctly, your submission is a written document. I think you began to articulate these questions in a text that you submitted to a research seminar in May. We are obviously very interested in obtaining a copy of your full text with the four other parts.

LOUIS-EDMOND HAMELIN: That only takes two minutes on the computer.

CO-CHAIR RENE DUSSAULT: So I can assume that you will provide us with a copy.

I should simply like to say that, in essence, what you have highlighted is the need to look for the meaning of a number of concepts and key words in order to ensure that we are using common language, essentially speaking about the same things. I think that in

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itself this is an extremely important contribution to the Commission.

We know that it is a very delicate task that is difficult to perform but we are certainly stimulated by your presentation this morning.

Thank you.

Do you have any questions or comments, Mrs Wilson?

[English]

CO-CHAIR RENE DUSSAULT: Paul.

COMMISSIONER PAUL CHARTRAND: Thank you, Professor. I am greatly looking forward to the opportunity to read the document in full.

LOUIS-EDMOND HAMELIN: That's very kind.

CO-CHAIR RENE DUSSAULT: Thank you once again and we shall stay in touch. Thank you, Mr Hamelin.

We shall break for lunch. The Commission's work will resume at

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1:45, in one hour therefore, fifteen minutes behind schedule. We shall begin with the presentation of the First Nations Education Council, to be made by Lise Bastien.

Thank you and enjoy your lunch.

--- Adjournment for lunch at 12:45 pm

--- Resumption at 2:07 pm

LUC LAINE: If I may, this afternoon's hearings will now begin. I would like to invite Mr Dussault, the Co-Chair of the Royal Commission of Inquiry, to open this afternoon's hearings.

CO-CHAIR RENE DUSSAULT: Thank you.

I should like to welcome the representatives of the First Nations Education Council, Lise Bastien and Benoit Sioui, and ask them to proceed without further ado to present their brief.

LISE BASTIEN, FIRST NATIONS EDUCATION COUNCIL: Thank you very much.

If we may, I should like briefly to introduce the First Nations Education Council, its mandates and its representation.

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The First Nations Education Council is located here at 240, Sondakwa, Huron Village, Wendake, and represents eighteen aboriginal communities in Quebec.

Its primary mandate is to deal with various areas of aboriginal education and generally to meet the needs of its member communities.

The tasks of the Secretariat of the First Nations Education Council are assigned directly by its General Assembly and thus by its member communities which are represented by a delegate appointed by the community. The Secretariat has existed for more than eight years but obviously it came into existence informally some years before 1984, before the Secretariat was actually created.

We have several mandates at different levels, different activities. We act as a co-ordinator of activities. We also develop strategies to improve education services and we represent these communities in the education field on various committees such as regional, national, government and other communities. So the mandate is very broad because education as a field

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is very broad; we deal with education in school, family education and so-called general education.

As you know, in the past and even today, education for the First Nations involves transmitting culture and habits in a traditional manner to children. The child is considered in fact as a complete being and education does not necessarily involve specialization. The school system that we have today is a system that works by way of specialization. Subjects have been broken down into categories and these are then passed on to our young people.

Obviously, after a few years of being responsible for education, we have realized that the system imposed has not functioned as well as we, the First Nations, would have liked. It is a system that is now considered to be inadequate and the communities that have assumed responsibility for education programs in their community are in a very good position to know this. We see results today that are very unsatisfactory. There is talk of a very high drop-out rate in the communities, in some

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communities it reaches 90 or 95 per cent. We could assume an average drop-out rate of sixty per cent in our communities; that is very high. There are reasons for this: a poorly adapted school system, poorly adapted programs, a lack of cultural content and of cultural reality for the young people who go to school.

Now the current situation in education ... we could go into several areas but obviously we cannot look at all the issues today. But what the communities intend to achieve is autonomy in the education field. In talking of autonomy, I think that we are referring to all areas. In the education field, however, a book was published in 1972, 'Indian control of Indian education', which recognized the autonomy of First Nations in the education field.

Autonomy is very simple; it is the ability of the nation or the community to decide on the way, the manner of transmitting its culture and knowledge; it also includes deciding on the content of its programs, the content of its culture and its knowledge. This is the basis of education.

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But this basis today is not real, is not possible, is not really recognized any more by the Canadian government. There are not sufficient resources to enable the First Nations to provide adequate education.

The First Nations Education Council is working on two priority areas. The eighteen communities belonging to the Council have determined that these two issues are the most important at this time. These two issues are special education and post-secondary education.

In short, I shall consider post-secondary education and then special education.

Post-secondary education is a program for allocating assistance to students attending post-secondary institutions. The aboriginal communities have very recently assumed responsibility for this program.

Previously, a few years ago, the funds allocated to this program depended on demand and the number of students attending post-secondary institutions. Bizarrely, since the communities assumed administrative responsibility for this program, the

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budget has been capped with an increase that corresponds more or less to the increase in the cost of living but does not correspond to increases in tuition fees, for example, and they do not in any way increase student allowances.

Now, bizarrely this budget has been capped and the communities have to define priorities and must define the categories of students eligible for this program.

It is very difficult to assume responsibility for the management of something that is controlled by a government policy in which we have no say.

I know that we must eventually talk about solutions but when we propose solutions, nobody seems to be listening and there seems to be no follow-up action.

With respect to this post-secondary education program we have undertaken a number of measures.

There have been meetings, there have been several discussion, resolutions by the chiefs throughout Canada, position papers, consultations with aboriginal groups, demonstrations and a hunger strike a few years ago. Nothing, absolutely nothing has changed. The government has not

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budged.

In our communities we need young people who have been trained at the post-secondary level.

Obviously, we have problems in making the transition from the secondary to the post-secondary levels, but they must be encouraged to remain at the post-secondary level and complete their studies. We need resources.

Now this post-secondary assistance program is truly in jeopardy. There is no guarantee that it will be continued after 1995. Obviously, we find that the situation is unacceptable for our young people and also for our future.

The second priority issue is special education. As you no doubt know, special education is the education provided to young people at the pre-school level, that is at age four and five, and at the elementary level from Grade 1 to Grade 6. It is special education for young people who have special needs. Special needs may include physical disabilities, behavioural problems, learning difficulties at different levels, slight, medium, serious.

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The First Nations Education Council has developed a policy of consulting its communities and subsequently has studied the needs of these communities. We do not have any interest in falsifying the figures. Unfortunately, fifty-two per cent of the children in our communities have so-called special needs.

Given this fact, it is possible to raise a large number of questions. Fifty-two per cent of our young people have special needs. The category that is worst hit is the 12-15 age group. It is fairly obvious that this is a difficult age. But it is also children who had problems at age four or five who did not have a specially designed program and whose needs and problems have increased. With fifty-two per cent of children having special needs, you will see why we have a drop-out rate of, greater than, sixty per cent.

Unfortunately, no program exists for those children.

The money that is used for certain services is taken from the funding for elementary and secondary schools. In fact, it is taken quite simply from the overall

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funding envelope for elementary and secondary schools. There is no separate money or program in the Department of Indian Affairs at this time to meet this need.

At the very end I shall also give you the documents, the reports on studies conducted on these two subjects by the First Nations Education Council.

These are only two priority issues among others. We could also talk about the lack of funding for elementary and secondary schools, lack of professional training, lack of development of adequate materials for us to transmit our culture without jeopardizing the academic knowledge the children need to succeed at the public secondary or college level or at the public provincial university level.

The solutions that the communities have been suggesting for a long time ... are several in number. Obviously, we always come back to talking about financial and human resources.

Scarcely fifteen years ago we saw the communities begin to assume responsibility for education

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and we already want everything to be perfect. I think that it will be necessary to show a little tolerance. Education as it currently exists, the school system, is a concept that is nevertheless rather new to the communities and it is necessary to adjust our programs and also our teaching methods. We must also prepare the parents for a new education and for so-called advanced education involving post-secondary studies.

For parents of the older generation in some communities, academic education does not necessarily evoke happy memories because academic education for those parents today means education in boarding schools, means no longer being a Native, no longer speaking one's language, being isolated from one's family.

It is quite difficult to ask these parents to encourage their children to go to school today.

Quietly, since they assumed responsibility, the communities have made considerable progress and, I would say, with the limited resources that they have.

One of the solutions -- and it also requires goodwill -- is for the government to

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recognize its financial responsibilities and provide communities with the resources required to offer quality education that meets their needs.

Another solution or another recommendation is that we work together. We have always wanted to work together with governments, specifically the federal government, through its Department of Indian Affairs. Unfortunately, it is very, very difficult to sit at the same table, to respect one another, to have trust and to work for the future because it always seems that someone else has the last word; but we have to find solutions, for example we are told; 'Tell us what to do.

If you know what, tell us.' But it is always others who have the last word.

Requests have been made to centralize services here in each region to reduce the cost of services in the communities. We have met with refusals. I feel nevertheless that it was a solution designed to provide sound management, that would not be so expensive and that would provide quality services. We met with

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refusals.

Another solution for improving the general situation for education and other programs was the education of non-Natives, the education of Canadians. Unfortunately, in provincial programs -- because education is under provincial jurisdiction -- in school programs around here and even the programs of colleges and universities, unless we are talking about aboriginal studies or anthropology, there is not much consideration of aboriginal realities.

You will see that the Canadian people know very little about the country's First Nations. It is very regrettable because such ignorance creates a gap and that gap is discrimination. Now we would very much like to see provincial programs improve the situation so as to convey aboriginal reality; teaching Canadians quite simply about the reality of this country.

Unfortunately, we have had to deal with cases of racism in the schools. We have met with these schools. We suggested solutions, working together, partnership.

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Here again we met with refusal. Now I think that if in the schools there were a cultural program on the history of Quebec, Canada and the First Nations, we would greatly reduce the gulf of ignorance and we would encourage good relations among the various nations.

At the present time we obviously have administrative control of our education. Most of the communities have assumed this responsibility; this is so-called administrative control. But there are some communities that had what I would call the courage to go beyond this. These communities have decided, even though they do not really have the legal right to take over certain things, not to observe the province's program and to issue their own certificate of graduation from secondary school, their own system of approval for their teachers and also their own methods of hiring teachers.

So there are communities that have been beyond simply administrative management in the education field. And I think that it is in this direction of educational independence that these communities wish to go, with the

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resources, and they are asking the Canadian government to recognize its financial responsibilities for education in the First Nations. In any event, the whole country will be a winner if it has educated, independent people who are active and productive. In fact, Canada, the members, the participants in this country will emerge as the winners rather than claiming that it is better to isolate certain groups and to keep them in ignorance.

Thank you.

CO-CHAIR RENE DUSSAULT: Thank you very much for your presentation that was both deeply felt and very informative.

The subject you were considering is immense. I should very quickly like to ask you a technical question concerning the First Nations Education Council.

If I understand correctly, eighteen communities are represented in the Quebec context.

LISE BASTIEN: Yes.

CO-CHAIR RENE DUSSAULT: Can you give us some detail as to which those communities are?

LISE BASTIEN: In fact, the

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communities belong to six nations: the Atikamekw, Abenakis, Huron-Wendat, Mohawks, Micmacs and Algonquins; I don't think I've omitted any. The eighteen communities are in fact in the province of Quebec and have Algonquin and Mohawk as their first language, all of them, but the second language is French or English.

CO-CHAIR RENE DUSSAULT: You have a board of directors representing each of the communities?

LISE BASTIEN: Yes. There is one delegate per community, that's right. We are given our mandates by the General Assembly and the Special General Assembly -- which consists of the representative and the chief of the community -- ratifies, for example, our policies, our studies and also, obviously, our mandates.

CO-CHAIR RENE DUSSAULT: You are funded by each of the communities participating in the Council?

LISE BASTIEN: That's right. Each community ... it's a membership; the primary funding comes from the communities but there is also project funding. So,

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obviously, each year the Council sets its priorities and applies to the various government departments for various projects.

CO-CHAIR RENE DUSSAULT: Both the federal and the provincial governments?

LISE BASTIEN: Not at all; only to the federal government.

CO-CHAIR RENE DUSSAULT: Only to the federal government.

LISE BASTIEN: We have no mandate or any authority to request funding ...

CO-CHAIR RENE DUSSAULT: From the province.

LISE BASTIEN: No, because we do not recognize provincial responsibility for education.

CO-CHAIR RENE DUSSAULT: Obviously, however, the school system is largely provincial.

LISE BASTIEN: Yes.

CO-CHAIR RENE DUSSAULT: You spoke a little bit about the schools, where there were cases of racism and where you wanted to work with certain schools. Do you have any

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contacts with them?

LISE BASTIEN: I am going to talk for the communities, because some communities have established interesting relations with the school boards that are near to their community. But for most of the communities that have children who go to these school boards or to private schools, relations are fairly difficult. There is very little contact. For example, the First Nations are not entitled to be represented on parent or school board committees, either because they are not residents of the area or because they do not pay taxes, things like that, school taxes because they do not live on the territory. They do not have much say on the subject of content either. But there are exceptions.

Unfortunately, we, when there have been regrettable incidents, we went there and we made suggestions and no, finally, they did not wish to implement them.

CO-CHAIR RENE DUSSAULT: I understand that there are several aboriginal persons who go into the public school system but also into the

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private system.

LISE BASTIEN: There are some, yes, that's for sure, who go into the private system.

CO-CHAIR RENE DUSSAULT: Are relations also difficult to establish with the private school system?

LISE BASTIEN: Yes. Overall I would say so.

CO-CHAIR RENE DUSSAULT: It's the same thing.

LISE BASTIEN: I think that there are schools where there are a lot fewer problems and where the community gets on very well with the school but there are others where, unfortunately, relations are, as they say, non-existent.

CO-CHAIR RENE DUSSAULT: I think you have certainly -- and that is understandable -- identified one of the major problems beyond the general drop-out problem, namely, that of persuading young people to continue, to go beyond the secondary level of study and to go into post-secondary education. This is a major point of interest for the Commission.

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For people located more in the northern communities, there are also a host of other problems such as travel, the structure of the reception in the south and so on.

LISE BASTIEN: That's right.

CO-CHAIR RENE DUSSAULT: We know there is a financial problem, there is a budget problem, but I think that you also pointed a finger at the value placed on education by parents and the communities and also by the aboriginal leadership.

We are extremely interested in continuing our examination of this subject with an organization such as yours because we have the impression that there is no single magic solution to this problem.

I understand that you are going to submit documents on the two projects of special interest that you have.

LISE BASTIEN: Yes.

CO-CHAIR RENE DUSSAULT: But if you can continue to consider the distribution and this consideration with us, we would be extremely interested.

In essence, what we are doing today is starting a dialogue.

LISE BASTIEN: Thank you.

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CO-CHAIR RENE DUSSAULT: We think that an organization such as yours could help us considerably in devising concrete solutions. We realize that it will be necessary to work on several fronts.

LISE BASTIEN: Absolutely, yes.

CO-CHAIR RENE DUSSAULT: So in a sense what I am doing now is to make an appeal to you along those lines.

Do you wish to go any further?

LISE BASTIEN: Yes, quite simply perhaps to add that obviously we are talking about drop-outs and we definitely want to interest our young people in continuing their studies at the post-secondary level but I think that it is also necessary to prepare the base. If we cannot offer adequate programs to four year olds -- we are talking right away about three and four year olds -- and also the screening of children who have problems, I think that even with the good will of parents and communities to say 'Yes, you must study and go on to post-secondary studies', if the programs are unsuitable when they are still very small, there's no point, they will be forced out long before they

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drop out.

CO-CHAIR RENE DUSSAULT: There are a number of aboriginal schools here in the community and thus under aboriginal control.

LISE BASTIEN: Yes.

CO-CHAIR RENE DUSSAULT: Can you provide comparisons on the basis of results? Often problems relating to the value attached to education show up at the primary level. Have you encountered the same problems?

LISE BASTIEN: That is to say that our assumption of responsibility is still very recent, as I stated earlier. There is no lack of desire on the part of the communities to offer adequate programs, there is a lack of resources.

CO-CHAIR RENE DUSSAULT: It is the resources.

LISE BASTIEN: It really is that. Much has already been achieved. A lot of material has been developed with the means available and that is, when all is said and done, very, very good. But it's not enough.

I think that if you have

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an opportunity, the Commission, or if you had an opportunity to talk to school management that have managed despite everything to implement interesting programs ... obviously, it's not the lack of will and the lack of knowledge and desire; it is really the lack of funding that is the major problem because, despite everything, money still has to be spent on this program.

CO-CHAIR RENE DUSSAULT: I have one last question for you.

You spoke about the need for cultural programs in the schools -- to eliminate racism and to ensure that the young people react better -- cultural content reflecting aboriginal reality. Have you made any contacts, for example, with the Quebec City Catholic Schools Commission? Is it completely parallel?

LISE BASTIEN: It's very parallel.

CO-CHAIR RENE DUSSAULT: In order, in essence, to convey your wishes and your message to that organization, how do you see yourself going about it?

LISE BASTIEN: In fact, I think

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it will be necessary for the communities to come back to dealing with the provincial government. I say "come back to dealing" because we already had some preliminary meetings a few years ago on this subject. Obviously, however, here again we took no follow-up action; and when I say 'we', that excludes us, because the Department of Education, we had very informal meetings, but it is an extremely complex machine and we were simply told at the end that the school boards nevertheless had a lot of power and it was not much possibility of imposing things and that it was complicated to change the program.

