

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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 KAHNAWAKE, QUEBEC

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"for the record..."

STENOTRAN

1376 Kilborn Ave.

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May 5, 1993**

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**Royal Commission on
Aboriginal Peoples**

1 Kahnawake Territory

2 --- Upon commencing at 9:55 a.m. on Wednesday,

3 May 5, 1993

4

5 **(Opening Prayer)**

6

7 **COMMISSIONER FOR THE DAY CHIEF BILLY TWO**

8 **RIVERS, MOHAWK COUNCIL OF KAHNAWAKE:** (Mohawk language -
9 no translation)

10 I guess we will commence right into the
11 meeting. As such, I will introduce the Panel on the Royal
12 Commission. I will go from my right here and down the
13 line.

14 The person to my right is Viola Robinson.
15 She is the former President of the Native Council of
16 Canada. Next to her is the Honourable René Dussault,
17 Justice of the Quebec Court of Appeal. Next to him is
18 Georges Erasmus, former AFN National Chief. Next to him
19 is Bertha Wilson, former Justice of the Supreme Court of
20 Canada. Last is Mary Sillett, former President of the
21 Inuit Women's Association of Canada and former
22 Vice-President of the Inuit Tapirisat of Canada.

23 With that, I will ask Chief Joe Norton

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1 to give the welcoming address.

2 **GRAND CHIEF JOSEPH T. NORTON, MOHAWK**

3 **COUNCIL OF KAHNAWAKE:** Good morning.

4 Wa'tkwannonhwera:ton.

5 I would like to welcome the honourable
6 guests here this morning, the Commissioners. Although
7 we met yesterday in Akwesasne -- I was part of a
8 presentation on the issue of our mobility rights to cross
9 the American-Canadian border -- we still need to look at
10 the circumstances concerning Mohawk peoples, and more
11 specifically Kahnawake.

12 We met in Akwesasne yesterday and we
13 looked at similar circumstances that have evolved in both
14 communities. The issues in Akwesasne and Kahnawake are
15 quite similar and they are varied at the same time. The
16 circumstances, because of the location, because of the
17 histories, because of the way that our communities have
18 evolved over the years, make us different, but yet we have
19 a common thread, we have a common belief, we have a common
20 family -- the Mohawk family. We have the same clans, our
21 people are intermarried, we are dependent on one another
22 in various ways and means and we always have been.

23 What you will hear over the course of

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1 the next two days will be Kahnawake oriented, but I believe
2 a similar message you have heard right across this country
3 in your travels, and what you will hear in the future for
4 the life term of this Commission.

5 We are very proud of our accomplishments
6 in this community. Our people have done a lot to take
7 responsibility for what needs to be done. It is not
8 totally satisfactory to us. There are still many things
9 that need to be done. There is both internally within
10 the community the need to heal, the need to unify our
11 efforts in one way or another, so that we may protect
12 ourselves against the outside forces. And I have to put
13 it in that fashion because of the fact that there are
14 certain things that have evolved over the course of time
15 that cause us to look at the outside, both provincial as
16 well as federal, as forces. It is unfortunate that we
17 have to use those terms; I wish it could be a little more
18 pleasant in the way we have dealt with our neighbours and
19 those governments that are out there, but it hasn't been.

20 We firmly believe that a lot of the
21 things that have happened in government legislation are
22 a result of some of the divisions that are in this
23 community, and for that matter right across the country.

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1 We are not always open to talk about what goes on
2 internally, but lately it has become well exposed. But
3 that's one matter.

4 What you will hear over the next few days
5 are from various sectors of the community and what they
6 would like to see happen, what they hope to see happen,
7 their recommendations, what their needs are. Some of them
8 may be of administrative, operational quality, but
9 basically the motivation is political. Without the vision
10 of establishing autonomy in this community, without the
11 understanding that that's what motivates our taking
12 responsibility for our lives in all sectors, then we might
13 as well just take the Indian Act and follow it to the letter.

14 As a matter of fact, some of the things
15 that are going on in this community are outside of federal
16 and provincial guidelines, outside of federal-provincial
17 law, but it is as a result of the people wanting to take
18 full responsibility for these matters. What needs to
19 happen as far as we are concerned is, Canada has to now
20 begin the process of developing or amending policies and
21 laws that reflect the true nature of this community and
22 its relationship with its neighbours.

23 We are not only a local community, we

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1 are not a regional community in terms of our relationship
2 and our understanding. We are not just a federal Kahnawake
3 territory. There is not just that kind of relationship.
4 There is a North American relationship we have also and,
5 to a large degree, there is an international relationship
6 that we have. It is not something that is a new phenomenon,
7 it goes back in time.

8 The people that will be speaking are
9 people that we have a lot of faith in, a lot of respect
10 in, and they carry their responsibilities very seriously.
11 They are truly professional people in their beliefs and
12 their understanding of what they are doing. What they
13 are doing is for this community and for the people of
14 Kahnawake.

15 Make no mistake about it: we go about
16 our duties in one way or another in a very reasonable and
17 responsible fashion, and at times we are criticised for
18 it from outside sources. In the last little while, since
19 1990, since the infamous Mohawk Crisis, it has become
20 extremely difficult in one way or another to try and operate
21 as we have in the past. There is I guess a call by many
22 to try and normalize things, but where normalisation comes
23 in, we don't know. What is going to be the norm is what

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1 we are looking at.

2 Things will not go back to the way they
3 were prior to 1990, so we have to look at a new or at least
4 an altered relationship, and that has been difficult in
5 all the sectors that we have had to deal with the outside.

6 The areas of justice have been constantly under attack.

7 Our policing agency, the peacekeepers have been
8 constantly under attack, the Court of Kahnawake, and just
9 about anything that this community has done.

10 We hope to be able to provide to you as
11 well as those who are visiting here today a "fully rounded
12 out as much as possible" picture of this community and
13 where it hopes to go and what it wishes to defend. We
14 need to clear up this image problem that has been created
15 by the media to a large degree and by the government
16 propaganda about this being a haven in a sense for criminal
17 activities, the criminalization of our people.

18 Hopefully, through our presentations, through our
19 recommendations, a path, a direction of solution will be
20 established.

21 The Commission wants to hear solutions.

22 Well, solutions are attained by capturing the imagination
23 through conceptual ideas, are attained by a willingness

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1 on the parties that are involved. There is always two
2 sides to the issues, there is always two arguments, there
3 is always two understandings, there is always two beliefs,
4 and quite often there is discrepancies on how these two
5 come together and how they are described, and that causes
6 conflict.

7 We need to level the playing field. We
8 need to know that we are going to have an equal opportunity.
9 We need to know that this is not going to be a one-sided
10 affair -- and I am talking about legislation that is out
11 there and how it is viewed. What we don't need is to be
12 told how the law operates out there. We don't need
13 lectures. We don't need to be treated as children. And,
14 first and foremost, there has got to be the respect and
15 recognition for the long outstanding history of this
16 community, what its contributions have been, not just to
17 the local region, not just to what is now known as the
18 province of Quebec, but to Canada.

19 We hope that, over the course of the next
20 two days, even though this is just a brief snapshot --
21 because that's all it really is at this point -- we will
22 able to impress upon you, the Commissioners, as well as
23 those who may view what is going on over the next two days

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1 over here, about where we intend to go; because it is not
2 just a question of asking someone to allow us to do
3 something, it is more or less empowering ourselves and
4 taking the responsibility for what we are doing.

5 There may have been errors in the past
6 in how we have done things, or what one might consider
7 an error, but then, where in this world in the last few
8 decades or in the last few centuries have you seen societies
9 go without mistakes, especially the ones that have been
10 dominated, colonized, attempts to assimilate, stripped
11 of their rights, or at least attempting to strip them of
12 their rights. We are going to re-emerge in one way or
13 another. We won't be unscathed but we are still determined
14 to continue.

15 It is a tribute to our people that we
16 are still here after all these centuries. It was talked
17 about yesterday or the day before by the people from
18 Onondaga that it is a miracle -- we are one of the miracles
19 in terms of Native people, the Iroquoian people, that we
20 are still around after all the things that have happened
21 to us.

22 I believe that's the reason why we have
23 you here today, tomorrow, and hopefully, in one way or

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1 another, through your efforts, you will be able to convince
2 or at least motivate whatever governments are going to
3 be in place in the next little while to move, to do the
4 right thing, or at least to set the process, the procedure
5 in place that will eventually lead to a more peaceful way
6 of resolving issues.

7 So I will stop at this point. I again
8 welcome you to Kahnawake and hope that you will have a
9 very successful two days in our community. Myiow kowa
10 (PH).

COMMISSIONER FOR THE DAY BILLY TWO

11
12 **RIVERS:** Myiow, Tokwiro.

13 Just a few points I would like to make,
14 but before I do that, anyone that would like to pick up
15 the presentation of Mr. Dussault in French can pick up
16 the translating things in the back. He will be making
17 his presentation in just a minute or so. So you can get
18 up now while I am setting the process of conduct over here,
19 things I expect to happen while we are here, to make things
20 go smoothly, you can pick up your headsets at the back.

21 I think one of the things that we need
22 basically is the attention and co-operation of everyone
23 here, to be attentive to the importance of what is being

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1 said by the people that are speaking, extend to them and
2 extend to the Royal Commission the respect of your
3 attention and co-operation. If you do, for some reason,
4 have to have personal conversations or talks -- and I don't
5 mean this in a literal sense, the door is right there for
6 you to take; but just outside you can have your debates
7 or in the back of the room, because it is distracting
8 sometimes for the people in their train of thought.

9 The other thing that I will be liberal
10 with is the smoking situation here. I will allow smoking
11 to the extent of when I begin to be unable to see you in
12 front of me; then I think I will call a no-smoking ban.

13 Other than that, I think that what we
14 will do is to have the speakers make their presentation
15 and indulge to the Commission to ask the questions that
16 they need. Hopefully, everything can go along very
17 smoothly, and we will use this opportunity to the benefit
18 of all of us. Myiow kowa (PH).

19 With that I will ask René Dussault to
20 do his preliminary remarks. Myiow.

21 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
22 much, Mr. Two Rivers and Grand Chief Norton.

23 I would like to thank the Mohawk

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1 community of Kahnawake for welcoming us for these public
2 hearings in your community. Je remercie au nom de la
3 Commission la communauté mohawk de Kahnawake de nous avoir
4 invités à tenir ces audiences publiques dans la communauté
5 de Kahnawake.

6 Vous n'êtes pas sans savoir qu'il y a
7 un grand symbolisme à la présence de la Commission ce matin
8 dans votre communauté. En effet -- et vous y avez fait
9 allusion tout à l'heure -- les événements de l'été 1990
10 constituent l'un des éléments déclencheurs de la création
11 de la Commission royale sur les peuples autochtones. Les
12 audiences publiques que nous entreprenons ce matin
13 constituent donc un point névralgique dans les travaux
14 de la Commission.

15 Nous avons eu l'occasion, en parlant aux
16 uns et aux autres dans la préparation de cette semaine
17 consacrée non seulement à la meilleure connaissance des
18 communautés mohawks mais également aux relations avec les
19 populations environnantes, de constater qu'un malaise
20 profond demeure sur le plan des relations entre les
21 communautés mohawks et les populations environnantes,
22 particulièrement dans la région de Montréal. De part et
23 d'autre, cependant, on a accepté de rencontrer la

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1 Commission pour entreprendre un dialogue. La Commission
2 espère en tirer certaines pistes de rapprochement pour
3 l'avenir. Enfin, on nous a dit de part et d'autre qu'on
4 souhaitait des relations quotidiennes plus normales, moins
5 tendues; et vous y avez fait allusion dans votre
6 introduction tout à l'heure. On reconnaît donc aussi la
7 nécessité économique et sociale d'une coexistence plus
8 harmonieuse.

9 L'objectif de la Commission ce matin est
10 donc à cet égard modeste et empreint de réalisme.
11 L'amélioration, si petite soit-elle, du climat social
12 constituerait un progrès non négligeable.

13 Sur le plan plus immédiat de la
14 communauté de Kahnawake, la Commission, comme elle le fait
15 dans toutes ses audiences publiques à travers le Canada
16 rencontrant les diverses nations autochtones, cherche à
17 connaître la vision d'avenir que propose chacune des
18 nations, chacune des communautés et donc, dans les deux
19 prochains jours, la vision d'avenir que propose, que voit,
20 que cherche la communauté mohawk de Kahnawake et la nation
21 mohawk de Kahnawake.

22 Nous espérons recevoir des idées de
23 solutions concrètes dans le domaine social, dans le domaine

1 de l'éducation, de la santé, des services sociaux, de
2 l'environnement, de la justice. Comme vous l'avez
3 mentionné, la sécurité publique et les services de police
4 constituent sans doute un élément clé de l'amélioration
5 des relations entre les autochtones, entre les Mohawks
6 et les populations environnantes.

7 Nous étions chez les Navahos en Arizona
8 au début de l'automne dernier et on a été frappé par le
9 pragmatisme des relations, en particulier sur le plan de
10 la police, entre le peuple navaho et les quatre états
11 américains environnants. Il n'y a pas de raison pour qu'on
12 ne puisse pas tendre et réussir à obtenir un résultat qui
13 soit semblable.

14 Sur le plan économique nous souhaitons
15 obtenir des solutions concrètes également, connaître les
16 projets que vous pouvez avoir, parce qu'encore une fois
17 l'autosuffisance économique est essentielle à
18 l'autodétermination et l'autonomie gouvernementale. On
19 nous l'a dit et redit: sans l'autosuffisance économique
20 dans une large mesure, on ne changera rien au fond au
21 système. Alors c'est un élément clé.

22 Notre document, qui fait état du
23 dialogue dans les deux premières séries d'audiences

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1 publiques, insiste énormément sur la nécessité de
2 l'amélioration des problèmes sociaux, donc d'un processus
3 de guérison qui souvent est nécessaire à l'intérieur des
4 communautés, et de l'autosuffisance économique pour faire
5 en sorte que l'autonomie gouvernementale et
6 l'autodétermination soient réelles et qu'une nouvelle
7 relation puisse être établie sur des bases plus
8 respectueuses, plus normales, de sorte que les solutions
9 d'avenir soient dans la bonne direction et qu'on évite
10 les mauvaises politiques du passé.

11 En terminant, je voudrais dire que nous
12 comptons sur le dialogue que nous entreprenons ce matin
13 dans votre communauté pour continuer à parfaire nos
14 connaissances quant aux traditions, quant aux institutions
15 du peuple mohawk. Nous avons eu l'occasion à Akwesasne,
16 par la lecture des ceintures protocolaires, de nous
17 familiariser de façon importante -- et je pense, et je
18 l'espère, avec nous le grand public -- avec une réalité
19 institutionnelle, politique et juridique très forte.

20 Nous espérons que cette visite nous
21 permettra de faire en sorte que les événements de l'été
22 1990 soient mis dans une perspective maintenant d'avenir.

23 Nous connaissons l'importance de cette visite en raison

1 en particulier de l'importance de la nation mohawk, son
2 nombre, ses traditions, aussi son influence parmi les
3 autres nations autochtones.

4 Alors c'est avec beaucoup de plaisir et
5 d'intérêt que nous allons entendre les présentations qui
6 nous seront faites durant toute la journée sur les divers
7 secteurs de l'administration ici, à Kahnawake, et
8 également les présentations qui nous seront faites demain
9 durant la journée sur le plan plus large de la vision
10 d'avenir propre à la nation Mohawk et à la communauté de
11 Kahnawake.

12 Encore une fois, je voudrais vous
13 remercier de nous avoir invités, et nous sommes convaincus
14 que ces journées-là seront pour la Commission, comme les
15 précédentes à Akwesasne, très utiles et nous permettront
16 d'avoir une meilleure perspective pour la journée que nous
17 aurons vendredi avec les représentants des populations
18 qui ont vécu assez durement les événements de l'été 1990.

19 Notre propos est un propos orienté vers
20 l'avenir et non pas sur ces événements. Encore une fois,
21 tout élément qui permettrait d'avoir des pistes de
22 rapprochement seront utiles pour une coexistence meilleure
23 et plus harmonieuse.

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1 Je vous remercie.

2 **COMMISSIONER FOR THE DAY BILLY TWO**

3 **RIVERS:** Myiow odeha (PH).

4 Since the agenda has been adopted
5 unanimously, I will just give you a rundown rather quickly.

6 We will be here for two days. The
7 meeting tomorrow will commence at 9:00 a.m. and finish
8 at -- when we finish tomorrow. I guess today too, the
9 same procedure will follow. We hopefully will break at
10 12:30 and resume again at two o'clock, and continue
11 hopefully and be concluded by 5:30. If not, maybe with
12 the indulgence of the Commission we will continue a bit
13 longer.

14 I have some good news for both myself
15 and the media: lunch break will be from 12:30 till 2:00,
16 and lunch will be served here for presenters, observers,
17 RCAP staff, translators and media. We have made
18 arrangements for a large number of people.

19 Presentations should be kept to a 10-
20 to 15-minute duration, and the Commissioners will be given
21 an opportunity to question. There will be approximately
22 17 presentations today, and again we hope to finish on
23 time.

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1 With that, I would now respectfully ask
2 Ron Abraira, from the Kahnawake Economic Development Group
3 to make his presentation, to be followed by Mr. Michael
4 Rice, from the Kahnawake Caisse populaire.

5 Myiow.

6 **RON ABRAIRA, DIRECTOR, KAHNAWAKE**

7 **ECONOMIC DEVELOPMENT GROUP:** Thank you very much, Billy.

8 I would like to thank the Royal
9 Commission for providing people like myself for the
10 opportunity to meet you and discuss issues at the local
11 level. My name is Ron Abraira. I am the Director of our
12 local Economic Development Group. It is a CEDO, under
13 Indian Affairs CAED Strategy; perhaps you are familiar
14 with some of that. I will do my best to be very brief,
15 so we can stick to the time schedule.

16 I will just briefly give a very quick
17 overview of our economy in Kahnawake. It consists of a
18 couple of economic extremes on the edge of the spectrum.

19 On one side we have the approximately \$25 million that
20 comes into our community from the federal government of
21 Canada. On the other side we have what I like to call
22 fire-breathing individualist entrepreneurs. We are
23 looking for things to put in the middle of our two economic

1 extremes, and I think they would benefit our community.

