COMMISSION ROYALE SUR LES PEUPLES AUTOCHTONES ROYAL COMMISSION ON ABORIGINAL PEOPLES

LOCATION/ENDROIT: WOODLAND CULTURAL CENTRE

BRANTFORD, ONTARIO

DATE: FRIDAY, MAY 14, 1993

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"for the record..."

STENOTRAN

1376 Kilborn Ave. Ottawa 521-0703

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Royal Commission on

Aboriginal Peoples

1 Brantford, Ontario 2 3 --- Upon resuming on Friday, May 14, 1993 4 at 10:00 a.m. MODERATOR MAX KING: We are ready to start the second day of the hearings for the Royal 6 Commission on Aboriginal Peoples. 7 I will ask Pat Sandy to come forward 8 9 again and start the day with his opening remarks. --- Opening Prayer 10 11 MODERATOR MAX KING: Thank you, Pat. 12 Our first presenter this morning is returning, having given a presentation yesterday. I ask 13 14 Lisa Maracle to come forward again. 15 Yesterday she spoke on behalf of the Pine Tree Centre, and today I understand she is speaking an 16 individual from her own perceptions. 17 18 LISA MARACLE: Thank you. 19 You don't realize how much courage this 20 is taking out of me to come up here to speak on behalf of myself. I almost pulled out at the last minute, and 21 Andrea said, "No, please don't do that. We need you to 22 23 speak," and I said, "Okay."

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- 1 First of all, I would like to let you
- 2 know that, as I am sitting here today, I am not sitting
- 3 here as a Canadian citizen. I am refusing to give up my
- 4 North American Indian status. I am exercising the right
- 5 that has been given to me by both the American government
- 6 and the Canadian government, and that right is called the
- 7 freedom of speech. I just wanted to let you know that
- 8 because a lot of people on my reserve will tell you
- 9 different, that, as I sit here today, I am speaking as
- 10 a Canadian, and I am telling you I am not. I am a North
- 11 American Indian.
- 12 As for yesterday, I was corrected on the
- 13 political correctness of Indian, Native and Aboriginal.
- 14 Those aren't names that are put on me. I am not Native;
- 15 I am not Aboriginal; and I am not Indian. I am an
- 16 Onkwehonwe through and through. Those are names that the
- 17 government has put on me as an Onkwehonwe.
- 18 First of all, I would like to let you
- 19 know that there are three or four different areas that
- 20 I am going to speak to you about today. One of them has
- 21 to deal with living on and off the reserve -- what I see
- 22 happening on our reserve today and my concerns and maybe
- 23 the possible solutions. We don't know if this is going

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- 1 to be any good, but maybe I can make the solutions.
- 2 When I was living on-reserve, I came home
- 3 from Detroit, Michigan -- I think I was four or five years
- 4 old. When I came home, I didn't fit into my community
- 5 because I talked like a whitie, I talked like a Yankee,
- 6 I dressed different, I had different ideas because I was
- 7 raised in Michigan -- and that was not on the part of my
- 8 parents; it is just the way I grew up.
- 9 When I lived on the reserve, you had to
- 10 be really careful. Even today you have to be really
- 11 careful as to what you say and who you say it to. Because
- 12 of our reserve being so divided, you don't know if that
- 13 little thing that you have said is going to offend anybody.
- 14 That scares me. So many people have so many objections;
- 15 yet, if they say anything, they fear for their children
- 16 and they fear for their homes.
- 17 That is not the way we were brought up.
- 18 That is not the way we were taught as young children.
- 19 We were taught to respect one another, and that respect
- 20 is slowly deteriorating.
- I grew up in a house where there were
- 22 no sanitary conditions. I had no running water: I had
- 23 no indoor toilet, I had to go outside. It was really awful.

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- I have been approached by different
- 2 people to tell you that the reserve today, the way they
- 3 see it, is like a concentration camp. What they mean by
- 4 that is that it is seen as us being pushed to one area,
- 5 like Hitler did to the Jewish people -- pushed them to
- 6 one area. The only difference is that they are not killing
- 7 us, but they are trying to through cultural genocide,
- 8 trying to get rid of us as Native people, and they have
- 9 been since Day One, since the non-Native people have come
- 10 here.
- 11 The Canadian government is trying to be
- 12 the leader, trying to show the whole world that they are
- 13 the leader in human rights. That's a big lie. If you
- 14 take a look at the reserve here and take a look at the
- 15 reserves up north, it's Third World. Our people are dying
- 16 of starvation, dying of disease, dying because of lack
- 17 of clean water -- exactly the same things they are dying
- 18 of in the Third World.
- 19 It is really sad to see my reserve like
- 20 that because we are supposed to be one of the most advanced
- 21 reserves; yet, we are being suppressed again by the
- 22 government, always being suppressed. I just don't think
- 23 that is right. I think they have an obligation to at least

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- 1 give us some kind of help where that is concerned but,
- 2 oh no, they want to take away everything they can possibly
- 3 take away.
- 4 I moved off-reserve because of the lack
- 5 of housing. There was no place to go. My Mom recently
- 6 said, "I will build you a house," and I said, "No, I don't
- 7 want to move back there." She asked me why, and I told
- 8 her, "Mom, I don't want to come back because what I see
- 9 I don't like."
- There are kids down there today who have
- 11 this great big chip on their shoulder. I have a little
- 12 boy who is five years old, and I don't want him growing
- 13 up with that chip on his shoulder. I don't want him
- 14 thinking that all non-Native people, whether they be black,
- white, polka-dot or plaid, are bad, because they are not.
- I can live uptown and I can speak my mind
- 17 because I don't have to fear for my little boy and I don't
- 18 fear for my house being burnt down. I can say what I want.
- 19 I find that I have to wear two different hats. I have
- 20 to wear a hat up here, and I have to wear a hat down there.
- I have experienced discrimination
- 22 firsthand, and it's not a pretty sight when you sit there
- 23 and you are wondering what the heck is going on. I sat

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- 1 in a restaurant for two hours, and I demanded to be served,
- 2 and they just walked away from me. So I walked out.
- 3 People who work in these department
- 4 stores, when you use your status card, they are right on
- 5 you: Where is your reserve? Where is your address? I
- 6 have had the onus put on me to prove that I am live
- 7 on-reserve.
- 8 It doesn't matter. I shouldn't have to
- 9 pay that tax because I am a status Indian and, if they
- 10 don't like it, that's too bad. But that's way the way
- 11 it is.
- 12 I have been denied housing because of
- 13 my skin colour. I have been denied housing because I am
- 14 a single mom. Being a Native and being a single mom really
- is discouraging because you can't get anywhere; you have
- 16 that double-whammy put on you.
- I have also had the experience of being
- 18 centred out by my own friends, my white friends. They
- 19 have told me, "Come on, Lisa, get on with it. You can't
- 20 dwell on the past. That happened in the past." But they
- 21 don't seem to realize that the government is putting us
- 22 in a pressure cooker situation where we have to defend
- 23 ourselves again and again and again and again, and I get