In fact, it involves a complete review of their education; it is perhaps time because they are in the process of reviewing education in the provinces.

But at the time it was really a structure and there were all kinds of committees on stereotypes and so on; they still exist.

CO-CHAIR RENE DUSSAULT: What strikes me is that relations on the spot are often more effective than relations with the full Department. The machine,

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as you say, is large.

I think that we must also continue our reflection on both sides on ways of ensuring in essence the concerns you shared with us today, not on a parallel track with the school boards, but that we can have forums or share those concerns.

LISE BASTIEN: Yes.

CO-CHAIR RENE DUSSAULT: If I fully understand, you would be prepared to take action along those lines.

LISE BASTIEN: Absolutely, yes.

CO-CHAIR RENE DUSSAULT: Very well.

Thank you, Mrs Bastien.

Mrs Wilson.

[English]

LISE BASTIEN: The reason is very, very simple, in fact. They tell us: "No

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new application for funding for two years; no application to Treasury Board. Those children will have to wait". And the worst response that I've had was from a Minister, who said: "My condolences".

So it is very regrettable because we have worked, we conducted our own consultation, we arrived with real figures; "my condolences" is quite unacceptable because those children are at the door of the school. They are currently at the door of the school and we don't know whether they'll enter or leave with the problems that they have. But we are continuing.

[English]

CO-CHAIR RENE DUSSAULT: Paul.

COMMISSIONER PAUL CHARTRAND: I should like to ask my questions in English.

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LISE BASTIEN: The first question is whether we are affiliated with AFN, the Assembly of First Nations. We have a working relationship, that is all. We sit on committees of the Assembly of First Nations to represent our communities, that is all. We give our position.

The other question is whether there is a common position throughout Canada, as to whether post-secondary education is a treaty right. For the communities in the First Nations Education Council, it is not simply a treaty right, it is an ancestral right, and financial responsibility must be recognized. The responsibility to provide a quality education, these parameters have not been established. I think that you have heard comments on this point from Phil Fontaine, who said: "It is impossible to sign a treaty or to make an agreement at that time when you're talking about universities, which did not even exist."

And so quite simply education is considered

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to be something Canada owes to the First Nations.

COMMISSIONER PAUL CHARTRAND: [English]

LISE BASTIEN: It is very, very different from one community to another. Some communities will adopt the provincial curriculum and include, add curriculum specific to their nation. There are also communities which are more organized by nation; for example, the Atikamekw. The Atikamekw

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are three communities which have centralized services to develop curriculum for their communities. There is also the issue, there are discussions on the possibility of standardizing the curriculum for the First Nations across Canada; but these are only discussions.

COMMISSIONER PAUL CHARTRAND: Thank you.

LISE BASTIEN: You're welcome.

CO-CHAIR RENÉ DUSSAULT: I would like to thank you for your presentation. We will be receiving the documents. I would also remind you that we hope to pursue the discussion begun here.

LISE BASTIEN: Thank you very much.

CO-CHAIR RENÉ DUSSAULT: Thank you, Ms. Bastien. Thank you, Mr. Sioui.

I would now ask the representatives of the Comité d'appui aux Premières Nations [first nations support committee] to join us.

Good afternoon.

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RAYMOND LALIBERTÉ, COMITÉ D'APPUI AUX

PREMIÈRES NATIONS: Good afternoon, ladies and gentlemen of this Royal Commission. In the schedule which you have in front of you now there should be three of us representing the Comité d'appui aux Premières Nations. One of the people was unable to come; Solange Hudon is not here this afternoon. So we, Sylvie Paquerot and I, are the two people representing this committee, which I would like to tell you a bit about before talking more specifically about the matters that fall within your field of interest.

The Comité d'appui aux Premières Nations ... and, I would mention, we have filed two briefs with the secretariat on which we are relying this afternoon -- perhaps you already have them in front of you, but you will of course not have had time to read them -- in making our presentation.

In one of these two briefs, the brief presented to the Bélanger-Campeau Commission in Quebec, we provide a more specific statement of what the Comité d'appui aux Premières

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Nations is, with the declaration of principle and so on. I am sure that you will have the opportunity to refer to it more specifically. But a brief word nonetheless.

The Comité d'appui aux Premières Nations, which exists primarily in the Quebec City Region, is a relatively young committee. We formed the committee in 1990 with a view to the problems that were being experienced in Quebec at that time.

We are a committee made up only of Québécois members who are not aboriginal, by choice, by definition. We did not organize as a joint committee, and certainly not to speak on behalf of the First Nations, to speak on behalf of the aboriginal groups in the Quebec region or elsewhere, but rather to speak out as non-aboriginal Quebecers on issues that affect the relationship between the people of Quebec and the First Nations.

We are a group which is, in a way, a pressure group, in that we speak out on current issues. At the outset,

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for example, we organized around a petition, "at the outset" referring to the fall of 1990, which of course was in the context of the problems at Oka, Kahnawake and Kahnasatake. But afterward we very quickly decided to produce a brief, the first one we shall be using this afternoon, in which we addressed the Bélanger-Campeau Commission. We have produced another brief since then, which Sylvie will present to you more specifically in a moment, and we also speak out occasionally in this way at public meetings to try to sensitize our fellow citizens in Quebec to the issue of the relationship between aboriginal peoples and non-aboriginal Quebecers. In other words, our objective, the job we have taken on, is to contribute to a consciousness-raising process in the current situation in Quebec on this issue which, so long as it did not explode into some sort of crisis situation, left most Quebecers pretty much ... I almost want to say indifferent, for all practical purposes.

We do not share the opinion of those who

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say, for example, that Quebeckers were opposed to the aboriginal peoples at the outset. I do not believe that that was the situation. I believe - and this is no better - that the situation was rather one of indifference. But as soon as there was a crisis, the question came up for the people of Quebec in general.

It is from this point of view that we speak out and that we testify as well as members of this support committee in our respective activities, in our professional activities. Sylvie, for example, is an employee of the Syndicat des fonctionnaires provinciaux du Québec; I teach in the faculty of education at Laval University; she is an activist in feminist and human rights groups; I am active in political groups; and so on. And the other members of the committee are people who are fundamentally like us, and we also speak out on our concerns in this area in our activities as professionals and as activists.

I heard Ms. Bastien just now talk about how little concern there is for education in aboriginal

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communities in a society like ours. I entirely share her view.

I could give the example of our faculty, where two years ago -- in the education faculty, the one that prepares future teachers, primary and secondary teachers, more specifically -- there was no course which in any way raised the question of specific needs ... and I put it this way deliberately. Not even the theoretical question, not even the question of the existence of aboriginal nations, merely the question of specific aboriginal needs in the field of education, there was nothing. Only very recently has there been a course which considers this question.

Now I will be quiet on that point so as not to take up all our presentation time in giving you a short definition of ourselves, but I think that gives you an idea of what we are trying to do in the Comité d'appui aux Premières Nations.

I am going to talk more specifically about our brief to the Bélanger-Campeau Commission -- the brief

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entitled "Le Québec peut-il se définir sans les Premières Nations" [can Quebec define itself without including the First Nations] -- and will say at the outset that we did not have the opportunity to present it to the Bélanger-Campeau Commission because we were not the only groups to take this position. There is nothing specific in the work of the Bélanger-Campeau Commission on the issue of the relationship between the people of Quebec and the aboriginal people. At the time we filed our brief we spoke out against this strongly and we continue to speak out against it today.

One of the key elements in our argument -- this is the reason our brief is entitled "Le Québec peut-il se définir sans les Premières Nations" -- was that neither Canada nor Quebec can redefine itself constitutionally without at the same time redefining our relationship with the aboriginal nations. We wrote that in the fall of 1990, and unfortunately events since then have proved us right. I say "unfortunately" in that it does not seem that we have so far learned, since

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the recent negotiations -- specifically Charlottetown and the referendum which followed it -- I don't believe that we can say that in Quebec the question of the relationship between the people of Quebec and the aboriginal people has moved forward in the Quebec/Canada constitutional debate. I am of course talking about recent months. I am talking about what preceded the referendum itself. This is what I mean when I say that unfortunately events have proved us right.

In our brief we also state that Quebec had, however, made important progress in 1983 and 1985, in particular ... political Quebec, the Quebec of the National Assembly. We refer to the 15 principles which were endorsed in 1983 and the 1985 motion or resolution of the National Assembly, which was to the same effect as the 15 principles of 1983 and which, in our opinion, might have opened the door to something much more fruitful than what we have since seen in Quebec. I say might have, because after 1985 the question was for all practical purposes put on ice and the First Nations and the bodies of

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the National Assembly have hardly spoken of this question again since then.

There were important principles involved.

There was one of these principles, however, which we did not support, and which is also at the heart of our brief. These 1983 principles assumed, however, that political independence, or self-determination, regardless of the expressions used for the moment, which was supposed to go ahead -- this was part of the 1983 principles -- should however proceed on the basis of the laws of Quebec. If we were speaking in the Canadian context we would say "on the basis of the laws of Canada"; the principle would be the same.

In our brief we do not support this aspect.

We affirm the importance of the right to self-determination for all aboriginal nations on the same basis as we also affirm the right of the nation of Quebec to self-determination; the same principles apply to both cases. We affirm that this right to self-determination must be full, that is, must apply to all

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aspects -- political, legislative and administrative as well -- and that the laws of Quebec and the laws of Canada in respect of relations within Canada as a whole must not prevail.

This principle is in fact based on the strict equality of peoples. If we start from this approach of the strict equality of peoples the conclusion we reach is the full right to self-determination.

This principle also brings us inevitably to the right to territorial sovereignty. That does not mean that territories are pre-established once and for all, but it means that the principle implies the right of territorial sovereignty, a full right in some cases and a shared right in other cases.

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Then of course comes the whole question that follows in the principles we support: How can these questions be resolved? If there must be a full right in some cases and a shared right in others, or, if you prefer, full sovereignty in some cases and shared sovereignty in others, how do we resolve this?

The principle that we are proposing -- and we are not experts, neither in anthropology nor in law, nor in anything like that; we are individuals of good will, and so we do not approach these questions as experts but on the basis of the principles we affirm -- is that we do not see how these questions could be resolved otherwise than by negotiation between equals. It does not seem to us to be possible, or even desirable, for these questions to be resolved otherwise than by negotiations between equals. In other words, we do not believe that bringing these questions into the judicial arena is an appropriate means of resolving them.

If we start from the principle of equality

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of nations, equality of peoples, the solutions must be reached by common accord, by an agreement between these nations, between these peoples.

Yes, but there are going to be problems.

Of course there are going to be problems. No negotiations have ever been easy, nor will the negotiations concerning the relationship between the people of Quebec or of Canada and the aboriginal people be easy. We have imagined, without, again, being technicians or experts, that as in other fields it was possible to establish a body, a mechanism of some sort, to which we did not want to give a name, which should be supra-national in nature, that is, should include representatives of the nation of Quebec, as to what concerns us here in Quebec, as well as of the aboriginal nations as such, and which would be a place - I am going to use terms which perhaps belong to the field of labour relations - both for conciliation and for mediation and ultimately for arbitration, on which all parties would sit, which would make recommendations but which would also

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-- otherwise, it just becomes a place for good intentions and is in danger of being ineffective -- have the power to impose moratoria of a fixed length of time so that neither of the two parties to the negotiations could impose its solutions on the other participants in the negotiations before a settlement was achieved.

The last element, finally -- and I am going to be quiet after this and leave Sylvie a few minutes, and leave you the time lastly to ask us questions, as well -- is that these principles also lead us to recognize the mutual right of sovereignty, mutual in the sense that if we are going to take the right of self-determination and to territorial sovereignty to their logical conclusion, that is, in the political, judicial and legislative forms which we advocate at the outset, that means -- whether we call it this or call it something else -- de facto sovereignty and that raises the question of how that sovereignty affects individuals.

Our position on this is as follows, very

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simply: In places where there is full, total sovereignty of one of the nations -- the nation of Quebec or the aboriginal nations -- the individuals residing there would have to comply with the rules, decisions, laws, regulations which prevail in that community, in that sovereign territory, but, of course, would have their right of citizenship recognized ... I don't actually know how to say it, but to recognize that the other side has the same right; that the people of Quebec would recognize the right of predominant citizenship for the territories under aboriginal jurisdiction and vice versa for the territories under Quebec jurisdiction.

This means that, in fact, in simple terms, the people of Quebec living in aboriginal territory would be subject to those rules, to the rules of those communities, but that aboriginal people living in non-aboriginal Quebec territory would be subject to the laws, regulations and other provisions of Quebec territories.

We are aware that this perhaps slightly

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black and white approach -- nonetheless this is how we do it -- to the question of sovereignties, however, leaves entirely unanswered one issue which appears to be important but which we did not deal with in the brief in question: the issue of aboriginal people living elsewhere than in their own territory.

On this point we assume that in future negotiations and future recognitions of respective sovereignty, solutions will ultimately be found; however, for the moment, we ourselves have not dealt with it per se in our brief.

SYLVIE PAQUEROT, COMITÉ D'APPUI AUX

PREMIÈRES NATIONS: The second document, following the brief filed with the Bélanger-Campeau Commission, is much more a working paper than a brief per se in that we tried to take an example which was the subject of much discussion in Quebec, Great Whale, to see how we could in fact apply the principles we advanced in the preceding brief.

Why Great Whale? First, because it involved the people of Quebec as well as the aboriginal people,

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but also because, under the James Bay Agreement, the people of Quebec have had a tendency to consider this territory from the outset as a territory which was, according to the principles we have advanced, under shared sovereignty. That does not mean that we admit at the outset that this is the case, but simply as an example it allowed us to examine how it would be possible to share sovereignty in certain territories with the aboriginal peoples.

To do this quickly, I shall completely skip over the demonstration on the issue of sustainable development, which you may read, and go right to the possible approaches to which this brought us. We examined the possibility of applying the concept of sustainable development -- and I would note, not in any loose sense: as it was developed in the Brundtland report -- and we tried to see whether if we applied this concept, particularly in terms of respect for the ecosystems' productive capacity, we could develop a basis for negotiations which would respect the possibilities of

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independent development, both for the people of Quebec and for the aboriginal peoples involved.

We concluded that if we in fact respect what is called the productive capacity of the ecosystems, at least in theory, we should be able to allow the aboriginal peoples involved to control their own development in the future and specifically to leave open the development approaches which each of the peoples involved want. Since the basic principle is not to cut into capital, that means that any development project must be carried out without mortgaging future developments and the approaches which the First Nations might adopt in the future, which could be different from the development processes which have been followed to date.

Something else that was very prominent in the committee's work in this area, and which may be interesting from the point of view of "educational" activities within the white population, is the extent to which it is in the interest not only of the aboriginal peoples to follow this sort of

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process, and that future generations on the white peoples' side will also perhaps have an interest in preserving a mode of development which respects the ecosystems' bearing capacity.

Moreover, that also allowed us to develop a possible approach in terms of respecting the rate at which change is integrated, because this concept necessarily implies taking into account the cumulative effects of developments undertaken. Given that the issue of land, and so the question of the development of the territories, is very important in our relationship with the aboriginal peoples, the example of Great Whale provided us with an understanding of an important problem which came out of the earlier James Bay development, which is that we were not yet able today to assess the impact of the initial development and we were prepared to start another.

We were therefore not yet in a position to assess the handicaps on the resources that had been created.

We also reached the conclusion that regardless of the decision made in any development project,

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if it is made on the basis of sustainable development, the parties must participate equally in the decision, and the concept of sustainable development could make it possible for us, in working as equals, perhaps to examine more rigorously the costs and benefits for the parties involved and the potential compensation required to balance the costs and benefits.

In fact, what we were thus able to do was to visualize in practice, using an example which I will give you very quickly, the example of co-ownership, in which, if two people buy a building or a piece of land, decisions are made jointly and both parties assume the consequences of the decisions made.

Generally speaking, the educational work which this makes possible is to put the meaning of negotiation between equal parties into concrete terms. The discussions on Great Whale at this time have not really given the people of Quebec an opportunity to state their opinions on this kind of project, and so it seemed important to us to start now and

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to look at it from the point of view of the principles we had established.

This is more or less possible approaches to which it brings us.

CO-CHAIR RENÉ DUSSAULT: I would like to thank you, on behalf of the Commission, for having submitted these briefs in writing at the same time and for having given your oral presentation.

I have an initial quick question. In essence, the committee is composed of a number of people. How many people is it composed of?

RAYMOND LALIBERTÉ: About a hundred people in the Quebec City region.

CO-CHAIR RENÉ DUSSAULT: If I understand it properly, the second brief, which is dated January 1992, is not a brief which was submitted to the Bélanger-Campeau Commission. It is a brief which was prepared ...

SYLVIE PAQUEROT: It is more a working

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paper than a brief per se, which had been prepared with the idea that eventually perhaps there would be a consultation on the Great Whale issue, which has not yet happened.

CO-CHAIR RENÉ DUSSAULT: I see. So in a way we have the benefit of two briefs which were prepared a year and a half, two years ago, in the context of the Bélanger-Campeau Commission proceedings and also discussions which might have taken place on the Great Whale development project.

I think you are aware that these are fundamental issues. The Commission is very aware that when you say that Canada and Quebec could not redefine themselves without including the ideas of the aboriginal peoples, this is certainly a point of view shared by the Commission from the outset.

