

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

LOCATION/ENDROIT: KAHNAWAKE TERRITORY
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"for the record..."

STENOTRAN

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**Royal Commission on
Aboriginal Peoples**

1 Kahnawake Territory

2 --- Upon resuming at 9:20 a.m. on Thursday,

3 May 6, 1993

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** (Mohawk language - no translation)

6 Could I have your attention, please.

7 We will continue with the order of business that was begun
8 yesterday and we will have on today's agenda opening
9 remarks by Georges Erasmus. Presenters will be June
10 Deslisle, to be followed by the Mohawk Trail Longhouse
11 representatives, presenting together with the Kanesatake
12 Longhouse representatives, to be concluded by the Stuart
13 Myiow Longhouse. This is this morning's agenda.

14 There will be lunch served here for the
15 observers, media, participants, et cetera, and that will
16 be at twelve o'clock. Then we will have a two hour break
17 and resume at two. At two o'clock, there will be a
18 presentation by the women of the Longhouse. After that,
19 it will be followed by a presentation by the Mohawk Council
20 of Kahnawake which will include Joe Tokwirow Norton, Arnold
21 Goodleaf, Phil Schneider, John "Bud" Morris and myself.

22 So that is the agenda for today.

23 (Mohawk language - no translation)

1 **CO-CHAIR GEORGES ERASMUS:** Good morning
2 and welcome to our second day of hearings here. I won't
3 be very long.

4 I wanted to start off by just letting
5 everybody know that the Royal Commission on Aboriginal
6 Peoples is an appointment by the federal government, but
7 it is an independent body. It is not an Aboriginal
8 organization. So we don't speak for Aboriginal people.

9
10 We are not part of government. So we
11 don't speak for government. We are an independent group
12 that have been asked to look into the issues that have
13 been provided to us and this very large mandate.

14 In the end when we come out with our
15 report, it will be a report which the Commissioners will
16 stand behind if we support it. If it is a consensus, then
17 it is something we all agree on and if we have a majority
18 report and a minority report, then it will be clear who
19 has taken different positions.

20 The reason I am bothering to state that
21 is we always think it is the obvious, but many times
22 presenters coming before us act as if somehow we are either
23 the federal government or we are an Aboriginal organization

1 or something else. I think it is worthwhile to clarify
2 that we are an independent group of people.

3 We are provided with resources to do our
4 work. The way we have decided to do our work is to both
5 consult the public in Canada, both Aboriginal people and
6 the larger public, on how we should go about our business
7 and what we should in the end be recommending.

8 We have also decided to do research, a
9 fair amount of it. We are trying not to duplicate the
10 research that has been done in the past. We want to benefit
11 from all of the research that was done in the past, whether
12 it is Aboriginal or done by governments.

13 In addition, we provided a fund that was
14 managed by David Crombie for us with \$8 million that was
15 for research primarily, but also for consultation dollars
16 to provide Aboriginal organizations across the country
17 -- and non-Aboriginal, but primarily Aboriginal -- to seek
18 their own solutions.

19 In each of the cases when we have gone
20 out for the hearings, we have tried to make it clear to
21 people that what we seek is people's ideas on how the issues
22 in our mandate could be well served in the future. What
23 are people's ideas on the solutions, on how either a Treaty

1 should be lived up to, how self-government should be
2 implemented? In the case of the Mohawks, for instance,
3 in the summer of 1990, we had many other confrontations
4 in the past. What are the suggestions from people on where
5 to move from here?

6 So yesterday we were hearing, for
7 instance, on issues like the caisse populaire, the economic
8 development concerns of the community here and how things
9 should move forward. Some of the presentations went
10 quickly to the point rather than explaining the problems
11 and in the end the presentations that come to us and provide
12 us with a way to move forward, something that would be
13 acceptable, honourable to both Aboriginal people and to
14 the Canadian government and to the rest of the people living
15 in Canada is obviously the ideal situation.

16 So we encourage people when they come
17 before us to try to concentrate primarily on what they
18 think are the ways to resolve the long outstanding problems
19 that people are facing.

20 We hope that the work of the Commission
21 will be concluded by the end of next year. We are now
22 in the midst of our third round of hearings. We will have
23 another set in the fall. In each case, what we ask people

1 to do is to build on what we heard before and to move quickly
2 to the nub of what it is they are trying to present us
3 with.

4 Unfortunately, many times when we go
5 into a community people believe that it is more important
6 that they provide us with a long description of the problems
7 and they virtually exhaust themselves by the time that
8 they have described the problems and then they walk away
9 from the table thinking that they have done their job.

10 In reality, the problems, one way or
11 another, have been described by many people and when this
12 Commission was created, one of the things that the national
13 organizations and the leaders across the country made very,
14 very clear was that the last thing that people wanted was
15 another report that just described the problems. What
16 we needed was a way in which we could move forward,
17 something that would obviously be acceptable to Aboriginal
18 people, but something that also has to be acceptable to
19 the larger public.

20 We are working in what we believe is a
21 very positive environment in Canada. Canadians do want
22 a fair resolution of the outstanding issues.

23 So what we are trying to say is simply

1 stating things like: Aboriginal people continue to have
2 their sovereignty is really not good enough. We can't
3 go back to our offices and resolve those things by
4 ourselves.

5 The reason that we are spending the time
6 on the road, the resources on the road is to hear precisely
7 from people on how they want to move ahead. What do they
8 think the actual practical resolution of things will look
9 like? Give us the ideas that you have been thinking about
10 for a long time? We are sincerely looking for people's
11 solutions as to how we move ahead.

12 We think we have some of the big issues,
13 more or less, kind of thought out. That is what the
14 documents out there are trying to provide us. We have
15 heard very clearly that if things are going to change,
16 there are four major things that need to occur.

17 The first one is: Self-determination
18 for Aboriginal people, for First Nations needs to be a
19 cornerstone of the new future. Another cornerstone has
20 to be self-sufficiency for First Nations and Aboriginal
21 people. There has to be a very major improvement between
22 the relationships between Aboriginal people, the First
23 Nations and the larger society. Finally, there needs to

1 be some serious healing in Aboriginal communities because
2 of the colonial past and all of the pain that it has created.

3 So we think we are getting the bigger
4 picture. We need to get the ideas within that and this
5 is what we have been hoping to get here.

6 Just a little bit of information. We
7 will come out with a very major report at the end of our
8 work which we hope will be some time later in 1994. The
9 earlier the better, as far as we are concerned. We think
10 that we need to move quickly. It probably will be early
11 in the life of the government that succeeds in the next
12 election federally which has to occur some time before
13 the end of this year.

14 We believe it is important that some time
15 early in the mandate of the next federal government,
16 whomever wins the elections, that we are there with the
17 results of our hearings, our research and the best
18 recommendations we have heard from across the country.

19 In addition, we are very, very seriously
20 looking at what kind of interim reports to do. As a
21 Commission, Commissioners have agreed that we will do a
22 number of interim reports. What we have not resolved is
23 how many and obviously we will do a number of them, but

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1 after a while it becomes impractical to continue to do
2 interim reports. It is probably going to be faster just
3 to start working on the final report which we hope to start
4 doing some time later this year.

5 So, with that, we will open the
6 proceedings here. Yesterday we thought was very, very
7 productive. Today we know we have a number of very
8 important presentations here from Longhouse
9 representatives and the elected Mohawk Council here and
10 other presenters, including the women of the Longhouse.

11 I just wanted to let you know that we
12 have one additional Commissioner here this morning that
13 everyone should be aware of. We started yesterday with
14 five of us and today we have six. The new Commissioner
15 is Paul Chartrand. He is sitting next to Billy Two Rivers.
16 Paul is a Métis. He is a lawyer. He is a professor at
17 the University of Manitoba.

18 So, with that, we will begin our
19 morning's presentations. Go ahead whenever you are ready
20 there, June.

21 **JUNE DESLISLE:** Sekon Skenen-Kowa.

22 Thank you for allowing me to spend a few
23 minutes with you to give you my feelings about being a

1 Mohawk.

2 My name is Kaherine June Deslisle. I
3 am of the Bear Clan of the Kanien'kehaka Mohawk Nation.

4

5 I speak to you today of my Caughnawaga,
6 my people, my legacy to the seventh generation. I am your
7 neighbour. Do you know me?

8 The solution to the challenges facing
9 Native people today are my responsibility. Unless we
10 admit to that, we will not move ahead. We have to stop
11 blaming the past which made us dependent and bitter. We
12 must acknowledge what happened but not dwell on it.

13 I would like to think that 1990 was an
14 event that made us look at and into ourselves. It made
15 us realize that we had to take charge in reclaiming our
16 destiny. It gave us the strength and the courage to stand
17 and say, "We can do it." Now we are saying to you, "Give
18 us that chance. Let me make the mistakes and let me correct
19 them."

20 Our solutions to these challenges are
21 unique according to our values and our traditions, not
22 necessarily yours. But they work for us. Our solutions
23 may be, as Brian Mulroney says, bizarre or, as Christos

1 Sirros says, unreasonable. Then, of course, there is
2 Claude Ryan who will not even try to understand us and
3 Professor Scott McGill (PH) says we are a lawless
4 community. This is my Caughnawaga. I will not allow it
5 to become lawless.

6 Very briefly, I would like to point out
7 that I was very involved -- I have always been involved
8 in my community. I retired a couple of years ago after
9 45 years in the labour force, 25 years having been spent
10 in Caughnawaga, 20 years in Montreal.

11 I brought from there what good I could
12 to adapt it to the needs of my people. I believe I have
13 always been a fighter for the rights of my people,
14 particularly their health care, as many of you know.

15 In 1990, I was very involved because I
16 believed in the preservation of my community. My land
17 is very important to me. This is all I have left, but
18 I want the neighbours to understand that. I want to share
19 what I have learned. I want to share my knowledge. I
20 want to share my people. I want to share my history, the
21 good and the bad because there is good and bad in everyone's
22 history. But try to understand me. Don't tolerate me.
23 Understand me, please. That is a message that I want

1 you to take across the country.

2 Yesterday we heard about the positive
3 things that my people do. We are achievers and my people
4 across the country, my brothers and sisters, I know --
5 and some of you sitting at that table understand that.
6 We are doing many things. Elaborate on the good that we
7 have contributed to this world, this community we live
8 in.

9 It is not program monies that are going
10 to do things for us. They are not the solution. What,
11 in fact, it has done to us, including the Indian Act --
12 it has deprived us of our independence, our dignity, our
13 respect and our responsibility. The people out there must
14 know that these are the reasons that you hear us get angry
15 once in a while and want to take command of that destiny
16 I speak of.

17 Our healing will only be done from within
18 when we within, our people, my people, particularly in
19 Kahnawake, understand that they have to be the start of
20 this campaign in getting together in my community first.
21 How can I go out there and say, "Understand me," when
22 amongst ourselves we are not sure if we understand each
23 other? That is our healing process.

1 Yesterday you heard about the
2 achievements. You also heard about some of the problems
3 we have internally. We do have a poor economy. I don't
4 hear anybody talking about economic development, accept
5 in gaming, cigarettes and alcohol and so on. Let's work
6 on something that truly has a future and hopefully might
7 be permanent so that we will not depend on program monies,
8 so that we won't have to live on welfare, so that we don't
9 have an unemployment rate. These are issues that we have
10 to face. They are for real; they are not make believe.
11 We can't spend our whole future concentrating on the fact
12 of how much more money can we get.

13 I have a claim with the government or
14 the world government. I had a holocaust. It has never
15 been compensated to me. I am not asking for program money.
16 I am asking for settlement.

17 A couple of weeks ago, I attended a
18 meeting of Indians across Canada on economic development
19 and one of the non-Indians that was observing there asked,
20 "June Deslisle, what would you take as a settlement for
21 all we have done to you in the past? How much money?
22 A billion dollars?" I looked at him and thought, "No,
23 it will never have a dollar value on it." "Well, what

1 would you take?" I said, "As a start, in my community,
2 you might clean up the St. Lawrence River," and he was
3 thunderstruck.

4 "Is that important to you?" I said, "Of
5 course, because the environment and the land -- the land
6 is precious to me and to my people and if we don't clean
7 up our land, we will not be survivors. We will no longer
8 exist and that doesn't only apply to me. It applies to
9 all the people out there in the great big world. So don't
10 give me a billion dollars. Clean up my river."

11 I would like to bring up a couple of
12 points of being able to do something without program money
13 or to start up something with program money. If you look
14 at the flowers on your table, a few years ago a group of
15 parents -- mothers in particular -- got together and
16 decided to start a little school for preschoolers teaching
17 them the Mohawk language, the culture and traditions with
18 no money. They had the pride. They participated. They
19 had the commitment and dedication.

20 In order to get funds for the little
21 school, they decided to open up -- they are called
22 Karihwanoron. It is a little school. It is very small.
23 They opened a flower shop called Katsitsi:io -- beautiful

1 flowers -- and this is a result. They are not making a
2 million dollars. They are not quite making a profit, but
3 they are making it. So those flowers are very symbolic
4 of something that is very dear to me. We can do it.

5 Another one that wasn't mentioned
6 yesterday in the part of the education factor was another
7 little school that we have called the Step-by-Step Early
8 Learning Centre. Again, ten years ago -- they are
9 celebrating ten years in 1993 -- a group of parents got
10 together because they had special-needs children whose
11 needs weren't being looked after, and they started one
12 too -- seven mommies and seven kiddies.

13 They worked out of an old pool hall and
14 got going. Today they have a building. They do a lot
15 of parent participation and they do a lot of fundraising.
16 They have acquired funding from the province of Quebec,
17 their main funding. They got something in Kahnawake from
18 education, from the Council and, I believe, a little bit
19 from Social Services. So they are moving, but they started
20 with nothing and they did it and it is great. It is
21 something that you please take away with you and say, "Well,
22 they did. It may be small, but they did it."

23 If I could for one minute dwell on my

1 Kateri hospital, that is how we did it, too. In 1955,
2 as was mentioned yesterday, a group of women -- we
3 volunteered in 1955. We kept volunteering. There were
4 volunteers until the day I left in 1991. So it can be
5 done and we had to fight like hell for our money. We really
6 did, but we did it. So that is important for you to take
7 away and it is important for my people.

8 One of the issues that was brought up
9 yesterday means a lot to me and I would like to see it
10 go away. I spoke to people in the province, too, and said,
11 "Just take your RCMP and your Sûreté du Québec away from
12 Kahnawake. Let's sit down and talk."

13 When Georges Erasmus was saying earlier
14 "the solutions", they have to be ours. They have to be
15 ours. We can't just make it go away in a blink. It just
16 won't happen, but I think what we are seeing in the last
17 few years -- we are being allowed to work on that and it
18 is taking time. It took a long time for us to get where
19 we are today with all the hurts and the bitterness and
20 so on. So it is going to take us a long time to overcome
21 it and while we are overcoming that hurt, we have to look
22 at how we are going to survive.

23 We talk about self-sufficiency,

1 self-determination. This is our problem. We have a big
2 job ahead of us, but if all of us Native people got together,
3 we need our own internal Royal Commissions. This is what
4 we need.

5 Somebody said that yesterday -- I think
6 Education, or whatever, Social Services. What would you
7 do? You ask questions. How would you get the money?
8 I think Viola Robinson asked that question. How would
9 you get the money? Where would you get it? This is
10 something that we as Native people must sit together and
11 say, "Where are we to get the money?" I don't want program
12 money, but we need money to exist. Maybe I want settlement
13 for what was done in the past. The claims are there, but
14 they are not being finalized and it is taking a long time.

15 In 1990, I was very involved in what was
16 going on in my community and, regardless of what people
17 on the outside say, it was a peaceful time. Within my
18 community, people worked together. So that can be done,
19 too. We weren't warring factions inside of the community,
20 I assure you, because I was very involved.

21 As I said, I want to take the positive
22 out of what happened because I have been hearing my brothers
23 and sisters across the country. That is the first thing

1 they mention to me when they see me and they only heard
2 the negative side. There was a positive side and I think
3 we woke up, all of our brothers and sisters across the
4 country, to what was happening to them. So it gave us
5 a greater strength.

6 I will conclude and just say, "Take that
7 message away with you. Don't tolerate us. Understand
8 us. Be my neighbour. Before you criticize, come and
9 visit me. I welcome people to my home for a cup of coffee.
10 Don't believe what you read in the papers. I welcome
11 you into my home to get to know me.

12 Thank you. Myiow.

13 **CO-CHAIR GEORGES ERASMUS:** Thank you
14 for your presentation.

15 Do you mind if we ask you some questions
16 if any of the Commissioners have any?

17 **JUNE DESLISLE:** Certainly. Please do.

18 **CO-CHAIR GEORGES ERASMUS:** Do any of the
19 Commissioners have any questions?

20 **COMMISSIONER VIOLA ROBINSON:** I don't
21 think I have too many questions for you, but I want to
22 say thank you for the courage of coming forward and giving
23 us the message. I think that we have been longing to hear

1 those kinds of messages and this is certainly one that
2 I think is very important. I hope that we can be your
3 messenger and that people will listen. I think it is very
4 important in what you say that need to be understood.
5 You should not be tolerated.

6 It is encouraging, too, at least for me,
7 to hear the positive -- there is a lot of positiveness
8 in this community. It was, I think, transmitted to us
9 yesterday through the different presentations and again
10 this morning, and that's good. That is encouraging. It
11 is refreshing.

12 So I thank you. You have certainly
13 given us a good message and I hope we will try to do you
14 justice. Thank you.

15 **JUNE DESLISLE:** Thank you.

16 **CO-CHAIR GEORGES ERASMUS:** Just on that
17 point, it is worth acknowledging that the points you made
18 are indisputable. In the end, the real solutions that
19 are going to occur are going to be internal and they are
20 going to be shouldered by Aboriginal people themselves.
21 There is no question about that. I don't think we have
22 any doubts about that.

23 What we are trying to do, I guess, is

1 to find the magic of how we make sure that everyone else
2 understands that and they facilitate it and what is the
3 best way of doing that.

4 You, for instance, point to the fact that
5 rather than continuing programs, particularly programs
6 that are temporary and people are spending 90 per cent
7 of their time hunting down the dollars, 10 per cent of
8 their time actually doing what the programs are for and
9 all the rest of it -- those kinds of things are really
10 energy dispensing from the community.

11 You point out the fact that perhaps
12 settlements and so forth need to occur. Yes, we know that
13 some of the big things that have to occur are things like
14 land claims settlements and agreements on co-existence
15 and self-government and so forth, but we are after, I guess,
16 is some of the clear messages on the best way in which
17 the kind of assistance that is needed so that Aboriginal
18 people, First Nations themselves can take their own lives
19 into their own hands and run with it.

20 So I think we agree with your message
21 without any doubt.

22 **JUNE DESLISLE:** Thank you.

23 **CO-CHAIR RENÉ DUSSAULT:** Very briefly,

1 I was struck when you said, "We are your neighbours. Do
2 you know us?" It goes vice-versa and I think it goes to
3 the crux of the difficulty of the relationship between
4 people of this community and in surrounding communities.

5
6 It would certainly be very helpful if
7 some people from this community would start working with
8 people from the surrounding communities to try to build
9 a better understanding and relationship. It should start
10 with the desire to understand each other and the different
11 points of view and try to build on commonalities and tone
12 down the differences.

13 So this message was certainly well put
14 forward and we hope that we will be able to contribute,
15 even if only a little, for this to happen. I will certainly
16 transfer this message tomorrow to the people we are going
17 to meet all day in Montreal.

18 **JUNE DESLISLE:** Thank you.

19 I think each of us in our own way has
20 tried individually and collectively to heal or gap those
21 bridges that have occurred between all our people.

22 Georges, I would just like to say
23 something about the program money, especially when they

1 send you programs and then you have to conform to exactly
2 the way they want it, and it is not going to work for you.
3 You have to make some changes and you have to struggle
4 to do that.

5 One more thing if I could. I didn't
6 mention it, but I guess it came out. Caughnawaga was
7 really built on a lot of volunteer work going way back
8 to generations, people that I didn't know and I think today
9 we can still survive in that context.

10 I think there are still a lot of them
11 around, but yesterday when someone was talking about all
12 the work that is being done, originally all Education,
13 Social Services, Health and everything was all done by
14 volunteers as a start and everybody worked together.

15 Thank you for hearing me and I wish you
16 a good journey and good luck in your continued efforts.

17 **CO-CHAIR GEORGES ERASMUS:** Just one
18 second. I think there are still some Commissioners who
19 wish to ask some questions.

20 **COMMISSIONER BERTHA WILSON:** I would
21 just like to say that as one of the non-Aboriginal members
22 on the Commission, I think you have put your finger on
23 something that is really very basic when you say,

1 "Understand us."

2 I realize now, after having gone across
3 the country for a year and a half, visiting Native
4 communities and meeting Native people, how little the
5 non-Aboriginal population understands Native people.

6 I have often wished when I have attended
7 these hearings that all the white people could be there
8 and hear it. Unfortunately, they can't and, therefore,
9 I think there is a very heavy responsibility on those of
10 us who are non-Aboriginal and are members of this
11 Commission and are having this wonderful opportunity to
12 get to know Aboriginal people.

13 Many, many of my friends have never met
14 a Native person, has no idea how they think or what they
15 believe in and I just feel that wouldn't it be wonderful
16 if they could all be there and hear what I am hearing.

17 So I think you have really touched on
18 something that is quite basic. The white society just
19 does not understand Native people and this is going to
20 be an uphill job to try to communicate and educate the
21 non-Native society to the beliefs and the ways of Native
22 people. Certainly, I am very conscious of a very heavy
23 responsibility in this area as a non-Aboriginal member

1 of the Commission.

2 **JUNE DESLISLE:** Thank you.

3 It might be difficult to get to know me,
4 but once you know, I am not so bad. Thank you.

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

6 **COMMISSIONER FOR THE DAY BILLY TWO**

7 **RIVERS:** Myiow, June.

8 (Mohawk language - no translation)

9 I want to welcome the representatives
10 of the Mohawk Trail Longhouse and the representative of
11 the Kanesatake Longhouse who are here to give their
12 presentation this morning.

13 **MR. PATTON, MOHAWK TRAIL LONGHOUSE:**

14 (Mohawk Language - no translation)

15 I just thought I would say that because
16 I think that is important, that when we meet, there always
17 should be words of greetings to one another.

18 I think there are many issues and many
19 things that cause conflict in our world, but I think a
20 lot of those things can be eliminated if, first, we begin
21 with good words, we begin putting forth a good mind and
22 we show respect to each other. So this is the reason why
23 we have come with these few words at this time.

1 When we were sent an invitation to come
2 to speak before the Royal Commission, we had a meeting
3 at the Longhouse at the Mohawk Trail and we invited the
4 people from Kanesatake as well to sit down with us because
5 though Kanesatake is just a short distance away from us,
6 it is not separate from us and we don't believe that we
7 are separate communities. We should always be working
8 together. We are all Mohawks.

9 The representative from Kanesatake and
10 I -- we sit under the same Clan, the Bear Clan, and so
11 to us we are family. We are brothers. So when we talked
12 about it, this is the way it was said, that, "Yes, you
13 should go and you should speak in front of the Commission
14 because there are some things that need to be said and
15 said over and over and over again because maybe if these
16 things are said over and over, someone will listen."

17 So a few months ago, the Confederacy
18 Delegation -- we were part of that and we went to Ottawa
19 to speak before your Commission. In that discussion, we
20 presented many thoughts and feelings about our
21 relationship with Canada and with your government.

22 Foremost in that is that it is clear and
23 it was made clear that the Confederacy and Canada are two

1 distinct nations. It is clear that -- you know, at this
2 time now, we are sitting around and we are travelling across
3 the country. We are looking towards solutions to making
4 a better future between our nations.

5 We have come here basically to say that
6 that solution or that mechanism has already been preset.

7 It sits behind you on the wall and it is called Kahswenhtha
8 and that is called that relationship of the Two-Row Wampum.

9

10 It says right in there that those two
11 purple lines, they represent your nation and our nations.

12 Those two lines are separate. They run parallel and
13 basically what it says in there is, "It means that your
14 nation does not legislate over ours and we will not
15 interfere with yours."

16 That white background -- it means that
17 this understanding and this way of life that we have
18 together on this land, that is a relationship based on
19 the use of a good mind, on honesty, integrity, on the use
20 of peaceful ways to resolve our differences. It is all
21 very clear in there that when there are times when we will
22 have difficulties, our leaders will get together across
23 the table and we will talk about it and we will try to

1 fix it up between nations.

2 The problem we see in this modern world,
3 as it has happened over and over and over again -- you
4 see it in Kanesatake. One nation and the laws try to
5 dictate who is going to own that land and so the people
6 who do own it have to stand up for themselves, I guess.

7 So we saw a great cloud of grief hang over that community
8 over the years, and it has been painful. It has divided
9 families. It has divided non-Indian and Indian friends.

10 We could have solved that. The
11 mechanism was there and that is what we have come to say.

12 Also in there are the relationships of friendship,
13 relationships that we have. When the Canadian peoples
14 first were in this land and they were weak and our peoples
15 were here as well, we offered that hand in friendship.
16 We offered a way where we could live together at peace
17 and where we could respect each other's path.

18 So now we see that your people have grown
19 strong. They have grown numerous, but it seems like the
20 government has forgotten that early relationship. All
21 of a sudden -- not all of a sudden. Over the years, the
22 government, I think, has purposely directed its path so
23 that it will eliminate this relationship called the Two-Row

1 Wampum because somewhere in its mentality it has denied
2 that when it has come to this land now, it has a mind that
3 it will control our lives. It is clear that we must tell
4 you that it will never do that and it can never do that.

5 We believe that the Creator gave us this
6 responsibility of who we are and he put us in this land.
7 He gave us a proud culture and a proud tradition. He
8 gave us a law that we should follow and he gave us a way
9 of making relationships with other nations, and that is
10 embodied in that Two-Row Wampum.

11 As we said to you earlier in our
12 discussions of some months ago, it says in that
13 relationship there, that treaty, that this will hold firm
14 until the sun will stop to shine and the waters will stop
15 to flow and the grass will stop growing.

16 In our minds, in the minds of the people,
17 if you look outside, the sun is just as strong today as
18 it was when that treaty was made and the grass is just
19 as green as it was then. Unfortunately, the water is not
20 as clean, but it still flows. So in our minds, if we are
21 looking towards a future where we can have peace in this
22 land, the mechanism is there and that is that Two-Row and
23 those relationships of friendship.

1 That being said, I hear often -- I see
2 people. They put that on the table and they say, "This
3 is the solution," and sometimes I think people will say,
4 "Once it is put on the table, then that is all we have
5 to do. We just have to keep saying, 'The Two-Row Wampum
6 is the solution and that is all we have to do.'" I think
7 we have to go into more than that, but I think, that being
8 said, if we can come to a time when we will agree again
9 that this is the path we will have to follow, then the
10 work will start.

11 Then that means that our people -- we
12 hear that there are maybe differences in points of view,
13 differences in approach, but we all agree that we
14 Haudenosaunee. We all agree that that is our treaty
15 relationship. There are many things that we do agree upon.

16 The other things in our own home, in our
17 own community, we will have to resolve those things and
18 talk about it and fix it up in our house. That is the
19 work that we have to do in our community, what they call
20 the healing.

21 We also have to really work to use the
22 mentality and the thoughts that are embodied in that Great
23 Law which is the use of a good mind. The use of a mind

1 which will develop a future seven generations ahead.

2 On your side, on the side of the Canadian
3 government, the work, that being said, will also only have
4 to start for you. The work will get hard for you as well
5 because you have to clear out that thinking that you are
6 our father and we are your children. That is the hard
7 work that you have to do. You have to start to begin to
8 look at this land and say that we are equals. We are
9 nations. They have to begin to think of that relationship
10 and begin to make it strong again.

11 They can't come to a table to talk about
12 how we will shine up this relationship of friendship based
13 on mutual respect between nations. They can't come to
14 a table with that agenda with them sitting on the other
15 side of the table saying, "I come to the table with this
16 on the agenda, but I don't believe it and my laws are not
17 going to accept this and I am not willing to change them."

18

19 What they have to do is come honestly.
20 They have to come to the table and say, "We will begin
21 to talk about our future where we will sit together as
22 nations," putting aside all the heavy paperwork as men
23 and women, as people of honour. I think that is the

1 foundation that we have to begin with.

2 So that is the one of the things that
3 I thought and that we thought -- when we talked about it,
4 we said that that is important and that has to be said.

5 When we begin these discussions, it is clear that on both
6 sides as nations we look in our history and we see that
7 we have a history of conflict between each other. We see
8 it every day on our roads. We certainly saw it in 1990.

9 What we have to do is begin to make a
10 commitment on both sides to eliminate the things which
11 are causing our conflicts. We have to work at that and
12 it seems sometimes like government laws and legislations
13 -- they seem to be part of that problem.

14 They don't think of the people that they
15 will affect. They are only looking at a one-sided
16 perspective. They make laws just to serve their
17 self-interests, the self-interests of Canada. The Native
18 people in this land, it seems like our interests are never
19 taken into account.

20 So I think those are the kinds of things
21 that you should take back to your government. Those are
22 the kinds of ways of thinking and approaching a
23 relationship that really needs to be understood. They

1 are very important. I know those are things that will
2 take a lot, a great deal of hard work.

3 Some of the other things, I think, have
4 already been said as well. We know that the Canadian
5 government and the Canadian people -- we will not wake
6 up tomorrow morning and you will be gone. We know that
7 you will be here and you are not going to go away. But
8 also the Canadian government has to understand that we
9 will not go away either, that we are growing. Every day
10 Mohawk people are having children, not just Mohawks. All
11 the Indian Nations are having children and they are growing
12 and we are getting more numerous, and we will not go away.

13 So that has to be clear, that though they
14 have developed a plan over 100 years ago that we would
15 be eliminated, that has not worked. So now they have to
16 embark upon a new plan that says, "Now we have to work
17 at a relationship where we can live at peace." I think
18 that is the key word. It is "peace" in this land.

19 One of the things that I heard -- in our
20 language, we call ourselves unkhe-unkhe (PH). Some people
21 say it means real people. I heard one man explain it in
22 this way: It says that we are the ones that are living
23 on the earth today right at this time. We are the ones

1 that are carrying the responsibility of our nations, of
2 our spirituality, of our relationship with the Creator
3 on our shoulders. We have the mandate to carry that today
4 at this moment in time.

5 Our languages, our spirituality and
6 everything that we are, that was given to us and that was
7 carried before us by our ancestors, our grandparents who
8 have passed on. When they couldn't carry it any longer
9 and they went to join that spirit world, they handed it
10 to us and they said, "Now you are the real ones. You have
11 to carry it. Now they are in the spirit world. They are
12 our past."

13 Now we have a responsibility to carry
14 that because we hear seven generations in the future,
15 (Mohawk language). They are our future. They are the
16 ones that are not yet born.

17 When I said "peace", we have a
18 responsibility to those ones that are coming. We have
19 to make this land and this relationship between our nations
20 a better one than it is because we are living in a world
21 where we are not at peace. Our relationship is always
22 in conflict.

23 What we have to do is we have to begin

1 today to make that change in thinking in whatever way we
2 can, whoever we can influence. We have to look to making
3 a relationship where peace, living together and respecting
4 each other is at the forefront, not just how it affects
5 our money or how to fix our minerals, how it affects our
6 companies, how it affects our loss. Those are man-made
7 things. The Creator didn't put us here for those things.

8 The Creator put us here to live and respect each other.

9 If we don't carry out this mandate in
10 these days now, if we don't plant the seeds of a strong
11 mutual relationship where we respect each other's nations,
12 nation to nation, then what will our children have in the
13 future? If we plant the seeds of conflict today and we
14 continue to hold them between our nations, what will our
15 unborn have in the future? You can see it. You only have
16 to look across the ocean and you can see it every day.

17 If you look across there, there are no solutions to that
18 problem. I don't think so. Not at this point in time.

19 I think that we have those kinds of
20 solutions in front of us. We have that relationship called
21 Tekenetehate (PH) where two nations can come together.

22 We can sit down across a table, across a fire. We can
23 talk about jurisdiction across that fire between nations.

1 We can talk about land and land disputes across a fire
2 between nations. We can talk about minerals between
3 nations across that fire and there is no area that affects
4 our lives that we can't talk about across a fire between
5 nations.

6 If we use a good mind and we really work
7 to resolving it in peaceful ways, then the future is bright
8 for us. I hope that you will take this kind of information
9 back to your peoples because I think that it is important.

10

11 Even our own peoples, we talk sometimes
12 about the Great Law and the use of a good mind and a Great
13 Law of Peace. We have our own work to do. Sometimes it
14 is easy to talk of peace, but sometimes we forget how to
15 do it. It is easy to say, "You use good words," but
16 sometimes our words bite too hard and we don't think about
17 the feelings of the other people across from us.

18 So in our own world, we have our work
19 to do, too. When we came here, we said that we were going
20 to try to come across and make something positive. We
21 have seen too much negative. We have seen too much finger
22 pointing and saying, "It is all the white man's fault.
23 Our problems are all the fault of the white man." I think

1 it takes two to have conflict. We have to bear part of
2 that responsibility. You have to clean up your house and
3 we have to clean up ours, and I think that is important.

4 But if we as nations are committed to making that work,
5 then we can do it. We can do it.

6 I have only one last thing to say. All
7 of this talk of treaties, all of this talk of countries,
8 nations to nations, talking about eliminating conflict,
9 having a place or a world we can live in in the future
10 doesn't mean a darn thing if we don't put something ahead
11 of that, too, or at the same we work. That is the
12 environment. It doesn't make a darn bit of difference
13 how great the treaties are between us if we can't live
14 on this land. It won't make a bit of difference how
15 beautiful a relationship we have across the table if we
16 can no longer drink the water. It doesn't make any
17 difference what a beautiful relationship we can have if
18 we can't even go outside any more to plant our gardens
19 or we can't take the sun any longer because we put so many
20 chemicals in the environment that we have destroyed our
21 future.