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- 1 tired of having to defend myself.
- They say, "Get on with it." I ask them,
- 3 "What does it mean, to get on with it? Does it mean that
- 4 I have to be like you? Does it mean that I have to give
- 5 up my cultural heritage? Does it mean that I have to give
- 6 up my languages? Does it mean that I have to be lost?"
- 7 No, I am not going to give up anything, and I am going
- 8 to defend everything that I believe in.
- 9 As I said yesterday, if it comes down
- 10 to civil disobedience, I will be right there beside my
- 11 brothers and sisters, and I am going to fight every step
- 12 of the way.
- It is really sad because I am not
- 14 accepted down on my reserve by some of my family. They
- 15 are my family; they are my blood. They see me as being
- 16 just like the white man, and I am not being just like the
- 17 white man. I have exactly the same concerns as they do.
- I am concerned about the loss of our culture; I am
- 19 concerned about the taxation and the legislation that is
- 20 being put forth to the government. As we speak today,
- 21 Tom Siddon is sitting there trying to push this First
- 22 Nations Chartered Land Act through.
- I am just as much Indian or Native or

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- 1 Aboriginal or Ohnkwehonwe as they are, and they don't see
- 2 that. I have gone to school, I have an education, I have
- 3 a house, I have everything they have but, yet, I am not
- 4 as good as they are; I am not as Indian as they are. I
- 5 am less than.
- 6 What I see today on my reserve is very
- 7 sad, too. We have so many different factions. We have
- 8 the Elders; we have the warriors, we have the Confederacy,
- 9 we have the traditional people, we have the Band Council
- 10 -- and it is all a mess down there. Everybody is so
- 11 concerned -- and I am telling you today, as we sit here
- 12 in front of the Commission, that it is time that Six Nations
- 13 got their act together. It is time that the whole Native
- 14 community in Canada got their act together.
- The government is sitting there and
- 16 looking at us and saying, "Yeah, that's what we want,"
- 17 -- that old adage, now that we stand divided, we fall,
- 18 is happening right as we speak, and the government is
- 19 saying, "Okay, we'll step in now."
- 20 We had two years to decide who was going
- 21 to be an Indian from Bill C-31, and we couldn't get it
- 22 together, so the government stepped in and said, "This
- 23 is who is Indian." What happened? We squabbled amongst

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- 1 ourselves.
- 2 Today you even see the prejudice against
- 3 Bill C-31: "What are they doing down here? They don't
- 4 have any business being down here." In a way, I agree
- 5 with them, and in a way I don't. I am really tied, because
- 6 I don't know what to think. They are Native people just
- 7 like we are; it is just because they married off-reserve.
- 8 But then I feel they don't have a right to be down there
- 9 either. That is how I feel.
- The gas and the cigarettes seem to be
- 11 a real problem down on our reserve. But, you know what?
- 12 I can see why they do it. There is no money for job
- 13 creation; there is no money for anything down there. They
- 14 are only trying to get ahead, like you. You have a house,
- 15 I imagine, Mr. Erasmus. You have a house. You don't have
- 16 to worry about renting. Everything you have is yours.
- 17 Our people don't have that.
- I can see the reasoning. I am not
- 19 condemning them. I think, "Good for you," but at the
- 20 same time I don't like the people it is drawing. We are
- 21 seeing more of a criminal element coming down, more
- 22 violence, and we don't need that because there is so few
- 23 of us now. The more they come down and try to shoot at

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- 1 our people or give them any trouble, it just makes that
- 2 much more of a problem.
- 3 Yes, the prejudice still exists among
- 4 our people. I can't say that I am not 100 per cent
- 5 prejudice-free, because I have my own prejudice.
- 6 We have to come together -- I can't
- 7 stress that enough. We have to come together as people
- 8 because violence isn't the way. Sure, violence sometimes
- 9 works, but it only puts the onus back on us to make that
- 10 peace again.
- 11 Look what happened at Oka. Our people
- 12 got stoned going down the highway just trying to get safety.
- 13 It still really hasn't done much good because now they
- 14 are going to be fighting again. The government is pushing
- 15 and pushing and pushing us, and they don't realize that
- 16 there is a breaking point and that breaking point comes
- 17 in the form of violence. And we can't have that.
- I see people on our reserve jumping on
- 19 the bandwagon for every possible faction there is. I don't
- 20 like that because it is becoming so closed-minded. All
- 21 they have is blinders on and they see just one way. They
- 22 don't see anybody else's way. They are not willing to
- 23 compromise.

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- 1 We have to compromise. We have to give
- 2 and take a little bit. The way we are going now, the
- 3 government might as well step in and say, "Here, we are
- 4 going to take that from you now. Let me see that. I want
- 5 that now."
- If we are going to come together, the
- 7 only way that we can come together is by mutual respect
- 8 and to get that respect back from one another and give
- 9 it to one another, and be willing to listen and hear both
- 10 sides of the issue, instead of saying, "I'm right; you're
- 11 wrong," because that is not going to work. Like I said,
- 12 the government is sitting there waiting and watching, and
- 13 they're having a laugh; they're having a hoot, saying,
- 14 "Yeah, that's what we want; we want them divided. The
- 15 more we can divide them, the easier it's going to be.
- 16 The take is going to be that much easier."
- 17 My concerns are great. As I said
- 18 earlier, my concerns are the same as everyone else's.
- 19 I am concerned that, when I want to go back to my reserve,
- 20 when I really want to go home, there is not going to be
- 21 anything left.
- I am concerned about this Commission.
- I was told yesterday, "Gee, Lisa, they're nothing but

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- 1 a waste of good Indian skin. They're sitting here and
- 2 they're saying, 'Yeah, yeah, yeah, we've heard this
- 3 before, " -- and I have been asked to say this -- that you
- 4 are getting paid to do this. The fear is out there that
- 5 you are not going to be listening to what we have to say.
- I am saying: Please, for our sake, put
- 7 your best foot forward, because no one else seems to be
- 8 wanting to do it for us. The government is too willing
- 9 to take away everything that we have, and we don't have
- 10 a voice. At least, if this Commission can do any good,
- 11 then do it.
- 12 Every other commission that I have ever
- 13 seen put forth through the Canadian people has been shelved
- 14 -- every one of them. I don't think I have seen in my
- 15 lifetime any of the commissions' suggestions put into
- 16 action. It is all a lot of "do as I say, not as I do,"
- 17 and all mouth and no action. That's what I see from these
- 18 commissions, and I am really worried that this is going
- 19 to be the same.
- I saw the videotapes, and one woman said
- 21 it was our credibility put on the line. It's my
- 22 credibility being put on the line here today as I speak,
- 23 because people are going to look at me and say, "You're

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- 1 a Canadian citizen, and I hope that what you said has done
- 2 some good."
- 3 I worry about the legislation that the
- 4 House of Commons is putting through. We are waiting for
- 5 the third reading, if it hasn't already gone through, of
- 6 the First Nations Chartered Land Act. This is just the
- 7 last part of the Indian termination policy that was written
- 8 by Trudeau.
- 9 Mr. Trudeau had once stated that he was
- 10 willing to die to put this into action, to put this into
- 11 place. I ask you today: Is the acting Prime Minister,
- 12 Kim Campbell or Jean Charest, willing to die to put this
- 13 through? I bet they are not. I can see it coming through.
- 14 I can see the violence happening, and I can understand
- 15 it.
- 16 Like I said, we are put into a pressure
- 17 cooker situation, and we have to react. In a pressure
- 18 cooker, you know what happens if it is left unattended
- 19 and if you don't do it properly: it explodes. That is
- 20 what will happen if we don't have something done and have
- 21 those suggestions put into place.
- 22 As I said yesterday, I believe that we
- 23 have to come to a compromise and we have to have one

