

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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YELLOWKNIFE, N.W.T.

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"for the record..."

STENOTRAN

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1 Yellowknife, N.W.T.

2 --- Whereupon the hearing commenced on Wednesday,

3 December 9, 1992 at 8:30 a.m.

4 **CO-CHAIR GEORGES ERASMUS:** We are going
5 to start our meetings because our first presenter has to
6 be out the door by nine o'clock.

7 The Commissioner of the Day Bertha Allen
8 will do the opening prayer. So could we all stand up,
9 please.

10

11 **(Opening Prayer)**

12

13 **CO-CHAIR GEORGES ERASMUS:** Thank you.

14 We are opening our second day of hearings
15 here and today we have a new Commissioner of the Day, Bertha
16 Allen, who just opened the meeting for us.

17 We will hear from our first presenter
18 now.

19 **MODERATOR SHELLY ANDERSON:** Our first
20 presenter is Mr. Clem Paul. He is the President of the
21 Yellowknife Métis Council, formerly known as the Métis
22 Local 55.

23 Mr. Paul has been an active member with

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1 the Yellowknife Métis since 1985. He will be discussing
2 common problems of Métis people in the NWT and, in
3 particular, the Yellowknife Métis.

4 **CLEM PAUL, Yellowknife Métis Council,**
5 **President:** Good morning, ladies and gentlemen and on
6 behalf of the Yellowknife Métis Council, I would like to
7 welcome the Royal Commission on Aboriginal Peoples to our
8 city.

9 There was a time in my life where I would
10 say "fine city", but it is not turning out to be such a
11 great city after all. Nonetheless, I welcome you to
12 Yellowknife.

13 I would like to begin by saying that I
14 have a lot of concerns with the way the Northwest
15 Territories is developing and the fact that I have a very
16 short time to speak and explain my thoughts.

17 Secondly, I have a limited education and
18 have had no resources or funding available to me and the
19 membership I represent in order to present you with a
20 written paper on our concerns and recommendations.

21 The people I presently represent is the
22 Yellowknife Métis Council. Although some of my membership
23 consists of many people who are now Status Indians

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1 according to the Indian Act, we chose to stay together
2 despite having an option to become Band members in
3 locations government have place us, mainly for the sake
4 of some of our children and relatives who are not eligible
5 to regain status.

6 We are all Aboriginal peoples in our
7 opinion, all having the same rights, and the government
8 has no right to insist that we be put in different classes
9 of Aboriginal peoples.

10 However, stemming from these simple
11 beliefs, we have been declared dissidents not only by
12 government but to humiliate and belittle matters even more
13 so, by our own people; more specifically, the Métis Nation
14 of the Northwest Territories.

15 In 1991, we chose to leave the Métis
16 Nation simply because of the direction that they had
17 chosen. That being, agreeing with the extinguishment
18 clause in the land claims process and their relentless
19 attack on the Dene leadership who did not agree with the
20 extinguishment of rights.

21 We simply could not stomach belittling
22 the efforts of people we had known to love and have lived
23 with for over 250 years here in the North and continue

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1 to live with today.

2 Immediately following our leaving the
3 Métis Nation, our only source of funding was cut off and
4 we saw another Métis Local formed here in our home town.

5 Despite all of our efforts, today, the GNWT has been unable
6 to fund us in any way, shape or form, although we have
7 presented them with numerous proposals and letters to
8 follow.

9 The GNWT have stated on a number of
10 occasions that it would be much easy to fund us if we would
11 simply return to the Métis Nation and have them represent
12 us. Considering the Métis Nation is more consistent with
13 GNWT way of thinking, it was not a path we could follow.

14 I could not possibly reiterate enough
15 the problems we have had with this offer. We will not
16 be blackmailed or pressured in anyway to return to an
17 association with beliefs that undermine any Aboriginal
18 group in the pursuit of self-government.

19 Therefore, I would like to recommend to
20 you that funding be made available directly to Métis
21 Councils similar to how Dene Bands presently receive
22 funding from Indians Affairs.

23 The entire country would benefit if they

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1 could finally hear one voice from Aboriginal peoples in
2 the North, but never should they expect one voice from
3 the entire country.

4 So far, the government, knowingly or
5 unknowingly, have created a great deal of problems by their
6 fiscal policies and not funding Métis organizations to
7 the extent possible. This I see as a major setback and
8 could be corrected by directly funding Métis Councils and
9 not a territorial organization who does not necessarily
10 speak or act on behalf of the people they claim to.

11 By funding only Dene Bands and not Métis
12 Councils here in the North, the government has obviously
13 caused many problems, separating people, making some think
14 they are better than others, others feeling they have more
15 rights than others, and so on and so on.

16 In spite of all these problems, I see
17 the non-Aboriginal peoples as the greatest losers. For
18 instance, they are totally confused by the entire process.
19 Therefore, they refused to be educated as to what the
20 Aboriginal peoples are fighting for. As a result, they
21 have become totally against land claims and any kind of
22 special rights for Aboriginals here in the North demand
23 or insist on.

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1 As a result, the Aboriginals here in the
2 North are not only faced with our own internal problems,
3 but also the problems of non-Aboriginals wanting and
4 demanding the same rights as us. Subsequently, our
5 government and ministers within the government reflect
6 these demands.

7 Therefore, my second recommendation
8 would be that a pilot project to educate the people of
9 the North, through all means including but not limited
10 to, the education curriculum, mandatory special education
11 seminars for government employees and an education system
12 for the general public be developed and immediately run
13 and operated by Aboriginal peoples.

14 To better educate people on the reasons
15 why we are entitled to land claims, why we are eligible
16 for special economic development programs, and why we need
17 special funding for unique education needs. More
18 specifically, what an Aboriginal person is and why we have
19 the rights that others do not.

20 How long do we have to sit back and listen
21 to our people in government condemning us for our beliefs.
22 For Instance, I am not the only one who is absolutely
23 sick of hearing these "would-be" political leaders

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1 belittling our opinions on matters affecting us,
2 insinuating we are radical and say "no" to any kind of
3 development. Take the recent Referendum vote, for
4 example. It was totally appalling to hear our Native
5 leaders, both MLAs and our MP, condemning the people who
6 wished to vote "no". Sure, it may appear that some of
7 us say "no" more often than we say "yes".

8 To me, it is nothing more than a
9 political tactic by government to have all the questions
10 worded in such a manner to make sure that we always say
11 "no" to everything, thus giving the impression to the
12 general public that what we want is total sovereignty here
13 when, in fact, that is not our wish.

14 So would it not be possible to simply
15 reword the questions so that for the next 20 years so we
16 can say "yes" for a change? In other words, make some
17 decent offers that we can accept and live with for it is
18 our life that we are struggling to enhance and better.

19 I cannot stress enough the seriousness
20 of these problems and recommendations, for we, the
21 Yellowknife Métis Council, are living examples of what
22 we believe to be the biggest problem facing Aboriginal
23 peoples today.

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1 I want to offer the services of the
2 Yellowknife Métis Council in achieving implementation of
3 these recommendations.

4 That is what I have as a written
5 presentation, but I am prepared to answer any questions
6 that you do have. I knew I was limited to only ten minutes
7 of speaking and ten minutes of questions and answers.
8 So I prepared a ten-minute presentation.

9 **CO-CHAIR GEORGES ERASMUS:** Thank you.
10 That was a very interesting presentation you have here.

11 Bertha Wilson, would you like to start
12 the questions?

13 **COMMISSIONER BERTHA WILSON:** Yes, I
14 just have one question and it has to do with one of the
15 last comments that you made about suspecting that it was
16 a government tactic to phrase questions in such a way that
17 the Native people would always seem to be saying "no".

18 I am puzzled by that if you are thinking
19 of the Referendum because it seemed to me that the
20 provisions in the Charlottetown Accord that seemed to be
21 good for Native people led me to think, as a non-Native
22 person, that the Native people would vote "yes",
23 particularly getting the inherent right to self-government

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1 entrenched in the Constitution which sort of eliminated
2 the need for a great lot of negotiations that now have
3 to take place.

4 So do you think that the Charlottetown
5 Accord is an example of something that was worded so that
6 the Native people had to say "no" to it?

7 **CLEM PAUL:** No, I don't believe that.

8 I don't believe the Charlottetown Accord was worded so
9 that the Natives, if we said "no", would be belittled.

10 My point was that we are all individuals.

11 We are individual Natives. We are individual non-Natives
12 and we are individuals in this country. But when our
13 Native politicians -- what bothered me about that is that
14 when our Native politicians are pressured by the people
15 around them to belittle the Natives who say "no", that
16 was offensive to me.

17 I voted "no" in the Referendum simply
18 because I don't trust this government enough to give me
19 self-government because that is the way the Charlottetown
20 Accord would have worked here in the North, because we
21 don't have a government. Our government is going to split
22 up in the next few years, but what is it going to look
23 like in the place where I live as compared to the eastern

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1 Arctic.

2 So, in other words, the Government of
3 the Northwest Territories would have developed a strategy
4 to give us self-government, not for Natives to demand
5 self-government. That was the fundamental difference and
6 there is not a single politician in there today who I can
7 wholeheartedly trust to deliver that because I know for
8 every one of them that there are, there are 100 people
9 in that government against him.

10 That is why I demand that
11 non-Aboriginals and government people be educated so that
12 they understand Aboriginal people's wants and needs and
13 they won't be condemning them for simply saying "no" to
14 a question here and there. Most of the questions are about
15 our life. They are not a question of: Do we like water?
16 Or, are you hungry? It is not that. It is our life.
17 It is our way of life that we are trying to protect and,
18 at the same time, for them to offer us self-government,
19 it is just totally contradictory. It is completely
20 contradictory.

21 **COMMISSIONER BERTHA WILSON:** But the
22 whole idea, as I understand it, is that nobody is giving
23 you anything. You have it. It is right there and it has

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1 always been there, the right to self-government, and that
2 was what the Constitution was supposed to provide.

3 Then it is up to the Native people to
4 come forward and tell us what form that will take and how
5 it will work. In fact, that is why the Commission is here.

6 That is why we are going across the country saying, "Tell
7 us how you see self-government, how it would work."

8 I have difficulty with what you are
9 saying because I think it was acknowledged in the
10 Constitution and it has been acknowledged by, I think,
11 almost all the political leaders, federal and provincial,
12 immediately after the Accord was rejected, that this
13 doesn't mean that we don't favour Native self-government.

14 We do. We think that they have the inherent right to
15 self-government.

16 Now what we want is to know how they see
17 it working, what it will look like in their community and
18 that is exactly why we are here to hear what people have
19 to say about the way they see self-government working in
20 their communities.

21 **CLEM PAUL:** Yes, but a fundamental
22 element of self-government is land.

23 **COMMISSIONER BERTHA WILSON:** Oh, I

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1 agree. I completely agree.

2 CLEM PAUL: You can't have
3 self-government living in the city of Yellowknife. You
4 have to have land and in order for us to get land or support
5 even to start negotiating land, our government and the
6 federal government have to ask us to sign and extinguish
7 our rights to that land before we start negotiating. I
8 do not believe that that is right. I don't believe that
9 for a minute.

10 Some other groups in the Northwest
11 Territories are pressured into accepting extinguishment
12 and they are heavily favoured by governments, both
13 territorial and federal. People like us who support the
14 Dene people and support their beliefs, we are beginning
15 to absolutely believe it ourselves, that that is our
16 rights. We cannot throw them away.

17 Then, what are we? We are pushed aside
18 by both sides of government and ignored. Other groups
19 are funded. Like myself, my association hasn't been
20 funded for over two years; not one cent from any kind of
21 government. I have applied on numerous occasions, at
22 least 10. Not one cent has come to me.

23 They said, "When you want to start

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1 talking land claims, come and talk to us. But, remember,
2 when we start talking about land claims, the fundamental
3 principle is that you accept the extinguishment clause
4 and then we begin." I can't accept that. I can't see
5 for the life of me why we have to extinguish our rights
6 before we begin. So then when we begin to negotiate, we
7 are negotiating as ordinary citizens. No, we are
8 negotiating my rights, specific rights. It is a process
9 of identification of rights, assertion of rights, not
10 extinguishment of rights.

11 **COMMISSIONER BERTHA WILSON:** Yes, I
12 agree with you. We were talking about that yesterday.
13 It arises from the fact that there is no equality of
14 bargaining power because one side is holding all the cards.

15 **CLEM PAUL:** That's right. You have
16 given it all up.

17 **COMMISSIONER BERTHA WILSON:** I agree
18 with that. Thank you very much.

19 **CO-CHAIR GEORGES ERASMUS:** You have
20 applied for money ten times, you say, at least. What kind
21 of departments did you apply to? Both federal and
22 territorial?

23 **CLEM PAUL:** Just territorial. The

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1 federal government doesn't fund Métis organizations here
2 in the territories.

3 The Secretary of State does fund
4 territorial organizations, but they do not fund community
5 or local organizations. Their funding, hopefully, would
6 be distributed amongst the people who they are supposed
7 to be representing. However, in the case of us, where
8 we left the Métis Nation because of our beliefs and the
9 direction that they were taking, our funding was cut off
10 from that and from the territorial government also.

11 So most of our applications were going
12 directly to the territorial government and they were just
13 flatly refused.

14 **CO-CHAIR GEORGES ERASMUS:** You said
15 somebody was telling you that we can come back to the
16 negotiating table if you accept extinguishment. Was that
17 the federal government or the territorial government who
18 was telling you this?

19 **CLEM PAUL:** Both levels of government.
20 The territorial government is a firm believer in
21 extinguishment.

22 What they say to us is that they don't
23 want to get into the same position as they did the last

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1 time where they go through the whole negotiating process
2 and, in the end, say "no" because of extinguishment. They
3 want that question solved before negotiations begin and
4 if we can't agree with that, then we don't receive funding
5 or participation in any kind of negotiations.

6 **CO-CHAIR GEORGES ERASMUS:** Have you
7 tried talking to them about changing the policy? Do they
8 respond with any kind of opinions since the Liberal party
9 just recently announced that if it became the next
10 government, it would be replacing this extinguishment
11 policy with a different one and the New Democrats have
12 taken that position quite some time ago? So the two major
13 opposition parties in the House of Commons are both on
14 record as saying that they will remove the extinguishment
15 clause.

16 Has either the territorial government
17 or the federal government said that they will consider
18 change?

19 **CLEM PAUL:** Their change, I suppose, is
20 going to reflect the government of the day and if the
21 government of the day abolishes extinguishment of rights,
22 I suppose they will reflect that.

23 There are all kinds of promises before

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1 election time and actually I have never written either
2 one of the leaders. I do most of my national work through
3 the Dene Nation. I just talk with Bill Erasmus, the
4 President, and have short meetings here and there and agree
5 that this should be done. He sends it out and more or
6 less speaks on my behalf nationally because I am a voice
7 in the wilderness in my own home town. I mean, how much
8 of a voice in the wilderness am I going to be from here
9 to Ottawa.

10 **CO-CHAIR GEORGES ERASMUS:** When the
11 Métis Local decided to take an independent position from
12 the Métis Association and it became the Métis Nation.
13 How many people went with you?

14 **CLEM PAUL:** Approximately 600. At the
15 time we broke away, there was probably close to 2,000 of
16 us because along with our beliefs, we had believers in
17 Fort Resolution, in Hay River. Those Métis Locals broke
18 away, too.

19 We were talking with Simpson, but we
20 weren't demanding or trying to strengthen our beliefs or
21 our followers. Somehow they could only starve so long
22 and within about six or eight months, they both went back.
23 For us, we couldn't go back. In the smaller communities,

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1 a Métis Local is always a place to go and try to exchange
2 services here and there.

3 Without their office running and stuff
4 like that, they couldn't operate. So they were forced
5 or starved into going back, I guess.

6 **CO-CHAIR GEORGES ERASMUS:** There may
7 have been some other items, but the very major issue is
8 based on extinguishment. The people who were supporting
9 this breakaway was primarily because they wanted the
10 federal government to change its policy on extinguishment
11 or they didn't want the Métis Association to go along with
12 the present policy. That is the key point, right?

13 **CLEM PAUL:** That was the key point, but
14 the other point of the matter, which I raised in my
15 presentation, was the constant belittling of the Dene
16 leadership. We couldn't stomach it. There was a Métis
17 group that was in power today and they are still there
18 who feel that there is something better than Dene people
19 or there is something special.

20 We are saying that we are not something
21 special. We are the same. There is nothing unique about
22 our language or our culture, any more unique than the Dene.
23 So shouldn't we be treated as equals, not something above

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1 or below. That is what we were fighting for in the North
2 for 20 years and that was something that we couldn't handle.

3

4 They could walk into their home town and
5 belittle and push around the Dene people, but I can't.
6 I have lived here all my life. My family has been here
7 for I don't know how long. In this town, they have been
8 here since the late thirties, since before there was a
9 town. I couldn't belittle them and, at the same time,
10 shake their hand at the next meeting and say, "Good morning.
11 Good morning, Jonas, how are you?" and then leave the
12 meeting and stab in the back again.

13 That was too much for some of us to
14 stomach because I don't believe for a minute that we are
15 anything better or any more unique than any other
16 Aboriginal group in this country, and it is time that some
17 of them woke up and started realizing that.

18 **CO-CHAIR GEORGES ERASMUS:** Thank you.

19 I will ask the Commissioner of the Day
20 to see if she has any questions.

21 Bertha, please.

22 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

23 Yes.

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1 In your second recommendation, am I
2 reading you correct that you are preferring to
3 cross-cultural orientation?

4 **CLEM PAUL:** That is what I was referring
5 to. It must be done in a magnitude at least 100 times
6 of what it is done today because, obviously, this
7 cross-cultural stuff just goes in in one ear and out the
8 other.

9 I will use an example of some of the
10 presenters from yesterday from Arctic College, the
11 students. The Government of the Northwest Territories
12 offers a management course there in Arctic College. The
13 Native Studies course is a management course but centres
14 around Aboriginal education, you might say, where you learn
15 a little bit about anthropology and how the Native people
16 and the different cultures and languages and stuff.

17 The management course was never in
18 doubt, but the Native Studies course is always in doubt.
19 That is the one I believe should be mandatory so these
20 people who are going into the workforce of the Northwest
21 Territories should have to learn a little bit about the
22 cultures. Whether they are going to work for a Native
23 organization or government or the private sector, they

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1 must know a little bit about the cultures and history of
2 the people who they are working amongst. That is a pretty
3 good example there.

4 That is what I am saying. We have to
5 fight for every little thing and it is really not right.

6 There has to come a time when a great exercise of education
7 should take place in the North. Maybe it should take place
8 in the entire country, but I can only talk about the North
9 because that is where I see a big, big problem. A lot
10 of people, they don't even know what we are fighting over
11 any more. They don't know why we have special rights.
12 It is time to educate them so that we are not fighting
13 against them.

14 We come to the land claims table. There
15 is our rights and there is their rights piled right up
16 to the ceiling, and there are our rights here belittled.
17 That is not right.

18 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

19 In order to get this cross-cultural organized and
20 formulated, there needs to be some preliminary work done.

21 Where do you see yourself fitting in coming into a group?

22 **CLEM PAUL:** I am a firm believer that
23 government should have absolutely nothing to do with it,

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1 absolutely nothing, because they are the most ignorant
2 of them all. So why bring in the ignorant to lead? That
3 is worse than the worst case scenario of the blind leading
4 the blind.

5 My point is that there are many
6 organizations and it should be done through different
7 organizations, not territorial organizations. It should
8 be done by a collective group of community representatives
9 throughout the North. Since we are dealing with so many
10 different cultures, one person or one organization or three
11 organizations could not possibly speak on behalf of every
12 one they claim to represent. That is my problem.

13 So I think a collection of community
14 representatives could begin to begin the details of exactly
15 what you are saying because it is a big job. In order
16 for it to be successful, that part is the most important.

17 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

18 Yes. I think we all realize that there is a lot of
19 differences and I certainly have learned just over the
20 last few days -- the deaths that have happened. That was
21 the first time I have experienced going to funerals.
22 Certainly, it is much different than where I come from.

23 So we have to respect that there is

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1 regional differences in culture. I know that the Native
2 Women's Association -- although we are a territorial group,
3 we have been approached many times since my arrival here
4 in September. Organizations or government departments
5 are asking for cross-cultural orientation for their
6 employees, but really who have they got? There is really
7 no group organized to present these cross-cultural
8 workshops.

9 As a result of that, they consult to
10 southern institutions or southern anthropologists to teach
11 government about Aboriginal people. I have stated
12 publicly that that has to stop.

13 I just wanted to maybe know if you are
14 willing to help us. We have all the materials. We sent
15 a few people down to Manitoba one time to take a
16 cross-cultural teaching course and, as a result of that,
17 we were able to -- that was when I was involved. I really
18 don't know how successful it was, but I would like to pick
19 up on that again and train some of our community people
20 to deliver these courses locally. But that is going to
21 take a lot of work.

22 **CLEM PAUL:** It definitely will because
23 the problem is just overwhelming. That is what is

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1 destroying Native people in this country. I believe it
2 is destroying them in the North. I know for sure. I have
3 lived here. I see it in every walk of life: in the
4 construction field. I was a welder for 18 years.

5 I have worked all over the North. I have
6 worked right through the west and all the way to Pond Inlet
7 in the east and almost every community in between, and
8 I see it. I notice it. I notice a difference between
9 the people that I am working with at the time, the political
10 leaders that I am working with at the time, and so on and
11 so on. I see it and I notice it now.

12 Since my accident, I am going back to
13 school. Workers Compensation Board is retraining me to
14 be something else than a welder and I notice it right there
15 in Arctic College. People cannot believe and, all of a
16 sudden, you sit down with them for five minutes and kind
17 of ball them out, put them in their place.

18 Rather than learn, they dislike you
19 after that. Rather than absorb what you said, because
20 what I am saying is coming right from my heart because
21 that is exactly what I believe in, they dislike you. They
22 ignore you for a few days or a week or so and that is not
23 right. They should listen to those words of wisdom and

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1 grow a little bit, except that is the way they are. Build
2 a wall. "Shut up. I don't want to listen. Leave. I
3 don't want to listen to you. You are not making sense
4 and if you think you have any more rights, you are dead
5 wrong."

6 It is such a great big problem in the
7 North here. It is probably what destroyed a lot of the
8 Aboriginal movement across this country, and I think the
9 North is small enough. Sure, it is a vase country, but
10 in population it is small enough that we could begin a
11 pilot project like this and implement it and sit down with
12 a collective of individuals and decide, "Well, where are
13 we going to start and how big is this thing going to be?"

14 First of all, you have to look at the
15 problem, I think, and you will see that it will have to
16 be a huge exercise.

17 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

18 Again, how do you see yourself being involved formally
19 in getting this thing off the ground? We have a lot of
20 information around and we need a lot more information in
21 order to have a good package. There is a lot of work
22 involved.

23 **CLEM PAUL:** I am willing to participate

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1 in any way that the group decides that I should participate.

2 As far as being a community representative, if you came
3 to the community, I might possibly be selected as one of
4 the community representatives. But if it went to the Métis
5 Nation to pick a person, I certainly would not be the one
6 picked. I know that.

7 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

8 Thank you.

9 **CO-CHAIR GEORGES ERASMUS:** Just one
10 other item I wanted to ask about. There was a notice in
11 the paper here Monday night that the Métis Nation was
12 holding a meeting on beneficiaries here in Yellowknife
13 because there was some money left from a couple of million
14 dollars that was passed out some time ago in relation to
15 the land claims.

16 Do your people have anything to do with
17 that?

18 **CLEM PAUL:** Yes, we did. Actually, it
19 was a gift, you might say, a bonus from the signing of
20 the agreement in principle and that money was supposed
21 to come to our group, but our dearly beloved people over
22 there at the Métis Nation put a stop to that because they
23 want their cut. But it is only money. It only hurts for

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1 a little while.

2 **CO-CHAIR GEORGES ERASMUS:** All right.

3 I guess we are starting to hold you up
4 from class there. Thank you for coming in so early and
5 starting off our day.

6 **CLEM PAUL:** Thank you very much for the
7 time.

8 **MODERATOR SHELLY ANDERSON:** Our next
9 presenter is Mr. Bob Bromley. He is making an individual
10 presentation and will be speaking to the Commission this
11 morning on the dialogue and relationship that can occur
12 between Aboriginal and non-Aboriginal people.

13 **BOB BROMLEY:** Good morning.

14 **CO-CHAIR GEORGES ERASMUS:** Good
15 morning.

16 **COMMISSIONER BERTHA WILSON:** Good
17 morning.

18 **BOB BROMLEY:** Thank you for the
19 opportunity to present to the Commission my views on the
20 basic relationship between Aboriginal and non-Aboriginal
21 people in Canada.

22 This is probably the first time I have
23 really tried to define what my views are and I anticipate

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1 that they will change. I enjoyed just the little bit I
2 heard from Clem there and the Commission and I wish I had
3 more opportunity to sit in. I look forward to more
4 materials summarizing your findings as they come out.

5 Before beginning, I would like to
6 remember and honour three people who passed from our midst
7 last week. Joe Toby, Moise Sangris and Jimmy Arden of
8 Dettah and Yellowknife were all respected Elders and their
9 contributions by example in the area of today's topic of
10 discussion will be felt for some time to come.

11 The perspectives presented here result
12 from my own experience. Four generations of my family
13 have lived in Yellowknife and all of my extended family
14 still does. Members of the first two generations have
15 died in the NWT. I know no other home and my feelings
16 about this land and its people are strong. On that basis,
17 I see no difference between myself and many Native people.

18

19 My family and myself have been strongly
20 influenced by the people of the North. My father was
21 fluent in the language of the Cree. I feel fortunate to
22 have a career which frequently involves living and working
23 with Native people on the land throughout the North.

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1 Because of the scope of the Commission's
2 assignment, I can only mention many important and complex
3 issues without giving them the attention they deserve.
4 My intent is to briefly offer the views of a local yokel,
5 in case one or two thoughts might stimulate additional
6 worthy discussion in your ongoing dialogue. I expect my
7 views will change and mature in response to the dialogue
8 sparked by the Commission.

9 I need to define a common understanding
10 of culture versus heritage. Through cross-cultural
11 courses and experience, I have learned some definitions
12 and relationships which have helped me resolve in my mind
13 some of the misunderstanding that can develop between
14 people of different cultures.

15 First, on heritage, is the cultural
16 history of an individual -- i.e. everything about how this
17 person's ancestors (in some cases even contemporary
18 relatives) lived in the past --while a person's culture
19 is everything about how this person now lives.

20 Looking specifically at Native people
21 throughout Canada, there is a continuum in the cultures
22 lived, from a life on the land with relatively few modern
23 conveniences (a very traditional lifestyle) to a life

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1 little different from mine, or a city dweller's in southern
2 Canada (i.e. a modern lifestyle). Thus, while all
3 Aboriginal people have a very different heritage from me,
4 culturally many are little different than myself today.

5
6 Another important perspective is that
7 traditional lifestyles reflect those lived perhaps only
8 a generation or two ago; whereas 50 years ago that lifestyle
9 would have been considered quite modern and removed from
10 the cultural norm of that day. In other words, we are
11 dealing and have always dealt with a moving and evolving
12 definition of what a people's culture and tradition is.

13 In the Fundamental Questions part of the
14 pamphlet entitled "Framing the Issues", which was the basis
15 of my response today, the Commission noted that Aboriginal
16 people want to be more autonomous and self-sufficient,
17 and next that they want more and better programs from
18 governments. These are very human goals, but somehow to
19 me the two statements do not sound consistent. To be
20 autonomous and self-sufficient means that you should be
21 capable of looking after yourself, not dependent on
22 governments.

23 In my work with Native people on the

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1 land, I typically remember individuals, Aboriginals, who
2 live more towards the traditional end of today's cultural
3 gradient. There, amongst individuals who are not seeking
4 it so hard, I find true self-sufficiency. I want to give
5 these people my respect and I want to earn theirs.
6 Typically, I am left with the feeling that this rapport
7 is achieved. Many of my thoughts originate from this type
8 of experience.

9 There have been big changes since the
10 government arrived in the Northwest Territories in 1967,
11 and I think Clem touched on some of those. After 25 years,
12 I am left with the impression that we have inadvertently
13 destroyed a sense of pride and self-sufficiency in many
14 Native people by insisting that we help them.

15 This help can be insidious, though well
16 intended. Examples of such help might be as simple as
17 influencing a change in diet, or supporting free, salaried
18 education without requiring some minimum expression of
19 ongoing commitment, and so on.

20 I have observed changes in a few
21 individuals over the years who, having been exposed to
22 the philosophy that the world (non-Native) owes them a
23 living, have lost some of their self-sufficiency and

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1 openness to cross-cultural respect and rapport.

2 The philosophy is often presented by
3 younger, more educated Native people or by guilt-ridden,
4 southern, non-Native people so influential in the
5 well-intentioned government programs of the last two or
6 three decades. Adoption of this philosophy leads to
7 dependency, lack of self-esteem and a "give me" attitude
8 by some people, that both strengthens their lack of
9 self-esteem and frustrates the public who see themselves
10 as having to pay the costs. It often leads to resentment
11 among non-Natives and widens rather than narrows the
12 cross-cultural gap.

13 All of us must recognize that to lay
14 blame does little good for anyone. As tough as this may
15 be, if we can avoid blaming, if we can ensure that all
16 people are afforded respect and involvement in decision
17 making, and if we support each other in taking
18 responsibility for our own well being, relationships will
19 build and become mutually enhanced between people of
20 different cultures, as opposed to being destructive.

21 Rather than the Canadian government
22 giving blind "free ride" support, it would be much better
23 to develop appropriate opportunities for personal or

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1 community development that demands responsibilities from
2 each party in an iterate, step-wise process contingent
3 upon continued mutual agreement that the objective is being
4 achieved. Opportunities that, when pursued, will yield
5 feelings of accomplishment and self-esteem for individuals
6 and supporting institutions alike.

7 One of the frustrations in developing
8 Aboriginal/non-Aboriginal relationships is that, since
9 our cultural values seem to be changing and evolving so
10 fast, it is difficult for anyone to maintain a consistent
11 message or statement about who they are and what they
12 believe. I think that is particularly true when we have
13 changes in government every few years.

14 Cultural evolution cannot be put on
15 hold. In fact, with today's level of communication and
16 information distribution, cultural evolution must be
17 proceeding at a horrific pace. Thus, for example, I
18 suspect that what Aboriginal people wanted in land claim
19 settlements 15 years ago is quite different than what they
20 might demand today. Similarly, what the non-Native public
21 feels was unreasonable 15 years ago might be casually
22 acceptable today, while new demands are not.

23 Over time, many Aboriginal people,

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1 although having a much different heritage than
2 non-Aboriginals, are adopting a culture that is hardly
3 different from that of many non-Aboriginal people. This
4 can be a threatening experience to a cultural group
5 fighting for autonomy. At the very least, Aboriginal
6 groups are left with a membership reflecting a complex
7 array of hybrid cultures, from a highly traditional to
8 a completely assimilated or Euro-Canadian lifestyle.