The essential result of the referendum ... I have had occasion to say that for us, it was not a return to the starting gate. In that sense I think that your briefs

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are still current and very much to the point. As Madam Wilson had occasion to note this morning, we are going to give particular attention, following the referendum, to the alternatives offered so as to start over, in a way, at a level which is not immediately constitutional, the fundamental discussion. What is important is that the fundamental discussion take place.

It is possible that the Commission will present a specific commentary on that fairly quickly, several weeks from now, or early in the new year. Given this, these are certainly briefs - the first, of course, but also the second -- to which we shall give thought, which we shall review.

I think that, for the moment, I would simply like to thank you for coming to present them to us and, again, suggest that you pursue your work. I think that it is extremely important in the course of this discussion and in the Commission's work as well.

Thank you.

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RAYMOND LALIBERTÉ: Thank you.

CO-CHAIR RENÉ DUSSAULT: Are there any
additional comments the Commissioners would like to make?

COMMISSIONER PAUL CHARTRAND: [English]

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RAYMOND LALIBERTÉ: We did not go into detail on methodology in the brief we submitted to you. If I understand the primary meaning of your question, when you refer to page 19 specifically, we are referring, in quotation marks, to this permanent parliamentary forum which was part of the conclusions of the 15 principles recognized in 1983 -- almost 10 years ago -- and which was to be -- and we must point

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out the "was" -- sort of a trigger for an annual process, and perhaps even a more frequent process, of direct relations between representatives of the government and representatives of the First Nations. It was designed for the Quebec context, and the government in question was the government of Quebec.

Unfortunately, after this initial round of discussion, which had been fruitful, at least we think so, and which had resulted first in recognition of the 15 principles, in 1983, and then a declaration of principle, a motion by the National Assembly in 1985, everything then was frozen. It was as if the government of Quebec had left the question right where it was before, that is, with the ministers who have aspects of the aboriginal question in their general mandate. Of course there is a minister responsible for aboriginal affairs, but there are other ministers ... forests, fisheries, recreation, and so on.

It is as if the government of Quebec - but this is an opinion - had decided starting after 1985 not to

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reconvene this permanent parliamentary forum, which

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had been proposed in 1983 and supported again in 1985.

We can only deplore this, and in our brief we called on the government of Quebec to eventually reconvene this sort of body. We do not need a constitutional debate to set up a body like this. In essence, what is needed is sufficient mutual respect to get together to participate in such a forum.

Is the situation still as favourable today as it was in 1983 and 1985? I admit that the last 10 years have been somewhat turbulent. Would it be as fruitful today as it might have been in 1985, 1986, 1987? I ask the question without being able to answer it at any length. But it seems to us that approaches such as that, which are simple but which recognize the principle of the equality of the other group with which one is going into negotiations, in essence, are approaches which could easily be used to resume the discussion and take the initiative again, in essence. And we would still invite the government of Quebec to resume the initiative in this

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discussion, which has barely begun.

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SYLVIE PAQUEROT: I would like to add something on the difficulty of establishing relationships as equals when the groups involved do not have equal power.

I think that at the time of the Bélanger-Campeau Commission one of the things pointed out was the importance of not considering the First Nations as just one group among the others in society. What a people is is not determined by the number of persons who belong to it. The First Nations question cannot be considered in the same way as we consider the women's question or immigration, which are questions of the rights of individuals who happen to belong to groups.

Starting when we recognize the concept of a people, regardless of the size of one country in relation to another, they are normally all equal at the UN. We should to some extent take this approach, this idea as our basis if we are to be able to establish a relationship between equals, and I think that it is less a technical problem than a problem

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of basic fairness and good faith, the attitude of the parties.

COMMISSIONER PAUL CHARTRAND: Thank you very much.

CO-CHAIR RENÉ DUSSAULT: Very well. I would like to thank you for your presentation and ask the Association des Métis et Indiens hors réserves du Québec to make their presentation before the coffee break.

MARIO PARADIS, SPOKESPERSON, ASSOCIATION DES MÉTIS ET INDIENS HORS RÉSERVES DU QUÉBEC INC.: Ladies and Gentlemen, I would like to thank you for giving me the opportunity to meet with you to make a brief presentation on our organization's purpose and our view of the problems experienced by our members.

CO-CHAIR RENÉ DUSSAULT: Can I ask you, for the record, to identify yourself? You are Mr. Paradis?

MARIO PARADIS: Yes. My name is Mario Paradis. I am the spokesperson for the Association des Métis et Indiens hors réserves du Québec.

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CO-CHAIR RENÉ DUSSAULT: Thank you.

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MARIO PARADIS: I would first like to inform you that our association intends to present a much more detailed brief in about March 1993 on the situation of Métis and Indians living off reserves in Quebec. This presentation will follow a thorough discussion with our members so that we may clearly identify the problems and provide you with real solutions to those problems, and not simply a list of grievances.

I do not doubt that the experts on the Commission will be able to recommend some solutions to you, but they are more likely to be appropriate for the community and to meet its needs if they come from the community itself.

I would first like to introduce our organization to you.

The Association des Métis et Indiens hors réserves du Québec Inc. was created in 1972. It has operated for 20 years and, through its stability and the importance of its objectives, it has demonstrated the important role that it plays for its members.

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The Association's objectives fall into two categories: its aims are to bring together Métis and non-status Indians in Quebec; to have their status recognized concretely; to study, promote, protect and develop the material, cultural, social, economic and political interests of its members in every way; to organize various activities; and to maintain a permanent secretariat to develop links among the members. For this purpose, the Association has the mandate of publishing magazines, newspapers, periodicals or any other publication with cultural, informational and promotional aims.

The Association must also make the necessary representations to public institutions to promote and advance its mission. This is the reason that brings us before you today.

At present the Association has nearly 3,000 members spread throughout Quebec. Its head office is in Roberval, in Lac-Saint-Jean.

In 1989, the Association instituted a

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special job assistance and search service, the Service d'extension de la main-d'oeuvre autochtone du Québec [Quebec aboriginal work force extension service], or SEMAQ. SEMAQ emphasizes programs for access to and equality in employment for aboriginal people who have the most difficulty integrating into the labour market. It is designed to improve working conditions for its members, specifically in terms of temporary and part-time employment. One of its jobs is to adapt its members' vocational training to labour market needs, and to organize on the job training, to liaise between the school and the work place, to implement alternating work-school schemes, to encourage employers to let it know their needs, and to organize a human resources mentor program with employers, and finally, to take charge of some government programs so that they will better meet the needs of the workers and of business.

This will provide you with an introduction to our organization and our services.

The question with which we are most

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concerned is the status of the Métis and what this means in Quebec.

In the constitutional debate, we heard talk from time to time about the Métis question. At that time, the Conseil national des autochtones recognized that there could be some confusion as to the real meaning of the concept of self-government for Indians who are not registered by the federal government and Indians living off reserves. That is even more true for the Métis. We have no territorial base and we are left out of all federal aboriginal policies.

With no territory, it is possible that we could obtain the same degree of power as the professional corporations have, somewhat like the Bar, to govern and promote certain of our members' activities, including the opportunity and means of developing our own culture. The constitutional proposal which has recently been discussed assigned a vague status to the Métis; even though they are said to be an aboriginal people, that doesn't mean anything in reality.

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The proposal offered a form of self-government. Section 56 of the constitutional proposal stipulated that the federal government, the provinces of Ontario, Saskatchewan, Alberta and British Columbia, as well as the National Métis Council, have agreed to enter into a legally binding, justiciable and enforceable accord on the Métis nation issues. This accord was to define Métis status and how Métis people would be registered. This accord affected only the named partners. Quebec and the Métis of Quebec were not affected by the accord. We were therefore still in the same non-existent legal situation, and we are still there, with or without a constitutional accord.

Your Commission will have to consider the definition of Métis status for all of Canada, and not only for certain regions of the country, or else we will be faced with discrimination from one region to another. The Commission must clarify the present Tower of Babel of the host of forms of aboriginal status and eliminate the resulting discrimination.

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The various legal rights of the aboriginal peoples of Canada are reflected in the diversity of the national political organizations representing their interests. Apart from the racial distinction between the Inuit and the peoples we call "Indians", or the distinction among the diverse aboriginal cultures and languages, there is another classification or distinction, which is more legal, which we cannot ignore and which must be understood if we are to understand the reality of the aboriginal situation today.

Registered Indians are aboriginal people with legal status under the Indian Act, whose names are entered in the federal register set out in the Act. Registered Indians are further divided into:

- Indians subject to treaties and those who are not;
- Indians who are members of a band and those who are not;
- members of bands who have status as

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registered Indians and members of bands who do not have status;

- Indians registered under Bill C-31 which amended the Indian Act in 1985;

- Indians registered under subsection 6(1) of the Act who may pass their status on to their children, even if the other parent is not Indian, and those registered under subsection 6(2) who cannot pass their status on to their children in the same circumstances.

These are pointless bureaucratic categories because it seems to us that either you are Indian or Métis or you aren't. These categories can only lead to racism and division among aboriginal people and between aboriginal and non-aboriginal based on the idea that some people are more Indian than others.

These categories are still based on a bureaucratic approach to the question, and there are other avenues that we should explore.

The expression "non-status Indians"

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applies to persons who may be considered to be aboriginal using ethnic criteria but who, for various reasons -- such as, for example, they were in the woods when the federal registrar came through -- are not entitled to be registered under the Indian Act. The term "Métis" is mostly used to describe a person of mixed descent one of whose parents is an Indian. It is sometimes used as a synonym for the expression "non-status Indian" to designate an aboriginal person who does not have status under the Indian Act.

Historically, this term designates persons of mixed origin inhabiting the Prairie provinces -- the Métis nation -- who have developed their own cultural identity which is distinct from both Indian and European, but who are nonetheless aboriginal. It was believed that the Métis inhabiting what are now the Prairie provinces had the title of Indians under federal law and they were given land and cash grants in place of treaty rights. They are the descendants of French trappers who married Cree and Ojibway women. Some

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of them still speak Metchif, a common dialect borrowed from French, English, Cree and Ojibway. Today, some people who identify themselves as Métis are descendants of people who were entitled to these rights and benefits.

The Métis who are represented by the Métis National Council absolutely do not represent us, or our interests in Quebec. This organization represents the Métis of Ontario and the Prairies.

One of the aspects of the mandate of the Royal Commission is to analyze the constitutional and legal aspects of the status of the Métis and Indians living off reserves. The Commission therefore may - and has a mandate to - examine the legislative jurisdictions which affect Métis and non-status Indians and study their economic situation and the economic situation of Indians living off reserves and in urban areas, as well as the government services offered to them.

The situation of Métis living in Quebec is relatively different from the situation of Métis as that

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term is generally understood in the large organizations such as the Métis National Council or the Conseil national des autochtones du Canada. Here we are using it in the sense of describing the mixed descent of a person one of whose parents is Indian. This word is also used as a synonym for the expression "non-status Indian" to refer to an aboriginal person who does not have status under the Indian Act.

As may be seen, the definition of this status is not a simple matter, but the potential for change to the Constitution of Canada requires or will require that we give legal meaning and definition to this status and the rights, privileges and obligations which attach to it.

The Commission should therefore give special attention to this specific question of the real situation and status of the Métis of Quebec.

Given that the powers which will devolve to the Indians and Métis under a new level of Indian government will have to find some form to take for people off the reserves,

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we should first explore the ground so that we can avoid unpleasant surprises in the morning caused by a lack of planning.

We must ensure that communities which are not now ready to undertake a situation in which they have responsibility as a result of the lifting of the guardianship of the Indian Act, with all the accountability that will rest on them, are prepared for this. Our members are also experiencing difficulties arising from their isolation in some regions and in the cities.

The Commission also has a mandate to inquire into the social situation of the aboriginal peoples of Canada. It is also to make recommendations concerning the quality of life of aboriginal peoples who live in rural and urban communities and consider concerns which include, inter alia, poverty, unemployment, underemployment, access to services, and other matters. The Commission's mandate also concerns problems relating to the establishment of a viable economic base for aboriginal peoples, unemployment, access to labour markets, discrimination in employment, and so on.

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Your Commission will certainly have an opportunity to hear analysis by aboriginal organizations which are also concerned with the problems experienced by aboriginal people and Métis living in urban communities. When our analyses are ready, we shall return to appear before the Commission to present our recommendations to you.

We are in need of a good analysis of the problems experienced by aboriginal peoples in the job market.

To date, from the discussions we have had with our members, we are in a position to identify some gaps in the present system, but we must go further and propose solutions to the problems of jobs, the lack of resources and services and the lack of education among Indians living off reserves and the Métis of Quebec.

Quebec seems to be somewhat less affected than the other provinces in terms of the phenomenon of the urbanization of Indians who leave their reserves, but the trend is undeniably on the rise, and we are at great risk of finding

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ourselves in the same situation as cities like Edmonton or Winnipeg with major chronic problems. In Quebec, this problem is starting to be felt in the large cities. We must not wait until the plague is in our back yard before we act to prevent it, and we must act while there is still time.

This is the message that we wanted to bring to the attention of the Commission at this stage in the proceedings. We want to point out to you the importance of your taking an interest in the legal and social status of the Métis, not only in Canada but also in Quebec, and the difficulties connected with living in urban communities.

If the nature of Canadian federalism is revised some day, your recommendations will be used in defending our interests. If Quebec becomes sovereign, they will be used in negotiating our place in the plans for Quebec society.

Permit me to close with a passage from a very beautiful poem written by a Métis woman, Virginia Pésémapéo Bordeleau:

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[TRANSLATION] I am the shock of two cultures,
the white and the iron bar,
the red of feathers, of furs
and faded leather, with the acrid smell of smoking wood.
I am witness to two races suffering from life
and from their inability to come together,
I am the bridge between two peoples
that an accident of fate has stretched over a precipice.
I am from descended from red and from white.

Thank you.

CO-CHAIR RENÉ DUSSAULT: I would like to
thank your association for your excellent preliminary
presentation, as you say. I think that this is exactly the
spirit in which the Commission wishes to work; in other words,
to start the discussion and the dialogue and to continue it
in the subsequent phases. We are certainly going to await your
brief, which you tell us you will present in 1993, with great
interest.

In your brief you raise a major question,
which is the question of defining the Métis people. Obviously

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this is a question facing the Commission, since we are in Eastern Canada. When we are in Quebec or the Maritimes, this question is brought before the Commission time and again. I think that you have alluded to it, and Paul Chartrand, who is with us, from Manitoba, will perhaps have a few questions to ask.

The reality of the Métis people which started on the Red River in Manitoba and which for four or five generations developed in its own way, which led to the establishment of a provisional government and is a very strong reality which the Métis who came out of it see as being distinct from the situation of people of mixed ancestry who live in Eastern Canada, which does not come directly out of the Red River. This is a question which is of course of interest to the Commission and, to some extent, is facing the Commission.

Clearly, whatever definition is used -- I think that we must respect individual characteristics -- we must give very specific attention to the people of mixed ancestry who are in the eastern part of Canada. You are right to point

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out that in general they are somewhat in a situation which is similar to non-status Indians, often in urban areas, obviously outside the territories, and I think that the recent constitutional discussion has essentially shown that reality, since the political accord which had been made simultaneously with the Charlottetown accord was made for the Métis who originated from the heartland around the Red River.

And so I would simply like at this point to say that we are very aware of this reality, of identification and nomenclature. We are interested in pursuing the discussion in this area. However, we must take into account the political realities of the people who want to be represented very specifically on the basis of historic realities. So I would simply say that your brief will be one among others that we have received in the maritime provinces and, of course, also from some parts of Ontario.

At page 3 of your brief you raise the possibility of obtaining power of the same nature as

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professional corporations such as the Bar in order to "promote certain of our members' activities, including the opportunity and means of developing our own culture". Perhaps very briefly, because time is short, could you elaborate on what you had in mind by that, because it is a somewhat original suggestion.

MARIO PARADIS: I will let Mr. Boudreault answer that.

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RENÉ BOUDREAU, ASSOCIATION DES MÉTIS ET

INDIENS HORS RÉSERVES DU QUÉBEC INC.: In the analyses that were done, particularly in a research project by the Conseil national des autochtones, there are various approaches to self-government which have been studied concerning particularly the establishment of autonomous aboriginal governments in urban communities. One of these approaches dealt with the entire question of community-based government, that is, a little more than the services that already exist in urban areas. This approach considers that the powers that have been assigned at present to the large professional corporations in terms of service to their members and granting status to their members may be interesting to study.

In the brief that will be presented to you in February or March, when the Commission holds its third series of hearings, the Association truly intends to present to you some potential approaches that are in the nature of the powers that may be held by the large professional corporations in Quebec

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and in Canada. This approach is of interest to them, in any event, and this is the direction which they have taken at present in the preliminary presentation.

CO-CHAIR RENÉ DUSSAULT: I can only encourage you to pursue it. This is the first time it has been brought to us, in essence, the entire reality of aboriginal life in urban communities and of powers in a context where there is no defined territory. We of course are seeking solutions which may be original and different in some cases, but realistic if they are presented by organizations which have considered them in depth. And so I encourage you to pursue that approach.

Without further delay, I would perhaps like to ask Madam Wilson or Paul Chartrand whether they have any additional comments to make on the presentation of your brief, which is, again, preliminary; we will have an opportunity to resume the discussion later.