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- 1 governing body. It doesn't even have to be a governing
- 2 body. Yesterday I said one governing body, and then I
- 3 thought about it as I was sitting there and I said, "No,
- 4 that isn't what I meant." What I meant was that, if
- 5 self-government is to happen, we need our governing body
- 6 to be able to sit down together and compromise.
- 7 I was thinking everybody is so against
- 8 the Band Council and everybody is so against the
- 9 Confederacy. Why can't we have a mixture? Why can't we
- 10 have two appointed people from the Confederacy and two
- 11 people from the Band Council? That's the only thing I
- 12 can see. They are going to have to work together because
- 13 that is the only way it is going to work, in my eyes.
- I am not on the Confederacy at all
- 15 because I believe in what they do. If anything, I am more
- 16 against the Band Council because they are just a puppet
- 17 of the federal government.
- 18 All the problems on the reserve stem from
- 19 the federal government. It is because the federal
- 20 government wants to divide us and wants us to be gone.
- 21 Cultural genocide is not going to be
- 22 acceptable to me, to my brothers, to my sisters, to anybody.
- 23 As we sit here today, everybody wants to be an Indian

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- 1 person. In the Canadian census that was last taken, one
- 2 million people said they were of Native descent. It makes
- 3 me wonder why. Were they ashamed of who they were? I
- 4 am not.
- 5 It makes me laugh because all of a sudden
- 6 we have one million more Native people, but they still
- 7 believe in their traditions. I am sorry, but something
- 8 has to be done and it has to be done soon. My son is five
- 9 years old, and he will have nothing -- absolutely nothing
- 10 -- to come back to.
- 11 As I said, I truly believe that, if we
- 12 want to be heard, we must come together as one people.
- 13 Violence isn't the way to do it. We have to scream; we
- 14 have to shout; we have to show the government that we are
- 15 not going to take this lying down any more. Remember,
- 16 silence is consent, and they will do anything they can
- 17 without letting us know. If we don't say anything, then
- 18 they are going to do it.
- That's all I have to say.
- 20 **MODERATOR MAX KING:** Lisa, thank you
- 21 very much for your presentation. The Commissioners
- 22 probably have some comments for you. I will turn the floor
- 23 over to Georges.

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- 1 CO-CHAIR GEORGES ERASMUS: Thank you
- 2 for some clarifications from yesterday and for your
- 3 comments. Can we ask you some questions?
- 4 LISA MARACLE: Yes.
- 5 CO-CHAIR GEORGES ERASMUS: We will
- 6 start with Commissioner Chartrand.
- 7 COMMISSIONER PAUL CHARTRAND: Thank
- 8 you.
- 9 I wouldn't choose to raise the point,
- 10 but you talked about this Commission and you personalized
- 11 it somewhat, referring to me and my colleague, so I feel
- 12 compelled to make a few remarks about that.
- Some of us have experience with respect
- 14 to some of the things you have described. Growing up in
- 15 the log cabin of a fur trapper without a toilet is something
- 16 very familiar to some of us. Owning a house and being
- 17 secure in the ownership of a house is not something that
- 18 you should assume is possessed by everybody because they
- 19 sit on a Commission.
- 20 We are individuals appointed to advise
- 21 the federal government. We are not members of the federal
- 22 government. We have our own jobs for which we get paid,
- 23 and this is but an interruption in our usual jobs, for

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- 1 which we must get paid. Being away from our families for
- 2 extended periods of time is not exactly a bowl of cherries.
- 3 You asked us to put our best foot
- 4 forward. When I accepted the invitation -- and I didn't
- 5 ask for this job; it is not something you ask for -- I
- 6 decided not to put my best foot forward but to put both
- 7 feet forward, regardless of which is the better one.
- 8 You say that you worry that the
- 9 Commission might be a waste of time and money. So do I,
- 10 but I have been committed to do what I can about it. I
- 11 believe that doing a little bit of good is better than
- 12 only sitting on the sidelines and being critical.
- 13 You propose an idea, that of one big
- 14 government. I wonder if you would care to elaborate on
- 15 that notion.
- 16 It is important in your view that we have
- 17 precise recommendations to make for the federal
- 18 government, recommendations that, in your words, must be
- 19 put into action. You are saying there have been
- 20 commissions and their recommendations have not been acted
- 21 upon. You are saying you want us to make the kind of
- 22 recommendations that can be acted upon.
- 23 That kind of recommendation that can be

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- 1 acted upon, in your view, if I follow, is one big government
- 2 -- and I will come back to that point. Fine.
- 3 One of the concerns that has been voiced
- 4 by some parties is that some of the desirable ways of moving
- 5 forward are not likely to be accepted by federal and
- 6 provincial governments, so they will take a long time and
- 7 will not be put into action. These people say that those
- 8 are the best means, even though it will take a long time.
- 9 The high road is a long road. This is what these people
- 10 would argue. They say it takes a long time to change
- 11 attitudes; it takes a long to get good principles accepted,
- 12 so we are not likely to get action soon.
- Some other people say, "Oh, no, we want
- 14 action soon."
- 15 The concern of those others is that what
- 16 is likely to get action soon is that which is likely to
- 17 be accepted. They are very concerned that what is going
- 18 to be accepted is not their preference. They do not think
- 19 those kinds of recommendations would be good ones. So
- 20 it is a dilemma.
- 21 To try to assist us in meeting your goal
- 22 of getting into a report recommendations that can be put
- 23 into action, I wonder if you would help us by explaining

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- 1 as precisely as you can how it is that you would reach
- 2 this one big government.
- I note that few people have publicly
- 4 supported this idea. Some scholars have suggested one
- 5 jurisdictional province for all of Canada into which
- 6 individual Aboriginal communities or peoples could opt.
- 7 But this has not received general support -- far from
- 8 it.
- 9 We have heard mostly local concerns and
- 10 we have heard about local solutions.
- I am not sure what you mean when you say
- 12 one government. I thought at first you meant something
- 13 like one jurisdictional province for all of Canada, for
- 14 all Aboriginal peoples. Then, in your concluding remarks,
- 15 I think you referred to an amalgamation between two
- 16 existing forms of government on particular reserves.
- 17 I wonder if you could clarify that point.
- 18 What is it you have in mind when you talk about one
- 19 government for all First Nations? Most important, how
- 20 do you think federal policy could gain acceptance for this
- 21 strategy?
- 22 LISA MARACLE: First of all, I was
- 23 speaking locally, reservation by reservation by

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- 1 reservation. I know there are the same factions on every
- 2 reserve.
- 3 To come together by two different
- 4 policy-makers or two different governments, as exists on
- 5 our reserve, we would have to come together and have two
- 6 appointed ones from the Confederacy, because the
- 7 Confederacy does not vote, and have two elected people
- 8 from the Band Council for those people who believe they
- 9 have the right to vote. Who are we to deny them?
- 10 **COMMISSIONER PAUL CHARTRAND:** My
- 11 question was: What federal policy shift are you
- 12 recommending? What do you want us to tell the federal
- 13 government it should do about it? That is the only power
- 14 we have.
- 15 LISA MARACLE: I think you should, in
- 16 my opinion, tell them -- I am not looking for one major
- 17 Native government body under self-government, if that
- 18 came. What I would like to see the federal government
- 19 do is to work with the Native people across Canada, with
- 20 the major bodies -- if there were three or four reserves
- 21 locally, they would have one representative, and that would
- 22 have to be by majority -- to come together with them, not
- 23 like a First Ministers' Conference, but come together with

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- 1 them and have them voice their concerns and have them
- 2 accepted as part of this Canadian community.
- 3 That is the only thing I can think of.
- 4 I can't express it any better.
- 5 **COMMISSIONER PAUL CHARTRAND:** Thank you
- 6 very much for your assistance.
- 7 **CO-CHAIR GEORGES ERASMUS:** That was the
- 8 area where I was going to ask some questions, and you have
- 9 more or less clarified what I wanted to hear.
- 10 Thank you for coming forward again. I
- 11 know it takes a bit of courage.
- 12 I hope Paul clarified some points for
- 13 you about our individual roles. We are always asked
- 14 whether or not the work of the Commission in the end will
- 15 amount to anything. What we are trying to is make sure
- 16 that our work is of such a quality that, in the end, it
- 17 will be very, very hard for government not to implement.
- 18 The reason we are going around and
- 19 holdings hearings is to find out precisely what people
- 20 want. If people stay at home and they have a lot of things
- 21 they would really like to do, they are not doing anybody
- 22 any good, certainly not us. It is very hard for us to
- 23 read their minds if they are not going to talk to us.