2 In terms of entrepreneurship, strong
3 markets we are involved in are things like the automotive
4 after-markets, the construction industry, hardware, stuff
5 like that. We have many arts and crafts, dépanneurs,
6 restaurants. We are also strong in the golf course
7 industry, because of our proximity to Montreal. Last but
8 not least, as you obviously can see when you drive in,
9 we also are very strong in the cigarette industry.

10 So, needless to say, the spirit of
11 entrepreneurship in this community is probably the highest
12 you will see anywhere in Canada. I think it is imperative
13 that organizations seek to support this entrepreneurship
14 so we can develop the community even further.

15 Secondly, I will touch briefly upon the
16 Canadian Aboriginal Economic Development Strategy and how
17 it has affected Kahnawake. I will give credit where credit
18 is due: I think it has been a fair attempt by the
19 Government of Canada to assist business development,
20 assist community development and assist Native
21 entrepreneurs. I am not going to sit here and whine that
22 it has been not good for us, it has been pretty good.

23 Indian Affairs has been a very positive

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1 help to us in creating our CEDO and creating our
2 institution. ISTC, with some of their bureaucracy, has
3 still supported community development in Kahnawake.
4 Lastly, the Pathways to Success has contributed a
5 significant amount of funding here.

6 I will shift now and I will touch on the
7 three areas that I think are the areas I feel important
8 in the future. I can make three specific recommendations
9 to the Commission.

10 First, it would be that we seek to create
11 a Canadian Aboriginal Economic Development Strategy Part
12 II, with adequate funding for Native entrepreneurship and
13 development. I think that if I could see any positive
14 changes to suggest from CAEDS I, it would be that total
15 authority and the total funding for these programs be
16 transferred down to the local level or to tribal level,
17 depending on how communities have themselves set up.

18 Secondly, I am not the most militant guy
19 in the world, but I do see an issue coming, and I think
20 that if people don't listen up and they continue to see
21 policies being developed by the Canadian government, I
22 think this issue of taxation is going to become an issue
23 as relevant, as important and perhaps as much of a powder

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1 keg as the issue of land claims. It appears to me that
2 all of the policies of the Canadian government are forcing
3 Natives and Native business people to be Natives only when
4 they are on the territory of a reserve. The minute they
5 leave the confines of the reserve either to trade goods
6 or services or just on their own personal business, the
7 tax-exempt status of Native people is being slowly eroded
8 -- I shouldn't say "slowly"; actually, it is being quickly
9 eroded.

10 So I feel that taxation will become one
11 of the big issues in the coming years, and I feel that
12 the Canadian government must respect the tax-exempt status
13 of Natives and Native business people to transport their
14 goods and services freely throughout the territories of
15 North America. In fact, as Joe had alluded to earlier,
16 even internationally we are beginning to see more and more
17 entrepreneurs look to international trade.

18 I would like to touch on the last area.

19 I am not going to talk too much about it. I am just going
20 to say that if people who work in economic development
21 in the country and those at the local level don't start
22 to research the subject of Indian gaming, we truly have
23 our heads in the sand. Indian gaming is taking place in

1 the United States at an unbelievable level of development.
2 It is the leading edge of economic development. The
3 funding for it is used to create joint ventures. The job
4 creation is extraordinary from it. The revenue generation
5 is extraordinary. I am not sure what happened last week
6 at the Economic Development Round Table, I wasn't there,
7 but if the subject of Indian gaming wasn't near the top
8 of the agenda, I have sincere fears about who is leading
9 is in economic development.

10 I think that from a national perspective
11 research should be done on this industry, how it is done
12 in the United States, how it is managed, how it is developed
13 and how it is working successfully, and I don't think there
14 is any reason why we can't have it here in Canada.

15 That's all I have to say. Thank you very
16 much.

17 **COMMISSIONER FOR THE DAY BILLY TWO**

18 **RIVERS:** Myiow, Ron.

19 Any questions from the Panel?

20 **CO-CHAIR GEORGES ERASMUS:** Thank you
21 for your very, very good example. If everyone took this
22 approach, we would get to the nub of the issues very, very
23 quickly.

1 When you say the Economic Development
2 Strategy Part II should transfer money directly to the
3 community level or else the tribal level, could you explain
4 a little bit more what you are talking about? Is that
5 to political organizations? Is that to economic
6 institutions that you are talking about that might be the
7 vehicles through which economic development dollars would
8 be disbursed? Does it depend on the community? What
9 exactly are you saying?

10 **RON ABRAIRA:** The wheels are in motion
11 for this already. Indian Affairs has created CEDOs, such
12 as our own organization, that transfer the majority of
13 funds down to the local level. I would like to say good
14 news about that, but, unfortunately, we just were notified
15 that the region will be getting a 29 per cent cutback.
16 So, in the economic development, in the CAEDS realm of
17 things, Indian Affairs has created CEDOs, Community
18 Economic Development Organizations.

19 ISTC has created aboriginal capital
20 corporations and is in the process of creating XDOs (PH),
21 and EIC has created local management boards. The wheels
22 are in motion for this to happen. I feel that it just
23 should be accelerated and that it should not be disguised

1 that Natives have control over this funding. The Native
2 people should have the control over it, period. Indian
3 Affairs has been the best example. ISTC and EIC are
4 coming, but they have a little ways to go.

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

6 Could I ask you a little bit about the
7 Indian gaming? My understanding was that there was some
8 exploration of the issue here. Is that something that
9 you see going ahead for Kahnawake or, when you brought
10 up the gaming issue, were you talking about on a larger
11 issue that you think it should be looked at for the country?

12 **RON ABRAIRA:** The example of what
13 happened in the United States is that two tribes in the
14 United States, one in California and one in Florida, had
15 to challenge the Supreme Court -- the court case went all
16 the way to the Supreme Court and they won. The challenge
17 was initiated some time in the early eighties, and it was
18 not ended, because of the court systems, till the late
19 eighties. In 1988 the Congress of the United States passed
20 the Indian Gaming Regulatory Act.

21 In Canada Indian gaming is being looked
22 at at the local level. It was looked at here and we have
23 had discussions on it. I am not going to deny that the

1 discussions are controversial; it is a controversial
2 industry. But what seems to be lacking is a national
3 framework for how the industry can be developed; to my
4 knowledge, no one is working on it. I transferred
5 documentation to people in one of the ministries involved
6 in CAEDS, and their people refuse to even look at it.

7 I think what we don't want to see is six
8 or seven years of court cases. What we don't want to see
9 is more and more incidents of raids onto ventures like
10 we saw in Saskatchewan.

11 So my belief is that some sort of a
12 national perspective -- the industry should be researched
13 from a national perspective as to the impact it could have
14 and how it could replace these government programs for
15 economic development.

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

17 Any other questions from anybody?

18 **COMMISSIONER MARY SILLETT:** I do.

19 Jus one question. I am going to I guess
20 repeat Georges' question but in a different way, because
21 as we have crossed the country we have heard that many,
22 many problems relate to the administration of CAEDS. I
23 was wondering if your recommendation for the continuation

1 of CAEDS into Phase II would contain any recommendations
2 to improve the administrative efficiency of the problem.

3 **RON ABRAIRA:** I guess not to sound
4 cynical or anything, my recommendation in one sentence
5 would be to take all of the funding out of the hands of
6 non-Indian bureaucrats and put it into the hands of Native
7 people at the local level. That would be my recommendation
8 in one sentence.

9 **COMMISSIONER VIOLA ROBINSON:** I would
10 like to just ask you one question. It is something that
11 has been talked about off and on in certain communities
12 and it seems to be brought about.

13 You talked about taxation in relation
14 to economic development. I guess what you are saying is
15 -- I don't know how that relates to economic development,
16 people paying tax on the outside once they leave the
17 reserve, but do you see taxation as a part of generating
18 revenue for a community? That's the question: Do you
19 see that, if you are going to pay tax, or do you see that
20 we don't pay tax at all to anybody anywhere? There has
21 been some talk, it is floating around, that maybe
22 communities and people should start taxing their own people
23 and tax dollars should be coming back into the community.

1 I would like to just get your views on that.

2 **RON ABRAIRA:** Obviously, I didn't
3 explain myself clear enough. Personally, I am opposed
4 to taxation in Native communities. I also believe that
5 a Native individual, including a Native entrepreneur who
6 owns a business, his tax-exempt status should be with that
7 person wherever they are, not only while they are on the
8 territory of the reserve.

9 The issue of taxation and how it is going
10 to affect Native businesses usually involves the movement
11 of goods, and I don't see it getting better for Native
12 entrepreneurs. A lot here either have a very good
13 relationship with the supplier and the supplier is giving
14 them the tax break on purchase. If not, it becomes a matter
15 of technical question of operating a business; you are
16 looking at a person having to put up a large amount of
17 money and then claim it for reimbursement. A lot of the
18 smaller businesses here at the local level are not in a
19 position to do that in terms of cash flow.

20 I am not sure if I have answered your
21 first direct question, but I myself am not in favour of
22 taxation in Native communities.

23 **COMMISSIONER VIOLA ROBINSON:** I think

1 all I wanted to say was that there are some communities
2 who think that the way to self-governance is through
3 economic development and self-sufficiency, and one of the
4 ways to get that is to use tax within a community. That's
5 all. That is floating around, and I just wanted to see
6 what your thoughts were on that.

7 **RON ABRAIRA:** My belief would certainly
8 be to create industries like gaming; that would prevent
9 us from ever having to implement taxation.

10 **CO-CHAIR RENÉ DUSSAULT:** With the
11 present situation as it is for taxation, the exemption
12 on the reserve, can you tell us if you have used that edge
13 to try to get organizations, businesses coming to the
14 reserve on a joint venture? Is the present exemption
15 useful on a commercial or economic basis to try to bring
16 enterprises or businesses to come on the reserve and get
17 established and benefit from this exemption?

18 **RON ABRAIRA:** I think the exemption is
19 a little bit overblown, and there are certain myths that
20 are circulated. Whenever it involves the transfer of
21 goods, if the goods are retailed here, as we see involved
22 in the cigarette trade, whenever the people are taking
23 the goods and leaving the reserve are leaving it, they

1 are obviously being harassed. From a global perspective
2 of this community, I think it would be difficult to say
3 that the cigarette industry has been bad. The cigarette
4 industry has brought enormous amounts of revenue and job
5 creation. I think you could find any person involved in
6 the industry who might say that maybe we could organize
7 it a bit better, but I think that from a global perspective
8 it has been a positive thing.

9 Further to that, the recent Glenn
10 Williams tax ruling is going to have implications in
11 another area for a community like ours, because of our
12 proximity to a large metropolitan area like Montreal, and
13 I have seen a couple of guys in the back of the room who
14 own businesses that are service oriented. They leave the
15 reserve here and they go to Montreal. They might go down
16 there to pave a guy's driveway or to cut his trees, et
17 cetera, and it is interesting to see how that's going to
18 play out, if those people are going to be taxed on their
19 employment income. I see that as just being another big
20 headache.

21 **CO-CHAIR RENÉ DUSSAULT:** Again, are you
22 aware of projects, joint venture projects or discussions
23 where you could bring new businesses on the reserve,

1 non-Aboriginal businesses that could enter into a joint
2 venture with the people here?

3 **RON ABRAIRA:** It becomes more of a
4 technical question. Whenever you discuss a joint venture,
5 you are immediately looking at it from a technical point
6 of view of an incorporated company. That immediately is
7 non-Indian. If I am General Motors -- perhaps that's not
8 a great example. If I am Bill Gates and I own Microsoft
9 and I am coming here, I might not want to go on simply
10 an MCR; I am going to want to incorporate some entity,
11 so it has some sort of a legal status. The minute that's
12 done, that entity becomes non-Indian.

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

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

15 **RON ABRAIRA:** Thank you very much.

16 **COMMISSIONER FOR THE DAY BILLY TWO**

17 **RIVERS:** Michael Rice, please, to be followed by Robert
18 Vachon. There is two seats up here, the person can
19 immediately come forward. Myiow.

20 **MICHAEL L. RICE, KAHNAWAKE CAISSE**

21 **POPULAIRE:** Thank you.

22 Mr. Erasmus, Monsieur le Juge Dussault,
23 Members of the Commission, I am here to talk about probably

1 one of the best kept secret in the Indian and Canadian
2 business world. Economic development has been the focus
3 of many Native groups, including ours, as a key requirement
4 to re-establish control over our affairs, and in my
5 presentation I would like to elaborate on our efforts to
6 address specifically the problems of availability of
7 commercial financing and lack of equity to use in securing
8 loans as they relate to economic development.

9 We have arrived at solutions in our
10 situation and so far have been successful. First, we have
11 established a financial institution with the capability,
12 in addition to basic savings and loans services, to offer
13 commercial loans. Second, we have found and implemented
14 an arrangement where individual Indians can give their
15 immovable assets on the reserve as security on loans in
16 favour of the caisse populaire. So in my presentation
17 I will talk a little bit about some background, our economic
18 statistics, our economic development strategy -- what
19 motivated us to go with our financial institution -- a
20 little bit about the caisse and its operation, and finally
21 I will talk about the trust deed arrangement, or the
22 Kahnawake model of the loan security system, which is the
23 hand-out you received there.

1 Just a little statistics on Kahnawake.
2 Again, our reserve population is approximately 6,000,
3 with an average household income in the \$30,000-plus range.
4 There are approximately 200 business in primarily the
5 service and construction sectors employing up to 300
6 full-time and 400 part-time and seasonal people. The
7 major employer of full-time jobs, however, is the public
8 sector with at least 375 jobs. Unemployment ranges from
9 a minimum of 30 per cent in the summer to 50 per cent in
10 the winter, and still we are considered prosperous relative
11 to probably most other Indian territories in Canada.

12 In terms of our economic development
13 strategy, up to 1987 we operated without our own bank;
14 in retrospect it was just a matter of time before one would
15 be established. There were certainly demands for savings
16 and loans services from consumer, institutional users.
17 To some extent these needs were being met by banks in the
18 outside municipalities. However, we estimated that less
19 than 10 per cent of the cash flow coming into Kahnawake
20 was being intermediated in Kahnawake, and many banks,
21 ignorant of our laws and culture, were either reluctant
22 or not equipped to deal with our people. In addition,
23 it was extremely frustrating to try to secure funds for

1 business development from the government and be required
2 to virtually write a thesis for each request.

3 We needed a source of financing, and it
4 was decided by the economic development program of the
5 Mohawk Council of Kahnawake, of which I was director in
6 1984, to investigate the possibility of starting up some
7 form of a bank in Kahnawake.

8 In the course of the preparation of the
9 terms of reference of this project, we also decided to
10 find a solution to the problem of taking security on
11 immoveables and bypass section 89 of the Indian Act. We
12 wanted our banking institution to operate as close as
13 possible to those on the outside, even though the federal
14 legislation governing the lands here placed severe
15 restrictions on this goal. So a project team was assembled
16 late in 1984. Amongst things we conducted a market study
17 of the financial service needs in Kahnawake, we looked
18 into the existing forms of financial institutions,
19 investigated the unique legal problems which could affect
20 our operation and finally arrived at a recommendation and
21 a plan of implementation.

22 The Caisse populaire Kahnawake --
23 obviously, we chose a caisse populaire -- opened for

1 business on October 8th, 1987. It is a credit union; it
2 provides savings- and loans-related services. It is the
3 largest of six Native-owned and controlled financial
4 institutions to be affiliated with the Mouvement des
5 caisses populaires Desjardins in Quebec, with assets in
6 excess of \$40 million. After Peace Hills Trust of Hobbema
7 Alberta, I believe we have the largest indigenous financial
8 institution in Canada.

9 As I stated earlier, the caisse
10 populaire is a credit union and is provincially regulated.
11 It provides services to regular members -- people residing
12 or working in Kahnawake -- and auxiliary members -- anyone
13 else who wishes to join. In addition to serving their
14 specific needs, the caisse is also owned and controlled
15 by its membership, the majority being Mohawks from
16 Kahnawake. Each credit union is a member of a Desjardins
17 Federation which provides administrative and support
18 services such as data processing, clearing house, et
19 cetera, to its member credit unions for a fee.

20 Caisses populaires are democratic
21 institutions and members annually vote on the staggered
22 replacement of officers overseeing the operation of the
23 caisse: the board of directors, supervisory committee,

1 credit committee, and they are all Mohawks from Kahnawake.
2 Caisses populaires also enjoy a unique tax treatment:
3 interest payments made to members are considered as pre-tax
4 expenses. So, theoretically, a caisse populaire which
5 has met its reserve requirements can distribute all its
6 profits to its members and thereby avoid taxation.

7 Why did we choose a caisse populaire and
8 not a bank or a trust company? The basic structure of
9 the caisse in terms of ownership, control and the tax
10 treatment were three very important factors. The start-up
11 capital requirements of a bank or trust company, if we
12 tried to start up our own, also made these options very
13 unattractive. The Caisses populaires Desjardins is well
14 recognized as a sound and stable financial institution
15 in Quebec and it certainly would not hurt us to gain an
16 affiliation with them.

17 The nature of our affiliation with the
18 Desjardins people is brother to brother or sister to
19 sister, and, unlike our relationships with the government
20 in the past, we have and continue to proceed on an equal
21 footing with them; so we are partners. Finally, the
22 philosophy of the Desjardins Movement -- they are a
23 co-operative called the Confederation -- is in many ways

1 very similar to the co-operative philosophy of the Mohawk
2 people and the way we think -- they stole the idea from
3 us!

4 In terms of performance to date, the
5 caisse has acquired 5,700 members and \$40.6 million in
6 assets from October 1987 to March 31st of this year. We
7 just secured a pre-tax profit -- it is unaudited -- of
8 \$350,000 for our recent year end, and our general reserve
9 sits at approximately \$850,000. Our staff has grown from
10 five to twenty-two, full and part time, during that period;
11 all are Mohawks except two, but they are married to Mohawks.

12 The growth in deposits has for the moment far outstripped
13 our selling of loans to members, but our loan portfolio
14 sits at \$13.9 million. Based on our original market study,
15 we projected a deposit base of \$19 million in five years
16 but reached that target in two years. So the growth has
17 been very good, and the support from the community as well,
18 of course.

19 I will move on right to the last item,
20 which is the trust deed arrangement.

21 Obviously, the start-up and
22 establishment of the caisse populaire has had an immediate
23 impact in creating a source of funds to intermediate in

1 the community for commercial and consumer purposes. That
2 in itself can be viewed as a major accomplishment in
3 improving the economic development situation in Kahnawake.