9 I believe maintaining cultural
10 diversity is a worthwhile goal of Canadian society, even
11 a necessity. Diversity is, in fact, a biological
12 principle that has been demonstrated to be true across
13 many disciplines. Diversity yields an infinite number
14 of responses to whatever conditions or situations we, as
15 Canadians or world citizens, might encounter.

16 Therefore, Aboriginal groups must be
17 encouraged to preserve their heritage and develop their
18 culture in natural and new ways. They will undoubtedly
19 come up with "ways of being" that are much different than
20 non-Aboriginal groups. Recognition and support of this
21 is wise, but it must be remembered that government cannot
22 legislate the saving of a heritage or practice of a culture.
23 This must come from within the group.

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1 Perhaps what is really needed is a whole
2 new basis for interaction between cultures that is
3 respectful and non-threatening for all -- and I think that
4 is what I was hearing just a few minutes ago -- one that
5 is developed by representatives from all cultural groups
6 in Canada, a basis that simply defines the proper rules
7 of conduct, if you will, for inter-cultural discussions
8 and activity; possibly an institution that, besides being
9 responsible for the above, would pursue cross-cultural
10 education and exploration throughout Canada.

11 The ancestral Aboriginal heritage and
12 cultures of North America have much to offer both
13 Aboriginals and non-Aboriginals of today. Similarly, the
14 cultures of non-Aboriginal people have much to offer people
15 of all backgrounds. Given the deteriorated state of the
16 world's environment today, contributions from all cultural
17 views, and particularly from people of all cultures
18 interacting together, are essential.

19 In a modern context, between us we must
20 derive a new, totally conscious pan-cultural code of being
21 that engenders respect for the natural world and the
22 capability of the earth to support life.

23 As put by Barry Lopez:

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1 "The insights of aboriginal peoples are of
2 inestimable value here in
3 rethinking our relationships with
4 the natural world (i.e., in
5 figuring out how to get ourselves
6 back into it); but the solution to
7 our plight, I think, is likely to
8 be something no other culture has
9 ever thought of, something over
10 which !Kung, Inuit, Navajo,
11 Walbiri, and the other traditions
12 we have turned to for wisdom in the
13 twentieth century will marvel at
14 as well.

15 The question before us is how do we find a viable
16 natural philosophy, one that
17 places us again within the elements
18 of our natural history."

19 I think the diversity of Aboriginal
20 heritage and cultures of Canada can be pivotal to helping
21 Canadians become world leaders in this essential area of
22 human development and treatment of the earth. To that
23 end, we must support Aboriginal peoples' desires to be

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1 autonomous and self-sufficient. Success in achieving
2 their goals will largely be a result of their commitment
3 to them.

4 To become self-sufficient, to retain and
5 build their capability to contribute to the cultural growth
6 of Canadian society, Aboriginal people must have land.
7 The land must be sufficient to support a base of natural
8 landscape (within which some people can pursue a
9 traditional lifestyle which helps to hold and offer the
10 values of Aboriginal heritage and relationships with the
11 earth), and it must be sufficient to provide for people
12 developing and living within a new cultural context which
13 consciously respects the capabilities of our natural
14 environment and empowers individuals through recognition
15 of values reflecting this context.

16 Assistance to overcome the social
17 problems associated with rapid cultural evolution is
18 essential. To the extent that this can be self-provided
19 from the cultural milieu of Native people (with
20 non-Aboriginal assistance in providing opportunity for
21 this), it will be successful. With self-sufficiency and
22 consequent self-esteem will come the confidence to respect
23 other cultures, leading to mutual respect and growth.

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1 To provide one practical example at a
2 grassroots level of how self-esteem can be important, I
3 refer to a question on page 6 of the pamphlet "Framing
4 the Issues" which asks if Canadians are willing to support
5 traditional economic pursuits, such as trapping and
6 hunting. There has been a tendency for Native people to
7 claim and governments to grant exclusive rights to trapping
8 and hunting (which are not exclusively Aboriginal
9 activities) on both Native land and public land in land
10 claim settlements in the North.

11 To the extent that the right to such
12 activity on public land is limited to Native people only,
13 I suspect that there would be less support from
14 non-Aboriginals than if there were rights of harvest
15 available for all people who want to maintain a connection
16 to the land.

17 With a greater sense of self-sufficiency
18 by Native people, and mutual respect between cultures or
19 between individuals or different heritage, I believe this
20 sort of situation would be much less likely to develop.

21 Finally, I think governments and
22 Aboriginal peoples must make all effort to settle land
23 claims in a final way, leading to final resolution of

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1 Aboriginal rights for, in the end, we are all just people,
2 regardless of the stereotypes and expectations we lay on
3 each other.

4 With mutual realization of equality and
5 with development of inter-cultural respect and
6 cross-cultural understanding, the relationships between
7 Aboriginal and non-Aboriginals will be vastly improved.

8 Thank you.

9 **CO-CHAIR GEORGES ERASMUS:** Thank you.

10 That was a different presentation than we have heard so
11 far in Yellowknife.

12 Do you mind if we ask you some questions
13 on it?

14 **BOB BROMLEY:** Not at all.

15 **CO-CHAIR GEORGES ERASMUS:** Thank you.

16 Bertha Wilson, would you like to start?

17 **COMMISSIONER BERTHA WILSON:** Thank you.

18 I want to thank you for a very
19 thought-provoking brief. You are addressing something
20 here that I have heard raised in a number of communities
21 that I have been visiting, particularly in the sessions
22 we held in Toronto.

23 I think it arises more in urban centres

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1 where Native people have migrated into urban centres, and
2 it is really the issue of whether Native people today should
3 view their history and tradition as a heritage rather than
4 as a present day culture.

5 A number of people have addressed this
6 issue and have said that it really contributes to the
7 confusion that Native young people have, particularly in
8 the urban centres. The question really was highlighted
9 for me by one of the professors in the law faculty at Trent
10 who said the question really boils down to how to be a
11 Native person in 1992. He talked about the influences
12 on young Native people in the urban communities and the
13 peer pressure, for example, in the high schools and, of
14 course, their exposure to TV, radio and the European
15 culture which is so very strong.

16 We heard it again in northern Ontario
17 where there was a lot of discussion about the high suicide
18 rate and so on in young people.

19 I have a feeling that this is really a
20 very important issue as to how the Native culture can adapt
21 to present day conditions, particularly for young people
22 living in cities. I wondered what can be done. What steps
23 do you see that could be taken to assist particularly young

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1 people to handle these sort of conflicting pressures, the
2 pressure of their own cultural traditions and the pressure
3 of European society on them? How would you go about trying
4 to help young people to resolve, I think, the confusion
5 that they probably feel when faced with that kind of tension
6 between the two cultures?

7 **BOB BROMLEY:** Again, I would be winging
8 it. I haven't really a good background for those sorts
9 of things.

10 Young people always need role models or
11 they always have role models and perhaps one way might
12 be coming up with role models or giving better coverage
13 to role models of Native people not in that stereotypical
14 Native role, not just as trappers, but as lawyers and
15 doctors; basically a cross-section of careers and
16 possibilities.

17 To me, it is easily understood why Native
18 people, especially in the small communities, are in such
19 upheaval right now. With the advent of television, with
20 more stations than we had in Yellowknife for a long time,
21 there had to be a tremendous change in what people were
22 exposed to. At the same time, there have not been the
23 facilities or the programs to help in adjustment of that.

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1 So young people are left without things to do and we get
2 some of the horrible things that are happening today.

3 I guess, off the top of my head, a
4 promotion of good role models would be the only thing I
5 could come up with specifically at this moment, but I would
6 be happy to give that more thought and give you something
7 in writing later.

8 **COMMISSIONER BERTHA WILSON:** I think
9 you are right about that and when we were realizing the
10 lack of knowledge out in the community, particularly in
11 the non-Native community, we concluded in the Commission
12 that it would be very helpful if we could produce some
13 kind of a booklet with the main figures, historical figures
14 of the Native people who had played major roles and put
15 it into a form that could be used in schools, for example,
16 particularly for non-Aboriginal children, but also for
17 Aboriginal children

18 There is a scarcity, I think, of role
19 models for the present day, but they must exist and if
20 we could do the same sort of thing, produce the same sort
21 of publication with role models of Native people who have
22 made that adjustment and who have, as it were, modernized
23 their culture and adapted it to present day conditions,

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1 it might be helpful if we could produce something like
2 that because I think there is a scarcity of role models,
3 particularly for Native girls. The ones that do exist
4 are all of women living in an earlier era. So I think
5 that it might be a worthwhile project if we could find
6 present day role models and produce a similar publication
7 in that way and get it into the schools would be helpful.

8 I am like you. The role model approach
9 -- at the present time, that is the only thing that occurs
10 to me that would be helpful, but there must be other ways
11 of doing it. If you get any bright ideas, we would
12 certainly be glad to have them.

13 **BOB BROMLEY:** I guess what you touched
14 on there, to some extent, it is the non-Aboriginal society
15 who has stereotyped Native people and it gets to be a bit
16 of a vicious circle because they then influence how young
17 people think of themselves, as it should be like sort of
18 thing. So there are probably ways to get into it there,
19 too, I think.

20 **COMMISSIONER BERTHA WILSON:** Thank you.

21 **CO-CHAIR GEORGES ERASMUS:** I found your
22 document very interesting.

23 You mentioned here about how some people

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1 might tend to misuse things like funding for schooling,
2 or whatever, without any kind of responsibility on their
3 part.

4 I think you are pointing your finger at
5 something there that is probably very important to
6 Aboriginal people because, traditionally, in a cultural,
7 that was one of the first things that was taught to people:
8 to be mature and responsible from very, very early and
9 provide back to the community and to the family. That
10 is something that is still present, but has also been lost
11 amongst some people. It is a very good point.

12 The points you make about land claims
13 and hunting rights are very interesting.

14 I was wondering what you thought about
15 the present situation. Prior to the claims, the way that
16 the general hunting licence approach was adopted and anyone
17 who didn't have a hunting licence would be able to purchase
18 a licence on a regular basis so long as they are a resident
19 of the North for so long, what do you think of that system?

20 **BOB BROMLEY:** I think that was a good
21 system for the time. I think there needs to be some
22 distinguishing between people who have a more subsistence
23 or traditional lifestyle than those who, like myself, have

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1 a full-time job in town and hunt. I hunt to eat wild meat,
2 but it is not a critical thing for me as it is to people
3 on the land.

4 I think that system is changing as claims
5 are settled and there are new rules being put out there
6 for licensing and what not in terms of beneficiaries and
7 non-beneficiaries and between claims agreements.

8 Is that what you were getting at?

9 **CO-CHAIR GEORGES ERASMUS:** Yes.

10 **BOB BROMLEY:** The point I was making
11 there is just addressing the exclusivity which, any time
12 it comes up, it presses all kinds of people's buttons.
13 Of course, that is why we are always negotiating with
14 somebody about something.

15 If we can avoid those sorts of situations
16 and leave the potential for all people to participate,
17 albeit there will be preferential access to resources to
18 different parties and different places, that sort of
19 approach to me is much more productive and accessible or
20 acceptable to all land, except on, of course,
21 privately-owned land.

22 **CO-CHAIR GEORGES ERASMUS:** You talked
23 about culture and heritage and you made the point that

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1 that is out of those people who you saw spending a large
2 degree of time on the land which you from to time spend
3 time with. You have the other end of the spectrum where
4 people are more or less simulated and, for all intents
5 and purposes, a very small difference between Aboriginal
6 and non-Aboriginal.

7 Do you think that culture is just on the
8 surface, that what people wear day to day actually depicts,
9 necessarily, what they are really thinking, or that culture
10 up here might in fact include more attitude to life and
11 the way the people actually approach each other?

12 Certainly, when we have been examining
13 what happens in the courts, it seems like even Aboriginal
14 people living in an urban area and have been living there
15 for quite some time and, for all intents and purposes,
16 look exactly the same as everyone else, depending on what
17 class they are buying their clothes to fit into, they look
18 like they are neighbours.

19 However, when they come in front of the
20 courts, you actually start to realize that in reality their
21 culture is pretty well still -- the values they have, while
22 maybe similar in some cases, seem to be quite different
23 in others.

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1 **BOB BROMLEY:** Yes. I would agree with
2 that, with what the courts are saying. Human beings are
3 so complex that it is easy to put out generalities and
4 I suspect that there is probably the whole range of people.

5 I work with Aboriginal people, some, who are very much
6 like myself, interests that are very similar, but I still
7 think there is a basic difference in maybe the motivations
8 of why they think like me or something subtle like that.

9 So those do exist, but that question
10 almost says, "Is there something genetic that makes us
11 different?" Again, that is degree. In other words, it
12 may be like that today, but two generations from now, will
13 it still be like that? It might be. There is nothing
14 impossible with the human animal. It is really a complex
15 situation.

16 I think those are things that we need
17 to be sensitive to, but they are tough to deal with in
18 terms of Aboriginal and non-Aboriginal relationships.
19 I don't know what the neighbours of that sort of person
20 would think if he was to pop a moose in their backyard,
21 sort of thing, a few minutes before the delivery van arrived
22 with half a beef or something. That is the tough part
23 of that.

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1 **CO-CHAIR GEORGES ERASMUS:** We are doing
2 some research on that. We are going to be doing some case
3 studies of people who have been living in an urban area
4 -- women, children, their mothers, their grandparents,
5 if they are still alive, and so forth -- and see what has
6 occurred to these people since they have moved from an
7 Aboriginal community into this kind of a setting.

8 We are going to do the same thing in
9 relation to the males and see people's attitude in relation
10 to lands, change, in relation to the world view of
11 Aboriginal people, whether or not the culture can actually
12 survive in that kind of urban setting.

13 So we are quite excited about what we
14 are looking into.

15 **BOB BROMLEY:** Yes, I think that is
16 something that needs to be done more. I really think we
17 should be supporting that sort of thing, that sort of
18 research.

19 My reference to the possibly a research
20 institution or institute that specializes in
21 cross-cultural studies of that nature which that really
22 is in a way because it is looking at one culture and living
23 in another. There is a lot of research and exploration

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1 to be done there that can give really useful results, I
2 think, in helping us guide programs to get along.

3 **CO-CHAIR GEORGES ERASMUS:** Part of the
4 reason that Aboriginal cultures have been hard to analyze
5 is, first of all, they are not very assertive. They are
6 not very aggressive, particularly around non-Aboriginal
7 people. The other is that there is not an awful lot written
8 about Aboriginal people that actually is accurate, that
9 really reflects from within.

10 Aboriginal academics are a recent
11 phenomenon. Unfortunately, to become an academic, you
12 more or less keep shedding more and more of what makes
13 you different. So by the time you are actually an achieved
14 academic, you may have gone so far down one road that it
15 is a long ways back to see where you started from.

16 Nevertheless, these academics are
17 starting to put down on paper some views which are much
18 closer to the reality out there in the culture. Very,
19 very soon, I think the general public will be able to have
20 access to material that probably gives them insights in
21 their neighbours that they have never been able to see
22 before. It would be very, very useful, I think, and it
23 will deal with the kinds of things that Clem was having

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1 frustrations about earlier.

2 **BOB BROMLEY:** I certainly agree that
3 there isn't enough of that and I understand the reasons
4 for it. Material like that that I have seen -- and I think
5 of things like -- I think it was Frank Waters, "The Man
6 Who Killed the Deer". That sort of material is really
7 needed and will help quite a bit, I think.

8 **CO-CHAIR GEORGES ERASMUS:** We just
9 finished holding a round table on justice two weeks and
10 we received quite a few documents there from both
11 Aboriginal and non-Aboriginal academics. We are trying
12 to assess whether or not the present legal system can be
13 manipulated and changed and altered so that it is more
14 reflective of Aboriginal values and world view; or, was
15 there such a diametrically-opposed approach in the justice
16 system where it is based on a very assertive, aggressive,
17 adversarial kind of approach.

18 What we are discovering about all of the
19 Aboriginal justice systems that we are getting our hands
20 on is those who are based on trying to create tranquillity
21 again, harmony and balance back in the community. The
22 victims and the people who were involved in the incident
23 were brought together and tried to settle generally with

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1 both families being brought into it, sometimes the clans
2 of both people being brought into it. So the approach
3 being quite, quite different.

4 The point I wanted to make was that some
5 of the writings were quite exciting, and that is going
6 to be one of our early publications. We are going to be
7 publishing that very quickly in the new year. We are going
8 to try to give that wide circulation. So if you can leave
9 your name and address with us, it seems like you do already
10 have it on this. We are trying to get it to as many people
11 who present to us as possible.

12 **BOB BROMLEY:** All right. Excellent.

13 **CO-CHAIR GEORGES ERASMUS:** Bertha, do
14 you have any comments or questions?

15 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

16 I just have one question.

17 I think you have put a lot of thought
18 into your presentation and because of that, I just wanted
19 to ask: In order to understand the history of Aboriginal
20 people, how would you interpret the treaties made between
21 the federal government and the Aboriginal people?

22 **BOB BROMLEY:** I guess I would -- it seems
23 to me to be mostly a lawyer sort of things these days.

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1 I can't give you that sort of response.

2 For myself, it would be -- to fairly try
3 to put myself in the shoes of the people at that time --
4 I guess it was 1921 here for Treaty 11 and 1899 for Treaty
5 8. Those are the only two that I am barely familiar with
6 -- and consider what life was like for both parties; look
7 at what material is available either written or in terms
8 of oral history from the people involved and, on that basis,
9 make an interpretation.

10 I am not familiar enough with them to
11 give you specifics on various agreements or disagreements
12 on them.

13 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

14 In a nutshell, I will give you my definition of the treaty.
15 Today's example is the real estate. Once you make a deal
16 and it is signed, you have to honour that agreement and
17 that is the way Aboriginal people view treaties.

18 **BOB BROMLEY:** Yes, I think the courts
19 agree with you on that, although civil servants may have
20 a hard time.

21 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

22 All right. That is it.

23 **BOB BROMLEY:** Do I have an opportunity

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1 to ask a question?

2 **CO-CHAIR GEORGES ERASMUS:** If you wish.

3 Go ahead.

4 **BOB BROMLEY:** I guess I am interested
5 in what extinguishment means. I have always thought that
6 that seems to be an unknown and it is the unknowns that
7 cause a lot of fear and problems.

8 Do you, Georges, or does the Commission
9 have a working definition of what extinguishment of
10 Aboriginal rights means?

11 **CO-CHAIR GEORGES ERASMUS:** We are
12 actually doing a fair amount of work on that and we will
13 come out with an official document from the Commission
14 on that whole concept of extinguishment versus something
15 that would not extinguish.

16 If you were to get into a legal
17 definition of extinguishment, I guess you would have to
18 have some pretty scholarly work done in that area that
19 would take quite a while and eventually you would get some
20 definition.

21 For Aboriginal people, what
22 extinguishment means to them is their original title, their
23 original heritage is completely erased and then it is

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1 replaced with whatever is the proceeds of the new
2 agreement. There has been a movement in Canada for at
3 least three decades that has resisted that and have tried
4 to find a way in which the original heritage is maintained,
5 while providing Canada with the kind of certainty and
6 finality that they want so that they don't have to worry
7 about somebody reopening up historical grievances and say,
8 "You may have tried to deal with it in 1992, but it is
9 now 2020 and you didn't do a good job back then."

10 So Aboriginal people have been trying
11 to meet that government objective because they very much
12 want certainty also. The last thing Aboriginal people
13 want is, after having gone through a 20 or 30-year effort
14 to resolve what their original rights are supposed to be
15 in a modern-day Canada, and then have somebody come over
16 and say, "Well, that was okay in 1992, but now that it
17 is 2020, we want that changed and we want to reopen that."

18 So both sides want certainty, but for
19 Aboriginal people, what they have looked at is: Here is
20 section 35 of the Constitution that says Aboriginal and
21 treaty rights are recognized, but then when you come to
22 the table, if you want to talk about your Aboriginal rights,
23 the process to have it recognized is to first remove your

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1 rights and then to replace it with a new agreement. So
2 if that process was to complete itself right across the
3 country, you would end up with absolutely no original
4 rights unless you were excluded from that process.

5 In each case, what they do is they try
6 to remove -- if they are dealing with fishing, they will
7 remove the original fishing right. If they are dealing
8 with hunting, they will remove their original hunting
9 right.

10 There is a Supreme Court case now, which
11 Bertha was part of deciding, in Sparrow that says that
12 all Aboriginal people have an Aboriginal right to fish
13 if it hasn't been removed. So the irony is that if you
14 are an Aboriginal person in Canada, you have Aboriginal
15 rights. You can exercise them. You are first in line
16 for the particular resource that you can use.

17 However, if you are coming to the table
18 to have it enshrined in a more modern document, the first
19 thing they do is they remove what you originally had and
20 then they put a whole slew of conditions on how you can
21 exercise your right.

22 So that is the problem, but yet, of
23 course, Aboriginal people at the same time want to come

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1 up with a land settlement and a modern agreement so that
2 they don't see more and more of their land being taken
3 away from them. So it is the kind of contradiction that
4 people find themselves in. That is why you are seeing
5 people take different positions on it. There are very
6 compelling, practical reasons of trying to settle the
7 agreement because, as development continues, more and more
8 change occurs and so you have less and less to actually
9 bring to the table.

10 In principle, I think that is what
11 Aboriginal people are after. What the Commission will
12 actually say on that in the end will be after a lot of
13 work which includes a fair amount of legal work and we
14 will try to deal with the government concept of
15 extinguishment which deals with comprehensive claims,
16 specific claims. If they are dealing with land
17 entitlement, they are dealing with the same thing and so
18 forth.

19 There have been a number of opinions in
20 the past by different studies like the Cooligan Report,
21 and so forth, on so forth, on comprehensive claims that
22 tried to come up with a different way of dealing with it.
23 There are a number of different options and we will be

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1 coming out with something on that.

2 **BOB BROMLEY:** All right.

3 **CO-CHAIR GEORGES ERASMUS:** Thank you.

4 **BOB BROMLEY:** Thank you. Good luck
5 with your work here.

6 **COMMISSIONER BERTHA WILSON:** Thank you.

7 **CO-CHAIR GEORGES ERASMUS:** We are going
8 to take a very, very short break.

9 --- Short recess at 9:56 a.m.

10 --- Upon resuming at 10:00 a.m.

11 **CO-CHAIR GEORGES ERASMUS:** I would call
12 everybody back to their seats. We will have our next
13 presenters. One of them, at least, has to be out of here
14 by a particular time to make it to his next event.

15 **MODERATOR SHELLY ANDERSON:** MLA Henry
16 Zoe will be representing the Dogrib Treaty 11 Council and
17 he will be outlining some of the problems and will present
18 solutions on settling their claim, institutions of
19 self-government and regional, economical development.

20 **HENRY ZOE, Dogrib Treaty 11 Council,**

21 **MLA:** Thank you, Mr. Chairman.

22 (Translated from Dogrib - Translation
23 not initially available) -- is on behalf of the Dogrib

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1 Treaty 11 Council representing the communities of
2 Rae/Edzo, Lac la Martre, Rae Lakes and Snare Lake.

3 The Council was formed this past August
4 for the purpose of negotiating a regional land claim.

5 (English) The presentation I will be
6 making to you is on behalf of the Dogrib Treaty 11 Council,
7 representing the communities of Rae/Edzo, Lac la Martre,
8 Rae Lakes and Snare Lake. The Council was formed this
9 past August for the purpose of negotiating regional land
10 claims and a self-government regime on behalf of four
11 Dogrib communities.

12 The presentation is structured as
13 follows: Section 1 provides an overview of the region
14 and its people. Section 2 presents some issues and
15 problems affecting the Dogrib North Slave Region. Section
16 3 provides a brief outline of the Dene Nation's efforts
17 over the years to secure recognition of political and
18 constitutional rights. The second part of section 3 also
19 presents what we see as solutions to the problems affecting
20 the Dogrib North Slave Region; namely, self-government,
21 a regional land claim and a regional industrial strategy.
22 Section 4 contains our conclusion remarks.

23 Mr. Chairman, I won't get into all the

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1 sections that I have outlined, but I made copies available
2 for your Commission. I am scheduled to appear at another
3 meeting within 45 minutes. So I am not too sure if we
4 will have time to get into questioning and comments from
5 the Commission.

6 Unfortunately, my colleague, Grand Chief
7 Eddie Erasmus of the Treaty Council, could not be with
8 me here today. I am not sure if he is on his way in or
9 not, but my understanding this morning was that he may
10 not make it here today.

11 By way of introduction, the Dogrib North
12 Slave Region's population is approximately 2,194,
13 according to the June 1990 census, spread out between the
14 four communities of Rae/Edzo, Lac la Martre, Rae Lakes
15 and Snare Lake. Rae/Edzo is the largest community with
16 a population of 1,422, followed by Lac la Martre with 428
17 persons, Rae Lakes with 219 and, finally, our smallest
18 community of Snare Lake of approximately 125 residents.

19 Most of the residents of these
20 communities are Dene, many of whom speak Dogrib. In fact,
21 in only one community, Rae/Edzo, is the number of non-Dene
22 residents more than 5 per cent. So our small communities
23 are virtually 100 per cent Dogrib. This has major

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1 implications, for instance, in the area of designing a
2 self-government model for the North Slave. We simply do
3 not have to worry too much about significant others. We
4 will say more on this point later on in our presentation.

5 As I indicated, Mr. Chairman, if I can
6 bring your attention to section 3.17, maybe I can start
7 my presentation with our current situation.

8 The recent history of the NWT is a saga
9 of uneven and uncoordinated decentralization of services
10 through a tangle of local, regional and territorial
11 organizations. The result is a bureaucratic maze of
12 competing service providers, funding agencies,
13 supervisory authorities and consultative groups.
14 Traversing this maze has become a way of life for the Tli
15 Cho people.

16 Bureaucracies tend to be reductionist.
17 That is to say, they tend to divide the world into a number
18 of separate boxes. Within one box, social assistance is
19 provided; in another, schools are operated, while advanced
20 education is off in a little box to the side. Recreational
21 facilities are yet in another box, while health facilities
22 are way off in a big box in a different room, and so on.

23 By contrast, people's needs are

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1 holistic. People need to lead healthy and fulfilled lives
2 and it is the responsibility of government, as an
3 instrument of the people, to provide a context in which
4 this is possible.

5 For a person to be healthy, they must
6 be adequately fed; educated; have access to medical
7 facilities; have access to spiritual comfort; live in a
8 comfortable home with clean water and safe sewage disposal;
9 be secure in their cultural identity; to have an
10 opportunity to excel in a meaningful endeavour, and so
11 on.

12 These are not separate needs. They are
13 all different aspects of a whole. We cannot say, "This
14 person has seven of their nine needs fulfilled, so they
15 are seven-ninths healthy." We cannot compensate for lack
16 of one thing with abundance of another.

17 No amount of medicine can help someone
18 without food. No amount of food can help someone without
19 a place to cook. No matter how grand their house, a person
20 cannot get a job without being able to read and write.
21 However many skills a person has, they will not be happy
22 if they are alienated from their culture.

23 We have been under the tutelage of

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1 non-Native governments for most of this century,
2 particularly during the post-world war two era. The
3 problems experienced daily in our communities -- violence,
4 unemployment, suicide, alcohol and drugs and solvent
5 abuse, health problems, and others -- reflect the legacy
6 of our colonial past. The only solution is to govern and
7 manage our own political and economic institutions.

8 As we organize ourselves for the
9 purposes of self-sufficiency and self-management, there
10 are three fundamental ideas that guide the Dogrib people:
11 First, authority: formal structure of power and
12 government and jurisdiction; second, rights, role of the
13 Federal Charter, individual versus collective rights;
14 third, solid economic base: fiscal security.
15 Self-government without a solid economic base is akin to
16 a treat that can bear no fruit.

17 Cassidy and Bish, an author of the book
18 "Indian Government", its meaning in practice suggests a
19 model of self-government based on federalism and I quote
20 him:

21 "There is no reason why Indian people holding Canadian
22 citizenship and full citizenship
23 in their own First Nation

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1 governments could not be citizens
2 in a truly federal sense:
3 interacting as full citizens with
4 all levels of government, federal,
5 provincial and Indian."

6 This doctrine serves as a good guide for
7 us, the Dogrib Nation. However, to develop a
8 self-government arrangement such as Cassidy and Bish
9 suggest will require a relaxation of the Government of
10 the Northwest Territories' jurisdiction and federal in
11 order to provide room for a Dogrib government to function.

12 We would like to turn briefly now to some
13 preliminary ideas we are working on concerning the
14 development of the Dogrib Nation self-government model.

15 Usually, we see organizational charts
16 drawn with central governments at the top, but our
17 organizational charts starts with the communities at the
18 top. We assert the right of communities to exercise all
19 authority over themselves and their traditional lands.
20 If power is to be given to regional, territorial or even
21 national bodies, that is because communities have agreed
22 to give up that power and with the understanding that it
23 may be taken back.

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1 The Government of the Northwest
2 Territories' approach to local government involves a
3 series of tests for communities. Communities will be
4 delegated power only when they have past the appropriate
5 tests. Although a community has a right to decide not
6 to accept a responsibility the Government of the Northwest
7 Territories' is ready to give it, it does not have the
8 fundamental right to decide for itself what
9 responsibilities it wants.

10 This is a good example of an apparent
11 contradiction in the approach and the support that the
12 territorial government has for inherent aboriginal rights
13 when they meet with their counterparts on the national
14 scene. But here at home they seem to take the position
15 of delegated authority from the Government of the Northwest
16 Territories to our communities.

17 For a community government to be
18 effective, it must be a single government. We have seen
19 in our two hamlets what happens when there are two separate
20 councils with overlapping powers. It ends up in fights
21 and confusion. People in the community don't know who
22 to go to with their requests. All too often, higher levels
23 of government step in and make the decision.

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1 But in communities with only Band
2 Councils, things are much clearer. So that is the way
3 we wish to operate. When we say Band Councils, this does
4 not mean a Band Council as presently defined under the
5 Indian Act, but a Band Council with real authority and
6 jurisdiction.

7 We know there will be some concerns about
8 a Band Council being the only authority in a community,
9 since not everyone in a community is a member of the Band.
10 However, in almost all of the Tli Cho communities, the
11 number of non-members is so small that it is neither useful
12 nor necessary to establish a complete parallel structure
13 to accommodate them. Band Councils will continue to look
14 after the interests of non-members as they have done in
15 the past.

16 In the one community with a significant
17 non-member population -- Rae/Edzo -- we would set up a
18 community council consisting of a Band Council plus a few
19 representatives selected at large.

20 The community council as a whole would
21 be responsible for those issues whose scope is limited
22 to the municipal boundaries, but the residual power --
23 our rights as an Aboriginal society -- would be limited

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1 to the Band Council. This would include such things as
2 land use, the preservation and promotion of our language
3 and culture, and so on. Thus, there would be no need for
4 two separate councils. The community council would meet
5 as a whole, but when Aboriginal issues are being discussed,
6 only the Band Council would participate.