Madam Wilson.

COMMISSIONER BERTHA WILSON: [English]

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CO-CHAIR RENÉ DUSSAULT: I will nonetheless ask Paul Chartrand to be concise, given the time and the scope of the question raised.

Thank you.

COMMISSIONER PAUL CHARTRAND: I want to thank you. Thank you for your document. I shall speak in English, to make things easier.

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[English]

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[English]

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MARIO PARADIS: Thank you.

CO-CHAIR RENÉ DUSSAULT: And so thank you again for your presentation.

We are going to take 10 minutes for the coffee break. Following the coffee break we shall resume with the presentation by the former chief of the Huron-Wendat nation, Max Gros-Louis.

--- Short adjournment at 3:45 p.m.

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--- Resumption 4:05 p.m.

CO-CHAIR RENÉ DUSSAULT: I would first like to thank Bernard Saladin d'Anglure for having switched his presentation with Max Gros-Louis.

I would like at the outset to ask you, Mr. Gros-Louis, to proceed with presenting your brief.

MAX "ONE-ONTI" GROS-LOUIS, FORMER GRAND CHIEF OF THE HURON-WENDAT NATION: Thank you, Mr. Chair.

Ladies and gentlemen, Commissioners, when I learned that your Commission was holding public hearings in our region and in our community, I thought for quite a while about the role that your Commission may play in the changes that must be made in our relationship with our friends in Quebec and in Canada and about the message I have to pass on to you.

You know, I now have the great and precious freedom to talk for myself and I shall not hesitate to use it.

I have worked for more than 25 years as a politician on behalf of my nation first, but also in the cause

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of the First Nations in general. During those years,

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I have delivered the message of the liberation of my people in all the forums offered to me, within the limits of my talent and the education I received, of course, but from the depths of my being and with all the energy I possess.

I have certainly made mistakes, but I acted, I protested, I spoke out, I built friendships and solidarity for my people and with the people of Quebec. I have always taken pleasure in explaining the cause of my nation, to the most ordinary and most important people in this world.

I have met with the vast majority of aboriginal leaders in Canada, I met with numerous ambassadors from various countries throughout the world, I presided over all sorts of cultural and social events among my First Nations brothers and sisters, but also among my non-Indian friends.

There are lessons to be drawn from all these experiences and at the venerable age I have reached, even though I consider myself to be still young, and most of all vigorous, I have the desire and the freedom to explain some of them to

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you and to suggest to you some approaches to take to improve the relationship between the peoples who live in Quebec and to obtain recognition of our rights.

Your Commission represents a last hope for the First Nations, after a constitutional process that was doomed from the outset to die before it was hatched.

You know, rather than entrenching the rights of the aboriginal nations in the constitution of another country, rights which are very vague, it might be better to agree among ourselves on the nature and scope of these rights and to entrench them in our own aboriginal constitution. Even though there has been a failure on the legal level, that does not prevent us from having the existence and powers of the self-government we have been claiming for generations recognized politically. First, we must have our own constitution, and then I have no problem in having our neighbour's constitution recognize that mine exists and that our neighbour will respect it. That is more logical and

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clearer, and that is how it should work.

We have now gone back to the starting gate, and it is time to listen to the message of some of the First Nations of Canada who do not want to patch up an old formula written on a piece of paper in 1867, a formula which has never made room for us and which has always denied our political existence. The First Nations would be ready to discuss a true federation as one equal to another, a federation of sovereign partners, somewhat like in Europe with the Maastricht treaty.

Some First Nations are prepared to hold discussions on the basis of an associated sovereignty with partners who genuinely want an association, and I believe that this is the case for Quebec.

It is pointless to patch an old, worn-out garment back together; we need a new one. We have to structure our relationship for modern times; we have to use our imaginations. I have always said that we did not want to wear boots made in Ottawa or shoes made in Quebec, but we wanted

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our very own moccasins. We have to structure our relationship on another basis.

You know that the founders of the Confederation of the Iroquois Nations were two Hurons, Deganawidah and Hiawatha.

The peoples of the Long House have always rested their claim on the logic of the parallel ways and of the two-row wampum. When the peoples of the Long House came into contact with the Europeans, they entered into peace and friendship treaties which they symbolized in wampum belts with two rows. One line of wampum -- white pearls -- represented the purity of the agreement. Two red rows indicated the spirit of each one's ancestors. Three pearls separated the two rows, and they represented peace, friendship and respect.

The two ways represent two parallel ways, two canoes which sail together on the same river. One is of bark; it represents the Indians, our laws, our customs and our traditions. The other is the wooden ship of the non-Indians;

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it signifies their laws, their customs and their traditions.

The two peoples travel together without either of them trying to control its neighbour's boat.

This principle is the basis of all the treaties entered into with the Europeans and the Americans.

My nation also signed a treaty in 1760

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with the representatives of the King of England, George II. The Supreme Court of Canada has recognized this treaty. That court is the highest court in this land. It is not the Indians' court. It was not created to apply Indian customs, to judge according to the Indian system, but it is a court which judges using non-Indian laws, which is responsible for enforcing and protecting the general system of the laws of Canada. Well, that court found for us and recognized that we had signed an agreement between equal parties, a treaty of peace between two nations, and that it is still valid today.

There were many adversaries in this trial.

The lawyers for the governments of Quebec and of Canada fought fiercely to ensure that our treaty rights were not recognized.

They lost miserably, and we would have expected that the governments would respect the spirit of this judgment, which came from their supreme court. But that has not been the case.

Since that time, these same governments have worked ceaselessly to diminish the meaning and scope of

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this treaty. Even the judgment in Sparrow, which recognized Indians' hunting and fishing rights in Canada, is not respected by the federal and provincial government departments. The political statements of these people are hollow, because they do the opposite of what they say. They are hypocrites.

We have negotiated seriously with these governments for two years -- you might say 20 years, perhaps -- to try to find a way to have our rights respected and to find a way to live without arguing with our neighbours. We have not succeeded up to now, because the governments are acting in bad faith. They are trying to put our treaty back on the block, our treaty which has already been dormant for too long.

The negotiators have become historians, because we are being sent back to 1760 to apply the treaty and they are hiding behind historical studies to avoid negotiating.

The politicians talk a good line, but at the bargaining tables they offer us nothing but crumbs or nonsense and want to make us suspend or extinguish our treaty

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rights. Ask the Quebec department of recreation, hunting and fishing what they think about it.

The councils of Indian nations or councils of Indian bands ... I like your group's term here, which is called "the Indian people". At least we aren't using the word "band", because to us the word "band" might be a band of bandits, a band of wolves, a band of whatever; while a people, this is a precise definition of what we want to be.

And so the councils of Indian nations have nothing at present but the right to handle programs and budgets dictated under the guardianship of the Department of Indian Affairs. We are often asked to handle problems and disputes on behalf of the federal bureaucrats. When we want to get rid of the official directives and set up our own programs, as the Hurons did for housing based on their needs, we are threatened with legal action.

On the ground, we have nothing. The treaty guarantees us the right to practise our customs, but we have

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nowhere to go. Despite our treaty, which takes precedence over all provincial legislation, we are obliged to obey all the legislation and regulations of Quebec: we cannot hunt before the white people's season; we cannot hunt during the season because they are taking up all the room; we cannot hunt after the season because it's illegal; we cannot travel freely on the territory because all the roads are locked or blocked and no one will open the barriers for us, in total defiance of the judgment of their Supreme Court.

When an official federal policy like the migratory birds policy is in our favour, we run into officers on the scene and regional senior management who do not want to enforce it.

Here, if you will permit me, I went to have dinner at home and right there I had a lovely little piece of paper waiting for me. I think that you are familiar with those papers. Well, believe it or not, after I went hunting, under our treaty and under the federal Migratory Birds Act, which

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says that an Indian has the right to hunt at any time, they came to see me when I was hunting; they aren't charging me under the Act or the regulations, but they are charging me because I didn't have a dog or boat to pick up the birds that might be killed and fall into the water.

It we take a close look, believe it or not, at their own operation -- I'm talking about Cap Tourmente here -- the federal government doesn't require any of this equipment, either a dog or a boat, and if their hunters who go there shoot a migratory bird and it falls in the water, well they just leave it there. But an Indian, he gets taken to court.

There are two things left for us to do. I have two choices: to say "yes, I'll pay the fine", or to defend the rights of an Indian, and that will cost me \$4,000 to \$5,000.

When we get into court, exactly the same thing will happen as happened the other time when I was charged, with a great deal of discrimination, on a trapping thing: the proceedings were stopped just before getting into court. That is how we

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are treated by the federal government and the government of Quebec at the present time.

Excuse me if I have got a bit off track, but I wanted to explain myself to you.

Quebec is doing everything it can to have it declared illegal and inapplicable. They are calling this the first step to the rights of the First Nations. Don't make me laugh!

When we try to practise our customs, with respect for wildlife and other users, our meat is seized and sent to animal food plants. Why not take the meat and give it to our old people on the reserves? Why not hand it over to the Council of the nation? But no, it is sent away, to be destroyed. We are prevented from using the territory used by our ancestors. Totally discriminatory standards are imposed on us, like the one from the Quebec department of revenue concerning the sale of tobacco strictly to residents and members registered on the lists of future residents, leaving out all

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the other members of the nation.

Here, gentlemen of the Commission and Mr. Chair, I would perhaps like to provide you with a document which gives a very clear explanation of what I am saying here, at the end.

We have been totally dispossessed of the country of our ancestors, both in Ontario and in Quebec. We have been dispossessed of our seigneurie of Sillery. We have been dispossessed of our lands in 40 Arpents and Rocquemont.

We were chased out of the Parc des Laurentides when it was created. Our lakes and our rivers have been given to rich men, frequently Americans. We have had to be content to survive by carrying their luggage and guiding them for starvation wages in our territories. The only land we have is a minuscule reserve which is not even one mile square.

This is what is called justice in this country. This is what has been done to our rights. And they brag about the good treatment they give to aboriginal peoples.

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At no time are our collective rights recognized. We are considered to be mere citizens or mere individuals.

They have to realize that we are happy that Canadian citizens have Canadian citizenship and the freedoms that go with it. Our own problem is not to have Canadian citizenship, or Quebec citizenship if such there should ever be, but to have our Indian citizenship, Huron, in my case.

My citizenship is Huron, not Canadian. I have never asked for Canadian citizenship, and if they persist in thinking that I am Canadian, give me the name of the person who applied for Canadian citizenship in my name. I have never done it myself.

We were dispossessed of Indian citizenship as children by the Indian Act. Not so long ago we did not have the right to an education, because an educated Indian was no longer an Indian. He had to emancipate himself, that is, abandon his Indian status.

My non-Indian neighbour was the one who

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decided what I am, what my people is and what I have to do, from my birth to my death and, after my death, with my will.

That is the scenario lived out by Indians in Canada. That is what the Commission must make the whole country understand.

It starts with this; it is our very existence which is not recognized. It is up to the First Nations to define for themselves what they are made up of, what they are and what they want to be. The fundamental problem is that non-Indian society imposes its domination on us in various ways.

Your Commission has a mandate to make suggestions for restructuring our relationship with our neighbours. We are talking about aboriginal government, justice, Indians who live in the cities, health services, treaties, natural resources, hunting and fishing, the economy, education, language, culture, and so on.

You are asking how to make our political and economic autonomy possible. The answer is simple: we have to define what we need ourselves; then the governments have

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to recognize us, legally and politically, not extinguish our rights, but recognize them; then we have to have land and resources; then we have to be able to develop institutions of our own based on our system, our lifestyle, our traditions and our customs.

When governments do not respect the judgments of their own courts, there is a major problem of law and justice in that society. I challenge the Commission to do a serious investigation in each government department to find any federal and provincial decisions concerning the application of the judgments of the Supreme Court which have been in our favour. It is difficult for us to consider recommending to you any solutions to the problems we live with if the law itself does not have a place in a society that you say lives by the rule of law.

The first and most important recommendation is to do what it takes for governments to apply the judgments of their own Supreme Court. In the judgment in

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the Sioui case, at page 36, the Court unanimously stated that "we can conclude from the historical documents that both Great Britain and France felt that the Indian nations had sufficient independence and played a large enough role in North America for it to be good policy to maintain relation with them very close to those maintained between sovereign nations. [The existence of] treaties of alliance or neutrality ... clearly indicates that the Indian nations were regarded in their relations with the European nations which occupied North America as independent nations."

The documents establish that Great Britain recognized the fact that they had to maintain a nation-to-nation relationship with the Indians of North America.

The governments should apply the judgments of their highest court rather than making fancy speeches. This is the first and most important recommendation that your Commission should make.

The second is to require governments to

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present an objective image of the aboriginal situation and to stop spreading an image of people on welfare who cost the country a lot of money. A majority of Hurons pay income and other taxes to the governments and the Hurons provide more than 400 jobs to non-Indians. These non-Indians, logically, should pay taxes to the Hurons, but they pay their taxes only to the non-Indian governments. It is therefore we who are enriching the other governments, to a point, and not vice versa.

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The third, but not the least important, is to define a relationship between equals based on a form of aboriginal citizenship.

I shall close on a fact which demonstrates how ridiculous the present situation is. Just a few hours ago I came back from hunting in the State of Maine, in the United States. I do not go there to play at being a tourist, but because I have nowhere in Quebec to practise my traditions and my culture. I therefore must hunt and trap in a foreign country.

One day I will have to sort this out and resolve this problem, which affects me, but affects to the very greatest degree the rights of the members of my nation.

I thank you for having listened to me and I hope that the big bosses of the government will listen to you too.

[Inaudible]

CO-CHAIR RENÉ DUSSAULT: I would like to thank you, Mr. Gros-Louis, for coming to meet with us to state

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your concerns and also your personal experience, because you are doing this in your personal capacity, as you mentioned at the beginning.

It is obvious that the judicial route is a route sown with traps, because even though judgments may try, at least in the wording of their orders, to be as precise as possible, I think that we are aware that, rightly or wrongly, there are often different interpretations as to what was said.

There is also the reality -- and I think that you describe it well -- which shows somewhat why we have this Commission, which some people hope will be the last commission of this nature concerning the entire aboriginal question. Obviously the route of negotiating, in a context of mutual respect, is certainly a vastly superior route.

This being said, we shall take careful note of your three recommendations. We reviewed your brief while you were presenting it to us; we shall certainly consider it in its entirety. I can tell you at this point that obviously

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the third recommendation, concerning defining a relationship based on equality and respect, is a major point in the reason for the creation of the Commission, to ensure once again that policies, as I have had the opportunity to say before now, more often essentially fall on the right side rather than the wrong side of the fence.

As well, I think that there are some facts of which we are not always aware. When you say that there are 400 non-aboriginals employed by aboriginal people, in this case on the Huron reserve, this is a significant and important fact.

I think that the people of the Quebec City region are relatively aware of that fact ...

MAX "ONE-ONTI" GROS-LOUIS: No.

CO-CHAIR RENÉ DUSSAULT: ... in part, but certainly on the outside, again, of the region, we are much less aware.

What I mean by that is that this morning I mentioned the importance of stating the positive elements

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and not only the negative elements in relation to the facts of aboriginal life in the country and in Quebec in particular.

Here again, I think that we have here an important example of vitality in economic development which integrates non-aboriginal with aboriginal people in a legitimate business objective which is essentially positive and which benefits everyone.

I think that at this point we know that you have had vast experience with the problems of this community and beyond. We are happy that you have agreed to share it with us officially before the Commission, and I can assure you that we shall examine your brief very carefully, particularly in respect of the application of the judgment of the Supreme Court in Sioui.

We are aware that it sometimes takes longer to change minds than it does to deal with concrete legal questions. I think that it was mentioned today that it is important for there to be some mutual understanding, both on

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the part of the general public and on the part of the Huron-Wendat nation, so that we can develop solutions which may provide us with an acceptable result, for the Huron-Wendat nation, of course, but also for the public as a whole. What I mean by that is that clearly what we have here is a sort of microscope on Canadian life, and what we need, and it seems to us that despite the problems you have referred to, there is some ground being gained in this community, as there is in some others in Canada; and the Commission is certainly going to try to make the most of it.

Thank you for agreeing to meet with us, and I would like to ask my fellow Commissioners to ask any questions or make any comments which they might wish to make at this point.

Madam Wilson.

COMMISSIONER BERTHA WILSON: [English]

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COMMISSIONER PAUL CHARTRAND: Thank you, Mr. Gros-Louis, for your document. It contains a number of ideas, which are not only interesting, but also very important. I too hope that whatever recommendations we may make the government will listen.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you.

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MAX "ONE-ONTI" GROS-LOUIS: I had also provided you with a short document I had presented several years ago, 10 years ago. This is to show you that we have been participating in commissions for 10 years now, and you will see, if you read it, that we are starting to repeat ourselves but not much has changed.

The document to which I referred, I will leave it with you, Mr. Chair.

Thank you, and may the Great Spirit guide your recommendations.

CO-CHAIR RENÉ DUSSAULT: Thank you. We will need it.

I would now like to ask Bernard Saladin d'Anglure to come forward and make his presentation.

BERNARD SALADIN D'ANGLURE, DEPARTMENT OF ANTHROPOLOGY OF LAVAL UNIVERSITY: I am Bernard Saladin d'Anglure.