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- 1 We appreciate very much people like
- 2 yourself having the courage to come forward. Thank you.
- 3 LISA MARACLE: Thank you.
- 4 MODERATOR MAX KING: The next
- 5 presentation this morning will be on behalf of the Native
- 6 youth who are involved in the criminal justice system.
- 7 The presenter from the Sprucedale Youth Centre will be
- 8 Rob Bomberry. Accompanying Rob will be Glen Forest from
- 9 New Horizons.
- 10 ROB BOMBERRY: My name is Rob Bomberry,
- 11 and I am speaking on behalf of the Native youth involved
- 12 in the criminal justice system. My speech is pretty
- 13 straightforward.
- I will tell you a bit about myself. I
- 15 had some problems for the past couple of years, and I have
- 16 been in and out of a couple of Training Centres. Just
- 17 this past time I have learned a lot more. I have learned
- 18 more in the past year than I have in the last four years.
- 19 I picked up a lot there. I know what I need to know now;
- 20 I know quite a few things.
- I just go out, so bear with me. I am
- 22 still kind of shocked here.
- 23 All of us are confronted with many

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- 1 problems in today's society, be it selfishness to bullying
- 2 to racism. Life isn't the bowl of cherries we make it
- 3 out to be; it can turn out to be the pits. We must join
- 4 hands to work together because it is time for a change.
- 5 The number of Natives in the criminal
- 6 justice system is increasing by the year, and it is getting
- 7 harder and harder for us to make it on the outside as well
- 8 as the inside. There are a limited number of programs
- 9 to keep us busy enough to stay out and keep interested.
- 10 Should there be such individuals
- 11 interested in organizing particular programs, it would
- 12 take lots of time, co-operation and, most of all, a lot
- 13 of heart.
- 14 People are neglecting their brothers and
- 15 sisters' needs as well as their own. What would it take
- 16 to get people to care? Maybe funding isn't the issue here.
- But what would it take to get these people out there?
- 18 What would interest them?
- Not only my reserve but others alike are
- 20 losing touch with who they are, their cultural and
- 21 traditional ways of our people. We need to educate
- 22 ourselves. If we are not educated, chances are we're not
- 23 interested.

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- In custody we can talk to a Native
- 2 counsellor -- this guy here. But, for us, this is the
- 3 closest thing to our culture we can get. Our spiritual
- 4 opportunities are limited. We need more programs for
- 5 Natives in custody. If we can get a head start in custody,
- 6 we can carry on out in the community and possibly have
- 7 a chance for success.
- 8 If there were more Natives involved in
- 9 the justice system, would there be less Natives going
- 10 through the system? Would a Native Court or justice system
- 11 be appropriate? Or would it cause conflict? For now,
- 12 these will go unanswered.
- In custody, if there would be more access
- 14 to traditional materials and education, it would likely
- 15 make the individual realize that there isn't a need to
- 16 go back to their old ways. It would make them realize
- 17 how grateful they should be for just being able to live
- 18 a full, healthy life. We need a better understanding.
- This generation is becoming less and
- 20 less caring about the environment and themselves. They
- 21 have been exposed to non-traditional, irresponsible ways.
- 22 Our elders, the wise, are not getting the attention they
- 23 should be. We need to acknowledge their existence and

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- 1 use their wisdom to build a better future. They must not
- 2 be disappointed.
- 3 There is much we all lack, but if we don't
- 4 make a difference soon, we are destined for destruction,
- 5 our own destruction. We need to get in touch with the
- 6 real us, deep down inside. If we learn to respect our
- 7 culture -- and it says to respect other humans and their
- 8 belongings -- then we will respect such things. But first
- 9 we must learn to respect ourselves. That is one step
- 10 toward solving our problem.
- 11 It may only be one step, but it is one
- 12 step forward, and that is the direction we need to go.
- Nya:Weh.
- 14 MODERATOR MAX KING: Thank you, Rob.
- 15 Glen, would you like to add any comments to Rob's opening?
- 16 GLEN FOREST: No. I didn't know I was
- 17 coming up here.
- 18 MODERATOR MAX KING: Thank you, Glen.
- 19 I will turn the mike over to the Commissioners.
- 20 **CO-CHAIR GEORGES ERASMUS:** Thank you
- 21 for your presentation. Can we ask you some questions?
- 22 ROB BOMBERRY: Sure.
- 23 **CO-CHAIR GEORGES ERASMUS:** We will

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- 1 start with Commissioner Chartrand.
- 2 COMMISSIONER PAUL CHARTRAND: I have no
- 3 questions. I want to thank you for telling us about your
- 4 thoughts. Thank you very much.
- 5 **CO-CHAIR GEORGES ERASMUS:** You say that
- 6 there is need for more programs and access to traditional
- 7 material in the correctional institutes. What material
- 8 is now available?
- 9 **ROB BOMBERRY:** The only thing we really
- 10 have in there is Glen. Nobody does anything for us in
- 11 there. Most of the guys just say to see Glen.
- 12 We have a limited amount of books. I
- 13 think there is only one or two Natives who actually work
- 14 in there.
- 15 **CO-CHAIR GEORGES ERASMUS:** What kind of
- 16 correctional institute are we talking about here? Is this
- 17 Youth Reform School?
- 18 ROB BOMBERRY: A Training School sort
- 19 of thing.
- 20 **GLEN FOREST:** Phase 2, Young Offender
- 21 all-secure custody.
- 22 **CO-CHAIR GEORGES ERASMUS:** Phase 2.
- 23 Maybe you have answered this already, but I will ask it

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- 1 anyway. Do you have access to Elders? Do Elders come
- 2 in? Is there a sweat lodge, circles, and so forth?
- 3 **ROB BOMBERRY:** I was there almost a year
- 4 and a half, and there was nothing like that.
- 5 **CO-CHAIR GEORGES ERASMUS:** Is there any
- 6 discussion in the institution that they might have these?
- 7 ROB BOMBERRY: I guess it is all just
- 8 talk. We have brought it up so many times.
- 9 **CO-CHAIR GEORGES ERASMUS:** Did you?
- 10 ROB BOMBERRY: Yes.
- 11 **CO-CHAIR GEORGES ERASMUS:** Of the
- 12 people who were there, how many were Aboriginal?
- 13 ROB BOMBERRY: Ten to fifteen per cent,
- 14 I guess.
- 15 **CO-CHAIR GEORGES ERASMUS:** That would
- 16 be in numbers more than 10 people?
- 17 **ROB BOMBERRY:** Around there. It goes
- 18 up and it goes down.
- 19 CO-CHAIR GEORGES ERASMUS: Hopefully,
- 20 it is going to go down and stay down.
- 21 **ROB BOMBERRY:** Yes, exactly. That is
- 22 what we are here for.
- 23 **CO-CHAIR GEORGES ERASMUS:** You don't