4 An equally important step has been the establishment and
5 implementation of the trust deed arrangement - loan
6 security system. Our goal was to allow Indians to give
7 their land and their buildings as security on loans for
8 commercial and housing purposes, and under this system
9 it is now possible.

10 To give a perspective on the need for
11 this system, it is necessary to refer to the legislation
12 governing lands on Indian reserves, that is, the Indian
13 Act. I am assuming everyone present is very familiar with
14 the restrictions of section 89 and I prefer to proceed
15 right to the trust deed arrangement. For the purposes
16 of my presentation I will refer to it as the Kahnawake
17 model.

18 How does it work? If you refer to the
19 hand-out I gave you -- and some are giving the people here
20 extra copies -- suppose the borrower requires \$100,000
21 commercial building loan from the Caisse populaire
22 Kahnawake which agrees to loan the amount. Security is
23 required and the borrower cannot give the building and

1 the land on which it sits directly to the caisse populaire.

2 The borrower enters into a trust agreement with the
3 trustees, transferring his or her immovable property in
4 trust. The trust agreement would specify that, should
5 the borrower default to the caisse populaire, the trustees
6 would be authorized and bound to satisfy the borrower's
7 debt by using the borrower's property.

8 If you noticed on the paper, as well,
9 the caisse populaire also enters into a trust contract
10 with the trustees, who agree to participate in this system
11 to facilitate the lending of monies. The Caisse populaire
12 Kahnawake is the beneficiary of this trust contract. In
13 terms of procedures, the Minister of Indian Affairs, and
14 specifically the Registrar of Indian lands, requires the
15 registration of the loan contract, the trust agreement
16 and a section 24 transfer from the borrower to the three
17 trustees for each transaction, and a one-time registration
18 of the trust contract.

19 In terms of features of the system, the
20 major one is the nature of the third party guarantor.
21 The principle of a third party guarantor is certainly not
22 new. What is new with our model is that the third party
23 is not a government body of any kind, whether federal,

1 provincial or a band council.

2 It has been my experience working in the
3 Indian economic development field that three things
4 basically happen when the third party guarantor is a
5 government body: first, the Indian has in his or her mind
6 he or she has nothing to lose; second, the financial
7 institution will make the loan thinking it is fully
8 protected, and in many cases it is very difficult and costly
9 for a bank to execute on such guarantees when the band
10 council or the Indian will not co-operate; third, the
11 government's direct involvement in business activity is
12 promulgated and the "Indian dependent on government"
13 syndrome continues. So we want to avoid this totally.

14 It was very important to put the onus
15 on the individual Indian to feel he or she really had
16 something to lose, and our market study in 1984 proved
17 people were ready to accept this separate arrangement.

18 The trustees themselves are individual
19 Indians from Kahnawake who have volunteered, in the
20 interest of the economic development of Kahnawake, to serve
21 as trustees. They do not include any chiefs or politically
22 active persons and are regarded as pillars of the
23 community. At the same time, they are not drawn from the

1 officers or staff of the caisse populaire and thus can
2 truly maintain a sense of objectivity.

3 A second important feature of this model
4 is the speed between loan approval and disbursement, which
5 is realized relative to the issuance of a ministerial
6 guarantee. Time is saved because the evaluation of a
7 project is made only by the caisse populaire. The Minister
8 of Indian Affairs' implication in the transaction is simply
9 to register the land transfer in trust.

10 A third feature, and a very important
11 one, is that the land can be resold only to an Indian from
12 within the reserve. For the supporters of the system,
13 including myself, it is very important that the land always
14 remain Indian.

15 In terms of weaknesses and potential
16 problems, there are a number which exist.

17 First, there may be some question on the
18 legality of the registration of the required transfer and
19 trust documents. This arrangement has not been tested
20 in the courts, and when this situation arrives it will
21 probably address this issue. We counter by saying that
22 no section of the Indian Act prohibits an Indian from
23 holding property in trust nor from giving property in trust

1 to another Indian.

2 The Department did suggest the
3 registration of a caveat having as supporting documents
4 the loan contract and a transfer of land duly signed in
5 the name of the Band -- in this case the Mohawks of
6 Kahnawake. We argued that the right to register caveats
7 is not found in the Indian Act but is used by the Department.

8 We said, "Why can't we use it if we want to do it?" So
9 they agreed.

10 A second potential problem could be if
11 the trustees are not selected carefully and refuse to act
12 objectively. Even though each transfer in trust is made
13 to a minimum of three trustees at a time and there are
14 amongst things provisions for conflict of interest,
15 personal liability and majority vote, a suddenly
16 unco-operative trustee could undermine the credibility
17 of the whole system. That's why our trustees were selected
18 carefully, and we have quite a solid group.

19 Third, it is very difficult presently
20 to assess a fair value on an immovable property in
21 Kahnawake. The registrar for individual land
22 transactions here is the Indian Affairs office. We have
23 asked them to ask people to register what the actual sale

1 price was, but in many cases they just want to register
2 it for \$1. So it is kind of hard to make real estate values
3 on land. At the same time our restricted market also makes
4 it difficult to use non-Indian land adjacent to the reserve
5 as the basis for real estate valuation. Up to now the
6 replacement cost of a building on a property has been used
7 primarily as the basis for lending.

8 In terms of the parties involved in the
9 whole process, the major players have been the Caisse
10 populaire Kahnawake, the Mohawk Council of Kahnawake, the
11 lands section of the Department of Indian Affairs and the
12 Desjardins Federation. All have given their formal
13 support throughout the implementation of the system. The
14 Department of Indian Affairs, however, continue to have
15 concerns regarding the legal validity, particularly in
16 view of section 89 of the Indian Act. So we were required
17 -- that is, the caisse -- prior to approval and registration
18 of the transfer and trust documents, to guarantee to
19 indemnify the Crown against all liability which could arise
20 as a result of a lawsuit against the system. We said,
21 "Fine. The land is ours anyway." So, in a way, we have
22 taken the trust responsibility back there and we are very
23 happy about that.

1 In terms of usage and volume to date,
2 to March 31st, we have made 143 housing and commercial
3 loans totalling \$5.7 million, and the volume is increasing
4 weekly. And, yes, -- that's a question I know will be
5 asked -- we have executed at least once on our trust deed
6 and we recovered everything.

7 I would like, in closing, just to make
8 my recommendations.

9 First, grant financial institutions
10 which are owned and controlled by Native people on Indian
11 territory Indian status, so they can take security
12 directly. The major provision is that land holdings can
13 only be sold to Indians living on that territory. This
14 arrangement would replace the trust deed system and allow
15 Indian financial institutions to operate like outside
16 banks and not lose their Indian identity.

17 Second, promote credit union models for
18 Native groups who prefer total ownership and total control
19 of their financial institutions, particularly at the local
20 level. For those groups who wish less control, the other
21 forms of financial institutions, whether branch of a
22 chartered bank or branch of trust company, can operate
23 with some variation of the trust deed system.

1 Third, recommend the establishment of
2 a forum for Native people across Canada to share their
3 findings and experiences in the banking and institutional
4 fields to benefit all Native people. At this time regular
5 banking services for Native people are not a given -- and
6 I am talking across Canada, they are not a given; here
7 it is in Kahnawake -- and competition between Native groups
8 or banks acting for Native groups will only delay the time
9 until we all have such services. For that reason we have
10 shared information with the Royal Bank, the CIBC, the Bank
11 of Montreal, and shortly we will be giving our information
12 to the Toronto Dominion Bank on the trust deed system.

13 Finally -- even though my presentation
14 was not directly related to that recommendation I would
15 like to speak about it; it is a follow-through from last
16 week's round table hearing -- I recommend placing strong
17 emphasis on implementing strategies to develop our human
18 resources in the following fields: banking, business
19 administration, public administration, planning and
20 accounting. We need more M.B.A.s, M.P.A.s, C.A.s and
21 community planners to manage and control our institutions.

22 So I will stop here. I think I have
23 reached the 15-minute limit. Thank you.

1 **CO-CHAIR GEORGES ERASMUS:** Could you
2 remind me of your first recommendation? I was scribbling
3 something else.

4 **MICHAEL L. RICE:** Yes. Grant financial
5 institutions which are owned and controlled by Native
6 people on Indian territory Indian status, so they can take
7 security directly. They are working in the field; to me
8 it is such a simple solution. If we had Indian status,
9 I could take all types of securities.

10 **CO-CHAIR RENÉ DUSSAULT:** Maybe just as
11 a follow-up, you have a written copy of your brief that
12 you could give us afterwards?

13 **MICHAEL L. RICE:** Yes, I will do that.

14 **CO-CHAIR RENÉ DUSSAULT:** That would be
15 appreciated.

16 **CO-CHAIR GEORGES ERASMUS:** Could you
17 tell us again how popular this has been? People don't
18 have a problem coming forth and using their home as
19 collateral and borrow money on a reserve? I would have
20 thought that would have been a frightening thing, but I
21 guess it is not.

22 **MICHAEL L. RICE:** To some people, they
23 still don't believe in the principle. I just explain to

1 them it is a way of doing business. The very important
2 principle is that the land can only be sold to another
3 Indian. That was the fear of many people. They thought
4 the caisse would own it, and the caisse is non-Indian
5 itself, it is an incorporated entity. But it is a very
6 important principle that the land can only be sold to
7 another Indian. So I explained to people, I said, "Look,
8 it is a way of doing business, and if something happens,
9 if worse comes to worst, if we can't settle with you, then
10 it will be sold to another Indian." That alleviated a
11 lot of people's concerns.

12 **CO-CHAIR GEORGES ERASMUS:** Have you had
13 any defaults where you have actually had to somehow --

14 **MICHAEL L. RICE:** Yes. As I explained,
15 we had one default, we executed on it and we recovered
16 everything on that specific loan. The person concerned
17 understood when he signed. I said, "Look, you made a deal
18 with us, and if we don't follow through with this, we might
19 as well close down the caisse populaire. It is not going
20 to work. So you have to honour your commitments." And
21 the property was sold to another Indian. I know it is
22 kind of an alien concept to us, but we have to have
23 development somehow.

1 **CO-CHAIR GEORGES ERASMUS:** How much of
2 the value of the home on a given piece of property can
3 be used for a particular loan? If my house is worth
4 \$30,000, how much can I borrow from you?

5 **MICHAEL L. RICE:** Seventy-five per
6 cent.

7 **CO-CHAIR GEORGES ERASMUS:**
8 Seventy-five per cent.

9 **MICHAEL L. RICE:** We have a person from
10 Kahnawake who does evaluations for us. It is based on
11 the replacement cost of the building, and we will lend
12 up to 75 per cent of the value of the property under the
13 trust deed system. For ministerial guarantees -- we do
14 make loans using ministerial guarantees through the
15 Council office -- we lend 90 per cent. It is just like
16 CMHC.

17 **CO-CHAIR GEORGES ERASMUS:** Right. So
18 you are still operating on the basis that the land has
19 no value.

20 **MICHAEL L. RICE:** On commercial we do
21 establish a value, especially if it is on one of the major
22 highways. We have had some evaluations done from some
23 outsiders on a number of properties, commercial properties

1 on the outside, which we are fairly comfortable with.
2 The property that we executed on was worth, based on this
3 evaluation, so much and it was sold for more than what
4 it was evaluated at, based on this outside evaluation.
5 For commercial loans, we do establish a value to the land.
6 Housing loans, I don't think we ever have, but then it
7 makes the security even better because in effect the ratio
8 would be below 75 per cent. But for commercial we do
9 establish a value.

10 **CO-CHAIR GEORGES ERASMUS:** What type of
11 loans are you actually giving out? Are they primarily
12 mortgages?

13 **MICHAEL L. RICE:** There is personal term
14 loans; personal lines of credit; I will use the term
15 loosely, mortgage loans -- there is no such thing as a
16 mortgage on the reserve, but housing loans; then there
17 is multi-dwelling housing loans, like large, more than
18 four-unit housing loans; commercial term loans; commercial
19 mortgages -- and, again, I am using the term loosely --
20 for buildings and land; and commercial lines of credit.

21

22 We do use other forms of security as
23 well. Under section 89(2), conditional sales contracts

1 can be used for commercial term loans. Ronny's ACEC (PH),
2 there's a guarantee fund there which we have been using
3 but not too much. We also use the trustees sometimes to
4 secure on commercial lines of credit; it is not the best
5 way of doing it, but I have no other means. An individual
6 Indian can't pledge his lumber to the caisse because the
7 caisse is not Indian; so I have to find a way, and we find
8 ways. You have to be very creative.

9 **CO-CHAIR GEORGES ERASMUS:** The interest
10 rates, are they --

11 **MICHAEL L. RICE:** Competitive.

12 **CO-CHAIR GEORGES ERASMUS:** --
13 competitive with downtown Montreal? I know you can't use
14 any Indian reserve collateral for a loan there, but I mean
15 are your rates --

16 **MICHAEL L. RICE:** They are competitive.

17 **CO-CHAIR GEORGES ERASMUS:** Yes?

18 **MICHAEL L. RICE:** Yes. I just might add
19 one point there. Up to date we opened, a number of banks
20 in the outside were charging higher rates to Indians for
21 housing loans here because the guarantee was a ministerial
22 guarantee from the Council and they were getting personal
23 rates. The day we opened everyone dropped the rates to

1 the rates we were offering, and it has been the same since.
2 We have hurt a number of them out there, and I am not
3 sad about it.

4 **CO-CHAIR GEORGES ERASMUS:** What do the
5 three trustees have to put up to actually be the middle
6 people?

7 **MICHAEL L. RICE:** We created a profile
8 of what these people were, and as long as they meet this
9 profile, they don't have to put -- we just give them \$1
10 to do it.

11 **CO-CHAIR GEORGES ERASMUS:** They don't
12 need equity of their own.

13 **MICHAEL L. RICE:** No, they don't need
14 equity of their own. The people have been screened, they
15 are outstanding community citizens, and we just pay them
16 officially \$1 for each transaction and once a year we take
17 them out for dinner. They are doing this on a volunteer
18 basis.

19 **CO-CHAIR GEORGES ERASMUS:** When a
20 default occurs, these trustees, are they the ones that
21 actually technically acquire the property and sell it to
22 somebody else?

23 **MICHAEL L. RICE:** Yes. The caisse is

1 only responsible for maintaining the property, make sure
2 it doesn't fall down or burn, it is taken care of, but
3 they take care of the administration. And, in the case
4 which we had, they did what they were supposed to do and
5 it went very well.

6 **CO-CHAIR GEORGES ERASMUS:** So your
7 trust contract with them obligates them to do that, to
8 act as that third party for you to technically acquire
9 the land, to sell it and to hand over the dollars to you.

10 **MICHAEL L. RICE:** Yes, but at the same
11 time they act for the members themselves. They have to
12 make sure that there is a default, we have to produce
13 documents proving it, they make sure that we don't take
14 advantage of the member or the individual Indian as well.
15 So they look out for both parties.

16 **CO-CHAIR GEORGES ERASMUS:** So if there
17 was a default but there was still some equity that could
18 go back to the individual, then it would go to him.

19 **MICHAEL L. RICE:** Yes, and in this case
20 there was equity and it did go back to the individual.
21 They made sure of that.

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

1 Any other questions?

2 **COMMISSIONER BERTHA WILSON:** What would
3 happen if the scheme didn't stand up because of the
4 restraint on alienation, that the property could only be
5 sold to an Indian? Where would the liability lie? What
6 would happen? How would the deals be unscrambled if the
7 scheme they are using, the trust arrangement, was held
8 to be invalid? Who would be liable?

9 **MICHAEL L. RICE:** I think the basic
10 argument there is that the Indian Act is preventing a
11 seizure, and in this case no seizure is taking place anyway,
12 it is being transferred from Indian to Indian, and
13 willingly. If eventually it went to court, I feel 100
14 per cent we would win, and we will cover the legal fees,
15 but I cannot see it being unscrambled. I think the
16 government would be acting very, very inconsistently if
17 it did not support -- if a judge did not support a system
18 like this.

19 The government is looking for ways to
20 promote development and it is looking for ways to take
21 Indians out of the dependency mode, and this is one of
22 the ways to do it. It would be very ironic if it was
23 unscrambled legally. I cannot see it.

1 I don't know if I am really answering
2 your question.

3 **COMMISSIONER BERTHA WILSON:** No, I just
4 wondered, if it was held that the arrangement wasn't legal,
5 because normally you can't prevent somebody from selling
6 to anybody they want to, and when you build in this
7 restraint that the land has to be sold to an Indian, you
8 run up against that principle. I just wondered what would
9 happen to the individual, the borrower, if it was held
10 to be not a legal transaction.

11 **MICHAEL L. RICE:** Gees! I don't even
12 want to think about that.

13 **COMMISSIONER BERTHA WILSON:** Yes, it
14 would be a real puzzler, I think.

15 **MICHAEL L. RICE:** "We may as well close
16 down the caisse populaire" is what I would say.

17 **COMMISSIONER BERTHA WILSON:** I am also
18 wondering how do you value a property that can only be
19 sold to a limited market? It can't be market value in
20 the general sense that anybody can be in the market. How
21 do you value a property like that?

22 **MICHAEL L. RICE:** For housing we do use
23 the replacement cost of the house, and we lend, again,

1 up to 75 per cent of the replacement cost of the house.
2 Here in Kahnawake, the land, for a quarter acre, can be
3 anywhere from \$3,000 to infinity, depending where it is
4 and what people want. There is no average price. So to
5 be conservative, we do base it on the replacement,
6 construction cost of the house, or what the house is
7 evaluated at. An evaluator will go to the house, look
8 at it and say, "This is how old it is, this is the work".
9 We use that basis.

10 And, as I have explained earlier, for
11 commercial we do the same thing for a building and, as
12 well, for the property, though, we do have some values
13 which we do use. There has just been a number of sales
14 transactions for commercial property here, and we take
15 an average of those. The evaluator took an average and
16 arrived at something we are comfortable with. We are
17 getting more and more information on land sales and
18 eventually we will have something to use, but it will never
19 be like the outside. We don't want to be like the outside
20 anyway, but having something is better than nothing.