7 We also see the need for regional
8 coordination. There are obvious synergies for
9 communities working together and sharing their resources
10 to achieve common objectives. There will regional
11 concerns and issues which we agree must be considered at
12 a regional level.

13 However, we cannot pretend that
14 attaining Aboriginal self-government will be an easy
15 process. Aboriginal self-government will be implemented
16 as a result of negotiation with the federal government
17 and the negotiations will not be easy.

18 So we can expect much resistance if we
19 are to pursue this goal. We can expect resistance from
20 the federal government as we have seen too often in the
21 past. We can expect resistant from our own territorial
22 government, which has spent the last decade entrenching
23 its power and will not be eager to give it up. And we

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1 can expect some resistance from non-Aboriginal residents
2 of the western Northwest Territories.

3 Mr. Chairman, following two years of
4 internal debate and discussion, the Dogrib people of the
5 North Slave region formed the Dogrib Treaty 11 Council
6 this past August, with a mandate to negotiate a regional
7 land claim on behalf of the four Dogrib Treaty 11
8 communities. This was a difficult decision.

9 Over the past year, we have witnessed
10 the largest claims staking rush in the history of Canada
11 on our land, Dogrib land. There is no doubt we feel an
12 enormous amount of pressure to settle a claim before the
13 land is completely staked. To date, diamond claims cover
14 6.4 million hectors of North Slave land.

15 However, apart from this added pressure,
16 we came to the consensus that the positive gains we will
17 make in terms of political and economic capacity are
18 sufficient to accept an extinguishment provision. We
19 don't like it, but it is the condition on which we must
20 agree to before negotiations with the federal government
21 can begin.

22 Our claim will provide the Dogribs with
23 capital transfer payments, a land quantum, resource

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1 royalty sharing provisions, and joint management boards
2 covering wildlife, land and water management, and
3 environmental impact, among others.

4 A land claim is, without doubt, the
5 central component of our strategic plan. Without a land
6 base and access to capital, we will continue to be dependent
7 on government to provide solutions to the very serious
8 problems we live with. And as someone has said, without
9 a solid economic base, self-government is akin to a tree
10 that can bear no fruit.

11 We have come to a collective
12 understanding of our status in the territorial and national
13 economy that has led us to the strategic decision that
14 we must take "an aggressive step forward to solidify fiscal
15 security" for the Dogrib people. We can no longer
16 patiently wait for governments to solve all our problems.
17 This is why we are aggressively pursuing regional land
18 claims, putting our heads together to construct a coherent
19 self-government model, and, third, developing a regional
20 economic development strategy.

21 We are guided by three principles as we
22 go about developing our regional industrial development
23 strategy:

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1 First, create business organizations
2 that will in turn create wealth. Once wealth is
3 established, it can be utilized for community development.

4 Second, communities on their own do not
5 have the critical mass to sustain any long-term business
6 activities. The position the region has taken is that
7 it will join hands, working together to develop regional
8 businesses and a regional market.

9 Third, once the regional corporate
10 structure is established, we will be developing local
11 community-based businesses to take advantage of the
12 opportunities at the community level as they arise from
13 privatization, decentralization, land claims and
14 self-government processes.

15 Using these three guiding principles,
16 we have three distinct types of investment strategies:

17 First, investments that are capital
18 intensive investments with objective of wealth creation.

19 This would include, for instance, real estate
20 investments. For example, the Rae/Edzo Band Development
21 Corporation has an investment interest in the Northwestel
22 building here in Yellowknife. The Gameti Development
23 Corporation also runs a hotel in Gameti.

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1 Second, our second investment strategy
2 involves strictly employment creation. For example, we
3 have a regional NK Forestry Service Ltd. It is a regional
4 corporation which employs firefighters or even our other
5 company, NK/PCL which is in the road construction and
6 maintenance, or even our other regional corporation, NK
7 Freeway which is in the business of providing heavy
8 equipment.

9 Third, the third type of investment is
10 a hybrid of the first two. That is, it involves both
11 employment and wealth creation. An example here would
12 be NK helicopter company that we have and our NK airway
13 or even our catering, Tli Cho catering, our regional
14 company. On a larger scale, which also benefits both
15 communities and the region and forms the cornerstone for
16 the Dogrib regional industrial strategy, is the hydro
17 development project that we are undertaking.

18 The uniqueness of this project -- the
19 Hydro project -- is that this is the first time in North
20 America that a hydro project will be 100 per cent owned
21 by an Aboriginal organization. The other uniqueness is
22 that both the engineering and construction portion of the
23 project will be done through a joint venture partnership

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1 in which the Dogrib people will have the majority
2 ownership.

3 Mr. Chairman, my concluding remarks will
4 be very brief.

5 As the Dogrib people look forward to the
6 next century, we believe that many of the problems we face
7 today are the result of the history of outside political,
8 economic, social and cultural forces that destroyed our
9 traditional institution and crippled our people.
10 Recognition of our inherent right to govern ourselves and
11 to the land that has sustained our communities from time
12 immemorial provides the foundation on which we will
13 construct our own institutions of self-governance and
14 wealth creation.

15 We will be faced with the problem that
16 all new governments and institutions face. Namely, there
17 will be high expectations of their performance from our
18 own people and from outside agencies that previously
19 controlled our lives.

20 However, Mr. Chairman, I am reminded
21 again of the words spoken by Earl Old Person, former Tribal
22 Chairman, I think from the Blackfoot or Blackfeet Tribe,
23 and I quote him:

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1 "We will make mistakes. But they are less painful than
2 suffering the consequences of
3 other people's mistakes."

4 Thank you.

5 **CO-CHAIR GEORGES ERASMUS:** Thank you.

6 I realize that you have a very tight
7 schedule, but, if you don't mind, we will ask some very
8 short questions and perhaps you could answer them very,
9 very quickly.

10 Bertha, please.

11 **COMMISSIONER BERTHA WILSON:** Thank you.

12 I found your presentation very
13 interesting and, of course, we are always pleased when
14 we receive submissions that include a concept of how
15 self-government is going to work for Native people.

16 As I understand this -- correct me if
17 I am wrong -- the unit of self-government is the Band
18 Council in your concept. That is the basic unit of
19 self-government and then the Band Council delegates up,
20 so to speak, to the regional authority which conducts
21 negotiations with the federal government on behalf of the
22 four Band Councils. Is my understanding correct on that?

23 **HENRY ZOE:** Not quite. If you look at

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1 various organizational structures, either at the federal,
2 territorial or any types of organizations
3 -- for instance, when you look at the structure that the
4 federal government has in place, the federal government
5 is usually put at the top. In our case here in the
6 territories, the next level underneath the federal would
7 be the territorial government and then there will be the
8 community, regional centres and then the community level
9 at the bottom.

10 So authority has always been delegated
11 down the ladder from a central government. We are saying
12 that it is the other way around. Authority is delegated
13 from the community being at the top down to the regional
14 level and then from the regional level to the territorial
15 level, and then the territorial level to the national
16 level.

17 **COMMISSIONER BERTHA WILSON:** It is a
18 form of delegation from the Band Council to a regional
19 authority.

20 **HENRY ZOE:** Agreed, yes.

21 **COMMISSIONER BERTHA WILSON:** Yes, and
22 then the regional authorities speak, so to speak, for the
23 Band Councils.

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1 **HENRY ZOE:** Yes.

2 **COMMISSIONER BERTHA WILSON:** And
3 negotiates with the government, particularly in the area
4 of land claims and so on.

5 **HENRY ZOE:** Yes.

6 **COMMISSIONER BERTHA WILSON:** How was
7 that arrangement agreed to? Did the membership of the
8 Bands vote on this concept and agree that this was the
9 way that they wanted self-government to work, or how was
10 that concept developed?

11 **HENRY ZOE:** We have been looking at
12 various models. We have taken a look at the Navaho model.
13 A group of our people have travelled to the Navaho Nation
14 to take a look at their system and how they operate.
15 We also looked at proposals such as the Denendeh proposal,
16 the Nunavut proposal and the Sheshelt model in B.C. We
17 also took a look at the
18 -- there is another band, the Micmac, I believe, in Nova
19 Scotia. They have another model.

20 So we have been looking at various models
21 and our group has not decided, but through our preliminary
22 discussions we have tried to incorporate the different
23 aspects of various models to suit our needs. The model

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1 that we sketched out, in our preliminary discussion, was
2 that we wanted to see a model where a community is in control
3 and authority from the community would be delegated down
4 to the regional -- whatever is delegated down would be
5 by the community. They have to agree before that authority
6 is given to the region or even to the territories.

7 **COMMISSIONER BERTHA WILSON:** So the
8 members of the Band decide that, do they?

9 **HENRY ZOE:** Yes.

10 **COMMISSIONER BERTHA WILSON:** Have you
11 thought at all about the area of justice or have you not
12 got around to thinking about that?

13 **HENRY ZOE:** No, we are looking at that
14 particular component in the justice area, but we are in
15 a preliminary stage right now.

16 **COMMISSIONER BERTHA WILSON:** Yes.
17 Thank you.

18 **CO-CHAIR GEORGES ERASMUS:** You talked
19 about extinguishment, not liking it but having to live
20 with it.

21 We are doing some work in that area and
22 we will eventually be making some recommendations on it.

23

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1 If the government adopted a
2 non-extinguishment approach to recognition, would this
3 be something that you would accept?

4 **HENRY ZOE:** Yes. We are hoping that the
5 current government or even the next government would
6 consider changing their existing policy pertaining the
7 extinguishment clause.

8 **CO-CHAIR GEORGES ERASMUS:** All right.

9 I know you have to go and so we won't
10 hold you up any longer. I think Bertha would probably
11 ask you some questions, but since you are in a hurry, we
12 will let you go.

13 Thank you for coming forth and perhaps
14 you can keep us informed as to how the progress of the
15 regional claim is proceeding.

16 **HENRY ZOE:** Mr. Chairman, we thought,
17 since you are coming to Yellowknife, that here is an
18 opportune time for our region to make a presentation to
19 you so that you know how or what we are trying to do in
20 order to solve somewhat the problems that exists within
21 our region and how we are pursuing these.

22 These are the number of approaches that
23 we are taking and one is claims and self-government and

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1 economic development. Those are the three primary things
2 that we wanted to comment on today. That is what we are
3 working towards and we are, in some areas, in the
4 preliminary stage, but if I recall right, Round 2 of your
5 Commission travels is that you wanted to hear from people
6 solution-oriented presentations.

7 So we felt that maybe this would
8 contribute to the work that you are undertaking.

9 **CO-CHAIR GEORGES ERASMUS:** Sure. I
10 think Bertha would like to make a very short comment.

11 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
12 Yes, just a short comment. I couldn't let you get away
13 with this.

14 Understanding that the Dogrib Nation is
15 very male-dominated, when can we see the Nation encouraging
16 women to come forth and sit around the discussion table?

17 **HENRY ZOE:** In our culture, Madam
18 Commissioner, we are all equal. It is unfortunate that
19 women are not getting involved as much as we would like
20 them to, but there is no policy or no discouragement from
21 our peoples for not having them involved.

22 We do have a number of Band Council
23 members that used to be women, but this last election,

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1 I don't believe -- I don't have any members on the Band
2 Council in my four communities, except for one in Lac la
3 Martre.

4 **CO-CHAIR GEORGES ERASMUS:** Thank you.

5 **HENRY ZOE:** Thank you.

6 **MODERATOR SHELLY ANDERSON:** Our next
7 presenter is Mr. Garth Wallbridge. He is making an
8 individual presentation and will be discussing some
9 general thoughts on the importance of taking a holistic
10 viewpoint to achieve self-government.

11 **CO-CHAIR GEORGES ERASMUS:** Proceed
12 whenever you are ready.

13 **GARTH WALLBRIDGE:** Good morning.
14 Thank you.

15 I am going to read through my
16 presentation. I don't know how well I will come off doing
17 that. I am more accustomed, in the advocacy work I do,
18 reading point by point, but I understood you wanted written
19 presentations and I am quite happy to do that.

20 In beginning my remarks today, I want
21 to thank this Commission for giving me the opportunity
22 to make a presentation. In deciding how to structure the
23 presentation, my initial response was to prepare something

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1 based on my training as a lawyer.

2 During the course of that work, though,
3 I found that being a Métis person definitely shaped by
4 thoughts and approach to this. The resulting presentation
5 is, therefore, based on those two fundamental
6 characteristics as I see myself sitting here today, being
7 a Métis person and a lawyer in the Northwest Territories
8 in 1992.

9 Throughout my presentation, I have
10 chosen to use the terms "Aboriginal", "Native" and "white".

11 I realize that not all non-Natives are white. However,
12 the term "non-Native" is, in my estimation, a poor phrase.

13

14 Consider that twenty years ago, many
15 Aboriginal were called Indians, not Native or Aboriginal,
16 in normal day-to-day conversation. The generally
17 European mainstream population was called white. Today,
18 Canada is definitely multi-racial. I acknowledge that
19 fully.

20 One must consider, though, that if
21 twenty years ago, when it was okay to call an Indian and
22 Indian, if I had called a white man a non-Indian, the
23 response would have been who knows what. I just think

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1 that to define someone by being something other than what
2 they are, by saying they are a "non" something is somewhat
3 rude. I think that we need to come up with a better term.

4 I have given that a lot of thought and I will be quite
5 frank. I haven't figured out what it is, but, as I was
6 preparing my remarks, I kept coming back and using the
7 term "white" and I felt it was important that I explain
8 that.

9 Perhaps, on a bit of a lighter side, the
10 Commission is called the Royal Commission on Aboriginal
11 Peoples. "Royal" is a term meaning the Crown and, of
12 course, the Crown is, for all intents and purposes, the
13 government of the day. Therefore, the title of this
14 Commission indicates that the government of the day is
15 looking into the situation of Aboriginal peoples. I would
16 much prefer things were reversed.

17 There is a majority of Aboriginal
18 Commissioners on this Commission. Perhaps that is not
19 quite enough. I think we should be having an Aboriginal
20 Commission on Royal Affairs. Just turn it around.

21 I think of myself as a true Canadian.
22 My mother is Métis from a tiny wood cutting village in
23 southeastern Manitoba. Woodridge is beside the Rat River.

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1 That river is one which anyone who has ever studied any
2 of the history of western Canada in the late 1800s would
3 be familiar with. It has a lot of importance. I trace
4 my roots back to that side.

5 I will flip through a couple of
6 paragraphs there and go on to state from the middle of
7 page three that language is a theme which is at the roots
8 of my thoughts and remarks today. With language, we define
9 who we are. Without our language, we lose our culture.

10 The loss of language has affected me
11 personally. My mother, as I have said, is Métis from
12 Manitoba. She spoke only French until she was 16 years
13 old, at which time she moved to Winnipeg and learned
14 English.

15 She didn't bother -- I don't think that
16 is quite right. She never thought it appropriate to teach
17 us children French and to teach us anything of our Métis
18 heritage, and that was just because it wasn't quite the
19 proper thing to do 30 and 40 years ago in western Canada.

20 Again, flipping through a couple of
21 pages or a few paragraphs in my remarks, I go towards the
22 bottom of page 4 and state that the whole situation, as
23 I see it today, in terms of my own personal situation as

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1 a result of the assimilation policy of the Government of
2 Canada, my mother thought it best not to expose us to that.

3 It was obviously expected by most citizens that Native
4 people would have to fit into mainstream society. I think
5 this has begun to stop and I think that that is good.

6 Frank T'selie, the other day, I heard
7 him say that "my own history is almost touching me". I,
8 on the other hand, feel I have to seek mine out.

9 Moving on to more specific comments, I
10 would like to address the Indian Act. It does not affect
11 me in any personal way, but I think it deserves comment.

12 Originally, legislation dealing with
13 Indians was intended to protect the Indians from the white
14 people. For instance, the original Indian legislation
15 made it a crime for white people to sell liquor to Indians.

16 Over time -- and I would suggest not too long a time --
17 that legislation was turned around so that Indians with
18 liquor became the offenders.

19 As well, original legislation was
20 intended to keep white people off of reserves. It didn't
21 take long for that concept to be turned around and, instead,
22 the idea became to keep Indians on reserves. Both these
23 themes, of course, came together right here in Yellowknife

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1 in the Drybones case.

2 The paternalism that is the whole
3 philosophy of the Indian Act can only be ended by doing
4 away with that Act. There are people today who propose
5 that amendments be made to that Act. Indeed, I understand
6 that Tom Siddon has some amendments sort of on the shelf
7 that are sitting there because of the Charlottetown Accord
8 process. They could be put before Parliament at any point
9 in time. I think that is wrong. I say, let's forget the
10 whole Act. Let's just get rid of it.

11 Aboriginal people live or -- perhaps
12 more correctly, I might say -- would want to live a holistic
13 lifestyle. This is something which I know has been
14 discussed in front of this Commission many times.
15 However, I want to revisit it.

16 The great political theorists and
17 philosopher talk about the social contract. That is, what
18 society sets out to accomplish to make itself a coherent
19 whole.

20 Aboriginal peoples have had their social
21 contract broken. Theirs was broken by the federal
22 government and by the churches. There is not much left
23 of it, but I believe there is still something there as

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1 a foundation upon which we can build.

2 We must start with our children. They
3 will learn what a whole society is and the next generation
4 will be more cohesive as a consequence. In the process
5 of us teaching them these things, we will all be wiser
6 and more in tune with our own Aboriginal values. There
7 are, I believe, six fundamental components to any society.

8

9 The first is child rearing. We can
10 think of that as the family, social programs, all those
11 things that roll together which allow us to have healthy,
12 young, productive people in our society.

13 Second, there is education. We want to
14 teach our children what it is that they need to know to
15 live their life. An important part of a person's education
16 is to learn about their heritage.

17 The third is ritual. Ritual
18 encompasses everything that defines a society. Indeed,
19 included in that is language as well as culture.

20 Fourth, there is the economy.
21 Aboriginal people traditionally had what was known as a
22 subsistence economy. There wasn't a lot of opportunity
23 to get ahead of the game, as it were, but that is not

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1 completely true. There is certainly documented
2 occurrences of very established societies. I think we
3 need to think about what all the implications of that are
4 today.

5 Fifth, there is medicine; health care
6 by another name, if you prefer. Of course, with Aboriginal
7 people, spirituality is an important component of that
8 idea of medicine.

9 Last -- and I stress last because I am
10 thinking of it as the last thing that we should be looking
11 at -- is dispute resolution or justice. Aboriginal people
12 today in a few places in this country have taken control
13 of their justice system. Regrettably, I think that what
14 normally happens is that they step into the whiteman's
15 shoes. The system is something that is foreign and it
16 is just being taken over by Aboriginal people.

17 The important point that I want to leave
18 with this Commission today is that all six of these areas
19 must come under the control of Aboriginal people so that
20 a new social contract can be established.

21 In Aboriginal cultures, the desired
22 result of dispute resolution is healing. The white system
23 focuses on punishment. Dispute resolution should be the

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1 last thing we are dealing with. Instead, it has become
2 the first.

3 In Aboriginal society, probably in all
4 of what I would term as "tribal societies", which would
5 probably include the small rural town today where everyone
6 knows each other quite well, in those societies, redress
7 was personal. It was between the offender and the victim.
8 Today, in Canada, redress is done by way of, as we say,
9 paying a debt to society.

10 The response to this change from the
11 personal to the societal is that we now have victim
12 assistance and victim compensation programs, one to heal
13 the emotional wound and one to heal the financial wound.
14 The end result is certainly far inferior to what we had
15 in the past. I believe this is because we have no process
16 of healing as between the offender and the victim. This
17 must be a component of a holistic society's dispute
18 resolving process, and I note with pleasure that, Mr.
19 Erasmus, you made comments along those lines a short while
20 ago.

21 I was recently at a conference where a
22 senior RCMP officer from Alberta made the statement that
23 the police have given up -- I think he almost say, I got

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1 the impression almost completely -- on prosecuting elites
2 in our society just based on a cost benefit economic
3 analysis for what we might term a "minor white collar
4 crime". It just didn't make sense for them to use their
5 resources to prosecute those cases.

6 I think when one considers the number
7 of petty property offences committed by Native people --
8 we read things of 68 per cent of the population in jails
9 in Saskatchewan are Aboriginal people. Those are all,
10 not all, but a great deal to do with petty property
11 offences.

12 I think that we ought to make a similar
13 policy decision for Aboriginal peoples as we have for the
14 elites. It is just not cost effective and the reason it
15 is not cost effective, I would say, would be that in a
16 perfect world we would take those funds that we currently
17 used to incarcerate these people and channel them instead
18 into social programs and family programs and educational
19 programs, and let's start at the beginning so that we don't
20 have to worry about spending all of our resources or a
21 substantial amount of our resources at the end product
22 of incarcerating people.

23 I am going to skip a few paragraphs now

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1 and move into the second paragraph on page 9.

2 Moving on to education, I believe that
3 we have to let our young people know that any higher
4 education has value. Recently, I read somewhere that 60
5 per cent of all people who have a post-secondary education
6 never work in an area that is in any way related to their
7 original field of study. I think that is quite acceptable.

8 What it shows is that it is the doing of the studying
9 that counts, I would say the learning of the learning
10 process.

11 Money for Métis people's higher
12 education must become a priority. There is an unnecessary
13 discrepancy today between what Métis and other Aboriginal
14 people get in this area. Métis people, of course, get
15 nothing. This must change.

16 In talking a little bit about sort of
17 some structural things that exist today, from everything
18 that I can, DIAND bureaucrats have a mindset that it is
19 they, still today, who know what is best for Aboriginal
20 people. They simply believe that we are children who do
21 not know any better than to want self-government. My
22 thoughts are that at this point they simply want to stay
23 at the party. I say they are no longer welcome. I say

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1 it is time to say "good bye" and to abolish DIAND.

2 I was at a conference the other day where
3 a bureaucrat from DIAND raised issues that made me insert.

4 The response from some Aboriginal people when asked, "Who
5 will you then deal with?" quite properly was the Prime
6 Minister's Office, the Department of the Secretary of State.

7 The document produced by this Commission
8 titled "Framing the Issues" at page 25 states:

9 "Throughout Round 1, commissioners pressed for details
10 of models of self-government:
11 What would it look like in
12 practice?"

13 I submit that this is the wrong question
14 simply because it is not possible to answer such a question
15 today. I don't know that a question can be asked. The
16 process of self-government must begin before anyone today,
17 I think, could really say what it is going to look like.

18 My suggestion is that we look to
19 traditional systems of Aboriginal government as models
20 for change. Coincidentally, that phrase I have just used
21 was the title of a conference which I attended last week
22 at the Banff Centre for Management. While there, we
23 considered the philosophical, foundational underpinnings

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1 of traditional self-government amongst Aboriginal peoples
2 through the country. My presentation today has been
3 greatly affected by what I heard and learned there.

4 It seems obvious that we must focus on
5 more than the structure. What has to be considered are
6 the philosophies behind traditional forms of government.
7 Once that consideration, that study, has commenced, then
8 it might be possible to begin to understand and define
9 a structure.

10 One important idea in the movement
11 towards self-government is that Aboriginal people must
12 have it all. We must have the chance to succeed. We must
13 have the right to fail. Today, we are dysfunctional in
14 having been forced to live in the white way. I believe
15 that in the past women in our Aboriginal societies had
16 an important part to play in the government of the day,
17 and they will have this again in the future.

18 Women must be a part of the
19 decision-making process. They were historically. Many
20 Aboriginal societies simply used the men to carry forth
21 the decisions reached by women. Today, we use the
22 whiteman's system as our own. I believe that this will
23 change and I suspect that in the backroom Aboriginal women

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1 will in fact become the power brokers. I know I come to
2 that conclusion because I believe in this concept of a
3 holistic society and in that sort of a society, women take
4 responsibility for many of the most important social
5 characteristics.

6 With regard to land claims, I think the
7 federal government has not yet come to terms with what
8 I believe is the most important dynamic of this process.
9 That is simply that it will be cost-effective to settle
10 all land claims.

11 I can understand that there is value in
12 some forms of negotiation and dragging things out as long
13 as possible. However, I believe today in Canada the
14 interests of everyone would best be served if these things
15 were settled. We are simply wasting too much time and
16 energy which could be better put to much other more
17 important work.

18 The Wet'suwet'in of northern B.C. spent
19 the first three weeks of November, just a month ago, tossing
20 out the Indian Act type of government and firmly
21 re-establishing their traditional government. They have
22 been involved in negotiation and, indeed, litigation with
23 the federal government for a long time over such issues.

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1 In the end, they just did it. Their traditional
2 government is in place there today.

3 To me, that illustrates the maxim of an
4 unstoppable force meeting an immovable object. However,
5 in my reading of that situation, the unstoppable force
6 pushed its way through. I think the feds have to sit up
7 and pay attention to that kind of process.

8 I know that this Commission has been told
9 that the right to self-government is inherent, but I must
10 say it to you myself. That right comes from within us.

11 It is not something to be granted by the Canadian
12 government. I believe that sooner, rather than later,
13 many other Aboriginal groups will follow the Wet'suwet'in
14 lead.

15 No one said to my Métis forefathers that
16 it was okay to organize themselves in a particular fashion
17 to hunt buffalo. They knew inherently how to do this and
18 that it was their right to do this. That is simply logic.

19 New forms of self-government should not
20 be expected to mimic mainstream Canadian government.
21 There are not many aspects of that government that commend
22 themselves to being copied.

23 As to how various forms of

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1 self-government should be financed, I offer the following
2 suggestion: The federal government should expect to make
3 transfer payments of greater than 100 per cent of the amount
4 previously spent on any particular program. There is a
5 learning curve which the federal government must fund.
6 Mistakes will be made. The federal government took away
7 our ability to govern ourselves. Society has become much
8 more complex in the meantime and now the feds have to pay
9 for us to learn how to redo it on our own again.

10 Many Canadians today criticize
11 Aboriginal peoples for not being able to define
12 self-government. Perhaps even more importantly,
13 mainstream Canadians have this impression that there can
14 be one pan Canadian form of government. That obviously
15 has to be considered to be wrong.

16 I suspect that millions of dollars went
17 into the Charlottetown Accord. That was an amendment,
18 an important amendment, to the Canadian Constitution, but
19 only an amendment to a single document. I would like to
20 suggest to the average Canadian who wants to know what
21 self-government is going to look like, considering how
22 much it costs to do these things, where are the Aboriginal
23 people going to get the funds to do it?

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1 In the report on the first round of this
2 Commission's work, there was a focus on the Métis National
3 Accord and reasonably so. Now that the Charlottetown
4 Accord, of which the Métis National Accord was a part,
5 has ended, it is, I believe, incumbent upon this Commission
6 to issue another statement like the comment already issued
7 titled "The Right of Aboriginal Self-Government and the
8 Constitution".

9 To issue something by this Commission
10 on the Métis National Accord, such a statement must be
11 issued. In my estimation, I would ask you in the strongest
12 terms, the government must be told to push ahead and
13 implement that accord. It is a stand-alone document that
14 has value today.

15 Métis people do not seek sovereignty
16 from Canada. We seek recognition within Canada. This
17 is today as it was when the Métis Bill of Rights was
18 presented to the Government of Canada by the Riel
19 provisional government in 1869.

20 So, to sum up, I would say that we must
21 find a better name or phrase than "non-Native" or "white".

22 Let's abolish DIAND and the Indian Act. Let's stop fooling
23 ourselves by believing that taking control of the existing

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1 justice system is a huge success. We are still doing the
2 same basic things, but just using Aboriginal police and
3 what not. Many more steps have to be taken before we can
4 feel too proud of our gains.

5 Let us allow Aboriginal people to take
6 control of their lives in a holistic manner by transferring
7 to them everything needed to do so in all the six areas
8 I have outlined. This will allow a new strong and lasting
9 social contract to be developed.

10 Let us fully understand that the right
11 to self-government is inherent, that it will take time
12 and money to implement this and that the federal government
13 must fund it, but that it will take the form that we want.

14 In closing, I would like to say that I
15 hope this Commission is not trying to find our answers.

16 In my estimation, there are too many Royal Commission
17 reports on shelves in Ottawa today where the various
18 commissions attempted to come up with an answer, and I
19 hope that being put on a shelf is not the result of your
20 very important work.

21 The material issued by this Commission,
22 such as "Framing the Issues", by its very nature, seems
23 to take the approach that an answer can be found.

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1 Personally, I see your work much more
2 as being that of a catalyst. You could report in such
3 a way as to allow the government of the day, no matter
4 what government that is, to implement your
5 recommendations. Future governments at the federal,
6 provincial and even municipal levels could make use of
7 your material if it comes across in a politically-neutral
8 manner.

9 I ask you to please think of your work
10 as simply being that of a catalyst -- a catalyst for change;
11 a catalyst that does result in a rapid and complete
12 reaction. That, in my humble opinion, would be better
13 than trying to provide the answers.

14 Thank you.

15 **CO-CHAIR GEORGES ERASMUS:** Thank you
16 very much.

17 Do you mind if we ask you some questions?

18 **GARTH WALLBRIDGE:** Yes.

19 **CO-CHAIR GEORGES ERASMUS:** Bertha
20 Wilson, do you want to start?

21 **COMMISSIONER BERTHA WILSON:** You have
22 covered a great many issues in your brief and I would just
23 like to comment on one or two of them.

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1 I agree with you, by the way, about the
2 language problem and we have had a lot of discussion on
3 our Commission about this: the difficulty of knowing how
4 to describe people. Many of the words that we use some
5 people think that pejorative overtones and so on.

6 So that is difficult and we are trying
7 to prepare some kind of a glossary of terms to indicate
8 in what sense we are using the words in the final report
9 that we will be issuing when our work is done.

10 But I wanted to mention the nature of
11 the Commission because during the first round of hearings,
12 there seemed to be a lot of misunderstanding about this.

13 A lot of people in the communities, Native people thought
14 we were some kind of a branch of government or an agency
15 of government, that we were coming into the community
16 representing the federal government. Of course, nothing
17 could be further from the truth.

18 The very fact that the government went
19 the route of asking former Chief Justice Dickson to set
20 up the Commission, decide our terms of reference, decide
21 who should be sitting on it, all of these things which
22 were unusual in the creation of a Royal Commission were
23 designed to indicate that this was an independent body,

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1 that it was not an agency of government. We have been
2 at pains to try to explain that.

3 We are neither an agency of government
4 nor are we an agency of the Native people. That has been
5 hard to communicate as well. Of course, as you know, there
6 are the seven people. There are four Native people and
7 three non-Native people and the white community has
8 suggested, "Well, this is really a Native Commission
9 because there is a majority of Native people on it." On
10 the other hand, the Native people have said, "This is a
11 government Commission because it was created by the
12 government."

13 So we have really had to stress that we
14 are an independent body. We have no axe to grind either
15 way. So I just wanted to make that point. I agree with
16 what you say that the use of the word "Royal" is dicey
17 and that just happens to be the terminology that for time
18 immemorial, so to speak, has been used to describe
19 commissions.

20 I wanted to say a word about your
21 comments about justice because this is an area that you
22 and I are both interested in.