22 Sometimes I don't hear people really
23 addressing that as much as it should be, but I think that

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1 is also important because unkhe-unkhe (PH) people, we have
2 a responsibility to the land and to this environment, to
3 the Creator. The Creator should be in front of us, not
4 to the side. I think that that is also a very important
5 message that you have to take back to your governments
6 and your peoples. We all have a responsibility of finding
7 a way to work together to clean up this earth and to clean
8 up this environment or our future -- we won't have a place
9 to live.

10 So that is all that I thought I would
11 say at this time and then I thought I would pass it over
12 to Curtis. Myiow.

13 **CURTIS NELSON, KANESATAKE LONGHOUSE:**

14 (Mohawk Language - no translation)

15 My name is Curtis Nelson. I come here
16 today on behalf of the Kanesatake Longhouse. I have a
17 written presentation that I will read to you and at some
18 point, I would like to give you copies of that also.

19 Today I bring you greetings from the
20 Haudenosaunee people of the Longhouse of Kanesatake from
21 the Rotainer, the Karihokon (PH), the Clan Mothers, the
22 women, the men, our ancestors, the faces of those yet to
23 arise from Mother Earth and, most importantly, the little

1 people, the children.

2 We acknowledge the people of Kahnawake.

3 We offer our greetings and we thank you for inviting us
4 to your community. We acknowledge you, the Commissioners.

5 We offer our greetings and we hope that all is well with
6 you. We are glad the Creator has made it possible for
7 us to spend some time together. As representatives of
8 the Crown created under the hospices of our sister the
9 Queen's representative, the Governor General of Canada,
10 we welcome this opportunity to share our thoughts with
11 you.

12 It is unfortunate that you were unable
13 to visit Kanesatake because of one man's personal and
14 political reasons. It is our understanding that we are
15 here to seek solutions to the problems facing the
16 Kanien'kehaka and Canadians to try to foster
17 reconciliation and to restore peace and harmony among our
18 peoples.

19 Others have expressed injustices in
20 Mohawk territory and we will not dwell on these for long.

21 One of the main reasons your Commission exists is because
22 of my community and the events related to the infamous
23 summer of 1990.

1 We wish to state for the record that we
2 are sorry for the death and the sicknesses that have
3 resulted from this crisis. We believe that all life is
4 sacred. It is of the utmost importance that we do
5 everything in our power to ensure that the dark forces
6 that ran rampant that long hot summer are never again
7 unleashed.

8 The traumas that people have been
9 subjected to are indeed unfortunate for they could have
10 been avoided. We attempted to meet the Governor General
11 several times in order to address our situation before
12 it degenerated to violence. We tried to meet with our
13 brother so that we could polish the covenant chain in
14 accordance with our treat as mentioned previously. I have
15 copies of our correspondence as proof of our efforts which
16 fell on deaf ears.

17 We believe that responsibility for the
18 outcome rests with the Crown. When we began relations
19 with our brothers and sisters from across the great water,
20 they were based on mutual respect and equality as my brother
21 before me has mentioned. Over time, however, your people
22 became more numerous and greater than ours. The
23 relationship became one of imposed paternalism.

1 Our government was marginalized by force
2 and a new order of local management imposed. Leadership
3 began to be chosen through methods that were foreign to
4 our people. These new institutions, band councils, were
5 accorded recognition by Canada and were given control over
6 the communities as structures and infrastructures. Over
7 time this diminished the original ways of our people.
8 Indeed, it was deemed illegal for our people to practice
9 our ways.

10 This caused many of our people to
11 gravitate toward the band councils for their every day
12 needs. This has resulted in the gradual and progressive
13 disempowerment of our government and when you diminish
14 our government, you diminish our people.

15 This systematic marginalization has
16 caused the loss of identity in many of our people. When
17 our leaders became invisible in the eyes of the Crown,
18 frustration grew among the people. This inevitability
19 resulted in the loss of credibility in the leaders and
20 anger towards the oppressor. Your leaders and many people
21 decreed the summer of 1990, yet they justified the means.

22 It is our opinion that solutions to these
23 problems exist. Our government looks to its past and then

1 casts its mind seven generations. The Crown must do this
2 also. It would be only fitting in this the International
3 Year of the Worlds Indigenous People that the Crown looks
4 at ways to assist traditional governments. We fully
5 intend to maintain our original structures and we will
6 survive.

7 Together we must work to polish the
8 chain. It has long been neglected. It is very rusty.
9 It has been stained with blood and the task ahead will
10 be heavy, but to neglect this further can only lead to
11 more grief.

12 Your government, throughout its
13 history, has proven it could not be counted on to be
14 foresighted or fair in its approach. Having gone through
15 the crisis, however, let us hope its hindsight is much
16 sharper. The Crown must acknowledge and uphold its
17 obligation to peaceful coexistence based on mutual respect
18 and non-interference as categorized in the treaties with
19 the Haudenosaunee.

20 In August of 1991, the Minister of Indian
21 Affairs was to meet with the Haudenosaunee. At the time,
22 his officials indicated he was ready to engage in a formal
23 co-operative effort to address relations. At the last

1 minute, however, he undermined the process with a most
2 unfortunate change of heart. To this day, we have not
3 been official advised of the reasons. This is exactly
4 the lack of seriousness towards our leadership that leads
5 to situations like 1990.

6 We had a similar experience in August
7 of 1990 in Dorval. One day Roger Gagnon is a full
8 participant in negotiations aimed at a peaceful
9 disengagement and establishment of a process to resolve
10 issues. The next he says he is just an observer with no
11 negotiation mandate.

12 The Crown must restore relations with
13 our original government and embark in a collaborative
14 effort to resolve equitably long-standing issues. We have
15 already undertaken to explore the internal structures
16 needed to ensure that our areas of responsibility will
17 be properly addressed.

18 The Crown must find ways to provide
19 resources for our original government so that fairness
20 can be achieved, so that we may reverse centuries of
21 colonialism and we can one day become self-sufficient
22 without compromising our integrity as a nation.

23 Together we must actively seek to clear

1 up outstanding territorial problems. The current land
2 claims process is unfair, restrictive and reprehensible.
3 We must find innovative ways to restore peaceful
4 co-existence. Land use and management must be negotiated
5 from the point of Aboriginal title as the basic premise.

6
7 We must have much knowledge to share
8 which the world needs in order to survive. There is
9 nothing new in the concept that Aboriginal title and
10 assertion of jurisdiction will vary from nation to nation
11 and community to community. This reality already exists
12 in Canadian society.

13 In closing, I wish to say that we hope
14 this is a new beginning and not an old ending. We have
15 an opportunity to ensure that history does not repeat
16 itself. Let's take that opportunity.

17 Myiow.

18 **CO-CHAIR GEORGES ERASMUS:** Thank you
19 for your presentations.

20 Just one point. You may see us as
21 representatives of the Crown, but that is not how we see
22 ourselves. We don't speak for the Crown by any stretch
23 of the imagination.

1 One of the points I wanted to clarify
2 with you was: In us trying to point a direction as to
3 how the Crown should begin its work in relation to assuming
4 its responsibilities and once again going down the road,
5 a peaceful co-existence and re-establishing the good
6 relationships, how should that first step be taken?

7 One of the questions I know we will be
8 asked is: If we want to deal with the Iroquois
9 Confederacy, how do we proceed? Who do we work with?
10 How do we make sure that whomever we work with will have
11 the confidence of the people? It is a dilemma we have
12 to deal with and so perhaps you can assist us in telling
13 us what message we should be providing.

14 **MR. PATTON:** I think one of the things
15 when it comes to treaties, it is clear that those treaties
16 were made with the Confederacy. I think you had -- as
17 Curtis pointed out in his paper, there was a committee
18 that was mandated by the Confederacy to look into this
19 and to begin this dialogue. That was short cut in 1990.

20 I think a good step is that that should
21 begin -- those avenues should be opened up again because
22 from what we had heard, they were making good progress
23 to looking at land and to looking at things like

1 jurisdiction and many of the things that affect our world.

2 The progress would have benefited the nations.

3 Just a continued dialogue would have
4 benefited our nations. I think that if Canada is willing
5 to do that, those committees are willing to begin that
6 dialogue again. They have never been unwilling. They
7 are waiting. It wasn't the Confederacy that pulled away;
8 it was Canada and they are willing to continue that
9 dialogue.

10 I think that is the place to start
11 because treaties and those relationships -- they are not
12 with band councils. They are not with individual
13 communities. They are with nations. That is the
14 beginning. That is the place, I believe, that Canada has
15 to look towards. It is to deal with the representatives
16 of the nations and then when it comes to treaties and all
17 of those relationships, internally in our communities,
18 we have to sit down together and determine our future and
19 come to one mind. We have our own homework to do, too,
20 I believe to sit down all together and say, "How can we
21 as a community fit into that?"

22 There are all kinds of divisions,
23 divisions of history, divisions of the Indian Act,

1 divisions of education. We are at a time where people
2 are almost educated toward moving away from those treaty
3 relationships and saying, "We follow the Indian Act."
4 Our community is coming to the mind -- to that Indian Act.
5 It has come to the mind, I believe, that that Indian Act
6 is not in our best interests. I hear that over and over
7 again. They have come to the mind that the Two-Row Wampum
8 and our original treaty relationship is in our best
9 interests.

10 We have stepped over the major hurdle.
11 Now we have to do the fine-tuning in our own community
12 to see how we can come together, but that is in our own
13 houses and we have to do that.

14 I think the first step is that Canada
15 has to begin that dialogue with the peoples that it made
16 those treaties with to reaffirm that. That is the place
17 to start and that has never -- we have never stopped.
18 We have always been waiting and we continually travel and
19 we continually talk to governments and whoever will listen
20 and we say the same things.

21 If you look through the history of our
22 presentations, many of the things that we say right now
23 we said to the Penner Commission, I believe, in around

1 1978. I think it was around that time. The Land Rights
2 Committee of the Haudenosaunee -- we made presentations
3 to the Penner Commission and many of the things that we
4 are saying right now have been said there as well.

5 However, it seemed that they got put down on paper and
6 they got put on the shelf and were conveniently forgotten.

7 So I think that that is a good place to
8 start.

9 CO-CHAIR GEORGES ERASMUS: That is a
10 good beginning.

11 Could you give us more detail, please.

12 It seems to us that obviously there needs to be some kind
13 of process to deal with the question of governance,
14 sovereignty. There are relationships that needs to occur
15 and then there needs to be a process to deal with land,
16 a process to review and re-establish relationships based
17 on treaty.

18 So the first contact should be with the
19 confederacy, you say. You say to us that the present land
20 claims policy doesn't work. Let's deal with that for a
21 minute.

22 If we were to review it -- and we are.
23 We are going to try to come out with perhaps an interim

1 report just on how land should be dealt with -- what should
2 we be recommending in relation to how land should be dealt
3 with in relation to the Iroquoian people? Should land
4 be dealt with on a community-by-community basis? Should
5 it be dealt with by each nation within the Confederacy,
6 like the Mohawk people as a nation deal with their land?
7 Should it be the Confederacy coming to the table as a
8 whole trying to negotiate for all of the nations within
9 the Confederacy? Which process is it that needs to go
10 ahead for a serious land process to occur that will be
11 recognized by your people that someone on the government
12 side is being serious?

13 **CURTIS NELSON:** I am very glad to answer
14 the last question.

15 First of all, I think the question before
16 everyone that has to be looked at and very seriously is
17 that the land situation must be negotiated based on the
18 understanding that it is primarily Aboriginal title first
19 from that start, not the other way around.

20 In the past, a lot of times I have
21 listened in on claims and it is a question of our people
22 proving how we got the land, but the truth of the matter
23 is that when the non-Indian people arrived here, they

1 brought no land. So we have to begin the process by
2 understanding that the land belongs to the people first,
3 the Haudenosaunee people, as far as the internal
4 structures.

5 As we have mentioned before, we do have
6 processes beginning and we do have to do our homework in
7 our respective communities and our respective nations,
8 but ultimately the treaty that talks about our lands that
9 we have spoken about time and time again was made between
10 the Confederacy and the Confederacy must deal with those
11 issues.

12 When you talked about the nations and
13 the internal nations, we have to deal with that on our
14 own. Each nation must deal with itself and set up its
15 own structures so that people can understand. As we have
16 mentioned, some of our people have gone astray from that
17 and we have to do our own educating again.

18 **CO-CHAIR GEORGES ERASMUS:** I appreciate
19 the fact that there needs to be some internal work. There
20 is no question. I understand that, but are you now saying
21 that if we were to finish our report tomorrow, what we
22 should be telling the Canadian government and the provinces
23 is that the way land should be dealt with for the people

1 of the Confederacy, the Iroquoian people, is that they
2 should deal solely with the Confederacy and then whatever
3 else is going to be developed will evolve from that, or
4 are you saying that it would also be fair to approach the
5 nations and ask them if that is the only way they are going
6 to go?

7 Give us something more than what you are
8 saying because what you are simply saying is that the
9 treaties were there in the past. They are still relevant
10 and the way to start the process is to go back to where
11 it was and to start with the Confederacy. Is that really
12 going to be supported by everyone?

13 **MR. PATTON:** I think that when you look
14 at it, when you say that the Confederacy has to deal with
15 the land, that doesn't mean that a small group of people
16 now will sit around the table and say, "Okay. We will
17 make decisions for everyone." That is not the way our
18 system works.

19 When they have to look at dealing for
20 land with Kahnawake, they are going to have to consult
21 with Kahnawake on their own. When they deal with land
22 for Kanesatake, they have to consult with Kanesatake people
23 and on and on it goes.

1 There has to be consultation within this
2 nation and it is not -- when you say "the Confederacy",
3 every community has a say in that. It is not just a group
4 of people negotiating and saying, "We will determine the
5 future for everybody." That consultation process, every
6 nation, every community has a say in that. They are part
7 of the rafters of that nation.

8 So that consultation process will have
9 to be done within our own communities, but I believe --
10 it is just what Curtis said. From the beginning of this
11 relationship, this land was in the hands of our peoples.

12

13 I think if we go and we look at developing
14 a relationship where we say, "Now we are going to come
15 to a settlement and we acknowledge that King Louis XIV
16 brought land and he gave us this land in Kahnawake and
17 now we have to make a settlement based on his interpretation
18 of what he owns," I think we are lost. I think that we
19 can throw all of that stuff out the window.

20 Our original relationship with this land
21 is from the beginning and that is what we have to deal
22 with -- Aboriginal title to the land. The Confederacy
23 holds a part of that. The Montagnais hold a part of that.

1 The Algonquins hold a part of that and the many nations
2 in this land hold a part of a relationship with the land.

3 In our minds, we can't sit here as the
4 Haudenosaunee people and say to you, "We can't agree to
5 the fact that we have to start a land claims process based
6 on the Louis XIV's interpretation of what he gave us."
7 That is not real.

8 We have to acknowledge that this land
9 relationship was Aboriginal and I think Canada has to
10 acknowledge that, too. When we begin to acknowledge that,
11 then we can work it out, but we have to do consultation
12 within our own communities to look at the best interests
13 of each community and if in fact it is what the community
14 really wants, what they need and what their needs are.

15 We can't live in a dream world and say,
16 "Okay. We own nine million acres of land and we want all
17 nine million acres back." Then everybody who is on that
18 land has to vacate. I don't think we can do that and I
19 don't think it is real, but we have to enter into a
20 relationship where we can say, "Hey, your people are
21 sitting on a lot of land. Our people need a future and
22 we are sitting on a postage stamp. We need land, our own
23 land to survive and to have self-determination, to build

1 agricultural communities and an agricultural economy, but
2 we need land."

3 We have a lot of land in Kahnawake, but
4 it is all swamp. We can't grow much on that. We have
5 a lot of land, but it is all tied up in estates and legal
6 problems. We can't grow anything on that as a nation.
7 As a nation, to develop an economy that will feed our
8 people, we need land and I think that that is what we have
9 to begin to look at -- that Aboriginal title.

10 For me, we can't look and say -- the day
11 we acknowledge that Louis XIV gave us this land, then I
12 believe that we have lost.

13 I don't know if that answered your
14 question, but that is the way I feel.

15 **CO-CHAIR GEORGES ERASMUS:** I think you
16 have more or less answered it.

17 Perhaps I could ask the same thing in
18 relation to what we should be considering recommending
19 to the Canadian government and the other Canadian
20 governments in relation to how to move forward on the
21 governance question. Do you see that as exactly the same
22 approach?

23 **CURTIS NELSON:** As far as the governance

1 aspect, it is clear that we have divisions. Part of my
2 presentation spoke about imposed systems of management.

3

4 I think if we are going to begin to find
5 the ways in which to deal with those things, as my brother
6 here as mentioned already, the communities of the nations
7 must sit down with themselves and understand each other,
8 as far as elected councils and traditional governments
9 go.

10 We know that it is not going to be gone
11 tomorrow and that is a reality. The other reality is that
12 people have strayed from what they were born into and you
13 can't change that overnight, but you can at least begin
14 the process of understanding.

15 On the part of Canada, it has been clear
16 that as a result of Canada assuming or I guess the better
17 term is deciding to keep our traditional leadership
18 invisible by not recognizing those people and by not
19 recognizing what was here prior to the legislation that
20 created band councils -- I think on Canada's part, it is
21 important that it looks and opens its eyes and sees that
22 it is important to recognize those traditional
23 governments.

1 As we speak about this, I remember
2 meeting in Ottawa and not only does it talk about the
3 recognition aspect, but the recognition of our customs
4 and our language and everything we do. We always hear
5 about these distinct societies. Well, the distinction
6 of the Haudenosaunee goes back thousands of years, yet
7 in today's day and age Canadian society refuses to
8 recognize that we are different, we have different customs.

9
10 One of the things that we mentioned to
11 you back then -- we have a process and a custom that we
12 do in the Longhouse when we name our children, when we
13 marry our people in the Longhouse and when we bury our
14 dead. Canada has refused to recognize that saying, "It
15 has to be stamped by the church or somebody to make it
16 official." Well, if the shoe was on the other foot, as
17 Haudenosaunee people, we do not stop anybody from
18 practising their own and it would only seem fair that if
19 Canada -- especially in this particular year, it is time
20 that it recognizes that there are other nations within
21 this particular land base that operate completely
22 different from the things that Canadian people do that
23 have different customs, languages, structures.

1 The structure of government that we
2 operate is completely opposite to that of Canada in that
3 we view it as an upside-down triangle. Our people are
4 first and those that are chosen to represent them are at
5 the bottom and become the workers for the people. It is
6 not a top-down thing. It is in the sense that it comes
7 from the people and we are the spokespeople.

8 But those things have to be looked at
9 and recognized, especially when it comes to our traditions,
10 our customs and our language. As I have said before --
11 and I heard it said many times over -- we will survive.
12 We have this long time.

13 **CO-CHAIR GEORGES ERASMUS:** Could I have
14 the opportunity to just ask one more question?

15 We have been told very clearly about how
16 the Canadian governments and also, on the other side, the
17 U.S. governments have imposed their form of government
18 on the Haudenosaunee. What process should be used to
19 remove that now? Should the Act just be abolished tomorrow
20 with nothing to replace it? Now that it has been around
21 for so long, how do we move to the next stage? What should
22 occur? Should the Act just be abolished and with nothing
23 to replace it? What is acceptable to the Haudenosaunee?

1 We know that change has to occur.
2 Everybody is talking about the need for change. That is
3 a given, that some kind of change needs to occur. What
4 is the process that would make some sense to the
5 Haudenosaunee?

6 **MR. PATTON:** I think we have been
7 talking about that process. I don't have any magic up
8 my sleeve. I wish I did.

9 If we say, "Okay. Cut it tomorrow,"
10 then it is true what you say. What will fill the void?
11 What we have already said is that there are the
12 representatives. That process has already been put in
13 place. I think all of that is part of that External
14 Relations Committee that was mandated by the Grand Council
15 that talked to Canada, Canada's relations, and I think
16 they dealt with all of those issues. They dealt with all
17 of those things and a process about how these things can
18 begin to change.

19 I think that the beginning has to be that
20 that dialogue has to open and we have to sit down between
21 -- maybe we have to sit down between the workers in our
22 governments and use a really good clear thinking about
23 our future, look at what kind of relationship we can

1 develop.

2 Our thinking is that it can't change much
3 from that Two-Row. It is already there. It is there.
4 We have to convince Canada, I guess, to honour its part.
5 I think that everything we need is in that thinking of
6 that Two-Row, and what it means is that we can sit down
7 between our governments and talk about the things that
8 we need to fix between us.

9 I believe that External Relations
10 Committee has already dealt with many of those issues,
11 but that was short-circuited. I think dialogue is the
12 answer at this point in time -- dialogue between our
13 nations, dialogue within our communities. It is a two-way
14 thing.

15 **CO-CHAIR GEORGES ERASMUS:** I will open
16 it up to others to ask questions or make some comments,
17 but perhaps at some point you could share with us the ideas
18 that were presented on those kinds of issues from the
19 committee.

20 René, please.

21 **CO-CHAIR RENÉ DUSSAULT:** Obviously from
22 the discussion that just occurred, the principles were
23 made quite clear. In the presentations, what is a bit

1 less clear is the process, the Confederacy, the band
2 councils.

3 Of course, as a Commission, we have to
4 come up with recommendations. We feel that the process
5 to have fruitful dialogue and to come up with solutions
6 that will be durable is as important as the substance itself
7 and we would appreciate, certainly, to share more of your
8 thoughts on the process itself.

9 I would like maybe in a more immediate
10 fashion to move to something else. We are very happy to
11 have with us this morning a representative of the
12 Kanesatake Longhouse. You know that one of the things
13 that is very much in our minds during the week is the
14 relationship between the Mohawk communities and the people
15 that are living in the surrounding communities, the
16 non-Aboriginal people.

17 I was struck by what you said earlier
18 in your presentation when you said that you are sorry --
19 and I am talking about the whole community. You were
20 talking not only your personal name, but you said, "We
21 are sorry for the death that occurred and the suffering
22 that followed," and implicitly within your community and,
23 of course, among everybody. I think this is an important

1 statement from a human point of view for a better
2 understanding to start the healing and the building of
3 the relationship.

4 Too often in the past, this whole
5 question has been discussed within a political and
6 emotional approach. For one, I would like to say that
7 it was good to hear that in the way you put it from a human
8 point of view this morning. As you know, we are meeting
9 tomorrow with representatives of the community of
10 Châteauguay and Oka and we would like to report back this
11 message. I think it is a very important one, one that
12 could help a lot to bring some peace of mind and turn the
13 tide toward a more positive relationship.

14 So I wanted to share that with you to
15 make sure that I interpreted what you said correctly, in
16 order that we could and I could report back this message.

17 Is this a correct statement of what you said, of the sense
18 of what you have tried to express?

19 **CURTIS NELSON:** When we met at our
20 Longhouse to discuss this particular presentation, we felt
21 it would be important to share with you that concern.

22 We wanted to state it for the record
23 because as Haudenosaunee people, life of all living things

1 is the most important. It is sacred. That is why for
2 anything that dies, you are sorry for, especially because
3 a human life was lost. The grief that is carried because
4 of that is a heavy burden to carry because it could have
5 been avoided.

6 As I have stated in my presentation, I
7 have documentation to prove that we did try to make sure
8 that none of that would have happened. So that is why
9 we are sorry, because we could not come to a solution.

10 So, in a sense, your understanding of
11 what I am saying is true, but at the same time we state
12 this because of the factor of life and how important it
13 is to our people, anyone's life, no matter what race, colour
14 or creed or any living being. That is very important to
15 us. In that sense, we are sorry that that happened because
16 we did try.

17 **MR. PATTON:** I think in that time, in
18 those very hard times when blood was spilled, our people
19 as well -- the people of the Mohawk Trail -- from the time
20 that that blood began to spill, we made a fire and we kept
21 that fire going day and night for the whole time. Each
22 day we burned tobacco and we used all of the things that
23 we knew and the best mind that we could use, and we burned

1 tobacco because we said that it was enough. One drop of
2 blood is too much.

3 We asked the Creator to use the Creator's
4 power so that we would not see another drop of blood
5 spilled. One drop of blood, Indian or non-Indian, is the
6 same. It is too much. We asked the Creator that a good
7 mind would prevail and that we would not hear a gun talk
8 again.

9 We also felt that we could not pick up
10 a gun either amongst our peoples because we felt that you
11 can't hold tobacco in one hand and a gun in the other,
12 but we also were very touched that one drop of blood was
13 spilled and a life was taken.

14 So you can also carry that message as
15 well.

16 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
17 much. I will certainly do that and I think it is a very
18 important message.

19 **COMMISSIONER VIOLA ROBINSON:** I guess
20 I want to reiterate again or just move on what Georges
21 was talking about. I think you have certainly articulated
22 in a very effective way your vision for the future of your
23 people.

1 You have also said that it is going to
2 be very hard for us to continue the work and to try to
3 pass the message along, and it is. It is really, really
4 difficult. It is going to be difficult and I think you
5 sort of put your finger right on the -- what I am trying
6 to say is that we can say, "There is the message there
7 and you can lay the belt on the table. There is the
8 message." I know the message.

9 I don't think I want you to answer this
10 now, but I would like for you to at least think about it.
11 What is the best method or the best way for the Commission
12 to effectively get this message across? We have to give
13 it to governments, but we also have to give it to the public
14 as well.

15 We have a number of resources here. We
16 have, for instance, the National Film Board who is filming
17 the whole thing. We have a good recording system. There
18 will be word-for-word transcripts. We have some media,
19 but I wonder if you could think about how we could
20 effectively use the resources that we have to communicate
21 this message in a very meaningful way to the public and
22 to others so that people will get more educated on what
23 you have been presenting to us.

1 The other thing I wanted to mention is
2 really difficult and we were trying to grasp this yesterday
3 and today because there is a division in this country of
4 how people view the future. Unfortunately, it all goes
5 back to what you said. It has been the imposition of
6 legislation and how governments have dealt with our people.

7
8 You have your view and there are a number
9 of people in this country -- nations, Indian Nations,
10 Aboriginal Nations -- who have the very strong view that
11 you hold, but we have gone to places where it is just been
12 the opposite, the opposite view where people want to hang
13 on to the way things are and they believe that the only
14 way to progress is through the band council system that
15 they have.

16 So we have to try to -- we need some
17 guidance from people like yourselves as to how we are going
18 to come to grips with this in our final report. We have
19 to try to be fair to everybody, but if you can just --
20 you don't have to answer this right now because I know
21 it is kind of difficult, but if you can think about it
22 and if you can come up with a way that we can do something,
23 we would really appreciate it.

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**Royal Commission on
Aboriginal Peoples**

1 So I would like to thank you for your
2 presentations.

3 **COMMISSIONER BERTHA WILSON:** As you
4 know, there have been many inquiries and commissions in
5 the past and we have been told in many places that we have
6 gone that those have just been put up on the shelf and
7 nothing has happened.

8 We have talked about that among
9 ourselves. What can we do to make sure that our report
10 doesn't just get added to the ones already on the shelf?
11 I think we have concluded that we can't just stop in our
12 report at making recommendations. We have to go on and
13 say how these should be implemented, what should happen
14 in relation to these recommendations, and we would like
15 to do that.

16 After we have written our report and we
17 have listed all the recommendations that we are making,
18 we want to follow that up with directions as to how we
19 think these recommendations should be implemented and,
20 if possible, with some kind of time table attached so that
21 it is possible to look at what is happening and see whether
22 things are happening and happening in a timely fashion.
23 Otherwise, it may just sit there for years and nothing

1 happen.

2 I think this is why Georges is pressing
3 you on the process and on what the steps should be and
4 who the governments should be dealing with. If we are
5 going to set out steps for how the recommendations are
6 to be implemented, then we have to be able to say, "You
7 should be sitting down with so and so, with this group
8 or that group, and you should be trying to do that within
9 six months or a year," and so on.

10 So there is a problem there because I
11 think we understand what you are saying, that your method
12 of doing things doesn't involve people at the top speaking
13 on behalf of everybody down below that it works the other
14 way. So there is a difficulty there that I see in terms
15 of the process for getting this whole thing started. The
16 only reason that we are sort of pressing you a bit on that
17 is because we think it will be much more effective in
18 getting some action out of government if we can say, "These
19 are the steps. This is what should happen and this would
20 be a reasonable time within which we think should be
21 accomplished."

22 So I think I echo what Viola has said,
23 that we don't expect you to have answers for these things

1 today, but it certainly would be very helpful to us in
2 our report if you could give us some concept of what the
3 mechanics would be to get some of our recommendations
4 brought into being.

5 **MR. PATTON:** Maybe I could just add a
6 little bit there.

7 Just while you were talking, a couple
8 of things came to my mind about the process. The way our
9 ways work -- if you want to have a meeting to begin a
10 discussion, then you send a wampum or you send a message
11 that says, "We want to sit down and talk." That is the
12 beginning of that process.

13 I haven't heard that from the government
14 of Canada. All we have heard is always legal double talk
15 about why they can't meet or why it is inopportune or what
16 kind of legalities there are. There is always something
17 that comes in the way on their part.

18 We have done that. We have a delegation
19 to talk with Canada, to say, "We want to talk," and we
20 do that every year, year in and year out. Every time a
21 new president is elected, they send a message from the
22 Haudenosaunee and they say to him, "Remember who we are.
23 Remember the founding nations of this country. You made

1 treaties with us. You are carrying on the responsibility
2 of your forefathers. We would welcome a meeting with you
3 to talk between our leaders and yourself and your leaders
4 to make a better future for our nations." That process
5 is there.

6 What I would say is that we could also
7 go back and carry some messages to them when we travel
8 back to the different councils and say, "Let our External
9 Relations Committee send a letter again to Canada and say,
10 'We want to reopen this dialogue.'" We have sent the
11 message. We will send the message again. It is up to
12 them to grab that wampum and say, "Yes, we will talk,"
13 but it takes two.

14 We have always been willing to talk.
15 We have never made excuses not to talk. We are always
16 willing and I think that is an important message. That
17 is the process. That is where it begins.

18 The other part is that sometimes there
19 are things that we can't sit here and answer. When that
20 process begins and Canada will say, "Okay. Let's develop
21 the process in detail," then the Confederacy will look
22 at the minds that it has throughout the nations, to look
23 at the expertise it has throughout its nations and it will

1 send the people who are able to do that work. When they
2 have done that work and when it is agreeable to our nations,
3 then the final process is that our Chiefs will meet with
4 your leaders. That is how that process will work.

5 But unless we see that wampum or that
6 invitation to begin to talk, then it can't work. You have
7 seen ours. You never grabbed it. I am not saying you,
8 but Canada has seen our wampum. They have never grabbed
9 it seriously.

10 So I think that is important to also
11 state.

12 **CO-CHAIR GEORGES ERASMUS:** If I could
13 just add on to what Bertha was saying and Paul has some
14 comments or questions.

15 Again, not for an answer right now, but
16 perhaps you might think about putting your mind in the
17 interim to flushing out some big broad ideas of what might
18 be included in that that we might convey.

19 I know one of the very major questions
20 to us is going to be: How do we know this is the right
21 process to work? How do we know that the Mohawk people,
22 the Iroquoian people themselves will say, "That is not
23 the way. You are dealing with the wrong people?"

1 So if we are going to recommend a process
2 and holes are going to be shot -- if just as we are handing
3 over our document, there are people standing up saying,
4 "No, no. That's wrong," then we are off to a bad start.

5 Right from the beginning, the very recommendations that
6 we make are going to look as if they are not going to work.

7 So beyond today, we need to talk some
8 more. So maybe we could just think about that later.

9 **MR. PATTON:** One of the other things is
10 that in that circle, there are title holders and they have
11 wampum. They probably carried the same wampum that they
12 carried when those treaties were made, the same beads of
13 wampum. Some of them have gone away and have been taken
14 to whatever means, but many of those wampums are there.
15 When you want to talk to the leadership, you look at their
16 titleship and their wampums and that tells you who the
17 leadership of the Confederacy is.

18 If someone were to say to you, "I only
19 speak for the Confederacy," say to them, "Show me your
20 wampum." If I go to you and I say, "I speak for the
21 Confederacy," and you say, "Show me your wampum," I can't
22 do that because I don't have that. But I would not do
23 that. I would not take it upon myself to speak for a nation

1 when I don't have that. In our ways, people will give
2 you so many words to use and they say, "We give you so
3 much strength and you are tied to the people and you only
4 say what the people tell you to say." You can't go beyond
5 your people.

6 So when you are talking about that
7 process, you look for where the wampum is sitting and that
8 will tell you are the leadership, the legal leadership.
9 So that is something that I ---

10 Also, one final thing, I guess, about
11 a process. It is hard, as we said before, because people
12 are unsure. People really don't know what this next step
13 will mean and I guess to clear that way, people will have
14 to be a little more secure in taking the next step. I
15 think the process in the interim we have to initiate is
16 dialogue and we have to initiate education.

17 What the Haudenosaunee people --
18 whenever there has been a request for people to come and
19 speak and that request was done well and people have shown
20 that they are sincere, then you will never be refused.
21 If there are groups that need information and would like
22 to talk, people will go and they will explain and they
23 will talk with eloquence and they will talk with sincerity.

1 So I think that is also an interim
2 process that needs to be ongoing. That should never stop.
3 The use of a good mind, speaking and talking and educating
4 each other, extending your hand and shaking each other's
5 hands, that should never stop.

6 When we do that, that means we can solve
7 the other problems. So I think that that is also what
8 I had to say.

9 **CO-CHAIR GEORGES ERASMUS:** Paul,
10 please.

11 **COMMISSIONER PAUL CHARTRAND:** Thank you
12 both for your presentations. I would like to make a
13 request to Mr. Nelson and then I would like to ask a question
14 of Mr. Patton, if I may.

15 The point you raised that I think might
16 be worth pursuing on the part of the Commission, Mr. Nelson,
17 is an examination of the role of the Crown's
18 representatives in Canada as enduring institutions to
19 maintain the relationships between Aboriginal people and
20 non-Aboriginal people.

21 There are many people across Canada who
22 have signed treaties and for whom the office of the Governor
23 General, as a representative of the Crown, has a particular

1 significance.