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

22 **CO-CHAIR RENÉ DUSSAULT:** What is the
23 situation of the credit cards? Did the establishment of

1 the caisse bring your members to get credit cards like
2 Visa?

3 **MICHAEL L. RICE:** Yes. We are
4 affiliated with the Visa people and we sell Visa cards,
5 either to merchants or to corporate or to individuals.
6 Those services are available at the caisse.

7 **CO-CHAIR RENÉ DUSSAULT:** Was this
8 helpful, the presence of the caisse, to the community?

9 **MICHAEL L. RICE:** I think it is very
10 helpful because, again, caisses populaires are a credit
11 union, and the basic principle about a credit union is
12 to serve its members' needs and be locally owned, so they
13 will know the local needs. We know our people. I know
14 a lot of people we made loans to who probably would never
15 been accepted outside. It is really because of ignorance
16 of the banks. It is not their fault, it is just ignorance,
17 and it wasn't cost efficient for them to know about the
18 Indians until just recently. Now everybody is jumping
19 on the bandwagon.

20 **CO-CHAIR RENÉ DUSSAULT:** So it made it
21 easier for members to --

22 **MICHAEL L. RICE:** Oh, yes, because we
23 knew who they were.

1 **CO-CHAIR RENÉ DUSSAULT:** Just a last
2 question. You have stressed the importance of training
3 more people, young people in particular, in the financial
4 professions to become chartered accountants or C.G.A.s,
5 or M.B.A.s, M.P.A.s. Could you tell us a bit more about
6 what is the situation in this community.

7 **MICHAEL L. RICE:** I talk to different
8 people. In this community, if we had a few more or maybe
9 half a dozen more M.B.A.s or M.P.A.s, we would be a lot
10 more ahead. We just have a very small handful of people
11 in those fields, a very small handful.

12 I speak to a lot of people, I try to
13 encourage people to enter these fields, but people's
14 interests are not high in these fields; I don't know why.
15 It is the field of the future, but there's just a very
16 small handful of people. I can't explain it. We try to
17 influence people, talk to them, but still --

18 **CO-CHAIR RENÉ DUSSAULT:** If you could
19 share with us, today or later in the work of the Commission,
20 some solutions to bring more young people to into the
21 sciences and management and financial technical
22 professions, it would be helpful for us, because all across
23 the country it is a phenomenon --

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1 **MICHAEL L. RICE:** Yes, I know, it is a
2 big problem.

3 **CO-CHAIR RENÉ DUSSAULT:** -- and it seems
4 to be a uphill battle to move toward the threshold, across
5 the threshold.

6 Thank you.

7 **MICHAEL L. RICE:** Thank you.

8 **COMMISSIONER VIOLA ROBINSON:** Can I
9 just ask you one question? One of your recommendations
10 here is to promote credit union models across the country.
11 The way that I hear you describing your operation here,
12 I would suspect that you have enough population here to
13 support the business.

14 What about smaller communities? It
15 wouldn't be feasible for them. I might be wrong, but you
16 said, "grant financial institutions that are owned and
17 controlled and are also in their territories Indian
18 status". Suppose I was a member of this community and
19 I wanted to start a business in Montreal, would I be
20 eligible to come to you for financial support?

21 **MICHAEL L. RICE:** Oh, yes, anyone is.
22 You don't have to be from the reserve. Anyone can come
23 to the caisse populaire. And, once you are outside the

1 reserve, it is a lot easier, we can use the outside laws.

2 **COMMISSIONER VIOLA ROBINSON:** Anybody
3 at all?

4 **MICHAEL L. RICE:** Anybody.

5 **COMMISSIONER VIOLA ROBINSON:** So you
6 are open to business from the outside.

7 **MICHAEL L. RICE:** Yes, but I cannot
8 solicit, though, outside the territory.

9 **COMMISSIONER VIOLA ROBINSON:** No, I
10 know.

11 **MICHAEL L. RICE:** But anybody who shows
12 up at the door, no problem.

13 Getting back to the first part of your
14 question, we are affiliated with a group of caisses
15 populaires which has 1,300 caisses populaires in Quebec;
16 there are some which are only \$1 to \$2 million in assets,
17 and we are \$40 million. They can work as that small.
18 So it could be a population base of just a few hundred
19 people and it can work. That's why they are popular
20 models.

21 **COMMISSIONER VIOLA ROBINSON:** Thank
22 you.

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

1 It was excellent.

2 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
3 much.

4 **MICHAEL L. RICE:** Thank you.

5 **COMMISSIONER FOR THE DAY BILLY TWO**

6 **RIVERS:** Myiow.

7 Robert Vachon, please, to be followed
8 by Michael Diabo.

9 If I may, to the Commission, on your last
10 question, tribal councils or a group of communities may
11 cluster together and form maybe a financial institution
12 because of their small numbers.

13 **ROBERT VACHON, DIRECTOR OF RESEARCH,**
14 **INTERCULTURAL INSTITUTE OF MONTREAL:** I am Robert Vachon,
15 from the Intercultural Institute of Montreal; so I am not
16 from Kahnawake. I am white, but I would like to speak
17 in the name of our Intercultural Institute, made up of
18 people from all the different cultures of the world:
19 African, Berbers, Muslims, Jews, Christians, Atheists,
20 and foremost, Native peoples.

21 We have been in existence for 30 years.

22 So I am trying to talk from 30 years experience; actually,
23 I have been with the Institute -- I am one of the

1 co-founders. Our priority has always been with Native
2 peoples. So to say what I have to say is almost impossible
3 to say, and precisely because it is impossible to say,
4 it is worth trying to say it. I gave you a written text.

5 I don't think I could even give a summary of it in my
6 talk, so I would hope that you would read it; I wrote it
7 with my blood, or with our blood.

8 Greetings to all the elder brothers and
9 sisters -- the Native nations of this land, symbolized
10 by the Native Members of this Commissions.

11 Greetings also to all the younger
12 brothers and sisters -- the non-Native nations of this
13 land, symbolized by the non-Native Members of this
14 Commission.

15 Truly a bi-cultural and international
16 commission in some way, although those who gave you your
17 mandate may define it restrictively as a national
18 commission, working within the framework of the modern
19 western democratic culture of the Canadian nation-state
20 and of its pyramidal, kingship-based tradition, and thus
21 calling you a royal commission.

22 I shall focus on framing the issues of
23 our relationship. May I suggest that accommodations,

1 adaptations and reforms won't do; I think we need a
2 mutation. I would like to suggest some preliminary steps
3 in that direction.

4 The basic thing or the basic idea that
5 I would like to put across is that generally we have a
6 tendency of framing the issues monoculturally. We don't
7 frame the issues cross-culturally. And since we have a
8 notion of culture as being something besides the economics
9 and politics and the legal dimension, it is a residual
10 notion of culture; the first thing you know, when you talk
11 about cultural framework, they say, "Oh, he is not going
12 to talk about politics or economics or legal things."

13 Native peoples have a political culture,
14 they have a legal culture, they have an economic culture,
15 a long traditional one, and the western people have a
16 political culture, an economic culture. And even if they
17 think it is a trans-cultural culture, it is a universal
18 culture, it is not.

19 We have a tendency, we of non-Native
20 cultural backgrounds, to think that everybody has to
21 discuss our questions according to our framework, our
22 cultural framework and our so-called universal values.
23 We call them human rights, we call them democracy,

1 government, chiefs, progress, and so on. So I would like
2 to relativise these notions.

3 I think one of the fundamental problems
4 in our relationship is that we frame things monoculturally
5 instead of cross-culturally. I will try to get into
6 details in the text. Another one is we frame it
7 nationally; it is a mononational framework. We are always
8 within the nation-state framework of Canada or within the
9 nation-state system of the United Nations. We never move
10 out of that western nation-state system, and by doing that,
11 or by staying within that nation-state system, we falsify
12 the relationship from the very start and refuse to
13 acknowledge that Native nations are nations without having
14 to be nation-states, they have an equivalent value as
15 nations even if they are not nation-states, and even if
16 there are only 160 nation-states at the United Nations,
17 there are over 5,000 nations in the world who have an
18 equivalent value as nations even if they are not
19 nation-states.

20 The need for an international framework,
21 I will get back to that a little later.

22 For cross-cultural foundations, if we
23 are going to approach it cross-culturally, I think it is

1 not enough to sit at the same table all of us, or around
2 the sacred fire all of us. We should avoid using the word
3 "cross-cultural" when we mean only the study of the
4 relations between two cultures or ways of life but with
5 the categories of only one of them -- in our case, either
6 the Native or the non-Native. So we have to reformulate
7 the problem by using the languages and categories derived
8 from the two cultures concerned.

9 What generally happens, however, is that
10 this does not happen. Our framework remains monocultural.

11 Let me give a few examples of what we could do to
12 cross-culturalize. I have six points here in my text;
13 there is no way I can summarize that.

14 The first one is that our dialogue is
15 usually run in English or French. It is not run in Native
16 languages. That makes a hell of a big difference. Most
17 of the words we use have no equivalent, for example, in
18 Mohawk. Words like "democracy", "politics",
19 "government", "nation-state", "prosperity", "rights",
20 "chiefs", "land claims", "sovereignty", "property",
21 "territory", "borders", "Canada", "Quebec",
22 "citizenship", "royal commission", "economics", "law",
23 "justice system", all that carry baggage from our western

1 political anthropology and anthropocentric cosmology,
2 tied to notions that Man is the centre, that he is the
3 measure and finally the controller and master of all
4 things. They carry assumptions that freedom lies solely
5 in autonomy and choice, that we need chiefs, governance,
6 property, et cetera, all notions that we consider to be
7 universal but which are not. The fact is that two-thirds
8 of the world population, Native people included, do not
9 think that way and do not define their dignity nor organize
10 social order on the basis of rights, government, chiefs,
11 even if they use these words when speaking with us.

12 I remember one day I was asking Ernie
13 Benedict, "What's the word in Mohawk for 'our land'?"
14 He says, "In Mohawk we don't have a word for 'our land'.
15 The idea of ownership isn't where we belong. We are the
16 people of Kanien'kehaka." If you say "Kanien'kehaka",
17 there is no notion of ownership in there; you belong to
18 the land, you are the People of the Flint.

19 Most of the key words in Mohawk have no
20 equivalent in our western languages; for example,
21 "rotianeson" or "rotianer", which is the word, translated
22 in English or French, for "chief". We have a command
23 politics while Native people don't have a command politics.

1 There is no notion of kings, no notion of subjects.
2 That's why the Royal Commission may be a misnomer for many
3 Native peoples.

4 The second point was overcoming the
5 nation-state framework.

6 The eminent québécois geographer
7 Louis-Edmond Hamelin asserted that on the whole the white
8 or western peoples have not accepted even the hypothesis
9 that the Native peoples have a political culture or
10 tradition whose expressions and presuppositions could be
11 radically different from the western one, equally valid
12 and still alive today.

13 He is right. Moreover, we have always
14 tried to impose and substitute our elective system of
15 majority rule on all the Native nations of this land.
16 Our governments have and still refuse to even dialogue
17 with any other Native governments but those who meet the
18 standards of our own political culture. For example, our
19 government still refuses to recognize the Six- Nation
20 Iroquois Confederacy and deals only with the elected band
21 councils and their national associations. We say that
22 we want to dialogue within a broad political framework
23 and extended terms of reference, but we never move beyond

1 our western framework, even at the United Nations.

2 The Commission, it seems to us, should
3 insist that the Canadian government and its people stop
4 imposing their western political culture on Native
5 peoples, that it take up the dialogue with the existing
6 Six-Nation Confederacy and its traditional relations on
7 a nation-to-nation basis, not as domestic nations, not
8 as foreign nation-states, which they are not and usually
9 do not intend to be, but as a radically different political
10 regime which has the same importance as the modern elective
11 nation-state without necessarily having to become a modern
12 elective nation-state.

13 Should we worry so much about
14 territorial integrity? That's my third point. Maybe we
15 should worry a little more about the land and our
16 custodianship and kinship relations to it. I will not
17 develop that point right now.

18 The fourth point is overcoming the myth
19 of development.

20 We all want and need happiness and a good
21 life, but development is not a universal notion and it
22 is not necessarily a requisite and point of reference for
23 the good life. It is pretentious and arrogant to equate

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1 the good life with development; there are other ways of
2 looking at the good life.

3 Taking the Native legal system way
4 seriously, I can't develop that either.

5 The sixth point is, from a Royal
6 Commission to a Kinship Circle of Elder and Younger
7 Nations. Ghandi used to use symbolic actions to educate
8 the people. I would suggest that the Commission use a
9 symbolic action and suggest that, instead of calling itself
10 the Royal Commission, it be called what I say here,
11 something like the Kinship Circle of Elder and Younger
12 Nations of this Land, understanding that the elder nations
13 are the Native peoples -- of this land that some call Canada
14 and the U.S. and others call Turtle Island. We are always
15 within the framework of Quebec, Canada, United States,
16 which are foreign notions for many people, but we never
17 start with the idea that we are on Turtle Island and we
18 could work out our things in Turtle Island.

19 The need for an interpersonal approach
20 and a community approach. I find generally that we look
21 at each other as majorities and minorities, as individuals,
22 as numbers, and we are persons. We are not individuals,
23 we are not taxpayers. I am not a taxpayer, I am not even

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1 a citizen of this nation-state called Canada; first and
2 foremost, I am a person, and I hate to be considered simply
3 as a number, a majority.

4 We need interpersonal relationships,
5 not managerial relationships between each other, as if
6 we had a king on one side and subjects and citizens on
7 the other.

8 The need for a pluralistic framework,
9 I think you will have to read that part; it would be too
10 long to explain here. It could be summarized in having
11 a kinship relationship between elder and younger nations.

12 If we could stop looking at each other as collectivities,
13 abstract collectivities and nation-states with man-made
14 laws, simply by that, we are all persons and communities.

15 The other is not a non-I, he is a Thou, he is a dimension
16 of my very self.

17 These are philosophical notions, but I
18 think they are way down deep. People live these things
19 on a very personal basis, where we meet on a personal level,
20 at the grassroots.

21 We have had very good relationships with
22 the Mohawks during these 30 years, our Institute. We are
23 friends, we are very close. Even during the Oka Crisis,

StenoTran

1 the Six-Nation Confederacy was meeting right in our own
2 building, and we were so honoured by the fact that they
3 chose to come and meet in our building.

4 Finally, a need for a dialogical
5 approach; that's another "doozer", these big words, but
6 basically it means going beyond the scientific, objective
7 approach. We are not objects to be studied, we are
8 persons. It is almost like saying, to approach things
9 with the heart, not only with the head. An old African
10 once said, when somebody asked him, "I would like to see
11 things the way you see them, sir", "If you want to see
12 with my eyes, give me your heart and I will give you my
13 eyes." If we could give our hearts to each other, maybe
14 we would have a chance of seeing through each other's eyes
15 and through each other's culture.

16 In conclusion, we should therefore not
17 take our mandate primarily or ultimately from any prime
18 minister nor nation-state, either as persons or as a
19 commission, from any one religion or culture, not from
20 man alone, God alone or nature alone, but from the whole
21 reality that each and all of us are, namely, the whole
22 circle of life, with its threefold human, cosmic and divine
23 dimensions. It is to that circle that we are ultimately

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1 accountable to, not to the Canadian nation-state, the
2 Canadian government or any other government.

3 Our attempt at reducing -- and this is
4 my last statement -- the good life to development, the
5 political order to democracy, the nation to the
6 nation-state, the land to territory, the person to the
7 individual, the community to the collectivities of
8 majorities and minorities, reality to Man, to God, nature
9 or pure consciousness is the main reason for our alienation
10 and no exit situation.

11 I have not the answer, I just present.

12 I don't think there is an answer. I would hope that if
13 anybody thinks he has the answer, that he has the question
14 -- I don't have the answer. I am the first one to say
15 that I don't have the answer.

16 If I spoke quickly and a little
17 dogmatically, I am sorry. This time limit puts you in
18 a jail almost.

19 I would just say that if you think you
20 know, you don't really know. If we could all approach
21 peace that way, without assuming that we know what peace
22 is, maybe we would have a chance at dialogue.

23 Thank you.

StenoTran

1 **CO-CHAIR RENÉ DUSSAULT:** I would like
2 to thank you for presenting us with a thoughtful and
3 challenging brief. It is certainly a major contribution
4 for our reflection in the months ahead. We have been
5 wrestling with many of the issues that you have raised
6 and ways of doing things. I must say that we are quite
7 humble in front of the challenge of the cross-cultural
8 communication that is involved in the work of the
9 Commission and that involves the whole society.

10 I would like, this morning, to take the
11 opportunity to thank you very much for this very important
12 contribution.

13 **ROBERT VACHON:** Thank you. I felt a
14 little bit like a hair on the soup here because it was
15 mostly Kahnawake people in the community, and I did not
16 want to take too much time. So I am glad there are not
17 too many questions, so I can give a chance to the Mohawks
18 to speak for themselves.

19 Thank you.

20 **CO-CHAIR GEORGES ERASMUS:** Thank you
21 very much.

22 **COMMISSIONER FOR THE DAY BILLY TWO**

23 **RIVERS:** We will take a two-minute break and then we will

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1 be hearing from Michael Diabo. Myiow. Two minutes.

2 --- Short Recess at 11:41 a.m.

3 --- Upon resuming at 11:50 a.m.

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** Could I have order, please. His Honour Michael
6 J. Diabo is now on the stand.

7 **MICHAEL J. DIABO, KAHNAWAKE EDUCATION**

8 **CENTRE:** Good morning, esteemed Commissioners. Thank you
9 for bringing your work here to Kahnawake.

10 Co-presenting with me today on the issue
11 of education is Edward Cross, who is the Director of Student
12 Services. In education, we never pontificate alone.

13 I would like to tell you briefly about
14 our operation. The community's education system is
15 charged with the responsibility to provide high quality
16 education services to both its students, its children and
17 its adults. It does this by operating full community
18 programs at the pre-school, primary, elementary grades
19 in the English and the Mohawk languages. It also operates
20 middle school and high school programs. It arranges
21 tuition agreements for students who elect to attend the
22 many public and private and special schools from the
23 greater Montreal area. Transportation is provided for

1 students attending within and without the community by
2 a school bus fleet, by wheelchair transporter, private
3 taxi.