23 Personally, I have been very excited

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1 about the pilot projects and the initiatives that are
2 taking place in the area of the justice system. Many of
3 them really have to do with the sentencing process after
4 the person has either pleaded guilty or been found guilty,
5 and a lot of them have focused on what should happen then
6 to the offender. Of course, the Native people believe
7 that punishment is not the approach that should be taken,
8 that it is healing. A lot of the pilot projects that are
9 being conducted, therefore, address the sentencing aspect
10 and deal with replacing punishment with healing.

11 I am very happy about these projects for
12 this reason: At some point, the Commission must decide
13 and come up with its view, rightly or wrongly, whether
14 the existing system can be changed in such a way as to
15 make it more compatible with Native peoples' values or,
16 alternatively, as the Manitoba Justice Inquiry suggested,
17 there has to be a whole separate system.

18 It seems to me that the beauty of these
19 pilot projects is that they can be viewed as the base for
20 either. In other words, no decision needs to be made as
21 to whether these are changes or amendments to the existing
22 system or whether they form the basis for a separate system.
23 Nobody needs to decide that right now.

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1 The point is that there seem to be good
2 and useful experiments that it could subsequently be
3 either, depending on what the Native people decided they
4 wanted. If they wanted a separate system, okay, they have
5 one of the building blocks there in terms of the sentencing
6 process. Or, if they decided that it should just be by
7 way of change to the existing system, there are experiments
8 which do establish the kinds of changes that might be
9 desirable.

10 So I guess I disagree with you a bit
11 there, that this is just sort of tinkering with the white
12 system. I think it is neutral at the moment and it could
13 be either depending on the decision the Native people as
14 to whether they want to stay within the existing system
15 as modified or as a completely separate system.

16 On Native self-government, my
17 impression is that both the politicians and the public
18 endorse wholeheartedly the concept of the inherent right
19 of self-government. I think the very fact that when the
20 Charlottetown Accord was rejected, the political leaders
21 rushed in to say, "We don't believe this means that Native
22 self-government or the concept of the inherent right has
23 been rejected. We think that that is a part of the Accord

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1 that people seem to be happy with, both Native and
2 non-Native people."

3 I think that that is right and I agree
4 completely with you that the Native people have to
5 themselves come up with the kind of structures that they
6 think are appropriate in order to become autonomous and
7 self-governing. However, I don't think that any of us
8 expect that they are going to come up with that overnight.

9 That is really a tough assignment for anybody to be asked.

10 If Native people are going to self-governing, how is it
11 going to work? What is it going to look like?

12 We have thrown out these questions
13 really just to get people thinking, but nobody expects
14 that Native people are going to come up with hard and fast
15 answers. That is a huge question and I am sure there are
16 going to be as many ideas about how it will work as there
17 are groups of Native people.

18 However, we do want to get people
19 thinking about this and looking at different models,
20 different possibilities; looking at what has been done
21 and tried elsewhere, particularly where the method has
22 worked. We are, of course, interested in hearing about
23 solutions that are workable and, hopefully, preferably

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1 have been tested.

2 So that is the comment I wanted to make
3 on Native self-government and your comment on the Métis
4 National Accord -- I agree with you completely and I think
5 that this is one of the things that the Commission has
6 to apply its mind to very soon: the issue of coming up
7 with some kind of statement that there is no reason why
8 that should be held up. That is a sort of self-contained
9 thing in itself and we have to address that and should
10 address it as soon as we can.

11 So these are the comments I would like
12 to make, but I thank you for a very comprehensive brief
13 that has touched on many of the issues that we have to
14 address. I really appreciated it.

15 **CO-CHAIR GEORGES ERASMUS:** Neither the
16 Commissioner of the Day nor myself have any further
17 questions. So we would like to thank you for your
18 excellent presentation.

19 Thank you.

20 **GARTH WALLBRIDGE:** Thank you.

21 **MODERATOR SHELLY ANDERSON:** Our next
22 presenter will be Joe Hanly. He will be making a
23 presentation on behalf of the Honourable Titus Alooloo

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1 who had to return to the Legislative Assembly this morning.

2

3 Mr. Aloofoo is the GNWT Minister of
4 Renewable Resources and Mr. Hanly is the Deputy Minister
5 of Renewable Resources.

6 He will be discussing Aboriginal
7 people's need to use natural resources to sustain
8 themselves.

9 **JOE HANLY, Deputy Minister of Renewable**

10 **Resources:** Good morning, Mr. Chairman and Members of the
11 Commission.

12 The Minister certainly extends his
13 apologies for not being able to wait to make the
14 presentation, but there is a vote going on in the
15 Legislative Assembly this morning and he had to be there.

16 So I will be making his presentation on his behalf.

17 As was mentioned, the presentation we
18 want to make this morning really deals with the involvement
19 of Aboriginal people in renewable resource management.

20 Many people in the Northwest Territories
21 in our generation were born in tents and in sawed huts
22 out on the land and grew up hunting, trapping and fishing.

23 This has been the lifestyle for Native people of northern

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1 Canada for thousands of years. Although at times there
2 were periods of hunger and food shortages, Aboriginal
3 people at the time were self-reliant, proud and strong.
4

5 As the mineral resources of the
6 Northwest Territories were developed and schools and
7 nursing stations became established, families began to
8 move to larger settlements. Lifestyles changed and wealth
9 became concentrated in a few large centres, primarily in
10 the western Arctic.

11 In the smaller communities where the
12 majority of people lived, unemployment dependents on
13 government assistance and cultural and family
14 disintegration occurred. This pattern concerns today.

15 However, I am convinced that the key to
16 our survival as a people continues to lie with the renewable
17 resources in the North. The wise use of the resources
18 has the potential to develop a more diverse and stable
19 economy. By restoring wealth to people generally,
20 Aboriginal communities will again become self-reliant,
21 strong and proud.

22 The use of renewable resources remains
23 important to the people of the Northwest Territories.

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1 Our Native cultures and social systems are based on
2 obtaining a living from the land. Fish and wildlife
3 provide food, a source of income and, most importantly,
4 a way of life.

5 The forest provides employment and wood
6 for heat and construction. Native peoples wish to
7 continue traditional lifestyles because these are the
8 cornerstones of our culture.

9 I am constantly reminded that our most
10 important job -- and certainly the direction of the
11 Minister is in this way -- is to maintain the health of
12 our wildlife, forests and environment so they can continue
13 to provide for our children.

14 When we travel nationally and
15 internationally, we are frequently told of the excellence
16 of our Renewable Resource Management Programs in the
17 Northwest Territories. I believe that one secret to our
18 success has been the emphasis on involving residents in
19 renewable resource management.

20 Our presentation will provide some
21 background on how the Department of Renewable Resources
22 began to involve resource users. I will then give some
23 examples that I believe can be used as models elsewhere

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1 in Canada to allow Aboriginal people to retain their
2 cultures and lifestyles. Last, I will comment on the
3 future plans of the Department.

4 Because of their reliance on what the
5 land produces, Native people have always had a strong
6 interest in seeing how the land is used and protecting
7 it from misuse. In many ways, this high level of interest
8 has made it much easier to involve residents in management.
9

10 About 15 years ago, the Department began
11 providing funding to form a Hunters and Trappers
12 Association or, as we call them, HTAs in each community.
13 These associations became the focus for the Department
14 to discuss management ideas and to learn about community
15 needs and concerns. The concept of HTAs is now well
16 enshrined within existing and proposed land claim
17 agreements.

18 Since most Native communities are very
19 small and often less than 1,000 people and often with very
20 different needs, this type of community contact has helped
21 departmental programs and services to reflect community
22 needs.

23 To be successful, government programs

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1 must be driven by what people want. If people are to be
2 involved in renewable resource management, some
3 understanding of research and management processes is
4 required.

5 One step the Department took was to have
6 biologists and renewable resource officers hire local
7 hunters and trappers to assist them with field work. As
8 staff and residents worked with each other and developed
9 trust, information was shared among them. Not only did
10 our staff discuss management techniques, but local hunters
11 and trappers talked about the knowledge that they and their
12 Elders had gained by observing the land and animals they
13 relied on.

14 The Department has continued to promote
15 the use of traditional knowledge in research and
16 management. We believe that better decisions are made
17 and better decisions are devolved when all types of
18 knowledge are used, scientific and traditional.
19 Encouraging the use of traditional knowledge also supports
20 the cultures and lifestyles of Native peoples.

21 The Department's first successful model
22 of co-management was the Beverly Canameriak (PH) Caribou
23 Management Board. These two baron ground caribou herds

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1 spent their lives wondering through the Keewatin Region
2 in the Northwest Territories and the northern parts of
3 Saskatchewan and Manitoba.

4 In the late 1970s, there was concern that
5 the herds were declining and great conflicts developed
6 among resource users and managers. Several years and a
7 number of meetings later, an acceptable agreement was
8 reached in 1982 between management agencies and
9 communities to form the Caribou Management Board. It
10 consisted of five representatives from the federal,
11 provincial and territorial management agencies and eight
12 representatives from the resource users, which were Inuit,
13 Métis and Indian or Dene.

14 The Board's mandate was to advise
15 governments and users on caribou management, research and
16 monitoring of caribou habitat. One of the biggest
17 achievements has been the completion and integration of
18 a management plan for these two great caribou herds.

19 As we followed the progress of the Board,
20 the Department learned several lessons about what is needed
21 to make co-management boards successful.

22 First, the users and management agencies
23 must agree on the same goal in order to make a management

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1 decision or recommendation.

2 Second, both users and management
3 agencies need to be informed about issues to make good
4 decisions. Education takes time and money which the
5 government must be prepared to provide. Technical terms
6 need to be presented simply so they can be understood and
7 translated. Wherever possible, information has to be
8 provided in a Native language.

9 Third, users and management agencies
10 must trust each other in order to work together. Honesty
11 and patience are required as it can take time to develop
12 that trust.

13 Fourth, meaningful participation by
14 users is expensive, but we need to believe that benefits
15 outweigh the costs. If users are involved in developing
16 a decision or recommendation, implementing that decision
17 is much easier. Governments must recognize these costs
18 and conditions if co-management is to be successful.

19 Renewable Resource Management Boards
20 are a component within all the existing and proposed land
21 claim agreements in the Northwest Territories.
22 Aboriginal peoples recognize these boards as legitimate
23 structures to achieve control over renewable resource

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1 management and to ensure that management meets their
2 economic, cultural and social needs.

3 The Inuvialuit final agreement carries
4 control over the use of resources one step further with
5 the requirement that all Inuvialuit communities develop
6 conservation plans which provide guidelines on how
7 resources shall be used and conserved. Other communities
8 in the Northwest Territories have also begun developing
9 management plans for renewable resources that are
10 important to them.

11 The role of the Department of Renewable
12 Resources has been to provide financial and technical
13 support as required by the community. This is the type
14 of role that management agencies should be expected to
15 fulfill if they wish to support the desires of Aboriginal
16 people to become responsible for the management of
17 resources. Again, this can be an expensive and
18 time-consuming process. However, results reflect the
19 needs and aspirations of Native people.

20 The model of community people deciding
21 how resources should be conserved has even been used to
22 co-management wildlife that cross international borders.
23 Several years ago, the Inupiat of Alaska and the

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1 Inuvialuit of the Mackenzie Delta together developed a
2 polar bear management agreement for the population of polar
3 bears that their hunters share. This type of agreement
4 was signed by community representatives and witnessed by
5 the Minister of Renewable Resources.

6 The Government of Greenland is
7 interested in developing a similar agreement among hunters
8 from Baffin and Greenland who both harvest the Baffin Bay
9 polar bear population.

10 I believe that co-management agreements
11 can also be used as models elsewhere in Canada to allow
12 Aboriginal people to manage resources that are shared with
13 others, whether they be Native or non-Native.

14 Our Department's role in these
15 agreements has been to provide technical information,
16 facilitate meetings, provide or find sources of funding
17 and make regulation changes to implement the agreements.
18 Again, these are roles that management agencies must be
19 able to provide.

20 By encouraging the involvement of
21 residents in renewable resource management, the Department
22 has not compromised its mandate of managing resources.
23 There are two reasons. Even within land claim agreements,

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1 the Minister of Renewable Resources retains the final say
2 in accepting management decisions. The second reason is
3 that both the residents and the Department have the same
4 goal of wise use of resources.

5 However, by allowing residents
6 involvement in the management process, we ensure that
7 maximum benefit accrue to residents and that the needs
8 of residents are met.

9 The last area of renewable resource
10 management that I wish to discuss is part of the future
11 plans of the Department of Renewable Resources. That is,
12 the expansion of the renewable resource sector of the
13 economy to meet the needs of residents.

14 In recent years, the economic story of
15 the Northwest Territories has been a series of boom and
16 bust cycles based primarily on mineral and hydro-carbon
17 exploration and development. Towns based on ore deposits
18 like Pine Point have only a limited lifespan.

19 Although mineral development will
20 continue to be an important northern industry, developing
21 renewable resources has the potential to offer a
22 sustainable, perhaps more dependable economy. As long
23 as the level of harvest is sustainable, economic ventures

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1 such as outfitting, fishing, wood cutting, et cetera, offer
2 long-term employment and income opportunities.

3 Many renewable resource ventures also
4 make use of the interests and skills of our Native people.

5 Since these ventures are usually cottage-type industries,
6 they are particularly well suited to the environment of
7 small Native communities which other types of businesses
8 could never function in.

9 Last, these activities are often
10 seasonal and provide residents with the opportunity to
11 continue traditional lifestyles and activities in the
12 off-season.

13 The Department wants to apply lessons
14 learned from involving Aboriginal people in renewable
15 resource management to expanding the renewable resources'
16 economy. Our objective is to see that Aboriginal people
17 gain control over economic ventures related to renewable
18 resources. We want to expand opportunities not just in
19 harvesting, but also in manufacturing equipment for
20 harvesting.

21 One example is the first strategy that
22 the Department is currently developing. This strategy
23 will cover all aspects of the northern fur industry from

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1 trapping to managing fur bears to market development.
2 The objective is to increase benefits and jobs for
3 residents, the strategy being guided by a committee made
4 up of representatives from Native organizations and
5 government. Once drafted, it will be circulated for
6 public consultation.

7 The Department has recognized the
8 importance of public consultation on all policies and
9 management plans that are prepared. This is the only way
10 we can be sure that we have heard what people have said
11 and develop solutions that meet their needs. Again,
12 public consultation is an expensive and time-consuming
13 process, but it is essential.

14 Eventually, it is the Minister's intent
15 that communities will develop their own economic
16 strategies just as they have done with management plans
17 and agreements. These will be the most successful because
18 communities will become the champion that is needed to
19 ensure success.

20 As communities become more involved, the
21 management agencies will need to continue to play a
22 supportive role providing technical and financial
23 assistance. This may require restructuring support

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1 programs.

2 As well, agencies must change their
3 methods of evaluating whether to support an economic
4 venture and its success. Social and cultural benefits,
5 as well as economic benefits, should be considered. In
6 this way, economic ventures will meet the desires of
7 Aboriginal people to maintain their culture and lifestyle
8 and improve their economic situation.

9 For example, it may be worthwhile to a
10 management agency to continue to subsidize the value of
11 a fur pelt because the activity provides the following
12 benefits: The meat provided through trapping supplements
13 the family's food supply and reduces reliance on expensive
14 store-bought meat. The hunter retains his traditional
15 skills and, thus, reinforces the value of culture which
16 continues to provide a source of food and income. While
17 the hunter is trapping, welfare or social assistance
18 payments from the government are reduced and indirect costs
19 of unemployment, such as alcohol, drug problems and family
20 breakdown can be reduced.

21 As an Inuk, the Minister of Renewable
22 Resources will continue to develop ways to involve
23 Aboriginal people in renewable resource management.

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1 Because the majority of the people in the Northwest
2 Territories are Aboriginal, we have had a head start in
3 developing successful structures and techniques.

4 We believe that the models described can
5 be used in other parts of Canada. These models will allow
6 Aboriginal people to become responsible for their future
7 and live in harmony with other Canadians.

8 I would be pleased to respond to any
9 questions you may have. Thank you.

10 **CO-CHAIR GEORGES ERASMUS:** Thank you.

11 Bertha, do you have any questions?

12 **COMMISSIONER BERTHA WILSON:** I would
13 just like to comment that it sounds as if you have an
14 excellent model here that could be used in many
15 communities.

16 I am wondering: Did there have to be
17 a review of existing legislation and any legislative
18 changes involved in order to put together this Wildlife
19 Management Program?

20 **JOE HANLY:** I think there has
21 continually been a review of our legislation to make sure
22 that it provides for the level of involvement by Aboriginal
23 hunters, users of the resources.

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1 The biggest adjustment we have had to
2 make now is with the land claims agreement where we have
3 had to adjust our legislation to fit the level of control
4 that is given to Aboriginal people through land claims.

5 **COMMISSIONER BERTHA WILSON:** Thank you.

6 **CO-CHAIR GEORGES ERASMUS:** I would like
7 to thank you for your presentation. On my part, I don't
8 have any questions. I will see if Bertha Allen has any
9 questions for you.

10 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

11 Yes, I have a few.

12 **CO-CHAIR GEORGES ERASMUS:** All right.

13 Bertha Allen will ask you a few questions.

14 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

15 I haven't heard, or maybe I didn't hear you, whether you
16 are recommending or considering any type of subsidy to
17 trappers, the same as there is subsidy given to farmers?

18 **JOE HANLY:** Yes. I guess our point is
19 that there are so many things in our economy that are
20 subsidized to some extent that we have to have the same
21 kind of thinking when we think of the renewable resources
22 sector in the Northwest Territories.

23 In the Northwest Territories, we have

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1 a few large communities, as you know, and a lot of smaller
2 communities where many people choose to live. Unless we
3 develop an economy which probably will have to be
4 subsidized which will enable people to continue to live
5 there, then we could end up with almost a third world
6 situation in the Northwest Territories where the wealth
7 is concentrated in a few large communities and maybe in
8 a few hands and a lot of unemployed people move in in an
9 attempt to find employment if they can't find it there.
10 They can't find it at home, and so on.

11 So our whole approach is to say, "Yes,
12 we have involved Aboriginal people in management up to
13 now and now that we are looking at the next phase, which
14 is renewable resource development, everything right from
15 the support to hunters and trappers themselves to getting
16 into value-added things in terms of fur products" -- it
17 could even be to trap manufacturing, boat making, many
18 things -- "that we have to subsidize them probably."

19 However, farmers are subsidized. Auto
20 manufacturing companies are subsidized and we are saying,
21 "Let's apply the same thinking. The savings will come
22 back to us in a lot less social problems, unemployment
23 and all the things that come with that. So we are very

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1 much saying, "Yes, subsidies are there."

2 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

3 Thank you.

4 **CO-CHAIR GEORGES ERASMUS:** Excellent.

5 Thank you.

6 **JOE HANLY:** Thank you.

7 Again, the Minister makes his apologies
8 for not being here.

9 **CO-CHAIR GEORGES ERASMUS:** Let him know
10 we understand perfectly.

11 **MODERATOR SHELLY ANDERSON:** The next
12 presenter is Ms Catherine MacQuarrie. She is the
13 Executive Director of the Native Communications Society
14 of the Western NWT.

15 She will be discussing the difficulties
16 facing Native communications.

17 **CATHERINE MacQUARRIE:** Thank you.

18 Good morning, Co-Commissioner Erasmus,
19 Commissioner Wilson and Commissioner Allen.

20 Although I am currently the Executive
21 Director of Native Communications of the Western NWT, I
22 am making this presentation this morning as an individual.

23

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1 Currently, our colleague societies
2 across Canada are working on a position paper on Native
3 communities in a self-government model and I didn't want
4 to usurp that process with my presentation today.

5 So please understand that the remarks
6 and any recommendations that I make are from a personal
7 perspective.

8 You have asked to hear about solutions
9 to the many problems, concerns and issues that were raised
10 in the first round of discussion. I would like to
11 respectfully suggest this morning that there are already
12 many solutions going on in our community, and I think you
13 are starting to hear about some of them.

14 My greatest concern is for Native
15 communications, but I would like to draw attention to the
16 work that is being done by the Friendship Centres, local
17 justice committees, Native women's associations, youth
18 initiatives, education authorities, Native arts and crafts
19 groups, alcohol and drug programs, to name just a few.

20 With few exceptions, I think these
21 organizations are excellent examples of self-government
22 already in action. They are community-based,
23 community-supported initiatives and they are striving to

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1 improve life in our communities, yet, all of us find that
2 our work is most often done with a great deal of volunteer
3 and/or poorly paid effort. I think all of us would agree
4 that we are mostly overlooked by our political leadership
5 within our communities as being significant vehicles for
6 change, and almost all of us experience a great deal of
7 financial instability and funding shortages.

8 At any rate, these are certainly the
9 circumstances under which Native communications operates
10 in Canada. Even though I firmly believe that strong,
11 independent Aboriginal media is absolutely crucial to the
12 positive development of our people politically, socially,
13 economically and culturally, Aboriginal communications
14 doesn't address just one particular need or aspiration
15 in our communities and it doesn't, by and large, act as
16 a voice for just one political or interest group and, in
17 fact occupies a very unique place in our communities and
18 it fulfills many, many functions.

19 The Native Communications groups,
20 whether they be print, radio or television ventures, share
21 similar mandates. They strive to preserve and increase
22 the use of Aboriginal languages, to preserve and
23 disseminate our cultures. They aim to provide accurate,

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1 balanced and responsible information about Aboriginal
2 issues of interest to Aboriginal people and they cover
3 a wide range of stories from social problems and solutions
4 to education, political and economic development, cultural
5 events, history, to individual achievement.

6 They try to provide a respected forum
7 for public debate in our communities, giving a voice to
8 people, areas and communities that would not otherwise
9 be heard. Aboriginal communications trains and employees
10 Native professionals. It generates and sustains economic
11 activity in remote communities as well as to help them
12 develop technologically.

13 Native communicators work to provide our
14 people with an alternative history to the one that is
15 available in non-Native media and culture and to develop
16 an Aboriginal conscience. Our work is also essential in
17 informing non-Native people of the Aboriginal reality,
18 thereby fostering tolerance and respect. I would like
19 to add that that is happening not just nationally, but
20 internationally as well.

21 In short, Native communications is
22 fundamental to the advancement of Native people
23 individually, community-wide and across the country. By

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1 providing ways to share our ideas, our values, history,
2 stories and languages, we tell each other that we are
3 important, that our culture is valuable and, quite simply,
4 I believe we are working to restore personal and community
5 pride which is a foundation of change.

6 Aboriginal communications has actually
7 been quite successful over the past 20 years. From early
8 beginnings as newsletters or local radio initiatives, it
9 has grown to be comprised of several hundred local radio
10 stations, eleven regional radio networks, the beginnings
11 of a national Aboriginal radio network, six television
12 production outlets, a pan-northern Aboriginal television
13 network called Television Northern Canada, and numerous
14 newspapers. I should add that these are just the media
15 that I know about personally.

16 According to audience surveys taken over
17 the years, these services are hugely popular with the
18 people that they serve. Many have become essential
19 sources for non-Native media and other non-Native people
20 in Canada and across the world who want to know what is
21 going on in the Aboriginal community.

22 In northern Ontario, Wawatah (PH)
23 Communications has undertaken impressive and successful

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1 experiments in distance education, providing its people
2 in remote communities with the opportunity through radio
3 broadcast to achieve a high school diploma without leaving
4 their homes.

5 In the Northwest Territories, the Inuit
6 Broadcasting Corporation is working to develop a
7 caregivers network on Television Northern Canada, linking
8 people in crisis with immediate help.

9 Other landmarks include the fraying of
10 Junior Marshall, thanks largely to the untiring efforts
11 of Micmac News which, sadly, no longer exists. The issues
12 which led to the Manitoba Justice Inquiry, stories of
13 residential school abuses, environmental concerns, land
14 claim developments across the country and the need for
15 self-government all got their first notice on the pages,
16 the scripts or TV screens of Native media years before
17 the CBC or The Globe & Mail or anyone else for that matter
18 ever paid attention.

19 As Aboriginal people, we have a
20 communications system and a communications potential that
21 is the envy of indigenous people around the world; yet,
22 for all of this, Native media continues to face neglect
23 and even abuse by our own political leadership and by the

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1 federal government which does or doesn't fund us according
2 to the agenda of the day.

3 Program funds have been frozen, cut or
4 completely eliminated as it was in the case of Native
5 newspapers in 1990. Native broadcasters south of the
6 so-called Hamlin Line have never received any funding.
7 Since the cuts in 1990, at least four Native publications
8 have ceased publication and several others teeter on the
9 brink of closure. I believe this is a great loss to the
10 communities they served and society in general.

11 Native radio and TV producers have to
12 continually find ways to cope with job losses, lower
13 program quality and quantity and a general erosion of their
14 public mandate in order that they can raise private funds.

15 Today, I am going to be returning to my office to find
16 out just how much we have been cut in the latest round
17 of federal cutbacks and also try to figure out how we are
18 going to absorb the blow.

19 I think this situation is unacceptable.
20 No society or culture in the world expects to survive
21 without a strong communications system. Indigenous
22 people in other countries literally face death in order
23 to keep their broadcasts alive. That is how important

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1 the people's voice is and I think, surely, Native
2 communications in Canada deserves far more recognition
3 and support than it currently receives.

4 In my opinion, the first thing that has
5 to happen is that all Aboriginal governments now and those
6 that are to be developed in the future must adopt the
7 principle that there be independent, publicly-funded
8 Aboriginal communication services available to their
9 people, and the federal government must also legislate
10 this principle in the Broadcast Act for broadcast media.

11 I would go even further -- and I did some
12 rewriting since I had this typed up earlier -- that the
13 parties in any treaty, land claim or self-government
14 negotiations be required to include provision for
15 communications as part of any final package settlement.

16 In terms of funding, the price doesn't
17 have to be high. Many communications societies have
18 already demonstrated that they are ready, willing and able
19 to raise some portion of their own revenues. In fact,
20 a lot of the growth I detailed earlier has been in spite
21 of not because of government funding.

22 However, core funding to Native
23 communications does have to be adequate, stable and

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1 permanent and free of political whim, and it must remain
2 publicly administered to ensure that the fund is fairly
3 distributed so that all Aboriginal people have a voice,
4 whether they be Indians or Métis, non-status, urban or
5 rural, male or female, traditional or modern in their ways.

6 I guess it is probably pretty obvious
7 that I feel strongly and, in fact, even passionate about
8 the fact that Native communications is a key solution to
9 ensuring our people achieve all that they are and all that
10 they can be. I hope that some of what I have said has
11 started to convince you as well.

12 However, if you need to hear more, if
13 you would like to see more, I would invite you to turn
14 on Television Northern Canada tonight -- it is on Channel
15 16 and on local cable in your hotel room -- to pick up
16 a copy of the Press Independent, which is a newspaper that
17 my society produces for this region, or to tune into a
18 man named Ray Fox on Canada's Aboriginal Radio Network
19 on Saturday and Sunday.

20 The voices and faces of our people from
21 all around the country sharing their thoughts and hopes
22 and smiles is surely argument enough.

23 Thank you.

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1 **CO-CHAIR GEORGES ERASMUS:** Thank you.
2 Do you mind if we ask you some questions?

3 **CATHERINE MacQUARRIE:** Sure.

4 **COMMISSIONER BERTHA WILSON:** I don't
5 know how anybody could disagree with --

6 **CATHERINE MacQUARRIE:** Nor do I.

7 **COMMISSIONER BERTHA WILSON:** -- what
8 you have set out here.

9 I am just wondering: Did the Native
10 communications system take any concerted action with
11 respect to these most recent cuts?

12 **CATHERINE MacQUARRIE:** Quite frankly,
13 we don't even know yet what the cuts are and the Secretary
14 of State, the staff there don't know what the cuts are.
15 That has been a part of the problem over the last number
16 of years.

17 I don't think they are being done
18 deliberately. I think it is part of --

19 **COMMISSIONER BERTHA WILSON:** It is part
20 of an overall package.

21 **CATHERINE MacQUARRIE:** That's right.
22 We don't have any way to plan for them or any way to really
23 react to them once they take place.

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1 **COMMISSIONER BERTHA WILSON:** It just
2 seems that the priorities are all wrong, doesn't it? This
3 is such an obviously valuable contribution that is made
4 that it is hard to understand why something like that would
5 be cut. It boggles the mind, I think.

6 I just wonder: Is there anything that
7 we can do?

8 **CATHERINE MacQUARRIE:** I hope to
9 perhaps see some recommendations in your final report that
10 deal with Aboriginal communications.

11 I think part of our problem,
12 Commissioner Wilson, is that because Native communications
13 is mostly comprised of journalists, people who attempt
14 to hold themselves independent from the politics of the
15 day, is that we have been very reluctant to get political
16 ourselves.

17 This is an area -- and it is not just
18 in the Aboriginal community. It happens in the rest of
19 Canada with the CBC and in other countries as well in regard
20 to public broadcasting or public communications systems.

21 It really requires society, whether that be in Canada
22 as a whole or individual Aboriginal groups, to adopt a
23 principle that the public communications is required for

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1 their people.

2 It is often, when there are so many
3 concerns and so many issues to deal with, that people don't
4 often talk or sit down to think about principles and
5 adopting principles for moving ahead.

6 **CO-CHAIR GEORGES ERASMUS:** Your
7 presentation, I think, speaks for itself. It is certainly
8 a good one.

9 We have heard this from other
10 communications societies and we have been in Ontario.
11 It was certainly presented to us by others. We are hearing
12 you.

13 Bertha, do you have any questions or
14 comments?

15 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

16 Yes.

17 I am sure that once the Commission here
18 receives the recommendations from the national Aboriginal
19 media, I hope that the government will be listening because
20 what is really desperately needed in Native communications
21 is better funding so that they could do some long-term
22 planning.

23 I, myself, have taken a general course

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1 in communications a few years back and just looking at
2 some of the reruns, that just tells me that there is not
3 enough money to do it proper. Listening to a lot of the
4 journalists, Aboriginal journalists, who are on the tube,
5 there is really a lot more training that is needed for
6 Aboriginal journalists to portray the life of Aboriginal
7 people to the rest of Canada.

8 So I certainly fully understand where
9 you are coming from. Thank you.

10 **CO-CHAIR GEORGES ERASMUS:** Thank you.

11 **CATHERINE MacQUARRIE:** Thank you.

12 **CO-CHAIR GEORGES ERASMUS:** Is our other
13 presenter here?

14 **MODERATOR SHELLY ANDERSON:** Yes, we
15 were expecting Gary Tautenhan. He was here this morning,
16 but he has disappeared.

17 **CO-CHAIR GEORGES ERASMUS:** If not, we
18 will break now, then, for lunch and we will resume again
19 at 1:30 sharp.

20 --- Luncheon recess at 11:44 a.m.

21 --- Upon resuming at 1:44 p.m.

22 **MODERATOR SHELLY ANDERSON:** Our first
23 presentation this afternoon will be from Gary Tautenhan.

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1 He is an individual who was born in Greenland and has
2 spent the last ten years living in various communities
3 of the NWT.

4 He will be discussing a circumpolar
5 perspective on northern Aboriginal people, language and
6 culture, peace in Denendeh and Nunavut and working
7 together.