2 You said, if I understood, that you sent
3 letters to the Governor General some time ago. I say that
4 I would be keenly interested to see them, particularly
5 to explore the potential in the Crown representatives as
6 institutions that might be re-examined to see if indeed
7 they can contribute something significant in the long term
8 to maintain good relations between Aboriginal peoples and
9 others in Canada.

10 We have historically, it seems to me,
11 viewed the Governor General as symbolic of ancient
12 obligations, but it seems to me too that in more recent
13 times we are changing in Canada our ideas about government
14 and about the role of the Crown. You would know that some
15 Aboriginals people went to England when the Constitution
16 was changed in the early 1980s to try to press their views
17 about the role of the British Crown and you know that the
18 courts made certain declarations about changes that have
19 occurred in the office of the Queen's representatives.

20 In looking at some of these changing
21 ideas, it occurs to me that we have changing theories of
22 government. It seems to me that the executive government
23 represented by the Crown, by the Crown's representative

1 -- the Governor General in this case and in the provinces,
2 by the Lieutenant Governors -- are not only symbolic as
3 the representatives of government obligations, but also,
4 it seems, as representatives of the people,
5 representatives of the Canadian people.

6 The courts have talked about fiduciary
7 obligations, other obligations owed to the people, but
8 I wonder if there is room to explore the changing ideas
9 of government to include a changing role of the Crown as
10 representative of all communities, all political
11 communities within Canada and whether these ancient
12 institutions can be re-examined to provide a new role for
13 the future.

14 We had an occasion in Manitoba recently
15 where a Métis was appointed Lieutenant Governor to reflect
16 upon these ancient roles because the Lieutenant Governor
17 in that province has special constitutional obligations
18 with respect to Métis lands. So it was in that context
19 that I note the comments you made about your people being
20 concerned to deal directly with the Governor General.

21 I am asking by making these comments,
22 then, for two things: To see if you can convey those
23 letters to us and, second, if our Commission's research

1 staff would take note to see if you are going to explore
2 this idea further to assist us in exploring possible
3 recommendations.

4 I then have a question for Mr. Patton,
5 but you may wish to say something.

6 **CURTIS NELSON:** When the treaties
7 between our people and the non-Indian societies were
8 affirmed or confirmed or agreed to -- I am going to use
9 all the terms because I don't want to get lost -- when
10 we made those treaties, we made them between the
11 Haudenosaunee and the Crown. As such, we were allies.
12 We were not father and son. We were allies. We are still
13 allies.

14 When we tried to alleviate the problems
15 happening in my community, when we tried to deal with them,
16 we did so according to our treaties. I treaties said that
17 we will sit together from time to time and polish the
18 covenant chain that binds us where we will discuss our
19 problems together and come to a solution. We tried to
20 do that.

21 There was a Khondo (PH) Chief in my
22 community years ago whose title was Dehennakarineh and
23 that is the title that I am presently holding on a temporary

1 basis until our internal process can install once again
2 a fully Khondo (PH) Chief in that title.

3 He told me one time, "You know, they
4 always talk about how the Crown or the Queen has separated
5 herself from Canada." I say this only as an interesting
6 point. It may even be a funny point, but he said to me,
7 "They are always telling us that we can't go and talk with
8 her any more because she has kind of separated herself
9 from Canada, but it is her face on the dollar bill and
10 it is her face on everything and every Minister who comes
11 along who calls himself a Minister of Indian Affairs or
12 a Minister of whatever, he calls himself a Minister of
13 the Crown. So she still has some say and she still carries
14 the responsibility that must be taken into consideration."

15 I think it would do well on the
16 Commission's part to explore that because a lot of our
17 people still believe that. There is some authority there.
18 There is a jurisdiction there.

19 I don't know the workings of Canadian
20 government, but I know that whenever a new Prime Minister
21 comes in, he has to go before whoever the Governor General
22 is to kind of get an agreement to go ahead and do what
23 he has to do.

1 So I would welcome that initiative on
2 the part of the Commission to explore that and to look
3 at that because I know there still is a heavy feeling on
4 that. It still has some meaning and quite a bit of meaning
5 now.

6 **COMMISSIONER PAUL CHARTRAND:** Thank
7 you.

8 Mr. Patton, I was going to ask a question
9 concerning the idea of the principle inherent in the
10 Two-Row Wampum that you have talked about. I am wondering
11 if you might be able to assist me in understanding what
12 sort of relationship you might be able to envisage that
13 would reflect that principle as a basis for a relationship
14 with Canada that you would see as the ideal form of
15 relationship.

16 For example, do you believe that the
17 federal idea would be one that would be attractive to you
18 as appropriate to establish a relationship with Canada?

19 If that were so, then would you believe that, as a federal
20 unit, you would wish to be associated with Canada or alone
21 or with other Aboriginal people, or does federalism --
22 is it different from the idea of the Two-Row Wampum that
23 you have explained to us? That is a point that is not

1 clear to me.

2 I know that you have said that you are
3 early in your community deliberations, but it seems to
4 me that you might be able to say now whether or not the
5 idea of a federal relationship, which has been considered
6 by some scholars, as one that is consistent with the
7 principles that you have talked about today. If so, does
8 that federal relationship include other Aboriginal peoples
9 as well or does it not? I have in mind, too, considerations
10 such as economic considerations, the implications of small
11 versus big, the implications of the requirements of
12 economies of scale and so on.

13 **MR. PATTON:** By "federally", do you mean
14 nation to nation? What do you mean by "federal"?

15 **COMMISSIONER PAUL CHARTRAND:** There are
16 different sorts of federal units. The one we have in
17 Canada, of course, is the provinces and the federal
18 government.

19 **MR. PATTON:** In our minds, I guess, we
20 talk about nations. When you are going to talk to -- when
21 we deal with Canada, it will be on a nation-to-nation basis.
22 How the provinces work the relationship out within Canada
23 is their

1 -- that is between them and Canada, but we have to deal
2 nation to nation, not nation to province.

3 Is that clear?

4 **COMMISSIONER PAUL CHARTRAND:** Yes. I
5 was concerned about the nature of the political
6 relationship between the two nations that you are
7 referring. That is my question. For example, the
8 provinces are part of Canada and they have a particular
9 constitutional relationship. On the other hand, Belgium
10 has a different relationship with the United States and
11 so on. I wonder if you might elaborate on the nature of
12 the relationship between the two nations that you have
13 in mind.

14 **MR. PATTON:** In my mind, the provinces,
15 Canada, they are all one house. They are families within
16 one house and they have to come to one mind as to their
17 relationship with our nation. It is like Mohawks,
18 Oneidas, Cayugas, Senecas. We are all families, family
19 nations within the main house of the Confederacy, and we
20 have to also talk and come to one mind about how we will
21 continue this relationship.

22 When it comes to relations with other
23 nations, then we have to sit down with them. If we were

1 going to talk to Belgium and make a relationship with
2 Belgium, then we would have to do it nation to nation.
3 We have to deal nation to nation.

4 As far as our relationship affecting
5 other nations, then we cannot speak for the Ojibway. We
6 cannot speak for the Cree. They have their own nation.
7 We cannot speak for the Inuit. They have their own nation
8 and they are the ones that best know what their future
9 vision is, but what we can do is we can support each other
10 because we realize that we are all brothers. Though we
11 are from different families, we still have the same blood
12 and we still care for each other.

13 We can talk between our nations and
14 discuss ways where we can support each other, but we cannot
15 speak for another nation or make arrangements for another
16 nation. That is there responsibility, I believe, and we
17 would not do that because we believe and we respect the
18 right of each nation to speak for itself.

19 If at times a nation was not able to do
20 that and they had asked -- and at times, I believe, in
21 different areas, they have asked the Confederacy to speak
22 on their behalf. That was deliberated and we were willing
23 to do that, but we would not impose our mind on that nation.

1 We have to speak with what they tell us. It is just what
2 we said before. They give you the words and they give
3 you so much spring to use as to how far you can go. You
4 can't go beyond what they tell you.

5 I don't know if that has kind of
6 explained it a little more, but I believe that that is
7 what I have to say on that.

8 **CO-CHAIR GEORGES ERASMUS:** Thank you
9 for being so prepared to answer our questions. I realize
10 some of them were a little tough.

11 **MR. PATTON:** Just as a final note, when
12 we came here, we sat down together and we said that we
13 would carry the best mind that we could and we would try
14 to talk with the greatest respect that we could use.

15 So we have tried to use the best words
16 that we could and we have tried to use words that are not
17 sharp. But if we have used some words at times where we
18 may have hurt someone's feelings, then we would say that
19 we would make that right between us. But everything that
20 we have said, we believe in our hearts is true.

21 So we thank you for listening to us.
22 Myiow.

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

May 6, 1993

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Royal Commission on
Aboriginal Peoples

1 I think we should take a very short
2 break, just a few minutes, and then we will resume.

3 --- Short recess at 11:40 a.m.

4 --- Upon resuming at 11:46 a.m.

5 COMMISSIONER OF THE DAY BILLY TWO

6 RIVERS: (Mohawk language - no translation)

7 STUART MYIOW SR., STUART MYIOW

8 LONGHOUSE: (Mohawk language - no translation)

9 Greetings to our white brothers and
10 those who are Natives on the Board of the Royal Commission.

11

12 As you see, I am not taking the position
13 that the people before us have taken. That is acceptance
14 and I don't believe in acceptance.

15 I like you people as visitors. I have
16 nothing against you, but in the eyes of my people -- and
17 that is a very restrictive word "my people" -- acceptance
18 is approval and I am not about to change the ways that
19 our forefathers have set up. I hope that my people in
20 the future will not accept so easily for now we know the
21 dangers that lie in wake that are here, not only lie in
22 wake.

23 Too many things we have accepted. I do

1 not accept the protocol that you are setting. For me,
2 it is setting a precedent for our children in the future
3 that if we accept it this way, it is good. I am sorry,
4 but when you set a precedent, this is a dangerous precedent
5 because that is not our ways. The ways that have been
6 set by our forefathers is what we are talking about. That
7 is the most important thing.

8 For the white people, the foreigners
9 that came to our shores -- they gave the impression that
10 they were friends in search of a new life, but that was
11 only words. They were sick when they came, not only
12 physically, but mentally. If you go through your history,
13 you will know what I am saying.

14 My people, my forefathers gave them back
15 their life with their medicines, the traditional medicines
16 of our people. In return, they were given death and to
17 this day death comes in many forms, many forms. Acceptance
18 is one form.

19 You will have to bear with me because
20 I don't write things on paper. That too is not our way.
21 We have to rely on what the Creator has given us. Mind
22 you, it was very blasphemous when I heard the Creator should
23 be between us. I am not here to hurt your feelings or

1 their feelings.

2 I am here to give you the truth as it
3 is and this is what many people do not want to hear, but
4 we have an opportunity hopefully to bring common sense
5 back not only to you, but to our own people. We have heard
6 words that the problem lies over there. We have heard
7 words, solutions, but I didn't hear those solutions.

8 The Elders are supposed to be examples
9 on both sides of the table. The question is: Are we
10 examples?

11 To this day, with our life, we have tried
12 to be the examples for the younger, even those who have
13 been and allowed themselves to be mislead for what reason
14 or whatever. Maybe I will follow these people and I will
15 get a chance to stand up there like Stuart is right now
16 presently and everybody is going to be looking at me.
17 Is that a good reason for wanting to get up there? No.
18 No, it is not a simple job to get up and speak.

19 After so many years of oppression from
20 the invaders and now today from our own people within --
21 and I mean every word that I am saying -- from our own
22 people within. Maybe it is not intentional, but,
23 nevertheless, it is oppression. Maybe they lack common

1 sense.

2 Our law is full of common sense provided
3 we take time to understand this Great Law, a thing that
4 very few of our people have wasted time on. It seems they
5 need money to do anything -- money. That is all I have
6 heard yesterday and today -- money.

7 I am not asking for money and I don't
8 intend to, but the things that we do will bring back a
9 better understanding to all people provided the questions
10 that are thrown at them are answered. I will do better
11 than the people before me. I will guarantee you an answer
12 and I will guarantee you a solution. That is something
13 that they cannot do. That is the reason why they had to
14 attempt to do away with this individual and my family --
15 because they can't stand the truth and if they accept it,
16 they will not be on the payroll any longer.

17 The problem isn't only with the
18 invaders. The problem is with our own people. Acceptance
19 means approval. Therefore, you have a system that has
20 been put before you. First, it came in the form of the
21 Advancement Act, then the Indian Act and it was all
22 accepted, although there were lives lost.

23 When attempts were made to bring the

1 results to Ottawa, they had to shoot him. So it's possible
2 that they might do that to me tomorrow. It is all possible.
3 You know that. If you don't believe, come to my house
4 and I will show you. Come. You are welcome. The
5 invitation has been put there.

6 You have asked questions. Mr. Erasmus,
7 I have known you for some time. Maybe we didn't hit it
8 off the first time that we got together, but, nevertheless,
9 we did meet face to face. I have not much reason to love
10 the invaders, not much reason. That is not all of them.
11 I have gotten to know many throughout North America, coast
12 to coast, Louisiana to Labrador.

13 The work that we do is high steel. We
14 get carried to many different places, but I always, always
15 get involved with my people wherever. We have always done
16 that, my whole family, my wife.

17 People have spoken, but they have
18 disappeared. Some of my people have disappeared. I
19 predicted this would happen and it has happened. They
20 don't want to hear the truth. "Don't listen to him because
21 all he does is make trouble, upset the whole system."
22 This was the warning that was put out yesterday out at
23 the doorway, but this is the system that the white people

1 have imposed upon us, the Indian Act system.

2 I won't mention the name of the
3 individuals, but they know who they are. They are going
4 to have to suffer the pains of their wrongdoing, just as
5 the whites are suffering and you are not going to get away
6 from it regardless of where you go or what you do, unless
7 the intentions that we carry are to bring about peace and
8 harmony. Then we can mend.

9 I have heard the word "healing". We
10 don't even know the meaning of the word "healing". I will
11 tell you what it is -- honesty, truth, being truthful.
12 That is the healing. That is the healing -- honesty and
13 being truthful. That is the healing process taking form,
14 not misleading people such as what has been taking place
15 among the Mohawk Nation in Kahnawake and throughout the
16 five nations.

17 I come here, like I said, not to hurt
18 you, but that is inevitable. I would rather that you get
19 your feelings hurt than lose your children in the process.

20 I don't mind hurting your feelings, as long as we get
21 a better understanding and I really love the questions
22 that you put forth this morning to the supposed people
23 of the Longhouse, and I mean "supposed".

1 If we are going to heal, we have to be
2 honest and I have no intentions of speaking an untruth,
3 none whatsoever. We want to know about you, but you have
4 to know about us before we are able to work together.

5 In your system, you have opposition
6 parties. Nobody is all together. Don't expect our people
7 to be all together. That is foolish. Don't expect it.

8 I will give you the reason why not to expect it. The
9 reason why I say "don't expect it" is because of the
10 influence imposed upon us by the white invaders of this
11 country, our country -- our country. Make no mistake.
12 When you came, you got nothing but disease.

13 We are all fighting. You have heard the
14 complaints from the woman in the wheelchair. You have
15 heard it, but there was a cry for money. I am not crying
16 for money. The honesty of the whole thing on both parties
17 will bring that because of your obligations to our people.

18 I don't have to cry for any money. All we want is honesty
19 from you people to take your rightful place. I am in mine.

20 I am in mine.

21 I believe what I am really doing is that
22 I am trying to get to my people. I love them, but I don't
23 love their ways. How they allow themselves to be used

1 for this here or a nice party or some other place that
2 has the white ways all about it -- in our ways, we have
3 our social dancing, we have our games, medicine games that
4 today has been blasphemed.

5 Lacrosse is not just a sport. It is a
6 medicine game. We look at it just as a sport. Everything
7 about what the Creator has given us is medicine --
8 everything.

9 It is very disturbing, but my people have
10 left me no alternative and neither have you but to speak
11 in the manner that I do. In the process of trying to be
12 an example to our people, I am in the courts today with
13 my boys showing the people how to stand firmly for what
14 they believe in. What do they believe in? Did they allow
15 themselves to be mislead? Did they listen to the true
16 people or did they listen to the people who want things
17 to go their way, not in accordance with that word they
18 mentioned "Great Law"?

19 They don't know how great that Great Law
20 is. It is full of common sense. They are fools, but I
21 don't know of what. You may look at that as an insinuation,
22 but let's look at it for what it really is. There are
23 people that are still going to speak after we sit down

1 trying to save their necks. That is all it is going to
2 amount to.

3 What we have to get down to is that you
4 people put your name on the dotted line and they made
5 reference to that as a treaty, and you are still doing
6 it today. You are still doing it today, but there is no
7 respect in it. It is only a mark that is not even
8 recognized by the courts. It is just a piece of paper
9 when it comes to my people, but here you are going across
10 the water where you have no damn business whatsoever,
11 unless you want to go back home and stay there. Then I
12 say, "Go ahead." Your home is not here. This is not your
13 roots.

14 The invaders -- they have their own home.
15 They couldn't handle their problem at home and so they
16 came and made more problems in our territory, but you have
17 to go and you are not going to rest until you do.

18 Straighten out the problems at your own home across them
19 waters because this is where all the problems come from.

20 Treaties. I may end up in jail because
21 your people ignore the truth. They don't want to honour
22 them treaties. They don't want to honour it. I will
23 gladly go behind them bars for something right -- gladly.

1 But when are you people going to start being human beings?

2

3 Unkhe-unkhe (PH). That is the
4 definition, the true being, and that is what I am. I stand
5 up for that and I put my life on the line for that. This
6 is what you and my people have to start doing for honesty.
7 The truth only brings peace and harmony, nothing else,
8 nothing else.

9 We have had too much imposed upon us.
10 Infiltration -- just because I want my ways, I have to
11 scheme a little bit and get the most influential among
12 us to go into that system and break it up, each and every
13 one of these factions. That is what has happened.

14 We speak of equality. If these women
15 truly knew the Great Law like they profess, they would
16 not be in a women's organization crying for equality.
17 They have the best in our system, the best that anything
18 can provide.

19 Come on. Come on. Let's wake up. We
20 don't want to do that because there is money provided for
21 this here organization. So we have to keep that
22 organization going, regardless of how it is going to hurt
23 our people, regardless of how it is going to make us look.

1 There is money there. That is all you have heard
2 yesterday. That is all you have heard today -- money.

3 Yes, they managed to divide us as the
4 years went by and they are still working on it today as
5 we talk. Did you people ever -- did it ever dawn on you
6 that while you are out on these four years that you are
7 going or the four years before you conclude that there
8 should be an injunction in as far as all of the activities
9 are concerned with the band council system? No. They
10 are still doing the wrong to our people. They are sitting
11 and accepting and imposing and oppressing the traditional
12 people who are the only title holders of this land.

13 We have informed you people that any
14 negotiations whatsoever that take place without the
15 traditional people are null and void because they don't
16 hold title to the land. There was no band council in
17 existence when those treaties were made and as long as
18 I am living -- maybe that won't be long, but as long as
19 I am living, you are going to hear me speak these words.
20 When I go, there will be other people who are going to
21 still be there. They are going to still be there.

22 When I was 13 years old, that system,
23 the band council system, first, it was what you are now

1 -- North American Indian Brotherhood. They are all buried
2 now today. Andy Paul was about to be made -- oh, no,
3 Gladstone (PH) and then they were going to pass it on to
4 Andy Paul. What was he? Senator Gladstone (PH). I was
5 only young and they thought I was one of those people that
6 you could lead around by the nose like these people here
7 -- some of them. Excuse me. If the shoe fits, put it
8 on. For money, they are led around by the nose and they
9 will do anything and they will say anything, when I wasn't.

10

11 I went to the CBC with them and I pushed
12 that paper aside and I said what had to be spoken, and
13 they almost threw me out of that room. But for three
14 minutes, I got \$27. Big deal! Where did it go? I don't
15 even remember to this day. They thought that had someone
16 they could lead around by the nose. No. And they are
17 not going to have this person anyway. I can't speak for
18 the rest.

19 What we want you to do is to come back
20 to the ways that our forefathers, which you celebrate every
21 year -- the good work that they performed, the reason for
22 your existence here today. Come back to those ways. You
23 have heard some of the words here before us. We want you

1 to come back to these ways.

2 You are speaking of Two-Row Wampum. You
3 had asked for a full explanation. I have heard a little
4 bit of the answer. The recognition and the respect --
5 holy, gee! That is a big word "respect". It is an awful
6 big word, but that works both ways. They want it to work
7 only one way. That is why I didn't sit down there. I
8 don't accept the protocol put before me because it is wrong.
9 The right way -- when our people speak, they are supposed
10 to stand and face the people who they are speaking with,
11 not with their backs to their people. That is not our
12 ways.

13 We have a lot to learn. Hopefully we
14 will learn before it is too late. Like I said, it would
15 be a wonderful thing if you halted all the activities of
16 these band council systems, what we are discussing while
17 you are looking for a solution, but this is not done.

18 The wrong is still going on as we stand
19 here, sit here, whatever. It is still going on and the
20 conclusion will be when? Four years down the road. It
21 is today we need the remedies, not four years down the
22 road because the genocide is about to be culminated. It
23 is right at our door. The completion of it is right at

1 our door.

2 You made reference to how would those
3 other nations out there -- how would they relate to this
4 here belt? I believe it was Mr. Chartrand who asked.
5 A good one. That is a good question. Give me a little
6 bit of time.

7 You see, the words were mentioned. When
8 the white man presented the treaty, he would be a father
9 and we would be the son. That was not accepted. That
10 is my people. They did not accept that dictate and I am
11 not about to accept it.

12 In turn, they said "no". We will be
13 brothers for a father can reprimand his son, but brothers
14 have to sit at the table and discuss these things. I can
15 tell my son what to do, but if I want to speak with Billy,
16 we are going to sit down and negotiate what is right and
17 what is wrong, what is beneficial for not only I, but all
18 of my people -- all of my people.

19 Even if it is going to hurt me, to some
20 extent, peace and harmony is going to prevail because the
21 decision that we had to come to is beneficial for all the
22 people, not just for a little clique as it is today. No.
23 That is why there is no peace and harmony. Acceptance,

1 without really discussing these things or afraid to stand
2 up and oppose it because you are not going to get the monies
3 for this project.

4 Reality is a hard thing to come by. It
5 doesn't come easy, but, nevertheless, it has to come and
6 we have to face it as it is -- reality. That Two-Row Wampum
7 is the way we are supposed to sit down and then there is
8 that covenant chain. On top of that, there is that treaty
9 of alliance that we have, but on top of all of those is
10 our Great Law which dictates to us how we are supposed
11 to conduct ourselves.

12 Evidently, I have to be a little bit
13 harsh because I am forced to. I have attempted, we have
14 attempted to speak to our people, but always we were
15 oppressed. Hecklers -- the white man's influence, band
16 council systems. They don't want the people to come back
17 to the traditional way. Their words are only words.
18 Their actions are different things.

19 If they said today, "All right. We are
20 going to do the right thing," they are afraid now that
21 the money is just going to get out of their hands and into
22 the people. No. They will not be the elite any more.
23 They will be equal and that is in our laws, our ways.

1 Everybody eats when one person eats. Everybody suffers
2 when one person suffers. When we stand, we don't stand
3 alone. We are supposed to stand together, not behind --
4 together.

5 The presentation presented -- when there
6 is a real problem disturbing this Mohawk Nation, we send
7 a runner with the Wampum to the Onondaga Council -- that
8 is the central fire -- with a full explanation of the case,
9 question or proposition, whatever. They, in their heads,
10 consider it.

11 If it is worthy, if they can solve it
12 in their minds, then they will give this message to the
13 runner and he will come back home with this message. But
14 if they feel it requires the attention of all of the five
15 nations, from that point, they will send runners out from
16 Onondaga to the other three nations.

17 You see, the Onondaga, the Seneca and
18 the Mohawk, they are the Elder brothers. The Cayuga and
19 the Oneida are the younger brothers. That is the five
20 nations and it is never, never, never to be called six
21 -- never. Any nation that comes in comes in under the
22 wing, under the protection of the five nations.

23 Years ago or maybe not that long, I had

1 suggested to Mr. Norton -- maybe he forgot
2 -- because he has the monies available and he is all over
3 those nations to speak to these people, bring them under
4 the Confederacy and then there will be peace and harmony,
5 but our white brothers are afraid of that because if those
6 Natives unite, holy smokes! We really have a problem on
7 our hands -- really -- and it is a big problem because
8 you can't afford that. You can't afford that. Reality.
9

10 I would much rather be in peace and
11 harmony with my own brothers, with my own people right
12 here than worry about the peace and harmony between you
13 and I. I would first make my home presentable and then
14 we will go and speak with you, but that is not being done
15 maybe because we don't understand. Maybe we didn't give
16 ourselves a chance to understand why. We always have to
17 ask: Why is this happening? Why did that happen? There
18 is an answer to all of those questions. There is an answer
19 to all of those questions -- acceptance. Once you get
20 it, you don't want to let it go.

21 If I gather all of the cyanide and I put
22 chocolate over it and I mark -- what is it? -- "Oh Henry",
23 many people are going to accept that. They don't know

1 that they are going to die. They don't know it because
2 it was covered with chocolate. Well, that Indian Act band
3 council system is covered with chocolate. It is covered
4 with it.

5 It is a good thing to laugh. That wasn't
6 my intention. We all need that. That is better medicine
7 than the doctor has to offer -- better medicine.

8 This young fellow in the audience there
9 -- when I was going to school, he used to behind me, but
10 today I have a hard job to look at him because I don't
11 like what he has accepted. It makes my stomach turn to
12 see a good mind wasted when he could be sitting there with
13 the kostowa (PH) on his head and the powers are bestowed
14 in that kostowa (PH).

15 Words were spoken of the wampum. That
16 is most sacred. The Creator has chosen to send among our
17 people an individual recognized as the peacemaker. You
18 people have your stories; we have ours. You speak of Jesus
19 Christ and Mary the Virgin and all kinds of things like
20 that. I am speaking of the reality, the truths.

21 Through him came this wampum in the form
22 first as the 13 strings of condolence. As history has
23 told you, there was strife among my people because when

1 the peacemaker first came, he gave us the four sacred
2 ceremonies and he gave us the message that he is going
3 to cross these waters to spread the good word of peace
4 and power, righteousness. He left us those four sacred
5 ceremonies, but he came back later and my people were out
6 there picking the medicines for the youngsters to enjoy.

7 In a few short weeks from now, you will be doing the same.

8 As they were picking, they were
9 frightened. This individual didn't walk. He was
10 floating above the trees. He said, "Don't get scared."

11 He said, "I want you to go and get your leaders." They
12 did. When they got to the place they called home, the
13 Longhouse, they explained what took place and they asked
14 for the description of the individual. From the
15 description that they had given, they remembered from old
16 times what had been told what was going to happen. You
17 might refer to them things as prophets today.

18 So the leaders went out. They were not
19 yet Chiefs. This is way back. You weren't born then.
20 They went and confronted the individual. Today we refer
21 to him as Peacemaker. Some people refer to him as the
22 Creator.

23 From there was told the story that in

1 the future, there will be a man from the west. He will
2 be going east and he will meet a man from the east going
3 west and together they are to bring about that peace and
4 harmony, a good message of peace and power. This is where
5 our Great Law was formed. It is a long story. I can't
6 go through the whole thing; we don't have time for that.

7 You see, this is the thing that I stand
8 for -- that message, that good word that the Creator has
9 given us -- not the white man, the Creator through the
10 Peacemaker. This is the most important thing.

11 Some of my people refer to themselves
12 as Christian. They don't know the true meaning of that
13 word. To me it is a bad word. It is a bad word. They
14 don't like to even discuss it. That's why we never come
15 to an understanding. If you are able to sit at the table
16 and put the facts before you, a thing that was agreed upon
17 that would take place but never did take place -- it never
18 did. That's why you people are here today -- because these
19 promises were only promises. This was going to happen
20 -- many times.

21 I know what is going to take place after
22 we move from this table and you are not going to leave
23 an opening for debate to straighten these things out.

1 You are going home and you are going to go to another
2 settlement and you are going to hear the same thing. Four
3 years down the road when all of us are looking for what
4 bark we can eat from what tree, we don't know any longer
5 because we have accepted it. That is acceptance. Follow
6 me. You are going to live a long time. I am going to
7 show you which one to eat.

8 Everything that is put there is medicine
9 and food and you don't have to plant it. You can close
10 all your Steinberg stores, all the names -- I don't know.
11 I don't go out shopping these days, but there are many.
12 You know the supermarkets. You can close them all.

13 The majority of my people are going to
14 drop dead because they don't know how to go back and live
15 in the woods. They don't know what is going to make them
16 live. They don't know and that is the dangerous part of
17 all of this for them. "Well, you people, we are going
18 to get rid of you that way anyway."

19 The thing is that my people -- they are
20 trying to find solutions. You are here to find solutions.
21 We have to come back to the ways that have been created
22 by your forefathers and my forefathers. That is what we
23 have to come back to. There is no poor excuse in between

1 and when we speak, the thing that you are really here for
2 -- self-government -- no, no. That is not acceptable.
3 Some form of Aboriginal government, that is not acceptable.
4 It has to be under the Great Law and nothing else, but
5 it is just a substitute. That is no good. That is no
6 good. Not the dictates coming from Ottawa. This is
7 self-government and that's what came out and then people
8 got the impression that it was brought to us by our own
9 people. That is not true.

10 This is what we have to understand.
11 That self-government wasn't devised by our people. It
12 was imposed hoping that we are going to accept it. No,
13 I am not accepting it; I am sorry. I am the true
14 traditional title holder of this land, not the band
15 councils. Make no mistake. Whatever they say and do is
16 null and void because they were not part of that contract
17 when I purchased that card. That card belongs to me and
18 no one can change that.

19 I think Billy is getting thirsty for a
20 coffee. He said "break time", I believe, and I am getting
21 dry myself. I think we are finished after this. How long
22 is the break?

23 CO-CHAIR GEORGES ERASMUS: Until two

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1 o'clock.

2 **STUART MYIOW SR.:** Two o'clock. I
3 guess we will have to accept that.

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** Thank you.

6 We will resume at two o'clock and give
7 them appropriate time as equal time to the other
8 presentations. We will be back here at two o'clock.

9 Myiow.

10 --- Luncheon recess at 12:32 a.m.

11 --- Upon resuming at 2:15 p.m.

12 **COMMISSIONER FOR THE DAY BILLY TWO**

13 **RIVERS:** Would you hot wire Stuart, please.

14 **STUART MYIOW:** It is on now.

15 I would like to say that it is wonderful
16 to see these young kids come in. I only wish they had
17 been here from the start. I don't know what knowledge
18 they have accumulated, but it is most important that they
19 accumulate the best knowledge possible in as far as the
20 Mohawk Nation and our ways are concerned.

21 This is one of our ways. Whenever we
22 speak, we stand. I don't say you have to walk around like
23 I do, but if you knew how the bears move around, I am one

1 of them. It is one of my habits when I speak to walk maybe
2 because we sit too long and our legs are going to get stiff
3 or our backs, something.

4 Before we left for lunch, it was a
5 different atmosphere than what existed at this moment.
6 A lot has come to me from the wind. There have been
7 statements made that I have mentioned, an agrarian society.
8 That was put over the air today. Nowhere have I mentioned
9 this agrarian society. Again, it will show you people
10 the oppression that is put on our people through our own
11 people here. It is not a nice thing, but you have witnessed
12 it and it is on tape these statements that have been made
13 by our own radio station.

14 Our people continue to be misled. the
15 important thing that these kids must hear -- when they
16 hear the Creator, they have to remember the Great Law of
17 Peace that has been given to us by the Creator. We are
18 the most fortunate people on the face of the earth and
19 we are abusing it and we continue to let it be stepped
20 on by people who wish to have their own desires serviced
21 and pleased. It is a bad situation that we are in.

22 The solutions come in many different
23 forms. We have to acknowledge the ways that your

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1 forefathers and mine have set forth. Those are the things
2 that are most important. You have asked many questions
3 this morning and one of them that was expressed to you
4 was that they have never received that wampum from Ottawa.
5 Ottawa doesn't possess any wampum; I am sorry. It is my
6 people who have this wampum and there is a procedure that
7 goes along with each and every one of these wampums that
8 we possess.

9 We cannot give you everything. It will
10 take days, weeks and it will go throughout the summer to
11 fully inform you of our ways. We are just touching the
12 surface as it is at the moment. It is not easy.

13 We have a few days in the white man's
14 court system to educate them and we are being pressure
15 into educating them to the best of our ability so that
16 they can come to a just decision, but yet we have no business
17 in these courts because a protocol has been set up and
18 this is what they choose to ignore. That is why I say
19 the solution to all of these problems is that you people
20 become an honest people and honour the good works of our
21 forefathers, yours and mine.

22 We want peace and we want harmony. This
23 Great Law that we have can be used also by you and each

1 and every one of our brother nations that are out there,
2 they can use it. They may need a little assistance, but
3 it can be done. It can be done instead of using this money
4 foolishly that has been sent to our people. The best
5 effort hasn't been put there in as far as the true law
6 and the true ways of our people are concerned. It has
7 not been done. It is the same as in your white system.
8 The elite stay elite and the pee on stays a pee on. They
9 have adopted that same attitude here within our territory.

10 If I had the tape available at the
11 moment, you would not have heard me call for assistance
12 from any of my people, but this has been done by the
13 opposition.

14 I don't play games. They are and you
15 will hear more of it before, I am sure, the day is over.
16 No one likes to be exposed, but, as I have said, they
17 leave us no alternative. They wouldn't listen prior to
18 you coming here. They wouldn't listen and I don't think
19 they are listening now, but these children, as young as
20 they are, they are never going to forget that the ways
21 that the Creator has given us is the only way. None other.
22 There is no human being that is walking the face of this
23 earth that is going to invent a law that is going to be

1 better than what the Creator has given us -- none --
2 regardless of who it is.

3 I believe that should be about it.
4 There is another individual who has come here to better
5 inform you.

6 Thank you.

7 **STUART MYIOW JR., STUART MYIOW**

8 **LONGHOUSE:** I believe my father has already given the
9 proper respect shown where it should and has welcomed all
10 of you.