4 Our mission statement says in part that
5 the Kahnawake education system provides quality education
6 based on Kanien'kehaka beliefs, values, language,
7 tradition, and that a Kahnawake education nurtures the
8 development of each child to the fullest and the
9 acquisition of knowledge, skills, attitudes so as to become
10 respectful, self-sufficient and self-determined
11 individuals. We also believe that our children have the
12 rights and the responsibility to learn through a
13 culturally-based education that promotes understanding
14 and pride of being Kanien'kehaka.

15 In the presentation we note about the
16 touchstones, the relationships with non-Aboriginal
17 people, the issue of self-sufficiency and
18 self-determination. I think in reality these three focus
19 areas are just part of the self-determination question,
20 aren't they? If you accomplish this, the others follow
21 quite readily.

22 The aforementioned areas of operation,
23 the mission statement, the system's philosophy did not

1 occur accidentally. The conscious decision made by
2 parents in the mid-sixties to seek and control and assume
3 community education was a clear act of self-determination.
4 Though being without deep knowledge of the science of
5 education nor having the power to overturn the applecart
6 and start all over again, these parents were very clear
7 that they did not approve of the product as it was being
8 delivered by the non-Aboriginal professionals provided
9 by the government at the time. They were convinced that
10 community input and control would only benefit and approve
11 education in Kahnawake. They strongly felt that if our
12 children did not have an education system that reflected
13 their culture, language and history, then we would not
14 survive as a people.

15 This exercise in self-determination led
16 to positive changes in, or establishment of, programs that
17 took into account the wishes and needs of the parents and
18 therefore the community. By 1980 the years of strong
19 parental influence resulted in a shift in relationship.

20 The adversarial feelings began to give way to more
21 parallel modes of co-operation. Of course, Indian Affairs
22 policy of public service reduction through devolution
23 might have influenced some of this, but the fact remains

1 that a relationship of confidence to implement the spirit
2 of a 1973 document, Indian Control Over Indian Education,
3 had already been established over the years. The program,
4 curricular, staffing and training policies have all been
5 adjusted to better suit the needs and the requirements
6 of the community, still by the parents and still because
7 of the assumption that self-determination was the best
8 way to self-improve the education system.

9 During this 25-year journey, the
10 education system has generated and maintained positive
11 working relationships with over 30 other schools in the
12 greater Montreal area. The students entering these other
13 systems do so on an equal scholastic footing. Students
14 who remain in the local schools completing their secondary
15 studies go just as successfully into the post-secondary
16 world as any other student, and not just in exceptional
17 cases.

18 Self-sufficiency in education, apart
19 from money, is clearly measurable. The ability to
20 generate and implement programs, the ability to provide
21 its own qualified staffing, the ability to secure
22 additional and unavailable resources and the ability to
23 service students on a wide variety of needs and levels

1 attest to this.

2 Just a quick word -- a necessary word,
3 I think -- on resourcing and funding for education.

4 With all of the successes achieved by
5 the education sector, it must be stated in no uncertain
6 terms that this is not nearly the time to reduce or limit
7 government funds nor its responsibility to provide
8 adequate resources to Aboriginal education. Our own
9 system is under-funded drastically in the areas of Mohawk
10 language instruction, in high school program delivery,
11 in the servicing of high cost special needs and for
12 administration. Whatever the achievements in these
13 areas, it has been and continues to be at the expense of
14 our staff, who respond to the many demands made from them
15 for compensation that is less than the standard. There
16 are two sides to this partnership: one has the
17 responsibility to supply the proper physical resources
18 while the other has the responsibility to convert these
19 into quality education structure. Quite simply, we have
20 to maintain and improve this key relationship.

21 Self-determination on a larger scale.

22 We have seen that self-determination,
23 no matter how one qualifies this, in a program like

1 education was achievable and we see too that there have
2 been some recent activities in negotiating other larger
3 forms of self-government across the country. But it seems
4 that in virtually all instances of discussion towards more
5 comprehensive self-determination, and when measurable
6 progress is about to be reached, this laudable process
7 becomes victimized by suspicion. We generally state that
8 the government wants to give the Indians over to the
9 province, and we all know what that means; then we accuse
10 the government doesn't want to correct the past, or the
11 government doesn't want to provide any money, or is afraid
12 to recognize our jurisdiction. About the same time the
13 government spouts its concerns: What are they really
14 going to do with all that money? What are they going to
15 do with all that jurisdiction? Sell alcohol and tobacco?
16 Buy arms? Smuggle? Go crazy? Those figures are Indian
17 numbers, they are not ours.

18 Why is it that whenever an Aboriginal
19 self-governance initiative or proposal is deposited on
20 the table for some serious movement the government must
21 bring in the Revenue Department, the Justice Department,
22 the Solicitor General, Customs and Excise, Indian and
23 Northern Affairs Canada, each to find their own reasons

1 for starting it all over again. Yet, if we have an issue
2 of upholding an existing governmental responsibility, one
3 finds that we couldn't assemble the same august group to
4 make a decision or even render an opinion. "You will just
5 have to go to the courts", they say.

6 Then there is, as in our case, the
7 Province of Quebec. Then we become faced with the
8 two-government game, each exerting its pressures on the
9 other, each making its deals and agreements, in effect
10 ganging up on the Aboriginal initiatives. Didn't Claude
11 Ryan, a senior Minister, just publicly malign an entire
12 community, a nation, by agreeing that just coming to
13 Kahnawake is a danger to other Quebeckers, Quebec law
14 breakers at that?

15 This is also transparent. Yet, we again
16 see the same quest for recommendations being asked by the
17 same parties of the same parties. Incredible, isn't it?

18 So nothing gets done, except a lot of consultation money
19 gets used up to create more shelf material.

20 What is needed? Only the political will
21 to do something meaningful, something equitable, and maybe
22 something a little daring and imaginative.

23 What's wrong with our numbers? Are not

1 our languages nearing wholesale extinction? Are not our
2 land bases dwindled and unproductive? Are not our
3 economies in a state of disaster? Are not our youth
4 killing themselves in despair? Do we not face
5 discrimination daily? Is not our culture value and
6 tradition distinct enough? Hasn't the other guy done it
7 for us long enough anyway? Aboriginal people are in
8 serious and desperate positions, and we really don't have
9 to fool around with any of our facts.

10 Why do we need self-determination? Our
11 community has become quite ill. We have transformed all
12 of our community values into a community of only one value.
13 We have generally abandoned the concept of well-being
14 and service to the whole community in favour of the pursuit
15 of power. This occurs at the governmental, fraternal and
16 fractional levels. At the family and individual levels,
17 I suppose this is more pursuit of money and
18 self-indulgence.

19 Terrible stress is being inflicted upon
20 the community by dominant governments and societies. As
21 well, we are inflicting terrible stress upon each other.

22 The result so far is a community that is 30 to 40 per
23 cent dysfunctional, and this is showing badly to the young

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1 people in our schools. We need self-determination to
2 correct this, or the slide will surely continue to the
3 point where all of our resources will be consumed
4 hopelessly in treating destructive social systems.

5 If we can't collect ourselves to this
6 task, then whoever is able to will leave this place, perhaps
7 not us older folks who can't, but the younger people who
8 can.

9 Our recommendation: If we can't find
10 a way, then let's make one.

11 **EDWARD J. CROSS, DIRECTOR, STUDENT**

12 **SERVICES, KAHNAWAKE EDUCATION CENTRE:** I will be
13 elaborating three major problems that Mike mentioned that
14 have a profound impact on the education and the future
15 of the children and youth of Kahnawake. I will describe
16 how the people of Kahnawake, through community
17 institutions and organizations, are working together to
18 solve these problems. I will also make recommendations
19 on how the Canadian people, through their governments and
20 through this Royal Commission, can facilitate, support
21 and work in partnership with us in solving these problems.

22 Three recent surveys of the present
23 stage of Kanien'kehaka language in Kahnawake -- the AFN

1 survey in 1990, the Cultural Centre survey in 1991 and
2 the Kanien'kehaka Ad Hoc Committee survey in 1992 -- all
3 found that only 10 per cent of the community were fluent
4 speakers of the Kanien'kehaka language.

5 The AFN Report Towards Linguistic
6 Justice for First Nations classified our language as
7 endangered. The report defined an endangered language
8 as a language with less than 50 per cent of the adult
9 population over 30 years of age able to speak that language.

10 If our language is endangered, we as a people are
11 endangered. The report further states that a language
12 that is endangered will not survive into the next
13 generation if nothing is done.

14 We hold the federal school systems, the
15 churches and the Canadian government accountable for the
16 suppression and oppression of our language. However, we
17 must share the blame by our apathy, complacency and even
18 fatalism about the need and utility of our language.

19 We as a community must mobilize to
20 prevent our language from disappearing. We are beginning
21 to restore, protect and preserve our language. We have
22 appointed a Kanien'Kehaka language community facilitator,
23 and a Council of Elders has been established. A community

1 awareness program has been started. However, what we need
2 are immersion programs for our adolescents and our adults.
3 We need to continue the immersion programs and language
4 development that our schools established 10 years ago.
5 We need to immerse our community in the language through
6 the establishment of community television.

7 We can generate funds to restore,
8 promote and preserve our language through community
9 projects and foundations. However, we also hold the
10 Canadian government to its promise made by a former
11 Minister of Indian Affairs, David Crumbie, to allocate
12 funds to help restore, promote and protect Aboriginal
13 languages in Canada.

14 We recommend that this Royal Commission
15 strongly recommend to the Canadian government that the
16 proposed Aboriginal Languages Policy and the Aboriginal
17 Languages Foundation be established and that funding and
18 services be provided to reverse the policies your
19 government adopted which resulted in the deterioration
20 of our languages.

21 This is the Kahnawake school system's
22 philosophy for integrating special needs students. All
23 Kahnawake children have the right to be educated in their

1 community school, integrated with their peers in a regular
2 classroom, that is, in as normalized and as least
3 restrictive a classroom environment as is possible. These
4 students are to be provided with quality programs,
5 facilities, resources and services that best meet their
6 needs and to be delivered by a team of qualified educators.

7 There is no official federal policy for
8 special education and no official federal policy for
9 funding students in First Nations schools and communities,
10 students who have special needs.

11 The First Nations Education Council of
12 Quebec have taken the initiative to develop a special
13 education policy, have conducted a needs assessment and
14 a survey of special need students, and have developed a
15 funding formula for special needs for First Nations schools
16 and communities.

17 The following are some alarming
18 statistics and findings about special needs in the
19 Kahnawake school system:

20 - out of 900 students, 305 students --
21 that is 30 per cent of our student population -- have been
22 assessed as having one or more exceptionalities that
23 require some form of adaptation or modification;

1 - 224 exceptional students -- that is
2 77 per cent of our special needs students -- have been
3 classified as having a moderate-to-severe degree of
4 expectionality;

5 - 128 students -- that is 42 per cent
6 of our special needs students -- are exceptional mainly
7 because of a situation they are living in, such as homes
8 with extreme levels of family disruption, homes with
9 substantiated abuses such as physical abuse, mental abuse,
10 sexual abuse, spousal violence, alcohol and drug abuse,
11 homes where motivation to attend school is low and absences
12 are high, homes where children do not get enough or get
13 the wrong things to eat, where children do not get enough
14 sleep, where children do not get enough or get the wrong
15 kind of parenting.

16 The number of students classified as
17 moderate-to-severely situationally exceptional continues
18 to grow in Kahnawake, as situations in this community
19 become more complicated and unstable, such as high
20 unemployment, uncertainty about the future, the breakdown
21 of the extended family, the Mohawk Crisis of 1990 and other
22 factors that affect children and youth every day. These
23 problems are community problems, not school problems.

1 Our community has taken the first step
2 in addressing the problems of our children and our youth.
3 Two hundred interested and concerned community members
4 accepted the invitation to discuss "Our Children's Future
5 is Everyone's Responsibility" at a two-day conference
6 held in November. Our next step is to develop and
7 establish a collaborative working relationship with
8 community and social service workers, health and medical
9 service workers, religious and traditional spiritual
10 leaders, economic development workers and our political
11 leaders, to help our schools and our teachers to meet the
12 needs of our children.

13 We recommend that this Royal Commission
14 recognize the urgency we have in beginning to resolve these
15 problems collaboratively and that the government assist
16 us with funding and services.

17 We recommend that this Royal Commission
18 facilitate the immediate adoption of the Special Education
19 Policy of the First Nations Education Council, a policy
20 which we will be giving to the Commissioners at the end
21 of this presentation. We also recommend that they adopt
22 the special education funding formula that we developed.

23 The Mohawk Crisis has had a profound and

1 prolonged social, emotional, behavioural and
2 psychological effect on the children and youth of
3 Kahnawake. I have already described some of the dramatic
4 and distressing statistics of students in our schools.

5 The barricades are gone, but the checkpoints still stand.
6 The Canadian Armed Forces, with their armoured personnel
7 carriers and their helicopters are gone, but the RCMP and
8 the Sûreté du Québec continue to patrol the highways that
9 cut through our land and to harass our people. The rock
10 throwers of LaSalle are gone, but the memory of that hot
11 and dusty day is relived every time we cross the bridge.

12 The burning effigies and the faces and sounds of hatred
13 seen at the Châteauguay boundaries have not yet disappeared
14 from our minds. All these physical signs are gone, but
15 the emotions, the feelings, the hurt, the anger and the
16 hatred linger on. Time does not heal everything. People
17 and the Great Spirit heal everything.

18 We recommend that this Royal Commission
19 help us help our children to heal so that they can achieve
20 the mission that we have designed for them: to live in
21 peace and harmony with the world. Counsellors,
22 therapists, spiritual leaders and elders are needed in
23 our schools to get our children to have clear and good

1 minds.

2 I close my presentation to this
3 distinguished Royal Commission by honouring all of our
4 teachers, the true peacekeepers of our community. They
5 have had to and continue to resolve the conflicts and the
6 anger, allay the fears and wipe the tears and display calm
7 and control while they themselves were experiencing the
8 same feelings and emotions as their students.

9 I would like to read a poem by one of
10 our Kanien'kehaka teachers, Kowanaronek (PH) Deer, who
11 wrote this poem during the most intense period of the summer
12 of 1990:

13 "Your voice, Great Spirit. Hear the voices of your
14 children
15 The voices speak slightly louder, slightly duller and with
16 deep concern
17 The voices of your older children mingle to speak for those
18 of your younger children
19 These voices need guidance and insight to diffuse the
20 turmoil and hardships abound
21 These voices need spiritual and physical strength to
22 console the innocent, to stop their
23 fears and tears

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1 Our voices speak through uncertainty, therefore the
2 slightly louder tones

3 Our voices speak through heightened fatigue, therefore
4 the slightly duller tones

5 Our voices speak through emotional drain, therefore the
6 deep concern tones

7 Your voice, Great Spirit, is what we need to hear

8 Your voice, Great Spirit, to flow through us and through
9 the children we teach

10 Your voice, Great Spirit, heard through all that surrounds
11 us

12 Let all voices blend and take control of a time that has
13 left its mark on us all, the young, the
14 old, the unborn and the spirits of our
15 dead

16 Let your voice, Great Spirit, become our voice."

17 Myiow.

18 **CO-CHAIR GEORGES ERASMUS:** I would like
19 to thank the two of you for your presentations. They were
20 very thoughtful.

21 I will see if there are any questions
22 or comments from any of the Commissioners.

23 **COMMISSIONER MARY SILLETT:** Yes,

1 Georges, I would like to begin.

2 I would like to thank you both very much
3 for your good presentation. I have two questions.

4 You talk about the Mohawk Crisis of 1990,
5 and I guess this is the first time that I have heard about
6 the kind of effects that the children have suffered as
7 a result of that crisis. I am wondering more specifically,
8 though, how that crisis has affected the young people's
9 views of relationships between Aboriginal and
10 non-Aboriginal people.

11 **MICHAEL J. DIABO:** The relationships,
12 I guess more the mental relationships between young people
13 and the dominant society, especially the neighbours, is
14 rather mixed. I think any trust that might have been there
15 is compromised. I don't think there is fear; I think that
16 point has passed. I think the anger is certainly present.
17 There is a lot of confusion. There is a lot of
18 polarization. But, you know, they still have a sense of
19 humour, and I think if we lost that, then that would be
20 a drastic sign, a drastic symptom that something is wrong.

21

22 But there is unrest. People fly off the
23 handle rather quickly. There is little tolerance. There

1 is civility, but the tolerance is not as much as it used
2 to be; we are not as patient as we used to be. I think
3 this is true for all ages. It is not too hard to drag
4 up a bad experience and kind of have it ruin your day.

5 **COMMISSIONER MARY SILLETT:** My other
6 questions relate to your recommendation about languages.

7 I think clearly languages and culture
8 are very, very important to Aboriginal people from one
9 end of Canada to the other end. I was interested to see
10 that the proposal dealt with proposing an Aboriginal
11 language policy be developed. If my memory serves me
12 correct, there was an Aboriginal language policy developed
13 within the Secretary of State, but the most common
14 complaint about that particular policy was that there was
15 never enough money to retain Aboriginal languages as they
16 should be.

17 I think people feel strongly about the
18 need and the desire to maintain their Aboriginal languages,
19 especially in the North. With the creation of Nunavut,
20 many people call for the official recognition of Inuktituk.

21 They say that, remembering that in this country there
22 are two official languages recognized, and having
23 bicultural policy in this country allows a language to

1 have formal recognition and a lot of money. And people
2 think that's probably a better way of preserving Aboriginal
3 languages.

4 I wondered if you have ever considered
5 this. I guess when people propose that, the question that
6 always comes up is that there are 53 Aboriginal languages
7 in this country. Which would you recognize? All of them?
8 Would you recognize some of them? What? So I am just
9 wondering what you think about that.

10 **EDWARD J. CROSS:** First, I do recognize
11 every Aboriginal language as being a true and viable
12 language and an essential part of that particular nation's
13 identity. It is very frustrating that a lot of work has
14 been done by a lot of Native people across Canada in trying
15 to get the government to adopt the Aboriginal Languages
16 Policy, to establish the Aboriginal Languages Foundation,
17 and they are just promises that keep frustrating us. In
18 the meantime, our languages keep deteriorating.

19 **CO-CHAIR GEORGES ERASMUS:** Have there
20 been any programs with the youth and the students to deal
21 with the trauma of the summer of 1990?