8 **GARY TAUTENHAN:** I would like to
9 introduce myself as Gary and what I am talking about is
10 a new circumpolar work for the youth and the Elders.

11 I would like to emphasize to the
12 Commission that the language and the Elders are very, very
13 important to continue the Inuit, Denendeh and Gwich'in.
14 Language is very, very important because, as we were in
15 Greenland, our language is still alive and we are very
16 sensitive about our culture and language. I think the
17 NWT -- it doesn't matter if they are Inuit or Gwich'in.

18 The language is very important. I keep emphasizing to
19 the Commission that the language and the culture ---

20 As the Elders say, there is a drum and
21 that drum has to keep on beating towards the Royal
22 Commission. I think it is very important. If it doesn't
23 listen to these people, then we are going to lose a lot;

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1 I mean really lots. These Elders are trying so hard, but
2 sometimes they are not heard and I think somebody has to
3 speak up for these Elders to get through to the youth.

4 I am worried about the suicide
5 prevention because these people sometimes are scared,
6 really scared, and they don't have anybody to turn to.
7 I would emphasize to the Royal Commission that each
8 community should have their suicide prevention workers
9 and work closely with individuals and keep the language
10 and the culture, drum dancing and hunting -- all these
11 things are very important to our children.

12 What I would like to say about the
13 Nunavut is that this claim is Aboriginal. This is the
14 first claim in Canadian history that is Aboriginal and
15 it should stay that way. Ask the Gwich'in and the Denendeh
16 and the Inuit to work together because this claim is
17 Aboriginal. Keep the peace. Don't fight each other and
18 sit around the table. Invite each other to your
19 communities and you can get a lot further ahead than
20 fighting on tables. Peace is important, especially in
21 the NWT. The economy is not that good right now and we
22 should work all together. That is the only way -- white,
23 Inuit and Gwich'in and Denendeh.

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1 I hope and pray for these people that
2 they can get ahead and our economy should get better working
3 together with all the nations in the NWT.

4 Thank you.

5 **CO-CHAIR GEORGES ERASMUS:** Thank you
6 very much.

7 **MODERATOR SHELLY ANDERSON:** The next
8 presenter is Mr. Lorne Schollar. He is with the NWT
9 Wildlife Federation.

10 His presentation will be on access to
11 wildlife and fish, equality and respect.

12 **LORNE SCHOLLAR, NWT Wildlife**

13 **Federation:** Good afternoon. My name is Lorne Schollar.

14

15 On behalf of the Northwest Territories
16 Wildlife Federation, I would like to say that we very much
17 appreciate the opportunity to present some of our concerns.

18 I believe you may have a copy of my
19 remarks. If I may, I would just read them to you.

20 Our primary interest in the conservation
21 and wise use of wildlife and fish stocks, along with the
22 protection and preservation of the environment, for all
23 people.

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1 At the outset, let me say that our
2 organization feels strongly about the equality of access
3 to these renewable and natural resources, regardless of
4 race or origin. There is presently a noticeable imbalance
5 regarding Native and non-Native access to wildlife. We
6 feel that future plans should attempt to correct this
7 situation to reduce any ill-will and foster better
8 relationships between northern residents.

9 Equality and fairness must become and
10 remain the focus of all our considerations.

11 We recognize and support the need for
12 true subsistence hunting by Native people. There should,
13 however, be a clear distinction made between actual
14 subsistence hunting and perceived rights. Exclusive
15 Aboriginal rights to hunt at any time of year and without
16 restrictions can hardly be justified as subsistence when
17 an individual is permanently employed.

18 On the other hand, a non-Aboriginal
19 person, making the same or less money, is subject to strict
20 harvest regulations. Licensing and reporting procedures
21 that apply to all resource users alike are deemed essential
22 components for effective wildlife conservation and
23 management.

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1 This is not intended to pose a problem
2 for special interest groups or particular situations.
3 The object, however, is accountability by all persons.
4 Justifiable laws and regulations provide equal boundaries
5 for everyone and, thereby, create a sense of fair play
6 and harmony.

7 Wildlife management is, for the most
8 part, supported by non-Aboriginal Canadians through
9 general taxation and licence revenues. However, their
10 interests in wildlife are inferior to those who generally
11 don't contribute financially to that management.

12 In another area, the sale or barter of
13 wildlife should only be undertaken in clearly justifiable
14 circumstances through a community or in a business
15 atmosphere. Such use should be the exception rather than
16 the norm. Conservation should always be of prime
17 importance and the needs of all residents should be
18 addressed before other uses.

19 We are northern residents living
20 together. It is possible to find good and bad examples
21 among all segments of society. Therefore, the same basic
22 rules should apply. This is particularly so in the use
23 of fish and wildlife as it is free-roaming and migrant

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1 in nature.

2 In April of this year, the NWT Wildlife
3 Federation participated in a workshop on Migratory Birds,
4 a copy of which has been attached for you. We are on record
5 favouring equitable access by all residents with allowance
6 for spring hunting of migratory birds. Traditional
7 harvests by Aboriginal people, as legitimate special
8 groups, should be recognized within the confines dictated
9 by the need for conservation.

10 We would like to say that we support all
11 Native people in their quest for a fair deal within Canada.

12 However, we must all work together to manage our delicate
13 resources for the benefit of all people concerned.

14 Over the next 10 to 20 years, the
15 grandchildren of Aboriginal and non-Aboriginal people may
16 be one and the same in many cases.

17 Thank you.

18 **CO-CHAIR GEORGES ERASMUS:** Thank you.

19 Do you mind if we ask you some questions?

20 **LORNE SCHOLLAR:** That's fine.

21 **CO-CHAIR GEORGES ERASMUS:** Thank you.

22 Bertha, do you want to begin?

23 **COMMISSIONER BERTHA WILSON:** In

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1 connection with the Aboriginal right to hunt and fish,
2 the Supreme Court of Canada has indicated in the Sparrow
3 case that the Aboriginal rights of the Native people are
4 the first call on these renewable resources and has set
5 out the order of priorities. Obviously conservation comes
6 next as a high priority and things like sport fishing and
7 so on are lower down on the rung of the order of the
8 priorities, but we are talking here, when we are talking
9 about wildlife, of the fundamental rights of the Aboriginal
10 people. The court has been quite firm in saying that
11 theirs is the prior claim on these renewable resources

12 I think it is not always easy for the
13 non-Native people who want to resort to the resources to
14 accept that, but in fact this is quite fundamental in terms
15 of the rights of Native people.

16 So I appreciate the views that you are
17 expressing, but that is the order of priorities. The
18 Aboriginal right comes first. So I just wanted to say
19 that that is, at the moment, the law.

20 **LORNE SCHOLLAR:** I am aware of that and
21 I have had some discussion on that aspect. Certainly I
22 think that many court decisions are still open to
23 interpretation.

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1 However, without getting into the pros
2 and cons of that aspect of it, I think more of our experience
3 is drawn from some of the reaction we get to this type
4 of thing from people on a little more local or personal
5 scale.

6 Some of the problems that it does create
7 -- we tried to put a positive light on this because I think
8 that that is the way that it really needs to be dealt with
9 and not to be pointing fingers unnecessarily, so to speak.

10 As I did mention in there, there are good
11 and bad examples on both sides of the fence or in all aspects
12 of society. Certainly, I am sure one could find examples
13 where the results of that decision have created obvious
14 problems with the use of game. I realize that this
15 probably isn't the time for that and certainly we don't
16 have the time to get into it.

17 However, the reason for our submission
18 being as it was is to try to circumvent all of that by
19 having equal rules for all people involved, and that is
20 why you will notice throughout our submission that the
21 word "all" was used on a number of occasions, hopefully
22 not to belabour it too much.

23 However, I do feel that it is very

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1 important and that was another reason for us putting in
2 that we really are all people living together. We are
3 all just people living together and in order for that
4 harmony to be there, of course, was the basis for our
5 submission.

6 If people are truly in a subsistent
7 situation, that is different than both people being
8 involved in a wage situation. As a matter of fact, at
9 the spring workshop in respect to migratory birds, that
10 same thought was expressed by one of the people there who
11 was an Aboriginal or Métis person. He said that he didn't
12 really have a need for it because he had a good job. Of
13 course, those are basically our sentiments, too, that you
14 work from an equal footing under those conditions.

15 **COMMISSIONER BERTHA WILSON:** The only
16 point that I was making is that this is a matter of right.
17 This is the right of Aboriginal people. Whether they
18 wish to exercise it or not or whether they need to exercise
19 it or not is a different question. But in terms of rights,
20 they have that paramount right and interest in the
21 wildlife.

22 **LORNE SCHOLLAR:** I appreciate that, but
23 I think that is where --

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1 **COMMISSIONER BERTHA WILSON:** I
2 understand what you are saying.

3 **LORNE SCHOLLAR:** -- a good deal of the
4 problems start, unfortunately.

5 **COMMISSIONER BERTHA WILSON:** Yes, I
6 understand.

7 **CO-CHAIR GEORGES ERASMUS:** So you think
8 the solution to the problems that are created by Aboriginal
9 people having the treaty right to hunt, for instance, is
10 different from everybody else. The best way to eradicate
11 that for Canada would be to have everybody in Canada having
12 the same access to wildlife.

13 **LORNE SCHOLLAR:** Yes, I believe so. I
14 realize that it is not quite as simple as we may make it
15 sound today, but I think that is the focus that we need
16 to centre on. I think most people have a sense fairness
17 built into them and each one of us may like to have our
18 own exclusive little neck of the woods or spot where we
19 go or right to something, but really, when it comes down
20 to fairness and equality, I think those are the things
21 that really sit with us if we sit back and take a look
22 at it and are realistic with ourselves.

23 **CO-CHAIR GEORGES ERASMUS:** How does it

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1 sit with your sense of fairness in relation to the over
2 300 treaties in Canada that outline the reason that
3 Aboriginal should provide a land base for European people
4 coming in would be that they would continue to enjoy special
5 harvesting rights that were not the same as other people?

6 How does your sense of fairness deal with those kinds
7 of treaty documents which provided Canada with the land
8 base to create its society?

9 **LORNE SCHOLLAR:** I realize that it is
10 a complicated issue, but I think that situations have
11 changed considerably since that time in that many of the
12 Aboriginal people are involved in the workforce, and right
13 so.

14 However, to have an exercised right just
15 for the sake of the right is one thing and to have a need
16 for it is maybe another thing.

17 **COMMISSIONER BERTHA WILSON:** Would you
18 apply that principle to mineral resources, for example?

19 How would your concept of fairness apply there in terms
20 of the wealth that has come out of the land in which Native
21 people have not shared?

22 It is a concept that I don't think you
23 could -- the implications of it, if you applied it right

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1 across the board, you would probably find difficult to
2 accept, and yet one has to be consistent.

3 **LORNE SCHOLLAR:** Yes, I agree.

4 Certainly, it is getting out of our particular area of
5 concern, but I do have some feelings on my own. Many of
6 these things, I believe, are worked out through
7 negotiation, obviously.

8 But if you can believe what you hear --
9 and reality is that you can't believe all that you hear
10 -- it almost has the connotation that the pendulum is
11 swinging too far one way and that the inequality is going
12 against one group of people at the present time trying
13 to counter the inequality and wrongs that have taken place
14 in earlier years.

15 Maybe that is the way society goes, but
16 I think what we have tried to set out here is that equality
17 and fairness and fair play are the focus that we should
18 be centring on trying to sort out those situations that
19 are or could be apparent grand-standing for whatever gain
20 or for whatever purpose.

21 I don't know what to say, but I think
22 that people are people regardless of where they are and
23 that all people should have the same basic opportunity.

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1 Education is one area where certainly
2 there is a need for everyone to be involved with that.
3 If people haven't had the opportunity, then, on a personal
4 note, I certainly feel that they have a right to education.

5
6 **CO-CHAIR GEORGES ERASMUS:** So you don't
7 see the historical documents of the way that Canada was
8 settled as meaning anything today, the fact that the reason
9 there were no wars in Canada between Aboriginal people
10 and Canadian governments or British governments, and so
11 forth, for land was because they sat down, they treatied
12 and they came up with an agreement which included a land
13 agreement, but also other provisions which included, at
14 the very, very least, special rights in hunting, fishing
15 and trapping? So you think that the day has gone when
16 those kinds of rights should be recognized. Is that what
17 you are basically saying?

18 **LORNE SCHOLLAR:** Somewhat. I think
19 that things are changing. I wouldn't say that they are
20 gone completely, but I think things are changing
21 considerably because opportunities have presented
22 themselves to the original people and they have rightly
23 taken advantage of those opportunities and should continue

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1 to do so.

2 However, I think that there have been
3 advantages from both sides that should be recognized and
4 that as we draw closer to a similar type of lifestyle,
5 that should be recognized as well.

6 **CO-CHAIR GEORGES ERASMUS:** Bertha, do
7 you have any questions?

8 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
9 No.

10 **CO-CHAIR GEORGES ERASMUS:** Thank you.

11 **LORNE SCHOLLAR:** Thank you.

12 **MODERATOR SHELLY ANDERSON:** Our next
13 presenter is Mr. Francois Paulette. He is a well-known
14 and highly outspoken Chipewyan Dene.

15 His presentation will be on the federal
16 government's extinguishment policy.

17 **FRANCOIS PAULETTE:** (Translated from
18 Chipewyan) My friends, I am thankful to be here today.
19

20 What I am going to talk to you about is
21 -- this is something very important for me to talk to the
22 Royal Commission on Aboriginal Peoples about.

23 My name is Francois Paulette. My

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1 father's name is John Paulette and he is still alive today.
2 He is 79 years old. I am a Chipewyan person. I live
3 around the Fort Smith area. I live around Wood Buffalo
4 National Park Ground, Fort Fitzgerald area.

5 The way I grew up -- I grew up like our
6 ancestors. That is how my father raised me. I went to
7 school in Fort Chipewyan. It was a residential school
8 run by nuns.

9 I don't want to say too much in regard
10 to that residential school. It was hard for me when
11 attending that school. For five years, I attended school
12 in Yellowknife. After I finished school, I became Chief
13 in Fort Smith when I was 21 years old. That was 1972.

14 We took the government to court. It was
15 called the Paulette case. It was in regards to the land
16 not being given up. The Supreme Court has told us, "All
17 this land is yours and you haven't given up your land."
18

19 After I stopped being the Chief, I
20 started concentrating on my culture. I have worked with
21 non-Native people. I have done cross-cultural workshops.
22 The work that I am doing now is -- I am working with Social
23 Services as a drug addictions counsellor. That is my

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1 position.

2 On the constitutional development,
3 along with Bertha Allen, we worked together on this
4 commission.

5 What am I saying? How are we supposed
6 to be strong people emotionally, spiritually, mentally?
7 We have to work without the alcoholism. That way we will
8 be strong. I am talking about sobriety. We have to be
9 sober.

10 We are talking about a whole bunch of
11 things. We are talking about self-government; how we live
12 with the culture or traditions. If we abuse alcohol, we
13 won't be strong. For the future, us Dene people shouldn't
14 abuse alcohol or marijuana. If we abuse those, we won't
15 be strong as one.

16 The leadership now -- if they abstained
17 from them, they would respect their words. They have
18 strong words. If people abuse alcohol in the leadership,
19 they won't be respected. That is what I want to stress.

20 I went through all of this, what I have
21 just said. It has been 18 years now that I haven't abused
22 alcohol since I was sober. Now I am in that position now.

23 I am talking from the bottom of my heart and also from

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1 my mind.

2 I am going to take over and speak in
3 English now.

4 (English) My presentation today is
5 going to be what I refer to as the genocide policy. This
6 policy has been a very difficult to stand as nations of
7 people in this country. It has really hampered the
8 recognition of Aboriginal Treaty First Nations.

9 As I know it, treaties are international
10 instruments. As stated in the Royal Proclamation of 1763,
11 where there has been some recognition of Indian peoples
12 as nations of people, when the treaties were made -- I
13 come from what I call the Treaty 8 area. I belong to the
14 NWT Treaty 8 Tribal Council.

15 It has been very unfortunate, but the
16 inclusion of the government's version of treaties has been
17 extinguishment. Their agenda has been very different from
18 the perspective of the Dene people. The Dene's version
19 of treaties is of international nature. It is of peace
20 and friendship.

21 There is no profound language that can
22 say that anything better -- that as long as the sun shines
23 and the river flows and the grass grows, that these treaties

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1 would not be broken. I could not find in any English
2 language or in my language that will describe something
3 so sacred and close to Dene people in that relationship
4 with the creator. On the other hand, we have the
5 government's version of treaties.

6 On page 12 of Treaty 8, the third
7 paragraph, it says:

8 "And whereas the said commissioners have proceeded to
9 negotiate a treaty with the Cree,
10 Beaver, Chipewyan and other
11 Indians inhabiting the district
12 here and after defined and
13 described and the same has been
14 agreed upon and concluded by the
15 respective bands at the dates
16 mentioned here and under. The
17 said Indians do hereby cede,
18 release, surrender and yield up to
19 the Dominion of Canada." (Quote not
20 verified)

21 To make treaties, to come to Aboriginal
22 First Peoples and to say that you are going to extinguish,
23 you are going to do away with your rights, your culture,

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1 your history, I don't believe that my people would agree
2 or to sign to something of this nature. It would be doing
3 yourself in.

4 If we go to page 6 of the Treaty -- I
5 apologize for not presenting the Treaty 6 and Treaty 8
6 version -- on page 6 of the preamble of the treaties, the
7 Commissioner's Report, on the third paragraph, it says:
8 "We assured them that the treaty would not lead to any
9 forced interference with their
10 mode of life; that it did not open
11 to the way to imposition of any
12 taxes and that there was no fear
13 of enforced military service."

14 If you were to say, "My mode of life
15 describes not just my hunting, my fishing or my trapping
16 or my gathering, but it includes all my spiritual, my
17 emotional, my mental and physical wellbeing of who I am
18 and my nation and that relationship to the creator and
19 to the universe" ---

20 We continue:

21 "We showed them that whether treaty was made or not, they
22 were subject to the law, bound to
23 obey it and liable to punishment

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1 for any infringements of it."

2 (Quote not verified)

3 If their treaty commission was to come
4 to said Indians and we showed them, what are they showing
5 us? There has to be some physical significance of what
6 they are showing us. Now, what could they show us?

7 If we continue from there:

8 "We pointed out that the law was designed for the protection
9 of all and must be respected by all
10 the inhabitants of the country,
11 irrespective of colour or origin,
12 and that in requiring them to live
13 at peace with white men who came
14 into the country and not to molest
15 them in person or in property. It
16 only required them to do what white
17 men were required to do as to the
18 Indians." (Quote not verified)

19 "We pointed out", the words "We pointed
20 out" -- what were they pointing out to the said Indians?
21

22 From my knowledge and perspective of
23 treaties, in 1867, the Constitution drew up the Indian

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1 Act. Through the treaties, the commissioners, the treaty
2 parties didn't tell the said Indians that there was an
3 Indian Act in place to show them that they were going to
4 live by laws of the government or abide them. So right
5 from the beginning, this extinguishment was put in place,
6 though perhaps the Royal Proclamation doesn't describe
7 it in that way.

8 As Treaty First Nations, when we enter
9 into any agreement, we don't just look at the physical
10 aspect of that portion. We have to have a balance. Then
11 that balance is the spiritual, the emotional, the mental
12 and the physical wellbeing of First Nations.

13 The essence is that they were making
14 treaties, international treaties, giving them one thing,
15 but, on the other hand, on their version of the treaties,
16 they were taking away the very essence of international
17 law.

18 The Constitution of 1982, section 35
19 describes treaty and Aboriginal rights existing. Section
20 91.24, the Indian Act and the NWT Act that DIAND, the
21 Department of Indian Affairs and Northern Development has
22 responsibility for and their comprehensive claims policy
23 falls under the department.

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1 Now, one of the first things that
2 government put on the table, slapped on the table is the
3 extinguishment. They say, "We are extinguishing some
4 lands, exchange for lands. We will give you
5 compensation," but how about self-government? They do
6 not want to negotiate self-government. So how can you
7 come to the table and say, "Well, we are going to
8 extinguish. We have already crippled you and you are
9 expected to negotiate in good faith"?

10 I have to watch my time here. I have
11 been told that I was only given 20 minutes. At first,
12 before I came here, you said, "You can speak as long as
13 you want," and they phoned me back there and they said,
14 "You have 20 minutes." So I am having to really focus
15 on what I am trying to present here.

16 To me, this Constitution -- you have
17 section 35, treaties. There is constitutional
18 protection, but for me, the way I see it is that policy
19 paramounts over constitution in respect to negotiating
20 claims, whether it is treaty or comprehensive. One way,
21 "Yes, we will recognize your treaty and Aboriginal rights.
22 But, on the other hand, we will take it away."

23 I am kind of feeling very -- we are living

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1 and we are walking into the 21st century, and it seems
2 that this genocide policy that we have to get rid of has
3 been with the federal government since the 15th century.

4 The government has been stagnant in that area. We have
5 not moved from that regime, from that agenda, from that
6 assimilation.

7 We do not require a constitutional
8 amendment to fulfill treaties. We do not need legislation
9 to fulfill treaty obligations. As I said, we are walking
10 into the 21st century and we are still in the 15th century
11 in respect to extinguishment and how Canada deals with
12 Aboriginal First Nations.

13 At this very time, we do not just need
14 and require the political will to make this change, nor
15 do we need a change of government to fulfill this. What
16 is required is that there has to be some very sincere human
17 will as done in the international forum to undo these
18 injustices of this genocide policy, this extinguishment
19 to the international laws are made and countries have to
20 abide by these international agreements.

21 For one, Iraq is having to abide by what
22 they have agreed to and if they don't agree to it, another
23 nation can come in and enforce that.

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1 I think perhaps the saddest thing is that
2 government is really slow. When we say "self-government",
3 it means a lot of different things for a lot of different
4 tribes. Self-government to me doesn't mean delegation
5 of authority, nor does it mean transfer, nor does it mean
6 inherent right. As set out in the Constitution,
7 self-government means nationhood on how I can make
8 agreements, how I can come to a convention with the
9 Government of Canada to set out protocols.

10 I really urge the Royal Commission that
11 you recommend in the next while to the Government of Canada
12 that this extinguishment clause, this genocide policy has
13 to go before you make your final recommendations. Any
14 discussions with First Nations has to be a bilateral
15 between the federal government and Treaty First Nations.
16 Third parties shouldn't even enter into the discussion.

17 We have to come back to the table and,
18 as I said, I mentioned a treaty convention on setting out
19 some principles, some parameters, a protocol in affirming
20 the relationships of Treaty First Nations to Canada.

21 The Government of the Northwest
22 Territories should be adhering to these protocols, to these
23 treaty protocols. We have a majority of Aboriginal First

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1 Nations in the Legislature. As far as I see it, it is
2 a very conservative government -- very conservative.

3 The Government of Ontario has gone even
4 further by describing the kind of relationship that they
5 are going to have with their First Nations and all the
6 Government of the Northwest Territories says is, "We
7 recognize the inherent right."

8 Changes to the amendment of the NWT Act,
9 first and foremost, requires the consent of Treaty First
10 Nations because section 35 supersedes the NWT Act.

11 Going back to when we negotiate with the
12 federal government nation to nation, it should be at arm's
13 length. There should be independent bodies that are set
14 up with an international or independent arbitrator,
15 mediator that is going to look at dispute resolutions or
16 conflicts that may arise.

17 Finally, I think that the Government of
18 Canada, the people of Canada have gone as far as recognizing
19 or accepting the concept of inherent right to Aboriginal
20 self-government, but I think they can go another step in
21 recognizing First Nations as nations of people.

22 Why does a Treaty First Nations in the
23 Northwest Territories have to go to the Government of the

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1 Northwest Territories to get a GHL, a general hunting
2 licence? Their treaty card should fulfill that.

3 So there is a lot of hold-up. There are
4 a lot of things that are binding because of this genocide
5 policy, this extinguishment clause that has been in place.
6 We have to remove that if we are going to being to move
7 on in a very positive way. When I say that, being equal,
8 I don't equate equality with nationhood. They are very
9 different things. I am not talking about equality. I
10 am talking about nationhood and when we talk about a nation,
11 no matter how poor or how rich or how wealthy my nation
12 is, we respect and accept who we are as nations.

13 People use the term "being equal"
14 because equality means to me, well, having the same house,
15 having the same car, having the same pay, having the same
16 streets and so on. That is not what I want. What I want
17 is to define my nationhood the best way that I know how,
18 and I honestly believe that the Royal Commission on
19 Aboriginal Peoples can be that vehicle to assert, to help
20 in eradicating the extinguishment clause.

21 I want to thank you guys for doing this
22 work. It is very helpful not just to me, to the people
23 I belong to, but to non-Aboriginal people to really hear

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1 and listen to what Aboriginal people have to say.

2 I just want to thank you very much for
3 listening to me.

4 **CO-CHAIR GEORGES ERASMUS:** Thank you.

5 Do you mind if we ask you some questions?

6 **PAT McMAHON:** Sure.

7 **CO-CHAIR GEORGES ERASMUS:** Bertha,
8 please.

9 **COMMISSIONER BERTHA WILSON:** The main
10 point that you are making about the extinguishment clause
11 has been made by very many people in the communities as
12 we have gone across the country. It simply doesn't make
13 sense to Native people that they should first have to
14 extinguish their Aboriginal rights before they can enter
15 into an arrangement, whether it be land claims settlement
16 or anything else with the federal government.

17 What we are doing in the Commission,
18 because we have heard this said to us so often, is that
19 we are looking into this issue of extinguishment because
20 we, of course, are inclined to agree with you that parties
21 sitting down to bargain -- it doesn't make sense that one
22 says to the other, "Well, first you must give up all your
23 rights. Then we will talk to you." The main problem in

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1 any bargaining -- it doesn't matter at what level, whether
2 it is just between two individuals or between governments
3 -- is that you have to have something to bargain with.
4 If one party is very strong and holding all the cards and
5 the other is holding nothing because they have given up
6 their rights, there is no real bargain involved. It just
7 doesn't make sense.

8 So the Commission has got one or two
9 research projects in hand to deal with this issue of
10 extinguishment. What we are hoping to be able to do is
11 publish some kind of an interim report on extinguishment
12 in view of the fact that there are negotiations going on
13 in various places currently and people don't want to wait
14 until the end of our three-year mandate before we come
15 out with recommendations.

16 So we are going to try to address this
17 issue on an urgent basis and come out with something, and
18 we are hoping to do that because we are certainly completely
19 in agreement that the inequality of bargaining power that
20 that gives rise to, if that has to be part of the deal,
21 that it just makes any negotiations impossible if you have
22 nothing to negotiate with. So we are going to address
23 that on an urgent basis.

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1 **CO-CHAIR GEORGES ERASMUS:** One question
2 I had was to find out what you meant by a nation in this
3 particular case, the recognition of nationhood.

4 Who, in your case, would be the nation
5 that would be being recognized?

6 **FRANCOIS PAULETTE:** As I said, I belong
7 to the Treaty 8 First Nations in the Northwest Territories
8 and the Band I belong to is part of that.

9 Because of the treaties and their
10 international nature, it finds these bodies as nations
11 of people because we have a very defined history:
12 government, geographic area, economics, all of the things
13 that international people recognize as nations of people
14 with a very defined way of the way we see the world
15 spiritually with our ceremonies. We shouldn't have to
16 beg the government, any government, to teach our children
17 in our mother tongue or their history or their culture.

18 It means a nation of people that has a
19 very defined culture, not just what has been inherited
20 in the last hundred years or since the making of the
21 treaties, but prior to that, prior to the Europeans
22 arriving here on this island.

23 There is no country I know of today that

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1 may have that policy of other countries that say, "We are
2 going to extinguish, exterminate your culture, who you
3 are; that you are not equal."

4 So, to me, being part of the nation is
5 for the government to sit with us and looking at some of
6 the historical past that has brought us to where we are
7 today, to really look at that.

8 It took 500 years to arrive at this
9 moment and are we going to spend another 500 years to
10 finally say, "Well, yes, we will provide you with your
11 nationhood." We cannot survive. We wouldn't be able to
12 survive as a people.

13 So we have to drive our own vehicle.
14 We have to drive our own destiny. No one else can do that
15 for us. No judge in Canada can do that for us. He can
16 recognize it, but we have to do that on our own, on our
17 own terms, in our own way, at our own pace.

18 So those are just some of the things that
19 are coming to mind.

20 **CO-CHAIR GEORGES ERASMUS:** Thank you.

21 **CO-CHAIR GEORGES ERASMUS:** Ms Allen, do
22 you have any comments or questions?

23 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

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1 I just want to thank you, Francois, for your presentation.
2 Although I am just a Commissioner for a day, I don't have
3 to work as hard as my two colleagues at the table here.

4

5 I just wanted to say to the public here
6 that you can never get enough of Francois' history of his
7 nationhood. If you ever want to meet anyone who knows
8 the history of his people, you have him sitting here.
9 I think it is a privilege to listen to a guy with this
10 amount of knowledge.

11 I just want to thank you again.

12 **CO-CHAIR GEORGES ERASMUS:** Thank you.

13 **FRANCOIS PAULETTE:** Thank you.

14 **CO-CHAIR GEORGES ERASMUS:** We are going
15 to take a very, very short break now.

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

17 --- Upon resuming at 2:58 p.m.

18 **CO-CHAIR GEORGES ERASMUS:** Our next
19 presenter is here and so we will resume our hearings.
20 If I could ask everybody to take a seat.

21 **MODERATOR SHELLY ANDERSON:** The next
22 presenter is Mayor Pat McMahon of the City of Yellowknife.
23 She is going to discuss a variety of issues, starting

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1 with education, economic development, self-government and
2 Constitution.

3 **MAYOR PAT McMAHON, City of Yellowknife:**

4 Thank you, Mr. Commissioner.

5 I am really appreciative of having the
6 opportunity to be here today. I know that you have been
7 working very hard from having read both about your round
8 table in Edmonton and what has been coming out in the paper
9 to date, and I appreciate having the opportunity to speak
10 to you.

11 During the course of the dialogue which
12 has occurred in the area of Aboriginal rights and
13 self-government, very little attention has been paid to
14 the concerns of municipal governments, the level of
15 government which is closest to and administers directly
16 to the people.

17 I was therefore quite pleased with the
18 decision of this Commission to hold a round table
19 discussion on urban Aboriginal issues this past June in
20 Edmonton, although Yellowknife was not there. I believe
21 this type of consultation and discussions which occurred
22 in Edmonton is necessary in order to arrive at a consensus
23 of how Aboriginal self-government will operate in the

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1 context of existing local government structures.

2 In this regard, I feel the Edmonton
3 session was an important first step toward identifying
4 the many issues that need to be resolved, and I commend
5 the Commission for taking this initiative.

6 I firmly believe, however, that much
7 more research and public discussion is required in this
8 area. The Federation of Canadian Municipalities are so
9 concerned that a special task force on Aboriginal
10 self-government and other issues relating to it has been
11 struck and the main focus on the next conference to be
12 held in Edmonton in May will be on Aboriginal issues and
13 how they will impact on municipalities and their future.