11 The issue here is politics. Our
12 relationship is based upon our two different politics.
13 So we might as well hop right into it.

14 It is the stance of the Five Nations
15 Confederacy to not participate or add credence to this
16 Royal Commission by stating grievances and hope for the
17 Commission to arrive at some conclusion to present to the
18 government. Instead, we will offer the only legitimate
19 solution suitable to all my people and your government.

20

21 The solution to having us all live in
22 peace is to return to the world's oldest peace treaty which
23 your ancestors and mine created almost four hundred years

1 ago; this, of course, being the Two-Row Wampum.

2 First, we must remember the purpose for
3 such a treaty. As our two societies merge together, the
4 disrespect for creation, the need to impose false beliefs
5 and false government, the inability to work with the truth
6 and the unwillingness to abide by the laws of your own
7 government, by your ancestors clashed with everything our
8 people stood for, so much so that it brought our two
9 societies to an actual state of war.

10 Picture not just one Corporal Lemay but
11 thousands. This, of course, would have eventually brought
12 us to a state of mutual annihilation. As this created
13 a need for peace between two very basic fundamental ways
14 of thinking, the Two-Row Wampum provided the means in which
15 it could happen.

16 On our part, we have stayed true to our
17 word and have lived in peace every since except for where
18 provoked. However, on your side, your government has gone
19 against its word and still to this day persists in its
20 acts of war against the true people of this land.

21 An example of this is Oka in the summer
22 of 1990 where the government broke the peace treaty and
23 brought both of our societies to a state of war. But make

1 no mistake. We, the traditional people, are surely aware
2 of the conspiracy that the government formulated to cause
3 the summer of 1990 which would result in a commission such
4 as this that would have the mandate from the government
5 to go on a fact-finding mission probing the minds of the
6 Native to get our suggestions as to what changes in policy
7 should be made in order to bring us to a new relationship.

8 But we know that the government's
9 orchestration of these events was due to the fact that
10 the government feels, as does this Commission, that our
11 old relationship which was peace is completely out of date
12 to all of you. I say, go tell this to the late Corporal
13 Lemay's wife.

14 We also know that this Commission will
15 bring back its findings to the government with the
16 suggestion that Natives be granted so-called
17 self-government as prescribed, which means this whole
18 charade that is being put on by this Commission is designed
19 to make it look like, through our input, Natives had
20 utilized the governments process of resolving civil unrest
21 and requested self-government which couldn't be further
22 from the truth.

23 The traditional people will never allow

1 any other relationship other than the Two-Row Wampum for
2 the self-government deal as prescribed relieves the
3 federal government of its treaty obligations to us that
4 we recognized our titleship to our lands and our
5 sovereignty.

6 We, as Native people, have learned that
7 your type of government is no good for no one and does
8 not even work for your own people for you laws are created
9 loopholes so that a good lawyer can squirm there way out
10 of them because there is a complete lack of truth in your
11 government and still a total unwillingness to abide by
12 its own law.

13 An example of this is how every level
14 of government in this country breaks it own Charter of
15 Rights that states as follows, and I quote:

16 "Article 25 of the Canadian Charter of Rights and Freedoms
17 guarantees us that our treaty
18 rights must be recognized."

19 Article 25(a) confirms our sovereignty
20 through the Royal Proclamation. Part II of the Charter,
21 Article 35, section 1, states specifically:

22 "The treaty rights of Aboriginals are officially
23 recognized and affirmed."

1 So the warnings we must give you is that
2 this Commission should not recommend anything else but
3 a completely return and confirmation of the peace treaty
4 known as the Two-Row Wampum for it is the only thing that
5 will ensure a peaceful relationship as your own Charter
6 of Rights and Freedoms affirms.

7 Even though this process may receive
8 full co-operation from those of the elected council system,
9 you will find that these people do not represent the two
10 foundation of the spirit of our people. You and the
11 government will find that ultimately they will have no
12 choice but to deal with the true traditional people who
13 will never free the government of its obligations. We
14 will stand to the death to not allow disrespectful people
15 to become the title holders of our Mother Earth.

16 If anything but the Two-Row Wampum is
17 recommended, we guarantee that a state of war will engulf
18 this land. Your people will suffer as well as ours. Your
19 economy will be destroyed. Your government will crumble
20 and we will return to the same state that existed that
21 demanded the need for the Two-Row Wampum in the first place.

22 Let us learn from the past and return
23 to the great achievement of our forefathers which was

1 peace, in peace and friendship.

2 This is the official stance that has been
3 given to the Commission concerning this Commission, but
4 there are a lot of things that are not covered, as the
5 questions were asked about Two-Row Wampum and about
6 governmental relationships.

7 I heard on the radio yesterday -- I
8 believe it went something like, "How can the Two-Row Wampum
9 be established in this day and age?" Something along those
10 lines was stated. The Two-Row Wampum, when we understand
11 it, the cause behind it was peace. That cause never grows
12 old. The cause is always here. We know that the cause
13 is here because our two people will clash throughout time
14 because we are basically very fundamentally different.

15 We have a deep respect and understanding
16 for the ways of creation while the foreign people do not
17 have these things. It is not a thing that I am making
18 up in my own mind. It is true. All you have to do is
19 look at your society and your government.

20 There was also a statement: How would
21 we do it? Would we just tear apart the Indian Act and
22 move back into traditional government? I will have you
23 know in the first place that the reality of the situation

1 is that it is not the complete fault of the foreign
2 government, the breakage of this Two-Row Wampum. The
3 breakage of the Two-Row Wampum lies mostly on the shoulders
4 of my people. It has been my people who have broken this
5 Two-Row Wampum all the way down the line for, as was stated
6 by my father earlier, acceptance is breakage.

7 If I throw a million dollars on the floor
8 in front of all you sitting there right now, it is up to
9 you if you want to jump at it or not. The dollar was dangled
10 in front of our people and our people jumped at it and
11 it is called the Indian Act system. That is what it is
12 called -- so far away from our beliefs, so far away from
13 our type of society, so far away from the truth. As a
14 matter of fact, the Indian Act system is an adaptation
15 of so-called democratic society which is the biggest farce
16 on this earth.

17 What the foreigners call democratic
18 society is still the practice of the Roman Empire today.
19 You are still under the same type of dictatorship which
20 is based on slavery. It is no different. What is
21 happening is that this Commission will come to a finding
22 and I guarantee you that this is what this Commission will
23 come to find: They will suggest to the Canadian government

1 to grant Native peoples self-government because we are
2 so different, but it is self-government as prescribed.
3 It is now our self-government. Self-government as
4 prescribed does away with all our treaty rights, does away
5 with our titleship to the land and it null and voids the
6 good work of all our ancestors who have died before us.

7 Right now, we are talking about things
8 like an economic base. The outside is squeezing us,
9 preventing us from having an economy. What is our economic
10 base? When we become an economic society such as they,
11 are treaty right is null and void because we do not exist
12 any longer. We are them.

13 Our economic base is our treaties
14 because those treaties tell us that we are the title holders
15 of the land and that these people have to pay us rent.
16 This is the treaty. That is our economic base. When we
17 start participating in their type of system, what do we
18 become? We are no longer that party to the treaty, but
19 we are just like them.

20 We will be sanctioning things like clear
21 cutting, nuclear power, all the different things that are
22 killing our Mother the Earth when we participate in that
23 system. I won't participate in that. All you people can

1 if you want, but there will still be people like me and
2 other people who will say, "No way," which will cause
3 constant fighting amongst us which will mean that our blood
4 will be shed between us.

5 Akwesasne is living proof. We need an
6 economic base. So what are we looking at? Gambling,
7 casinos. I say to all of you, "Over my dead body." I
8 will stand to the death against this and a lot of you are
9 saying, "Good. The sooner the better." I would say that
10 90 per cent of this town when they hear me say this, they
11 are all happy to hear it and say, "The sooner the better."

12

13 I will say also to all of those who are
14 pushing the band council, economic development, investors,
15 Social Services, peacekeepers -- I will say to every one
16 of these groups that I will not die myself. Someone is
17 going to come with me because I know their purpose for
18 gambling in the first place because it comes under the
19 AFA Agreement, the Alternate Funding Arrangement.

20 Why do we need an Alternate Funding
21 Arrangement when money is already owed to us from the
22 government for rent? Why do we need it? Because we are
23 giving away our titleship to the land which tells them

1 that they owe us money. How are we giving it away? We
2 are giving it away in the self-government agreement because
3 that is where the AFA Agreement is -- in self-government.

4 Why are they looking for a new
5 relationship? That is the key word -- "a new
6 relationship". Because they are not honest enough to
7 stand up to the old relationship and we don't have the
8 guts to make them stand up to it. It is very easy for
9 us to have played the charade of the summer of 1990 when
10 I would say not one of you understood what 1990 was about.

11

12 It is very easy to stand up against those
13 outsiders who are bringing in foreign laws upon us, but
14 what do we do when it is our own people who are applying
15 those foreign laws to us? We lay down and we die.

16 I say that nobody understood the summer
17 of 1990 because all have shot that down. The entire
18 purpose of the summer of 1990 has been laid to rest. In
19 our recent travels to Edmonton, the joke amongst the
20 Canadian Bar Association is Kahnawake. They are laughing
21 at the Mohawks of Kahnawake because to them the joke is,
22 "Look at these people who stood up against an army to fight
23 on encroachment and implementation of foreign laws. Well,

1 look what they did. When the army came into their
2 territory and they went to court in Longueuil, they all
3 plead guilty," but there is a big farce being told in this
4 town that these people were all let off. They even had
5 a big party at the Legion to celebrate that they are all
6 free when, in fact, they all plead guilty, although they
7 got off with an absolution and no record. That is the
8 joke and they are all laughing at Kahnawake.

9 You are not going to have one community
10 out there, much less one nation, who is going to stand
11 behind us if a mouth should start up. We know right now
12 that the Quebec government is declaring war upon us
13 sanctioned by the Canadian government because the Canadian
14 government is still playing the old game of pitting the
15 French against the Indians, but the true situation is that
16 the true battle is still the French against the English.
17 They are pitting us in there because the Crown is hoping
18 somewhere along the line to kill off two birds with one
19 stone.

20 This is reality of what is going on and
21 this Commission, like I said, would not be here, as many
22 people have said, unless it was for the summer of 1990.

23 The summer of 1990 was a complete state of war. Why are

1 we at a complete state of war and it brought this about?
2 Because the peace treaty was broken. It is plain as day
3 right in front of us that when these treaties are broken,
4 a state of war will exist. Right now, there is no one
5 in their right mind who can deny that the Canadian
6 government, the Quebec government is pushing our people
7 to a state of war more and more every day.

8 I would say that within a month, we are
9 going to be at full confrontation again and why? Because
10 your government and your people don't have any inclination
11 to even uphold their own laws, much less uphold an
12 international treaty that, it seems, is hundreds of years
13 old, that it is outdated. Peace is never outdated.

14 It may seem a far-fetched concept today
15 to think that a few little Indians will come to a state
16 of war with the technology that surrounds us, but these
17 few little Indians that exist here today will never be
18 afraid of that technology. They will never be afraid of
19 all of the forces you can muster up because this is the
20 thing that makes us fundamentally different.

21 The true people stand up for what is
22 right. Other people are afraid of it. They are afraid
23 of the truth and we are going to stand up against this.

1 So the solution is completely that Two-Row Wampum. If
2 we want to talk about details, let's talk about details
3 here and now because there are answers to be given.

4 For all the questions that were asked
5 this morning of other people about Two-Row Wampum and our
6 relationship, to me, I did not hear any answers in there,
7 but as my father has stated, we will guarantee you answers
8 on our relationship.

9 **CO-CHAIR GEORGES ERASMUS:** Could we get
10 to that then, please?

11 **STUART MYIOW JR.:** Yes.

12 **CO-CHAIR GEORGES ERASMUS:** Why don't
13 you start answering some of those questions? Both you
14 and your father have been talking about an hour and a half.
15 Why don't you use some of your time to answer some of
16 those questions?

17 **STUART MYIOW JR.:** What are the
18 questions?

19 **CO-CHAIR GEORGES ERASMUS:** I think you
20 have probably heard them, but how would you want the
21 Canadian government to begin? Who should the Canadian
22 government deal with?

23 **STUART MYIOW JR.:** On that issue, the

1 Canadian government, in the first place, has an appointed
2 representative as to how to deal with us which is the
3 Governor General. The Governor General knows precisely
4 who is and who isn't because remember one thing. It is
5 the conspiracy -- and when I say this, I mean it. It is
6 the conspiracy of the Canadian government to do away with
7 Treaty Indians. So they know our law better than all our
8 people here put together. They know exactly who is an
9 who isn't.

10 I will bring you back to the summer of
11 1989 just before everything had exploded when --

12 **CO-CHAIR GEORGES ERASMUS:** Excuse me,
13 rather than telling us long stories, could you just explain
14 to us who the government should deal with?

15 **STUART MYIOW JR.:** That is exactly what
16 I am in the process of doing.

17 **CO-CHAIR GEORGES ERASMUS:** Good.

18 **STUART MYIOW JR.:** When Ciaccia himself
19 had made the statement in the papers after dealing with
20 the 207, the Nation Office, after dealing with them, he
21 made his own statement that now he knows who he is dealing
22 with. He said that now he is looking for the true
23 traditional people. He made that statement because he

1 knows from his government exactly who they are to deal
2 with. The true traditional people is who they are to deal
3 with.

4 When you make a statement like this, "How
5 are we going to conclude?" I mean, how will we begin any
6 type of relationship between us? That is where we here
7 have to look at the white man's point of view because they
8 will turn around and they will laugh in our face which
9 they are doing right now because they could turn around
10 and they can say, "This group, this group and this group
11 all do not have access to the treaties." They will laugh
12 in your face and that is exactly what they have done.

13 So what is it now that this Royal
14 Commission is showing us? This Royal Commission is
15 showing us that we have to get our act together. There
16 are different so-called traditional bodies on this
17 reserve. Who have you heard? Who have you heard from?
18 Not one of these groups have made the slightest move
19 towards any type of unification. Who has presented this
20 town with a means to unify us? I will tell you, not a
21 one, but I can tell you that we had presented all of you
22 with something and you can all confirm this.

23 Again, we will get back to --- it is

1 not only the white man who is afraid of the truth, but
2 our own people. No one can deny that all those people
3 who are involved on the island, those people who were
4 involved at the two-by-four incident -- they all had
5 consultation with the Nation Office. They all had
6 consultation with the band council and they all plead
7 guilty. They all plead guilty in Longueuil court for
8 something that happened right here on this reserve.

9 One person, whose name is Jimmy Diabo,
10 did not -- he took the stance of the treaties and got off.

11 **CO-CHAIR GEORGES ERASMUS:** It seems
12 like we have interrupted some kind of internal meeting.
13 If you want to have a community meeting, have a community
14 meeting. At the moment, what we are trying to do is hold
15 a hearing here and you have asked to make presentations
16 to us. So please do that.

17 We have already been told by other people
18 that your community should get together and discuss these
19 things. Please do that, but don't do that now.

20 **STUART MYIOW JR.:** All right. Your
21 request was: Who do we deal with? My answer was you deal
22 with the true traditional people.

23 Now, I suggest that you go back to your

1 government and you tell the representative who is supposed
2 to deal with us, who is the Governor General -- you tell
3 that person to start dealing with who he is supposed to
4 be dealing with and start doing his job because that person
5 is sitting on his butt in Ottawa getting paid for doing
6 nothing but public relations when his job is to be working
7 the relationship between your people and my people. That
8 is the solution right there on how our relationship is
9 to begin.

10 **CO-CHAIR GEORGES ERASMUS:** So are you
11 saying that only the people you are saying are the real
12 traditional people are going to be involved in some kind
13 of a consultation on implementation of your original
14 treaties, that the rest of the Mohawk people and the rest
15 of the Iroquoian people, if they are not in this group
16 that you will call the real traditional people, are not
17 going to be part of this process?

18 **STUART MYIOW JR.:** You see, this is
19 where you come into a clash with your understanding of
20 government. Your understanding of government is based
21 on what you call "democratic society" which is, to my
22 people, nothing but a bunch of garbage. Democratic
23 society is the biggest farce that this earth has ever seen

1 because democratic society does not represent anything
2 accept the dollar.

3 When we talk about who is going to
4 represent us, that is internal politics that is to be
5 decided by nothing but the Kaienera:kowa which is the Great
6 Law of Peace, which means that if you have 7,000 Indians
7 and just one inside of that law, it will be that one who
8 will speak because it is that one who has the right because
9 it would be that one who has remained true to the law.

10 Now, it is not going to be any kind of
11 dictatorship coming from the foreign government such as
12 what happened in Oka by them implementing a plebiscite,
13 telling us how to run our government which puts us right
14 in the same boat as the Canadian government which is going
15 nowhere. No, our people are government by a law and that
16 law is going to tell us who is going to deal with it.

17 You have on your part no worries. You
18 have no concerns about who the Governor General is going
19 to talk to. That is none of your business. Your business
20 is to make sure that the Governor General does his job.

21 **CO-CHAIR GEORGES ERASMUS:** Should we
22 recommend that nothing occur with your people until there
23 is a clear demonstration of consensus?

1 **STUART MYIOW JR.:** Consensus on what?

2 **CO-CHAIR GEORGES ERASMUS:** Whatever.

3 If we are having different people that are considering
4 themselves Longhouses, how do we recommend to the Canadian
5 people that they deal with one Longhouse people as opposed
6 to another?

7 **STUART MYIOW JR.:** Again, I will give
8 you the same answer. You will not recommend who they deal
9 with. All you have to do is tell the Governor General
10 that he has to start dealing with the true traditional
11 body and the Governor General already knows. You may not
12 know because you do not have all the knowledge and all
13 the accessibility to the knowledge that is necessary that
14 the Governor General is accessible to. That Governor
15 General knows exactly who he has to deal with. He can
16 pinpoint -- out of 7,000 people in this town, he can
17 pinpoint exactly who because he has the accessibility to
18 all the information as to who is who.

19 **CO-CHAIR GEORGES ERASMUS:** While we are
20 here, why don't you tell us who he should be dealing with?

21 **STUART MYIOW JR.:** Pardon me?

22 **CO-CHAIR GEORGES ERASMUS:** While we are
23 here, why don't you clue us in as to who he should be dealing

1 with?

2 **STUART MYIOW JR.:** Who he should begin
3 with?

4 **CO-CHAIR GEORGES ERASMUS:** Since we are
5 here, why don't you tell us whom the government should
6 be dealing with?

7 **STUART MYIOW JR.:** Again, like I said,
8 who the government should deal with is the true traditional
9 body.

10 **CO-CHAIR GEORGES ERASMUS:** Who are
11 they?

12 **STUART MYIOW JR.:** The true traditional
13 body are those who have not, as the Indian Act system says
14 itself, prescribed to foreign law.

15 Now, it is very easy for anyone of you
16 to define that from that stage -- those who have not
17 prescribed or accepted any type of foreign law. You can
18 look at any group or any person in this building or anyone
19 in this community and you can narrow it down to a very
20 small group of people who have not accepted any type of
21 foreign law.

22 As I said, today you have representation
23 here from three supposed traditional Longhouse people and

1 you have representation from Social Services, all those
2 different services that fall under the band council which
3 falls under the dictates of the Indian Act system. So
4 right there you know that they are not the true
5 representatives. So now you talk about the three
6 traditional bodies. Narrow it down from there.

7 One traditional body has already allowed
8 their people, like I said, to plead guilty in that foreign
9 court which is recognition of their jurisdiction over our
10 people. So that leaves one body out.

11 Now, another body is sanctioning the
12 moves of the Indian Act system and Akwesasne by dealing
13 with the body that sanctions Tri-Council which is
14 sanctioning the band council dealing with self-government.

15 Therefore, you eliminate another traditional body. That
16 leaves one traditional body left. I am not going to spell
17 it out for you because I am not going to stand up and say,
18 "Pick me. Pick me." No.

19 I am going to tell you to go back and
20 tell your Governor General to deal with who he is supposed
21 to deal with because what you are going to hear is what
22 you heard this morning from one traditional body where
23 they had a lot of good words to say but no solutions.

1 They had a lot of good words and you can take anyone on
2 this earth and they will speak the same words, but to see
3 if a person stands up for those words is something
4 different.

5 I can scream all day long, "Sovereignty,
6 sovereignty," and then when it comes time for me to go
7 to court, I will plead guilty. That is not sovereignty
8 and that does away with any of my claims to sovereignty.
9 That is who your government is supposed to deal with.

10 Now, the underlying issue beneath this
11 is that if there is only a handful, why does the government
12 have to deal with it? Because the truth of the matter
13 is that it is the spirit of our people that rises up and
14 stands up against these things. Again, the biggest
15 example is what happened in Oka. You see, it wasn't the
16 people who were motivated by knowing our law. They just
17 knew that they had to stand up which plunged us into a
18 state of war. They did not know all the politics. They
19 did not know the politics of your government or of my
20 government. They just knew that something had to be done.

21 Had the government not stepped out of
22 its guidelines of that Two-Row Wampum, which is enforced
23 in its own Constitution, had the government not broken

1 its own laws, all of that could have been avoided and had
2 they dealt with the true traditional people, they would
3 have seen how it is going to be avoided.

4 If you do not listen to the true
5 traditional people, I guarantee you that this entire
6 country will be in a state of chaos because when they push
7 the Mohawk Nation the way they are pushing, when they are
8 bringing us to the brink of war, our people are going to
9 stand up and you are going to see people across Canada
10 stand up. People across Canada are going to come to
11 realize that it is not just a Native issue. It is an issue
12 of breaking free of the suppressive government that exists
13 which is your type of government.

14 Ultimately, like I said, you are going
15 to have economic unrest, economic instability which means
16 that your government is not going to have no money to
17 function. As we all know, all your politicians -- the
18 only reason why they are politicians is because they get
19 paid to do it. So you are not going to have no one in
20 your government because of total breach of peace treaty.

21 We have to understand that this peace
22 treaty was not just a physical thing between two people.
23 It was an agreement between the two spirits, the spirit

1 of my people and the spirit of your people. Two very
2 different spirits. They came to an agreement to say, "All
3 right. We have to live in peace." This is how you do
4 it. You are not going to get the answers from band council
5 people because, as they have said in the past, they do
6 not even know our own rights. No one can dispute that
7 this has been said.

8 What are the other questions?

9 **CO-CHAIR RENÉ DUSSAULT:** We said this
10 morning that we see our role as a Commission to try to
11 understand better and what I am hearing from you basically
12 -- and the message is pretty clear -- is that whatever
13 should be done should be done in abiding to the spirit
14 that was there when the treaty was signed.

15 The difficulty we have had was to go a
16 step further in the process and try to see more clearly
17 how the process could start. I realize that there are
18 at least three Longhouses and maybe more within the
19 communities and the message I am taking from you is that
20 that is as far as your message to us can go. So it is
21 probably not useful to go further than that on this
22 particular issue because your message is to go back to
23 the spirit and speak to people who are animated with or

1 by this spirit.

2 So I realize that it is a bit futile and
3 difficult to go further than that and try to identify the
4 people who are animated by this spirit, but the message
5 you are sending us is quite clear.

6 The process is the difficulty at this
7 point and I must say that certainly I for one -- and I
8 probably speak for other Commissioners -- it has been a
9 learning experience since the beginning of the week with
10 the reading of the Wampum belts and the kind of education
11 that we have been getting.

12 That was one of the main purposes for
13 us visiting as many nations as possible because they are
14 distinct. The historical foundations are different and
15 to try to understand better what is at stake and what people
16 really are telling us and what they really feel is their
17 bottom line in terms of values and principles.

18 What we are hoping is to be able to bring
19 non-Aboriginal people to stop for a moment and try to hear
20 and understand what is said to them. It doesn't mean that
21 the solutions are easy within the communities and in the
22 relationship with the non-Aboriginal people, but we really
23 feel that there is no other route than going through the

1 kind of process we are pursuing in a meeting like this
2 one. That was the basic discussion we had this morning.

3
4 Should people speak to the Confederacy
5 and what happened to the elected officials -- maybe I could
6 try something, a kind of distinction between the
7 administration and their services because people are
8 telling us -- they are not only telling us, but the reality
9 of the living conditions are sometimes very difficult and
10 people need services. This has been stressed over and
11 over in our hearings.

12 So I kind of feel that if we could make
13 a distinction between the administration of services and
14 the political aspect that should cover the whole thing,
15 it would enable us at least to make some progress.

16 Yesterday, for example, we were told
17 that one of the good things was that independent boards
18 were set up for community services, and so on, from the
19 Mohawk Council. So that kind of distinction was made
20 already.

21 So my question is: Do you feel that
22 there could be a distinction between the services area
23 for where needs are immediate and the administration and

1 delivery of those services and the larger political aspect?

2 **STUART MYIOW JR. :** There is an interface
3 for these two entities. As it was first established, the
4 Indian Act system was to be nothing more than an
5 administrative body for the monies owed to the party of
6 the treaties which was the traditional people.

7 Here we have a dilemma where the
8 administrative body is presuming to be the governing body
9 where they are taking on under their own -- I say
10 imagination. They are making it up somewhere. They have
11 become the legitimate governing body, but they are still
12 just nothing more than that administrative arm.

13 So now what your government should do
14 -- what I will suggest to you is going to seem very radical
15 and I know that on my people's part, it is going to seem
16 very radical also. I would say stop the flow of the monies.

17 Stop it until our people have our government in order.
18 Do it. Then that will be the only time we are going to
19 see these people do what is right, and when you see that
20 it is beneficial for your government -- as long as you
21 have people such as what is here presuming to be a governing
22 body in control of monies, which means basically being
23 in control of young minds, when you have people like that

1 in control, it is very detrimental to your society also
2 because it makes radical people of our young minds and
3 it brings them to a state of very much anger, to a state
4 where they want to pick up arms because their Elders are
5 giving them arms, because they have the money to do so,
6 to brainwash them.

7 I say, tell your government to stop the
8 flow of monies until our government is in order. I am
9 ready for this and I am ready to take full responsibility
10 before saying this. Then I would like to see just what
11 the heck our people are going to do. We will see bunch
12 of them run and hide and bury their heads and a bunch of
13 them are going to move down to the condos that they already
14 have somewhere else. That is what we are going to see.
15 You know that.

16 We are going to see people who don't care
17 about their people. You are going to see a few people
18 who are there for the legitimate reason of returning the
19 peaceful relationship between us, and we will have that
20 government back on its feet and we will have the two parties
21 to that Two-Row Wampum and we will have peace. This is
22 the only plan, the only steps to returning peace to all
23 of what you call Canada and to all of what I call Turtle

1 Island to all our people.

2 That is the only steps to get there
3 because your people have completely forsaken the words
4 of that Two-Row Wampum. So they cannot even see the
5 meaning behind it. There is no understanding. Our people
6 are still there. We will tell you how to get back to that
7 peaceful solution. No one else can tell you, just as no
8 one across the water could come to a free society. They
9 had to come here and get it from us.

10 Now the solution is going to come from
11 us again. The only thing is that you people better listen
12 because if you don't, it is going to mean the end of a
13 lot of things -- the society that you have come to know.
14 It is going to mean the end of that.

15 **CO-CHAIR RENÉ DUSSAULT:** I think that
16 is about as far as we can go in a meeting like this this
17 afternoon. Again, I think it has been useful for our part,
18 for the Commission part to share this with you because
19 we are hoping that at the end we won't be left out with
20 the problem and the solutions because we know that if we
21 do that, we will repeat mistakes that were made in the
22 past by other commissions.

23 We are really committed to digging out

1 and trying to find a way that would avoid suffering, like
2 the cutting off the money and the services, but also enable
3 a durable future, something that will be in the right
4 direction.

5 I would like to thank your father and
6 yourself for putting the effort you have put in talking
7 to us. I am speaking for myself at this point. I will
8 ask if other Commissioners have questions, but we have
9 a heavy agenda, as you know, to cover until the end of
10 the afternoon. But we are available to pursue that kind
11 of discussion in another forum, in another way.

12 We had a good chance to get your views
13 in this limited framework and that is about, I think, what
14 can be done today as we did this morning with the other
15 Longhouse, and we still have to hear many people who want
16 to speak to the Commission.

17 **STUART MYIOW JR.:** Are there no
18 questions from anyone else?

19 **CO-CHAIR RENÉ DUSSAULT:** So I would like
20 to ask if there are other questions from Commissioners.
21 --- (Off-Record Discussion)

22 **CO-CHAIR GEORGES ERASMUS:** I would like
23 to thank you for coming forth and you have been very frank

1 with your opinions. No one can ever say you weren't.
2 So thank you for sharing with us.

3 **COMMISSIONER PAUL CHARTRAND:** Thank you
4 for your presentations.

5 I wanted to say that I did not come to
6 the Commission with any preconceived notions about what
7 we might recommend to the government ultimately, but thank
8 you very much.

9 **STUART MYIOW SR.:** We got exactly what
10 we expected. Have a good day.

11 **COMMISSIONER FOR THE DAY BILLY TWO**

12 **RIVERS:** (Mohawk language - no translation)

13 I invite the women of the Longhouse to
14 come forward with their presentation, please. After the
15 presentation, we will take a short break.

16 (Mohawk language - no translation)

17 **KENNETH DEER, WOMEN OF THE LONGHOUSE:**

18 Thank you, Mr. Chairman.

19 As you can see, I am not a woman of the
20 Longhouse, but I have been asked to introduce our speakers
21 here.

22 First of all, I would like to thank the
23 Commission for willing to see us on such a short, short

1 notice. The women of the Longhouse have a specific concern
2 that they would like to address to the Commission and it
3 has immediate impacts. It has also long-range effects.

4 I would like to turn this over
5 immediately, right away to Eva, one of our Clan Mothers,
6 to welcome you in our language.

7 **EVA JOHNSON, WOMEN OF THE LONGHOUSE:**

8 (Mohawk language - no translation)

9 Greetings to the people from our people,
10 from the Longhouse and especially our children, our young
11 children. The worry here right now is that the mothers,
12 the young mothers are worried about the children, the
13 future. That is what we worry about always -- the future,
14 seven generations, the ones that are here now and the ones
15 that are under the ground.

16 I will introduce our speaker.

17 **ELIZABETH BEAUVAIS, WOMEN OF THE**

18 **LONGHOUSE:** Good afternoon.

19 It was mentioned a little bit earlier
20 on that in our tradition, we usually stand when we address
21 a congregation or at a meeting, but seeing as we are not
22 in a traditional place, we aren't in our Longhouse, we
23 are in a meeting place that has been put together to hear,

1 I guess, some of the concerns of the people and seeing
2 as my legs are kind of like rubber right now, I will just
3 sit down and say the things that I have been asked to say.

4 As a Turtle Clan Mother said earlier,
5 there is a big concern right now with our children, the
6 children of the Longhouse not being recognized or in any
7 way by any form of governments because they don't want
8 to be put on any type of federal list. So we have put
9 something together just to present to you for your
10 representation to your governments that you vote for and
11 that you put into office.

12 We bring greetings from the people of
13 the Longhouse and especially from the children of the
14 Longhouse whose lives are being impacted by all decisions
15 and legislation that your governments implement.

16 This Commission speaks of four
17 "touchstones for change". They are: a new relationship
18 between Aboriginal and non-Aboriginal peoples;
19 self-determination; self-sufficiency; and healing.

20 The point we wish to make today is
21 fundamental to all. We are talking about the right to
22 determine who is a member of our nation. Since time
23 immemorial, we, as Haudenosaunee, have always followed

1 and adhered to our original teachings.

2 Today, our people find ourselves in the
3 same position we were in when the Europeans, and Jesuits
4 in particular, decided that our people didn't have the
5 intellect to make our own decisions. We weren't given
6 any choice at that time as to whether we wanted to become
7 part of the European culture. It was forced upon us.
8 We are forbidden to speak our language and forbidden to
9 practice our culture, including our spiritual ceremonies.

10 Our people were not and still are not
11 recognized unless we are listed on the federal government
12 registry. Our births, marriages, deaths, citizenship,
13 existence and lives are not perceived by your governments
14 to be valid. Your governments still insist on having full
15 control over every aspect of our lives through the band
16 council Indian Act systems.

17 Our people were chastised for practising
18 our own culture, language and tradition. Shame was cast
19 upon those who chose and today still choose not to be
20 mainstreamed into Euro-Canadian and Euro-American
21 societies. Unfortunately, this continues today.

22 Our children are being refused
23 recognition for being traditional people. Your

1 governments are blackmailing our people into registering
2 our children on lists that we do not acknowledge.
3 Non-compliance to foreign government systems and
4 non-acceptance of our traditional values and beliefs
5 results in our children being the targets of
6 discrimination.

7 Educational services are available to
8 traditional children only if they attend schools on the
9 territory. Should they choose to attend schools outside
10 of the territory or to attend higher education, as in CEGEP
11 and university, they cannot be supported financially.

12 Medical services, including payment of
13 medicines, dental services and eyecare are not covered
14 through the Department of Indian and Northern Affairs,
15 as other Mohawk children. Instead, medical services for
16 traditional children and traditional people have to be
17 rerouted through the Department of National Health and
18 Welfare with the condition that the parents consent to
19 have their children put on a federal list in the event
20 that traditional birth certificates are eventually
21 recognized by the Department of Indian Affairs.

22 You will have to excuse some of my
23 typographical errors. We were rushing when we were

1 putting this document together.

2 Border crossing. Our rights are also
3 impacted by this present discrimination. The means of
4 identifying our citizens doesn't fit into the restrictive
5 requirements of the oppressive governments and this is
6 the same procedure used by the South African government
7 to identify their citizens.

8 With the issue of land allotments for
9 community land, our children are not eligible to receive
10 land, housing and loans through the community.

11 Pressure needs to be put on the
12 Department of Indian Affairs, National Health and Welfare
13 and any provincial department -- and federal department,
14 I might add -- which maintains that we are nothing unless
15 we are registered. Remember your governments are only
16 groups of people who have been put in very powerful
17 positions. They are nothing more and nothing less. They
18 must be reminded that their ancestors have agreements which
19 were entered into so that peace would be maintained with
20 our people and for the privilege of residing in our
21 territory.