Mr. Chair, Ladies and Gentlemen of the

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Commission, first, I would apologize for my colleague Françoise Morin, who was to have co-presented this short presentation with me; she was recently called abroad. I will therefore be speaking for both of us.

I am somewhat moved to be here in this very symbolic place to provide you with some ideas this evening on the questions that you are particularly concerned with; this symbolic place, because barely two or three days ago our TV screens brought us the film "Black Robe", which told of the tragedy of the Huron people, and which, despite certain developments which surely did not make our Huron friends happy, tried to recall this history, at least at the beginning.

This film suddenly brought back to mind a word I have not often seen in the questions asked or in the report; the word is "spiritual". That film shocked me greatly by the manner in which the Amerindian shamans were presented. Having made shamanism one of my areas of study for some forty

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years, I am virtually certain than no Amerindian recognized their spiritual leader in that representation.

Before trying to answer some of your questions, allow me to introduce myself a little, if I may put it that way. It is essentially as one of the few Canadians who speak one of the languages of the First Nations, the Inuit language, that I have come to talk to you about this experience, of which I have nearly 40 years now since I took my first steps, as a young student in a Nunavut community where the Inuit language was the only means of communication.

Then, 20 years ago, we with some colleagues created an association, the Inuksiutit Katimavik [PH] association, incorporated under federal law, whose activities are devoted to the study and promotion of Inuit language, culture and society.

This small corporation, which is made up of 10 to 15 persons, depending on the year, has established a whole procedure for publishing books in the Inuit language,

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in syllabics, has developed an expertise. -- it is this corporation, I would note, which even publishes the telephone directories for Nunavut and the Northwest Territories in syllabics -- and it has established an Inuit studies journal, "Études Inuit Studies", which is now more than 15 years old, as well as the biennial international conferences, the Inuit Studies conferences, the last one of which was held several weeks ago in Quebec City with more than 400 specialists from all over the world.

I would simply like to say that in this effort to renew the dialogue, with a little energy and a few people, we can move ... I was going to say mountains. And so it is with great pleasure and much goodwill that we are answering your invitation, because there is still much to be done to re-establish, to develop this dialogue, which starts with a transformation of the people of Quebec, the people of Canada, our students. There is much work to be done, not only in primary and secondary school, but also in our universities and our

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research groups.

We have also established a research group called [TRANSLATION] "Inuit and circumpolar studies group" which has in a few years expanded across the northern world, including numerous Amerindians, also including the Samis [PH], the people of Scandinavia and Siberia.

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To answer, or try to answer, some of your questions I shall start with the documents you sent us.

First, a word of caution: political autonomy is not the remedy for every ill. Despite all the hope it may raise -- and I am one of the biggest supporters of this concept -- I can tell you that several weeks ago we had our friends from Greenland, who have had a very highly developed form of political autonomy for more than 10 years, and who, despite all this, have the highest suicide rate in the world, enormous social problems with alcoholism, and so on. We must therefore not think that political autonomy is automatically synonymous with solving all the problems.

One point which arises immediately in the fundamental questions in your document is identity. I believe that we do not talk about the importance of this expression enough; collective identity, certainly, but identity which, for the First Nations, takes on a much deeper sense, including the spiritual, and which starts with the way people are named,

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beings are named, making them part of this community, of this group. These names bear meanings, they bear symbols, and this is the first thing that the colonizers destroyed when they settled on the shores of Canada's rivers.

These names endure today. Some of our First Nations friends are taking back their names, finding them with pride, these names which were completely wiped out by Canadians who could not pronounce them, and which were sometimes translated. I have known people who had beautiful Inuit names which have been translated as "Snowball", as "Partridge", until one day I saw a white man nicknamed "Tulugark" [PH] meet a Mr. Crow from the Belcher Islands whose real name was "Tulugark" [PH]. We have reached the point where it is we, or some segments of our society, who are adopting some of the values which were until yesterday, or even still today, the identifying characteristic and the pride of these First Nations.

I am thinking of names. I am thinking of place names. What pleasure, just now, to lose myself in this

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place, despite the streetnames, and then to find this meeting place, but my great pleasure at seeing precisely this attempt to take back the symbolic space that a residential community represents. Place names, and we have not yet completely succeeded, despite the efforts of some people in both Quebec and Canada, at giving back to the First Nations the names they had.

Time, as well. We never talk about how time is divided. The First Nations, the Inuit, the Amerindians, had a very original way of dividing up time. To master time is to have power. We have imposed everywhere our solar calendar, dating from Julius Caesar, which became, I would say, somewhat the stamp of that Roman empire on Europe, and which completely ignored any reference to the moon.

Everyone knows, or those who know a bit about these Amerindian peoples, how important the sun is; but the moon is important too, and the lunar cycles were the basis for the calendars. We have completely disorganized time, and

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we then complain that the First Nations never follow our working hours. But this is because we have broken down the ecological time that was theirs, that was also the time of many of our rural forebears. The Quebec peasant attached enormous importance to the moon.

Thus there are very deep places where identity, space, time, the classification of people into families, genealogies, groups, are all rooted.

To talk about political autonomy would mean to recover, to take back time, to take back space, to take back the genealogy, to take back the group. And this ethnic law -- or blood law, to use the legal concept of jus sanguinis -- would no longer have the frightening aspect that we heard in the campaign against the referendum, talking of tribalism, of racism. What awful misconceptions these people have, imbued with that Roman system, with western law, which denies this first social bond, the group bond, the family bond.

And when we say "blood law", this has never

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been in the racist sense that it has among whites, who place too high a value on blood and genetics. Everyone knows that nearly 30 per cent of children among the First Nations were adopted, but not adopted because they were rejected, adopted to create a balance among families, to console a widow or a mother who had lost her child, to give to people, to couples who could not have children.

The problems we are experiencing as a Southern society, as an urban society, those societies have always managed them with much more finesse.

Education, language and culture. Allow me, as I noted a moment ago, one of a few Canadians -- there are, I think, or I hope, at least a hundred of us in Canada -- one of these non-aboriginal Canadians who speak the languages of the First Nations, to tell you that there is a tremendous effort to be made, to encourage the introduction of these aboriginal languages in all our academic and educational institutions.

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I have just come from Iakoutie, from Siberia, people who have self-government and who hope to develop it. I was met there by students who had learned that two francophones were coming. They wanted to practise French. In Iakoutsk, thousands of kilometres from here, far from France, far from any contact, there are 80 students at the University of Iakoutsk who are studying French and who speak it wonderfully well, in addition to Russian, Iakout and sometimes another aboriginal language.

We can learn these languages, which are exciting, fascinating, which are instructive, and here we have a big job for Canadians: to restore the value of these languages by giving them back their status, the status they should have.

I know that people are learning Chinese and Russian in our universities, and this is important, but why not Montagnais?

We have dozens of exciting languages that are part of our heritage, that make us unique, and we have the opportunity to talk with native speakers.

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Even those among the aboriginal people who no longer speak their language ... far be it from me to criticize them. I would cite the example of several nations in the world who have relearned their languages, or invented their own. Israel is one example; another is Finland, which turned its oral language into a literary and written language and which practises it, uses it in all spheres of its politics, administration and economy.

Education, the school system -- you have rightly observed -- is one of the big problems in the North, where the dropout rate and the great difficulty children have in complying with to timetables pose a problem, where the programs pose a problem, where the parents complain about the lack of content.

There were traditional systems where education did not happen in schools, where the individual was often educated individually, with individualized programs. Grade levels were not important, more often performances were

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important, and the performances allowed individuals with different abilities to perform differently. And you were an adult when you had performed a certain number of deeds, of hunts, a certain number of performances which were expected of both sexes; at that point you were recognized.

Could we not, as is done in some avant garde European or American schools, re-individualize teaching, get ourselves back out of this mechanical concept

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of time and classes, whether they be classes in the sense of grades or of timetables ... which are the same every season, when everyone knows that the farther north you go the more difference there is between winter days and summer days.

There are even nomad schools in the land of the Samis [PH], in Scandinavia, where the schools follow the reindeer herders in the summer, travelling light, in small tent structures, and where the teachers go right out to the places where these First Nations traditionally lived.

Health. Here again, we should not partition health off from spirituality, religion, economics. But I would mention the struggle, which we are also experiencing in Quebec, to make it possible for women to give birth among themselves and in institutions that are not hospitals and are not over-medicalized, for aboriginal women not to be sent automatically 1,000 or 2,000 km from their villages.

Some very interesting experiments are

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being carried right now in Povungnituk, in Nunavik:

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an experimental birth house; the first pilot project in Quebec.

Birth was -- I am speaking for the Inuit -- the place where the first, fundamental symbolic social bond was formed. The midwife was the cultural mother of the child; the woman who cut the cord became the woman who had created the child and who would watch over its rearing, step by step, until he had killed game from every species, if he were a boy, until she had sewn an item of every kind of clothing and learned the secrets of cooking and preparing game, if she were a girl. With our hospitals and dispensaries we have, without knowing it and with the best intentions in the world, broken that essential bond, around which all other social bonds were woven.

We must get back to these holistic visions held by the First Nations, which we find in all the writings, all the words of our First Nations friends, but which, strangely, are also one of the characteristics of this New Age with which a growing segment of our young people and our not so young people are fascinated, whether it be alternative medicines, or the

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success of the TV program "Par quatre chemins", one of the rare programs that has been filling up two hours every day for years.

We have been seduced. Somewhere inside, Canadians are dissatisfied with the mechanization of their lives. And this is the paradox where we stand at the same time that Inuit women -- the ones I know somewhat better -- are giving birth lying on beds screaming because they have seen western women do it in films from the South, at the same time that rich middle class women in Montreal are seeking to give birth squatting, as some aboriginal women do, paying a good price for the option and getting the assistance of the best specialists. These are paradoxes. A balance must be restored and a dialogue resumed somewhere, so that before going through our worst experiences, perhaps this age-old knowledge of the First Nations can be relearned.

I do not want to go over my time and take time away from my fellow presenters. I would like to say a brief word about the justice system.

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I was called on several months ago to go to Happy Valley as an expert to try ... I was going to say to save an Inuk charged with making death threats, an auxiliary constable in the RCMP; in deconstructing the mechanism of the charge against him, I was able -- I hope I succeeded -- to show that this case had arisen out of enormous cultural misunderstandings, and was passing right over very ancient traditions in which confession, or reconciliation, was of primary importance. And we had to call on the best expert opinion, I am referring precisely to these ancient practices, to show the danger that exists -- and I believe that you have a good idea of it; that is clear from your document -- without preparing the Canadians who are required to do things up there; without preparing the people who work in the justice system, the Crown attorneys, the lawyers.

I believe that the questions you ask go into much greater detail, and I am not in the best position; I believe that tomorrow you will hear significant testimony

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on that point. But I remember what Judge Cliche told me after a tour of the villages in the North. He had come back in a state. He said to me, "But we had to twist the arm of the Civil [Criminal? - Tr.] Code every day, because with the tradition of confession we never had to arrest our accused. They were charged with one offence and they told us about 20 more". That is the traditional way of getting rid of one's wrongdoings before the group, often before the shaman.

And so what do we do? He told me, "We twisted the arm of the Code. We could not have done it." It was life imprisonment for offences which of course required that amends be made, but which certainly did not deserve the punishment that the Code would have imposed.

There are still a lot of things that could be said. I would very much like to see your Commission's work open the eyes of the governments of these organized nations -- the government of Quebec, the government of Canada -- so that they would attach tremendous importance not only to these

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First Nations, by giving them political autonomy and the means to handle it, but also by working within the existing institutions in the South to develop systematically and to promote knowledge of these First Nations, of their philosophy, their social systems, their health systems, to promote the teaching of their languages. And believe me, you will find the energy -- it is there -- so that social facilities can be established, because they are still problematic, for aboriginal people who may want to come and acquire white culture in addition to their own culture.

I would have liked to make a brief comment on these urban problems. In one minute, I would say: But why not create aboriginal consulates in our cities. We handle these problems with other nations. When a foreigner is a bit lost in Quebec City, or he or she commits an offence or breaks a rule that he or she was not familiar with, that person can go to see his or her consul, who will defend the person, who will find him or her a good lawyer, who will arrange for there to

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be some understanding between the two cultures. Why should we not have domestic consulates and even ambassadors at the government level to discuss things with the political branch.

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Why should we not have a great centre for aboriginal cultures which would bring together the various aboriginal consuls from the various nations, because each of them is entitled to its own identity, and give them space in our cities or close to our cities. In Geneva last year, in one of the great squares of Geneva, there was a gathering of all the aboriginal people of the world, where each one had built their house or hut and which organized a great celebration. I believe they have shared values.

Four years after the work by the UN working group in Geneva, I can tell you that not only are all the elements you are proposing in your report fully recognized by most of the leaders and by that working group at present, but they go even further.

Thus the aboriginal issue, the issue of aboriginal power, has been internationalized; this can no longer be overlooked, and I believe this would provide tremendous support for you because unfortunately, I must say, the delegates

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of the Canadian government often talk out of both sides of their mouths, perhaps not intentionally. We are talking about peoples here, the rights of peoples, autonomy, but in Geneva the word "people" in the mouths of Canadians was often accompanied by major reservations. I am thinking of the International Labour Organization, where Canada insisted on a reservation as to the word "people" and that it be understood not in the sense simply of people but by taking away from it any possibility that it might be understood as a people within the meaning of the UN Charter.

Perhaps it is time that these Canadian delegates were joined by lawyers from the First Nations and, why not, representatives of the First Nations. Some countries do this: the Samis [PH] do it, Sweden, Finland, Norway, include aboriginal people in their governments' delegations. I believe that this would avoid the impression some have that we talk out of both sides of our mouths.

I sill stop here, Mr. Chair. There are

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still many things to say, but of course other people will be saying them or have perhaps already said them.

Thank you.

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CO-CHAIR RENÉ DUSSAULT: Thank you, Mr. D'Anglure. I think that your 40 years of experience with the nordic peoples in particular fully justify the enthusiasm with which you made your presentation. Your testimony is certainly valuable to the Commission, studied as it is with concrete suggestions on some points, which we shall note.

We hope that progress may be made, essentially, in terms of the higher standards of understanding you suggest.

I think that you understand that because of the late hour and the fact that there are several other speakers ... we could discuss the subject you have broached before us forever. We hope that you will follow the work of the Commission and comment on the later working papers we will be publishing at the end of each of a series of public hearings.

I think it is important for someone

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with your experience to be able to give us the benefit of your criticism and also possible solutions, as the Commission goes along, and also to contribute to the process of public education which we hope to create as our work progresses.

Thank you.

My colleagues will certainly want to comment on your presentation, and I yield the floor to them.

Madam Wilson.

COMMISSIONER BERTHA WILSON:

[English]

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BERNARD SALADIN D'ANGLURE: I will not answer directly, because I have not read or heard this gentleman's testimony, but I will tell you that traditionally there are several ways of dealing even with ethnicity. There is the substantivist way, that is, to give it substance; a language, a costume, a manner of eating, specific traits. There is another theory, subjectivism, that is, what you consider yourself; do you consider yourself Jewish, do you consider yourself aboriginal. And twenty years ago a Norwegian brought a new concept into social sciences theory -- I am thinking of Frederic Bart [PH] -- an interactionist concept of ethnicity, which he had developed in Norway itself, in Sami land [PH], with the Samis [PH], who are in fact in the cities as much as in the countryside, who really do not have territories any more, but who have obtained an ethnic right under the Norwegian constitution. There are two voters' lists there, and the Samis [PH] may register

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as Samis [PH]; they even have a Sami parliament although they have no territory.

This Mr. Bart [PH] has strongly influenced a certain trend in sociology and anthropology which is now able, in all its aspects, to deal with modern times when otherwise there were always contradictions: tradition vs. modernism, subjectivism, objectivism. And so I believe that in the interactionist approach everything is possible. Interaction is seeing yourself through your own eyes, but also through the eyes of others.

We have here a problem of interaction: Canadians looking at their First Nations, the First Nations looking at Canadians, with the Métis in between. This is interaction. And the theory is now capable of providing the conceptual tools to analyze these situations.

COMMISSIONER BERTHA WILSON: Thank you.

COMMISSIONER PAUL CHARTRAND: Thank

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you, Professor, for your presentation, which contained many interesting ideas on many subjects. I found your idea of the family as the basis of the aboriginal group particularly interesting, if I understand it, to oppose the idea of a racist basis.

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Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you.

We shall at this point move on to the open forum period ... we still have a presentation from François Trudel, director of the Department of Anthropology at Laval University. We shall proceed with this presentation before starting the open forum. Thank you.

Mr. Trudel, welcome.

FRANÇOIS TRUDEL, DIRECTOR,

DEPARTMENT OF ANTHROPOLOGY OF LAVAL UNIVERSITY: Mr.

Chair, Ladies and Gentlemen of the Commission, I have received the documentation from the Commission. I have read it. I tried to get an idea of how I could make a presentation which might be a contribution to this Commission's deliberations. I spent some time on what are shown here as questions to be considered, and more specifically, a question which was posed as being

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fundamental, which dealt with principles to be identified or discovered so that the relationship between non-aboriginal and aboriginal people could be established on a new footing.

I considered the question, although I did not have all the time that I would have liked to have to think about it and structure my comments, and I would like very briefly to present some ideas which came to mind, at the same trying to ensure that my presentation is brief, given that there are people coming after me. I shall very briefly read this short text.