14 There has been for many years in this
15 country, and particularly here in the North, considerable
16 discussion and debate about the merits of Aboriginal
17 community-based self-government. I am sure the
18 Commission Members realize that many local governments
19 existed before provincial and territorial governments and,
20 for that matter, before Canada itself.

21 Here, in Yellowknife, we had an elected
22 Council running our own local affairs long before there
23 existed any territorial government presence in the

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1 Northwest Territories. Similarly, the Aboriginal people
2 of the Northwest Territories were managing their own
3 affairs and making their own decisions for thousands of
4 years prior to the arrival of Europeans.

5 The task before all of us is to identify
6 a means by which all orders of government, including the
7 traditional government of Aboriginal people, can be
8 accommodated in the Canadian political structure.

9 Just as all Canadians must share a common
10 future based on mutual respect and understanding, so must
11 all orders of government respect each other. We have all
12 heard of the problems Aboriginal people have experienced
13 in the course of their relationship with federal,
14 provincial, territorial and municipal governments, and
15 I am sure that some of you on the Commission have had first
16 hand experience in this regard.

17 As President of the Northwest
18 Territories Association of Municipalities, I can fully
19 appreciate this attitude. A recent federal publication
20 entitled "Aboriginal Peoples, Self-Government, and
21 Constitutional Reform" stated:

22 "No government can act in complete isolation from the
23 others. It is for that reason that

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1 the right whose entrenchment the
2 government of Canada proposes
3 would operate within the context
4 of Canadian confederation. This
5 arrangement would reflect the
6 reality that the federal,
7 provincial, territorial and
8 Aboriginal governments must work
9 together and negotiate cooperative
10 arrangements."

11 I consider it inexcusable that no
12 mention was made of the need for municipal governments
13 to participate in the consultative and negotiation
14 process.

15 The FCM, Federation of Canadian
16 Municipalities, represents 87 per cent of the Canadian
17 population and the NWTAM represents 97 per cent of the
18 NWT population. The FCM and all provincial and
19 territorial associations have proposed that
20 municipalities be recognized in the Canadian Constitution.

21 We are, after all, as I mentioned before, the level of
22 government that delivers directly more services to the
23 public than any other.

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1 Under the current political
2 arrangement, the scope of territorial control over
3 municipalities is largely unfettered and municipal
4 responsibility can be altered by territorial legislation.

5 In my view, the current arrangement imposes unfair
6 institutional restrictions -- i.e. financial control,
7 assessment control -- on local decision-making. I am sure
8 Aboriginal people could make the same observation about
9 their own relationship with other orders of government,
10 including municipal governments.

11 Any resolution of the problems
12 associated with the current stratified political
13 relationship requires if not a redefining of the powers
14 of these governments, then at least a new consensus on
15 the structure of political authorities.

16 In this regard, as the Mayor of this
17 community, I can say unequivocally that the City of
18 Yellowknife continues to support the right of Aboriginal
19 people to self-government. However, an important
20 question which must be resolved is to clarify the
21 relationship between public government and Aboriginal
22 government. My personal opinion is that institutions
23 which attempt to combine public and Aboriginal government

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1 could very well be cumbersome and difficult to implement.

2

3 The Board of the Association of the
4 Northwest Territories for Municipalities discussed
5 guaranteed representation and decided that the general
6 public, be they Aboriginal or non-Aboriginal, should be
7 represented by those who are elected in a free and
8 democratic process; i.e. public government.

9 Furthermore, Aboriginal
10 self-government must be more clearly defined in the context
11 of how it will affect the authority and the jurisdiction
12 of existing local governments. I believe that Aboriginal
13 self-government is achievable in the Northwest
14 Territories, but it should not be attained at the expense
15 of eroding the authority of existing duly-elected
16 municipal councils.

17 It is my position that the key to
18 successfully developing workable Aboriginal
19 self-government lies in a more thorough understanding of
20 the needs and expectations of Aboriginal people and
21 non-Aboriginal people and existing public governments who,
22 at this time, represent all people regardless of race,
23 creed or colour.

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1 While I support the idea of Aboriginal
2 self-government, I want to again emphasize that more
3 clarification is required. This fact was recognized by
4 the former government leader of the Northwest Territories
5 when he stated that people could not be given more control
6 over their lives at the community level until there is
7 a clear definition of what Aboriginal self-government
8 means in the context of land claim settlements. I would
9 agree, but would also argue that a clearer definition of
10 what Aboriginal self-government means in this context of
11 municipal governments is necessary before workable
12 solutions can be negotiated.

13 In any event, continued consultation is
14 critical. The success of any initiatives in the area of
15 Aboriginal self-government will depend to a large extent
16 on meaningful input from all parties which will be affected
17 by them. The end result will be a form of Aboriginal
18 self-government that is fair and equitable to all
19 stakeholders, and from a municipal perspective, a
20 revitalized relationship with the Aboriginal members of
21 our communities. It is because we have not been directly
22 involved in land claim settlements that many
23 municipalities find themselves questioning the wisdom of

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1 even the idea of self-government.

2 I would like to take a few moments to
3 comment on the relationship between Aboriginal people and
4 our justice system. I acknowledge that I am neither
5 Aboriginal nor a trained legal practitioner, but I would
6 nonetheless like to offer a few personal observations.
7 I have been brought up in the North and lived in the North
8 all of my life and watched a lot of things that have
9 happened.

10 There are few people who would disagree
11 that our Aboriginal population has been alienated and
12 mistreated by our judicial system, but so have the poor
13 and the disabled. But a separate Aboriginal justice
14 system is worthy at least of experimentation.

15 In my view, there are two ways to reach
16 the social objective of ensuring the justice system is
17 accessible and more acceptable to Aboriginal peoples.
18 The first method is to improve the present system and the
19 second method is to set up an alternative system within
20 the justice system.

21 In order to improve the present system,
22 a first step is to address the racial and gender bias which
23 presently exists. Cross-cultural gender training should

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1 be mandatory for judges as well as police and legal counsel,
2 at least in the criminal law area. Such training should
3 include a recognition of cultural mannerisms or
4 expressions.

5 The territorial governments discussion
6 paper entitled "Aboriginal Justice in the Northwest
7 Territories" included a number of proposals such as
8 diversion, Aboriginal Justices of the Peace, indigenous
9 advice from an Elders advising group at sentencing
10 hearings, et cetera, which I believe would go a long way
11 towards addressing the Aboriginal peoples' concerns in
12 the present justice system.

13 In addition, workshops or videos
14 explaining the justice system to Aboriginal peoples may
15 be worthwhile to promote an understanding of the system.

16 Also, legal documents served on an Aboriginal person
17 should be accompanied by a letter in that person's Native
18 language explaining the purpose of the documents and where
19 assistance may be obtained. However, implementation of
20 such proposals may perpetuate the idea that a "foreign"
21 legal system is being imposed on the Aboriginal population
22 in order to assimilate it into the dominant society.

23 I feel a separate alternative system for

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1 Aboriginal peoples holds out very positive possibilities,
2 particularly in the Northwest Territories because of the
3 large Aboriginal population. However, I do not believe
4 that the question of whether a separate Aboriginal justice
5 system should be implemented can be considered in isolation
6 from the political issue of self-government.

7 In my opinion, the right to
8 self-government contains the right to institute and
9 administer a chosen legal system. Therefore, if and when
10 Aboriginal people are granted self-government powers,
11 non-Natives have neither the legal nor the moral right
12 to dictate what legal system should be implemented by the
13 Aboriginal peoples unless they are to be judged under it.

14

15 Until the issue of self-government is
16 resolved, consideration of a truly separate Aboriginal
17 justice system is premature because of the extent to which
18 such a system would be subordinate to the Canadian legal
19 system, and that is unknown.

20 I want to reiterate that I am a little
21 uncomfortable in setting out what should and should not
22 be done in an Aboriginal justice system because I believe
23 the initiatives should come from the Aboriginal people

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1 themselves.

2 However, I wanted to state for the record
3 that I feel changes need to be made to improve the
4 administering of justice to Native people in the Northwest
5 Territories.

6 Under education, Aboriginal people must
7 be able to fit into the future global economy while
8 maintaining their unique and valued perspective of the
9 land and their cultures. The only way to have this happen
10 is the encouragement of reverse cross-cultural training
11 and economic development.

12 Many young people today do not know their
13 past and are therefore unable to see their future in the
14 fast-paced and changing world we live in. They must be
15 able to have pride in their past and know through knowledge
16 and education that they can have pride in their future.
17 Economic development is a component of their future and
18 education is their key. Neither can happen without the
19 other.

20 In conclusion, I would like to comment
21 on assault and molestation amongst women and children and,
22 in particular, Aboriginal women and children.

23 At one time, many white people accepted

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1 the myth that abuse was a part of the Native cultures.
2 As a woman and a child who grew up in the North I say
3 "hogwash". It was only accepted because men, Native and
4 white, who controlled the system did not want it changed
5 or did not care. It is totally unacceptable to today's
6 society and all judges should have mandatory training in
7 this as well as cross-cultural.

8 I thank you for the opportunity to
9 participate in this process. If there was more time, I
10 would have enjoyed commenting on health and housing for
11 Aboriginal people. I have made some comments on housing
12 for Aboriginal people in the Northwest Territories to a
13 special Standing Committee that was held a couple of months
14 ago here from the Parliament of Canada. However, that,
15 I think, will have to wait for another time.

16 I would be happy to answer any questions
17 that you would have of me.

18 Thank you.

19 **CO-CHAIR GEORGES ERASMUS:** Thank you.

20 Bertha, please.

21 **COMMISSIONER BERTHA WILSON:** Yes, thank
22 you for an excellent brief.

23 We realized at the time of the round

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1 table on urban issues that was held in Edmonton that we
2 didn't have very many representatives or at least
3 decision-making representatives of municipal governments
4 present at our round table, and I think we were told that
5 the reason for that was that the municipal governments
6 were unhappy about the fact that they had not had an
7 involvement in the constitutional negotiations.

8 I am interested in what you have to say
9 here about the relationship between municipal government
10 and Native self-government, assuming that it comes to pass.

11 I think this is something that the Commission really
12 has to study because it is quite apparent that the position
13 taken by the two levels of government, the federal and
14 the provincial, is that the municipal government is a
15 delegated form of government from the provinces and that
16 presumably in the minds of provincial and territorial
17 governments, they speak for municipal government because
18 of that delegated relationship.

19 That poses a very interesting position
20 because of the fact that Native self-government, if it
21 comes into being, is not a delegated form of government.

22 The whole concept of the inherent right to self-government
23 is that it exists quite apart from any other level of

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1 government and is, in effect, an autonomous form of
2 self-government inherent in the Native people themselves.

3 So that puts Native self-government and
4 municipal government in an interesting juxtaposition, the
5 one being delegated and the other being inherent. So
6 I think that the point you are making here about the
7 potential problems that that can give rise to in terms
8 of possible conflicting legislation of the municipal
9 authorities and the Native government -- this could pose
10 quite complex problems unless there is a sitting down of
11 everybody together and really looking at the whole
12 governmental structure in Canada and having some concept
13 of how it would all fit together to avoid duplication,
14 clashes of legislation and conflicts.

15 So I think that you have raised something
16 very interesting here to which not much attention has been
17 paid up to this point, and I agree with you. It has to
18 be addressed. This is one of the major things that have
19 to be addressed and I would hope that the Commission would
20 have something to say on that subject.

21 The other thing I wanted to just comment
22 upon was the issue of the justice system. I think that
23 we are all persuaded that the justice system has not worked

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1 well for Native people. We only have to look at the
2 disproportionate representation of Native people in our
3 jails and penitentiaries to conclude that there is
4 something not working. Many people would question whether
5 if it is working well for non-Native people as well, but
6 certainly the consensus seems to be that it is not working
7 well for Native people and this is one of the things we
8 have to address in our terms of reference.

9 We held a justice round table in Ottawa
10 last week and one of the things I was interested in was
11 the number of pilot projects that are going on in Native
12 communities across the country; very interesting
13 experiments taking place with respect to different ways
14 of dealing with offenders in Native communities. It
15 became quite apparent from hearing the discussion among
16 the people who were present at that round table -- and
17 they were all people with expertise in the area of justice.

18

19 The round table was put together by
20 invitation and we had Attorney Generals, we had Native
21 judges, non-Native judges. We had members of the
22 Indigenous Bar, the Canadian Bar, politicians, various
23 people who are interested in a justice system at present.

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1 I don't believe there was any real
2 consensus as to whether the existing system could be
3 changed or modified in ways that would accommodate the
4 values of Native people. Some people obviously felt that
5 it could be adapted and changed so that we could stay with
6 one system. Other people seemed to feel that the very
7 nature of the system, the adversary confrontational nature
8 of the process was quite contrary to the values of Native
9 people. Therefore, there would have to be a separate
10 system. But I don't think there was an consensus.

11 My only view was that these projects that
12 were going on were to be encouraged because it could be
13 left open. It could be left open as to whether they would
14 represent finally changes of modifications to the existing
15 system or whether they would be laying the foundation for
16 a separate system. That didn't have to be decided.

17 The thing was to encourage these things
18 and see how well they worked without bringing any
19 preconceived notion to bear on them that they were to fit
20 into one category or the other; just let's try them and
21 see how they work and leave it to the Native people when
22 they are ready to make the decision. They are obviously
23 not ready now. Leave it to them to make the decision in

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1 their own good time as to whether they would just like
2 to see those changes fitting into the existing system of
3 being the basis of a separate system for Native people.

4 I was very much impressed with what we
5 heard and from all we heard, these experiments were working
6 exceedingly well and they were really fundamentally based
7 on healing as opposed to punishment and the offenders were
8 accepting the system because they felt it was in accord
9 with their values. They had a proprietary interest in
10 this procedure because it reflected what they believed
11 in and what the community believed in.

12 So that was a very, very interesting
13 experience to hear about these things at that round table.

14 I guess my view is that ultimately that decision will
15 have to be made by Native people themselves, but in the
16 meantime, let's go ahead and see what works. Try things
17 out and see whether they work or not, and I suppose that
18 answer is the same in relation to self-government. Let's
19 try various models and see how they work. This can only
20 be helpful and educational in the long run.

21 So I just wanted to comment on these two
22 things.

23 **PAT McMAHON:** Madam Commissioner, you

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1 made a comment that, in essence, said that you felt that
2 Aboriginal people were not ready yet. I would like to
3 say up front that I disagree with that comment.

4 I was brought up in the James Bay/Hudson
5 Bay area where that exact kind of Elder advisory groups
6 worked very well in the small communities. It wasn't until
7 the justice system became much more involved in northern
8 affairs that that particular type of a system fell by the
9 wayside.

10 In essence, when I was a small child,
11 it worked by peer pressure from the Elders. They were
12 able very well to pass along the traditions, the ways of
13 life and the need to maintain those ways of life within
14 certain parameters. It has only been since that has gone
15 by the wayside that we have found ourselves with a
16 spiralling upward number of Aboriginal people who end up
17 in jail.

18 I don't believe that we have to wait.
19 I think that sort of thing could be put into use right
20 now in every small community and even in the larger
21 communities. There is a number of very well-respected
22 Elder people who have, in the past, I am sure, learned
23 from their Elders the process. I think that that sort

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1 of a process certainly would take very little time and
2 very little money to put together to begin the process
3 of at least working on an advisory basis with the justice
4 system as it stands now. It worked before and it is only
5 within the last 40 to 50 years that it has changed because
6 of the pressures of the non-Aboriginal society as they
7 came into the smaller communities and as the Aboriginal
8 peoples moved into the larger communities and the larger
9 cities in the south.

10 Just because you live in a city doesn't
11 mean you don't have the same kinds of structures within
12 the Aboriginal society in that city. I think that
13 certainly one of the recommendations of this Commission
14 should be to immediately implement some type of an advisory
15 body that deals with all Aboriginal cases.

16 I think that Aboriginals have a very good
17 sense of where their people have come from and the way
18 in which they are able to manage the society they find
19 themselves living in now. But the only way to do that
20 is to have it done on a more structured basis than it was
21 50 years ago. I think that that certainly would be a
22 beginning in a number of different parts of Canada.

23 As for the comments that you made on

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1 self-government, I totally agree that there has to be more
2 coming together. I think that there also has to be
3 recognized a right of the general population no matter
4 where they live in Canada to be aware of and comment on
5 any coming changes and to participate in those changes.

6

7 You can have a self-government come into
8 place very quickly, but the co-operation from all other
9 levels of government would be much easier gotten if they
10 had participated in the process.

11 **COMMISSIONER BERTHA WILSON:** Yes, I
12 think we have a misunderstanding on the justice system.
13 I am not suggesting that we have to wait. In fact, I
14 am saying that these pilot projects and experiments that
15 are going on in the different communities are great. This
16 is the way it should happen. Native people in the
17 communities deciding for themselves what they want to do.

18 I don't think that is our job. That is up to them and
19 I think these initiatives that they are taking are highly
20 commendable, particularly since it appears that they work.
21 So there is no need to wait.

22 What I was saying was that the issue as
23 to whether the Native people would like to have a separate

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1 system or the existing system into which these kinds of
2 changes have been built is something that only they can
3 decide, and I don't think they are ready right now to decide
4 that because, as we heard from the round table among Native
5 people themselves, they are not sure. They want more time
6 to think about that. However, in the meantime, they want
7 to try these various experiments and see how they work
8 in their communities and whether they are accepted in their
9 communities, and I think that is great.

10 **PAT McMAHON:** I guess that is one of the
11 reasons why I made the comment about an Elders Advisory
12 Committee because a number of the Elders that I talked
13 to when I was a little girl and I have talked to in the
14 past number of years very well remember the self-censuring
15 process that went on in small communities if you misbehaved
16 or went against the traditions of the Band.

17 As a white person growing up in those
18 small communities, I too had to adhere to that because
19 I too was censured at times, along with my peers who were
20 my friends who were Aboriginal people.

21 You know how kids are. They sort of seem
22 to grow up and do their own things at times and it takes
23 a group of people who have been through it to be able to

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1 bring you back on line at times.

2 **COMMISSIONER BERTHA WILSON:** We all
3 need at times.

4 **PAT McMAHON:** Yes, and I am sure we all
5 got it at times, too.

6 **COMMISSIONER BERTHA WILSON:** Yes, we
7 did.

8 **CO-CHAIR GEORGES ERASMUS:** Your
9 presentation dealt with a discussion that was held by the
10 Board of the Municipalities in the North on whether or
11 not guaranteed seats made any sense in a public government.

12 When you had that discussion, how did
13 you deal with the fact that here in Yellowknife -- I don't
14 think there has ever been a Dene elected to the municipal
15 government. Most Dene who live here -- I don't think they
16 would have much of a chance if they did run.

17 So there has never been a government here
18 that has ever properly reflected the population here.
19 Likewise, you can say the same thing about Hay River, Fort
20 Smith, Inuvik. Everywhere where there is a significant
21 non-Aboriginal majority, it is pretty well a non-Native
22 community. It is run and governed by the people who come
23 here from everywhere else. This is in smaller

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1 communities. We have to look at what we should be
2 considering for places like Toronto, Vancouver, Winnipeg
3 and places like that in addition.

4 So I am wondering what the
5 recommendation is: just the status quo?

6 **PAT McMAHON:** The Board is made up of
7 both Inuit people and Dene people and non-Aboriginal
8 people, and the Board discussed at great length actually
9 the whole issue of guaranteed representation. We felt
10 that there is no reason why an Aboriginal person could
11 not be elected. As a matter of fact, I have an Aboriginal
12 person on my Council right now and who has been on for
13 quite a long time, Gail Cyr. As well, I have had a couple
14 of Métis people on. One of them was Marie Koe who was
15 the Assistant Deputy Mayor.

16 I have asked a number of Aboriginal
17 people to run and they have always turned me down. There
18 is no reason why they cannot be elected. Aboriginal people
19 up here are as well respected as anybody else is. I can
20 name you probably a number of Aboriginal people I would
21 love to have on my Council, but they don't run because
22 they are normally too tied up with either land claims or
23 Band Councils or Tribal Councils not recognizing the fact

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1 that, yes, a municipal council does make decisions which
2 affect their people.

3 Maybe one of the things that needs to
4 be done is that there needs to be an education process
5 that at least lets people of the Aboriginal races know
6 what kind of effect decisions made by non-Aboriginals could
7 have on them. It certainly hasn't been for lack of trying
8 that municipalities have not had maybe as many Aboriginals
9 on it as they wished to.

10 The association, the Board, when they
11 talked about it, in essence, said that all people are
12 created equal and that if you had the willingness to run
13 and if the general public had the confidence in you that
14 you could do the job, then you could be elected,
15 irregardless of whatever colour your skin was, whatever
16 race you were or whatever creed you followed.

17 It was quite a long discussion and
18 putting it very bluntly, I did not participate in it that
19 much because I felt that it was something that should be
20 participated in by the Board and the Board are the ones
21 who came up with that whole feeling. I think that if we
22 are going to move into the future together, that you can't
23 look at redressing old wrongs. You have to look at the

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1 future together and work together.

2 I have lived all of my life with
3 Aboriginal people and I never even knew they were
4 Aboriginal people until I went to a boarding school where
5 the changes were pointed out to me and the differences,
6 but to me there wasn't any difference. They were just
7 a friend. It didn't make any difference what colour their
8 skin was.

9 I wore moccasins the same as they wore
10 moccasins. They wore some of my clothes and I wore some
11 of their clothes. I think that maybe one of the things
12 that has not been done is that there has been not enough
13 concentration on looking at the future versus looking at
14 the past.

15 If we are to succeed as a country and
16 as a territory in the economical situation that we are
17 going to be going into or have at least started into, which
18 is a global situation, we are all going to have to work
19 together and we are going to have to work very closely
20 together, respecting and using each other's perspective
21 on each other's cultures and knowledges.

22 I have talked to a number of
23 non-Aboriginals and they find that very difficult to do,

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1 to accept, but I have also talked to a lot of Aboriginal
2 people who find it just as difficult to accept and that
3 acceptance is the key. You can't build on past mistakes.
4 You have to build on what mistakes you are going to make
5 in the future, but at least you will know that you will
6 be making them together.

7 That is really the way the Board felt.
8 You can't harp on the differences. You have to
9 consolidate the commonality and the commonality is
10 education process, cross-cultural training on both sides
11 and the future. One of the main problems that we have
12 had in the past is that we keep harping on the past.

13 **CO-CHAIR GEORGES ERASMUS:** That's
14 probably very easy for Inuit communities where they are
15 the absolute majority. It is probably also very, very
16 easy for the Dene communities up and down the Mackenzie
17 Valley. If you are living in Lac la Martre or Rae Lakes,
18 what does it matter who you are?

19 However, as soon as you have a
20 non-Aboriginal majority, then it becomes quite important.
21 In this town here, where I grew up and was raised, there
22 has never been a time when the Council ever truly reflected
23 the face of the community.

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1 **PAT McMAHON:** Whose fault is that?

2 **CO-CHAIR GEORGES ERASMUS:** Good
3 question.

4 **PAT McMAHON:** As I said, I have asked
5 a number of Aboriginal people over the past number of years
6 that I have been involved in the Municipal Council here
7 and they don't want to run and it is not because they don't
8 feel that they won't get elected. It is because they are
9 too busy, because there is only a certain component of
10 the population that is involved in the doings of the general
11 populous in that area.

12 It is like taking a volunteer.
13 Volunteers serve in many different areas and some of them
14 specialize in. When you specialize in politics of one
15 kind or another, you sometimes just don't have the extra
16 time to serve on a Municipal Council.

17 **CO-CHAIR GEORGES ERASMUS:** Let's make
18 it a little bit de-personalized.

19 I was in Fort St. John very recently.
20 We held a hearing there. It is a community very similar
21 to Yellowknife. It is a boom town in northern B.C. because
22 of oil and gas exploration, and the Mayor there, a
23 non-Native person -- he had been in the area for ten years

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1 or less. The community could easily identify with this
2 person and so they elected him.

3 There was a similar population balance
4 there as there is here in relation to Aboriginal and
5 non-Aboriginal, and the history of the community -- they
6 were very boastful of the fact that they were probably
7 one of the oldest communities in British Columbia, but
8 they didn't remember a time when an Aboriginal person had
9 ever sat on the Council.

10 **PAT McMAHON:** I guess my only comment
11 to that is that that is very unfortunate that they haven't
12 had an Aboriginal person on their council because you gain
13 an awful lot when you do so. You gain an insight into
14 your peers that you have to live with and that you have
15 to work with and that you have to grow with.

16 **CO-CHAIR GEORGES ERASMUS:** So what is
17 the answer?

18 **PAT McMAHON:** The answer, I believe, is
19 a move to encourage non-Aboriginal people to run in those
20 areas, the larger areas, the larger cities, communities,
21 whatever, and to be elected. I ran three times before
22 I got elected. Diefenbaker ran 13 times before he got
23 elected. Just because you lose once, doesn't mean you

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1 are going to lose forever.

2 I know a number of Aboriginal people who
3 have run in four different positions who have lost and
4 have gone back and run again, but it is always for
5 Aboriginal groups. Why don't they run for groups like
6 Municipal Councils of which they are a part and of which,
7 when decisions are made, those decisions affect them?

8 It is certainly for a lack of asking for
9 Yellowknife and I know that there are other communities
10 who haven't even thought of it, and that is too bad. That
11 is an awareness program that has to be done throughout
12 the larger cities across Canada, particularly if they have
13 an Aboriginal presence in their city.

14 **CO-CHAIR GEORGES ERASMUS:** You talked
15 in your presentation about public governments and
16 Aboriginal governments somehow coming together and an
17 involvement of the municipal governments in the process
18 of self-government.

19 What would your views be on Aboriginal
20 governments within the municipal boundary, whether it is
21 here or anywhere else like Toronto?

22 **PAT McMAHON:** I think that there would
23 have to be certainly a whole lot of consultation and

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1 negotiations for overlapping jurisdictions. That is one
2 of the main problems that the FCM sees and that we, as
3 a city, see.

4 How do you look upon the paying of taxes
5 which supports your water systems, your sewer systems,
6 your police systems, your ambulance systems and so on when
7 you have inside of your boundaries an area that, by law,
8 does not have to pay taxes? Where does that extra money
9 come from? Does it come from those who are already paying
10 taxes? Do you put them up? In essence, if you do that,
11 if you have to do that, you automatically cause a prejudice
12 to build because, "I have to pay taxes and they don't have
13 to pay taxes."

14 How you solve that is through a process
15 of consultation and working out ways together, but what
16 has been happening in the past is that there has been models
17 put together for self-government with absolutely no input
18 at all from the communities and the municipalities that
19 they will either surround or be right beside. The impact
20 of that sort of thing is unknown. Nobody knows what the
21 impact of self-government will have if it is in an area
22 that is surrounds a community that accesses, for instance,
23 their water supply within the claim area, within the

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1 self-government area.

2 How do you access gravel? How do you
3 access an area to treat your sewage? How do you protect
4 the environment? There is a whole area that has not even
5 been addressed yet in the roles of both self-government
6 and municipalities and how the overlapping jurisdictions
7 work?

8 Right now, in Yellowknife -- and I will
9 use Yellowknife as an example -- we have an area that is
10 called Lot 500. On the federal books, it is called Ndilo.
11 On our books, we don't collect taxes there, but we do
12 pay through the taxes of everybody else for the street
13 lights, for the servicing of fires that are there, for
14 ambulances, for different services that we offer.
15 However, at the same time, it is within our liability,
16 but we are not allowed to inspect buildings that are built
17 there.

18 So how do we withdraw from the liability
19 when we are not allowed to inspect the buildings that are
20 going up there? That is an overlap in jurisdiction that
21 if a building burns down there and we haven't inspected
22 and so we say, "Okay. We don't have any jurisdiction
23 there," but because it is supposedly within our boundaries,

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1 it falls within the litigation process. How do you get
2 out of that? How do you either work with it or go around
3 it? That has never been addressed.

4 When you have an urban community of
5 Aboriginals inside the boundaries of a major city, how
6 do you address the whole aspect of housing, recreation
7 when it is a totally different culture that needs its own
8 kinds of recreation and cultural events?

9 That is something that has never been
10 discussed with municipalities that have those kinds of
11 society components within their boundaries, and that is
12 one of the reasons why the FCM is so concerned. When you
13 go into self-government, you don't know at this stage of
14 the game -- and neither does anybody else -- what the
15 overlapping jurisdictions are and how you can co-exist
16 within the same space.

17 **CO-CHAIR GEORGES ERASMUS:** Earlier in
18 our hearings here, we had both the Chief from the village
19 and the sub-Chief from the valley --

20 **PAT McMAHON:** Ndilo.

21 **CO-CHAIR GEORGES ERASMUS:** -- telling
22 us that what they would like is for that community to be
23 recognized on its own and it would then assume the

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1 responsibilities. Presumably, because it was within the
2 city boundaries, it would then sit down and negotiate with
3 the municipality as to how things work out together.

4 **PAT McMAHON:** That is not a problem.
5 We have already negotiated water delivery and sewage and
6 garbage pick-up, and we are not against at all negotiating
7 that sort of thing.

8 However, at the same time, when you have
9 a community like Ndilo which has a plan in place for growth,
10 the only way that that growth can take place is over
11 municipal-funded roads that are included the upkeep of
12 in the city's own end.

13 So if you were to put in a --

14 **CO-CHAIR GEORGES ERASMUS:** I think that
15 is why they were proposing that they be recognized as their
16 own municipality.

17 **PAT McMAHON:** I don't have a problem
18 with that, but there has to be a process to negotiate that
19 type of thing and we are still sort of fumbling around
20 in the dark. We have been able to negotiate certain kinds,
21 but there is the whole problem of the cultural thing.

22 The Municipal Council has the ability
23 to make a decision and to negotiate certain things.

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1 Aboriginal Councils must go back to their people or feel
2 that they should go back to their people.

3 **CO-CHAIR GEORGES ERASMUS:** They had
4 better.

5 **PAT McMAHON:** There is a time period
6 there where sometimes those types of things are not going
7 to -- they are going to slip by you. There has to be some
8 process put in place that everybody has had input into,
9 both from the city side and the people who live in the
10 city and from the Ndilo and Dettah area and people that
11 live in the Dettah area that says, "Okay. When you get
12 to this point, you can make a decision." Otherwise, you
13 have Joe Blow or so and so coming in from the outside saying,
14 "Well, I don't know anything about this and I am against
15 it." You can't keep starting over and over because time
16 is money not only for us as a municipality, but for them
17 as a community.

18 So you end up in a situation where it
19 sort of hangs on and how you deal with that is something
20 that Ndilo and Yellowknife have been wrestling with and
21 have been successful in a number of different occasions
22 and will continue to deal with until we have finished
23 negotiating whatever has to be done.