22 We insist that membership decisions rest
23 solely with the people affected. Who better to decide

1 who is Kanien'kehaka than Kanien'kehaka people.

2 We are fighting for our survival as a
3 people. We are fighting for the survival of our language.

4 We are fighting for survival of our environment, but we
5 are not fighting alone. We have our Creator who has
6 instructed our people to endure. We have the Peacemaker
7 who has given us the Great Law of Peace. We have life
8 and we have hope.

9 I have brought a document that was
10 presented to the governments in 1985 and if you will bear
11 with me, I would like to read it. It expresses feelings
12 of the Confederacy and it goes as such:

13 " Preamble:

14 The Haudenosaunee have, since the formation of the
15 Canadian and United States
16 governments, experienced
17 interference and intrusion upon
18 our international citizenship as
19 Haudenosaunee and national
20 membership within our member
21 nations.

22 The Haudenosaunee will no longer tolerate
23 interference by any foreign

1 government with regards to
2 determining who are citizens and
3 members within the Haudenosaunee
4 Confederacy.

5 The Haudenosaunee reserve the exclusive right to
6 determine our own
7 citizenship/membership in
8 accordance with our own laws and
9 supported by international law.

10 The Haudenosaunee:

11 The Haudenosaunee, or the Iroquois Confederacy, have
12 existed in what is now known as
13 southern Ontario, southern Quebec
14 and New York State since time
15 immemorial.

16 The Confederacy of the Haudenosaunee is made up of
17 the Mohawk, Oneida, Onondaga,
18 Cayuga and Seneca Nations; the
19 Tuscarora Nation later came to be
20 part of the Confederacy. The
21 Confederacy is nationally governed
22 by the Grand Council of Chiefs
23 which meets at Onondaga, the

1 central council fire of the
2 Confederacy. The Confederacy is
3 governed in accordance with the
4 Great Law of Peace - the
5 Gaienerkowa.

6 Since the formation of our Confederacy, the member
7 Nations have functioned as a single
8 Confederacy with regards to all
9 matters of vital importance. Each
10 Nation in the Confederacy has
11 maintained its own government or
12 council fire and each community
13 within each nation has its own
14 council fire. However, all
15 matters of general importance are
16 the exclusive responsibility of
17 the Confederacy and the Grand
18 Council of Chiefs.

19 Since the earliest years of contact with the European
20 peoples, treaties and other
21 relations between the
22 Haudenosaunee and other Nations
23 have been the responsibility of the

1 Haudenosaunee as a Confederacy.
2 The Haudenosaunee had entered into
3 formal diplomatic and trade
4 relations with Great Britain,
5 France, the Netherlands and other
6 nations more than 250 years ago.

7 The Covenant Circle of the Haudenosaunee:

8 At the time of the founding of the Haudenosaunee
9 Confederacy, the Peacemaker gave
10 us a message from the Giver of Life,
11 the Creator. The message he gave
12 us was that we should put away
13 strife among our Nations, and that
14 we should actively strive for the
15 establishment of universal
16 justice. The 'way of peace' given
17 to the Haudenosaunee evolves from
18 three principles.

19 a) Righteousness: meaning the justice practised among
20 people using their purest and most
21 unselfish minds in harmony with the
22 flow of the universe.

23 b) Reason meaning the soundness of mind and body and the

1 peace that comes when the minds are
2 same and the body cared for.

3 c) Power meaning the authority of law and custom, backed
4 by such force as is necessary to
5 make justice prevail.

6 The Creator gave us the Covenant Circle Wampum of
7 the Haudenosaunee. The
8 intertwining strands which form
9 the Circle represent our hands
10 bound so firmly and so strongly
11 that if a tree should fall upon it,
12 it could not shake or break the
13 Circle. Inside of the Circle, the
14 Circle of fifty chiefs of the
15 Haudenosaunee Confederacy, is our
16 people and our people and our
17 future generations in security,
18 peace, and happiness. Inside of
19 the Circle is our language and our
20 culture, and clans and the ways we
21 organize ourselves politically,
22 and our ceremonies which reflect
23 our spirituality of our cycle of

1 life.

2 A further meaning of the Covenant Circle is that if
3 at any time one of our Chiefs or
4 our people chooses to submit to the
5 law of a foreign nation, he is no
6 longer part of the Confederacy.
7 Those who go outside of the Circle
8 leave behind the clans, laws,
9 ceremonies, ways and traditions of
10 the Haudenosaunee.

11 Two Row Wampum:

When the Haudenosaunee first came into contact with the European nations in the early 1600's, they realized that it was not possible to bring these nations (the Dutch, French, English, and later the American) inside the Circle.

19 Therefore, a 'Treaty of Friendship and Peace' was
20 made with each European nation
21 respectively. Each of these
22 agreements is symbolized by the
23 'Gus-Wen-Tah' (the Two Row

1 Wampum)."

2 As you can see behind you.

3 "It describes how two different peoples relate to each
4 other in a way of peace.

5 Symbolically, there is a river flowing called the
6 River of Life. In that River of
7 Life it is agreed that the
8 Haudenosaunee and the different
9 peoples will travel together, side
10 by side in parallel paths which
11 will never cross or meet. In their
12 vessel the different peoples agree
13 to keep their government, their
14 laws, their ways and beliefs. In
15 our canoe, the Haudenosaunee are
16 to keep our laws, our ways of
17 government, our traditions and
18 beliefs. Neither the
19 Haudenosaunee nor the different
20 peoples are to make laws over each
21 other.

22 Today, the Two Row Wampum is a set of principles
23 governing relations between the

1 Haudenosaunee and all other
2 nations. These principles
3 establish the following:

- 4 - That we are separate and independent national
5 entities
6 - That neither government will create legislation
7 that will interfere with the
8 internal workings of the other
9 - That there is a sharing of the mutual land area
10 known as North America but the
11 terms of that sharing will be
12 subject to on-going talks,
13 negotiations, and other mutually
14 agreed upon processes for dispute
15 settlement.

16 For some time we have watched with great concern the
17 actions of the people of Canada as
18 they created a new constitution
19 for themselves, succeeded in
20 patriating their constitution and
21 became a new emerging nation. Our
22 concerns had been heightened as the
23 work on the new constitution of

1 Canada set a course toward the
2 destruction of the long history of
3 peace and friendship between
4 ourselves and Great Britain. The
5 course that followed led to the
6 breaking of long-standing
7 international treaties between the
8 Haudenosaunee and Great Britain.
9 We feel at this time that we must remind Canada of
10 the longstanding commitments that
11 had been made between the
12 Haudenosaunee and Great Britain
13 over several centuries, and
14 exemplified in such historic
15 agreements and treaties as the Two
16 Row Wampum and Silver Covenant
17 Chain. For centuries, the
18 principles of the Two Row Wampum
19 had formed the substance of all our
20 mutual agreements with Great
21 Britain. Each of us had pledged
22 not to take actions that would lead
23 to the subjugation of either nation

1 by one of the parties.

2 We were to live in peace and friendship, fully
3 respecting each other's rights to
4 exercise ones sovereignty within
5 ones territory. Time and time
6 again, we have reaffirmed these
7 principles in many other
8 agreements and documents between
9 the Haudenosaunee and Great
10 Britain.

11 Canada's Indian Act:

12 Since the imposition of the Indian Acts (including
13 the Indian Advancement Act (1984)
14 and the band council system) in
15 Haudenosaunee communities there
16 have been serious problems. The
17 Haudenosaunee, consistent with
18 their laws, the principles of the
19 Two Row Wampum and the history of
20 our relations with the Crown
21 delivered numerous complaints and
22 petitions to the Governor-General
23 of Canada and expressed their

1 desire to remain with their own
2 governments. Canada's Indian Act
3 have violated the Haudenosaunee.

4 The Indian Act, as it always has been over the years
5 in its various forms, is a
6 detriment to our People and our
7 Confederacy.

8 Summary:

9 The Haudenosaunee Confederacy is sovereign in the
10 International Community.
11 Throughout history, the
12 Confederacy has always declared
13 itself to be independent of and not
14 subject to other nations.
15 Throughout the twentieth century,
16 the Haudenosaunee have made it
17 known to Canada and the United
18 States that we are neither Canadian
19 or American. We are
20 Haudenosaunee.

21 The Haudenosaunee have been and continue to be firmly
22 resolved not to allow ourselves or
23 our nations to be absorbed by any

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1 process of 'Canadianization'.
2 Our people are citizens of our
3 nations and do not seek citizenship
4 within the nation of Canada.

5 Any effort to subjugate our people under 'Canada'
6 is a violation of our right to
7 self-determination under
8 international law for which we will
9 hold Canada responsible within the
10 world community.

11 The Haudenosaunee Confederacy is supported by the
12 Universal Declaration of Human
13 Rights, the International Covenant
14 on Economic, Social and Cultural
15 Rights, the International Covenant
16 on Civil and Political Rights; and
17 the Declaration of Principles for
18 the Defense of the Indigenous
19 Nations and Peoples Western of the
20 Hemisphere. We seek only the
21 rightful recognition of our
22 historic, current, and future
23 rights as one of the original

1 confederations of nations of North
2 America."

3 This was passed by Grand Council of
4 Chiefs on March 24, 1985, reaffirmed again on February
5 27th and 28th of 1987 and reaffirmed today, May 6th, 1993
6 and to time immemorial.

7 So today a lot of these words are almost
8 empty words because we find ourselves in this situation
9 with our children not being recognized in our own land.
10 We have our own forms of identifying our own people that
11 have been sent to the governments of the province of Quebec,
12 whom we should not be dealing with, and also the governments
13 of Canada. They are returned to us saying that they are
14 not legitimate papers, and this has a grave concern to
15 our people.

16 So we are not considered legitimate
17 unless we are rubber stamped by the federal or provincial
18 government. I know, Georges, you don't agree with that.

19 So that is all I have to say for the
20 moment unless anybody else wants to add anything.

21 **KENNETH DEER:** I would just like add
22 that we have taken this situation -- it has been going
23 on for a number of years, but it has accelerated since

1 1990 as some kind of punishment to our people.

2 In 1991, we brought this issue up to the
3 United Nations Sub-Commission on Prevention of
4 Discrimination and Protection of Minorities. At that
5 time, the Canadian government admitted that there was a
6 problem. They didn't recognize our birth certificates,
7 but they were doing a study on it assuming that we were
8 coming to a solution.

9 In 1993, at the United Nations
10 Commission on Human Rights in Geneva, we brought it up
11 and we reminded the United Nations again that this is a
12 violation of the freedom of religion and discrimination,
13 I guess, based on belief. The Canadian government did
14 not respond to our statement we made to the United Nations.
15

16 They unofficially tried to tell people
17 that it is an administrative oversight, but it is clear
18 that this is all part of the institutionalized racial
19 discrimination that our people face. It is built into
20 the legislation and the policy and people just can't see
21 it. It is so built in there, that you have to hit them
22 over the head before they can actually recognize what it
23 is.

1 This is my grandson here in front of you.
2 He is only a little over three weeks old now and he will
3 be named the Longhouse at the next opportunity. We are
4 wondering now what would happen to this young man over
5 the next few years. How will we be able to take care of
6 him?

7 We, as the parents and the grandparents,
8 are responsible for his upbringing and we are willing to
9 do that, but we will certainly have great difficulty as
10 compared to other people who are of similar origins.

11 We don't feel that there is -- this
12 discrimination that is in there, it is more than just race.
13 We believe that it is straight political discrimination.
14 You can't really call it racial discrimination because
15 other Mohawks are recognized, but there is certainly a
16 particular target group that the government has
17 established here.

18 All I can say is that I have been fighting
19 as quietly and calmly as I can for this issue, but now
20 that I have a grandson who is going to be particularly
21 affected, it gets a little personal now. The fight will
22 be a little bit harder.

23 I don't know what the Royal Commission

1 can do about this. All I can say is that we hope that
2 this little seed that we are planting here will help so
3 that all the children sitting behind me here will not be
4 put in a situation that is different from other people
5 and have their rights denied.

6 **CO-CHAIR GEORGES ERASMUS:** If we can't
7 deal with anything as straightforward as this, then we
8 are not going to be able to deal with very much.

9 We have begun the process of dealing with
10 this particular issue. After meeting with
11 representatives of the Confederacy some time ago, I sent
12 a letter to the Department of Indian Affairs with one
13 particular child that was recognized in the Longhouse and
14 simply asked the Deputy Minister of Indian Affairs to
15 recognize this. I got a response back similar to what
16 you have been getting probably for years. One, they first
17 recognized what happens through the provinces and then
18 there was a closing line that they were looking into this
19 -- something, I guess, that you have been hearing for many
20 years.

21 We are going to keep working on this.
22 It seems to us to be a fairly straightforward issue.
23 It should not be a complicated event and any information

1 you can give us to assist us in this would be very, very
2 useful.

3 **KENNETH DEER:** Certainly, we will give
4 you everything that we have.

5 Are we to take it, though, that any
6 action you will take will have to wait for a year until
7 your final report is due or is there anything that you
8 can influence in the meantime?

9 **CO-CHAIR GEORGES ERASMUS:** It looks
10 pretty straightforward. So we are working on it right
11 away but, undoubtedly, there will be some mention of it
12 in our reports in relation to the context of the overall
13 relationship. At the moment, we have already started
14 pushing on this particular issue.

15 **ELIZABETH BEAUVAIS:** Any questions?

16 **CO-CHAIR RENÉ DUSSAULT:** I would just
17 like to add that as Georges Erasmus said, this seems to
18 be quite a straightforward issue. I think it goes to --
19 it is a good example of the -- we have a system at the
20 provincial level where birth rights are either certified
21 through a minister of the cult or through the municipal
22 or state officials.

23 What it shows is that -- it is a very

1 good example that shows that the society has not been
2 careful to include the other systems and we will certainly
3 try to do whatever we can to make this possible.

4 This is a different issue than the
5 registration that you talk about for various programs.
6 I think my question is: I suppose you have mentioned this
7 issue as the first one and then you went on to the various
8 registration processes that you have to get in for benefits
9 under school programs and health programs with the medical
10 branch instead of DIAND, and on and on.

11 The question for registration for
12 benefits is a major problem in this country. The question
13 that is put to us often enough is membership, the right
14 of a community to define its own membership for the sake
15 of government and who is part of the nation. This is one
16 thing.

17 But when we have come to a definition
18 that is linked with service delivery and programs, then
19 there is a clash and it has to do with the fact, for example,
20 that the federal government doesn't want to spend money.
21 They want for the sake of spending money to control the
22 registration, and it clashes with -- there are maybe not
23 some misunderstandings, but there is a kind of collision

1 course with the idea that Indian nations in particular
2 have of defining the memberships.

3 These are questions that we have to look
4 at not only in our research program, but also in our
5 hearings because they are quite fundamental. The whole
6 difficulty brings us back to self-sufficiency because as
7 long as there is money flowing from the federal government,
8 the difficulty -- I think it was alluded to earlier that
9 the Indian Act was a piece of legislation that was brought
10 to enable within the structure of the Canadian government
11 money to flow to Aboriginal people. It has developed with
12 a mechanism where control has been bigger and bigger and
13 more detail and more detail as the years have developed.
14 We realize and we are told that even with the goal of
15 self-sufficiency in a measure as large as possible, there
16 will still have to be money flowing from the federal
17 government following the fiduciary duties.

18 So the difficulty is technically to
19 enable this to happen without impairing fundamental and
20 very, very important issues for Aboriginal people. If
21 you could share with us your thoughts or views not only
22 this afternoon but later in the process as to how it should
23 be done, these thoughts would be very much welcome. That's

1 a difficult issue to tackle.

2 We feel that this question of the birth
3 rate certificate should be easier to tackle than most of
4 the others. That's why we are not surprised because we
5 are aware of it and we will try to do our best to bring
6 governments -- or to find a solution to that question.

7 There are other major questions that are
8 raised in your brief that are difficult: the registration
9 and the definition for the sake of programs and benefits.
10 Could you expand on this aspect. For example, with the
11 Medical Services Branch of Health and Welfare, for the
12 benefits that status Indians are entitled to, how would
13 you see this occurring without registration as it is done
14 presently? Could you expand on that?

15 **ELIZABETH BEAUVAIS:** I will give
16 Georges copy of the forms that we use in the Longhouse
17 to register our people. It is a very simple procedure.
18 Our people have to be recognized. We don't have to be
19 put on a federal band list. We know who our people are.
20 We could submit our own list, our nation list, people
21 of our nation, not people that the government considers
22 are their wards.

23 The government wastes so much money

1 every year on just frivolous things, and the people are
2 always the last ones to benefit from what they do. It
3 is always the higher echelon that spends much too much,
4 like Mulroney's going out on his last fling before they
5 -- not before they throw him out, but before he leaves
6 the government. That's going to cost in the millions of
7 dollars. You people vote in those guys, so you should
8 have some control over how they spend their money. They
9 are all complaining about Indians cost them so much money,
10 but yet they use all our resources, they take our resources
11 without asking, they just take whatever they think is
12 theirs.

13 They should start realizing that all the
14 resources that they used wouldn't be there if the people
15 wouldn't have allowed them to stay here on our land.

16 There is money out there. That story
17 of the government always being broke -- this doesn't get
18 it.

19 **CO-CHAIR RENÉ DUSSAULT:** You are
20 certainly touching a very important issue, both as a matter
21 of principle but also in the administrative sense. We
22 are going to do our best to address it.

23 What you have in mind here is something

1 that is different from the band membership.

2 **ELIZABETH BEAUVAIS:** Yes, it is.

3 **CO-CHAIR RENÉ DUSSAULT:** Thank you.

4 **COMMISSIONER VIOLA ROBINSON:** I just
5 have one short question. How long have you been doing
6 this?

7 **KENNETH DEER:** For a long time.

8 **COMMISSIONER VIOLA ROBINSON:** For a
9 long time. Why I am asking is, it seems to me that the
10 Department of Indian Affairs provide services based on
11 numbers and they use the numbers that they take through
12 registration. So, obviously, then, the band are getting
13 their funding -- I guess that's the issue here. They have
14 to soon change something or you won't be getting any funding
15 at all, if people aren't going to be registered under their
16 system.

17 **ELIZABETH BEAUVAIS:** Right.

18 **KENNETH DEER:** First of all, people have
19 been registered in the Longhouse for a long time. Somebody
20 has mentioned as long as 50 years ago, that we can remember.
21 Before that, people weren't registered in that way. The
22 paperwork is something you invented.

23 **COMMISSIONER VIOLA ROBINSON:** Oh, I

1 didn't invent it!

2 **KENNETH DEER:** The people who put you
3 in place invented it.

4 The numbers game is what is being played
5 by the government. What happens is, because traditional
6 people weren't allowed to have benefits because they
7 weren't registered, they wouldn't go to the Catholic
8 church, they weren't baptised -- or to the Protestant
9 church, or whatever mechanism -- when they couldn't get
10 benefits, some of them had to do something in order to
11 qualify. So they would make arrangement somehow, through
12 some church or through some civil authority to make sure
13 they got registered for the benefits. That's how they
14 got around that.

15 So the government now says, "How many
16 people are Longhouse people?" If we have 5,000 people
17 registered, or 6,000 or 7,000 already on the band list,
18 there can't be very many Longhouse people around. So it
19 becomes a numbers game. They say, "We are only talking
20 about four or five people", then it is not a big problem
21 to them. So it is a numbers game and they play that numbers
22 game.

23 **COMMISSIONER VIOLA ROBINSON:** You want

1 this form recognized as legitimate. That's one thing.

2 **KENNETH DEER:** In terms of equality, the
3 issue here is a specific -- we are talking about a specific
4 issue in this case for our children.

5 **COMMISSIONER VIOLA ROBINSON:** But not
6 for the purpose of getting them registered under the Indian
7 Act.

8 **KENNETH DEER:** No, but at least that we
9 feel that we are entitled to certain rights that we got
10 through agreements that we have had with the governments
11 in the past, and we just want to make sure that our children
12 still get those rights that have been acquired. That's
13 all.

14 I am not saying that we want to be under
15 the Indian Act. It is just a question, then, that if the
16 case is that they don't want to recognize our children
17 -- which is fine too, because I think there is a political
18 statement to be made. There is a political statement
19 there, when the government does not recognize our birth
20 certificates. It is possible that we may have to raise
21 my grandson without any benefits from anybody, but don't
22 ever let anybody, the Canadian government, trying to say
23 that he is a Canadian, which is what they tried to do.

1 **COMMISSIONER VIOLA ROBINSON:** They have
2 done that to a lot of people.

3 **KENNETH DEER:** That's right. It is
4 possible that our children may end up being symbols, if
5 we have to resist that way, and that extra burden we have
6 to carry to make sure that their health is taken care of
7 and their education is taken care of.

8 **COMMISSIONER VIOLA ROBINSON:** It is
9 clear in my mind. I just wanted to know if it wasn't for
10 the purpose of getting registered under the Indian Act.
11 That's all I wanted to get clear. I understand what you
12 are saying, thank you.

13 **KENNETH DEER:** And the paper, we are
14 talking about citizenship and what that means. Our
15 approach is holistic. We are not talking about religion,
16 we are not talking about anything. We are talking about
17 who a Mohawk is based on citizenship and not what quantum
18 or other mechanisms that have been imposed on us. We will
19 decide who a Mohawk is.

20 **CO-CHAIR GEORGES ERASMUS:** Could I go
21 into another area -- I am sorry, Paul.

22 **COMMISSIONER PAUL CHARTRAND:** Thank
23 you.

1 I would like to ask two questions to try
2 to clarify some issues to me.

3 Let me first try to make sure I
4 understand your position respecting the significance of
5 an identification system. I believe I understand the
6 distinction between your desire to assert that the right
7 to self-determination includes the right to
8 self-definition for your own internal purposes. Fine.
9 I put that to one side.

10 Then I am concerned to inquire about the
11 other purpose for identification, that is, for purposes
12 of taking the benefits of Canadian citizenship. The first
13 point has to do with trying to get an understanding of
14 your position in light of the description that you have
15 in this paper regarding the meaning of the Covenant Circle.

16 You state -- I don't have the page number, but you state
17 that "if any of our people chooses to submit to the law
18 of a foreign nation, he is no longer part of the
19 Confederacy". Then you are referring to the taking of
20 benefits of citizenship from Canada.

21 Is your position then that you are forced
22 by circumstance to do that and that this is not an
23 abdication of the entitlement based on the Covenant Circle?

1 **KENNETH DEER:** That's right. That's
2 right, it is by force and coercion. We are not asking
3 for benefits of Canadian citizenship. We want to make
4 that very clear that it is not what we are asking for.
5 We look ourselves as being Mohawk people, as being a nation
6 of people, neither Canadian nor American, and our homeland
7 spans both sides of the border.

8 **COMMISSIONER PAUL CHARTRAND:** So from
9 the perspective of the Canadian side -- and I am not
10 speaking to defend it, I am trying to speak about it in
11 order to try to understand it. From their perspective
12 there would be a delivery of particular services, say in
13 the case that has been used here medical services.

14 Is the concern of the Canadian
15 government to avoid double benefits? I am trying to
16 understand the reasons why they would reject the idea that
17 you provide your own lists of members. That, of course,
18 can be an efficient way of identifying individuals for
19 purposes of taking benefits, even if they are
20 characterized, as you do, as not incidents of Canadian
21 citizenship but other kinds of entitlements.

22 My question is: Are they arguing to you
23 that they, for their administrative purposes, require

1 certainty so that any particular individual does not get
2 double entitlement, say, to medical services or to
3 education and funding or to whatever public service might
4 be available?

5 **KENNETH DEER:** No. I don't think
6 double entitlement is the concern of the government.
7 Their concern is any entitlement. The way we look at it,
8 the fact is they recognize, for instance, Christian naming
9 ceremonies, or baptism, and not recognizing ours. That's
10 one. You might call it religious discrimination.

11 If you look at the political process,
12 because the Longhouse is holistic, it is also political,
13 and the process to name or to declare who is a member is
14 a political process. It is another thing that the
15 government is trying to destroy. There is a deliberate
16 effort by the government over the years to destroy the
17 Confederacy. Nobody is going to argue about that. I
18 don't think anybody is going to say that's not true, at
19 least certainly not from our side.

20 The government has been trying to subdue
21 the Longhouse people or the Confederacy by the imposition
22 of the Indian Act, the imposition of elected systems, the
23 religious discrimination that took place, the activities

1 by organized religions to diminish and to destroy our
2 religion. The object is to destroy that culture base that
3 the Longhouse represents, and we believe that that is
4 deliberate.

5 **COMMISSIONER PAUL CHARTRAND:** I
6 understand you are talking about the large objects that
7 you say the government has. My concern was to probe any
8 practical reasons that they might assert they have for
9 requiring those lists. But you say they have not said,
10 "We need to know that in the case of any individual" --
11 I am assuming that you have there a name, something like
12 a place of birth or parents or something, so that the
13 individual can be identified. They have not said, "We
14 need this kind of information in order to avoid double
15 indemnity."

16 **KENNETH DEER:** No. They just don't
17 want to recognize what we do. They haven't explained.
18 They have not given an explanation other to say that it
19 is under study. And why is it under study? Your guess
20 is as good as mine. I think one of the reasons is that
21 they don't want us to control who is a Mohawk and who isn't.
22 The government has its own ideas of who to recognize and
23 who not to recognize, whether it be by marriage or from

1 the old forms within the Act.

2 **COMMISSIONER PAUL CHARTRAND:** Thank you
3 for that. It is indeed a very perplexing situation. I
4 look forward to looking at the documents. Can I look forward
5 to a written description of the entire situation?

6 **KENNETH DEER:** We can prepare that, yes.

7 **COMMISSIONER PAUL CHARTRAND:** Thank you
8 very much.

9 **KENNETH DEER:** If the government gives
10 you a straight answer, we would like to hear it too, if
11 you ever get one.

12 **ELIZABETH BEAUVAIS:** If I may pass on
13 a comment that was just told to me by this woman, her
14 grand-daughter was recently sent -- I guess her daughter
15 recently sent papers in to Ottawa to have her registered
16 with traditional papers, and they told her that she could
17 not be registered. Her daughter asked if she could have
18 it in writing and she has been waiting for an answer ever
19 since.

20 They won't answer you in writing. They
21 won't tell you -- they just won't do it, that's all. It
22 just comes back to you stamped "not acceptable". So the
23 old I guess mighty hand ---

1 **COMMISSIONER PAUL CHARTRAND:** We can
2 certainly have people inquire about that to find out what
3 is in fact the policy or practice.

4 **ELIZABETH BEAUVAIS:** I would be very
5 surprised if you find a policy actually in writing with
6 regard to that, but if you do, I wish you pass on a copy
7 to us, and Kenneth will print it in the Eastern Door --
8 nothing like a little free advertising!

9 **CO-CHAIR GEORGES ERASMUS:** Could we
10 just deal with another issue here.

11 I was rereading the document passed by
12 the Council of Chiefs. I notice according to this that
13 it is possible for I guess different members of the
14 Haudenosaunee to eventually fall outside of the Circle.

15 Is it the consideration of the
16 traditional people that they are many people that are
17 outside of the Circle?

18 **ELIZABETH BEAUVAIS:** Many have been
19 forced out of the Circle, if you want to put it that way,
20 by being forced to submit to outside laws.

21 **CO-CHAIR GEORGES ERASMUS:** Is there a
22 way to get back in?

23 **ELIZABETH BEAUVAIS:** The doors are

1 never closed for the traditional people.

2 **CO-CHAIR GEORGES ERASMUS:** What does
3 that mean?

4 **KENNETH DEER:** When the Great Law was
5 written, it was written before there was Europeans. The
6 law was very specifically for the relationships that we
7 had with other nations. We didn't have a law specifically
8 to deal with other races as we have now, although it can
9 be applied. It is how we interpret the law, it is like
10 a judgment.

11 The Great Law is a guideline. You don't
12 read the Great Law like a lawyer would read it, where you
13 use every "if", "and" or "but" to interpret it and see
14 what it means. The Great Law is a guideline that guides
15 how you should live.

16 When people stray either because they
17 do it on purpose, they purposely leave the Confederacy
18 and join another nation, or they do it because they are
19 coerced or for whatever reason, the opportunity is always
20 there to come back in the Confederacy. There is a word
21 called "reinstatement"; when people leave the Confederacy,
22 they are entitled to come back as long as they leave behind
23 all the "encumberments" that come with foreign

1 citizenship. You have to leave behind your other
2 citizenship that you may have acquired or other laws, you
3 come back into the confederacy, and you can take part.
4 You may not be able to hold a position of power, but you
5 certainly can still take part in the society.

6 Does that answer your question?

7 **CO-CHAIR GEORGES ERASMUS:** Yes. What
8 I was curious about was, in the given communities now,
9 if there was going to be a process of either settling the
10 land questions or the governance questions. Let's say
11 for the sake of this discussion that we recommend that
12 the Two-Row Wampum be revisited, and it means that there
13 has to be an enlarged land base and there has to be proper
14 recognition of the right of the Haudenosaunee to govern
15 themselves, and that since the relationship has grown quite
16 rusty, they need to shine up the Covenant Chain, and that
17 means quite a few things. What number of people are going
18 to be involved on the Haudenosaunee side, because we heard
19 one view just a little while ago that the most traditional
20 of the traditionals, the real traditional people are going
21 to be the ones involved in that process.

22 I am just wondering how many people are
23 outside of the Circle, and it sounds like there is more

1 than one circle one can be outside of.

2 **KENNETH DEER:** That's true, it may sound
3 that way. You have to remember that the traditional people
4 have been oppressed and have been pushed underground, have
5 been pushed around, and some of that oppression -- there
6 has been some damage done to the Confederacy and some of
7 that damage has to be repaired. I hope you got a lot of
8 time here.

9 The basic point of the Great Law is that
10 the power lies with the people. It is the people that
11 breath life into the Great Law. It is not the Chiefs and
12 it is not the Clan Mothers, it is the people themselves,
13 it is the clan system.

14 In our true traditional system, whether
15 you want to call it -- I don't want to use the word "true",
16 because it has been abused. In a traditional system, the
17 power lies within those clans, and each clan carries their
18 law; each clan carries the titles. You have three Bear
19 Clan Mothers, for instance, you have three Bear Chiefs.
20 There is a process for selecting your leadership.

21 There is nothing in the law that
22 rationalizes or justifies, for instance, multiple
23 Longhouses. There is nothing in there that justifies

1 that. A separate Longhouse meant a separate community
2 in the past. Today we have large communities and,
3 therefore, perhaps sometimes multiple Longhouses.

4 It is an aberration of the law. If the
5 Mohawks were given the opportunity, if they were left
6 alone, the Mohawks could, and will some time --
7 re-establish that traditional system. But that
8 traditional system won't be based on who believes that
9 they are the correct people or the right ones or something
10 like that, because it is the people themselves that will
11 choose.

12 In a true traditional system, it is a
13 real democracy. It is a real democracy. It is the women
14 who can judge the men who would be best to be leadership
15 by their character, by the way they speak, the way they
16 lived their life, what they know, their knowledge. They
17 can select the best people for those positions. The men
18 also have the right to reject or accept a nomination by
19 the women, but let's not get into that.

20 Once a Chief is installed, he is
21 responsible to the people. He has to listen to those
22 people. If he doesn't listen to them he will be warned
23 if he is not listening. If he continues to disobey the

1 people he will be warned again. And if he disobeys them
2 a third time he is removed. It is a process using the
3 Clan Mothers and using the people to remove these people
4 and to put somebody else back in that place. It is based
5 on what the people want.

6 It is not a hierarchy where they have
7 to be recognized by a higher body. The recognition of
8 the people has to come from the bottom up, from the people.

9 I shouldn't call it "the bottom"; the people are the top,
10 if you want to put it that way. It is the inverted pyramid,
11 as somebody mentioned earlier today. It is the people
12 that do that.

13 So in a united Mohawk nation, or even
14 a disunited Mohawk nation, that is the basis of what you
15 call Aboriginal rights, our basis to self-determination,
16 that unbroken line from before European contact where we
17 derive our rights from, that right to self-determination.

18 That is the process which has to be established to continue
19 that line, that right to self-determination. That has
20 to be established.

21 There are seven Iroquoian communities
22 within Canada, on the Canadian side of the border, I
23 believe. Those seven have to be dealt with perhaps

1 probably as a nation. It is those seven. When they make
2 a relationship with the government, it will be based on
3 a two-row relationship.

4 The economics of the relationship would
5 be that -- let me take it one step back.

6 In order for the Two-Row Wampum to work,
7 Canada has to recognize our right to self-determination.

8 At the same time we recognize Canada's right to
9 self-determination. We realize that we will have to live
10 side by side with one another and still co-exist without
11 having war, fights, or whatever -- another Oka. We have
12 to realize that. But it won't happen until Canada first
13 recognize our right to self-determination. Once they
14 recognize that and realize that, and realize that we have
15 to exist with them and we agree that they have to live
16 with us, then that's the basis of negotiations; that's
17 the basis of the two row.

18 Then we can decide, in certain places
19 your law will hold sway and in certain places our law will
20 hold sway, in certain places you will be allowed to live
21 and in certain places we will be allowed to live. So we
22 have a relationship where all the elements are put
23 together, so we have these understandings of what we can

1 each accomplish and still co-exist.

2 Funding, for instance, or finances is
3 a big concern of our people: "If we go to traditional
4 government, the government will cut off funding." Maybe
5 they will. But the issue is that if Canada recognizes
6 our right to self-determination, they recognize that we
7 have a land base and we have a population, our economy
8 was a land base economy, and as long as Canada lives on
9 our land base, then they are taking away from our economy
10 and they have to make reparations for that land base which
11 they have taken away from us.

12 When we talk about reparations, we are
13 not talking about a block funding or whatever term you
14 want to use, but it is a recognition by Canada that, "yes,
15 we are actually occupying Mohawk land" -- 3,5 million acres
16 in Canada is Mohawk land -- and with that 3,5 million acres
17 we will negotiate the reparations that are made to the
18 Mohawk nations for that land. We the Mohawks will use
19 that funding whichever way we like, whether it be for
20 education, health, policing, whatever it is.