The Royal Commission on Aboriginal Peoples is sitting in Quebec City, and it is certainly opportune for an anthropologist who has been a teacher and researcher for some twenty years in the field of aboriginal studies to ask a few questions about the future of the aboriginal peoples of Canada and to try to suggest some approaches for responding to some of the concerns

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of this Commission, including the fundamental issue of how do we get from the era in which the relationship between aboriginal and non-aboriginal people was colonial in nature to a new era of decolonization where outmoded concepts will be replaced by new principles out of which will grow a new relationship.

As noted in the Commission's text, which itself identifies autonomy, self-sufficiency, cultural affirmation and reciprocity as good examples, what are the principles and values on which this new relationship should be based? Apart from those already identified by the Commission, which in my view are a set of fundamental principles and values which will be of utmost value as a basis for future work, I personally see some others which I would like to identify and comment on briefly here, noting that I have tried hard not to use any specialized language, that my primary focus is a humanist perspective, that I am speaking only for myself

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and that my observations may apply equally to aboriginal people and to non-aboriginal people.

The first principle is knowledge of the other. As an educator, teacher, researcher and specialist in the humanities, I cannot but emphasize this first principle, because I believe that it is the most fundamental principle in any human relationship, whether between individuals or between groups, and that so long as there is a lack of knowledge of the other, any prospect for establishing or re-establishing the ethnic and social relationship between aboriginal and non-aboriginal may be illusory, if not utopian.

I might start here by telling a brief anecdote taken from my experience as a teacher. About ten years ago, in a university course dealing with the aboriginal peoples of Canada, in a class made up primarily of students from Quebec, with a single African student, the African student commented that he had been amazed,

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as a foreigner, to discover the extent to which his classmates from Quebec seemed to lack any knowledge about the aboriginal peoples in the territory where they lived, despite the short distances separating them, comparatively short to him, at least, having come from much farther away.

This comment of course had the effect of prompting some questioning among the Quebec students, who were not prepared to recognize so easily that their knowledge of the aboriginal peoples appeared so limited.

Not at all wanting to get into a discussion of this today, and to say yes, no or maybe he was right, I want to use this anecdote to point out the degree to which we have and will always gain from making every effort to know each other better, whether in terms of what the person was, is now or wants to become.

On this point, I would note that for some twenty years significant efforts have been made in this direction. In many communities and institutions --

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governments, educational institutions, media, and so on -- archaeological, ethnological, ethno-historical and historical research is starting, for example, to give us a more complete picture of what the structure and dynamics of the aboriginal peoples were before the first contacts and throughout the period of their interaction with the Euro-Canadians.

This research is showing how even before contact started, these people, with varied cultures, had considerable interaction with their neighbours, who were sometimes at quite a distance, and that they also maintained vast networks of truck and trade which frequently brought them into contact with the other.

This research is also showing that at the time of the first contacts the aboriginal peoples greeted the new arrivals in a very civilized manner, by trying to make them understand the bonds which linked them to their land and the attachment they wanted to maintain with their way

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of life. This research is also showing that the aboriginal peoples were not, throughout the history of Canada, passive actors in the background of this history, but that they participated or tried to participate actively in the development of the new society which was being built up, while attempting to maintain a dialogue, to assert their points of view and to find a place that they believed should be theirs in this new society.

From this point of view, it is particularly fortunate and even greatly desirable that more and more aboriginal people are starting to write their own history from their own point of view to tell us how they perceive this history and to counterbalance, however slightly, what has largely, until now, been only one point of view.

I believe that these facts, like many others which I cannot mention here, all benefit from being known -- being better known than they are at present, I

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should say -- because they can enhance and promote the appreciation of each for the other, for the other's culture and society, the reasons why that other has acted historically in one manner rather than another, and which brought us to the situation in which we find ourselves at present, which situation is not, I would note in passing, worse than elsewhere but which nonetheless must be subject to constant examination and questioning.

I am therefore arguing here for a variety of research and teaching about that other, aboriginal and non-aboriginal, and their relationship, to continue and even to accelerate so as to promote each one's knowledge of the other. It is particularly important, in my opinion, for this research and teaching to move away somewhat from the specialized format which sometimes makes them inaccessible to the broad public, and for a concerted effort to be made so that all of the knowledge we have acquired in the last quarter century

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about the aboriginal peoples and their relationship with the non-aboriginal populations may be made more and more accessible to a broad public, not only in academic settings -- from primary school to university -- but among the general public.

In short, we must push back the borders of mutual ignorance and misunderstanding and try as much as we can to promote what some people are now calling inter-cultural education, or inter-cultural knowledge, among all elements of society, including between aboriginal and non-aboriginal.

The second principle is recognition of the other. No, I have not made a mistake. I am in fact saying that in addition to knowledge of the other, one of the fundamental principles or values which should guide our mutual conduct in future in the area of the relationship between aboriginal and non-aboriginal is also that we must recognize the other.

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Among anthropologists it is common, in describing and analyzing inter-cultural relationships, to talk about the phenomenon of ethnocentrism, that is, the belief in the superiority of one's own culture over that of others, which is undoubtedly, it must be acknowledged, a universal phenomenon essential to the integrity and functioning of all cultures and societies, just as a favourable perception of one's self is, in individual terms, a positive factor in the functioning of any individual.

In the entire history of the relationship between aboriginal and non-aboriginal people, at least until recently, non-aboriginal people have, it must be agreed, maintained an essentially ethnocentric attitude and manner of conduct toward aboriginal people, which consisted not only in believing in the superiority of western culture, but also in wanting to impose this alleged superiority on the aboriginal people

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and forcing them to assimilate into the dominant society and abandon everything they had developed over the centuries as their own culture and vision of the world.

Despite the fact that contacts between Euro-Canadians and the aboriginal people go back five centuries, and despite the fact that we are about to pass the year 2000, it seems apparent that ethnocentrism still exists in some segments of society and that it is still a threat to the survival of the other when it is used to justify imposing one's own models and standards on other cultures. This more or less overt ethnocentrism takes various forms, which it would be too long and too complex to discuss here. However, we must recognize that much talk and many policies based on progress, socio-economic development, the market economy, people's material needs, entrepreneurship, are still suffering from a good dose of ethnocentrism, and that they are obvious attempts to impose one model, the model of industrial

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society, over other models, those of small societies, changed and modified to a greater or lesser extent, of course, by history, but nonetheless still enduring.

Thus, in an attempt to change the nature of the relationship between aboriginal and non-aboriginal societies, I believe it to be important that we not only promote a variety of ways of knowing the other, but also that we recognize the other. This implies that we will try, as far as possible, to abandon any blatantly ethnocentric point of view, turned solely inward, in exploring methods of developing mutual relationships between our societies, and that we will try, as much as possible, to recognize the right to difference or to diversity, whether it be cultural, including linguistic, or socio-economic or statutory.

I would like briefly to illustrate this principle of recognition using material taken from a very interesting article published recently by Sylvie

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Vincent, entitled "La présence des gens du large dans la version montagnaise de l'histoire" [the presence of people from the sea in the Montagnais version of history], in which the author, having studied the oral history of the Montagnais of the Lower North Shore of Quebec, stated:

[TRANSLATION] What the old Montagnais teach the younger

ones, through these talks, is that you have to know how to borrow things from the people of the sea without losing sight of the logic of your own culture, that there is a great risk of being swallowed up by the outside worlds if you don't stay in touch with the forces of your own world, and in short, that the meeting will work only if the other is kept at a sufficient

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distance so that this duality
can be maintained; this is not
unlike, although at a different
level, the parallel ways
proposed by the Iroquois
nations.

The third principle, very briefly,
is respect for the other. It seems obvious to me -- but
I am not so sure that it is to the people listening to
me -- that a third principle in establishing our future
relationship, between aboriginal and non-aboriginal
people, must be respect for the other, which, again in
my humble opinion, should flow logically from greater
knowledge and recognition of the other.

As has been done for several years
by many people, and particularly since crises have arisen
in the relationship between aboriginal and non-aboriginal
people, persistent efforts must be made to ensure that

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an atmosphere of respect by one culture for the other is established in this country. Despite the atmosphere of constitutional conflict into which we are frequently plunged together, and despite the crises which have arisen and which undoubtedly will arise again in our relationship, respect for the other implies that we all collectively recognize that the weight of history lies heavy on the nature of our mutual relationship and that it will to a large extent determine for some time yet to come the type of relationship we will conduct between us.

To read the Commission's working paper no. 1, we are at the dawn of a new era of decolonization. Without wanting to say that the Commission's perspective on this subject is inaccurate and hardly reflects reality, I

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believe that we must be very cautiously optimistic on this point. One lesson of history -- let us take, for example, the colonization of Africa by the European countries and the effects of that colonization; let us also look at what is happening in Russia right now -- is that the reversal of a given order in the relationship between the dominant and dominated society, particularly when that order has existed for a long time, is not an easy thing to do, given that structural, and not simply circumstantial relations have developed over the years and require time, a great deal of time, before they can truly be transformed.

Permit me to add another lesson to this history lesson, one which is closer to us. The aboriginal people of Canada have been trying for a long time, in a variety of ways, to make their voices heard.

They have been studied and examined from all angles and all facets. They have agreed for the last thirty years to take part in a panoply of committees and commissions

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and have joined in all sorts of wheeling and dealing in
the hope that they would be

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able to establish the bases of a new relationship in this national grouping called "Canada".

Numerous problems have been identified and a variety of solutions proposed. However, the current situation in which we find ourselves, aboriginal and non-aboriginal alike, clearly shows that we do not really seem to have attempted to develop any real solutions, either from lack of means, or more likely from lack of political will.

I also mean by the principle of respect for the other that we recognize this somewhat disquieting situation and make serious efforts to ensure that it does not continue, both so that the aboriginal people do not lose all faith in the democratic system which we take as our inspiration, and so that we do not again put the making of any decision off to the indefinite future.

I also mean by respect for the other that aboriginal people recognize the weight of the history we have behind us and

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the influence this history exerts and will continue to
exert on us over the long years to come.

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There is a fourth principle which I would like to discuss; the principle of endogenous development, what is also called "self-development" or "ethnodevelopment", and more recently what has been called, and what we identify as "sustainable development".

I do not have enough time to go into this point in great detail. I shall simply say that I will expand on this point in the final brief I shall submit to the Commission in a few days.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you, Mr. Trudel, for a presentation which was important and certainly on point, in terms of the concerns of the Commission, which is essentially trying to develop a new vision of the relationship between the aboriginal and non-aboriginal peoples in Canada based on solid principles. I think that you have made a contribution which will certainly assist in the Commission's task.

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We certainly look forward to receiving a copy of your written text when it is completed, in its fourth aspect.

At this point I would like to thank you for coming to join us.

I do not know whether my colleagues have any additional comments to make at this point.

Madam Wilson?

COMMISSIONER BERTHA WILSON: No.

CO-CHAIR RENÉ DUSSAULT: OK?

Paul.

COMMISSIONER PAUL CHARTRAND: Thank you, Professor Trudel. I am also looking forward with pleasure to the chance to read your brief.

CO-CHAIR RENÉ DUSSAULT: Thank you.

FRANÇOIS TRUDEL: Thank you.

CO-CHAIR RENÉ DUSSAULT: So we shall move on to the open forum, where we have five or six brief presentations.

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I would like to ask the first presenter to go ahead, and to identify himself.

HENRI-PAUL SIOUI TRUDEL: I am Henri-Paul Trudel. We are not in alphabetical order, but ...

CO-CHAIR RENÉ DUSSAULT: Not far from. Henri-Paul Sioui Trudel?

HENRI-PAUL TRUDEL: Yes.

I am simply going to read a letter which was written in the group of families I belong to. We have called it "Le problème majeur de la nation wendat est un manque d'harmonisation de sa politique interne" [the major problem of the Wendat nation is the lack of harmony in its internal policies].

Differences in values have given rise to two mentalities which are in constant conflict, to the point that a majority of the members of our nation are prevented from expressing themselves and from living with

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respect. This situation denies the individual's right, the right to take part in our legitimate national development. Political will and decision-making are the cornerstone that is necessary for harmony in any society.

The present structure, which was established by the Indian Act, denies our right to be and allows for the creation of a dominant class. The politicians elected by the process represent only 13 per cent of the nation. Section 74, and others, of the Act establish a fundamental difference between residents and non-residents of a reserve, thereby taking away the decision-making right of non-residents. At present, only 30 per cent of the members of our nation may exercise their right to make decisions concerning our affairs, since this structure favours the use of the element of kinship by a small number of aboriginal politicians, with the result that they have exclusive power over political decision-making and resources, thereby denying any

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expression of democracy.

To harmonize relations, we must adopt a more appropriate political structure which is more suited to the reality of our situation and to the real needs of our nation. It is time to assert our right to make political decisions through a process which is our own and which has never been respected by aboriginal or non-aboriginal representatives.

We firmly believe that the only harmonious way which will satisfy the Wendat nation now is to establish a system of proportional representation, because the nation will no longer be content with less than 100 per cent of the expression of its members, since the undivided interest of the members is inseparable from decision-making power.

We want the formula of proportional representation, which is designed to divide resources more equitably, to be recognized and implemented immediately.

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We all know that the first principle of Wendat politics is the traditional concept of kinship applied entirely and completely, and by extension resulting in proportional representation for the different family groups.

Since the time you have been studying aboriginal people in all possible and imaginable manners, we have been wondering what we could add to your knowledge and what might give you a better understanding of the fundamental values of our people. Might it be a lack of intellectual or another kind of honesty on the part of your representatives which makes you persist in not recognizing our nation's real problem: we repeat, a lack of representativeness, not in terms of your government, but in terms of its own Wendat members.

Thus you will agree with us that so long as this problem remains unresolved, it is unthinkable to start the process of formally establishing aboriginal

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self-government. Accordingly, we believe we have never been bound by our natural laws, which flow from our traditions.

On the other hand, on the day when we start to see some honesty, respect and concern for justice, then we will be prepared to share a common vision of our territory.

This was in the spirit of our ancestors.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you, Mr. Trudel. I think that this is the first time anyone has drawn our attention to section 74 of the Indian Act.

Obviously in our collective deliberations concerning the ultimate structure of aboriginal governments, the question of representativeness will be an extremely important one, like the question of accountability and reporting procedures.

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I understand your contribution this afternoon in this context, and I thank you.

Bernard Cleary.

BERNARD CLEARY: Mr. Co-Chair, ladies and gentlemen of the Commission, I have a short presentation.

I am Montagnais, and have been an aboriginal negotiator for seven or eight years, an adviser to several aboriginal nations, and a journalist for many years. I therefore believe that I am to some extent quite familiar with the issue of the relationship between aboriginal and non-aboriginal people, at least in Quebec.

I must tell you that the reason I am here is that I sincerely believe in the work of the Commission. Although I have had the opportunity to read tons of recommendations made by several other commissions, I am convinced that the time is increasingly right today and the ground increasingly fertile for receiving

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solutions, and the manner in which the Commission is seeking solutions seems to me to be a plus.

I would like today, in a preliminary way, to address two specific things, two precise items: first, my personal experience as a negotiator, and also the unequal balance of power and aboriginal groups' lack of bargaining power.

Whether we are talking about recognition of rights or a new social contract, we always tie the results to a bargaining process between governments and aboriginal groups. If we are to conduct true negotiations, we should acknowledge that there must be equal power.

I do not believe that at this point, in everything to do with the negotiations, the aboriginal people have any real bargaining power. I think that if the Commission has a role to play, it can do something so that the aboriginal people's bargaining power ... since,

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whether we are dealing with the recognition of inherent rights or recognition of ancestral rights, we have this bargaining power, we must find a solution which will ensure that power is balanced.

It is touted as negotiating between equals, but you have to be there at a bargaining table to know that some are not as equal as others.

I have been negotiating for seven or eight years and I have unfortunately observed little progress. I would like to be an optimist, as it is my nature to be. I would like to be able to tell you that we have succeeded in working miracles, if only to add another success to my curriculum vitae. But I must unfortunately tell you that the governments have no political will, and that as long as they do not have this political will, they are going to prefer to humour the aboriginal groups and ensure that one after another they become discouraged.

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I can tell you that from time to time I have the impression I am talking nonsense, I am repeating myself, the simplest things, at the bargaining tables. I have the impression that I am a bit like the old 78 r.p.m. that you can't bring yourself to throw out but you can't bring yourself to play in the laser era, but I always tell myself that some day we will understand.

I have the impression that the Commission can do a lot, if only by allowing or forcing the governments to give their negotiators at the bargaining tables specific instructions. We always have the impression that they are using all sorts of smokescreens to hide behind, without ever addressing the real questions.

So long as these questions are not resolved, these instructions are not clear, we will never be able to get anywhere in the negotiations.

I could also tell you that the aboriginal people also have their problems. It must be

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recognized that very often when the negotiate the aboriginal people are shut away in an imaginary world so that the real subjects are never negotiated. We also have a problem in terms of the very frequent inability to be able to choose the most beneficial paths. We also have our problems in defining or having our groups also define clear instructions.

Interminable consultations are used for sheltering and hiding behind; may come knowing out of them more, but never making decisions, decisions which could give us progress. In fact, in aboriginal groups, the concepts used are not often understood, and there is certainly a lot of work to do on comprehension of the concepts. You know, in almost none of the aboriginal languages does the word "negotiation" exist. We always talk about discussion, palaver, but we never talk about negotiation. Thus for a majority of aboriginal people this concept of negotiation must be better understood.