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1 Then, at the same time, you have to look
2 at putting together agreements that, in essence, deal with
3 -- there is no sense in having an ambulance stationed in
4 Ndilo because it would not be cost-effective. So there
5 is an agreement that has to be worked out with that. I
6 think those agreements can be done, but I think that it
7 is going to take a fair amount of time and a lot of work.
8 It is not something that is done overnight.

9 **COMMISSIONER BERTHA WILSON:** This was
10 the very sort of dialogue that we had hoped to get when
11 we put on the urban round table in Edmonton, but we didn't
12 get the participation of people like yourself who would
13 have made that kind of dialogue with the Native people
14 who are talking self-government and talking services and
15 so on. We weren't able to get that dialogue because we
16 didn't have people like yourself there.

17 That was the whole purpose of putting
18 on the round table on urban issues in Edmonton and inviting
19 the municipalities and the service providers in all areas
20 to come and talk about these problems. From that point
21 of view, it was a failure.

22 **CO-CHAIR GEORGES ERASMUS:** Not a single
23 Mayor came.

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1 **COMMISSIONER BERTHA WILSON:** We didn't
2 get a single decision-maker from any of the municipal
3 communities around about -- not a one. We had people who
4 came as listeners in order to hear what other people were
5 saying and go back and report to their councils, "This
6 is what was being said at the round table," but nobody
7 who had any authority to express any view or enter into
8 a dialogue with the Native people who came. It was a rather
9 frustrating experience for us.

10 **PAT McMAHON:** Then I am glad I wasn't
11 there.

12 **COMMISSIONER BERTHA WILSON:** You would
13 have been on your own, but it sounds to me as if you could
14 have done very well expressing the views.

15 **PAT McMAHON:** I might suggest to you,
16 as you go through this process, that the Commissioners
17 come to the Federation of Canadian Municipalities Meeting
18 in Edmonton at the end of May because it will be primarily
19 focused on exactly this issue that you are addressing.

20 **CO-CHAIR GEORGES ERASMUS:** Is this an
21 invite?

22 **PAT McMAHON:** Yes, it is an invite.

23 How do you work --

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1 **CO-CHAIR GEORGES ERASMUS:** We are going
2 to have to go to you because you didn't come to us. We
3 tried very hard to get you to our meeting.

4 **PAT McMAHON:** Well, I am here.

5 Certainly, I can make sure that you get
6 invitations. That is not a problem at all.

7 What we are going to be addressing and
8 the main theme of the conference is municipalities and
9 self-government and how do we work together to go into
10 the future and the impacts of that.

11 There have been a number of papers that
12 have been presented to the Board of the Federation of
13 Canadian Municipalities on the impacts, proposed impacts,
14 possible impacts, different scenarios, you name it. That
15 is one of the reasons why there was a special task force
16 struck because we recognized the fact that we are going
17 into an era where that sort of thing is going to have to
18 be dealt with.

19 However, the problem is that we have no
20 idea at all, with so many claims going on, of when, who,
21 where or why. One of the suggestions was that when a claim
22 process is happening, the municipality that is the most
23 affected or closest to be at the negotiating table, in

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1 essence, to say, "Well, that is not going to work," or,
2 "Yes, that is going to work really well because we can
3 take advantage of that, too." But that has not happened.

4 So you find the majority of your
5 municipalities and your bigger municipalities in a total
6 confusion. When you look at, for instance, the province
7 of British Columbia, which is under a claim to the tune
8 of about 125 per cent because of overlapping claims, you
9 have an awful lot of people living there who are
10 non-Aboriginal who have absolutely no idea of what that
11 impact will be, and they are scared because people are
12 scared of the unknown.

13 So the best way we felt as a federation
14 was to address it and certainly we are going to need the
15 participation of Aboriginal people, and that is in the
16 process. We are looking at that right now, but it is not
17 going to be an easy type of a thing to do because you are
18 going to have two different types and ways of life that
19 have to co-exist in the same space. It is going to take
20 a lot of compromise which will take time.

21 **CO-CHAIR GEORGES ERASMUS:** Thank you.

22 Bertha, do you have any questions?

23 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

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1 Just one comment.

2 As Commissioner of the Day, I would like
3 to thank Your Worship on behalf of the women for voicing
4 your concerns about violence on the helpless in every
5 community and those are the women and the children.

6 I think you are echoing the same concerns
7 that we, as women, are echoing, that there has to be justice
8 done to the inequality and the need for changes in
9 legislation for this to come about.

10 I just hope that more political leaders
11 will publicly condemn violence. So I just want to thank
12 you on behalf of the women. Thank you.

13 **PAT McMAHON:** Thank you very much. I
14 guess the way I kind of look at it is that the youth of
15 all the territories is our future and the problem is that
16 a lot of abuse runs through families, and the only way
17 to address it is at the source. That must be addressed
18 by the courts and there must be some sort of process to
19 give confidence to those who have been abused in one way
20 or another.

21 The incidents of it are increasingly
22 evident. I don't think that it is any worse today than
23 it was yesterday or the day before the year before, but

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1 I think it is much more well known and I think it is time
2 that it was because it causes enumerable problems later
3 on in life. I think it is time that the justice system
4 began to address it in a much more constructive way from
5 the victim's point of view.

6 **CO-CHAIR GEORGES ERASMUS:** We have a
7 debate tonight going on which you may have heard about.
8 It is going to be dealing with some of the issues that
9 we were just talking to you about: the whole question
10 of public government, Aboriginal governments on a
11 territorial-wide basis and on a community-wide basis.

12 I am not sure if you are busy, but we
13 would sure like to have you involved in that if you are
14 interested.

15 **PAT McMAHON:** Is it here?

16 **CO-CHAIR GEORGES ERASMUS:** It is going
17 to be in the Yellowknife Hotel starting for sure by about
18 7:30 sharp. We are going to try to get everybody there
19 around 7:00.

20 **PAT McMAHON:** In the annexes or
21 upstairs?

22 **CO-CHAIR GEORGES ERASMUS:** No, I think
23 it will be the Caribou Room right behind the lobby there.

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1 **PAT McMAHON:** I will certainly come if
2 I can.

3 **CO-CHAIR GEORGES ERASMUS:** Great.

4 **PAT McMAHON:** I would be more than happy
5 to.

6 **CO-CHAIR GEORGES ERASMUS:** If you do,
7 we will ask you to participate in that because I think
8 your views are very clear. We are trying to get a number
9 of different opinions to come together and discuss for
10 us the issues.

11 **PAT McMAHON:** Thank you very much. I
12 appreciate the opportunity to appear in front of you.

13 **CO-CHAIR GEORGES ERASMUS:** Thank you
14 for coming.

15 **MODERATOR SHELLY ANDERSON:** The next
16 presenter is Jim Evoy. He is the President of the NWT
17 Federation of Labour.

18 He will be discussing employment and
19 unions as a vehicle of social change.

20 **CO-CHAIR GEORGES ERASMUS:** Whenever you
21 are ready.

22 **JIM EVOY, NWT Federation of Labour,**
23 **President:** I thank you very much and on behalf of the

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1 Northwest Territories Federation of Labour and its 10,000
2 members, I welcome you all to Denendeh. We are in the
3 west. It sounds a little better to me than maybe using
4 the term Greater Yellowknife.

5 I don't have a formal presentation, but
6 I did think it was worthwhile coming here and saying a
7 few words.

8 Also, often today we hear news reports
9 speaking about a women's church, labour unions and
10 Aboriginal groups marching in front of the Legislative
11 Assembly to protest a certain thing or to ask for a certain
12 thing. I think we are seeing that more and more across
13 this country.

14 I think we see groups and organizations
15 working much more closer together and I quite proudly say
16 that the trade union movement, as in most cases, especially
17 in the last decade, have been very much onside with the
18 causes of our Aboriginal brothers and sisters. I think
19 the unions can be used for a vehicle for change. I think
20 the union movement can be used for a vehicle for change.

21 Some Aboriginal people have been
22 historically a part of this for a very long time.
23 Canadians might rapidly identify with what is coined now

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1 as a crisis at Oka. When I watched Oka first unfold on
2 TV, I thought of the iron workers I had worked with because
3 many of those guys behind the line were in fact unionized
4 iron workers who put up high steel all over eastern Canada
5 and the northern United States. So sometimes when I looked
6 at Oka, I saw union members there, too. So that puts things
7 in the context that some people might understand.

8 In the North, the union movement has not
9 developed as quickly as, say, in southern Canada as in
10 Ontario where it is a fact of life. It is a fait de complis.
11 We are still developing.

12 Outside of a few mines and the
13 government, one of the first areas of contact with
14 Aboriginal people in sort of almost a collision was the
15 Normal Wells Pipeline which historically goes back to,
16 guess, Burger and pre-Burger.

17 I was naively sent into that situation
18 in 1983. So what I was going to do -- within six months,
19 I would strike up a relationship with the Métis
20 Association, the Dene Nation and we would clear all the
21 problems and everybody would go to work. It would be great
22 things.

23 I found out after getting my nose

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1 bloodied a few times that the Norman Wells Pipeline was
2 not going to go as smoothly as we all thought it might
3 be going to go and there was a lot of promises that had
4 been made, a lot of things had been said that weren't --
5 there was really no legal commitments made to it and a
6 lot of people were very disappointed in their exposure
7 to a so-called mega-project and to the wage economy in
8 light of the fact that promises had been made.

9 A couple of years later, I learned a lot.

10 A learned to go back and I guess the first summer after
11 it, I went back. I sensed the anger in the communities
12 and the anger of the leaders and I said, "This is sincere
13 and real. I have to find out why."

14 So I went back and for the first time
15 in my adult life, I became an academic and I went back
16 and read all the Arctic Gas stuff and I read everything
17 I could find. I went through both big volumes of Burger
18 and then I found out very clearly in my mind why people
19 were very upset. They were very upset because they had
20 been promised the world.

21 Now, it is a long story as to what
22 happened between that promise and what happened when the
23 project started. I played a very small part in that, but

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1 the trade union movement at the time or unions per se for
2 people coming out of small communities especially -- in
3 their minds, it was the unions that were denying them the
4 employment because you had to be in the union to go to
5 work. This has been something that I have spent the last
6 ten years trying slowly to rectify.

7 I bring that up in the light of other
8 mega-projects that either you have looked at or some of
9 your researchers should look at because I do think that
10 employment and the wage economy is important to a lot of
11 people. I don't necessarily subscribe to the 52 weeks
12 a year theory. I think a lot of people enjoy wage
13 employment to complement their lifestyle, whether they
14 be firefighting or doing seasonal work, too. I much
15 subscribed to that theory.

16 The Limestone project in Manitoba put
17 a lot of northern Manitoba Aboriginal people to work.
18 It was starting almost, I believe, when the Norman Wells
19 Pipeline in the Northwest Territories was coming to an
20 end. I often wished I had the money and the resources
21 to fly northern people there to see it work, how I thought
22 it should work. They had on-the-site training and
23 pre-employment training and they had people ready to enter

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1 apprenticeships.

2 The difference there, in my mind, was
3 that the Manitoba government believed in it. They dealt
4 with Cabinet Ministers like Elijah Harper who were
5 committed to it. They told Manitoba Hydro, "This is the
6 way it will be. You will do it. You won't talk about
7 it. You won't speak in platitudes. You will employ X
8 number of Aboriginal people from the northern
9 communities."

10 Although Limestone wasn't perfect, I
11 think it was an improvement and I think it is something
12 that should be looked at closely and some follow-up done
13 as to how many people really ended up with long-term
14 employment or training that was useful as a result of the
15 Limestone project.

16 Stepping outside of Canada for a moment,
17 I was also a bit enthralled to read about Red Dog in Alaska
18 where a zinc mine originally started off with a mandated,
19 with a commitment that within X number of years, they would
20 employ 50 per cent Aboriginal people. Once again, I
21 believe the state government was involved.

22 So I am saying, I guess, from my
23 experience is that all the promises and all the hearings

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1 and all the socio-economic policies in the world aren't
2 worth a hill of beans unless it is enshrined in legislation
3 and there is a government in power that has the political
4 will to back it up. I don't necessarily think you gain
5 those jobs in employment by either clobbering the
6 corporations or the unions or one or the other, but I think
7 the government has to make the initiative to put some of
8 these things into law.

9 I also say that in the sense that people
10 have to want that employment. I don't bypass all the
11 regulatory processes and all the environmental hearings
12 that might have to take place. I don't necessarily
13 personally subscribe to mega-projects, but once they are
14 at your door, there are a lot of different ways that you
15 can guarantee that employment and there are a lot of
16 examples out there.

17 So I hope that when you start to
18 fine-tune this thing, you will look at some of these
19 scenarios. There are quite a few out there. I have done
20 a lot of work on it myself.

21 As far as labour right now and as it
22 relates to the North, closer to home, I just wanted to
23 put that in about mega-projects and give a little

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1 cross-Canada view.

2 We, in our own way, have slowly come to
3 the point where the organized workforce in the Northwest
4 Territories is nearing 10,000 people and that is quite
5 a high portion considering our population. As an
6 organization, supposedly as the political voice for the
7 unions in the North, we try. At least I think we try.

8 We looked at our logo and we said, "We
9 exist in what we see as two territories of Denendeh and
10 Nunavut. We will do something with our logo that at least
11 will show some respect and that respect is shown by at
12 least emblazoning our logo with a drum in the background."

13 We are not being condescending. We are not being
14 pretentious. We do it as a sincere show of what we think
15 the North is all about, and we know the drum is very
16 important.

17 So a couple of years ago we went to Native
18 Press and said, "Can you help us with a logo?"

19 And we had it done. We think that that shows respect
20 and that is what more and more is needed, especially living
21 in other people's home lands.

22 At our convention last year, the
23 National Chief of the Dene Nation is one of our keynote

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1 speakers. When our convention opens, local greetings,
2 a welcome is extended by the local Chief and then by the
3 municipality. That, again, is a show of respect and that
4 is what the labour movement in the North -- we are not
5 perfect. We are not always right on, but we are at least
6 trying to show that respect to the cultures that we live
7 amongst.

8 We have gone through some bad times in
9 Yellowknife recently. We are over six months into a
10 terrible labour dispute and one of my fears about the whole
11 thing is the long-lasting effects on the labour movement
12 in the North, on the working relationships in the North
13 because I am firmly convinced that unions do represent
14 a vehicle for social change, better wages, better working
15 conditions, more dignity in the workplace.

16 I think we have a big job after this
17 terrible thing is over to get out to the people in the
18 communities and still try to sell them on the trade union
19 movement. I can only imagine what must be going on in
20 some people's minds.

21 So it is not necessarily a good time for
22 us in the North right now as a movement. Some people think
23 that we might enjoy revelling in these things. We are

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1 just as concerned as anyone else that this thing be over
2 with and be over with as soon as possible, but I am somewhat
3 concerned about the long-term effects that it might leave
4 with the people in the communities. I think we are
5 sensitive to that and we should be.

6 So I think basically that the
7 mega-projects -- look at some of those; get some good and
8 some bad; look at some socio-economic dictates. There
9 has been a lot of good work done by a lot of academics
10 in these areas and when these programs are put together,
11 when another Limestone starts or another Norman Wells
12 starts, don't just consult, though, with the academics
13 and don't just consult with the corporations. Consult
14 with working people or people who deal with working people
15 and say, "Is this practical? Can these goals be met?"
16 I think that would help a lot.

17 The other area -- and I offer the
18 invitation and I am sure through the Canadian Labour
19 Congress, of which we are one of the chartered Federations
20 of Labour -- that I am sure you have already done, but
21 in your deliberations and in future research, please
22 consider that the Canadian Labour Congress, this
23 Federation of Labour are very, very interested in your

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1 mandate and what you are trying to do.

2 At the convention in Vancouver last
3 year, we passed a policy statement on Aboriginal Affairs,
4 Aboriginal self-government and things of that nature.

5 We have, as an Executive Council of the Canadian Labour
6 Congress, seats that are specifically set aside for women.

7 We also have on our Executive Council the Canadian Labour
8 Congress seats that are especially set aside for visible
9 minorities. Some people don't agree with that. Some
10 people don't agree with guaranteed representation.

11 We, in the labour movement, generally
12 tend to agree with that: that if it has to be guaranteed
13 representation, then that is the way that we shall go.

14 So that is really all I wanted to touch
15 on, just a little blurb on the mega-projects. I think
16 I heard a newscast today that said the church could
17 certainly be used as a vehicle for social change and
18 betterment of people's conditions, and I truly believe
19 that the trade union movement could be used the very same.

20 So if you have any questions, I would
21 be glad to answer them.

22 **CO-CHAIR GEORGES ERASMUS:** Thank you.

23 Bertha, do you want to start?

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1 **COMMISSIONER BERTHA WILSON:** I would
2 just make a comment that I agree completely with what you
3 say that the trade union movement can be and is a tremendous
4 force for social change. The contribution that is made
5 in terms of protection for working people has really been
6 excellent.

7 I have also found that the CLC has done
8 a tremendous amount of research and has a fund of material.

9 I have been able to make use of a lot of it in relation
10 to pay equity and discrimination against women and
11 employment in the labour force, and so on, and have always
12 found the material extremely valuable and the personnel
13 that I dealt with very co-operative.

14 So I would just like to say that I
15 appreciate all that is being done. I think it is great.
16 Thank you for coming.

17 **CO-CHAIR GEORGES ERASMUS:** That
18 information that you have on the mega-projects would be
19 very, very useful to us. Our researchers would love that.

20 **JIM EVOY:** I could supply you with a
21 bibliography that I used to write my first great works,
22 probably my last, but it was the fall-out of the Norman
23 Wells Pipeline project which I could proudly say the Dene

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1 Nation, in their final wrap-up, used 13 of my
2 recommendations.

3 Could I just add a couple of things?

4 **CO-CHAIR GEORGES ERASMUS:** Sure.

5 **JIM EVOY:** There are two projects I
6 forgot that we are working on just to show what we are
7 trying to do, the work we are trying to do.

8 One, we are on a labour history education
9 project which is really twofold. We are trying to teach
10 people their rights. We are trying to teach people that
11 they do have rights in the workplace, especially non-union
12 people, especially people out in the communities.

13 The other thing we are trying to do is
14 become a central storing body in the North for any history
15 going back to the fur trade on the wage economy. In doing
16 that, we have also come across a lot of publications and
17 a lot of worthwhile books about Aboriginal people and the
18 wage economy. We come even with annotated bibliographies
19 and I have one bibliography from Indian Affairs that talks
20 -- everything they could find in Ottawa, the Indian Affairs
21 library, every document they have per se Aboriginal people
22 and the workplace. I have it on a computer print-out.

23 So have been amassing these things and

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1 hoping that some day, if somebody wanted to say, "Where
2 can I go to see sort of state of the art?" or, "Where is
3 there a lot of reference material on Aboriginal people
4 and the workplace, people come into the wage economy?"
5 I could say, "The Northwest Territories Federation of
6 Labour has that."

7 We are striving towards it. We have
8 dealt with the AFN, with the library there and we are trying
9 to put this together and it is quite a cumbersome task,
10 but I could share some of those things. It is work
11 specific.

12 The other thing, for an example -- and
13 it is probably over doing the North. I don't only see
14 it in the context of Aboriginal and non-Aboriginal, but
15 it is mostly in that milieu -- is that just this spring,
16 we are having a major conference on racism in the workplace
17 and we will be holding that in Yellowknife. I think it
18 is long overdue and I think it is there.

19 We are doing surveys in the communities
20 now. We are doing surveys with some of the local unions
21 and we have received the funding from Secretary of State.

22 So, as a labour organization, we are not only out there
23 negotiating collective agreements or doing some of the

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1 things that people tend to think we do.

2 We also do things like appearing in front
3 of Jim Burkes Commission, appearing in front of you and
4 working on what we feel is this very important conference
5 on racism in the workplace, just to give you an example
6 of some of the things we do.

7 **COMMISSIONER BERTHA WILSON:** When is
8 that taking place?

9 **JIM EVOY:** It is March 11th -- it is that
10 weekend in March, the Friday, Saturday and Sunday. I think
11 it is the 11th, 12th, 13th or 12th, 13th and 14th, whatever
12 falls into place.

13 **CO-CHAIR GEORGES ERASMUS:** Here?

14 **JIM EVOY:** Yes, Yellowknife.

15 **CO-CHAIR GEORGES ERASMUS:** Bertha, did
16 you want to ask any questions?

17 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

18 I just wanted to make a few comments.

19 I know I am a strong supporter for the
20 rights of workers and I think it is certainly hitting home
21 now when the workers, especially right here at the hospital
22 -- their jobs are being taken over by privatization.

23 Who is really affected by the take-overs

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1 by southern workers? The majority of them are single sole
2 supporters and those are women with children who are going
3 to be suffering the most.

4 It just seems that the government
5 doesn't know how to set their priority. They don't realize
6 that by privatizing departments, they have to put more
7 dollars in the social services part to take care of these
8 people who are being laid off.

9 I am happy to hear that you are doing
10 or concentrating on labour education. I think the workers
11 really need to know what their rights are. I think the
12 only time they really think of going to the union for
13 assistance is when they find themselves in a situation
14 against the wall, and that is when they are seeking the
15 assistance. I think that what is needed when things like
16 this happen is more labour education.

17 That is all I wanted to say. Thank you.

18 **CO-CHAIR GEORGES ERASMUS:** Do you
19 offhand have a rough idea of how many Aboriginal people
20 are represented in your 10,000?

21 **JIM EVOY:** Georges, I wouldn't know that
22 offhand, but I can say that since the government -- and
23 I appreciate Bertha's question that some people in the

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1 government want to go that way. There are others that
2 I must compliment on the way the affirmative action program
3 and the way it was implemented.

4 I think those numbers from the GNWT you
5 would have to get from them, but they certainly -- I think
6 it was Nick Sibuston (PH) who was the Minister or the
7 government leader when I first started the program. I
8 said, "Okay. By the year such and such, we are going to
9 have X number of Aboriginal people working for this
10 government." There was a bit of controversy at the time,
11 but I think they came up with some pretty good numbers.
12 So that would be reflected in that membership.

13 In some of the smaller local unions that
14 represent the settlement councils and hamlets and stuff
15 like that, it would be almost 100 per cent. I would say,
16 quite frankly, which is my fashion sometimes -- I should
17 think before I talk -- that the majority of union members
18 would be very close. I don't think it would reflect the
19 ethnic make-up of the Northwest Territories.

20 One of the reasons for that, quite
21 frankly, is the great preponderance of unemployed people
22 in the community, something that we seem to have completely
23 forgotten in the last year or two in this territory. It

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1 just seems to be an acceptable thing now. At least we
2 don't discuss it.

3 Unfortunately, I tried at one point in
4 time to -- I was going to try to get all people in the
5 communities into a scene where they could be organized
6 and unionized. I have never found a way to unionize the
7 unemployed. That has been my challenge in life.

8 However, the numbers, I can say, since
9 you left this fine land, I think it is much, much better
10 and I think -- they are not people I compliment that often,
11 but I think the Government of the Northwest Territories
12 deserves some credit with some of the programs that they
13 implemented.

14 Privatization is the direct opposite,
15 in my mind, of the affirmative action program. It just
16 doesn't work. It doesn't co-exist.

17 **CO-CHAIR GEORGES ERASMUS:** Great.

18 Thank you.

19 **CO-CHAIR GEORGES ERASMUS:** Thank you.

20 **MODERATOR SHELLY ANDERSON:** The next
21 presenter is Mr. Doug Willy. He is the Human Resources
22 Manager with Echo Bay Mines and he will be discussing the
23 involvement of Aboriginal people in development,

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1 employment and training.

2 **TOM HOLFORD, General Manager of the NWT**

3 **Chamber of Mines:** These aren't two Doug Willys here.

4 I perhaps better explain.

5 My name is Tom Holford and I am the
6 General Manager of the Northwest Territories Chamber of
7 Mines. We were asked last week if we would mind appearing
8 in front of this Commission and we certainly thought it
9 was a good idea.

10 We see that the mining already plays a
11 major role in the Northwest Territories and with the
12 settlement of land claims, there is clearly a push by Native
13 groups -- they indicate that they want to get involved
14 in mining in some way through land selection.

15 What we thought we would do is -- I am
16 sort of a middle man here because I work with all of the
17 mines, but I don't deal directly with issues like
18 employment and training, and that, whereas Doug Willy does.

19 So I thought it best to get it from the horse's mouth,
20 so to speak, if we brought Doug Willy to talk to you.

21 If there are any other questions that sort of spin off
22 of it where I can provide extra information, I would be
23 more than happy to do that.

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1 So I will let Doug go ahead with it and
2 take it away.

3 **DOUG WILLY, Echo Bay Mines, Human**
4 **Resources Manager:** Good afternoon.

5 I will tell you a bit about where we are
6 coming from. I currently work with the Lupin Mine. The
7 Lupin Mine is a gold mine that is in an area in Contwoyto
8 Lake. We are a non-union company and have been involved
9 in the North since the mid-seventies. Currently, we have
10 the one operation at the Lupin Mine.

11 We employ at that particular site about
12 400 employees, of which in the area of about 50 of them
13 are residents of the Northwest Territories from Dettah,
14 Rae/Edzo, Coppermine and Cambridge Bay.

15 We also talk a bit on behalf of the other
16 mines that are in the Northwest Territories. You are
17 familiar with the local ones. I guess the big difference
18 between the local ones and the ones outside of Yellowknife
19 are the fact that the ones outside of Yellowknife are
20 non-union mines and the ones in the community are
21 organized.

22 When we first looked at what area we
23 should talk about, I had prepared a little presentation,

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1 but then I thought maybe it wasn't appropriate and I would
2 just try to go over a number of points with you.

3 There are, no doubt, some problems in
4 the past as far as Aboriginal people in the mining industry,
5 and we would all be sticking our heads in the sand, I think,
6 if we didn't realize that some of those problems are
7 basically driven by -- I put it as a bias against Aboriginal
8 caves.

9 The mining industry in the past, I think,
10 has not been one of the leaders in affirmative action
11 programs, but specifically in the Northwest Territories
12 I think it is changing significantly. I think the modern
13 mining companies are not very similar to what happened
14 50 years ago and I think Lupin Mine is a good example of
15 that.

16 We are the biggest employer in
17 Coppermine. We have more employees, more residents at
18 Coppermine work with Echo Bay than with the government,
19 than with the Hamlet or in the schools or any place else.
20 We recently got into Cambridge Bay and we are doing the
21 same recruitment.

22 Now, this isn't legislated anywhere. It
23 is not written down any place. It is one of the newer

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1 companies and this is the new way of doing business.
2 Nobody is telling us that we have to do this, but we have
3 learned over the years that it is a good way to do business.

4

5 Personally, I have worked in Cambridge
6 Bay, Sachs Harbour, Fort McPherson, Rankin Inlet and here
7 in town. I am not the only one in the company who has
8 done that.

9 With this exposure and the more
10 involvement in the industry of persons like myself, we
11 know that operating in the North is not a lot different
12 than operating in the south when it comes to employment.

13

14 Some of the obvious differences that we
15 have come up with are the education level of the people
16 who we can resource employees from. The level of education
17 in the communities is not as high as it is in the southern
18 communities. The education has been geared towards a
19 different end than what we might need in the mine industry,
20 and we would like to see an emphasis put on education in
21 the community that is more technological, that is more
22 geared towards the needs of this particular industry.

23 It is almost impossible for us to hire

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1 a geologist, an engineer, a mineral processing student,
2 a nurse, and the like, out of the northern communities.

3 We have no problems in hiring truck drivers, miners,
4 people to train as mill operators and the like.

5 The training aspect of it, I think, is
6 something that is progressing quite well, but I think,
7 once again, that the parties involved -- and I am talking
8 in particular of the companies and the Aboriginal community
9 -- have to look at providing different ways of getting
10 the people trained to get themselves in a position for
11 these jobs.

12 I purposely mention only the companies
13 in the Aboriginal communities. I think that one of the
14 problems in the past has been that the Aboriginal community
15 as a whole has not said that they want an active involvement
16 in the mining industry. I think it has been left up to
17 the individual to become involved in the areas that he
18 or she may want to get involved, but it hasn't been actively
19 pushed by the community to say to the companies, "Hey,
20 we would like a piece of the action."

21 I would suggest, in the successful
22 companies that I have had some involvement with, that that
23 is exactly what has happened. The community itself has

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1 said, "Listen, we want some involvement. What can we do
2 to help?" And there has been a very positive, mutual
3 agreement between the company and the communities to get
4 it done.

5 I would refer you to a company in
6 Saskatchewan, AMOC in northern Saskatchewan, who worked
7 with the six communities in northwestern Saskatchewan and
8 I think were very successful.

9 Another area that we have to look at is
10 providing the social support in the communities. The
11 company can go and recruit people, provide training and
12 employ them, but what they can't do and I don't think should
13 probably rightfully do is get involved in their personal
14 lives at home; yet, a real obstacle to any employee from
15 the North, regardless of where you are from, but
16 particularly from the northern communities, is the social
17 problems that there are in some of the communities.

18 When the person gets a job and leaves
19 the community and goes to one of the remote mines, they
20 are doing it on some sort of a work rotation where it is
21 required that they leave their family for various periods
22 of time and during the time that they are away, there is
23 a number of very real problems.

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1 I would hazard to guess that 95 per cent
2 of the employees who quit their positions at the Lupin
3 operation quit because of a problem at home, not a problem
4 at work, not being unhappy with the conditions of
5 employment or with the benefits or the compensation but,
6 instead, with just the -- after a while, there is an
7 unsurmountable pile of problems that arise that the person
8 says, "Hey, I have to quit and go home."

9 This is not a lot different than, I
10 suppose, what happened in other areas of Canada some time
11 earlier. When my father used to leave to go and work in
12 the bush or wherever he went to work, there was always
13 problems with the pilot light going out in the stove that
14 my mother never new how to light originally, many little
15 child problems. I think the difference, probably, is in
16 the substance abuse that didn't seem to be around 40 or
17 50 years ago that we all know now is a very real part of
18 life. So besides the training and the education, the
19 social support from the communities is very much required.

20 The companies that operate now, I think,
21 operate with a totally different set of rules than they
22 have in the past. Evidence there is that you can see the
23 three mining companies that are remote and are the most

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1 recent ones in the territories are all unorganized. They
2 do not have a union to represent them and I think that
3 is a good indicator of what must be going on at those places.

4 The safety record at those mines, the
5 workers compensation experience, the whole list of
6 employment-related problems that may occur, the statistics
7 show that the conditions are better than in some of the
8 older mines.

9 So I think that what this shows us is
10 that the way of operating these days is considerably
11 different than some of the projects that may have been
12 referred to earlier in some of your discussions.

13 The mining business also lends a bit of
14 longevity to employment. Very few mine operations are
15 short-term. Most of them last upwards of 15, 50 or 100
16 years. So projects that may have been of a construction
17 nature where there isn't a lot of training done, there
18 isn't a lot of promise of long-term jobs, the same problems
19 won't occur in these mining operations because you can
20 sit down and say, "We are going to be here for 15 or 20
21 years. So before we start these operations, let's get
22 into some serious training and education programs."