22 **EDWARD J. CROSS:** Yes. There was a
23 special project that was initiated immediately after the

1 crisis. It was called "Rebuilding Bridges". It was an
2 18-month that got extended to a 2-year program of providing
3 counselling, art therapy, individual and group
4 counselling, some recreational activity that focused on
5 dealing with some of the problems that children were
6 experiencing as a result of the crisis.

7 But, as I pointed out in my presentation,
8 the crisis is not over yet. It is still here. We have
9 to maintain the kind of support that we have been giving
10 children immediately after the crisis on a continuing basis
11 until this crisis is over.

12 **MICHAEL J. DIABO:** In that regard, I
13 think we are attempting to provide services and
14 "remediation" within the education system pretty much
15 non-stop with this in mind, the crisis and other traumas;
16 there are other traumas as well involved with the community
17 people. But it has been a non-stop effort. By our own
18 estimates we figured we were in for a five-year haul and
19 we are into our third year. There is a lot of resources
20 being devoted from our organization, fantastic amounts
21 of money considering the size of our population.

22 We are not alone. This report, if you
23 get to see it, represents similar statistics of 18

1 communities within Quebec -- the First Nations Education
2 Council -- of which Kahnawake is a member. We have been
3 working at special needs, including situational problems
4 with students, since 1989.

5 We have been presenting this all over,
6 wherever we can. We have been getting all the nice words;
7 it has been accepted in principle. We are getting a lot
8 of moral support -- more than moral support from the region,
9 I might add. Right to headquarters everyone is saying
10 the right thing, but keep pointing to the national deficit.
11 So after four years of hard work we are still lobbying
12 this around.

13 It is kind of our hope that when we
14 deposit this along with this super video, you will be able
15 to present this perhaps to a door that will open again.

16 We have gone to the ADMs, and I think if you can put some
17 influence at a higher level than that, we would be deeply
18 appreciative when we can start coming down from our traumas
19 and our healing is that much quicker.

20 **CO-CHAIR GEORGES ERASMUS:** On the
21 question of the Mohawk language, what is your assessment
22 of what is happening? Are you losing the language? Have
23 you stabilized? Is it coming back slowly? What would

1 the present assessment be?

2 **EDWARD J. CROSS:** We were very shocked
3 with the statistics that we had. We were assuming that
4 we had a higher percentage of fluent speakers in the
5 community, as much as maybe 25 to 30 per cent, and some
6 of us were even very, very sceptical -- not sceptical,
7 but very optimistic that it could be as high as 50 per
8 cent. But the three surveys all concluded that we are
9 a community where only 10 per cent of our adult population
10 are fluent speakers. That came as a shock and it was very
11 distressing.

12 We have in the school system been
13 providing a Mohawk immersion program for four to twelve
14 year olds for the past ten years, but there is the wide
15 gap between these students and the adults who are 50 years
16 and older who are fluent speakers. It is that gap that
17 we have to fill in if our language is to survive.

18 **CO-CHAIR GEORGES ERASMUS:** So the youth
19 is starting to speak it, the young?

20 **EDWARD J. CROSS:** Yes. Our young
21 children are speaking it at the level that young children
22 are capable of speaking it. It is not the level of fluency
23 that an adult would be speaking it.

1 The problem that our young people have
2 is that they don't get this language that they are taught
3 in their classrooms reinforced in their community, because
4 the language in the community is English. This is why
5 it is very distressing. We are working very hard at
6 getting our young children to be speakers, but they cannot
7 use the language that they learn. So we need to have a
8 community blitz, radio and TV; we need to have our speakers
9 speak all the time, everywhere they are in order for this
10 language to be restored and protected.

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

12 **COMMISSIONER BERTHA WILSON:** Did any
13 report come out of this two-day conference that you had
14 in November, "Our Children's Future is Everyone's
15 Responsibility"? Was there a product that came out of
16 that that we could have?

17 **EDWARD J. CROSS:** Yes, there is a
18 product, and I believe one of the presentations that will
19 be made today will address this particular conference.

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

21 **CO-CHAIR RENÉ DUSSAULT:** I just wanted
22 to know what was the situation about the didactic material
23 for teaching Mohawk.

1 **EDWARD J. CROSS:** Of course, when we
2 first started to teach Mohawk there was no didactic
3 material. The first three teachers we hired in 1970 used
4 the language that they had as their teaching tool.

5 As we began to establish a move towards
6 full Mohawk immersion, of course, we needed to develop
7 a lot of material. Through a lot of volunteer work, a
8 lot of time and effort by our Mohawk language teachers,
9 they did develop a lot of material, until it was realized
10 that we were really exhausting these people by having them
11 spend all this time and effort in developing the material
12 and then also asking them to spend seven to eight hours
13 a day in a classroom teaching the children.

14 So eventually we established a Mohawk
15 Language Curriculum Centre, and it still is developing
16 material because we keep improving and changing methods
17 that are more effective in language-teaching situations.

18 **CO-CHAIR RENÉ DUSSAULT:** In this
19 centre, do you share with the other Mohawk communities?

20 **EDWARD J. CROSS:** Yes, we do.

21 **CO-CHAIR RENÉ DUSSAULT:** Akwesasne and
22 others, even in the U.S.?

23 **EDWARD J. CROSS:** Yes.

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

2 **CO-CHAIR GEORGES ERASMUS:** I guess
3 those are our questions. Thank you.

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** Myiow.

6 I would ask Mrs. Roy the length of our
7 presentation, because we have only approximately 10
8 minutes before 12:30, and I give consideration to food
9 that is going to be served. So would you prefer that you
10 can do it now?

11 **EDWARD J. CROSS:** I was going to follow
12 the presentation of the Education Centre with the
13 presentation of the Cultural Centre, but this presentation
14 will take at least 15 minutes and, if there is a question
15 period, an additional 15 minutes. So I don't know if you
16 just want to continue.

17 **COMMISSIONER FOR THE DAY BILLY TWO**

18 **RIVERS:** What we will do is we will break and we will have
19 lunch. Lunch is being provided here. We will be back
20 as soon as possible. When we have the Commission back
21 over here, we will resume as quickly as possible, if we
22 can just get together, be on our way and get back again.

23 So food is prepared. Please line up and

1 enjoy yourselves for this brief break. Myiow.

2 --- Luncheon Recess at 12:25 p.m.

3 --- Upon resuming at 2:05 p.m.

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** Again, maybe just to remind you, please, if you
6 have any personal conversations or chattering or general
7 lip movement, could you carry it on in the back of the
8 room, not to disturb the proceedings, please.

9 **ARNOLD LAZARE, PRESIDENT OF THE BOARD**

10 **OF DIRECTORS, KAHNAWAKE YOUTH CENTRE:** I would like to
11 address the Commissioners on behalf of the Kahnawake Youth
12 Centre. I am the President of the board of directors.

13 We are all aware of the problems facing
14 today's Native youth, and to repeat them would be
15 redundant. I have seen in the preliminary reports that
16 you have got the problems of the youth pretty much
17 identified.

18 The Kahnawake Youth Centre opened its
19 doors over 20 years ago with the following mandate: "To
20 promote the health, social, cultural, educational,
21 vocational and character development and well-being of
22 boys and girls. To create, establish, organize, maintain
23 and generally provide opportunities, programs, activities

1 and facilities of every kind and description. To assist,
2 encourage, support and train boys and girls in good
3 sportsmanship, leadership, guidance, self-help and other
4 virtues of every kind and description. To encourage and
5 train boys and girls in Native crafts and traditions, to
6 inspire them to take a deep sense of pride in the heritage
7 and accomplishments of their people." Wrapping up, it
8 is to provide a good role model for the youth and to provide
9 positive activities for the youth of Kahnawake.

10 In the early years the activities were
11 exclusively geared towards the youth, but in recent years
12 they have been altered to include the whole community,
13 as it was felt that it was necessary to include the whole
14 family if positive change was to be activated.

15 The Youth Centre has always believed in
16 a hands-on approach to problem solving. We have done this
17 through active involvement from its staff. This has
18 resulted in the youth of Kahnawake having positive
19 alternate activities which they can participate in.

20 One of the biggest successes, I would
21 say, of the Youth Centre occurred during the summer of
22 1990. when the community was virtually shut off from the
23 rest of the world, the summer camp was one of the few

1 services which provided a sense of normalcy to the youth.

2 In a time when we talk of prevention and trying to offer
3 programs, I believe that a lot of the trauma that was a
4 result of the summer of 1990 was -- not eliminated, but
5 was diminished because the Youth Centre ran a program which
6 was as normal as we could run.

7 The programs always encourage the
8 participation from young and old, as was our culture.
9 Activities such as hockey, baseball, movie trips, ski
10 trips, swimming lessons, tap dancing, adult and teen
11 volleyball, crafts have all been successful programs over
12 the years. The special programs that we run to bring the
13 community together include the Mohawk Miles, the Breakfast
14 with Santa, teaching the children how to dance pow-wow
15 -- and I might just add that it is teaching some of older
16 people how to dance in pow-wows -- bringing the community
17 together: a few week-ends ago a scavenger hunt was held
18 and we had approximately 250 participants directly, and
19 when we estimated the number of participants in the
20 community, it easily went up to 700 to 800 people involving
21 the whole community.

22 Once again, the Youth Centre has proven
23 that it can provide positive alternate activities to the

1 youth.

2 The Youth Centre activities and programs
3 are directly related to the amount of resources that we
4 have available. While youth is important in everybody's
5 mind, it seems that when it comes to the funding agencies,
6 there are always other areas which are more important.
7 That is something that we have been feeling in the past
8 few years. Recreation and constructive leisure time are
9 high priorities in principle, but when it comes down to
10 the financial part of it, for the funding agencies it is
11 not a high priority.

12 The Youth Centre is presently operating
13 on a budget of about \$110,000 per year. Of that only
14 \$54,000 is guaranteed; \$37,000 comes from our contract
15 with the local Education Centre, where they rent the gym
16 office, and then \$17,000 was from a Band Council grant.
17 The other \$54,000 to \$55,000 has had to come through
18 fund-raising events.

19 It is unfortunate that, with the
20 resources that we have, over half our time is spent in
21 trying to keep the doors open. We have proven over the
22 years that the Youth Centre can provide alternate
23 activities for the students and they do work, but in order

1 for the Youth Centre to work better to solve the problems
2 and help solve the problems of the youth, we would have
3 to work on guaranteeing that the Youth Centre would
4 function.

5 Once again, not having a sound base that
6 we can count on from year to year, much of the experience
7 of the workers and of the board of directors goes towards
8 raising money just to keep the doors open. If we had a
9 budget that was guaranteed and identified, our workers
10 would be able to do better programs and involve more people.

11
12 Just recently we did an initiative where
13 we were trying to get the teenagers of the community back
14 in the Youth Centre, and it was working quite fine until
15 we lost -- our staffing is dependent on off-and-on
16 programs. When we lost over half of the staff, we noticed
17 that we couldn't offer the programs, and the students
18 stopped coming to the club, because, while they would like
19 to just sit around if there is nothing organized, I guess
20 they can find better places to sit around.

21 It has been the experience that because
22 so much time is spent on securing operational monies, it
23 is unfortunate that the focus is taken away from the program

1 delivery.

2 The one or two recommendations that the
3 Youth Centre would make is that the Youth Centre is only
4 going to get a broad-based funding when the community can
5 become economically independent. Up until now we have
6 been depending on government make-work programs, and while
7 it has been operating, it has not been operating to
8 capacity. So one recommendation that the Youth Centre
9 would have is that until Kahnawake has its own
10 self-sufficient economy -- we know that the Youth Centre
11 will get the support, because we have seen it in the past,
12 at times when the doors were going to close, we approached
13 the community and the community was there for the Youth
14 Centre.

15 If we look at the success of the Youth
16 Centre, just the number of different people who have
17 participated in the various activities is testimony that
18 over the years the Youth Centre has fulfilled its mandate.

19 Thank you very much.

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

21 Have you lost the teenagers for a while?

22 The way you were saying it, you said, "We were working
23 on bringing back the teenagers." So you have primarily

1 very young people?

2 **ARNOLD LAZARE:** One of the more common
3 criticisms from the community was that the teenagers --
4 we found that when the children would get to between 13
5 and 15, depending on the group, they had a tendency of
6 not attending the Youth Centre. On any given day there
7 is anywhere between 60 to 90 to 200 children at the Youth
8 Centre depending on the activity. What we have noticed
9 is that there was a dropping-off in the category from the
10 students who were from 13 to 17, depending on the activity.

11 In the recent months there was a very
12 strong initiative to get the teenagers back, and I have
13 to say it was very successful. But, once again, once we
14 lost workers whose main focus was to work with the
15 teenagers, they started hanging out at other places,
16 predominantly arcades, et cetera.

17 **COMMISSIONER BERTHA WILSON:** Could you
18 tell us what kind of a facility you have at the Youth Centre?
19 What is it like?

20 **ARNOLD LAZARE:** The Youth Centre was
21 created over 20 years ago. It was a grassroots movement
22 by some of the youth in Kahnawake who decided they wanted
23 a place of their own. As they got older, they mobilized

1 and went out on activities seeking funds. They approached
2 the Rotary Club in Montreal, and through the Rotary Club
3 in Montreal we were able to secure a three-storey building
4 with a large gymnasium. It is located right in the centre
5 of the village. They provided the funding for the first
6 three years, with a Director, a Program Director and some
7 of the animators. It has been functioning since then along
8 the same lines.

9 The full-time staff that we have include
10 an Executive Director, a Program Director and then a
11 Program Co-ordinator. The rest of the people come in as
12 we get make-work programs. It provides activities from
13 3:30 till ten o'clock at night predominantly Monday through
14 Friday for the children. After-school activities include
15 the regular basketball, baseball, floor hockey, et cetera;
16 out-of-club activities include ski trips, swimming
17 lessons, et cetera.

18 Once again, the Youth Centre is there
19 to provide activities for the youth.

20 **COMMISSIONER BERTHA WILSON:** You
21 mentioned that you also had activities for adults. What
22 kind of activities do you have for the adults?

23 **ARNOLD LAZARE:** The first nine years the

1 club was affiliated with the Boys and Girls Clubs of Canada,
2 and their mandate is primarily to work with the youth.
3 As we were going on, it was felt that, yes, the youth were
4 important, but in order for the club to succeed
5 financially, and looking at the program, it felt that the
6 family as a whole would have to be included.

7 It started off by offering a satellite
8 aerobics class. There was a volleyball league of adults.
9 What they have done is they have expanded the program,
10 and 13 years ago the Caughnawaga Boys and Girls Club was
11 changed to the Kahnawake Youth Centre, feeling that the
12 Youth Centre would better meet the needs of the whole
13 community. At that time we opened up our membership, if
14 you want to call it that, to the adults. Once again, there
15 is the adult volleyball league, the aerobics, and we
16 actively pursued the membership of the older people,
17 feeling that if we could get some older people in to provide
18 positive role models, then that would be a draw for the
19 younger students, because it was the impression at one
20 point that the Youth Centre was for kids, we wanted to
21 change that image and say, "No, it is not for kids, it
22 is for the whole community."

23 **CO-CHAIR RENÉ DUSSAULT:** Can you tell

1 me, is there a board of directors or a kind of structure
2 that involves the parents or the community in the direction
3 of the centre?

4 **ARNOLD LAZARE:** The Youth Centre is
5 administered by a board of directors which is made up of
6 community groups from the reserve: the four service
7 groups, the Knights Columbus, the Moose, the Marina, the
8 Legion. The school committee has a membership person.
9 There is membership allowed from the Longhouses. Any
10 group that was identified had one seat on the board of
11 directors, and it was up to the people from the community
12 to appoint their people for the board of directors, and
13 then me on a monthly basis.

14 I believe that at the present there are
15 13 board members who have been overseeing the operations
16 of the club.

17 **CO-CHAIR RENÉ DUSSAULT:** Did you
18 establish good relations with the schools and the teachers?

19 **ARNOLD LAZARE:** There is a very good
20 participation between the schools and the activities.
21 The schools allow the Youth Centre staff in to make them
22 aware of the programs and, as much as possible, they
23 co-ordinate the programs with the school so that it doesn't

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1 overlap. There is very good co-operation between the two.

2 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
3 much for your presentation.

4 **ARNOLD LAZARE:** Thank you.

5 **COMMISSIONER FOR THE DAY BILLY TWO**

6 **RIVERS:** Ms. Marianne Roy, please.

7 **MARIANNE ROY:** Nous allons faire notre
8 présentation en français. We will making our presentation
9 in French; so people can put on their earphones.

10 Premièrement, j'aimerais présenter les
11 personnes qui sont à la table. De ma gauche à droite,
12 il y a Arnold Goodleaf, du Conseil mohawk de Kahnawake;
13 Gail Stacy-Moore, speaker de l'Association des femmes
14 autochtones du Canada; Bern Purden, de l'Église unie,
15 Synode Montréal-Ottawa; moi-même, Marianne Roy, de la
16 coalition Solidarité populaire Québec; France Loiseau,
17 vice-présidente du Conseil central Montréal
18 métropolitain; et Pierre Lagrenade, du Conseil central
19 sud-ouest de Montréal.

20 Notre comité, le Comité de promotion et
21 de surveillance des droits humains à Kahnawake et
22 communautés limitrophes, est composé de personnes
23 représentant le Comité oecuménique des droits des

1 autochtones, l'Église unie, Synode Montréal-Ottawa,
2 Développement et Paix, le Comité canadien sur le statut
3 des femmes. le Conseil central du Montréal métropolitain,
4 le Conseil central du sud-ouest, la coalition Solidarité
5 populaire Québec, le Conseil Mohawk de Kahnawake, le Bureau
6 de la nation Mohawk de Kahnawake et d'une personne
7 représentant les organismes nationaux dont l'Association
8 des femmes autochtones du Canada l'Assemblée des premières
9 nations, le Conseil national des autochtones du Canada
10 et le Regroupement des centres d'amitié du Canada.

11 Ce fut à la demande de personnes de
12 Kahnawake, suite aux événements de l'été 1990, que
13 l'Association des femmes autochtones du Canada a pris
14 l'initiative de regrouper les organismes intéressés à
15 répondre à cet appel de solidarité. C'est ainsi que le
16 comité a été mis sur pied au mois de mars 1991 dans le
17 but d'oeuvrer au rétablissement de rapports de bonne
18 entente, d'harmonie et de compréhension mutuelle entre
19 les populations de Kahnawake et des municipalités
20 environnantes. Dès nos premières discussions nous avons
21 compris qu'un long travail de réconciliation et de guérison
22 devait être entamé entre nos peuples, et plus
23 particulièrement dans la région immédiate de Kahnawake.