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- 1 have any views on a separate justice system for Aboriginal
- 2 people, run by Aboriginal people? Or are you going to
- 3 leave this alone for now?
- 4 ROB BOMBERRY: I think a lot of people
- 5 are actually leaving it alone; I'm not sure. I haven't
- 6 heard much about it.
- 7 It could in a way be a plus and a minus.
- 8 **CO-CHAIR GEORGES ERASMUS:** Give us an
- 9 idea of what you mean. What is the plus side and what
- 10 is the minus side?
- 11 ROB BOMBERRY: The plus would be
- 12 actually being able to do something for your people, to
- 13 help your people. Probably a negative one would be, if
- 14 we did have a correctional centre on the reserve, my friends
- 15 working there would lock me up. I wouldn't take too kindly
- 16 to that. Some people would have a problem with that.
- 17 That really isn't a good way of placing
- 18 somebody.
- 19 **CO-CHAIR GEORGES ERASMUS:** There are
- 20 some people who think that, when Aboriginal people go into
- 21 a foreign system and everybody in there are strangers,
- 22 that has less of an effect on them than if they had to
- 23 go before their own peers. If they had to go before their

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- 1 own people and be judged by their own people, the laws
- 2 would be taken more seriously and it would be less likely
- 3 that people would be breaking their own laws.
- 4 Do you have any views on that? What
- 5 would you think if you were being judged by the Elders
- 6 of your own community?
- 7 ROB BOMBERRY: Again, it's a plus and
- 8 a minus, I guess. If some guy doesn't really care, and
- 9 the Elder tells him to go out and sprinkle some tobacco
- 10 somewhere or clean up or something, he's going to say,
- 11 "Oh, well, I get to go and do this." But it may have a
- 12 different effect on some other people who are more
- 13 traditional.
- 14 **CO-CHAIR GEORGES ERASMUS:** Thank you
- 15 for coming forward.
- 16 **MODERATOR MAX KING:** Thank you very much
- 17 for your presentation before the Commission, Rob and Glen.
- 18 **CO-CHAIR GEORGES ERASMUS:** We will take
- 19 a brief break now.
- 20 --- Short Recess at 10:45 a.m.
- 21 --- Upon resuming at 11:00 a.m.
- 22 **MODERATOR MAX KING:** Our next presenter
- 23 is Amos King, Vice-Chairman, Grand River Post-Secondary

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- 1 Interim Board.
- 2 **AMOS KEY:** (Native language)
- 3 On behalf of the Post-Secondary Interim
- 4 Board at Six Nations of the Grand River, we too would like
- 5 to add our voice in words of welcome for your safe arrival
- 6 here at Grand River.
- 7 My name is Amos Key of the Mohawk Nation
- 8 of the Six Nations of the Grand River, and I am Vice-Chair
- 9 for the Grand River Post-Secondary Interim Board. Ron
- 10 Thomas was supposed to be with me, but he is next door.
- 11 He is from the Cayuga Nation, and he is the Supervisor
- 12 of the Grand River Post-Secondary Education Office.
- 13 The Grand River Post-Secondary Interim
- 14 Board has been established since September 1992. The
- 15 establishment of the Interim Board has been a long and
- 16 careful process under the guise of the federal government's
- 17 wish to devolve many of their programs to First Nations
- 18 -- in this case, responsibility for post-secondary
- 19 education.
- 20 A team of volunteers began to pave the
- 21 way for the permanent transfer of the post-secondary
- 22 program to Six Nations control. After days of
- 23 investigation, dialogue and number-crunching by our team

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- 1 of volunteers, it was discovered that the federal
- 2 Department of Indian Affairs' administration of the
- 3 post-secondary program for Six Nations of the Grand River
- 4 was, at best, inadequate. There were other adjectives
- 5 used in describing the department's handling of the
- 6 post-secondary program, but I am sure you have heard them
- 7 all before.
- 8 When the results of our investigation
- 9 were complete, we made recommendations that, in order for
- 10 the Six Nations of the Grand River to begin administration
- of the program, certain conditions had to be met in order
- 12 to establish and maintain a standard of program delivery.
- 13 These conditions included, among others, that:
- The administration and delivery of the
- 15 program must adequately accommodate the number of students
- 16 eligible for post-secondary education entitlements;
- Staff salary levels must be
- 18 maintained, at the very minimum, at levels of a person
- 19 delivering the same program and performing similar
- 20 functions for the federal government;
- 21 That we develop our own
- 22 infrastructures based not only on corporate models and
- 23 systems of policy, procedures and accountability, but that

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- 1 these structures must also reflect our values, principles
- 2 and vision for our society.
- In short, we do not want to merely
- 4 balance our cheque book. We want to put in place effective
- 5 counselling that is fair and just, using not only our
- 6 acquired skills and trained minds, but also must include
- 7 a sensitivity and lifelong experience that can only come
- 8 from our conscience and our hearts as Ogweho: weh people.
- 9 However, the federal government having
- 10 no patience to meet our basic conditions, invoked their
- 11 "loaded gun to the head" policy.
- 12 Even now, with the loaded gun still
- 13 pointing, they continue to remind us that, if we do not
- 14 want to accept the permanent transfer of what already is
- 15 an inadequate program, there are a host of organizations
- 16 or financial services biting at the bit to do it. This
- 17 is their loaded gun!
- I say this to drive home our point that
- 19 this frustration has made us cynics of their good faith.
- The federal government's attempt to
- 21 devolve this program at any cost to Six Nations of the
- 22 Grand River is on their terms, not on terms or solutions
- 23 arrived at through fair and meaningful dialogue and

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- 1 discovery.
- 2 Therefore, we are forced to negotiate
- 3 even the basic level of service delivery which is, in
- 4 itself, inadequate. Given the situation, how can we even
- 5 begin to negotiate for improvements and enrichments to
- 6 the existing program on our terms?
- 7 And when the smoke clears from their gun
- 8 and we do not accept the permanent transfer on their terms,
- 9 the Interim Board may as well commit suicide.
- 10 We believe that the Government of Canada
- 11 has the fiscal responsibility to fund all First Nations
- 12 students in their pursuit of a post-secondary education.
- Prior to the imposition of the Indian
- 14 Act upon the people of Six Nations of the Grand River,
- 15 the Six Nations Confederacy from their funds provided the
- 16 education needs of our people for the time. Later in 1935,
- 17 the federal government proclaimed that it would thereafter
- 18 be responsible for the provision of education to First
- 19 Nations across Canada. The government did, in fact, meet
- 20 the education needs of the day of First Nations; however,
- 21 today's needs require a post-secondary education. We may
- 22 not survive as a people without the 21st century level
- 23 of skills required through years of post-secondary

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- 1 education.
- 2 We must be provided with funding to
- 3 enable all our Aboriginal students to be funded. Upon
- 4 investigation of the federal government's Department of
- 5 Indian Affairs' data base in 1992-93, it was discovered
- 6 that there 887 eligible students at Six Nations of the
- 7 Grand River; yet, only 627 received limited funding.
- 8 Provisions under the Department of
- 9 Indian Affairs' current administrative guidelines allow
- 10 for sponsorship of: season travel; full costs of books;
- 11 supplies; and incentive grants.
- 12 These entitlements were denied a
- 13 majority of our students under the federal government.
- 14 However, as the Interim Board, we managed to allocate very,
- 15 very minimal funding toward these entitlements.
- The federal government provided a total
- 17 of \$4.1 million to fund 627 students at Six Nations of
- 18 the Grand River in 1992-93, using their current guidelines.
- 19 To fully fund these same post-secondary students to their
- 20 full entitlement, as outlined in the Department of Indian
- 21 Affairs' administrative policy, this budget should have
- 22 been \$11 million for the same 627 students. This is a
- 23 shortfall of \$6.9 million.