21 It is a very simple solution. It is a
22 simple relationship. It is workable. It is not
23 impossible. We are not going to fragmentize Canada, we

1 are not going to make Canada into the Balkans or whatever.
2 All these fear-mongering stories Canada has, talking
3 about Yugoslavia, we don't want another Yugoslavia in
4 Canada. In 1990 they used "the itemization of Canada",
5 breaking it up into 565 little pieces and little kingdoms
6 across Canada.

7 We are no a proponent of the "one band,
8 one nation" concept. It is the Mohawk people, it is the
9 Confederacy. The Confederacy is a confederacy of nations,
10 and thus that nation concept. The Crees are a nation.
11 It is not just one little band in North Manitoba. In our
12 concept that doesn't make sense. That was part of Canada's
13 plan to destroy us by making us into individual
14 communities. That was part of it to break us up. And
15 we have been divided by provincial borders and all that.

16 I don't have to explain this; you know all this already.

17 The point is that the two-row
18 relationship can work. The basic starting point, though,
19 is that recognition of self-determination and all that
20 it means -- yes, self-determination means we can have a
21 standing army; yes, it means we can print our own money;
22 yes, it means all these horrible things that the Canadian
23 people and the Canadian government are afraid of. But

1 we are a reasonable, rational people, and it may not make
2 sense to us to have our own monetary system; so we can
3 make an agreement on what monetary system we can co-operate
4 on. It might not make sense to us to fund a standing army;
5 so we can make a mutual non-aggression pact so that you
6 won't use your army against us and we won't ours against
7 you, so we don't need one.

8 There are different basic, simple things
9 that we can decide and still co-exist. It is possible.
10 Give it a chance.

11 **CO-CHAIR GEORGES ERASMUS:** Thank you.
12 This was very useful.

13 Are there any other comments or
14 questions? René.

15 **CO-CHAIR RENÉ DUSSAULT:** Just a very
16 last question. Can you tell us what is your recipe to
17 keep this three-week old so quiet? I am really amazed.

18 **KENNETH DEER:** Good breeding, I guess.

19 **CO-CHAIR RENÉ DUSSAULT:** Thank you.
20 Thank you very much.

21 **ELIZABETH BEAUVAIS:** Thank you.

22 **CO-CHAIR GEORGES ERASMUS:** Thank you
23 all.

1 **COMMISSIONER-FOR-THE-DAY CHIEF BILLY**
2 **TWO RIVERS:** We will have a five-minute break and then
3 we will have the presentation by the Mohawk Council of
4 Kahnawake.

5 --- Short Recess at 4:10 p.m.

6 --- Upon resuming at 4:20 p.m.

7 **CO-CHAIR GEORGES ERASMUS:** I would like
8 to acknowledge that we have had the Kahnawake Mohawk Radio
9 here covering the proceedings for the last couple of days.
10 We appreciate very much the fact that we have been getting
11 live coverage of the hearings. It is extremely useful to
12 us that our hearings get covered by the different media,
13 and we certainly appreciate the fact that the local Mohawk
14 radio has been covering us live for both full days. It
15 has been doing us a great service. We appreciate the fact
16 that there is other media here also covering us from time
17 to time.

18 We have all the Commissioners up front.
19 Could I ask for people in the back to give us the courtesy
20 of keeping the noise down a little bit, please.

21 I notice the facilitator is wandering
22 in the crowds out there

23 **COMMISSIONER BERTHA WILSON:** You should

1 call the facilitator the way he calls for the
2 Commissioners.

3 **CO-CHAIR GEORGES ERASMUS:** That's
4 right. Maybe the facilitator could quit talking and
5 showing a bad example out there.

6 **COMMISSIONER-FOR-THE-DAY CHIEF BILLY**
7 **TWO RIVERS:** Would the Chair please take their places.

8 **CO-CHAIR GEORGES ERASMUS:** Once again,
9 if we could just have some quiet, please, we will get to
10 our next presenters.

11 Please go ahead, Chief Norton, whenever
12 you are ready.

13 **GRAND CHIEF JOSEPH T. NORTON:** Thank you
14 very much.

15 My name is Joseph "O'Henry" Tokwiro
16 Norton. I guess I am one of those chocolate-covered
17 cyanide people that was talked about this morning.
18 Anyway, we can always see a little humour in all of this.

19 I think I have already expressed my
20 appreciation to the Commission yesterday morning for its
21 being here, its work.

22 I have several people with me. On my
23 right is John "Bud" Morris, who is the Executive Director

1 of the Mohawk Council of Kahnawake. On my left is Mr.
2 Phil Schneider, who is legal counsel in a number of areas,
3 who was formerly the Crown attorney in the Court of
4 Kahnawake and now does legal work in a number of other
5 areas for at least 12 years. He has been very instrumental
6 in a number of key issues. I would like him to expand
7 on that a little bit more later on during our presentation.

8 We have Mr. Arnold Goodleaf, who is the co-ordinator
9 of the Canada-Kahnawake relations framework proposal area
10 and also is dealing with policing issue and other matters
11 within the area of the scope and responsibility of the
12 Council.

13 I guess for me this is more or less
14 summation time, summing up or summarizing some of the
15 things that you have heard. I am not going to say too
16 much in this part of the address because I would like to
17 turn over to the people that I have just introduced to
18 expand upon some of the things that we are involved in,
19 and also maybe to try and answer some of the questions
20 that have come up yesterday and again today more so from
21 the practical, applicable, on a day-to-day basis
22 situation, because, with all due respect to previous
23 speakers, there is the theoretical side, there is a

1 principle side, there is the issue of traditions and
2 customs which we very strongly believe in and are pursuing,
3 but there is the day-to-day, practical side, the front-line
4 people. That's what we consider ourselves. We are the
5 ones that have to go out there and we are the ones that
6 have to get our butts kicked or our head slapped or whatever
7 else, we take the flak one way or another.

8 Before we get into that we would like
9 to play for you, with your indulgence -- and with the people
10 in the room, we would like a bit of silence -- a tape
11 recording of a discussion that took place yesterday on
12 a local radio station here in the Montreal area to give
13 you an idea perhaps of what we are up against. I believe
14 there are preparations that have been made for that.
15 --- (Audio Presentation)

16 **GRAND CHIEF JOSEPH T. NORTON:** Thank you
17 very much, that's our presentation!

18 That makes you feel like a patient with
19 a bunch of doctors standing around, trying to decide what's
20 wrong with you and what's right with you, and what you
21 should do and what you shouldn't do. These are respected
22 people, commentators who have been in the industry for
23 quite a long time, and I must say, in one way or another,

1 hide behind a microphone in order to express their personal
2 feelings. There is no objectivity involved in anything
3 of that nature.

4 This may be a symptom of their own
5 insecurity here in the province of Quebec, their own
6 situation in which they cannot or will not or don't have
7 the strength or the willingness to stand up and fight the
8 way we do for what we believe in and, rather than turn
9 and look at the real oppressors in this situation and point
10 the finger at what the problem is, look at us and say,
11 "Who are these Mohawks? There is only 6,000 of them as
12 compared to 4 million Quebeckers and, in general, if you
13 push it across the country, half a million versus 27
14 million. Who are they to tell us what to do?"

15 It is humorous but yet it is sad at the
16 same time that in this day and age we have to put up with
17 that kind of thing. We will be addressing those people
18 in one way or another as soon as we can, but we chose to
19 play that here this afternoon. It is just about 24 hours
20 -- it was 12:30 yesterday afternoon when that was recorded
21 and then it was played again last night. Basically, it
22 goes right across a large area of the city of Montreal.

23 That sets the stage in one way or another

1 for what we have had to put with, and I am sure it is similar
2 circumstances right across the country.

3 Having said that, as I described to you,
4 this is summary time one way or another. You have heard
5 in the last four days, because we have to look at Akwesasne,
6 similar circumstances, things that have been said in light
7 of the fact of the manner in which the Mohawks wish to
8 pursue their future and wish to protect what they have
9 at this point in time, and wish to remind people of the
10 past and what brings us where we are and where we want
11 to go.

12 You also heard from the Akwesasne
13 community and you have also heard from this community too,
14 on an administrative level, to a certain degree, the kinds
15 of problems and the things that we have encountered, maybe
16 the bureaucracies that we have come up against and the
17 problems that we have had. They are not simply just money,
18 as someone pointed out this morning or yesterday.

19 The circumstances that we find ourselves
20 in is that if policy, if government attitude, if the
21 political will is there, there is many things that can
22 change, many things that are blocking not only the elected
23 councils but people in general, Native people in general,

1 whatever your political belief is, whatever the religious
2 belief is. If legislative amendment, policies change,
3 attitudes change out there, then we can move. We can do
4 a lot of things. We can do a lot of economic things jointly
5 and improve the quality of life in our communities, improve
6 the political situation, improve the relations that we
7 have with our neighbours.

8 We don't want to be viewed as a threat
9 to anybody; I don't believe that we are, but it comes out
10 that way when you hear this kind of discussion as we have
11 heard in the last few minutes on radio programs, because
12 it is not only in the English language, it is also in the
13 French language, it is in the tabloids in the Montreal
14 area, it is on the French language programs, the actual,
15 straight out racism, the hatred, the comments that are
16 made, the image that is portrayed of us about Mohawks hiding
17 behind every tree and every rock, and "if you go into
18 Kahnawake, watch yourself".

19 I don't think any of you have felt a
20 threat coming here. I don't think any of the news media,
21 your staff or anybody that's here from outside of Kahnawake
22 in the last 24 hours has been threatened by anybody; and
23 if you have, please tell us about it. I don't believe

1 Mr. Sinclair, the main speaker on that radio program, has
2 been in Kahnawake in years. So for him to come out and
3 say that there are armed people here and you have to show
4 them their ID and that it is a dangerous situation is
5 actually very stupid and ignorant. And I don't mind saying
6 that in public, and I would say it to his face if he were
7 sitting here.

8 In any event, I am going to stop at this
9 point, and I would like to begin by introducing Mr. Arnold
10 Goodleaf, who will briefly outline to you issues in a
11 specific item, but one that touches on all factors and
12 all sectors of Kahnawake, and that is the Canada-Kahnawake
13 relations, and also an update, if you will, on the issue
14 of policing in general.

15 Arnold.

16 **ARNOLD GOODLEAF, MOHAWK COUNCIL OF**
17 **KAHNAWAKE:** Thank you.

18 I think first of all a little background
19 is in order with respect to what Canada\Kahnawake is all
20 about. You have to put it in the sense of a time frame,
21 and unfortunately it seems to be tied to the federal
22 government time frame more than to ours.

23 Since the 1982 First Amendment to the

1 Canadian Constitution, there were developments that were
2 leading to three continuing constitutional conference
3 right up to 1987. There was some hope in the air and there
4 was some speculation that a new relationship might evolve
5 on the universal plan as opposed to a sector-by-sector
6 basis or a community-by-community basis. But at the same
7 time, in a very distinct warning that was given by one
8 of the Co-Chairmen here today -- he gave that warning on
9 May 30th, 1988 -- that the young people were not going
10 to be as tolerant as the older leadership. He gave that
11 warning to Canada, and that was front-page news the next
12 day. But also the next day the RCMP came into Kahnawake
13 and raided Kahnawake on the issue of cigarettes. People
14 were arrested, goods were confiscated, money and records
15 were confiscated.

16 That was an invasion of the territorial
17 and economic jurisdiction of Kahnawake, and the people
18 made it very clear that something had to be done about
19 protecting and enhancing that jurisdictions.
20 Instructions were given to the leadership to conduct
21 negotiations at the highest level with Canada to protect
22 that jurisdiction and come to some kind of arrangement
23 with Canada.

1 On August 9th of that year, in 1988, a
2 meeting was held with the then Minister McKnight and he
3 agreed that he would assign an individual to negotiate
4 some kind of framework agreement with us to establish
5 negotiations on jurisdictional matters. It took us three
6 years just to establish the framework agreement. It was
7 signed in December 1991.

8 We are already 18 months into the
9 process. This process is supposed to last two years.
10 It in fact concludes November 30th of this year, and we
11 have not even come close to any type of sub-agreement or
12 even administrative agreement. Part of that has to do
13 with the perception that the federal government has about
14 the Mohawks of Kahnawake, some of the restrictive nature
15 of the policy that is imbedded in there, self-government
16 policy, which was structured and developed in 1986 and
17 at a time when provincial governments didn't want to become
18 involved in these particular negotiations.

19 In midstream, and post-1990, it became
20 a prerequisite that the provincial government has to be
21 involved in every issue. This was post-1990.

22 When we entered into these discussions
23 it was on the basis of government-to-government

1 negotiations with the federal government.
2 "Canada-Kahnawake Relations"; that's what the title of
3 this whole operation is. It is not called
4 "self-government", it is called "Canada-Kahnawake
5 Relations". We entered into it on that basis, that Canada
6 was representing all of Canada, territorially,
7 population-wise, and the province of Quebec was at that
8 moment, and still is, a part of Canada.

9 We identified 37 areas of jurisdiction
10 that had to be clarified. We identified those in the
11 framework agreement, and those agenda items are still on
12 the table.

13 I do want to outline for you what is the
14 nature of our understanding of what could be arrived at
15 through these discussions and negotiations.

16 Our proposal was calling for an
17 establishment of a new relationship that could be outlined
18 in a series of agreements. Those agreements would be
19 protected. Those agreements would be in sectoral areas,
20 those 37 areas that we talked about. They would provide
21 for changes to specific legislation, amendments to the
22 existing legislation, development of new legislation, or
23 transitional arrangements.

1 We said that at the end of this process,
2 of these sub-agreements, there should be some protection
3 given to all of these agreements. We tentatively titled
4 that umbrella legislation as the "Canada-Kahnawake
5 Intergovernmental Relations Act" an act that would be
6 passed federally and by the Mohawks of Kahnawake. In this
7 act we called for provisions on a guarantee of a continuing
8 relationship with Canada. We called for a provision that
9 would recognize a transitional framework for Mohawk
10 government in Kahnawake.

11 As you have heard from the testimony in
12 the past two days, a transition is required. The Indian
13 Act must be removed and replaced with traditional
14 government, but a transition will be required and we wanted
15 that recognized therein.

16 We required a recognition of the
17 legislation enforcement and adjudicative powers and
18 jurisdiction of the Mohawks of Kahnawake in those 37 areas
19 of jurisdiction.

20 This one here, I think we can even
21 translate this into a recommendation for the Commission,
22 but I will read it to you as it comes from the framework
23 agreement. It calls for the act

1 "to provide for the embodiment of principles, objectives,
2 terms, conditions and commitments
3 of agreements and/or legislative
4 amendments to reflect a
5 contemporary understanding of the
6 true nature of Canada-Kahnawake
7 relations flowing from section
8 91(24) of the Constitution Act,
9 1867."

10 What we meant by that was that these new
11 agreements and any new legislation that would develop would
12 not be developed from the framework of 91(24) being used
13 as a tool of empowerment from the federal government to
14 the Mohawk Nation, nor would it be used for dominating
15 or suppressing, but Canada would use 91(24) as its legal
16 instrument to enter into a legal relationship with the
17 Mohawks of Kahnawake. That would change the entire legal
18 character of how 91(24) has been used since its inception
19 in 1867.

20 We talked about incorporating into that
21 IRA mechanisms to ensure compatibility and/or prevalence
22 of laws to be applied in Kahnawake. We talked about the
23 application or non-application of the Indian Act an other

1 legislation. We talked about the protection,
2 implementation and continuity of negotiated agreements.
3 We called for a procedure for amendments to agreements
4 and legislation, a dispute settlement mechanism and any
5 other matters that would have been required by way of the
6 negotiations and identified therein.

7 That is the proposal from our side and
8 that is supplemented by a series of principles that we
9 laid out. This is built right into the agreement. Some
10 of them are clauses that deal without prejudice to
11 constitutional, Aboriginal and treaty rights, et cetera,
12 that the negotiations would be undertaken without
13 prejudice to the Mohawk Nation with regard to our
14 sovereignty and our nationhood -- in other words,
15 nationhood and sovereignty were not on the table for
16 negotiation.

17 We put a proviso in there which deals
18 with one of the issues you spoke about earlier with the
19 women of the Longhouse, and that is the application of
20 the Charter of Rights and Freedoms, and we called for --
21 I will just read it the way it is:

22 "The objective of the Mohawks of Kahnawake is to

23 re-institute traditional Mohawk

1 government in the territory of
2 Kahnawake. The principles of
3 traditional government provide for
4 the guarantee of both collective
5 and individual rights and a
6 matriarchal system of selection of
7 male political representation.
8 Therefore, the collective rights
9 of the Mohawk people and the
10 construct of traditional
11 government must be taken into
12 account in interpreting the
13 Canadian Constitution, and more
14 specifically the Charter of Rights
15 and Freedoms and section 35."

16 We called for good faith and we haven't
17 seen it. We called for negotiations to take place in a
18 spirit of equality, mutual respect towards co-existence;
19 that hasn't occurred. We also mentioned the issue of land,
20 in that any negotiations that were entered into would be
21 without prejudice to land issues that were outstanding,
22 either as relates to the reserve of Kahnawake or Kahnawake
23 Territory or the seigneurie of Sault-St-Louis or the Mohawk

1 Nation Territory in northeastern Turtle Island.

2 We also said that we would not be going
3 back to scratch in terms of the kinds of institutions that
4 we have on the ground that you heard about yesterday, that
5 we had to reconstruct and get reaffirmation and get new
6 arrangements for institutions that were hand-made, locally
7 built and locally applied, that they were community
8 established.

9 I would make reference to a document that
10 we provided to the Commission, to some of your research
11 people, and I believe some of the Commissioners have it,
12 which details -- this was done in 1989 as a lead into these
13 discussions, because the people that we were dealing with
14 in Ottawa and were making the decisions about how we were
15 going to structure these negotiations knew nothing of
16 Kahnawake. When we attempted to describe in here the
17 institutions that were actually working, on the ground
18 -- on the ground, on a day-to-day basis -- we were told
19 that many of these institutions were illegal, that we had
20 stretched the Indian Act too far. I believe it is June
21 Delisle that spoke about tolerance.

22 That's what was happening in our
23 relations with the federal and provincial governments:

1 they were tolerating us extending the use of our authority,
2 they were tolerating us extending and stretching beyond
3 the Indian Act, but I think they always knew that at some
4 point it would have to come down too for them to say "no".

5 In 1988 the community said, "The Indian Act must go."
6 They said it in 1979, they said it in 1960 and they are
7 still saying it today. That is the job that we have, is
8 to get rid of that Indian Act and replace it with something
9 else.

10 That something else -- and you have heard
11 it, and I think that's the common thread that you have
12 heard over the past couple of days, the last four days
13 I guess, the common thread and common theme is that the
14 principles, the concepts, the philosophy of the Two Row
15 has to apply. That is one of the tests that we had to
16 try and measure when we were at that negotiating table,
17 and thus far the federal government has been unable to
18 meet that test. That is why we have nothing on the table
19 at this moment.

20 Part of the reason that they have been
21 unable to meet the test is that that policy that they are
22 using to mandate themselves to be at the table is already
23 outdated. It was outdated in 1987, it was outdated again

1 after the referendum of last year.

2 There are some other practical problems
3 in there, but I won't elaborate on those because you want
4 to hear solutions, but we thought maybe that an outline
5 of that framework and our proposal and what we intended
6 to incorporate into this Intergovernmental Relations Act
7 would give you some ideas on how either negotiations on
8 a tribal level or on a tribal grouping level or on a regional
9 level or on a community-based level might be conducted.

10 It may not work for everyone, but we are attempting to
11 use it as the tool, the instrument for the mandate that
12 we have been given, which is to get rid of the Indian Act.

13 You are looking for some solutions. I
14 just want to highlight one other point, a document that
15 I believe is in front of you; it should be. It is the
16 National Assembly Bill 78. This had to do with the
17 presentation that you received yesterday from the Kateri
18 Hospital.

19 This is a model that the provincial
20 government of Quebec, and to some extent the federal
21 government have been touting and showing off all over the
22 world as a model for conducting peaceful and equitable
23 and equal negotiations.

1 I think maybe some of the people who were
2 involved in it, Chief Norton and Chief Two-Rivers, who
3 were involved actually in the discussions, might elaborate
4 a little bit more, but the point is that you have certain
5 precedents that were established at that particular
6 moment, where the provincial government undertook to
7 recognize the Mohawk Nation of Kahnawake, recognized that
8 it conducted its business correctly, fairly, equitably,
9 professionally in the matter of providing health services
10 in the hospital, and signed an agreement to that effect.
11 Part of that agreement said that they would amend their
12 legislation to ensure the autonomy of that hospital
13 operation, and they did amend their legislation.

14 Another particular precedent is the fact
15 that you will note the agreement that is attached to the
16 legislation is in three languages, all of which are to
17 be used equally in the legal interpretation of these
18 documents.

19 That is a model I think that can be built
20 on. There are certain other principles embodied in there.
21 Unfortunately -- or fortunately, I am not sure -- this
22 was done at the time of the Parti québécois government,
23 the time of Premier René Lévesque, who took great interest

1 in the Iroquois Confederacy and taught himself about it
2 and understood the philosophies and concepts about it and
3 realized that many of the things that he was fighting for
4 in terms of the aspirations of Quebec were identical to
5 the aspirations of the Mohawks of Kahnawake and, therefore,
6 could not contest them.

7 If we were to try and apply this model
8 today, we would be looking at this type of arrangement
9 for a policing agreement of some sort. We have some
10 observations that Mr. Schneider will be making on that
11 point; the policing issue I think we have to address as
12 well.

13 So I will stop at that point in terms
14 of what kind of arrangements can be established and what
15 can work. The unfortunate nature of it is the policy locks
16 in the federal negotiators and ties their hands so badly
17 that it is almost useless to go to that table because they
18 are limited to dealing with administrative arrangements,
19 which we could do now anyway without a framework agreement.

20 Thank you.

21 **JOHN "BUD" MORRIS, EXECUTIVE DIRECTOR,**
22 **MOHAWK COUNCIL OF KAHNAWAKE:** Good afternoon, ladies and
23 gentlemen. My name is Bud Morris. I am the Executive

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**Royal Commission on
Aboriginal Peoples**

1 Director of the Mohawk Council.

2 I want to give you a brief snapshot on
3 a couple of particular items or issues that would give
4 you an indication of exactly where Kahnawake is in some
5 of the more basic situations. This is not by any means
6 meant to take away from the discussions that were held
7 earlier; it is a means of expanding the horizon in which
8 you have been presented with a number of issues to date.

9 I don't want to go too long. I would
10 rather as well hear questions from you, because I am not
11 sure exactly what you came here to find out, I can only
12 imagine. But in my imagination I might not get it right.
13 So I would prefer to hear questions from you at some point
14 so that we can answer appropriately.

15 The first issue -- and it always comes
16 back to this -- is the land. I am sure you have heard
17 that time and time again across the country, and if you
18 haven't heard it all over, I am sure it will come up again.

19 In Kahnawake it is very particular.
20 There is not enough of it, and what there is we can't do
21 enough on it. It is that simple. Thirteen thousand two
22 hundred acres for 6,000 people. In another 40 or 50 years
23 there will be about one acre per person, and the doubling

1 time after that, I am not sure how long it will take, but
2 there will be half an acre per person, and then a quarter
3 acre. A couple of generations is all it is going to take,
4 there just won't be enough land. We will be having to
5 build like a city. That's not the way we want to live.

6 Fiscal relations, I am sure some people
7 have touched on that; I have heard some of it. Kenneth
8 Deer earlier expressed the philosophy behind the transfer
9 payments or the monies that are received from the
10 government, and it is based on the loss of our economic
11 base, which was based on the land. It is still true today
12 as it was before: we need an economic base and we need
13 land to conduct an economy on.

14 Our preference is really -- at least mine
15 -- to be financially independent from the government.
16 I don't want to have to depend, and my children, on the
17 government's whim of the day, if they want to send the
18 money that day or not, if the Minister of Finance says,
19 "We can't afford it", so Indians will become a social
20 program and we can be cut, as they are doing already.
21 That's not the objective.

22 I am not here to ask for more money and
23 say, "Give us more money" because that's the end-all

1 solution to the problem. All we want is recognition of
2 the tools that are required to sustain ourselves
3 economically, independent from the federal government.
4 One day we will probably realize that goal with or without
5 your help, but there may be a lot of conflict between now
6 and that time, and it might be a longer time if we don't
7 have help.

8 I presume and I hope that's part of the
9 reason why you are here today: to find ways to help us
10 reach a level of equality that we have been asking for
11 for 100 years and not to be subjects or to be welfare
12 characters.

13 This brings me to the third point of how
14 Canada has been characterizing the transfer payments that
15 they make to Indians. This is a very sorrowful point for
16 me, because I have to sit there with departmental people,
17 employees, negotiating funding arrangements, and they make
18 me feel like I am a tax burden -- "Gees, why are you asking
19 for so much? You don't have a right to ask for this much."

20 That's the hidden message that comes across. "Do you
21 realize how much tax I have to pay" is their question,
22 or their response, "and you don't have to pay any tax.
23 So why are you asking for all this?"

1 The answer I give them is, "It is not
2 yours. The money that you are giving is coming back to
3 us as a result of the resources that you have developed
4 on our land." But, of course, that goes in one hear and
5 out the other, because the government policy is not to
6 recognize that as the way funds are transferred. The
7 government wants everybody in Canada to believe that their
8 tax dollars are supporting Indian people.

9 If you want to better the relationship
10 between Indians and non-Indians, I would recommend that
11 you tell the government very shortly, "Re-characterize
12 the way you transfer dollars to Indian people, that they
13 are not welfare dependent, they are not taxpayers' burden,
14 that that's their rightful share of the resources of this
15 land."

16 Regarding the land issue, there
17 certainly is going to be a long time before we can find
18 an adequate resolution to all the land issues in Canada
19 for Aboriginal people, but eventually it will all have
20 to be settled. In the meantime, if you are looking for
21 interim solutions or short-term solutions, why can't we
22 have some land back that is rightfully ours in order to
23 conduct an economy without prejudicing future negotiations

1 on final settlements and without having to go to court?
2 I don't understand why we can't. We can't even set up
3 a negotiating table. That's how far removed we are from
4 a resolution.

5 In terms of medium-term solutions or
6 options for you to consider relating to economy, there
7 are some things that the government could do that it hasn't
8 done yet and may be appropriate for them to consider, such
9 as promoting location of business on Indian reserves,
10 across Canada, not just here in Kahnawake.

11 They are always looking for investment,
12 they are always trying to get people to come to Canada,
13 but naturally Members of Parliament have their own
14 particular interests on where they want those business
15 to locate; they often fight about it amongst themselves,
16 which region of Canada will it go into. And, obviously,
17 Indian people, because of their relatively small numbers
18 and because, particularly here in Kahnawake, we don't vote,
19 we are not a consideration at all. In fact, if we were
20 to try and compete with some of our surrounding neighbours
21 to get a business located here, we would certainly be met
22 with some fierce competition from their political
23 representatives, saying, "Oh, no, don't go to Kahnawake.

1 You can't trust those Indians. Your investment won't
2 be safe there." Is that promoting economic recovery for
3 Indians? Is that the image Canada wants to portray to
4 the outside of its Native people?

5 In the short term there is a lot of
6 flexibility that can be arrived at in government policy
7 that is just not there right now. It doesn't require
8 constitutional change, it doesn't even require a
9 ministerial order, it doesn't even require Cabinet or
10 Treasury approval. All it requires is some creative
11 thinking on behalf of some bureaucrats or technocrats in
12 the department to lessen the constrictions on their
13 policies.

14 Georges, you sat through many issues
15 dealing with the Department of Indian Affairs, and I don't
16 think I am telling you anything new. But that system
17 hasn't changed. The government is still full of strings
18 when it comes to Indian life and it doesn't want to cut
19 those strings; it just wants to tie new knots in them.

20 Another short-term solution would be in
21 the method of transfer of dollars. While we are in this
22 mood as it is right now, there is nothing preventing the
23 Government of Canada from transferring funds on a grant

1 basis instead of having 90 formulas that have to be applied
2 by 100 bureaucrats and figure out what goes where, and
3 then report it all at the end of the year, and the chartered
4 accountant is pulling his hair off trying to figure out
5 what when where. It would eliminate a lot of redundancy,
6 a lot of double bureaucracy, money that could be better
7 used by Indian people.

8 But, apparently, the Government of
9 Canada doesn't have enough confidence in Indian people
10 to transfer money in that way at this time. I don't know
11 why. So they have to spell out 99 conditions on how you
12 can spend the money.

13 There is a couple of other issues, to
14 give you the snapshot that I was referring to earlier.

15 As Arnold mentioned, we went beyond
16 government policy over here, and I don't know how many
17 other Native communities did so, but Kahnawake certainly
18 pushed the envelope in a number of areas. To give you
19 a snapshot, I will give you just three that I can think
20 of off the top of my head, but there's others.

21 Education. We don't follow Quebec's
22 law regarding education, which theoretically we are
23 supposed to. Our high school is not recognized by the

1 province of Quebec. Our graduates that come out of high
2 school don't receive a Quebec certificate of graduation,
3 which they are supposed to. So we are breaking the law.
4 Yet our students are able to go to other colleges in Quebec
5 and outside of Quebec -- Canada, the United States and
6 abroad -- and attempt college and university with a high
7 school certificate or graduation certificate that we issue
8 over here. But Quebec doesn't like it, and if it could
9 it would stop it probably. It would try and force us to
10 get the Quebec certificate. That's one example, in
11 education.

12 And you want to tie in the funny aspect
13 regarding education? If we send a student off the reserve
14 under a tuition agreement the government will pay 100 per
15 cent, whatever it costs. If it is \$5,000 to send a kid
16 to school for one year, they will pay that \$5,000. If
17 he goes to school on the reserve, the formula applies and
18 the formula is less than \$5,000. So what they are saying
19 is, "Educate your children for less money than it costs
20 to educate white children or non-Indian children", even
21 though we all know it costs more to educate Indian children
22 in a Native curriculum, because the curriculum is not in
23 the store to buy, you have to develop it yourself.

1 Housing. We are pushing the envelope
2 there. We don't give out the grant system that the
3 government policy says we should because we found it wasn't
4 particularly useful to our community. We saw what
5 happened in other communities, where they had
6 half-finished houses, and we said, what we are going to
7 do is wrap up the grant with a loan and give it at
8 below-market rate, and they will have a finished home.
9 So we are not following government policy there either.
10 The government doesn't condone it. In fact, they close
11 their eyes; they don't want to know about it.

12 Financially, there is a backlog of 400
13 homes in Kahnawake if we wanted to meet the national average
14 for the occupancy rate. And this is a good place you are
15 talking about.

16 Welfare. The government likes to pay
17 100 per cent of that -- over \$5 million in Kahnawake this
18 year, and there doesn't seem to be an end in sight on the
19 growth. There is no problem with paying that bill; the
20 government will pay 100 per cent of that. They won't pay
21 100 per cent of other things that will get people off
22 welfare.

23 I am sure you have heard the story, you

1 are looking kind of a little bit -- "I heard this before
2 and I am getting bored with it", but that's the situation
3 over here. If you have seen the picture before, maybe
4 you could do something about changing the situation.

5 In general, it is safe to say in terms
6 of funding that we do have a problem. We are prepared
7 to address it ourselves if someone would give us the
8 recognition that we have the right to conduct our own
9 economy. As I said earlier, we are not here asking for
10 hand-outs and for you to go back to the government and
11 say, "Give us more money." That's not the issue. That's
12 not going to solve the problems.

13 The problems, we know what they are, we
14 know how to fix them, but nobody will allow us to do it
15 legally in the Canadian system. We can do it illegally,
16 and we will have to if nobody else allows us any other
17 way. If there are no alternatives, we will do what we
18 have to do to survive with the quality of life that our
19 people demand.

20 I don't want that conflict to happen,
21 and I don't think any of you or anybody else in Canada
22 wants that conflict to happen. But that's the reality.
23 We won't be subjugated, we won't be put down.

1 Myiow.

2 **GRAND CHIEF JOSEPH T. NORTON:** The next
3 presenter is Mr. Phil Schneider. I described to you
4 earlier on, his role in Kahnawake, for a number of years
5 now. I think as some background to this issue in terms
6 of justice in Kahnawake, Mr. Schneider is going to touch
7 on I guess a number of areas that can be addressed right
8 now under the present system as it stands, some of the
9 problems that are here and some of the recommendations
10 and possible solutions that he has to certain things that
11 can apply, not only in Kahnawake but we believe right across
12 the country, in a number of areas where communities are
13 developing or attempting to develop their own justice
14 systems. I have asked Mr. Schneider to make a brief
15 presentation with some of the things that he has seen over
16 the last few years.

17 So we will turn to Mr. Schneider.

18 **PHIL SCHNEIDER, LEGAL ADVISOR, MOHAWK**
19 **COUNCIL OF KAHNAWAKE:** Thank you.

20 It has been a long day, you have heard
21 a lot of speakers. I know that we have at least two
22 professional listeners on this Commission whose careers
23 and training have involved them in sitting patiently

1 listening to speakers on various issues.

2 As Chief Norton stated, I don't intend
3 to address the larger principles that have been discussed,
4 and you have heard a great deal of that over the last couple
5 of days, or the last four days if we include the Akwesasne
6 presentations. I would like to limit myself to some very
7 practical, immediate issues that I think this Commission
8 can make some recommendations on and help solve certain
9 problems that are existing right now.

10 I start with the premise that any
11 community that wants to be viable and wants to have any
12 degree of self-government has to be able to administer
13 its own justice system. It has to be able to make laws
14 and it has to be able to enforce them. Fortunately in
15 this community the Council, in consultation with the people
16 in the community at various meetings, has over the years
17 been making and adopting laws, or trying to make and adopt
18 laws, under the Indian Act system as well as through
19 resolutions and communal laws. And, fortunately, in this
20 community there is a policing force known as the Kahnawake
21 Peacekeepers. I will tend to focus on the Peacekeepers
22 for a few moments because it is fundamental to a lot of
23 issues that are of concern to this community right now.