1 Nous vivons aujourd'hui au Québec une
2 situation paradoxale. Les Québécoises et Québécois
3 subissent eux-mêmes depuis plus de 200 ans les conséquences
4 d'une bataille qui n'a duré que quelques minutes sur les
5 Plaines d'Abraham. Depuis, ils luttent d'une manière ou
6 d'une autre pour que leur droit à l'autodétermination
7 nationale soit reconnu dans les faits et dans la loi par
8 leurs frères et soeurs à l'extérieur du Québec.

9 Or, ce même peuple rencontre énormément
10 de difficultés à reconnaître ce même droit fondamental
11 aux premières nations établies sur ce territoire que nous
12 partageons aujourd'hui, nations qui n'ont jamais été
13 conquises.

14 Il existe donc tout un mur
15 d'incompréhension à franchir.

16 L'expérience de notre comité depuis
17 qu'il a commencé son travail nous fait dire que les élus
18 politiques portent la plus grande part de responsabilité
19 de ce mur. Ils ne font rien pour transformer
20 l'incompréhension d'un grand nombre de nos concitoyennes
21 et concitoyens vis-à-vis les revendications et l'histoire
22 des peuples autochtones, et particulièrement celles des
23 Mohawks. Au contraire, le retard accumulé des

1 gouvernements à procéder à des négociations d'égal à égal
2 sur les questions de territoire, de juridiction et de
3 droits inhérents ou fondamentaux renforce
4 l'incompréhension généralisé. Cette attitude de la part
5 des élus démontre bien qu'ils ne reconnaissent pas dans
6 les faits l'existence de la nation Mohawk malgré les
7 déclarations officielles.

8 Un des problèmes qui sous-tend cette
9 situation d'injustice demeure à notre avis la Loi sur les
10 Indiens. La mentalité colonialiste à la base de
11 l'incompréhension contemporaine puise ses racines dans
12 cette loi fondamentalement patriarcale et
13 anti-démocratique. L'histoire reflète un processus
14 menant à l'effritement du territoire de Kahnawake. Nous
15 n'avons qu'à jeter l'oeil sur les alentours pour le
16 constater: la voie maritime, ponts, routes, chemins de
17 fer, lignes hydro-électriques, toutes des interventions
18 des gouvernements n'ayant rien en commun avec des
19 négociations respectueuses, justes et équitables.

20 Quelle a été la solution de nos
21 gouvernements suite aux événements de l'été 1990 pour
22 rétablir une situation normale entre les communautés de
23 Kahnawake et les municipalités limitrophes? La solution

1 a été celle de ceinturer une de ces communautés, Kahnawake,
2 par des agents de deux forces policières, la Sûreté du
3 Québec et la Gendarmerie royale du Canada. Ainsi, un état
4 de siège psychologique qui existe maintenant depuis des
5 générations s'est transformé en état de siège visible et
6 concret depuis le 15 octobre 1990.

7 Cette politique d'encerclement de la
8 part du gouvernement du Québec tend d'une part à
9 criminaliser l'ensemble de la communauté aux yeux de la
10 majorité de la population québécoise et, d'autre part,
11 renforce l'illusion qu'il existe un problème de sécurité
12 généralisé pour la population des municipalités autour.

13 D'ailleurs, un récent jugement va aussi dans ce sens-là.

14 Au lieu de jouer un rôle constructif et
15 responsable auprès de la population québécoise, les
16 actions et les paroles des gouvernements laissent la porte
17 ouverte à l'encouragement d'une certaine hystérie dans
18 l'opinion publique envers la population Mohawk. Ce
19 phénomène est malheureusement entretenu par certains mass
20 média et avec acharnement par certaines vedettes de la
21 radio au Québec, qui fomentent impunément le racisme et
22 la haine envers les Mohawks en particulier.

23 Cette négation des droits collectifs de

1 la nation Mohawk à Kahnawake se manifeste aussi au niveau
2 des individus à cause des agissements de certains agents
3 de ses forces policières. Notre comité a porté 13 plaintes
4 devant le Commissaire à la déontologie policière du Québec,
5 et ce n'est que la pointe de l'iceberg. En effet, la
6 majorité des gens ayant le sentiment d'avoir été victimes
7 d'abus ne portent pas de plaintes. La population sur cette
8 question est fatiguée et désabusée.

9 Dans le but de minimiser les tensions
10 causées par la présence policière et pour donner un peu
11 d'espace à la population, nous avons mis sur pied une équipe
12 d'une cinquantaine d'observatrices et d'observateurs,
13 dont certains ce matin étaient ici avec nous, de
14 l'interaction des forces policières avec l'ensemble des
15 citoyennes et citoyens sur les chemins traversant le
16 territoire de Kahnawake.

17 Malgré toute cette situation difficile,
18 nous ne croyons pas que tout est au désespoir; le
19 rapprochement est possible. Notre témoignage en est un
20 exemple parmi bien d'autres à travers le Québec qu'un grand
21 nombre de démocrates québécois oeuvrent à transformer la
22 situation et que, malgré leur manque de moyens, ils veulent
23 exercer une pression sur les gouvernements pour que les

1 droits démocratiques des peuples des nations autochtones
2 soient reconnus dans les faits.

3 Nous croyons qu'il faut intervenir au
4 moins à deux niveaux qui sont inter-dépendants, soit auprès
5 des gouvernements et auprès de la population non
6 autochtone.

7 D'une façon générale nous croyons que
8 la Loi sur les Indiens doit disparaître et donner lieu
9 à une reconnaissance formelle du droit inhérent à
10 l'autodétermination des nations autochtones. Cette
11 reconnaissance formelle doit se concrétiser à travers un
12 processus de négociation de nation à nation fondé notamment
13 sur le respect des droits démocratiques, individuels et
14 collectifs, sur une base d'égalité, de coexistence
15 pacifique et de respect mutuel.

16 Nous aimerions que votre Commission
17 produise un rapport immédiat et intérimaire qui demande
18 au gouvernement du Québec et du Canada de retirer les
19 patrouilles conjointes SQ-GRC du territoire de Kahnawake.

20 Il faut en finir avec cet état de siège afin d'entamer
21 des négociations sérieuses ainsi qu'un rapprochement entre
22 les communautés.

23 De plus, nous vous demandons de vous

1 servir de vos pouvoirs d'enquête pour demander au
2 gouvernement de vous remettre une copie de l'entente
3 fédérale-qubécoise secrète mettant sur pied cette force
4 policière conjointe. À date, le refus de la rendre
5 publique laisse planer des doutes sur sa légalité.

6 Dernièrement, nous vous demandons
7 d'encourager publiquement le travail des comités comme
8 le nôtre, qui visent un rapprochement entre nos peuples
9 et communautés, à bâtir des rapport de coexistence
10 pacifique, de confiance et de compréhension entre les
11 individus et les organismes de base des communautés.

12 Pour notre part, en vue de contribuer
13 au développement de rapports normaux entre la population
14 des communautés de Kahnawake et des alentours, nous avons
15 mis de l'avant une série d'objectifs, dont les suivants:

16 - la mise sur pied d'une structure de
17 bénévoles pour observer et faire rapport de l'interaction
18 entre les forces policières et la population autochtone
19 et non autochtone;

20 - la formation d'un comité de
21 conseillères et de conseillers juridiques des droits
22 humains pour conseiller les bénévoles observateurs ainsi
23 que le comité concernant les rapport et les plaintes reçus

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1 des personnes dont les droits ont été violés;

2 - créer un groupe de surveillance des
3 médias pour recueillir des articles de journaux et autres
4 documents d'intérêt et faire recommandation de réponse
5 le cas échéant, afin de présenter au public une opinion
6 plus équilibrée de la réalité;

7 - publier un bulletin ou un communiqué
8 hebdomadaire pour informer les moyens de communication
9 locaux, les organismes locaux et la population des
10 communautés du travail et des activités du comité;

11 - établir des contacts et des liens entre
12 les divers organismes de base et leurs membres de la
13 communauté de Kahnawake et des municipalités limitrophes;

14 - définir des sujets de recherche qui
15 répondraient aux objectifs généraux ici mentionnés;

16 - promouvoir la connaissance mutuelle
17 du développement historique, social et spirituel des
18 peuples québécois et mohawk dans le respect des droits
19 démocratiques, individuels et collectifs; ici, je peux
20 ajouter que nous avons l'intention ou nous voulons ou
21 prévoyons organiser une sorte de forum d'amitié à l'automne
22 qui pourrait répondre à ce genre d'objectif que nous nous
23 sommes donné;

1 - dernièrement, fournir aux individus
2 de la population de Kahnawake et des communautés
3 limitrophes des renseignements sur les moyens qui leur
4 sont disponibles quant à la protection de leurs droits
5 et libertés ainsi qu'aux obligations qui en découlent.

6 Merci.

7 **COPRÉSIDENT RENÉ DUSSAULT:** Je voudrais
8 vous remercier d'être venue ainsi que les membres qui sont
9 avec vous représentant diverses organisations présenter
10 ce mémoire à la Commission aujourd'hui dans le cadre de
11 nos audiences publiques à Kahnawake, qui s'inscrivent,
12 comme vous le savez, dans une semaine qui est au fond
13 consacrée entièrement aux relations entre le peuple Mohawk
14 et les populations environnantes, et plus largement la
15 population québécoise et canadienne.

16 Nous apprécions le fait que des
17 organismes comme le vôtre soient créés pour s'intéresser
18 à la recherche de piste de solution et de rapprochement
19 entre les communautés respectives. Nous avons eu
20 l'occasion de le dire depuis une semaine: il est évident
21 qu'ayant parlé de part et d'autre dans le travail
22 préparatoire
23 à ces audiences avec les gens au fond qui ont été impliqués,

1 des deux côtés, dans les événements de l'été 1990, on s'est
2 rendu compte qu'un malaise profond demeurerait. Vous avez
3 parlé d'un mur d'incompréhension. J'ose espérer qu'il
4 y a quelques failles qu'il sera possible au fond
5 d'exploiter pour tâcher d'en venir à des relations plus
6 normales.

7 Nous sommes conscients également que les
8 services de sécurité publique et de police constituent
9 un point névralgique qui, actuellement, rend les relations
10 plus difficiles depuis les événements, en fait, de 1990.

11 C'est une préoccupation importante pour la Commission.
12 Nous avons dans notre mandat à réfléchir et à proposer
13 des solutions concrètes en matière de justice de façon
14 très large, et ça implique bien sûr la question des services
15 de police, la façon dont les corps policiers fonctionnent
16 et exécutent leur rôle auprès des populations autochtones,
17 entre autres, et également, dans le cadre de l'autonomie
18 gouvernementale qui est recherchée par un très grand nombre
19 de populations autochtones, comment ce service-là pourrait
20 être structuré et rendu.

21 Il y a actuellement au Canada des
22 situations très diverses. Souvent des services sont
23 rendus par des corps policiers comme la Gendarmerie royale

1 ou la police provinciale de l'Ontario et la Sûreté du
2 Québec; souvent il y a des organisations comme la police
3 amérindienne au Québec, il y a des corps policiers locaux.

4

5 Nous étions à Maniwaki l'automne dernier
6 et nous avons eu une présentation de la police du Conseil
7 de bande de Maniwaki. Dans ce cadre-là, essentiellement,
8 ce qu'on nous a dit, c'est que les relations étaient
9 excellentes entre la Sûreté du Québec et le corps policier.

10 Il y avait un problème de nomination des constables
11 spéciaux, qui tardait à venir.

12 Je dis ça parce qu'on a des exemples à
13 travers le Canada qui démontrent que c'est possible
14 d'obtenir des relations efficaces, fructueuses et au
15 bénéfice de tous.

16 Ceci étant dit, nous sommes conscients
17 ici qu'il y a une situation très particulière. Le rôle
18 de la Commission, évidemment, est de recommander, dans
19 des rapports spécifiques ou dans son rapport final, des
20 solutions concrètes. Fondamentalement, notre rôle n'est
21 pas de nous substituer aux institutions en place et d'agir
22 comme négociateurs ou médiateurs dans diverses situations
23 tendues à travers le Canada. Nous essayons, lorsque c'est

1 possible, de faire la jonction entre les urgences
2 immédiates... le cas du suicide, par exemple, en est une
3 dont on a entendu parler dans presque toutes les
4 communautés que nous avons visitées en audiences
5 publiques. Nous allons préparer un rapport qui sera
6 nécessairement intérimaire sur la question du suicide
7 lorsque nous aurons complété, d'ici l'été, les
8 consultations entreprises.

9 Vous avez présenté dans votre mémoire
10 un certain nombre de recommandations. La première a trait
11 à la Loi sur les Indiens. Il est évident que ça fait partie
12 du coeur du mandat de la Commission. On nous demande de
13 façon très, très régulière et, sinon unanime, de façon
14 très forte de remplacer la Loi sur les Indiens. Cependant,
15 on n'a pas encore entendu beaucoup de solutions concrètes
16 du remplacement ou de la substitution qui devra être faite,
17 parce que les gens sont en même temps préoccupés de
18 s'assurer que le financement ne sera pas rompu et qu'il
19 n'y aura pas un vide qui va s'établir.

20 Dans notre esprit, il apparaît assez
21 clair qu'il devra y avoir une transition flexible où, un
22 peu comme des vases communicants, les communautés pourront
23 faire des choix d'autonomie par rapport à l'application

1 de la Loi sur les Indiens, chacun à leur rythme.

2 Alors tout ça pour dire que sur le plan
3 de cette recommandation-là, c'est certainement une
4 question centrale que la Commission regarde actuellement.

5 En ce qui a trait aux deux
6 recommandations qui suivent, vous comprendrez que quand
7 vous parlez d'un rapport immédiat, nous prenons bonne note
8 de votre suggestion. Nous sommes très conscients du
9 problème et de la barrière psychologique que constituent
10 actuellement les relations sur le plan des services de
11 sécurité publique en général et de police.

12 J'ai mentionné que nous avons eu
13 l'occasion cet automne de visiter la nation Navaho en
14 Arizona, qui chevauche quatre états américains, et on a
15 été extrêmement frappé par le pragmatisme de la relation
16 qu'entretient la police autochtone navaho avec les corps
17 policiers des quatre états qui entourent le territoire
18 navaho. Il n'y a pas de raison qu'on ne puisse pas en
19 venir à des relations efficaces, pragmatiques, qui
20 permettent aux populations respectives de respirer et de
21 vivre une situation quotidienne beaucoup moins tendue,
22 parce que c'est ça, le message qu'on nous a donné.

23 Donc il y a un aspect pratique mais il

1 y a aussi un aspect psychologique. Quand vous parlez de
2 psychologie d'état de siège, je pense que là-dessus on
3 a besoin de groupes comme le vôtre, parce que ça va plus
4 loin que ce qui se passe en réalité; souvent, l'esprit
5 des gens fait en sorte qu'on vit avec une réalité qui peut
6 être déformée dans plusieurs cas, dans plusieurs
7 situations. Là-dessus, on est intéressé à poursuivre le
8 travail avec un organisme comme le vôtre, parce que c'est
9 une question non seulement d'attitudes, mais c'est une
10 question de retranchement psychologique qu'on vit de part
11 et d'autre, et ce n'est pas facile à corriger dans un
12 instantané.

13 L'autre recommandation touche l'entente
14 qui existerait entre le gouvernement fédéral et le
15 gouvernement du Québec. Est-ce que vous pourriez
16 là-dessus nous donner une explication additionnelle?
17 Quand vous parlez de cette entente secrète, pouvez-vous
18 élaborer un peu là-dessus?

19 **MARIANNE ROY:** Ça, c'est l'entente
20 entre Québec et le fédéral pour la mise sur pied de cette
21 force conjointe de la Sûreté du Québec et de la GRC qui
22 a débuté en octobre 1990. On dit "secrète", parce qu'à
23 date les différentes instances ou groupes qui ont demandé

1 de connaître le contenu, d'en avoir une copie et de
2 connaître le contenu n'ont jamais eu de réponse. C'est
3 dans ce sens-là qu'on dit qu'elle est secrète. Moi-même,
4 j'ai fait des appels l'année dernière au bureau du
5 solliciteur général, au niveau du Québec aussi, et personne
6 ne pouvait me répondre. Il ne fallait pas toucher à ça.
7 Le fédéral m'envoyait à Québec et Québec me renvoyait
8 au fédéral.

9 On a l'impression que c'est une entente
10 qui a été faite très rapidement et on se demande si ça
11 n'a pas été fait en dehors des règlements, étant donné
12 qu'ils n'osent pas la montrer nulle part. Alors c'est
13 inquiétant de savoir ça, premièrement.

14 C'est difficile de porter des plaintes
15 par rapport à des agissements, par exemple, de la GRC ou
16 de cette force conjointe là sans savoir pourquoi ils sont
17 là. On ne sait pas pourquoi ils sont là. Leur mandat
18 est dans cette entente. On peut s'imaginer toutes sortes
19 de raisons, mais on ne sait pas vraiment quelle est la
20 raison pour laquelle ils sont là. C'est cet élément
21 d'inconnu qui donne la force au gouvernement du Québec,
22 entre autres, et aussi aux médias souvent de se servir
23 donc de la présence de cette force ici, et personne ne

1 sait pourquoi, pour faire cette campagne psychologique
2 auprès de la population en général: "S'il y a cette
3 force-là, c'est parce qu'il doit y avoir une raison grave,
4 ce doit être sérieux." Mais comme ils ne nous disent pas
5 pourquoi... alors c'est pour ça que nous croyons que c'est
6 important.

7 D'autre part, par rapport aux plaintes
8 que nous avons amenées devant le Commissaire à la
9 déontologie, selon notre analyse, la procédure utilisée
10 pour assermenter ou donner le mandat aux officiers de la
11 GRC semble avoir été faite selon la Loi sur la police du
12 Québec, parce qu'on a eu, à travers des transcriptions
13 d'un procès, le témoignage d'un officier de la GRC qui
14 semble indiquer que normalement il devrait être sous la
15 juridiction de la SQ si la procédure qui a été utilisée
16 pour qu'il soit assermentée est bien ce qu'il nous a dit
17 ou ce qui a été dit. Donc on devrait pouvoir porter plainte
18 envers ces officiers-là de la GRC au Commissaire de la
19 déontologie. Si ce n'est pas le cas, alors il faut aller
20 seulement au niveau fédéral. Alors même pour porter
21 plainte contre les officiers de la GRC, on n'est pas trop
22 sûr où il faut aller. On est devant une situation
23 compliquée.