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23

Aboriginal Peoples

1	These figures are projections
2	compounded at 4 per cent of real cost since 1988, the base
3	year of the current funding arrangements. Had the former
4	E-12 guidelines for post-secondary education, which was
5	scrapped in 1987, been still in effect, this amount would
6	have been \$14.6 million allocated to Six Nations of the
7	Grand River.
8	Clearly, our students are being
9	under-funded, and we now seek the assurance of the Royal
10	Commission that they will in fact press the government
11	to recognize our inherent right to post-secondary
12	education and the funding levels that will provide the
13	opportunity for acquiring a post-secondary education.
14	As an aside, it was discovered in the
15	course of our research that there were a number of First
16	Nations who were forced to supplement their post-secondary
17	students with general welfare funding assistance because
18	funding levels were not adequate. It may be that the
19	federal government's opinion that it does not matter which
20	pot of money it comes from, but it matters to all of us,
21	especially when you are concerning yourself with one's
22	pride and self-esteem.

StenoTran

Can you imagine the social stigma

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- 1 attached to this practice? But what can you do when your
- 2 students need help?
- We do not want to make our post-secondary
- 4 students go on welfare. We want to steer them away from
- 5 welfare.
- 6 We believe that the future of our people
- 7 lies in our youth and that must have opportunities to
- 8 acquire the professional and technical skills available
- 9 to survive into the 21st century.
- 10 We have an obligation to our "unborn
- 11 faces", and it is incumbent upon us to do everything in
- 12 our power to ensure that the federal government lives up
- 13 to its fiduciary obligations which will guarantee the
- 14 birthright of all Ongweho:we.
- We further believe that the Government
- 16 of Canada has not had a better program than the
- 17 post-secondary program. This program, which has been
- 18 highly successful, represents the light at the end of the
- 19 tunnel for our people. Now the federal government wants
- 20 to turn it off.
- 21 Could it be that they are not really
- 22 interested in achieving the new relationship that is often
- 23 spoken of, but merely wish our First Nations to continue

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_	to be subolulifate to them:
2	Our recommendations:
3	In your preparing for Rounds 3 and 4 the
4	Commission's literature, it states that there are four
5	touchstones for change or ideas that should focus or frame
6	our presentations and shape our recommendations. They
7	are:
8	- a new relationship between Aboriginal
9	and non-Aboriginal people;
LO	- self-determination;
L1	- self-sufficiency; and
L2	- healing.
L3	We feel strongly that our
L 4	recommendations today can realize your touchstones for
L5	change only if the non-Aboriginal people and their
L 6	governments want to forge a new relationship in good faith.
L7	Our recommendation today,
L 8	Commissioners, is for the Royal Commission on Aboriginal
L 9	Peoples to:
20	- Press the Government of Canada to
21	recognize our inherent right to education, including
22	post-secondary education, and that this right not be
23	encumbered and restricted through the interpretations set

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1	out in the antiquated Indian Act; and further
2	- That this right be equitably resourced
3	for all First Nations; and
4	- That this inherent right be outlined
5	in treaty-based agreements.
6	In closing, many First Nations have paid
7	dearly for this inherent right many times over. In the
8	case of Six Nations of the Grand River, it is ironic that
9	we are talking about post-secondary education today, and
10	I quote from the presentation to the Standing Committee
11	on Aboriginal Affairs, Six Nations of the Grand River
12	Indians, Thursday, February 21, 1991, that on:
13	"December 20, 1860 and by authority of Order in Council
14	of June 14, 1860, Six Nations' funds were
15	used to save the University of McGill
16	in Montreal which was on the brink of
17	financial collapse. Furthermore, a
18	controversial Order in Council was
19	passed on January 31, 1842 granting
20	1,265 acres to the elite Kings College
21	in Toronto to which the Principal and
22	Council of Kings College responded on
23	July 17, 1844,

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1	'that the Indian youths at present in Upper Canada College
2	were placed at the College on the
3	supposition that they would be
4	allowed their tuition gratuitously
5	the same be allowed for the future
6	and that all arrears of charges on
7	that head be therefore
8	cancelled.'"
9	Sadly, we have never benefited from this
10	loan and sale of land.
11	In fact, Six Nations of the Grand River
12	has a total of 23 land claims before the federal government.
13	Only one of these land claims has been settled since the
14	submission to the federal government on November 4, 1980.
15	As of Thursday, February 21, 1991, there were 15 unsettled
16	land claims before the federal Government of Canada. The
17	total value of these 15 land claims:
18	"at a nominal 10% interest rate compounded annually a debt
19	totalling eighty two billion two
20	hundred and two million seven
21	hundred and fifty-nine thousand,
22	eight hundred and thirty-one
23	dollars and four cents

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- 1 (\$82,202,759,831.04) could be due
- in 1991 payable to Six Nations
- 3 alone."
- 4 You can clearly see that, if all these
- 5 land claims were settled expeditiously, Six Nations of
- 6 the Grand River would never, ever have to negotiate
- 7 post-secondary funding again under such duress.
- 8 Therefore, the foregoing recommendation
- 9 to the Royal Commission on Aboriginal Peoples is made free
- 10 of guilt and in all good conscience.
- 11 Further, this recommendation from the
- 12 Interim Board of the Six Nations of the Grand River of
- 13 an inherent right to post-secondary education is free from
- 14 the public perception that we, as First Nations people,
- 15 are living off the dole of the Canadian taxpayer.
- Nya: wéh go: wah, on behalf of the Grand
- 17 River Post-Secondary Interim Board.
- 18 **MODERATOR MAX KING:** Thank you very much
- 19 for your presentation, Amos.
- 20 I will turn the mike over to the
- 21 Commissioners.
- 22 **AMOS KEY:** I am going to ask Ron to come
- 23 up.

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- 1 MODERATOR MAX KING: Ron Thomas has been
- 2 responsible for some of the student assistance and the
- 3 administration of the program for post-secondary
- 4 education, by way of the Education Office, and has a great
- 5 deal of experience in this area.
- 6 RON THOMAS: Thank you. I am here only
- 7 as technical assistant to Amos.
- 8 CO-CHAIR GEORGES ERASMUS: Amos, would
- 9 you mind if we asked some questions?
- 10 **AMOS KEY:** Go ahead.
- 11 CO-CHAIR GEORGES ERASMUS: We will
- 12 start with Paul Chartrand.
- 13 **COMMISSIONER PAUL CHARTRAND:** Thank you
- 14 for your presentation, Mr. Key. I do have a few questions,
- 15 and I wonder if we might have a quick back-and-forth
- 16 discussion on them. I am a just bit apprehensive. In
- 17 the past I have asked one question, and it has been
- 18 interpreted as an invitation to make another presentation.
- In carrying out your work to take over
- 20 education, do you have the benefit of any co-operation
- 21 with other Indian -- and I say "Indian" meaning that term
- 22 as it is used in the Indian Act -- organizations across
- 23 Canada? I am given to understand that a number of them