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Finally, you are seeking a number of approaches to take in seeking a solution. Myself, I think that the main ones are found in the political will of the governments. We cannot, we must not, consider that we have found the solution when we have entrenched a right, or recognition of rights, in a constitution, particularly since these rights are normally accompanied by unequal negotiations. The governments must, at the same time as they entrench recognition of rights in the Constitution, also entrench a clear political will that these rights may be defined by negotiation.

One of the roles of the Commission is undoubtedly to explain clearly to the white and non-aboriginal population that aboriginal people have rights, to explain this clearly, so that we will no longer hear pejorative terms like "aboriginal privileges" used around this definition of rights. So long as the governments have not clearly recognized the rights, and

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this does not serve as the basis for negotiation, the people of Quebec and of Canada will never really understand the role they have to play in a process of negotiation; and God knows whether negotiations are political and God knows whether the results of negotiations are connected to the fact that people clearly understand the role they have to play or that their government has to play in those negotiations.

In conclusion, it is my view that there are many roads to travel, and I believe that the Commission can be a candle to light the way if it gets off the beaten tracks, if it makes the governments understand their true duty, if it gives aboriginal groups a glimmer of hope and of a solution so that social plans may be realized and a new social contract may be drawn up, or negotiated between equal parties, and particularly if it sensitizes the white population so that it clearly understands its duties to the aboriginal people.

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We can pile up studies, we can pile up the results of studies, but so long as the people who call the open line shows do not truly understand the role they have to play, we will never find viable solutions in any aboriginal negotiations.

This submission is somewhat preliminary, and I hope to have the opportunity to add to it during the next rounds of the Commission. My experience over the last several years leads me to say that I still have a great number of things to say and that I will have the opportunity to do so before the Commission.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you, Mr. Cleary, for this preliminary presentation. We hope that you will pursue, not your thoughts, because again you have shared your experience of several years, but that you will pursue your work of presenting them for the Commission at subsequent sittings.

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We are aware there is a long way to go in terms of public education. We are aware this is a crucial component of our mandate. We also know it is longer and more difficult to work on mentalities and attitudes.

The first way of doing this is to start by providing objective historic information, which is also concrete, about the experiences of the aboriginal peoples, but also the concerns of non-aboriginals in terms of a common integration. I think that in an urban region such as metropolitan Quebec City, this is present on both sides.

So I would simply thank you and tell you that if you have a preliminary text to submit to us to assist in our deliberations now in the next few days, we will certainly be happy to receive it and to continue this dialogue which we have started here.

Thank you.

BERNARD CLEARY: Thank you very much.

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CO-CHAIR RENÉ DUSSAULT: I would now like to ask Benoît Sioui to come forward and make his presentation.

BENOÎT SIOUI: Thank you, Mr. Co-Chair and Commissioners. I would first like to thank each and every one of you for having added an open forum to your agenda so that some individuals like myself can freely express some of our concerns.

The subject which I shall address with you today is, to me, of major importance. It is entitled "L'importance d'une structure pour promouvoir et sauvegarder notre culture" [the importance of a structure to promote and preserve our culture]. But before starting, I would first like to introduce myself. My name is Benoît Sioui. I am a member of the Huron-Wendat nation.

I am assistant-director of the First Nations Education Council and I am also a student in the Master's program in administration. As part of that program I am going

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to write an essay which will deal with the public management of aboriginal village councils in Quebec and I shall be dealing primarily with the management of the economic development program. With this introduction, I shall move to the heart of my remarks, that is, the importance of a structure for promoting and preserving our culture.

One thing that is fundamental is that the federal government as well as various councils should each at its own level, if they have not already done so, become aware of the importance of establishing or continuing to support, in some cases, a structure which can be used to promote or preserve that which makes us distinct: our culture. This structure could take the form of a museum, a cultural centre or a school which would offer appropriate programs and in which we might see a language teacher, a history teacher interacting, or integrate aboriginal content into our programs.

To finance this structure, we will

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have to have adequate funding, that is, decent salaries for the people who will be working in that structure, comparable to some employees of band councils, an appropriate operating budget and sufficient qualified human resources. My choice

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would be to create a museum or a cultural centre which would allow us to preserve and promote our heritage.

This structure would have two purposes. First, internal. It seems quite clear to me that any people that wants to develop and create a major collective project must answer three questions: Who are we? Where did we come from? Where are we going? Because in some communities we have stopped passing on the basic elements of the culture, that is, language, history, values. Without answering these questions, which seem to me to be fundamental, it is difficult to develop a viable plan for self-government. I mention self-government because some nations are moving in that direction today.

Thus, there is an internal purpose, to pass on the culture to young people and to not so young people.

This cultural centre, or museum, could be directly involved in our schools to pass on the pride of belonging to the nation. When a young person

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is proud to belong to his or her nation, it is possible
for that young

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person to achieve many things. He or she may push ahead in numerous fields -- school, among other things -- because the pride of belonging appears to me to be a profound source of motivation. An internal purpose.

Now, the external purpose. A museum or cultural centre may interact with people outside the nation, that is, interact with tourists who visit us and also with neighbouring communities so that they will learn to understand us better. Thus it is clear that this structure has a very important educational role.

I would also note that an external role would include activities involving non-aboriginal children in the primary schools who need to awaken to the reality of the first peoples on this continent as part of their natural science and humanities program. I know what I am talking about, because a few years ago I myself played the role of an educator among young people to initiate them a little into the culture of the First

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Nations.

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The outside role of this structure could help us to build, and in some cases -- we must not cover up -- rebuild bridges with the non-aboriginal communities.

I shall close my presentation by saying that the better we know each other the more we appreciate each other.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you for coming to tell us about your ideas for a structure that would essentially be interactive within the community and on the outside. Certainly we shall read your more detailed presentation but, for the moment we receive it with pleasure.

Thank you.

I think that at this point we are going to request the next presentation.

LINDA SIOUI: Good afternoon. I

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would like to thank you for the few minutes you are giving me for my presentation. My presentation will deal with the importance of the Huron-Wendat language.

I think that this morning all the people present heard a historical presentation on the history of the Huron nation. That history certainly had an impact on the language. Our language, like others, had no longer been an actively spoken language for about 100 years, but in response to an intense desire on the part of the people, methods were put in place. Some of our people have been wondering about this question. Some people have already taken initiatives. The Council of the nation has also taken initiatives, precisely in response to pressure exerted at that level.

In several policy documents I have had a chance to see at the national level, at the provincial level, there is a very great deal of talk about the importance of preserving aboriginal languages, but in the

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case that concerns us, ourselves, the Huron-Wendat language, we have gone beyond that; we want to revive our language. Already, it is simply the omission of a word, but it closes a number of doors to us.

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In some cases, as well, aboriginal languages which are still actively spoken are given priority for funding. The revival and preservation of the Huron-Wendat nation is a matter of very great importance for the identity of our nation. Among other things, I think that it is a very important way of taking back our culture, our ancestors' way of thinking. All these things are closely tied in. The concept of the identity of our people is also closely tied in.

The awareness and the interest that have been expressed in this respect relate to several things. I referred a moment ago to a fervent desire on the part of the community. I myself think that the Huron-Wendat language, reviving and preserving it, is a project for a nation.

I think that in this respect also we must ignore the borders, because we have blood brothers -- that was mentioned this morning -- who live in Oklahoma

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and who have an interest in this question. These are two small, isolated groups, but we have an interest in this together; we are looking for our identity.

The increased awareness and the interest that has been raised exist also at the inter-community level among aboriginal people. There are other aboriginal nations which have an interest in the question, other nations which speak languages related to ours, who have an interest in getting involved at that level; the other aboriginal communities as well.

There are specialists in a number of areas, in the technical area, in the area of linguistics, who are disparaging at the outset. I think often, often in the field of linguistics. Comments are often made: "But you are only a small nation, and these things, they aren't possible", but they still support the idea. There is an English proverb, that says "Where there is a will there is a way". I have a great deal of faith in that.

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Awareness has also been raised at the level of the international community. We have received correspondence from Ireland, among others; the case of Gaelic in Ireland. The people in that community also have an interest in our project. I think that it takes on proportions that go beyond the limits of our borders.

The biggest problem we are now facing is the question of financing. There is lots and lots of good will among people in the community, who are putting out energy, who are putting out time, and who are not necessarily paid for these things. Only one third of the budget we requested has been allocated, which entitles us to only one staff member. The consequences of this are that the project is going ahead very slowly.

Language is not the concern of just one person, to our minds; it is the concern of an entire nation. This is the perspective from which I see the importance of a national project.

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Among other things, half of the time that should be spent on research proper is being used to secure our present level of funding. We must be in constant, constant contact with the authorities to ensure that we are going to have funding to continue our project, and in addition to that, we have to try to find new sources of funding.

Solutions. I think that first an increase in the level of funding ... a need has been created but we are suspended in mid-air, as it were. The door has been opened, and we have been told "Yes, it is a possibility", we see everything that comes next, but we are limited.

In order for us to be able to establish the necessary mechanisms, we need funding, so that we can establish the necessary mechanisms in the community, because we have to get our people who have an interest involved as much as possible. I see this as a democratic

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process of consultation and cooperation where everyone's opinions are respected.

Second, I think that the Assembly of First Nations has mentioned, among other things, that it is working on a project for an aboriginal languages foundation. I think that this would be interesting, this concept, in that all the resources available for the people involved in this field could be identified; I am talking, among other things, about financial, technical and human resources. It could be used as a reference centre, where the people involved could be guided toward the appropriate resources, among other things. It could be a training centre as well for the people working within the communities. It could be a centre for specialized training placements. At present, we are facing a situation where the people who have an interest in these things are self-taught.

It could also be a documentation

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centre. This centre could be made up of permanent staff who specialize in the field. They could be aboriginal people and other specialists in aboriginal languages.

I have raised the question of the level of training, among other things, because we find people at the universities and elsewhere who have an interest in the question; not to disparage this, but they must follow the current, the same studies as everyone else: French syntax, morphology. There is nothing sufficiently comprehensive as yet, in terms of aboriginal languages.

I think that this foundation might have the potential to answer these questions.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you, Ms. Sioui, for your presentation. We are very aware that in some cases the issue is not only to preserve and affirm the aboriginal languages which are still very much alive, but in others, essentially, to revive these languages,

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as you say, to rediscover the identity and culture, that there is a very important connection here.

When you say that one third of your budget was allocated, you get your budget from what source at present?

LINDA SIOUI: At present, we get funding from the federal Secretary of State and the secretariat of aboriginal affairs of the provincial government.

CO-CHAIR RENÉ DUSSAULT: Of Quebec.

LINDA SIOUI: Yes.

CO-CHAIR RENÉ DUSSAULT: The foundation project has been proposed as a project? Is it on paper?

LINDA SIOUI: The concept, I think that it was suggested by the Assembly of First Nations, among others. These are my ideas that I am adding, the way in which I would see it, its uses, among other things.

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CO-CHAIR RENÉ DUSSAULT: You are talking about a foundation which would be at the Quebec level?

LINDA SIOUI: It might also be at the national level.

CO-CHAIR RENÉ DUSSAULT: Also at the Canadian level.

LINDA SIOUI: At the national level, yes.

CO-CHAIR RENÉ DUSSAULT: Very well. Thank you.

LINDA SIOUI: Thank you.

Éric Joubert.

ÉRIC JOUBERT: Good evening, ladies and gentlemen of the Commission. Thank you for hearing me this evening, in view of the late hour.

I represent the Native Alliance of Quebec. This is an association which was founded almost

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twenty years ago by Kermit Mar [PH], who has since died.

The Native Alliance represents Métis and aboriginal people living off the reserve. Kermit Mar [PH] founded the Alliance largely because he had seen the dangers that faced Métis and aboriginal people living off the reserve.

As well, in less than three years, some fifty chapters were founded to provide some solidarity for our aboriginal peoples living off reserves throughout Quebec

Since it was started, the Alliance has sponsored hundreds of projects in aboriginal communities, creating many jobs and offering many Métis the opportunity to get valuable training on the ground, while also responding to the specific needs of various aboriginal communities. Mr. Mar [PH] left us with an aboriginal association which is still active in Quebec and which has proved its integrity both with the government and with its members.

In view of the late hour, I would like

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to move on immediately to the recommendation that I want to make to the Commission.

I am asking for more than recognition for the Métis; I am asking also for recognition of the rights of aboriginal people living off the reserves and in general, not specifically a single right; I am asking for all rights. It is because we have the Canadian Constitution that, in an era when human rights as they are formulated in the United Nations Universal Declaration of Human Rights are generally understood and accepted, that we can study the adverse aspects of prejudice and racism that prevail in this country. We have a unique opportunity to put the rights of aboriginal people into effect at the national level, since the substance of our constitution is still evolving.

We must first consider what has in fact happened in Canada in order to put into perspective what it is possible to do so that justice may be done for

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aboriginal people living off reserves. It is pointless to add anything to the tragic aspect of the situations described by our aboriginal colleagues; they speak for themselves.

In closing, I would like to congratulate you for the lovely work you are doing for the Commission.

That is all I have to say.

CO-CHAIR RENÉ DUSSAULT: Thank you for presenting this recommendation, to which we shall give careful thought. Thank you.

I would now like to ask -- and this will be our last presentation for the day -- the representatives of the Akiawenrak Long House to come forward and make their presentation.

I would like to welcome you. If I understand it, there are three representatives: Mireille Sioui, and I am also going to pronounce the names of the

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other representatives, Taré Dan Dèh and Wat Ron Yon Non Nen. Welcome, and I would ask that you proceed when you are ready.

MICHEL GROS-LOUIS (TARÉ DAN DÈH)

AKIAWENRAK LONG HOUSE: Thank you.

I would like, to start, to say a few words in the Wendat language.

nDI TARETANEH nDAIJYATSI NENHSHA!

YATRIHWAGEHTE DEKHARIHWA nDIGANONSHETSI, ONGE,

ATIGYAHAON, ATISHAYAHA HONTON KHWE KHWE d'ISA nDEKIOGWATE

nDAYEH SGWATERIHWAYENSTA INIONTHÈH NENHSHA SGWANION

ONGWAWENTSAYE NEWENNnDAT. NDI AGWAKIAWENHRAKRU:NONH. TU

NENH YÈHÈH STURIWAT AYONWANTENDUTON. AYAWENNnDARATAT.

By starting this presentation in the Wendat language I can make the Commissioners understand the sound of our beautiful language before it leaves our territory, this language which, unfortunately, is spoken only by rare individuals. At the same time, we wanted

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to show how our language is still very dear to us. We think that this entire discussion should properly have taken place in the Wendat language, because you are in a Wendat community; and so we still believe that the first language of our people is the Wendat language, even though most of the people no longer speak it.

I would now like to translate what I said, in a few words.

I said that the Akiawenrak Long House has mandated me to meet with you, with two representatives of the Long House of the clan of the tortoise, and to give you a message of welcome from the women, men, children and unborn children, of the traditional Wendat nation. We also want to thank the members of the Commission for having travelled to hear the grievances and our opinions on the fundamental issues concerning the survival of our people.

I would like to say a few words to

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begin, about the Akiawenrak Long House. The Akiawenrak Long House is largely made up of Wendat of this community.

The Long House operates in the same way as the other long houses of the Iroquois communities. We are part of the same big family of languages.

The Long House is a matriarchal society in which women have a very important role. As well, agriculture, hunting and fishing have a very important role in the traditions of the Long House of the Wendat and of the Wendat.

The Long House is a structure which is at the same time spiritual, social and political. The structure of the Long House resurfaced in the community during the nineteen eighties. Before that date, traditional people were harassed in the practice of their spirituality. The dominant western society was intolerant of our spirituality and our traditions. Today, the Akiawenrak Long House is the only visible structure

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in our community which allows the Wendat and all the clans to come together under the same roof and practise our traditions communally. Again, before the Long House was revived, traditional people had to hide if they were to practise their traditions communally. Fortunately, this era seems to have ended, and traditional people suffer less and less discrimination, at least on the surface.

I said "on the surface" because we would like to point out to the Commission that at present the Long House is threatened with destruction by the City of Loretteville, the city adjacent to our community. The members of the City Council claim to have rights over the territory of the Long House, but we are convinced otherwise; ultimately, we have complete evidence of this.

In the past, intolerance of our spirituality was largely caused by various religious orders, such as the Jesuits. It was the Jesuits who were determined to destroy the traditions of our ancestors.

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In 1680, the Jesuits, convinced that they possessed the truth, mounted an attack against the Wendat people to change their so-called pagan habits. This determined campaign on the part of these various religious orders against our people was largely responsible for the destabilization of our traditional structure, the structure which had allowed our people to survive until the Europeans arrived.

If we examine the first contacts between our people and the non-aboriginals, we can see clearly that from the beginning the relationship was very painful. Some historical explanations of the relationship between our nation and non-aboriginal people will surely provide the Commission with an understanding of the difficult relationship we have had to endure until today.