23 One of the areas that I particularly

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1 agree with is referred to now as benefit agreements. I
2 think one of the areas, particularly the northern
3 Aboriginal people and their various groups should look
4 at, are some fairly formal benefit agreements. I think
5 the benefit agreements should be developed strictly
6 between the company and the community and by "community",
7 I mean whichever group of people is involved.

8 If it happens to be a group of
9 communities that are within a reasonable distance of that
10 site or if it happens to be something as formal as the
11 Nunavut, then I think the benefit agreements can be very
12 useful. I think the benefit agreements, though, should
13 not be looked at as a restrictive legislative-type
14 agreement. It should be something where we can sit down
15 and discuss to come up with some requirements that fulfill
16 everybody's needs as much as possible.

17 I think that is the way we will see it
18 happening in the next while because everybody realizes
19 that if we all fully understand what the requirements are,
20 we are probably going to succeed. However, they shouldn't
21 be sort of developed in a way that, "You don't do this
22 unless you do this."

23 Excuse me if I throw the term of

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1 "northerner" or "Native" or "Aboriginal". I am guilty
2 of using them all, but I think the Native groups have to
3 sit down with the companies and say, "Listen. We are
4 totally in agreement with you developing that particular
5 ore body. This is what we would like to see out of it."

6 The companies will come back and say, "Yes, we agree with
7 that. This is what we need. Now, how can we sit down
8 and agree that that is the way it is done." That might
9 seem a bit utopian, but I think that is the way of the
10 future. That is the way it is going to happen.

11 I have talked about employment because
12 I think employment is the key. I think we have a tendency
13 of looking at any particular group of people in any
14 community and generalizing, but we have to look at that
15 group the same as any group. Eighty per cent of the people
16 in that group are in one group and then you are going to
17 have another group that will float to the top and won't
18 be having any problems. They will do their own and then
19 you will have another group who will even do better. When
20 I talk employment, I think I am nearing that 80 per cent
21 that we have to worry about, 80 per cent that probably
22 have most of the problems and maybe don't have the direction
23 they need.

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1 I think the other groups will get
2 involved in maybe more sophisticated joint venture
3 developments with the mining industry. They may get
4 involved in providing some service-type businesses that
5 will be developed more on their own than communally as
6 it happened in the south. I think we see already that
7 there are individuals in communities who have gone ahead
8 and started up companies and who are competitive and who
9 are bidding on the work that comes out of these various
10 operations.

11 One of the negatives of those
12 individuals, some of the problems they have faced, in my
13 experience, is that -- maybe it was the same in my home
14 town down south. When I grew up and my whole family went
15 to university, some of the people thought that maybe we
16 were a little bit too smart. Our heads were getting a
17 little bit big because we all had a university education.
18 I think that tends to happen in some of the communities
19 where maybe one person does get out and gets a business
20 going.

21 I hear that some of these people are
22 sometimes moved out of the mainstream of the community
23 and ostracised somewhat rather than taken into the group

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1 and saying, "Here. Boy, you have done it. Can you help
2 the rest of us do it somehow?"

3 I think the Elders in the community, the
4 main people in the community have to encourage those people
5 as well as people who do go away to work to say, "Hey,
6 you are a very important part of this community," and give
7 the recognition to that group because through the
8 employment, through these other jobs, we think that that
9 is how the people and the communities in the North are
10 going to grow to solve some of the problems.

11 I guess, basically, what we are saying
12 is that industry no longer is interested in going and
13 developing that ore body for the sake of developing an
14 ore body. That is the way it used to happen. It doesn't
15 work like that any more.

16 Now, when you are developing a resource,
17 I think that the company is taking into consideration the
18 environment, the human resource of the area and the
19 development and, of course, making the money off the
20 property.

21 Tom, do you have anything else you want
22 to add?

23 **TOM HOLFORD:** No, I don't have anything

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1 to add at this point. I think maybe some discussion would
2 be a good time to add comments.

3 **DOUG WILLY:** The mining industry is
4 fairly large and I think one of the problems we have when
5 we talk about sort of a concerted similar policy at every
6 mine is that it is almost impossible.

7 We talk about these things and even when
8 we have discussions amongst ourselves, it is a pretty
9 individual type -- each operation varies from operation
10 to operation, and that is one of the reasons I said, "I
11 think we have to leave it up to the people and the company
12 to get together and develop these benefit agreements, or
13 whatever you want to call them, for the good of everybody.

14 **CO-CHAIR GEORGES ERASMUS:** Thank you.

15 Do you mind if we ask you some questions?

16 **DOUG WILLY:** Go ahead, please.

17 **CO-CHAIR GEORGES ERASMUS:** Bertha, do
18 you want to begin?

19 **COMMISSIONER BERTHA WILSON:** Yes.

20 I was part of the Commission group that
21 went to Timmins and one of the things that we did there
22 was try to bring together representatives of the mining
23 industry, the environmental groups and the Native people.

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2 We were well aware that in going into
3 the Native communities as a Commission and holding public
4 hearings it was mostly the Native people that we were
5 hearing from, and we realized that it was absolutely vital
6 that we hear from the non-Aboriginal people in the
7 community as well.

8 Realizing that there were some tensions
9 between the mining industry and environmentalists and
10 Native people, we thought it would be a good idea to bring
11 those groups together and have some kind of general
12 discussion. We did and it became, from my point of view,
13 quite exciting because there were strong views,
14 differences of opinions being expressed, and so on.

15 I understand what you say when you say
16 that there really isn't any industry policy because the
17 attitude of different companies operating in and around
18 Timmins were quite different.

19 But the thing that we were really getting
20 into a discussion about was this concept of corporate
21 social responsibility which is coming into being and
22 everybody now recognizes that when companies go into an
23 area, that they become, in effect, residents of that area

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1 and owe the community the same kind of sense of social
2 responsibility for the life of the community and so on,
3 as the individual does and perhaps even more so because
4 of the tremendous gains that these mining companies get
5 from their activities in the community.

6 I asked the mining people who were there
7 what approach they took to that; how they saw their social
8 responsibilities to the community and what they did about
9 it. Did they take the initiative? Did they approach the
10 community and say, "We are going to be living side by side
11 and we would like to become part of this community and
12 get involved in it. Are there things that we could do
13 for you that would enhance your community and so on?"

14 I am wondering: What view do you take
15 looking at it from that perspective?

16 **DOUG WILLY:** Maybe I can use our company
17 as an example.

18 **COMMISSIONER BERTHA WILSON:** Yes.

19 **DOUG WILLY:** Our communities that we
20 consider are well within our sphere of influence are
21 Coppermine and Cambridge Bay. We currently have 30
22 employees from Coppermine and we are about 13 right now
23 from Cambridge Bay. We only started recruiting there

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1 within the last two years and we are up to 13 now.

2 We recently assisted them with building
3 the Anglican Church in town. Our company has not got
4 involved from a big money point of view. We are doing
5 it from support services, from volunteer labour and any
6 expertise that we can give.

7 We spend a fair amount of money in the
8 communities on family picnics, on the Christmas dinner
9 for the Elders, the typical, but we spend a lot of time
10 on the support. For example, we are meeting with the
11 Hamlet Council in Cambridge Bay in January to see if there
12 is some way that we can set up a local community committee,
13 if they don't have one in existence -- and I think they
14 do -- where we can start providing help in the areas of
15 social services -- anger workshops and all of that --
16 because it affects us directly. We know that we have some
17 resources that we could probably help them with. That,
18 I think, is the difference between companies that are
19 working now.

20 These communities aren't very far away.

21 They used to seem to be miles away, but now they are not.

22 As you employ people, which is different than in the past,
23 if I am guy living in Kelowna who is working at our mine

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1 and if the two guys that I am going underground with
2 everyday are both from Coppermine, I start asking questions
3 about Coppermine. This comes from within the company.
4 It comes from the employees.

5 They start, then, taking on an active
6 concern for what is going on in these communities. It
7 is one of the positive spin-offs of employment in the North
8 and that is driven by some of the employees.

9 We try to get away from some of the
10 discrimination-type, real life things that happen. We
11 take plane loads of people up to Coppermine from down south
12 from the mine site workers to spend the Canada Day
13 celebration, July the 1st, to go up and not do anything
14 in particular but to spend 12 hours there finding out what
15 goes on in the community. That has an unbelievable amount
16 of positive spin-offs on the job which the company is
17 worried about, but socially as well.

18 Vice-versa. Guys who live in the south
19 will take guys from the North and their families down to
20 spend a week's holidays with them in the south. So I think
21 that is some of the corporate responsibility that you are
22 talking about. It is part of a good operation.

23 We don't only worry about people at work

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1 any more. You have to worry about people who are at home,
2 particularly if you are in a fly-in operation because if
3 you have a person who is in a safety-sensitive position
4 and you know that when he is doing that he is worried about
5 whether or not his spouse and children are happy at home,
6 he is not going to be very aware in that safety-sensitive
7 position. So we have to carry that whole thing into the
8 community and it just grows.

9 But, yes, we go through the typical
10 financial stuff. But more so, you see a lot more social
11 involvement than in the past. We deal daily with the
12 social workers in the community. It so happens that the
13 ministers in the community are involved in that and we
14 have contact with them.

15 The medical facilities -- we provide,
16 as do all the fly-in operations, pretty good medical
17 facilities. So if our airplanes are in the air and we
18 can help with whatever we can, that is all part of the
19 social responsibility.

20 **COMMISSIONER BERTHA WILSON:** Those are
21 positive developments that have happened in the last little
22 while and for those companies that don't make that kind
23 of effort, as I was trying to say when I was in Timmins,

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1 just from enlightened self-interest, apart from any high
2 motivation of general concern about the people who are
3 living in the area, it seems to be absolutely essential.

4 That is very interesting. Thank you
5 very much.

6 **CO-CHAIR GEORGES ERASMUS:** I was
7 wondering what position the Federation was taking on land
8 claims? Do you have an official position on them?

9 **TOM HOLFORD:** The position that we took
10 -- I guess the last official position was the one on the
11 Inuit land claim and our position there was that we wanted
12 to see the claim settled very speedily because it
13 influences the investment climate up here.

14 When the move was made in that claim --
15 it was a pretty major move to allow Aboriginals to select
16 third-party interests -- it was a move that industry saw
17 as not to be a threatening move because there was enough
18 security of tenure and they had said that the existing
19 McKenna Mine (PH) regulations would still apply and
20 basically we would get a new landlord. Through that, there
21 would be a requirement to negotiate benefit agreements
22 like Doug has been speaking about, and we didn't see that
23 as a threat at all.

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1 The position we are taking at present
2 with the Dogrib Nation claim basically mirrors that in
3 that we don't see that there would be a big problem with
4 selecting third-party interests, and approaching benefit
5 agreements, I think, is a good way to go.

6 **CO-CHAIR GEORGES ERASMUS:** What about
7 the issue of Aboriginal governance? Are you wrapping
8 those two up together?

9 **TOM HOLFORD:** That is a tough one for
10 me because I still don't have a clear idea in my mind of
11 what the definition of it is. It seems to me that that
12 is still in the political arena and I think sometimes we
13 would like to just say that we are miners.

14 **CO-CHAIR GEORGES ERASMUS:** All right.
15 Bertha, do you have any questions?

16 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
17 No.

18 **CO-CHAIR GEORGES ERASMUS:** I guess
19 those are the questions that we have. Thank you for coming
20 forth.

21 **DOUG WILLY:** Thank you for giving us the
22 time.

23 **MODERATOR SHELLY ANDERSON:** The next

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1 presenter is Mr. Chris O'Brien. He is an individual who
2 will be discussing non-Aboriginal people's relationship
3 with the land and the importance to better educating
4 non-Native people; Native people can help non-Native
5 people get in touch with the land.

6 **CHRIS O'BRIEN:** I didn't have time to
7 print it up yet and so I have to read it off the high
8 technology.

9 **CO-CHAIR GEORGES ERASMUS:** No hard
10 copy.

11 **CHRIS O'BRIEN:** Thank you for this
12 opportunity to talk to you.

13 I won't go into my history other than
14 I have lived in the North for 17 years. I will just read
15 what I have here.

16 Before the Keltic Tribes of Ireland were
17 christianized about 1500 years ago, their spiritual
18 beliefs were based on a profound reverence for their lush
19 green island and its wild non-human inhabitants.

20 Even today, many Irish people still
21 refer to Ireland as the holy ground. My own ancestors
22 came to Canada from Ireland about 150 years ago. However,
23 unfortunately, they and millions of other European

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1 immigrants to North America seem to have long since
2 forgotten their ancient traditions. Not only did they
3 ride rough-shot over the land, but they also colonized
4 and marginalized the Aboriginal inhabitants of this
5 continent.

6 In recent years, there has been an
7 increasing awareness among non-Native Canadians that their
8 own attitudes and values have caused not only profound
9 injustices to Aboriginal peoples, but also severe
10 ecological damage.

11 In spite of this growing awareness,
12 mainstream values and ways of doing things have remained
13 largely unchanged and continue to damage eco-systems and
14 deny Aboriginal people their full measure of justice.

15 I believe that even if all land claims
16 are settled to everyone's satisfaction and all Native
17 people in Canada are able to exercise fully their right
18 to govern themselves, as long as mainstream society
19 continues to live by its present values, the manifestations
20 of these values will continue to have an adverse effect
21 on Native people.

22 So it seems to me that Native people have
23 an interest in supporting those people within mainstream

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1 society who are trying to change its values and the world
2 view from which these values come.

3 There are non-Native people who are
4 learning from Native traditions and from the traditions
5 of their own ancestors in order to create a new, but at
6 the same time, very ancient world view and a more truly
7 human system of values.

8 I urge Native people in their own
9 interests to give their support to this fledgling movement.

10 Finally, I believe that the land will
11 play a central role in helping mainstream society change
12 its attitudes and values. For me, the North is my holy
13 ground, my guide and my source of spiritual inspiration.
14 My relationship with this land has changed me and has
15 given me a larger, clearer perspective from which to judge
16 what is right.

17 From my own experience, I know that the
18 land possesses an indispensable wisdom that all human
19 beings, Aboriginal and non-Aboriginal, can and indeed must
20 learn from.

21 I don't believe that Aboriginal cultures
22 are perfect, nor do I believe that mainstream culture is
23 wholly bad. But considering the present situation, it

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1 is obvious to me that non-Native people have much more
2 to learn from Native people and vice-versa.

3 Therefore, I feel that it will be
4 essential for Native people, as much as they possibly can,
5 to share their profound knowledge of the land with the
6 intention of helping non-Native people eventually to
7 become true Natives of this continent. Only then, I
8 believe, will the newcomers stop doing damage to the land,
9 to its original inhabitants and to themselves.

10 Thank you.

11 **CO-CHAIR GEORGES ERASMUS:** Thank you.

12 Do you mind if we ask a few questions?

13 **CHRIS O'BRIEN:** Oh, yes.

14 **CO-CHAIR GEORGES ERASMUS:** Do you want
15 to start, Bertha?

16 **COMMISSIONER BERTHA WILSON:** I would
17 just agree with what you have said.

18 **CO-CHAIR GEORGES ERASMUS:** Likewise.

19 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
20 It was really to the point and I have no questions. Thank
21 you.

22 **CO-CHAIR GEORGES ERASMUS:** Thank you
23 for coming forth.

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1 **CHRIS O'BRIEN:** Thank you.

2 **CO-CHAIR GEORGES ERASMUS:** Are you
3 going to give us a hard copy?

4 **CHRIS O'BRIEN:** Yes, I will.

5 **CO-CHAIR GEORGES ERASMUS:** Great.

6 **MODERATOR SHELLY ANDERSON:** The next
7 presenter is Helena Laroque. She is making an individual
8 presentation on the importance of individual
9 responsibility in working for Native rights and a better
10 life for all peoples. As well, she will be discussing
11 some reflections on the anniversary of 500 years of
12 contact.

13 **HELENA LAROQUE:** Hi.

14 I decided to ask two of my four children
15 to join me. There is another one there in the back.

16 I would like to thank the Commission for
17 coming and for giving individuals an opportunity to speak
18 and to say what is in our hearts as well as what is in
19 our minds.

20 I would like to encourage you and all
21 the people who are working to change injustices of the
22 past hundreds of years to continue in the work that you
23 are doing and to keep working at the national,

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1 international and local level.

2 As somebody who used to be involved in
3 work for Native issues on an international level, I am
4 kind of amazed as the years go by -- and I am getting older
5 -- how narrow my focus is getting and it seems to be getting
6 smaller and smaller and smaller, while at the same time
7 keeping the larger picture in mind.

8 That is what I feel moved to talk about
9 today. Within the context of these large issues that you
10 are dealing with and their importance, how important it
11 is for individual commitment as well as individual
12 integrity; to translate what we are talking about into
13 actions and to really keep in mind our children and our
14 grandchildren and all of the coming generations.

15 It feels like the world is getting to
16 be a harder and harder place to live, even in the North,
17 and to bring up our next generation in a good way. So
18 I am basically speaking as an individual, as a woman and
19 as a mother, as well as a human being.

20 It seems that in a lot of ways our world
21 and our society is in a mess and that we, as human beings
22 and as people, are in a mess. These things are affecting
23 Native and non-Native people, the whole society, and our

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1 planet. The confusion and security and hurt that is all
2 around us damages us inside, but also how we are inside
3 is affecting our society, our family and the world.

4 All of this is important and the healing
5 of each of us is important and the healing of the whole
6 is important. What I am getting at is individual
7 responsibility to do our best to work to make things right,
8 to come from and with the right spirit, to know ourselves,
9 to use the power of our emotions, insights, our hands and
10 our hearts as well as our heads.

11 While we must continue to make the
12 politicians, the legal system and those in power do what
13 they have the power and the obligation to do, we cannot
14 wait or pass it over to someone else to do. Change will
15 come and change comes when each of us does what we can
16 each day and at every opportunity one day at a time, even
17 when we get tired and discouraged. At those times, we
18 need to take a rest and then return and continue.

19 The contradictions that we see in
20 people's lives and words can be very discouraging. It
21 hurts to be hurt and to see our children hurt. More than
22 anything for me, it hurts me to think that the cycle of
23 disfunction abuse and wrong may continue in my children's

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1 lives. I want so much to stop it.

2 I don't know if alcohol and other
3 addictions have been mentioned at this Commission, but
4 it is still our Number 1 enemy and we can't afford to forget
5 it.

6 I want to say that as I am getting older,
7 I am learning more and more about how important it is to
8 have commitment and to have harmony between our words and
9 our actions. We need to be able to raise our children
10 with love and discipline and to help them, like the old
11 days, to find their own visions.

12 We need to believe or rediscover or keep
13 nurturing our own visions, too, and to nurture each other
14 in this way in kindness.

15 I took part in a conference two years
16 ago in Quito, Ecuador that brought together people from
17 across our hemisphere to prepare for this year, 1992, which
18 is the 500th anniversary since the coming of Columbus.
19 I was born on the Island of Iti (PH) which is a tiny Indian
20 word that means big mountain land. This is a place of
21 the first permanent settlement of Europeans in the
22 Americas.

23 At this gathering in Ecuador, the role

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1 of Native peoples in the healing of our planet was strongly
2 recognized and from the middle where we were, in the middle
3 of the hemisphere, when everyone was leaving -- we were
4 all going in different directions -- we were given a message
5 to take back to wherever we were returning to. So since
6 I was coming back up North, this is what I brought back
7 with me.

8 This is that we have to work for the good
9 of all people and all creation and we have to do it on
10 the basis of mutual respect, knowledge and a spirit of
11 caring. I don't know if the word "love" has been used
12 at all in your work in this Commission, but that is really
13 what we were told to have. That is going back to the real
14 traditional way. It is to keep love in our heart and that
15 is a real basis of strength.

16 There are places on this land where
17 people fight for their rights in different ways, and some
18 of them are using arms and that is what they have to use.
19 Fortunately, we in the North don't have to go that way,
20 but I think we have to use whatever we have and use and
21 appreciate and make the best use of what we have here.

22 We have all made mistakes and none of
23 us are perfect and there is a lot of room for forgiveness

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1 and a lot of room for remembering, too. There is nothing
2 wrong with expecting a lot of ourselves and each other,
3 I believe.

4 For myself, my children and loved ones,
5 what I am seeking to work for is to find a sense of balance
6 so that our feet are on the earth as our hearts leap and
7 our minds dream and our spirits travel and search and find.

8
9 I wish this for you, too, in your work
10 and in your own life. Thank you.

11 **CO-CHAIR GEORGES ERASMUS:** Thank you.

12 **COMMISSIONER BERTHA WILSON:** It is not
13 really a question. I think it is just a comment that I
14 would like to make.

15 I don't think that my generation can feel
16 particularly proud of our stewardship and I find it,
17 however, very encouraging that it has been the young people
18 who have raised the concerns about the environment and
19 what we are doing to it in the North American continent.

20

21 I take great encouragement from that.

22 I think that my own assessment -- I may be wrong in this,
23 but I don't think so -- is that my generation has not really

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1 done very well. So I am looking at you and your children
2 and feeling fairly confident that you are going to do much
3 better.

4 So I thought I would just like to make
5 that observation. Thank you.

6 **CO-CHAIR GEORGES ERASMUS:** The comments
7 you made are echoes of many others. They strengthen the
8 statements that have been made many times. We certainly
9 have heard about abuse, the need for healing and the pain
10 that people have experienced and how social problems need
11 to be addressed, and that everything else, as important
12 as it is, if you don't deal with the pain, whether it is
13 two generations away from residential schools, or
14 whatever, you won't be able to have much in the future
15 without the individual healing that needs to occur.

16 Your concern for the environment, as
17 Bertha was saying, has certainly been highlighted many
18 other times.

19 As surprising as it may seem, yes, we
20 have heard the term "love" before. It is not said often
21 and it is said in other ways, but we have heard it before.

22 So I would like to thank you for what
23 you have been saying there.

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1 Bertha, do you have any comments?

2 **COMMISSIONER OF THE DAY BERTHA ALLEN:**

3 No, I just wanted to say thank you for bringing some very
4 important things that we, as human beings, should think
5 seriously about. So thank you.

6 **CO-CHAIR GEORGES ERASMUS:** Thank you.

7 **HELENA LAROQUE:** Thank you.

8 **MODERATOR SHELLY ANDERSON:** The next
9 presenter is Joyce Rabesca. She is an individual who has
10 lived in Rae for the past six years. Prior to that, she
11 lived in Yellowknife for five years.

12 She will be discussing looking at
13 solutions and honouring our differences and celebrating
14 our likenesses.

15 **JOYCE RABESCA:** I have been on and off
16 again about making this presentation. I really haven't
17 done anything like this before, but this morning I was
18 moved to do so. Forgive my emotions. There is hardly
19 anybody left here and so if I let a little go...

20 For those who live in the North, you know
21 that my name Rabesca is the name that I carry. It is an
22 Aboriginal name. I married four years ago. Actually,
23 I hope that my actions speak louder than my words, but

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1 I know that I am here to share my words.

2 This morning, my husband and I were
3 sitting together and we were doing a little spiritual
4 reading that we have been trying to do every day now.
5 What came out of that was something that sort of put a
6 light on in my mind this morning and said, "Yes, I know
7 what I need to say."

8 What my focus this morning and
9 throughout the day has been is to share with you a solution
10 that I feel is there. We focused a lot on our differences
11 and today I started seeing all of our likenesses and it
12 starts at home with me, of course, because we have had
13 to deal with a lot of those things: the differences and
14 the likenesses.

15 I think what really started to just come
16 clearer and clearer was the idea of finding our common
17 ground, recognizing those things, honouring those areas
18 where individual identity, cultural identity needs to be
19 honoured, and I support that wholeheartedly.

20 However, I also see the need to find a
21 place where we can come together and share those
22 differences and likenesses in a safe place. We need that
23 within our government structures. We need that within

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1 our community structures. We need that in our own persons.

2 I guess that is what I started to see: finding common
3 ground and creating common ground.

4 I got really excited because then I
5 realized that coming here today was doing that. It was
6 a place where a common ground had been created and where
7 Aboriginal and non-Aboriginal feelings and thoughts could
8 be shared. I felt really honoured that I had the
9 opportunity to be here.

10 Really that is all I have to say. I just
11 hope that we can work toward creating common ground, that
12 we can grow with love and the right attitude.

13 I had other things to say but, as I
14 listened to Helena, she said so many of those things and
15 we share a lot in spirit and thoughts. So I don't think
16 I need to repeat any of that. I think the main idea is
17 working toward creating a place to talk, a place to share,
18 a place to grow together and create a new social
19 relationship.

20 I just thank you for giving me the
21 opportunity to participate and be heard. Thank you.

22 **CO-CHAIR GEORGES ERASMUS:** Thank you.

23 Bertha, please.

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1 **COMMISSIONER BERTHA WILSON:** I don't
2 really have any questions, but I would just like to say
3 that that is exactly what the Commission is all about:
4 to somehow find a way in which a better different kind
5 of relationship, a relationship of real partnership, can
6 be developed between Native and non-Native people in
7 Canada.

8 All the other things that we are talking
9 about in our mandate are all part of that, but that really
10 is the overriding thing that we acknowledge: the
11 injustices and the unfairness of the past. We are really
12 looking for the proper mechanisms whereby that can be
13 changed and we can have a more positive approach to the
14 relationship between the two groups in the future.

15 So I would just like to say that I agree
16 completely with the point you have made and, in fact, that
17 is why we are here and that is why we all accept it, the
18 white man to be commissioners.

19 So I would just like to thank you.

20 **CO-CHAIR GEORGES ERASMUS:** I echo
21 everything Bertha just said.

22 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
23 Me too.

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1 **CO-CHAIR GEORGES ERASMUS:** Thank you
2 for coming forth.

3 **JOYCE RABESCA:** You're welcome.

4 **MODERATOR SHELLY ANDERSON:** Our final
5 presentation for the day is Mr. Earl Dean. Is the owner
6 of a local business called Xeno Exploration and will be
7 discussing meaningful work as a basis for development of
8 mutual respect.

9 **EARL DEAN, Xeno Exploration:** Thank you
10 for staying so late. It must be hard to sit here all day.
11 At least the participants get a break.

12 What I wanted to speak to you about was
13 something very practical in my mind, and that is the idea
14 that prospecting for minerals is potentially a very useful
15 kind of activity for all involved.

16 The basis of my thinking is that I think
17 people do develop mutual respect when they are working
18 together. I think the work has imperatives that force
19 people to do their best, to do what they can and I think
20 when we see each other responding to our work, we develop
21 respect for one another.

22 I have worked with Cree people, with
23 Slavey people, with Inuit people and have always found

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1 quite a basis for respect. That respect is tied to very
2 practical things. The people I have worked with have been
3 very competent on the land, very good travellers, very
4 good companions. They know how to get things done and
5 they are very safe to travel with and many things.

6 Technically, I often find that they are
7 very skilled and so if we can find real work, meaningful
8 work -- and you may wonder what I am talking about when
9 I say "meaningful work" -- it has to be work, I think,
10 that creates wealth or wealth that the world understands.

11

12 It is true that many of us will spend
13 quite a bit of time pushing paper and will create an
14 artificial world that way, and it is at least partly
15 necessary. But for many of us, I think we need to have
16 a real basis in the world.

17 Here, in the Northwest Territories, we
18 have a very big world to explore and we have many resources
19 that, if they are not immediately very expensive, will
20 be very valuable to the world and we will be able to use
21 these things that we can find here to trade for the things
22 we want: the machinery, the housing comforts and so on
23 and so forth.

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1 When the mining people were here a little
2 bit earlier, I think you heard them say that they were
3 willing to participate somehow in this, but I think the
4 situation has to be structured a little bit.

5 There has been this enormous staking
6 rush occur north of Rae. The people who have staked that
7 land -- you don't really own it until you have explored
8 it and I think that the people, to explore that land, would
9 be people from that land. In other words, these are people
10 who know how to move on the land. They are people who
11 know the land.

12 So I would urge you to devise mechanisms
13 in government that would develop people's ability to work
14 on the land, and then there would be mutual respect between
15 peoples because it has always been this way in the past
16 and it could be in the future, given the proper planning.

17 So I don't know if I have been too vague,
18 but I think prospecting for minerals is potentially a great
19 source of wealth and this will provide the practical
20 programs, provide the meaningful work. It will give
21 people an opportunity for healing, healing between
22 cultures.

23 I know all the other things are

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1 necessary, too, but at the heart of it there has to be
2 a good economy. It can't be just a one-way flow of dollars.

3 CO-CHAIR GEORGES ERASMUS: Thank you.

4 Do you mind if we ask some questions if
5 we have any?

6 EARL DEAN: No.

7 CO-CHAIR GEORGES ERASMUS: Bertha,
8 please.

9 COMMISSIONER BERTHA WILSON: I don't
10 have any questions, but I agree with you that the bond
11 that develops through working with people and a common
12 enterprise or activity is a very strong bond.

13 As you say, working alongside Native
14 people who are interested in the same things as you are
15 interested in provides that opportunity. I agree with
16 you that while, when we think about prospecting, we think
17 about money and wealth, but obviously there is the
18 opportunity for a different kind of value attached to the
19 activity in terms of that bonding and building a
20 relationship with people.

21 I agree with you and I have found in my
22 own life experiences that working closely with people --
23 I suppose I would say that next to the marriage

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1 relationship, the bond that you establish with those with
2 whom you have worked closely on a common enterprise is
3 the most solid bond. So I agree with what you are saying
4 and there is an opportunity there to use that activity
5 to form that kind of relationship with Native people.

6 **CO-CHAIR GEORGES ERASMUS:** Yes, I
7 couldn't agree more.

8 Do you have any questions?

9 **COMMISSIONER OF THE DAY BERTHA ALLEN:**
10 No.

11 **CO-CHAIR GEORGES ERASMUS:** Thank you.

12 **EARL DEAN:** Thank you.

13 **CO-CHAIR GEORGES ERASMUS:** That was our
14 last presenter here. That closes the day. I want to thank
15 everyone who has presented both yesterday and today. We
16 have one more day here in Yellowknife. We are spending
17 it with youth, students tomorrow in St. Patrick's High
18 School. Other schools have been invited to send students,
19 if they wish, to join.

20 So I just want to say that while this
21 is ending the second round of hearings for the Royal
22 Commission, this is not ending our hearings period. We
23 will probably have two more rounds of hearings. The next

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1 round will probably be in March and we were hoping to have
2 one probably in May and June.

3 We are toying with looking at the fall
4 as possibly some hearings, but we haven't resolved that
5 yet.

6 As we are moving in our hearings, we are
7 hoping to get closer and closer to solutions. What we
8 heard this time around will go into probably a document
9 which we will use in the next round. In the next round,
10 we also hope that some research dollars that we used in
11 the intervening funding will also result in some
12 presentations from people.

13 So I would like to just thank everybody
14 for having spent their day with us. I know there were
15 quite a few people who sat through most of the day. So
16 that is very good.

17 Shelly, do you have something?

18 **MODERATOR SHELLY ANDERSON:** I just
19 wanted to call upon Helena Laroque for our closing prayer.

20 **(Closing Prayer)**

21

22 --- Whereupon the Hearing adjourned at 5:24 p.m.