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- 1 are at a fairly advanced stage in taking over control of
- 2 their education. I was wondering whether there was a
- 3 mechanism whereby you might co-operate in these endeavours
- 4 and benefit from each other's experience.
- 5 **AMOS KEY:** There was a meeting in
- 6 Ottawa, and Ron and some of the volunteers on the Interim
- 7 Board attended that meeting. I will ask Ron to respond
- 8 to that.
- 9 RON THOMAS: First of all, let me
- 10 introduce myself. My name is Ron Thomas. I am Supervisor
- 11 at the Post-Secondary Education Office.
- We have approximately 700 full-time
- 13 students that we are trying to negotiate a good deal for.
- 14 These are people who are all from Six Nations, who attend
- 15 schools across Canada and some in the United States as
- 16 well.
- 17 In response to your question, it has long
- 18 been the departmental procedure to throw a tidbit out there
- 19 and let the First Nations fight for it. Thus, our history
- 20 of working together has not been a good history -- and
- 21 I speak from one Nation to the next Nation. Everyone seems
- 22 to be always concerned about protecting the dollars they
- 23 have. So that readiness to work together was encumbered

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- 1 by the departmental style of operating with First Nations.
- 2 However, when we tried to break this
- 3 down, we found a lot of co-operation there. We had
- 4 co-operation from the James Bay people. They came down
- 5 to offer us some insights into how they were operating,
- 6 and we had people from the London District, as well from
- 7 the Rainy Lake Education Authority. They came to help
- 8 us as well.
- 9 The possibility is strong that we can
- 10 get help from other First Nations.
- 11 COMMISSIONER PAUL CHARTRAND: It would
- 12 seem to me that co-operative activities of that sort would
- 13 be a means of combatting the power of the government on
- 14 the other side in a situation where it carries on
- 15 discussions with small groups across the country.
- 16 **RON THOMAS:** If you don't mind my
- 17 interrupting, AFN themselves have had tremendous
- 18 difficulty in finding out the data base system from one
- 19 Nation to the next. Why is there such a reluctance to
- 20 share that data -- that fear of getting and protecting
- 21 their own dollar base?
- 22 **COMMISSIONER PAUL CHARTRAND:** AFN has
- 23 trouble getting data from the Department of Indian Affairs

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- 1 respecting statistics, facts concerning Indian students.
- 2 Is that what you are saying.
- 3 RON THOMAS: Yes.
- 4 COMMISSIONER PAUL CHARTRAND: I am glad
- 5 you have noted that. I expect our staff will be concerned
- 6 to investigate the matter.
- 7 **AMOS KEY:** In our experience as well at
- 8 Six Nations on the volunteer Board, we are appalled at
- 9 their record-keeping. It was just incredible. Even
- 10 though they are using 20th century technology, it was
- 11 appalling to find the inequities in their statistics.
- 12 **COMMISSIONER PAUL CHARTRAND:** That
- 13 raises another issue, one which you raise on page 5. You
- 14 say, in addition to what you have said now, that technique
- 15 of maintaining information are appalling. Also on page
- 16 5 you say that there is a shortfall of funds that, under
- 17 their own policy, ought to be provided for education.
- 18 Is that correct?
- 19 AMOS KEY: Yes.
- 20 **COMMISSIONER PAUL CHARTRAND:** We heard
- 21 yesterday in another presentation some conclusions drawn
- 22 by the federal Auditor General with respect to what the
- 23 Auditor General termed "serious deficiencies" in the

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- 1 carrying out of responsibilities of the department with
- 2 respect to forestry.
- In light of these alleged deficiencies,
- 4 have you or do you know of any other Indian authorities
- 5 who have considered what means might be available to make
- 6 this federal government department accountable for its
- 7 administration of Indian affairs? Have you considered,
- 8 for example, court action or other mechanisms? Have you
- 9 sought advice on these matters? Or do you have any
- 10 recommendations you would like to make to us?
- 11 What do you think we might usefully make
- 12 by way of policy recommendations to the federal government
- 13 to overcome the problems you have highlighted?
- 14 RON THOMAS: First and foremost, we feel
- 15 that the department must respond to our position that
- 16 post-secondary education is an inherent right of our
- 17 people. We have put forth this position as recently as
- 18 last month in a delegation to the AFN's meeting in Ottawa,
- 19 and we are hopeful that the NIEC, the National Indian
- 20 Education Council, will also attend to that.
- I don't know what else I can say to you.
- 22 That is our overriding position that we want to see happen.
- 23 **COMMISSIONER PAUL CHARTRAND:** That's

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- 1 fine. As I understand it, you are saying that you are
- 2 at an early stage in this particular development and that
- 3 you are considering the development of legal arguments
- 4 based on rights arguments that may be the basis for court
- 5 action.
- 6 That raises the next question, which I
- 7 think will be my last or second-last one. It is to inquire
- 8 about this inherent right that you refer to on page 5 and
- 9 again on page 7. Also there is "cohere"; there is "adhere"
- 10 and there is "inhere." It is quite unclear to me what
- 11 is the nature of this right, and I would explain it to
- 12 me if you are able to, or to take back the question and
- 13 provide us with advice in due course.
- 14 An inherent right must inhere in someone
- 15 or some collectivity. I thought that. Then I see a
- 16 reference on page 8 to what appears to be -- and I may
- 17 be wrong; please correct me if I am -- an agreement or
- 18 perhaps a grant with respect to education.
- I wonder if you might like to explain
- 20 what is the nature of the entitlement that you are relying
- 21 on in trying to get a sound basis, as I understand it,
- 22 for permanent funding for post-secondary education
- 23 services. You refer to an inherent right, and I don't

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- 1 know what you mean by that, because you also refer to
- 2 another kind of right contained in the document, which
- 3 suggests it would not inhere in a collectivity but would
- 4 be born of perhaps a bargain or perhaps born of a grant.
- I wonder if you are able to assist me
- 6 in understanding that.
- 7 **AMOS KEY:** I would like to go back to
- 8 the previous question as well. I think the nature of the
- 9 Royal Commission, from my understanding of that, is that
- 10 we make presentations to you and you hear us, and you are
- 11 going to write a summary of this round. We are presenting
- 12 our view to you.
- The press has had a heyday with that
- 14 position, I think, of the Royal Commission.
- What we are doing is trying to give you
- 16 some meat on which to hang some of your recommendations
- 17 that you are going to make ultimately.
- 18 COMMISSIONER PAUL CHARTRAND: I am
- 19 asking you to explain the nature of the meat.
- 20 **AMOS KEY:** So that you can look at a
- 21 number of recommendations, and this is our recommendation
- 22 today -- that we look at having post-secondary education
- 23 be an inherent right.