1 The Peacekeepers have existed since
2 1979-1980. They are an independent policing force and
3 peace-keeping force in the community of Kahnawake. By
4 "independent" I mean not answerable directly to the
5 provincial or the federal government. Since 1979-1980
6 they have been carrying out all typical policing functions
7 in this community, both in terms of applying those
8 functions to the people of the community and those
9 non-Natives going through the community on the various
10 highways and coming into the community for various
11 purposes.

12 Their status has been attacked in the
13 past and confirmed by the Court of Quebec. Judge Guy
14 Fortier, in a decision that is well known, the Norton
15 decision, held that the Peacekeepers of Kahnawake are peace
16 officers within the meaning of the Criminal Code.
17 Notwithstanding that, there have been more recent
18 challenges to their status through procedures that have
19 been either implemented or threatened to be implemented
20 over the last few months before the courts outside of the
21 community.

22 Contrary to what Mr. Gordon Sinclair
23 stated in his interview with his off-the-cuff comments,

1 he doesn't have to worry about coming to this community
2 and being threatened or seeing armed people at checkpoints.

3 If anything, this community is the most protected and
4 policed community in North America right now. We have
5 the Peacekeepers, we have the SQ and we have the RCMP,
6 all doing policing functions, triplicating functions
7 unnecessarily -- from the point of view of a non-Native
8 person, wasting taxpayers' money with the SQ and the RCMP
9 driving up and down 207, 132 and 138; from the point of
10 view of the Native community of Kahnawake, an unnecessary
11 and overburdening presence of police officers, who have
12 become in effect for this community a nuisance, a nuisance
13 to the members of the community, who are consistently and
14 constantly intercepted and "routinely checked" by police
15 officers from the other two forces, and not only the Native
16 members of this community but a lot of the non-Natives
17 who come into this community and go out each day being
18 stopped and being checked unnecessarily.

19 We have a force of about 30-some officers
20 who have been doing their job for over 10 years, over a
21 decade, who have worked on a day-to-day basis in
22 collaboration with other police forces, and still do in
23 fact, who are perfectly capable of policing the community

1 and the roads surrounding the community which are used
2 by both Native and non-Native persons.

3 There is an immediate problem. That
4 problem was alluded yesterday, from what I understand,
5 by one of the speakers. It is the perception of some people
6 that it is unsafe to come to the community, that therefore
7 it is a justification for not attending the local court.

8 And we are all aware of the decision that was rendered
9 by Mr. Justice Steinberg a couple of weeks ago where he
10 has ordered a new trial for certain people who appealed
11 when they were convicted by default to appear in court
12 here on various ticket matters. I might add as a footnote
13 that that decision is not standing because we are appealing
14 that decision.

15 And, for the benefit of not only this
16 Commission but of anybody else who is listening to these
17 hearings from both within and outside of this community,
18 it is business as usual. Peacekeepers continue to do their
19 functions, continue to issue tickets and cases continue
20 to be processed through the local court, and it is not
21 a licence to ignore the court or the tickets, because those
22 people who do so will have a nasty surprise somewhere down
23 the road when they are visited by a bailiff or a peace

1 officer to arrest them for failure to pay their fines.

2 The presence of the SQ and the RCMP is
3 not necessary. The presence of three police forces
4 creates confusion in the minds of the neighbours of
5 Kahnawake: Which force has jurisdiction? Which force
6 can carry out its duties? How do I react to the various
7 forces? Do I react to the Peacekeepers in one way and
8 to the SQ in another way and the RCMP in another way?
9 That feeling is both locally and from the outside.

10 If we want to eliminate the confusion,
11 if we want to eliminate the tension that exists right now
12 when a Peacekeeper intercepts a non-Native or when an SQ
13 member intercepts a Native, then the solution, I submit
14 to you, is very simple and very practical: withdraw
15 immediately from this territory the SQ and RCMP in terms
16 of patrolling force. It is not needed.

17 For a decade -- over a decade -- the
18 Peacekeepers alone patrolled those highways and did so
19 sufficiently and properly and professionally, and continue
20 to do so right now. If there is an issue where the SQ
21 or RCMP are needed, such as technical assistance in a
22 homicide investigation, or an arson, or any other kind
23 of specialized field, then they will be called in and they

1 can be used, and their services will be more than readily
2 accepted by the community.

3 In fact, you may not know this, but over
4 the last two or three years that has happened. Since the
5 crisis of 1990 those forces have come into the community
6 when called in by the Peacekeepers to assist in various
7 complicated or technical matters, and they are able to
8 work together on a day-to-day basis. But, unfortunately,
9 we have politicians who are making gratuitous statements
10 about statuses, jurisdiction, et cetera, to the detriment
11 of day-to-day operations of the police forces.

12 If we want to eliminate the confusion
13 about who has jurisdiction and the right of the Mohawks
14 of Kahnawake to police their own territory, then withdraw
15 outside the perimeters of this territory the RCMP and the
16 SQ. Continue to have them at their various stations and
17 there to assist and work with the Peacekeepers, yes, but
18 they do not need to patrol the territory. In fact, they
19 have reduced down their patrols over the last few months,
20 and they should be eliminated totally. Let the
21 Peacekeepers do their job and let the neighbouring
22 communities recognize and realize that it is the
23 Peacekeepers, the Mohawk Police, who have that function

1 and do do it. They have done it for 12 years, they can
2 certainly continue to do it for another 120 years.

3 At the same point, on the same issue,
4 as you are aware there are negotiations going on between
5 the federal government, the provincial government and
6 Kahnawake concerning policing. Arnold Goodleaf referred
7 to those earlier in his presentation. They are not
8 advancing quickly enough. These negotiations have been
9 on the go for over a year and a half and progress is not
10 being made.

11 If progress cannot be made -- as Mr.
12 Goodleaf pointed out, it is the Canada-Kahnawake
13 relations. Quebec has been invited in because of the
14 request of the federal government. But if those
15 negotiations, those tripartite negotiations, cannot come
16 to a solution, then it would seem to us that the federal
17 government can unilaterally acknowledge and recognize the
18 Peacekeepers. Put to bed this issue and this doubt about
19 their status.

20 The federal government has the full
21 authority and power to do so by its constitutional
22 jurisdiction concerning Indians and lands reserved to
23 Indians under the Constitution Act, and the clear example

1 of that power is the fact that the federal government
2 unilaterally, on its own, created its own policing force,
3 the RCMP. No one can doubt their status, their legitimacy
4 as a federal force. No one can doubt, I would submit to
5 you, the ability of the federal government to recognize
6 and acknowledge the Peacekeeping Force as the policing
7 force for the community of Kahnawake.

8 It is essential that the policing force
9 in this community be Native, that it be a Native policing
10 force. That is the trend throughout Canada, I would think,
11 throughout North America. It is just common sense that
12 the people of this community, if they are going to have
13 any dealing with the law and with a police force, would
14 want to and feel more at ease dealing with their own people,
15 going through their own court as much as possible as opposed
16 to going to an outside court where everything is from a
17 different point of view, a different perspective, with
18 a different cultural baggage that is used to make
19 decisions.

20 On that very subject we have heard a
21 great deal of news over the last few years about judges
22 following training courses concerning issues of minority
23 rights, sexism, women's rights, et cetera. A very useful

1 training package, I would submit to you, would be a training
2 package concerning specifically Native persons as opposed
3 to minorities in general; Native persons, their
4 perspective, their community histories and background,
5 their cultural baggage being taken into account.

6 On that very issue we also know that over
7 the last 10 years judges have taught themselves the whole
8 gambit of individual rights. Because of the
9 implementation of the Charter of Rights and Freedoms the
10 judicial system has taken a very strong look at individual
11 rights, which is fine. We were directed to do that through
12 the implementation of the Charter of Human Rights and
13 Freedoms.

14 But, at the same time there is another
15 important facet that is not taken into account on a
16 day-to-day basis and must be addressed, and that is the
17 issue of community rights and collective rights when you
18 are dealing with Native communities. Having worked in
19 this community for 12 years as an attorney, I can tell
20 you that individual rights may be important, but just as
21 important if not more important is the concept or idea
22 of collectivity and collective rights. Sometimes I think
23 that our courts outside of the Native communities are going

1 to have to realize that individual rights will have to
2 yield to collective community rights.

3 We have that very issue coming up on the
4 table in the near future in a court case that we are involved
5 with, where the courts are going to balance collective
6 rights versus individual rights in this community.

7 I was told that this Commission is
8 looking for solutions to various problems. I would like
9 to bring to your attention some of the problems we have
10 had. I will do this very quickly, in a point form.

11 We have certain cases ongoing right now
12 which have raised the issue of the jurisdiction of the
13 Court of Kahnawake and its status. One of the issues that
14 came up but was settled prior to being debated was the
15 question of independence of the tribunal, something that
16 I am sure the two judges on the Panel can recognize very
17 quickly in terms of the Valente case.

18 We brought that issue immediately to the
19 attention of the Department of Indian Affairs in a meeting
20 with senior legal advisor and senior statutory instruments
21 officer. Nothing has been done since we brought it to
22 their attention in January. We in fact were told that
23 the Department of Justice was aware of this issue four

1 years ago. Their solution was to not correct the technical
2 deficiencies but, rather, simply to appoint no more courts
3 in Canada under that section of the Indian Act. That was
4 the solution. Those judges who are sitting continue to
5 sit with those technical problems still there -- don't
6 touch them, don't correct them, simply don't appoint any
7 more justices.

8 I would submit to you that that's not
9 the proper way to handle an issue that is so fundamental
10 to the whole concept of self-government, to the whole
11 concept of the viability of various Native communities.
12 Instead of not appointing judges and instead of not
13 correcting those deficiencies, the opposite should be
14 taking place.

15 We face an issue before the courts right
16 now in the area of intoxicants. We have a court case going
17 on as to the jurisdiction of the Mohawk Council of Kahnawake
18 to pass a law on intoxicants, which power is given under
19 section 85(1) of the Indian Act.

20 When you study that problem in depth and
21 prepare for your arguments in court you realize that when
22 Parliament amended the Indian Act just a few years ago
23 on that issue, what they gave the various Native

1 territories was basically nothing. They took sections
2 of the Indian Act out where the federal government passed
3 one law uniformly for all of Canada, for all Native
4 territories in Canada; they repealed that and then passed
5 a new law saying that each territory could decide whether
6 or not intoxicants were prohibited.

7 That's all they gave to the various
8 Native territories under the legislation: the ability
9 to decide whether or not they are prohibited, not the
10 ability to regulate. Quebec can regulate in the province,
11 Nova Scotia can regulate in the province how intoxicants
12 are distributed, who may distribute them and what the rules
13 are. But, according to the reading of the Indian Act,
14 a Native territory can't do it. It is either prohibited
15 totally or allowed; and if you allow it, fall under the
16 provincial regulations.

17 That's unsatisfactory to the various
18 Native communities, which have their priorities and their
19 point of view about how that should be regulated and who
20 should or should not be able to operate such businesses.

21 Again, it is a question of amendment to
22 the Indian Act. Don't amend to allow simply to prohibit,
23 but amend to allow to regulate.

1 We have litigation going on concerning
2 the applicability of laws on the highways, 207, 132 and
3 138. Which laws applies? Quebec Highway Security Code,
4 Kahnawake By-Law or Indian Traffic Regulation?

5 We have an interim decision in a case
6 that we are proceeding with further where a judge used
7 the Indian Traffic Regulation to decide that the Quebec
8 Highway Security Code applied to the Native community in
9 and above the by-law. Why? Because Indian Traffic
10 Regulation -- which consists of nine very poorly-drafted
11 articles, by the way -- states that when those other
12 articles are silent, provincial law applies. So by using
13 the Indian Traffic Regulation we found ourselves facing
14 a provincial law applying in a community when the community
15 itself had its own by-law. Yet under the Indian Act the
16 community has the right to make a by-law on traffic. And
17 I am not talking about anything to do with inherent rights
18 or Aboriginal rights, I am just talking about the Indian
19 Act.

20 Four years ago, as attorney for this
21 Council, I wrote a letter to the Department of Indian
22 Affairs requesting that either (1) repeal the Indian
23 Traffic Regulation because it was outdated and poorly

1 worded and probably unconstitutional and invalid because
2 it is so vague anyway, or at least, (2), declare it as
3 not applicable to the community of Kahnawake, anticipating
4 that we would some day have this particular problem. The
5 response was, "No, we can't do that." End of discussion
6 on the subject.

7 These are small things perhaps in the
8 overall mandate of this Commission, but they are practical
9 things we face on a day-to-day basis which touch the
10 jurisdiction of this community to operate on a day-to-day
11 basis and run its own affairs: their own policing force,
12 their own court system, their own laws. And I am not
13 talking about laws that may seem radical to the non-Native
14 community, I am talking about laws which are supposed to
15 apply according to the Indian Act itself which are not
16 being applied because of impediments and the extreme
17 slowness with which the bureaucracy reacts to requests
18 to adjust those laws so that we can continue to operate,
19 develop and run a viable system.

20 The solutions that I propose to you I
21 don't think are radical or require a great deal of study
22 or debate. The Traffic Regulation itself is outdated and
23 terribly drafted; repeal it. Section 85.1 can be amended

1 to allow the communities to regulate, not just prohibit,
2 intoxicants in their territory and, therefore, we don't
3 face the possibility of challenges in outside courts to
4 something which is truly an internal matter. And if the
5 provincial and federal governments can't get their act
6 together and declare and recognize the Peacekeepers as
7 a valid police force and peace officers, then the federal
8 government should take its responsibilities, as designated
9 under the Constitution Act, and so declare themselves and
10 then deal with the province when they have to in their
11 own forum the way they wish to do so, as they will have
12 to do through all of Canada, because more and more I am
13 sure you are going to see various Native communities
14 wanting and developing their own policing forces.

15 In conclusion, what I am saying is, this
16 Commission should recommend to the federal government that
17 it respect and acknowledge the ability of this community,
18 as other Native communities, to govern themselves, to run
19 their own lives, to foster and develop their own cultures
20 in their community, and to exercise their jurisdiction
21 in their community.

22 Thank you.

23 **GRAND CHIEF JOSEPH T. NORTON:** It is

1 running a bit late, but we have another presenter who has
2 been silently sitting up there for the last two days.
3 Chief Two Rivers wishes to speak and we will allow him
4 some time as he has allowed us some time and thereafter
5 if there are any questions or comments you may have, please
6 feel free.

7 **COMMISSIONER FOR THE DAY BILLY TWO**

8 **RIVERS:** My name is Kaientaronkwen and my father's name
9 was Tekaniatarokon.

10 All of the proceedings that have gone
11 on for the last four days have all been based on our
12 historical right, our indigenous occupation of this land
13 and other historical arguments.

14 That is under threat right now. I guess
15 that argument that we are the people of Kahnawake and
16 Akwesasne also is in some danger.

17 The governments, both the direct
18 European governments and the governments of today, both
19 federal and provincial, have always tried to do away with
20 the Mohawk people, with Indian people in general, but we
21 seem to have been targeted over the last 500 years as a
22 thorn in the side of the Europeans in defending and standing
23 up for our rights, our land and our freedom, and because

1 we vigorously stood up to these foreign immigrant peoples,
2 we were called many names and described in many
3 uncomplimentary ways.

4 Through all these centuries their
5 efforts have failed to break our spirit or to dislodge
6 us from our territories.

7 There is a new danger and a new tactic
8 that they are going to use.

9 Several years back we have had several
10 warnings. One warning we received concerning I guess the
11 loss of our land was the implementation of the little
12 certificates of possession for land and through this
13 process they were able to take the Seaway and put it through
14 our territory because they broke the collectivity of the
15 community and went after the individual. We were
16 warned about that by Louise McComber, Louise and her
17 husband, Chief-Poke-In-Fire, and many other people at
18 meetings that we should not accept this process. So, they
19 have been trying to undermine us for centuries.

20 If you remember the play that was played
21 on CJED just an hour or so ago, one of the statements made
22 was the fact that Kahnawake was in Quebec because of
23 conquest. They were equating us to being the same as the

1 French or anybody else, that our point in time in history
2 began probably at the same time.

3 In some of our negotiations with the
4 province, they are saying we arrived here after the French.
5 Their history says so. At a recent decision by a judge
6 who at that time was a lawyer who defended the SQ on the
7 shooting of David Cross, Proulx is his name, who is a judge
8 now, came down with a recent decision where he said that
9 Kahnawake and Akwesasne were immigrants to this area.

10 This is an argument that is going to be
11 used in the near future where they will by, I guess,
12 legalities or historical documentation or some babblings
13 of the anthropologists who come out of McGill University
14 and other places that, yes, we did come here.

15 Well, a long time ago when my dad was
16 a young boy, because he was the oldest one he was asked
17 to go and live with his grandfather and his grandfather
18 just lived, my great-grandfather, just lived down the road
19 here at a stone house and there he grew up. From the early
20 age of six or seven he helped his grandparents and he would
21 hear the stories of the old people and the different things
22 that they talked about.

23 Well, over here -- I will get back to

1 the point of the story -- over here Kahnawake means
2 something. Caugnawaga and other names that they have
3 called this community does not mean anything, but in our
4 language Kahnawake means "by the rapids, by where the swift
5 waters flow".

6 It has been our way to identify areas
7 by maybe the geographic or the geological or some other
8 significant way where locations were. If I was to tell
9 someone I was going to what is now Skanetati, it is called
10 in English Schenectady, and I would know or our ancestors
11 would know where they were going. There have been names
12 given to places that our people have been. Now, that is
13 to the south.

14 To the west there is a place called
15 Gananoque. That is not the proper name for it. The Mohawk
16 name is Kawonnoke. Kawonnoke is the start of the Thousand
17 Islands and Kawonnoke means island.

18 In Quebec, Quebec City, where the river
19 narrows, we call that where the river narrows
20 Tianiatarikon, where it comes together.

21 So, we have names for many place and
22 Kahnawake is one of them. New York, New York City is called
23 Kanonon. That is where the hickory grew.

1 Then, we identified people. When we met
2 them on first contact, our ancestors would evaluate and
3 name them for different characteristics. When the French
4 traded with us and they introduced the metal axe, we called
5 them Oseronni, which is hatchet maker. So, now in our
6 language when we talk about hatchet makers, we call them
7 Oseronni.

8 The English who marched in formation
9 when coming towards you in blazing red jackets were called
10 by our people Tiorononsaka, the same as the sunrise, the
11 brightness of it, and we identified with that.

12 What I am getting to is that earlier this
13 morning and in the last few days you heard about the
14 peacemaker coming to the warring Iroquois or the warring
15 nations over here and bringing peace. Well, if that
16 occurred in the eleventh century, the twelfth, the ninth
17 or the thirteenth, whatever, he brought peace. Peace was
18 known in this territory. The Indian communities lived
19 together in peace because it was brought to us by the
20 Tekanawita, the peacemaker.

21 Who brought war and conflict back to this
22 peaceful situation, the European. When he came to this
23 land and we welcomed him and nurtured him through the early

1 winters and he saw a trade, then he stayed and he created
2 a situation where Indian was pitted against Indian, but
3 if you will remember in your history and this is where
4 I think the Royal Commission will remember an Algonquin
5 Chief recently made a presentation to one of the
6 commissions. His name was Jean-Guy Whiteduck and he made
7 the statement that the Algonquins had the territory going
8 even beyond Plattsburgh, so in actual fact, if everybody
9 hung their hat on that argument, then this is Algonquin
10 territory. This is not Mohawk territory.

11 Some of you will recall in history when
12 the French landed at the foot of Montreal, they wrote in
13 their diaries and their journals and they took it back
14 to Europe that they met with the people and the people
15 were there and they were the Hochelagas, the mysterious
16 nation of people that no anthropologist can explain and
17 they do not know anything about, a mysterious disappearance
18 occurred.

19 My father told me that he heard from the
20 older people how this came about. When we talk about
21 Kahnawake -- they called it Caugnawaga, this and that --
22 well, what happened was that we, the Mohawks, were in this
23 area. We were on the Island of Montreal. Part of those

1 people migrated and moved from the tip over there to what
2 is now Atwater and St. Catherine. Then they moved to
3 Senneville and ended up in Kanesatake. Now, some of our
4 people moved to Kahnawake on the south shore.

5 What I am getting at is that the
6 Hochelagas are the French people because the people heard
7 these people arriving and they went to greet them. A
8 European greeting at that time was to put out your hand
9 and shake it. In our language the hand is osha and when
10 they came there and shook hands with all of our people
11 and patted them on the back and did everything that they
12 could, they shook their hands again and again. Our Indian
13 people got tired of it. Our ancestors got tired of it.
14 When they left, they called them Osha-aka which, badly
15 pronounced and written in the journals, the French came
16 out Hochelaga.

17 We, the Mohawk people, called the white
18 man that arrived, Champlain and his gang, handshakers,
19 Osha-aka, and how could they find an Indian tribe when
20 it was us describing who they were and the way that they
21 first met us.

22 We have also named people for
23 characteristics just like the oriental, we sometimes call

1 them Teatikaroti:eh, which is pointed or sharp eyes.

2 So, again, our people have always been
3 here. When they went back to Europe and they came back
4 on their second journey they found no one in the villages
5 that they had first met our people. We had moved because
6 the big ship was able to come to the foot of our village,
7 but when we moved up to Atwater and St. Catherine, then
8 they could not come up the rapids that far and they would
9 have to come on land and their guns could not reach us.

10 We have been here from time immemorial.

11 We have been here and the time has been lost. But
12 anthropologists are saying there is a group over here,
13 the Laurentian Mohawks, the Hochelagas, probably killed
14 off by the Mohawks. Well, maybe we should have killed
15 those Hochelagas then. Maybe we would have a lot less
16 problems today.

17 All I want to say is that be prepared,
18 and I am talking to the people of Kahnawake and Akwesasne,
19 be prepared because the undermining, the underpinning,
20 of the legal status of Mohawks within this territory is
21 going to be challenged.

22 Quebec would like nothing better than
23 to say that they were here and some immigrant Indians

1 arrived and are claiming Aboriginal rights.

2 When they talk about conquest, that we
3 are here by conquest, it has been stated time and time
4 again that the Iroquois confederacy never lost the war.
5 Because we are people of peace we tried to stay neutral.
6 Naturally, for some excitement and I guess other reasons,
7 some of our boys got involved, but generally we try to
8 stay out of it.

9 So, all I am saying is that if some of
10 those anthropologists, some of those people who are
11 supposed to have a high degree of book learning and
12 knowledge are trying to say that we were not here, they
13 are very, very wrong because the Osha-aka is those
14 handshakers with hip boots on and chest-plated armour that
15 never abated and they went back to the country.

16 Anyway, we were here for a long time and
17 we intend to be here and we are not here as immigrants
18 in this land. We are here because our ancestors were here.

19 There may have been migrations because that is the habit
20 of the Mohawk to go where the job is and if I was living
21 somewhere in Huntington and I learned that the big fur
22 trade business was going on in Montreal and there were
23 good trips going into the interior, I would come and stay

1 over here.

2 It happened that a lot of us just stayed
3 in one group and in one area. They came up from Albany.
4 They came up from Schenectady. They came up from
5 wherever. We even got some local Indian communities, the
6 Abanake (PH) or the Napanee or somebody, they came and
7 they found work over here and they stayed, but basically
8 this is Mohawk Indian country.

9 So, we have to be careful because this
10 argument is going to be coming soon upon us. When we talk
11 about the seniorial lands, when we talk about our historic
12 rights to this territory, it is going to try to be
13 undermined by saying that we migrated here. We have
14 already been called immigrants by legal decisions by, like
15 I say, Judge Proulx and other people are hanging their
16 hat on it. Sinclair is already stating it, so these are
17 another area by which they are trying to attack the
18 legitimacy and the legality of the Mohawk people within
19 this territory. Regardless of what they say, as some
20 people stated earlier, we are here to stay.

21 **GRAND CHIEF JOSEPH T. NORTON:** I guess
22 we can open the floor to any questions or comments you
23 may have. In addition to what Chief Two Rivers said, we

1 have people in Alberta also. We have a group of people
2 who left and travelled into the interior and we have met
3 with them on a number of occasions. They have talked to
4 us about their connection with this community over here
5 and even the names of some of the people who went into
6 the interior of Canada. So, we have been all over the
7 place.

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

9 We have been asking a number of questions throughout the
10 day and also in Akwesasne. I think we would like to
11 probably conclude with a number of questions.

12 One of the ones we have been asking here
13 is who do we recommend to the Canadian government be the
14 proper body to be dealt with. We have been told that we
15 should recommend that they go to the Haudenosaunee, the
16 confederacy, and we have been told to make sure that the
17 traditional people are involved. We have been told by
18 other people to make sure that somehow all of the people
19 are involved.

20 What role do you see the Kahnawake Mohawk
21 Council playing? Where do elected councils play a role?

22 We heard interim solutions and so forth. We are hoping
23 that we are going to be doing more than interim solutions,

1 that we are trying to assist the mapping of the road for
2 the long run, so we are hoping that we are going to be
3 dealing with solutions on the primary core issues that
4 not only the Mohawks and the Iroquois confederacy wants
5 dealt with, but across the country, the key central issues
6 to the Métis, to all First Nations, to the Inuit and
7 onwards.

8 So, yes, we will deal with the interim
9 solutions. There has to be a step-by-step process, but
10 when the larger questions of land and governments are going
11 to be dealt with, where do you see the role in the case
12 of the Mohawks and Iroquois here, where do we recommend
13 that the Government of Canada proceed? Should they go
14 to the confederacy? Should they include the elected
15 councils? What process should be used?

16 **GRAND CHIEF JOSEPH T. NORTON:** Maybe I
17 can try to answer that partially and some of the other
18 presenters can pitch in somewhere.

19 What has to be looked at is that we are
20 in a transition period and during a transition period the
21 necessity of having a group or a body that is going to
22 I guess be the arms, the legs, the eyes of the people to
23 a certain degree, you need a body such as that.

1 What I see right now and this is the
2 opinion, my opinion and the opinion of the council and
3 I believe there are a number of people in the community
4 who would support that, if you are going to look just at
5 Kahnawake, then right now we have been carrying the bulk,
6 if you will, that is the elected council, we have been
7 carrying the bulk of the responsibility.

8 I do not mind saying under criticism from
9 within as well as outside of the community and that is
10 just part of the responsibility that we have taken on.

11 Now, we are not the whole focus of
12 attention, but we are part of one component, if you will,
13 one part of a number of other components and other parts
14 that need to begin to exercise their responsibility and
15 I am talking about the traditional elements.

16 If you look from within, in their
17 community there has been and there is going to be continuing
18 attempts to mobilize people and bring people together so
19 that we can much more effectively and more quickly and
20 easily do away with the things that are causing us problems.

21 I have said continuously and I will continue to say very
22 sincerely and truly is that my job is to do away with my
23 job. My job is to get rid of this position of Grand Chief

1 and the Indian Act and get it out of Kahnawake and we will
2 continue to act in that fashion.

3 One of the things also that needs to
4 happen is that on a Mohawk nation basis the communities
5 need to come together and interact more often. On a much
6 larger basis, you have the Iroquois confederacy and a need
7 for communities to come together and start working on a
8 co-operative basis.

9 That has been happening somewhat in the
10 last little while and there have been meetings that have
11 been taking place, either co-ordinated by elected councils
12 or by the committee that was described, I believe, this
13 morning by the representative from Kanesatake as well as
14 the representative from Kahnawake, the External Affairs
15 Committee of the Haudenosaunee.

16 We have had meetings in a number of
17 communities in the last six months or seven months over
18 the last year and a half or so and there has been serious
19 attempts at trying to come together and discuss and
20 describe and deal with these matters that you are putting
21 before us, but on an interim basis and we, as an elected
22 council, have accepted responsibility of carrying on the
23 process.

1 That is why we have initiated the
2 Canada-Kahnawake relations process. That is why we are
3 there trying to deal with the issue of justice in policing
4 and the other key matters and we will continue to do so
5 for as long as it requires that kind of responsibility
6 taking.

7 In the meantime, there is the
8 mobilization of the community itself and the necessity.

9 I am not saying that we redirect
10 everything towards us. As we described to you this
11 morning, there was a process that began with the federal
12 government and with the External Affairs Committee of the
13 Haudenosaunee. What happened was again the department
14 used the elected councils as a scapegoat, if you will,
15 and one way or another saying that they need the
16 concurrence, they need the support and they need letters
17 of recommendation, whatever, from the elected councils,
18 that they are going to support the Haudenosaunee, the
19 External Affairs Committee.

20 As far as we are concerned, whether it
21 is the Haudenosaunee or whether it is the traditional
22 people in this community, we do not really need the elected
23 council's, I guess, recognition to be able to carry out

1 their business and we expressed that in a letter that we
2 sent to the Department of Indian Affairs.

3 We also outlined that we could be the
4 arms and legs and the administrative side in assisting
5 the confederacy, but that we need to do some of our own
6 homework. So, hopefully, that answers part of, if not
7 all of it, and if anyone else wishes to pitch in at this
8 point, please do.

9 **CO-CHAIR GEORGES ERASMUS:** Let me see
10 if I can either put words in your mouth or else just
11 paraphrase. You are suggesting that the External Affairs
12 Committee of the Haudenosaunee has a primary role and that
13 the work they started with the federal government continue,
14 right.

15 **GRAND CHIEF JOSEPH T. NORTON:** Yes.

16 **CO-CHAIR GEORGES ERASMUS:** The other
17 thing you are saying is similar to the things that were
18 just being mentioned here earlier, including the cleaning
19 up of some of the little roadblocks that just keep life
20 rolling, all within the gamut on an interim basis of the
21 present Mohawk Council of Akwesasne and the Mohawk Council
22 of Kahnawake and so forth, but that the primary role for
23 the long term is with the Haudenosaunee, but you see

1 yourself playing a role in it and you could see yourselves
2 playing a supportive role in that larger process for the
3 long term.

4 Is that what you are saying or do you
5 want to add more to that?

6 **GRAND CHIEF JOSEPH T. NORTON:** In
7 general, that would be or I guess in an ideal situation,
8 if there is such a thing as an ideal situation, either
9 way I would see things working.

10 Again, depending on the way any of the
11 territories, any of the nations that are part of the
12 confederacy would be eliminating the Indian Act in their
13 communities because it may not be a process that will happen
14 overnight or right away because there are divisions within
15 a number of communities over this matter, over this issue
16 of Indian Act versus the traditional way, the Longhouse
17 way.

18 But there are some communities who may
19 be very close to that and I think this community is one
20 of them. Again, depending on the willingness and I do
21 not mind saying it, and this is a challenge -- I will throw
22 it out as a challenge to our own people over here -- a
23 willingness of the people who claim to be the Longhouse

1 people to get together.

2 We have offered on quite a number of
3 occasions, and the offer is still out there, to have people
4 of all walks of life in Kahnawake participate in committees
5 or whatever else and to be advisers or directors in one
6 way or another on behalf of the community on major issues
7 that we are working on. So, it is not just a question
8 of my saying that it is only the council that is going
9 to carry the ball.

10 I have just been handed a note over here
11 and I recall the last meeting that we had in Kanesatake
12 of the representatives and even prior to that we had met
13 in, I believe it was Oneida if I am not mistaken, and prior
14 to that we had met in Six Nations, Grand River, the
15 confederacy had issued eight points where they viewed
16 exclusive jurisdiction, where they had exclusive
17 jurisdiction.

18 I do not remember all the points, but
19 they were very major points and the elected councils agreed
20 and signed a letter off to that effect. It was signed
21 by all the representatives who were present. Yes, we
22 agreed that they did have the exclusive jurisdiction, but
23 that we would be a part of that, that we had the necessary

1 resources and the people to be able to assist in making
2 sure that these eight points that they had outlined to
3 us that jurisdiction could be achieved and it could be
4 protected and expanded on.

5 If you wish, we can submit those letters
6 or that letter or that document and whatever else is part
7 of the evidence and testimony of this Commission hearing.

8 **CO-CHAIR GEORGES ERASMUS:** I have heard
9 about that agreement and have never seen it. It would
10 be very, very useful I think.

11 My understanding is that at the same time
12 they recognize that the elected councils also had some
13 kind of day-to-day jurisdiction in the interim. Was that
14 the case?

15 **GRAND CHIEF JOSEPH T. NORTON:** It was
16 not so much the question of jurisdiction. I think it was
17 a question of responsibility to administer to the people
18 of the community and I guess to do the best that we could
19 in terms of protecting what we had at this point in time.
20 There is, I believe, in principle at this point an
21 understanding, an understanding in terms of the roles,
22 the respective roles of the elected councils as well as
23 traditional councils.

1 Now it is a question of how can that work
2 to our benefit until such time as the full recognition
3 and respect by the federal government of the Haudenosaunee,
4 of all the traditional councils and all the communities
5 comes into effect.

6 **CO-CHAIR GEORGES ERASMUS:** Those are
7 the ones I can think of at the moment. Paul.

8 **COMMISSIONER PAUL CHARTRAND:** Thank you
9 for your presentation all of you. I would like to ask
10 a question that concerns me. It has not been addressed
11 directly, but I have heard a number of opinions expressed
12 today that touch upon this particular issue.

13 I begin this way by saying that this
14 Commission is required to look at Canada as a whole and
15 to try to make some recommendations on federal policy
16 regarding the relation between Aboriginal Peoples and
17 others in Canada.

18 I am trying to understand what your views
19 might be with respect to the kinds of recommendations that
20 would tend to suggest large institutional change in the
21 short term. What I detect here to day is a concern that
22 large-scale institutional change not be recommended in
23 the short term, and I want to make sure that this is a

1 correct interpretation of what I hear.

2 We have heard speakers talk about their
3 recognition that in unity there is greater power. We have
4 heard speakers talk about situations which illustrate the
5 power of governments to maintain divisions of various sorts
6 and thereby to lessen the potential for the aggregation
7 of power. We have heard other people talk about the
8 federal idea as a mechanism for aggregating power.

9 One might think, then, that in order to
10 promote the interests of Aboriginal People, one might look
11 at institutions that do that. If we consider some of the
12 remarks that we have heard here, we have heard some people
13 talk about, and I think it was on the tape that you played,
14 small numbers whose interests are contrasted against very
15 large numbers. Yet, those small numbers are even smaller
16 than what were referred to in the tape if all the Aboriginal
17 Peoples indeed do not get together to aggregate their
18 power.