The beginning of the destabilization of our nation started well before other nations which were

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farther west or protected by the forest. For us, it was in 1534 that Jacques Cartier met the Wendat on the shores of the Gaspé. Everyone knows that Cartier kidnapped the two sons of the chief just before returning to France. The following year, Cartier again kidnapped Wendat people, but this time, he took Chief Donnacona, from Stadacona, with seven other people, including his sons. Cartier came back a third time. After that, not much is known about what happened with the Wendat villages located near Quebec City, Stadacona. These villages disappeared between Cartier's final voyage and Champlain's first voyage.

The conflict for the exploitation of our territory, colonialism, started with Cartier. Everyone knows that Cartier's ultimate aim was gold, to find gold; so there was a battle to occupy and exploit our territory, a battle that is still going on today with the occupation of territory and by non-aboriginals to want to preserve its integrity.

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After this first meeting, which started out on a somewhat negative note, we must acknowledge, I would like to say that the rest was no rosier. As I said earlier, the Jesuits mounted a campaign in 1608 to Christianize the Wendat, using any means possible; for example, if a Wendat wanted to get a rifle, the condition was that he convert to Christianity. Other methods used by the Jesuits were to force the Hurons to give them their children so that they could inculcate them with western culture and ideas. You can see that the problems of the Wendat are not recent, and were already with us 350 years ago. It should be noted that at that time our people dropped from about 40 villages to a few, the smallpox introduced by the Europeans having struck our nation hard.

I want to close this short trip back in time here, without in any way saying that ... I could talk for hours about the problems our people had in contact

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with the Europeans.

You have surely heard the expression:

"To understand someone we have to walk a mile in his moccasins". I hope that I have got you to walk a bit in our moccasins and that you will understand the text that follows a little better.

We know that communication between our two peoples is often hindered by cultural barriers.

We need only look at some of the expressions often used by non-aboriginal people when they address us. If we take one of these expressions, such as "exploitation", this expression is not part of our spiritual universe; on the other hand, non-aboriginal speakers often use this word: exploitation of the forest, natural resources, and so on.

Traditional aboriginal people do not talk about exploiting the forest, nature, but rather we talk about living in harmony with all parts of creation.

For us, the trees, the animals, the birds cannot be seen

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in terms of exploitation, but rather in terms of respect and equality in the circle of life. When we take the life of an animal or a plant, we are fully aware of the act we are doing and each time we ask forgiveness from the spirit of the animal or plant we have just taken.

Another expression often used by non-aboriginals is the word "evolution", which the Commission referred to in one of the questions which it classified as fundamental, using the expression "perpetual evolution".

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Often the word "evolution" is used in the sense of abandoning our culture for western culture. We were told we should learn to live like non-aboriginals and leave our traditions, and that we can't stop evolution. We are told: "Do you want to go back to getting water from the river?" For many of them modern life has a solution for all their problems, and they association evolution with welfare and materialism; they do not value our traditional system.

If our traditional system was so bad, why do we die younger than our ancestors? They lived to be very old; we need only look at the old censuses. In our traditional system there were medicine societies for each of our illnesses, and the social and community structure was very strong.

The spiritual values still held by the traditional people are relevant today. As well, many non-aboriginal people are looking to the spiritual values

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of the aboriginal peoples as remedies for their social problems.

So if we take these two expressions, "evolution" and "exploitation", these two expressions really have a very negative connotation for us. We see that often the problem between our two cultures is a matter of the barrier between the words we use.

At this point I would like to mention to the Commission that in 1946 the government of the day also created a commission similar to this one. That commission passed through our community on November 6, 1946, exactly 46 years ago. I have here the article that appeared in Le Soleil on the summary of the discussion of the grievances of the Wendat. The people had expressed the need to have a Wendat language teacher, respect for treaties, and so on. Unfortunately, the fundamental points of their grievances have remained unanswered 46 years later. Later, we still have the same problems.

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So the question we are asking now is: Was that commission serious in 1946 and did it have any power? Today, does this Royal Commission really have a sincere desire to resolve the problems of the aboriginal people, and does it have any power? And so the question is the same.

We know that the only positive results since the visit of the commission in 1946 in terms of our treaties are the fruit of the hard work of some traditional people in our community, who have gone to court to fight for justice. We won, not because of any political will to respect the treaties ... it should be noted that even after one of our treaties was recognized in the Supreme Court, we still have to fight to have it applied, something I will talk about later.

It should be noted that the problem experienced by the Wendat today does not necessarily come from outside, but is also found within our community.

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We ought not to cover this up. There are Wendat who do not believe in the traditions and others who do believe in them. The people who do not believe in the traditions want to be emancipated. They do not see the necessity for re-learning their language, for knowing their culture and living as Wendat, but rather these people are looking for a way to get the greatest number of financial benefits they can get from the system.

We know very well that the acculturated Wendat are the results of a systematic assimilation orchestrated by the governments. We need only think of the boarding-schools and the structure of the Band Council. Often the traditional people in our community are seen as retarded. As I said earlier, they say that we want to go back to getting water from the river.

And if that is our choice, no one has the right to suppress us in the name of the principle of evolution and economy.

In any event, to say that we want to

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go and get water from the river is to distort reality. Our traditions are quite adaptable to today's way of life, although our traditions are based on values that are very positive for all humanity.

If we look at this political structure, which is foreign to our traditions -- the Band Council -- which was imposed by the government of Canada in 1880, this structure does not in any way allow us, the traditional people, to grow and live freely in terms of our traditions; that is, we get no assistance. Unfortunately, this conflict between brothers and sisters should not exist, and did not exist before the 1880 Act was imposed.

It should be noted that the Councils are in a perpetual conflict of interest in any discussion of our fundamental rights, and any negotiations with the governments. Can you work for the fundamental rights of our nation at the same time as being employed by the side

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against which we are trying to assert our rights?

The best example that comes to mind concerns the last negotiations by the Band Council with the governments of Quebec and Ottawa concerning the Ane Ouha [PH] treaty, in particular our hunting rights. At the bargaining table we had a chief of the Band Council who has also been employed, for a number of years, by the ministry of recreation, hunting and fishing. Is that person, and moreover the entire Band Council, not in a conflict of interest? Can someone speak at the same time on behalf of our nation and on behalf of another nation?

We do not believe he can. Fortunately, these negotiations were aborted; the three proposals of the government of Quebec were designed only to extinguish our rights.

This is the structure that we are again speaking out against today before this Commission, the structure which, it must be said, was introduced by

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the government and had no reason for being, because the structure of the Long House is complete in itself. The danger we see today as traditional people is that the Council will gain power when the government withdraws from our community.

And so we are asking the government to ensure that the traditional people and the traditions are going to have all possible protection. The governments should ensure that the traditional structure is on equal footing with the band councils and that the transfer is done gradually, through educating our people.

For that we need help and facilities to instruct our people in our traditions.

In any future negotiations the band councils and the traditional councils should be sitting as equals. It is moreover the fear of seeing our rights extinguished by some agreement between the Band Council and the government which prompted the Council of

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traditional people of the Akiawenrak Long House to publish a proclamation stating that the Band Council no longer spoke for the traditional people, a proclamation published twice in the summer of 1991 in *Le Soleil*, a copy of which is included in our document.

CO-CHAIR RENÉ DUSSAULT: Can I take this opportunity to ask you, to try to get some idea of the time you need for your presentation ...

MICHEL GROS-LOUIS: I have six pages left.

CO-CHAIR RENÉ DUSSAULT: So that means what? Ten minutes?

MICHEL GROS-LOUIS: Yes.

CO-CHAIR RENÉ DUSSAULT: OK.

MICHEL GROS-LOUIS: If we look at another very important point which we find in the 1880 Indian Act, the section in question stated:

"Any Indian woman marrying any other than an Indian shall

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cease to be an Indian and the
children of the marriage shall
not be considered to be Indian."

This person, who is called a "sauvage"
[in French], was of vital importance to our traditions.
That Act was "genocidal" for our people, because the
political and social structure of our nation was based
on the matriarchal aspect of our society, especially the
transmission of the clans, which was done almost
exclusively by the woman. Thus many of our clans
disappeared in this way. By doing this the government
brought about the extinction of our identity, because the
soul of our nation is the woman.

I would now like to talk about the
question of the territories. If we look at the past, we
see very well how the Band Council of that time participated
directly in the sale of the land without the agreement
of the Wendat people. It should be noted that this land

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was occupied by traditional people. Fortunately, according to some people, one of our lands which was sold in 1904 has been recognized as having been sold illegally, while the other territory, which we call Rocquemont and which the traditional people are claiming, we don't know anything about. The Band Council is completely mum, despite all the efforts on the part of the traditional people to find out what is happening in the case.

I am going to try to be brief. The problem, when we have a very short time, is that there are very important questions that the traditional people want to express to the Commission, and we find it deplorable.

CO-CHAIR RENÉ DUSSAULT: In fact, what I would like to point out, is that your complete brief, even if it doesn't get read in, will form part of the testimony and part of the transcript of the public hearings, as if it had been read in. And so that may help

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you to emphasize essentially the strong points, but it will be included, verbatim, in the Commission's records.

MICHEL GROS-LOUIS: Nonetheless I am going to try to read the main points.

CO-CHAIR RENÉ DUSSAULT: Yes.

MICHEL GROS-LOUIS: It should be noted that the concepts of territory, traditions and customs are not divisible in our minds. In our language, we say: "THO ION nDEH SHU! TEN!", that is, "our territory, our customs and our traditions".

We, the traditional members, consider that we are a sovereign people, over all the territory between the Saguenay River ... on a band of land along the St. Lawrence up to our capital, which is located on Georgian Bay, on Lake Huron.

An important point that we would like to make is the point on the application of the treaties.

The question of the fundamental principles of the Long

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House, is that when we talk about the land, we say:

"ONGWAnDUWEN ONWENTSA", that is, "our Mother the Earth".

It cannot be bought, it cannot be sold, it can't be cashed in, because it is our mother and you don't sell your mother.

So the traditional people certainly speak out and will always speak out against any land sale. This is why the traditional people, as I noted earlier, do not consent to the Council negotiating fundamental issues that concern us, for fear of alienating our fundamental rights.

Another point which the traditional people, for whom I speak, wish to submit to the Commission is with respect to access to the collective memory, instructing our people, what they were, what they really are, in terms of their past, their present, their future, in terms of their social life, their political life, their language, the language which is intimately connected with our culture and identity. Unfortunately its last speakers have been dead for one or two generations, which should

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not have happened if the governments had listened to the grievances of the Wendat in 1946.

The Wendat sought to hire a Wendat language teacher in 1946. That was possible at that time because our Wendat brothers who had been expatriated to Oklahoma still spoke the language at that time. Unfortunately, today, it is dead, even among them. Thus 46 years after that request, the Wendat have not made any advances in the area of teaching our language.

I would like here to make another aside to say that the closest Wendat village to us is two and a half days away. In 1715, these Wendat started getting pushed out of the Detroit region and ended up in Oklahoma in 1870. You see that we have been a people torn apart from Cartier's time to our own.

So if we come back to language, our grandparents asked for help and absolutely nothing was done on the proclamation, on the grievances and the

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language. And today, 46 years after that request, we are still asking: Is anyone going to do anything about our language?

I have some photographs here. Look at the photographs, the conditions in which I teach the Wendat language to our young people: with candles, with picnic tables, in very cold conditions. There are about fifteen young people to whom I have been teaching the language for two months; they are learning the language with candles, with very rudimentary facilities, because we have no means; despite the fact that this is 1992, we would think ourselves in the Third World. These photographs were taken last Sunday.

I am a volunteer teaching the Wendat language in ridiculous conditions. Look at these photographs. I think that this is an aberration, when we know all the luxury there is in our schools today, the schools where the language is not taught, and our culture

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is taught nowhere, apart from a few Indian dances. We have no control over our education, and most of the teachers are non-aboriginal.

The only positive efforts in teaching our language come from the traditional people. For four or five years we have been working constantly to revive and teach our traditions, with no support. We even have a letter here dated 1991 in which we ask the Band Council to help us, but that letter has not been answered. We asked them for half of their culture budget, telling them that they handled culture as tourism, and that what we wanted was to handle culture by involving our own people. Unfortunately this one-sided conversation is still going on today.

To summarize, in one of the most developed Amerindian communities, we are still teaching the language as if we were in the Third World, in basements or using volunteers. Where is the political will?

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As traditional people we are asking to share in the education and culture budgets, where all the human resources are in our community; there need only be the will.

When we talk about self-government, it goes without saying that the traditional structure promotes the growth and autonomy of our people. The political structure of the Long House is very democratic and works for the welfare of everyone. This autonomy will give us back our pride. When we talk about Wendat traditions, we must not lose sight of the fact that our society is connected with raising corn, beans, squash, tobacco, and so on, and not only with hunting and fishing.

Thus our traditions mean that we can work and live fully while staying in touch with our ancestral customs.

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The traditional people urgently need land for agriculture, the agriculture that will make us less dependent on the government.

Before closing, I would like to offer another aside, to talk about our Wendat brothers in Detroit, who were all emancipated at the turn of the century and their lands sold. These Wendat today live in the State of Michigan. Their village was located close to Detroit, in the region of Amhesburg [Amherstburg?]. We are asking as well that our Wendat brothers receive help too and that their status be returned to them.

In conclusion, we believe that the federal government is a trustee for the Amerindians -- and, as such, has a responsibility -- and will be so long as our lands are occupied by them. They are tenants and they must provide us with services until we regain our freedom.

We are asking for formal apologies

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to the traditional members for having caused our assimilation by discriminating against women, by taking away their status and by imposing the Band Council. The traditional people are asking that villages be created for them, that other villages be created with administrative structures so that we can expand our collective memory and the teaching of our traditions. We are asking that the traditional Council be recognized and we want to work with the Band Council as equals for the future of our nation, in the hope that, when our people are ready, we could apply the structure of the Long House to all of our people, if they so wish.

We are asking that a committee be established by the federal government to study cases where our treaties and our people have not been respected, and for a 1766 proclamation, which we include, to be respected.

In 1766 there was a proclamation which stated that any threat of violence against the Amerindians would be closely

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examined. Finally, someone said on television that they were going to shoot the Indians, and no action was taken against this person, who made open threats against the Wendat on TV.

In closing, I also hope that in future the band councils will allow and promote autonomy and leadership among each of their respective communities, in order that the people may truly take charge of their own destiny, and thereby restore their traditional political, social and spiritual structures, all of which are factors which, as a result of being replaced by foreign western structures, caused us to lose our own identities as ongwenwe [PH].

We are also asking that the pollution of our lands, on which the Creator put us, all along the St. Lawrence watercourse all the way to the Great Lakes, be stopped.

As well, as we stated, we have a brief

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and we express the wish to participate and to be kept informed of other commissions in future.

Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you for your presentation. As I had occasion to say, we hope to receive the text of your brief so that we can place the complete text on the official public record of the Commission.

The question you raise of language is obviously a crucial and difficult question. You mention a commission of inquiry which sat on November 6, 1946. We are aware that there have been several commissions of inquiry, working groups, even before Confederation there had already been six, from 1828 to 1858 -- commissions which in the past had considerable influence on the government policies which led to the Indian Act and the policies under the Indian Act.

We hope that this Commission, because

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of the point in time when it is sitting, its composition, the manner in which it was created and the fact that its creation was supported by the three parties in the House of Commons, will be able to have a strong influence on how things are handled, on how the relationship between aboriginal and non-aboriginal people in Canada is handled, but also, and most importantly, by changing the conditions as they often relate to the affirmation of cultures, to recover the cultures, and also in terms of social conditions.

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As I have had occasion to say several times, there is no guarantee that the recommendations of a commission of inquiry will be applied. I think that, essentially, the Commission will pass on the effort that people put into the Commission. It is a collective work and, on that basis, I thank you for having participated.

Of course, the question of traditional communities in aboriginal communities is an important question. The entire question of traditions, as it relates to the larger questions, whether in terms of the Charter of Rights or in the area of the justice system ... these are questions which are of tremendous concern to the Commission and on which it hopes to have as much assistance as possible.

And so we thank you, all three of you, for coming to make this presentation to the Commission.

MICHEL GROS-LOUIS: Gewe [PH].

Thank you.

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CO-CHAIR RENÉ DUSSAULT: Thank you.

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Before proceeding with the closing prayer, it seems important to me at this point that we thank a number of people. We have had a long day; we have been in this room more than 10 hours.

First, I would like to thank our translators. We are aware that, by necessity, we have been very demanding. We know that this is difficult work, in difficult circumstances. We would like to thank them.

Their contribution is certainly appreciated and important.

I would also like to take the opportunity to thank the staff of the Commission who have been working on the two days of public hearings: Roger Farley, whom you have undoubtedly had an opportunity to meet or with whom you had the opportunity to speak during preparation for the public hearings, who was acting somewhat as a team leader; Deborah Hanly, who was acting as analyst and who is, essentially, responsible for

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preparation of the summaries of these hearings for the Commission; Dan Gaspé, who is responsible for communications; Marie Dansereau and Danielle Labonté, who have looked after all the registration procedures; Luc Lainé, who is with us as the local representative; and, of course, Heather Bastien, who is sharing the work of Commissioner with us for these two days of hearings and with whom we have had an opportunity to discuss what we have heard to be sure that we have properly understood and interpreted the briefs presented to us.

I would simply like to say at this point that after the closing prayer, we will be back at work tomorrow morning at 8:30. Thank you, everyone.

Ms. Sioui.

(Closing prayer)

--- The hearing adjourned at 6:45 p.m.