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- 1 We deserve universal education like
- 2 anyone else in Canada.
- 3 RON THOMAS: I would like to add a point
- 4 to that, if I may.
- 5 Prior to 1924 our Confederacy Council
- 6 had their own system of schools. They paid for all of
- 7 the education of our people, all costs of education.
- 8 Then the government stepped in and said,
- 9 in 1935, "We are now going to be responsible for all Indian
- 10 education." They did, indeed, meet the education needs
- 11 of the day.
- 12 For this reason, we are saying the
- 13 education needs of today have changed. Our people must
- 14 have access to a post-secondary education program. So
- 15 we want them to continue to meet the education needs of
- 16 the day, as they suggested in 1935.
- 17 **AMOS KEY:** In the last quote that we
- 18 attached to this, we are hoping that you will take away
- 19 our recommendation and write it in your last summary, or
- 20 whatever you are going to put together.
- 21 **COMMISSIONER PAUL CHARTRAND:** My
- 22 concern is that if we just say that you say you have an
- 23 inherent right and if we don't explain what it means, then

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- 1 we do not know who is responsible to do what and how.
- 2 **AMOS KEY:** We are telling you that in
- 3 1935 the government took that responsibility away from
- 4 us.
- 5 **COMMISSIONER PAUL CHARTRAND:** So you
- 6 are saying that the basis for your argument is an
- 7 entitlement based on the commitment made by --
- 8 **AMOS KEY:** Our Confederacy.
- 9 RON THOMAS: No, a commitment made by
- 10 Parliament.
- 11 COMMISSIONER PAUL CHARTRAND:
- 12 Parliament or the government?
- 13 RON THOMAS: I think it went through the
- 14 House, so I would have to say it is parliamentary.
- I stand to be corrected there, but I
- 16 believe it was through a parliamentary procedure.
- 17 **COMMISSIONER PAUL CHARTRAND:** You are
- 18 saying that parliamentary promises are forever?
- 19 **AMOS KEY:** When they take away the right
- 20 -- if our Confederacy Chiefs established an education
- 21 system prior to their introduction of an elected system
- 22 at Six Nations, wasn't that an inherent right if our leaders
- 23 provided that for us?

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- 1 COMMISSIONER PAUL CHARTRAND: I am
- 2 asking you for your ideas.
- 3 RON THOMAS: We believe that is what it
- 4 is.
- 5 **AMOS KEY:** It is our inherent right born
- 6 out of policy and procedure and government practice of
- 7 our Confederation prior to 1924.
- 8 MODERATOR MAX KING: Amos, perhaps I
- 9 could help you clarify for the Commissioner.
- 10 When you talk about the inherent right,
- 11 are you not also going back farther to the Two Row Wampum
- 12 treaties and other documentation from there? Would that
- 13 be a part of it as well, back farther than 1924 and 1935?
- 14 AMOS KEY: That is part of the base of
- 15 it, yes.
- 16 RON THOMAS: If you would like another
- 17 report around that, I think, in fairness to us, if you
- 18 give us some time to prepare that, we will send it to you.
- 19 COMMISSIONER PAUL CHARTRAND: I am
- 20 perfectly happy to receive any submissions whenever you
- 21 can. I have no familiarity with the amount of time you
- 22 have had to prepare or the kind of resources you had to
- 23 put into this recommendation.

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- 1 The wording here in itself carries no
- 2 inherent meaning -- that is, it can mean different things
- 3 to different people. My concern is to know what you mean
- 4 when you use it. I am not assuming that you mean the same
- 5 thing as someone else might mean. Others use the term,
- 6 too, but they might mean something different.
- 7 I am only concerned to make sure that
- 8 whatever it is you are telling me I understand it with
- 9 precision that is necessary to craft some recommendations
- 10 to the federal government upon which they can act.
- I thank you very much for assisting me,
- 12 and I look forward to further interventions. Thank you.
- 13 **CO-CHAIR GEORGES ERASMUS:** On page 8 you
- 14 talk about saving McGill and then land being provided to
- 15 Upper Canada College.
- 16 From this quote, does this make it clear
- 17 that Indian youth would be able to go to Upper Canada
- 18 College without having to pay tuition?
- 19 AMOS KEY: It has never changed. That
- 20 quote is recorded.
- 21 **CO-CHAIR GEORGES ERASMUS:** Has anybody
- 22 ever checked this out to see if that is the case? I was
- 23 contacted by someone from Upper Canada College about a

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- 1 year or so ago. They were creating a fund. They were
- 2 going to some of the bigger corporations in Canada and
- 3 asking them to pay tuition for one or two First Nations
- 4 citizens.
- 5 According to this, they should have been
- 6 letting them in through the door free.
- 7 **AMOS KEY:** That's right. The point we
- 8 are using this for is that there are a number of land claims
- 9 before the federal government --
- 10 **CO-CHAIR GEORGES ERASMUS:** Has anybody
- 11 ever checked this out to see if they are still prepared
- 12 to live up to this?
- 13 **AMOS KEY:** They didn't directly meet
- 14 with the people at this college. They directed this as
- 15 part of the land claim process.
- 16 **CO-CHAIR GEORGES ERASMUS:** It might be
- interesting to find out if the College even remembers this.
- On your last page, were you trying to
- 19 suggest here that, if a big enough endowment was provided
- 20 to the Six Nations of the Grand River, you would not need
- 21 to have post-secondary education funding again? Is this
- 22 what you are suggesting here?
- 23 **AMOS KEY:** If all the land claims were

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- 1 settled? Of course. With \$82 billion, we would be a
- 2 country unto ourselves.
- 3 **CO-CHAIR GEORGES ERASMUS:** Do you have
- 4 the authority to say that?
- 5 **AMOS KEY:** Yes. It has been documented
- 6 by the Six Nations of the Grand River. They use it in
- 7 a lot of their literature, and it has been researched using
- 8 banking formulas of the day.
- 9 **CO-CHAIR GEORGES ERASMUS:** Perhaps you
- 10 can send us the background on the land claim, in addition
- 11 to the other stuff.
- 12 **AMOS KEY:** Yes, I can. We can send you
- 13 the whole document.
- 14 **CO-CHAIR GEORGES ERASMUS:** I would like
- 15 to thank you for coming forward today and presenting us
- 16 with your ideas.
- 17 MODERATOR MAX KING: Thank you very
- 18 much, Amos and Ron.
- As we bring this morning's session to
- 20 a close, the Commissioners will have a few brief comments
- 21 to make, starting off with the Co-Chair, Georges Erasmus.
- 22 **CO-CHAIR GEORGES ERASMUS:** I have very,
- 23 very little to say. I just want to thank everybody who

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- 1 presented to us yesterday and today.
- 2 We are in the midst of our third round
- 3 of hearings. We will have another small set of hearings
- 4 in the fall which will primarily be for organizations at
- 5 the national and regional levels and also non-Aboriginal
- 6 organizations.
- 7 We will be working on some interim
- 8 reports, probably starting relatively soon. As soon as
- 9 they are able to be printed, they will be published, over
- 10 the summer and fall more likely.
- 11 We will be putting together the research
- 12 that has been submitted to us from organizations -- and
- 13 we will be using the Intervenor Funding Program for that.
- 14 As well, our own research, plus the results of our
- 15 hearings, will assist us in our final report.
- We hope that report will be out in late
- 17 1994.
- 18 Thank you for participating. If there
- 19 is anything anyone else wants to provide us, feel free
- 20 to use either our 800 number, send us something in writing,
- 21 or you can try to attend some of the other hearings. Our
- 22 hearings are continuing through to the end of June this
- 23 year.

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- 1 Paul, do you have any concluding
- 2 remarks?
- 3 **COMMISSIONER PAUL CHARTRAND:** I want to
- 4 offer my thanks to everyone who has worked to assist us
- 5 in having these hearings, particularly the Moderator and
- 6 our hosts here at the Woodland Cultural Centre and all
- 7 the presenters.
- 8 Thank you very much. Merci.
- 9 Meegwetch.
- 10 MODERATOR MAX KING: Thank you. On
- 11 behalf of the Woodland Cultural Centre, I would like to
- 12 thank everybody for their participation. We have one
- 13 final duty to complete, and that is our closing.
- I would ask Pat Sandy to please come back
- 15 to the front and offer his closing remarks before we
- 16 adjourn.
- 17 --- Closing Prayer
- 18 --- Whereupon the Hearing concluded at 11:35 a.m.