19 So, I am concerned to look at what has
20 happened elsewhere, and I mean the United States, where
21 we have a situation where the government has recognized
22 a certain status which has been called "domestic dependent
23 nations" regarding the Indian Nations there and they have

1 carried on with, as described, nation-to-nation relations.

2

3 Some scholars have suggested that one
4 of the reasons for the continuing relatively weak power
5 of Aboriginal Peoples there, of the Indian tribes there,
6 has to do with their lack of a national voice, so I am
7 wondering then if there is reluctance in the views being
8 expressed here today to consider anything in the short
9 term, any institutional change or what kind?

10 One that has been suggested by scholars,
11 for example, has been the idea of a national province.
12 That is an example of an institution that would be national
13 that would provide a national voice. There are others,
14 of course, that have been proposed. Perhaps a commission,
15 representatives coming from all Aboriginal Peoples and
16 speaking in one forum and having some sort of association,
17 but at the national level.

18 In light of these thoughts I am concerned
19 to inquire whether I am right in detecting some reluctance
20 in the views being expressed today about any
21 recommendations coming from this condition that would
22 recommend or would tend to support changes in institutions
23 in the short term because it seems to me that we are being

1 told that there is a transition period, that it will take
2 time, that effective change or the best kind of change
3 is going to take time, that it is not possible immediately
4 for the various nations to aggregate that power.

5 It seems to me to be a difficult large
6 question we face and I wonder if you might provide us with
7 the benefit of your views on that.

8 **GRAND CHIEF JOSEPH T. NORTON:** I am not
9 sure I understand what you are asking, first of all, before
10 I can respond to that.

11 **COMMISSIONER PAUL CHARTRAND:** I would
12 like to maybe try to summarize the idea.

13 Are the people that you represent
14 concerned to establish their relations only with Canada?
15 Are those your immediate concerns or do you have a broader
16 concern, a concern to determine how you might relate
17 institutionally with other Aboriginal Peoples who also
18 are found within Canada?

19 That is an inadequate description, but
20 the best I can do in a very brief way.

21 **GRAND CHIEF JOSEPH T. NORTON:**
22 Definitely, we have expressed maybe not so much the
23 concern, but the desire, the desire to relate, to have

1 relations, to have contacts, to have agreements, to have
2 treaties, compacts, be they economic, political, legal,
3 with other nations, with other communities, even within
4 the Mohawk Nation itself, to have those kinds of agreements
5 or resumés because although as described by someone, we
6 are separated geographically we are still related and some
7 things may happen difficulty in the community of Akwesasne,
8 in the community of Kanesatake or Tiatenake (PH) or Grand
9 River or Watha (PH), in Kahnana (PH) or elsewhere, but
10 there are still relations. There is still that need for
11 contact.

12 If you expand that, if you extend that
13 into other First Nations, both in Canada and the United
14 States and even if you go into South America, we have had
15 many visitors who have come here who have talked about
16 relations and there is a whole field out there that we
17 have not explored for quite a long time, I believe, and
18 we need to revive that and get involved in that.

19 As well, there is the European continent
20 too that we have had some contact with and people who are
21 very interested in what is going on in this part of the
22 world.

23 So, I hope that is in the same vein as

1 the question, the response.

2 **COMMISSIONER PAUL CHARTRAND:** Yes, you
3 are saying you are interested in getting together with
4 other people. One of the things that has intrigued
5 outsiders is the historic role of the Mohawk people in
6 development of the idea of a federation so I think it has
7 intrigued people to wonder how the Mohawks might see the
8 idea of federal units today.

9 Some people have talked about treaty
10 federalism, establishing across Canada a federation of
11 treaty units. Others have talked about an Aboriginal
12 parliament of a sort used in some Scandinavian countries.
13 Others have talked about a province that would be
14 established across Canada consisting of all the Aboriginal
15 Peoples as sub-units of that one constitutional province
16 whereby you would instantly get all the usual provincial
17 powers. Others have talked about a representative
18 commission from the different peoples. Others have talked
19 about a senate.

20 Is it too early for this Commission to
21 look at these institutional proposals in the short term?

22 Do you propose that we look towards other interim
23 solutions?

1 **ARNOLD GOODLEAF:** I might make a couple
2 of comments on it. Some of those proposals that have been
3 put forward for that type of pan-aboriginalism or
4 pan-federalism with Aboriginal People are probably put
5 forward in a good spirit, but they are also put forward
6 in a spirit of participation in the institutions of
7 governance within the Canadian federation and it would
8 require probably -- I am making an assumption here -- that
9 many of those types of institutional changes that you
10 talked about would require a major rethinking of the
11 existing institutions.

12 If you just look at the debate that went
13 on with respect to the modification to the Senate, whether
14 it was total abolishment or some other form of Senate,
15 that debate has been going on for the last 15 years and
16 still has not come to any resolution. It is still a
17 platform in many political parties.

18 I mentioned something earlier that in
19 terms of whether we can say it is timely or whether it
20 is appropriate, that that type of recommendation go forward
21 for major institutional change, we would have to measure
22 that in the same way that we measure all other relations.
23 When I mentioned earlier about measuring our relations

1 as against the two-row philosophy and the concepts where
2 our participation would have to be at the level of either
3 full participation or at one that is understood as limited
4 observer participation, the sovereignty of the Mohawk
5 Nation cannot be lost in that milieu is what I am saying.

6
7 Any kind of conglomeration, whether it
8 is a political structural type change, whether it is an
9 administrative or economic type of structural change,
10 still the integrity of the Mohawk nation would have to
11 be protected within that frame. Otherwise, it would be
12 rather difficult for, I think, this community or even the
13 Mohawk nation at large -- and this is a personal view --
14 it would be very difficult for them to endorse that type
15 of plan, especially at a point when all the presentations
16 that you heard here today were talking about recognition
17 and respect for one another, mutual co-existence,
18 equality, and we do not even have that stabilized. That
19 type of relation has not been stabilized within the
20 Canadian federation yet.

21 We have not put the stop-gap in yet.
22 There is still a mentality within the Canadian federation
23 of suppression and oppression and until that is put in

1 place, there might be some consideration for that type
2 of institutional change because to go into it hat in hand,
3 to go into that kind of arrangement within the federation
4 would be taking quite a chance.

5 I think what Chief Norton was talking
6 about in terms of these inter-nation and inter-tribal
7 compacts that can occur, they still could and will occur,
8 but again the integrity of the Mohawk Nation would have
9 to be protected and the relationship would be enhanced
10 by the integrity of both of the parties.

11 To multiply that by nine or ten
12 variations, it is difficult enough to talk about it in
13 terms of nation to nation or First Nation to First Nation,
14 to complicate it further with all of the breakdowns that
15 you have to deal with of the Aboriginal People, rural Inuit
16 and urban Inuit and Non-Status and Status and Métis and
17 all of the different variations and trying to come to some
18 compatible format which would be equitable, which would
19 be one of the first standards, I am sure, I think would
20 be rather complex.

21 You might make the recommendation now,
22 but I do not see that it would be implemented for a long,
23 long time.

1 **CO-CHAIR GEORGES ERASMUS:** If I could
2 try and assist, when Chief Norton and yourself were talking
3 about the relationships with other First Nations, you were
4 talking about bilateral agreements between the nations,
5 you were not talking about bringing in Canada into that
6 in any way at all and that is the difference, Paul, that
7 they were talking about. For instance the Dene going
8 directly with the Mohawks and working out some kind of
9 bilateral trade agreement or the Inuits and the Mohawks
10 directly. It has nothing to do with government is what
11 they are talking about.

12 **COMMISSIONER MARY SILLETT:** I would
13 like to thank you all because I know that you are very,
14 very busy.

15 When we were at the health round table
16 in Vancouver, we heard about the hospital centre and I
17 guess the discussion, the presentation, gave us a really
18 good idea of the process that people had to take in order
19 to get to the point of building and operating their own
20 hospital, but there was very little discussion about if
21 the traditional values that we have heard so much about
22 in the past two days, if they had been incorporated into
23 contemporary Mohawk institutions.

1 You mentioned earlier that there were
2 a number of institutions that were on this territory and
3 I am wondering if traditional values such as the ones that
4 we have learned about in the last few days, have they been
5 incorporated into these institutions and if so, how?

6 **ARNOLD GOODLEAF:** Part of the answer and
7 Chief Norton will probably add onto it, the institutions
8 that are highlighted and that I was referring to awhile
9 ago are for the most part autonomous. As you heard about
10 the social services unit, they have their own committee
11 structures, they have their own board of directors, they
12 have their own constitutions and that also provides them
13 with the independence within the community to try and apply
14 those traditional values in whatever sector it is.

15 You heard about one approach from the
16 caisse populaire about protecting the land through the
17 trustee arrangement. You have heard from the education
18 about the importance of the language for the culture.

19 Now, in some instances, some of the
20 institutions, when they were fully taken over
21 administratively, operationally, financially and from the
22 policy side, had to undo a lot of the prevailing policies
23 that were there, that were applied either by requirements

1 of getting funding from the funding agencies and those
2 policies were the ones that applied over maybe a generation
3 and to try and undo those overnight would be a rather
4 difficult thing.

5 So, when we are talking about
6 transition, we are not just talking about it in the sense
7 of the governance or the governance structure. We are
8 also talking about the transition within each of these
9 institutions that require time and require some guidance
10 from within the community. Most of the governing bodies
11 for all of these institutions are made on the ground and
12 have representation from within the community and in some
13 instances the council has only an observer status from
14 within that framework.

15 In terms of the administrative side and
16 for their protection, the entity, the recognized entity,
17 at this moment for signing agreements, legal documents,
18 et cetera, is left with the council, but all other detail
19 is left to those governing structures. It is up to them
20 to take that traditionalism, take that culture, take those
21 elements and implement them into their particular program
22 or their particular service, but that is the intention.

23 If you read most of the mission

1 statements in here, you will note that 100 per cent of
2 those mission statements deal with the protection and
3 enhancement of the culture, traditions and language.

4 **GRAND CHIEF JOSEPH T. NORTON:** I believe
5 Mr. Goodleaf has pretty well answered the question.

6 I was just reminded that there was an
7 insistence and a demand that the autonomy of the hospital,
8 and when we talk about autonomy, we are talking expressly
9 about non interference by provincial governments in terms
10 of how they would administer a hospital, the kind of
11 philosophy that is brought in, the kind of direction that
12 is used, the insistence that before any agreement was to
13 be signed, that it would be autonomous and that it would
14 be run in principle in terms of how we view our people.
15

16 That was very important and when that
17 agreement was signed, we had to make sure that that was
18 the way it was going to be.

19 I believe yesterday you heard from one
20 of the presenters, I believe it was Mr. Horne, the Director
21 of the Community Services, had spoke about the difficulties
22 in taking control or taking responsibility for youth
23 protection. I think he gave examples of how the court

1 views it out there and how we view it, how we would like
2 to deal with it and gave you an example of a 16-year-old,
3 with a 25-year-old, et cetera, and how they left it and
4 how that here it would something that would be dealt with,
5 would be looked at very seriously and there are a number
6 of other cases such as that.

7 So, in that area, one of the things that
8 I believe has to happen is that we have to make our own
9 regulations, we have to make our own moves, and as Mr.
10 Goodleaf described in the booklet, the institution's
11 booklet itself, that is going to be considered illegal,
12 but we have to do that because we are not getting the kind
13 of satisfaction. We are not being able to deal with these
14 matters.

15 When it gets to, I guess, the bottom line
16 in that, it goes into the courts, they will not deal with
17 it in a fashion the way we perceive it to be. So, if we
18 are talking about juvenile court or youth court, if we
19 are talking about those kinds of things, the Youth
20 Protection Act, our own Youth Protection Act, whatever
21 that may be, it is culturally based, that is where it is
22 coming from.

23 **JOHN "BUD" MORRIS:** Maybe just to expand

1 on the two answers that are already given, we really do
2 not have a lot of control over the key areas that we would
3 like to implement traditional values in.

4 The court system, for example, we have
5 limited control over the justice system, the section 107
6 court, and the parameters of how that operates is severely
7 constricted. So, for us to incorporate traditional values
8 in the justice system cannot be done under the current
9 regime. It could be done, but it would be outside the
10 legal envelope again. That is one example.

11 The peacekeepers is by definition just
12 in its name embodied with a traditional value. They are
13 not there to enforce the law primarily, they are there
14 to try and prevent the law from being broken.

15 Those are some of the examples I would
16 give. Education does definitely have traditional values
17 built in through the whole system. Our land tenure system
18 is somewhat different from what most people are used to
19 and we feel everybody has an entitlement to a certain amount
20 of land and land is given free for those who want to build
21 on it and are eligible, a quarter-acre, not a lot, but
22 a quarter-acre. After all, we only have about 80 years
23 left until we run out of land.

1 Thank you.

2 **CO-CHAIR GEORGES ERASMUS:** I wonder on
3 that point you just brought up about the courts, that you
4 cannot do very much right now. We have heard a lot here
5 about how the Two-Row should be the way it should be in
6 the future and all the rest of it.

7 The problem with those kinds of general
8 statements is that everyone assumes that everyone on the
9 other side understands what is going to be included in
10 that.

11 Could we ask what is the long-term view
12 of the Mohawk people in relation to the kind of court system
13 they want? We heard your problems today. We heard how
14 you want some immediate kind of things cleaned up in
15 relation with police? What is the long-term view? When
16 the Two-Row is going to be completely implemented and there
17 is larger recognition, what does it mean in relation to
18 a court system? Does it mean that it is completely
19 separate from the Canadian system? Does it mean it is
20 a modification of the Canadian system? Could you clarify
21 the long-term desires of where people want to go?

22 **GRAND CHIEF JOSEPH T. NORTON:** I will
23 try to answer part of that. Mr. Goodleaf would like to

1 assist me on this.

2 One of the things that when you talk
3 about a court system or a justice system, I think you have
4 to expand it into that. You cannot just look at the court
5 itself.

6 **CO-CHAIR GEORGES ERASMUS:** Please talk
7 about the justice system.

8 **GRAND CHIEF JOSEPH T. NORTON:** You have
9 the look at the laws that are there. You have to look
10 at the enforcement part of it. You have to look at the
11 whole judiciary system. You cannot just isolate it to
12 one area. When you look at what you call the courts, I
13 think one of the ideas that has been talked about quite
14 freely and frequently in this community and the suggestions
15 that have come about in terms of the court is that the
16 courts should be a last resort really.

17 There are issues now, there are
18 circumstances and there are things that wind up in courts,
19 both outside of this community as well as inside this
20 community, that we feel do not have any place there at
21 all really, but for the lack of, I guess, another area
22 to resolve these things, it winds up in court, for the
23 lack of maybe some resources or some components that could

1 deal with these issues in a non-adversarial fashion, remedy
2 them through negotiation and discussion, take them out
3 of that system where you wind up being punished rather
4 than rehabilitated.

5 We also need to look at prevention. How
6 do we prevent those things from happening? How do we
7 prevent our people from falling into those circumstances?

8 So, even before you look at the judicial
9 system, you have got to look at the preventative methods.
10 You have got to look within the institution, the
11 educational system in the homes where the families are
12 and how, I guess, we raise our children and what we tell
13 them when they go out there and how do we keep track of
14 them.

15 In a sense, it is also the community
16 itself, its responsibility, our responsibility to one
17 another, but if you narrow it down and you look at
18 institutionalizing things, then a court should be the last
19 resort really. It should be the end result -- or not the
20 end result, but it should be the last area that you go
21 to resolve something.

22 In between that there could be a number
23 of steps which could be put in place which could be

1 traditionally based. One of those areas is the clan
2 system, the clans and the people who are involved, because
3 within the clans we believe that there should be people
4 who can resolve these matters, who can sit down with
5 individuals who have particular problems or with families
6 that have particular problems and resolve those things
7 through that before taking it to a court. There could
8 be a number of steps that could be involved in all of that.

9 That is really internal. I do not
10 believe that we have to go anybody to ask them if we can
11 do that. We can do those things, but the problem there
12 though is that if there is a dispute, if there is somebody
13 who wishes to challenge that or somebody from the outside
14 wants to challenge what we are doing -- and it is has
15 happened in the past in the last little while and it is
16 going to happen again -- then the outside, are they going
17 to recognize and respect what is already existing, what
18 has been in practice in some cases.

19 Supposing in five years or six years down
20 the road we have this system in place and somebody decides
21 to challenge it, how is the outside going to view it?
22 If it is working perfectly, if it is doing what it is
23 supposed to do, if it is resolving matters, then what is

1 wrong with it? There are examples of these things.

2 So, the mechanism maybe internally is
3 more what I am looking at than perhaps the relationship
4 with the outside, but the relationship with the outside
5 is also important because what do we do with murder? What
6 do we do with rape? What do we do with major crimes?
7 Where do we incarcerate people? Do we build our own jail
8 over here?

9 Those are all the things that have to
10 be looked at, and there have been various ideas about how
11 to deal with that.

12 You also have to look at the laws that
13 will apply or not apply. It is partial provincial law?
14 Is it the general application of federal law across the
15 country that applies or is it Mohawk law? What is Mohawk
16 law? Do we know what it is? How does it work in this
17 day and age?

18 So, there is a lot still sitting there
19 that needs to be dealt with, but we do need the people,
20 the resources to be able to start exploring all of that.

21

22 Just maybe as a recommendation, a
23 recommendation to the Commission that could be in turn

1 passed on, that there is a need for resources to be able
2 to explore the various traditional ways of developing and
3 implementing laws and dealing with certain situations
4 outside of the adversarial system that is there now.

5 Even our system, people are not
6 satisfied with our court in Kahnawake. We know that.
7 There is no question about that. They want something more.
8 They want something better and they deserve it.

9 **ARNOLD GOODLEAF:** Just to add on to that
10 theme, that philosophy should apply, but there are also
11 some underground pragmatic matters that could be
12 alleviated by having that court system more fully
13 recognized and respected.

14 It could be, for an example, a depository
15 of birth records, a depository of family law records for
16 births, adoptions, marriages, divorces, et cetera, and
17 that gives it the legal quality that is required by the
18 outside system, having the court empowered to work in
19 conjunction as part of the land registry system that will
20 have to take place, again, a depository of record that
21 has legal quality. That is some of the compatibility that
22 is going to be required, but up front, the recognition
23 and respect for that institution has to be established.

1
2 I am sure you have heard of the system
3 that was put in place from the South Island Tribal Council
4 and the way that they worked out a system to avoid double
5 jeopardy as against charges on individuals in that
6 situation. That would be another kind of compatible
7 system that we could look at, so that people who may have
8 been charged on the outside could have their charges heard
9 in our court and the sentencing could be handled under the
10 philosophy that was outlined by Chief Norton.

11 All the different systems that are there
12 that could lead up to or bypass or circumvent an actual
13 court occasion, such as a people's tribunal or mediation
14 services or counselling services, all of those kinds of
15 things have been thought about, but not put into any kind
16 of institutional package.

17 What we have done in terms of the work
18 that we are doing in the negotiations -- and I mentioned
19 this earlier, the three words that Joe talked about, we
20 are talking about jurisdiction in these 37 areas, the
21 exercise of that jurisdiction to legislate, to enforce
22 and to adjudicate, and so far we have got to the point
23 of discussing legislative power in about 15 areas, but

1 they do not want to talk about the enforcement power and
2 they do not want to talk about the adjudication power.
3 So, you cannot talk about the justice system in the
4 isolation of those two other factors. What good is the
5 law to be passed if it is going to be adjudicated and
6 enforced by outside?

7 The notion that was brought up earlier
8 about the domestic dependent nation concept in the United
9 States deals with the major crime issue. That was by
10 mutual consent. Each nation entered into those situations
11 voluntarily with the federal government. It is still a
12 bit of a jurisdictional nightmare in some situations, but
13 it does lay down some guidelines and certainly we do not
14 have to recreate the wheel, I guess is what I am saying.

15 The other part that I wanted to mention
16 is that I have been involved in justice reform since Warren
17 Allmand's days in 1975 when he had that first big conference
18 up north and those 75 recommendations that came out of
19 that conference are still sitting on a shelf somewhere
20 and it required that each province establish their justice
21 commissions to deal with Aboriginal justice in their
22 particular province.

23 Quebec took a stab at it. It never went

1 anywhere and I think as far as they got was the
2 establishment of a court worker program. They have just
3 taken another stab at it in terms of consultation amongst
4 the population and as far as they have got so far with
5 respect to Aboriginal Peoples is more improved access of
6 Aboriginal People into the existing system as opposed to
7 dealing with the concept that the Aboriginal People have
8 put forward which is having Aboriginal systems.

9 I mentioned, as well, one final point
10 is that in our discussions, the negotiations, we are
11 talking about mechanisms to ensure compatibility of laws
12 and looking at systems and mechanisms which would deal
13 with the prevalence of laws and that automatically and
14 logically brings you into the notion, where is that next
15 appeal mechanism? Or, does there have to be a supreme
16 court of Kahnawake for the final decision? Or do we go
17 back through the provincial system if somebody wants to
18 appeal a judgment at our level?

19 There are many questions there that we
20 have not yet addressed or fully consulted all the community
21 on, but we have a skeleton, we have some concepts that
22 we think are workable and we have got the foundation of
23 that with the existing court.

1 **CO-CHAIR GEORGES ERASMUS:** How about an
2 appeal court that somehow deals with all the Mohawk
3 communities?

4 **ARNOLD GOODLEAF:** That has been
5 contemplated for quite some time and to a certain extent
6 that is actually being exercised as between Akwesasne and
7 Kahnawake whether they would trade justices of the peace
8 or judges for particular cases.

9 **COMMISSIONER BERTHA WILSON:** As we have
10 gone across the country, there seemed to be a unanimous
11 view that the existing justice system was not working well
12 for Aboriginal People and we share that view and we have
13 been interested, therefore, in seeing what kind of
14 initiatives have been taken by various communities across
15 the country to try to do something about it and I was
16 interested when you said, no, that you had not really been
17 focusing too much on that because this seems to be one
18 area where a great many native communities have focused
19 simply because they have been so concerned about the impact
20 of the existing system on the people.

21 When we held a round table on justice
22 last fall, we had many people who came from different parts
23 of the country to describe their pilot projects and they

1 all started from the community base.

2 I do not think that they were really
3 thinking in terms of courts of appeal and so on. They
4 were thinking about let's start here and see what we can
5 do to the existing system to put into it our values and
6 they were all telling us that there were very specific
7 problems with the existing system. There was the
8 adversary nature of the system which was not compatible
9 with the values of native people, that there was the concept
10 of punishment which was not consistent with the values
11 of native people where healing and reconciliation should
12 be the objective.

13 So, in many of these communities they
14 just went ahead and brought in elders and other advisors
15 to the existing judges to help decide how these offenders
16 should be dealt with and the prevailing view that has been
17 expressed to us is that in relation to the justice system,
18 this is the way to go to start at the community level
19 building in the values, making the changes, adapting the
20 existing system to be more appropriate for native people.

21 It was very interesting to us to see the
22 different pilot projects and the different approaches that
23 had been taken and that seemed to be working well and do

1 not appear to have been challenged. I think they have
2 not been challenged because there have been so many reports
3 and so many commissions and so many inquiries, the Marshall
4 Inquiry in Nova Scotia, the Inquiry in Manitoba and so
5 on, so people have just gone ahead on the basis that the
6 system is not working for native people.

7 Maybe that is the answer, not to get too
8 caught up in the complexities of where do you go from here,
9 but just to start where you are at making the necessary
10 adaptations to the existing system and you obviously have
11 a base with your court here from which to start doing that.

12 So, I would think that would be something very useful
13 to the community to look at these various projects that
14 are going on in other places to see if they can be useful
15 to you here. Will they work well?

16 **CO-CHAIR RENÉ DUSSAULT:** At this point
17 I would like to say that I feel we have had a very productive
18 two days. Speaking for myself and probably for all the
19 commissioners, I think we have a much clearer picture of
20 what is going on in your community in terms of the
21 administration, but also on what Chief Norton called the
22 transition you are in also in the larger aspect.

23 I think it is very useful for us. The

1 message was put quite clearly that, for example, there
2 is a need for a transition from the Indian Act through
3 the framework agreement relationship or other means. Mr.
4 Morris told us that without constitutional amendment,
5 without even legislation, that there is room for more
6 flexibility to enable things to be done in accordance with
7 the particular need of the communities.

8 The idea of recharacterizing the
9 transfer payment is one that has been told to us often
10 because it carries a lot of symbolism and we are certainly
11 going to look at that.

12 The discussion we had on the court and
13 the policing areas also is useful on the problems that
14 would need immediate solutions, but overall, the
15 discussion that has been all over the various presentations
16 as to the process for working towards self-determination.

17

18 I think, Chief Norton, you clarified to
19 a certain extent the discussion we had with many groups
20 the fact there are many different Longhouses, the fact
21 that the elected council should be part of the larger
22 discussion that should take place at the level of the
23 confederacy, but that the transition has to be a stable

1 organization that is in charge of the administration and
2 the deliverer of the services and it is also important.

3

4 So, it certainly gave us a much better
5 understanding at the various levels, short term, mid term
6 and the longer term approach and that is exactly the reason
7 why we are meeting with the various nations and
8 communities.

9 The last thing we would like to do is
10 to come up with solutions that would be unrealistic because
11 of not taking into account what is going on and happening
12 in the community and the nation. In that sense, it has
13 been useful.

14 Moreover, I would wish that the kind of
15 picture that we have received with all those presentations
16 will be reported back to the larger public because I think
17 it gives quite a different image of Kahnawake or an image
18 that is not seen or transmitted or reported often and having
19 in mind one of the themes and concern of this week of
20 hearings is trying to see common grounds for building a
21 better relationship.

22 It is certainly helpful and also hearing
23 the tape that you played. It is important to break the

1 wall that is between the kind of two solitudes, and I hope
2 that our hearings will have contributed not only to inform
3 us as a Commission, but to this larger goal that we are
4 all pursuing, both Aboriginal and non Aboriginal People.

5 In that sense, I think it sent a message
6 of pragmatism and responsibility. That is quite important
7 and also it gave us a feeling of an orderly process that
8 could be followed to attain a goal that will be in the
9 right direction and that would bring more durable solutions
10 and relationships.

11 So, at this point I would like to thank
12 the Council and the various arms of the administration
13 that presented us with very substantial briefs all day
14 yesterday and also, of course, the other groups that made
15 presentations, the confederacy that completed in a large
16 extent to our information that we had started to get on
17 Monday in Akwesasne with the reading of the belts.

18 We had contributions also of people like
19 Robert Vachon from the Institute that is challenging, so
20 we hope and we feel that the purpose of this hearing has
21 been largely attained. Of course, the challenges to
22 pursue and come up with recommendations acceptable and
23 feasible and we hope to continue the discussion, the

1 dialogue, that we have been opening up during these two
2 days in the coming weeks and months because we are embarking
3 upon the really central leg of our work as a Commission.

4

5 So, I would like to thank you very much
6 for presenting us with all these ideas and briefs,
7 substantial ones, and again we hope that the message will
8 go out of this room and get some seed of a more lasting
9 relationship.

10 Tomorrow we will be meeting with the
11 majors of communities that have been part of the event
12 and other people in Montreal and we feel that the background
13 that we have been accumulating in the last four days will
14 be very helpful for us to try to move ahead in this other
15 part of this week's hearings.

16 Again, thank you very much for
17 presenting us with all those ideas and elements of
18 solutions, both short term, mid term and longer terms.

19 We hope that we might be able to be
20 helpful on some of the more immediate concerns that you
21 have raised with Mr. Schneider, Mr. Goodleaf and also Mr.
22 Morris and, of course, the whole Council. So, thank you
23 very much.

1 **COMMISSIONER FOR THE DAY BILLY TWO**

2 **RIVERS:** In terms of respect for each other, I would hope
3 that somewhere in your report, the terminology would be
4 considered. Terminology is important. I guess the
5 labelling of bands, I guess the illusion of First Nation
6 communities, even the terminology of native I think is
7 throwing us further into the melting pot.

8 You hear the term: "So and so, a native
9 of Winnipeg, so and so, a native of Vancouver" so I think
10 it is important that we remember that right now you are
11 in the homeland or the heartland of the Mohawks, so we
12 do have homelands and we do have places that we are
13 indigenous to, so it would be important to recognize that
14 as the first step of respect in addressing Mohawk People
15 or Indian Nations across this country.

16 **CO-CHAIR RENÉ DUSSAULT:** You are right
17 on from the beginning of the Commission, we have been
18 thinking that one of the contributions we would make is
19 to come up with a good glossary that would help the public
20 education in using the right terms.

21 It is not easy. We realize that, but
22 we are looking forward for help on that, but words convey
23 symbolism as mentioned and they are very important. We

1 share that.

2 So, I would like to take the opportunity
3 to thank also Billy Two Rivers for the tremendous job he
4 did for controlling the schedule and during these two days
5 we have enjoyed both working with him -- it was efficient
6 -- and also speaking with him at lunch time as he hosted
7 us and we have learned a lot about the communities and
8 thoughts and ideas and I would like on behalf of all of
9 the commissioners to thank you very much.

10 **GRAND CHIEF JOSEPH T. NORTON:** If there
11 is nothing else, we just have a few closing comments.

12 One of the things is we would like to
13 present each one of the commissioners with a little memento
14 or a gift and Arnold will be distributing that to you.

15 We would like to express our deep
16 appreciation to everyone who participated in these
17 hearings.

18 The commissioners now have a very
19 difficult task in going back and doing what you have to
20 do. I commend you for your work, the time that you have
21 to sit and listen. I must say that you have a lot of stamina
22 to be able to do that, leave here and get a little bit
23 of a rest and some of you are out west next week I believe,

1 if not all of you, and then it is continuous. So, you
2 have to be congratulated on your stamina and your ability.

3 I would also like to thank all of the
4 presenters of the Mohawks, the non Mohawk presenters.

5 I believe we heard a lot of good solid recommendations
6 and hopefully someone somewhere will be listening to us.

7 I would like to thank the people who
8 worked in the concession over here, Mr. Darryl Cupples
9 and his helpers, in the canteen; the people who served
10 the meals for us, Rabaska's Restaurant and Erlene for the
11 lunches we had yesterday and today. I would to thank the
12 people who are responsible for this building, the Moose
13 executive and members for the use of the facilities and
14 their co-operation for putting up with us.

15 Also, I would like to thank the staff
16 of the Royal Commission. We appreciate all of their
17 assistance and their prodding over the course of the last
18 few weeks, constant telephone calls, reminders and
19 checking, sub-checking, back-checking and fore-checking,
20 you looked like hockey players there for a while. I would
21 like to thank, in particular, I guess, Mike and Luc who
22 I met for the first time who explained to me what was going
23 to happen and how it was going to be done and I explained

1 what was going to happen and what was going to be done.

2 I would also like to thank all the staff
3 of the Mohawk Kahnawake, in particular, Ken Williams,
4 especially Arnold Goodleaf since he wrote this little note,
5 and Mike Bush; the peacekeepers for their presence here
6 and their professionalism in just being here.

7 I would like to thank CKRK Radio, Conway,
8 Hal and Lori, for their exceptional live coverage of these
9 hearings and adding background sound to these discussions
10 that went on over here. We appreciate that very much,
11 Joe Delaron (PH).

12 Also, I would like to thank the other
13 institutions because there were a number of other
14 institutions in the community that we approached and asked
15 to host this event and they were willing and ready, but
16 they had difficulties in the scheduling and the timing
17 because they had other activities that were going on.

18 I would like to thank BTR, Chief Two
19 Rivers and his chairing of the meeting; to the people of
20 Kahnawake.

21 Just to wrap up, we have attempted in
22 one way or the other to give you in a capsulized fashion
23 or a form I guess what this community is about, some of

1 its history, some of its culture, some of the trials and
2 tribulations. From one extreme to the other, you have
3 heard a variety of people. You have heard people who are
4 very bold and forward and aggressive and active or you
5 have heard from others who do not seem to be that way,
6 but they are that way in one shape, form or another, whether
7 in their private lives or in their private lives or what
8 have you. In one way or another, we will be looking for
9 the recommendations and we know that we will do the things
10 that we have talked about over here. We will accomplish
11 what we have to accomplish.

12 I think I forgot one group. If I have,
13 we are talking about the translators, I believe, the people
14 who work, and I know that is a difficult job; the sound
15 people and all that, a very difficult job and we will have
16 to give them a vote of confidence and thanks for their
17 work.

18 In conclusion, I guess we are going to
19 be waiting and listening and looking for the results of
20 the report and hopefully as you have expressed and we have
21 expressed and others, both here in Kahnawake and Akwesasne
22 and I am sure across this country that there should be
23 strong recommendations about doing certain things as

1 quickly as possible and almost immediately.

2 So, I guess that would be the conclusion
3 of any remarks and as we did in the beginning, we opened
4 with a traditional ceremony, the traditional greetings
5 and so we will close with the traditional greetings.

6 We have a young gentleman here,
7 Kaniethakero, who will do the -- excuse me, Georges.

8 **CO-CHAIR GEORGES ERASMUS:** Yes, just a
9 moment before we do that, I just want to present you, Chief
10 Norton, with just a token of our appreciation for hosting
11 us. We have had a very, very interesting time here. It
12 has been very enjoyable meeting people again, friends for
13 a long time, and it has been very, very educational. All
14 the presenters, we thought, did their best to try and be
15 of assistance and as you said, some were more forceful
16 than others, but I think they were being quite truthful.

17 So, I would like to give you this, Chief
18 Norton, as just a token of our appreciation for being here.
19 It is the logo of the Commission.

20 Billy is absolutely right. Yesterday
21 we had an opportunity to have a traditional breakfast at
22 noon, steak and corn bread. It was absolutely wonderful
23 and today again we had a huge meal at noon. We are most

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1 glad that we do not have to eat here every day because
2 we would be very big.

3 So it has been very enjoyable being here.

4 Thank you.

5

6 **(Closing Prayer)**

7

8 --- Whereupon the hearing concluded at 7:15 p.m.