1 **COPRÉSIDENT RENÉ DUSSAULT:** Peut-être
2 là-dessus, s'il y a un certain éclairage, la GRC dans
3 l'exercice de ses fonctions, la déontologie, les
4 poursuites disciplinaires doivent nécessairement être
5 faites à partir de la structure de la loi qui a été révisée
6 en 1986, la nouvelle Loi sur la GRC, à partir de la structure
7 de l'enquête interne jusqu'à la Commission des plaintes
8 du public.

9 **MARIANNE ROY:** Mais quand on a soulevé
10 cette question-là au Commissaire à la déontologie, dans
11 sa lettre qu'il nous a renvoyée il a dit qu'il essayait
12 d'avoir des informations là-dessus, mais même lui ne
13 pouvait pas en avoir. Alors ce n'est pas si clair que
14 ça.

15 **COPRÉSIDENT RENÉ DUSSAULT:** Cela fut un
16 débat pendant plusieurs années de savoir s'il serait
17 possible de rendre à la fois, par exemple, des membres
18 de la Sûreté du Québec et des membres de la GRC redevables
19 en matière disciplinaire à la Commission de police du
20 Québec lorsqu'il y avait une action conjointe. C'est un
21 débat qui a été en fait tranché de la façon dont la Loi
22 de 1986 le prévoit. Mais là-dessus, on peut certainement
23 prendre une information, au moins pour être sûr que le

1 canal approprié est clair et que vous êtes bien informés
2 et au fait de ça.

3 Si on revient à la question du rôle de
4 la Sûreté du Québec et de la GRC -- et ça nous ramène
5 carrément au coeur du débat de la relation et de la
6 psychologie qui existent de part et d'autre -- je pense
7 que vous connaissez bien la situation au Québec où les
8 populations, d'un côté, souhaitent une protection accrue
9 et où, de l'autre côté, on a un débat en sens inverse en
10 disant que l'usage n'est pas nécessaire. Nous sommes
11 conscients que ce débat-là est au coeur... au fond, c'est
12 sans doute le noeud et la clef pour essayer de desserrer
13 un peu la crispation des relations et de faire un pas en
14 avant.

15 Là encore, ce que je peux vous dire à
16 ce moment-ci, c'est qu'on va essayer de s'informer de la
17 situation exacte et on pourra maintenir le contact avec
18 vous.

19 Je pense qu'encore une fois votre
20 présence ici est extrêmement importante et elle se situe
21 exactement dans un des objectifs que la Commission poursuit
22 cette semaine, en plus bien sûr de s'informer très
23 précisément des projets de solution à l'intérieur de

1 chacune des communautés mohawk, cet objectif de voir
2 comment trouver des pistes qui permettraient un peu de
3 dénouer un peu ou desserrer un peu l'étoupe qui oppresse
4 les gens de part et d'autre dans cette relation depuis
5 trois ans.

6 Alors je vous remercie.

7 **CO-CHAIR GEORGES ERASMUS:** You said you
8 are planning an activity later in the fall, a friendship
9 forum. Have there been any other events like that created
10 in the last two or three years?

11 **MARIANNE ROY:** Around this community,
12 you mean, or in general? I participated last August in
13 a friendship forum organized by the CAM, the Conseil
14 attikamekw-montagnais in Chicoutimi. I thought it was
15 an interesting event. It was perhaps at a somewhat more
16 official level than what we have been discussing for here,
17 where we would like to have a mixture of more
18 people-to-people, people's organizations, but also
19 inviting more official kinds of bodies as well.

20 **CO-CHAIR GEORGES ERASMUS:** So this will
21 include the community of Kahnawake and the surrounding
22 communities, is that it? How will you go about that?
23 Will you go to organizations, make public announcements,

1 encourage individuals to come up?

2 **MARIANNE ROY:** We have just started
3 discussing the idea of this forum about a couple of months
4 ago in the Committee. What we thought about -- first of
5 all, there are many organizations that are already
6 represented within the Committee, some from this area;
7 for example, Pierre's labour council covers this area,
8 and also the person who represents Development and Peace
9 also is from this area. So we have indirect contacts with
10 organizations already from some of the communities in the
11 immediate surrounding area, and also with the different
12 organizations that have been sympathetic or supported the
13 community throughout the summer of 1990 and since.

14 So through those organizations -- we
15 will invite them to send delegates to participate, but
16 also directly people's organizations, be it trade unions,
17 welfare groups, different community organizations in the
18 communities around there who could come to such a forum,
19 where people here from Kahnawake would present, from a
20 historical perspective, the demands of Kahnawake, give
21 also what has happened to the territory here. Different
22 themes that could be gone into that we have to discuss
23 with the people. It will be people from Kahnawake who

1 will be doing that, obviously.

2 So it is to try to make that first step,
3 basically, through a certain number of representatives
4 from community and people's organizations, and then we
5 can build on that. It has been hard -- we are all
6 volunteers -- to do this sort of daily work that has to
7 be done, and we thought that maybe if we had an event like
8 that, it would put the basis for follow-up afterwards.

9 **CO-CHAIR GEORGES ERASMUS:** good, thank
10 you.

11 **COMMISSIONER MARY SILLETT:** I would
12 like to thank you all. From reading your presentation
13 I understand that the Committee was created in response
14 to the crisis in this area, and I think that your objectives
15 are really, really quite good. The healing of
16 relationships between Aboriginal and non-Aboriginal
17 people seems to be a long-term thing, and I was just
18 wondering if the Human Rights Watch Committee is also long
19 term. I guess your group is voluntary, and you are not
20 a permanent structure. Is there any possibility, for
21 example, that this Committee won't be operational? What
22 will happen to the objectives of the work if that happens?

23 **MARIANNE ROY:** From March of 1991 to

1 October of 1991, we were purely voluntary. Then, for a
2 period of a certain number of weeks two people were working,
3 and then that continue for one of those people for six
4 months. So we had two people working, one person for six
5 months and another for less. That was when we were able
6 to put a lot of things together, or begin to put some things
7 together. Since then, since last April I guess, a year
8 ago now, we have been voluntary again.

9 What that has meant basically up till
10 now is that it is mainly the watch part, the interaction
11 between the police forces, that has continued, and a lot
12 of the other things that, in some ways, are really the
13 most important, the building of the bridges, has been left
14 aside for the moment.

15 We are hoping, from the last discussions
16 that we had, to ask again for funding, to try to find some
17 funding once again. The funding that we had for those
18 six months was basically NGOs from religious orders, some
19 from the trade union movement and those kinds of
20 organizations. Also, we did get about \$10,000 from
21 Secretary of State as well. We haven't spent all that
22 money from Secretary of State, and that's what we would
23 use for the forum, or partially anyway for the forum,

1 because that money was specifically given for the building
2 of bridges part of our work.

3 So I think the Committee can continue
4 to function, but it would certainly be better if we had
5 some people working at it full time.

6 **COMMISSIONER MARY SILLETT:** The
7 activities that you have been able to do so far, what kind
8 of impact do you think they have had on your greater
9 objective of restoration of good relationships?

10 **MARIANNE ROY:** Getting another view out
11 there to a certain extent. We did have a press conference
12 on the complaints to the Police Ethics Commissioner a
13 couple of weeks ago which was well covered by the press
14 and which gave another view than what is normally out there.
15 So that's part of it.

16 Also, through the organizations that
17 participate in the Committee, they continue sensitizing
18 their own membership, which is sometimes quite vast,
19 through the church organizations or through the trade union
20 movement. So that's another aspect.

21 Also, in trying to set up or create the
22 conditions to go on to some of the other aspects, we did
23 do some other work. For example, there was a People's

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1 Commission that went around Quebec, une commission
2 populaire itinérante, last fall, and we made a presentation
3 on the Committee there. So that's written up in the
4 reports of the People's Commission, which is distributed
5 across Quebec.

6 As well, in regard to the idea of trying
7 to get some kind of weekly bulletin or press release, we
8 went and spoke to one of the local teachers' union around
9 here, and they, for example, are ready to print and to
10 send out, on their expense, that to a mailing list.

11 It is slow. It is contacts that you have
12 to make, that you have to take the time to make and to
13 work on.

14 I haven't really answered your question,
15 but those are the kinds of things that are -- I don't know
16 if you could call them impacts, but we have begun to perhaps
17 have some kind of influence. And the observers that work,
18 those are all individuals who go out and talk to other
19 people. It might be small but it is the beginning, let's
20 put it that way.

21 **COMMISSIONER MARY SILLETT:** Thank you.

22 **COMMISSIONER BERTHA WILSON:** Are the
23 complaints made to your organization?

1 **MARIANNE ROY:** Yes. They are brought
2 to our organization and we bring them to the Police Ethics
3 Commissioner.

4 **COMMISSIONER BERTHA WILSON:** I see.

5 **GAIL STACY-MOORE, NATIVE WOMEN'S**

6 **ASSOCIATION OF CANADA:** I am Gail Stacy-Moore, from the
7 Native Women's Association of Canada. I have a question,
8 which is probably the reverse of what the Commission is
9 all about, but for the Commission itself.

10 I would like to know, based on the
11 recommendations or what this Committee is asking you to
12 do as a Royal Commission -- and the first thing is to produce
13 an interim report calling on the Canadian and Quebec
14 governments to withdraw the joint SQ-RCMP patrols from
15 Kahnawake territory; it is an interim report.

16 I would like to ask, will you be able
17 to do that? Is it within the mandate of the Royal
18 Commission to ask for the withdrawal of the joint SQ-RCMP
19 force? And, secondly, if it is not in an interim report,
20 will it be in the final report?

21 **CO-CHAIR GEORGES ERASMUS:** We have the
22 ability to do interim reports and we are going to do a
23 number of interim reports. The reality is, we can't do

1 interim reports on every issue that we are running across
2 across the country, otherwise we will just be running one
3 interim report after another. So we are going to do a
4 number of them. The problem is choosing which ones,
5 because since people have become aware we are going to
6 do interim reports, every time we are involved in an event
7 now people are asking us to do an interim report. So the
8 interim reports are numbering into the numerous dozens
9 at the moment. So it is a matter of us choosing each ones
10 we are going to do interim reports on.

11 **GAIL STACY-MOORE:** Then, my question
12 is: Will you support this or will you include this
13 recommendation? Will the Royal Commission support the
14 withdrawal of the joint SQ-RCMP patrols from Kahnawake
15 territory? That's what I want to know. Will you support
16 it in your report, whatever report, interim or final,
17 whatever? Will you support it?

18 **CO-CHAIR GEORGES ERASMUS:** What the
19 Royal Commission will do is, we will listen to people and
20 then we will decide what we are going to be recommending
21 as a committee. Obviously, since we have heard this
22 presentation here, we haven't even had a chance to consult
23 on it. We have probably heard the individual views of

1 people here before on those kinds of things, but, as a
2 Commission, we haven't taken any position.

3 So, when we would be coming out with a
4 report, it would be a position of all of the Commissioners
5 together. Obviously, we are not, right now, going to be
6 responding to any of the requests from people, but we will
7 have to deal with all of the issues that come before us
8 and, as a Commission, we will be dealing with them and
9 taking a stand as a group of people.

10 **COMMISSIONER VIOLA ROBINSON:** Perhaps,
11 before you leave, if you don't mind, I would just like
12 to say something. I really don't have any questions for
13 you, I think the questions have been asked, but I want
14 to make a comment.

15 I would like to commend the work that
16 you are doing. I think the work you are doing is very,
17 very important and it is very crucial, particularly in
18 the surrounding area. It is not an easy task to try to
19 get reconciliation between Aboriginal people and
20 non-Aboriginals. Certainly, as a Royal Commission we have
21 been travelling and we have been working now for 18 months,
22 and one of our goals is to bring that about and we are
23 having great difficulty. We are having great difficulty

1 in getting people to motivate people and get their
2 participation and to bring them, to allow them, to get
3 them to come forward and to talk to us, or to even create
4 a dialogue between themselves and the Aboriginal groups.

5 So it is not easy.

6 I am very encouraged to see the work that
7 you are doing. If there were more people that were
8 thinking the way you think and would get into this kind
9 of work, I think it would make things a lot easier,
10 certainly for us and for everybody else.

11 So I want to encourage you to continue
12 the work, and certainly your requests and the
13 recommendations here, we have them, they are on record
14 and they will be considered equally with everything else.

15 I just wanted to tell you that it is not something that
16 is taken very lightly.

17 **CO-CHAIR GEORGES ERASMUS:** Thank you
18 all for coming up.

19 **MARIANNE ROY:** Thank you.

20 **CO-CHAIR RENÉ DUSSAULT:** Merci.

21 **COMMISSIONER FOR THE DAY BILLY TWO**

22 **RIVERS:** Next, I would like to call upon Cynthia McComber,
23 the "Making Adult Decisions" Youth Group, please.

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1 **CO-CHAIR RENÉ DUSSAULT:** You may
2 proceed whenever you are ready.

3 **CYNTHIA McCOMBER, "MAKING ADULT**
4 **DECISIONS" YOUTH GROUP:** Good afternoon. My name is
5 Cynthia McComber and I am the facilitator for the M.A.D.
6 Group, which is a youth group ages 13 to 19. I would like
7 to introduce you to Jesse Gilbert, who is our
8 Vice-President and acting President, and Mr. Chad Diabo,
9 who is our Treasurer. They will be making the presentation
10 to you today.

11 **JESSE GILBERT, VICE-PRESIDENT AND**
12 **ACTING PRESIDENT, "MAKING ADULT DECISIONS" YOUTH GROUP:**
13 (Mohawk language - no translation)

14 I would like to welcome you who are here
15 to listen to us today. I am Jesse Gilbert.

16 **CHAD DIABO, TREASURER, "MAKING ADULT**
17 **DECISIONS" YOUTH GROUP:** My name is Chad Diabo.

18 **JESSE GILBERT:** We are here to represent
19 how the youth of Kahnawake feels relations can be improved
20 with Canada.

21 **CHAD DIABO:** Some of the problems we
22 found were race relations between Natives and non-Natives
23 off reserve, relations with the outside police forces,

1 mainly RCMP, Sûreté du Québec and the MUC of Montreal.
2 We found there is a lot of prejudice out there, especially
3 when we are looking to find jobs. There is also the problem
4 of stereotyping, name-calling or labelling of other
5 people.

6 Another problem we have seen is the
7 problem of medias leading to stereotyping. Most of the
8 time they report only bad events which occur on the reserve
9 and not many of the good ones. Jesse will tell you about
10 solutions we found for those.

11 **JESSE GILBERT:** Myiow.

12 Chad and I have gone over several of
13 these problems listed and we believe that the following
14 solutions will improve all of those problems or better
15 those problems that we have with Canada.

16 Funding and human resources. More
17 monies should be made available to specific groups, such
18 as youth-oriented groups, to help them reach their fullest
19 potential.

20 Education. These monies would be used
21 for providing both Native and non-Native people with
22 information and/or education about one another. We felt
23 that if non-Native communities knew who and what we really

1 are, there would be no stereotyping or discriminating
2 between us.

3 Another solution would be
4 multiculturalism, and that would basically be gatherings
5 between us.

6 We have listed possible programs that
7 could be set up with fundings that could be granted, and
8 they are the following.

9 **CHAD DIABO:** The programs would be
10 geared toward youth. Student exchanges between the youth
11 of Kahnawake and the surrounding communities. Early this
12 year our group, the M.A.D. Group, got exchanged with
13 non-Native youth from Ontario. It was mainly a group of
14 troubled kids. We had a meeting between the Adults of
15 Tomorrow Group and the M.A.D. Group and we spent a week-end
16 together learning about each other and becoming friends,
17 which we still are.

18 Also, the M.A.D. Group, a couple of years
19 ago -- a group of students of the former Russian Republic
20 visited Canada, and while they were here they wanted to
21 learn about Natives. So the M.A.D. group joined with them
22 and we went around with them for a couple of days, learning
23 about each other's culture.

1 Another program which could be set up
2 to help better our relations with each other would be
3 conferences. In the past the M.A.D. Group has attended
4 conferences, "Native Awareness in our Sexuality"; that
5 one held in Arizona. There was recently the "Healing Our
6 Spirits Worldwide", which was held in Edmonton. That was
7 a conference dealing with Native issues and our
8 self-awareness which was held in Edmonton. We also
9 participated in "Our Children's Future is Everyone's
10 Responsibility". That was held here in Kahnawake for our
11 youth. That was about the problems our youth face and
12 how to better aid them in the coming future.

13 **JESSE GILBERT:** We also feel that
14 workshops would also help in educating the youth of Canada.
15 M.A.D. Group has participated in many different workshops
16 on many different subjects, some of which are
17 communications, sexuality, culture and traditions,
18 conflict resolution or problem solving, AIDS and condom
19 awareness, et cetera. These workshops teach us very
20 valuable lessons we carry on into our adult lives. I feel
21 that it would be to everyone's benefit to attend several
22 such workshops.

23 Also, M.A.D. Group holds social

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1 activities. We are very good at it, actually. We provide
2 the community, the youth and the adults, with alternative
3 or dry activities for fun. These activities are
4 non-alcoholic -- there is no alcohol served. In turn,
5 we as a group get monies to use for our own activities
6 such as conferences, workshops, outings.

7 Most of our social activities are
8 fund-raising events. Some of them have been the
9 following: dances, car washes, raffles, chocolate sales,
10 cookie sales, spaghetti luncheons, and we have also
11 delivered Bell telephone books, not to mention the projects
12 that we have been involved in from other services like
13 the Kateri Hall Anniversary Dinner, the Harvest Fair, the
14 American Gladiators, the Firemen's Ball, Youth Center's
15 Mohawk Miles and mutual fund raisers, volunteering at
16 Kateri Memorial Hospital, Kahnawake Youth Centre's
17 scavenger hunt and many others.

18 **CHAD DIABO:** In conclusion, we would
19 like to say that the M.A.D. Group has been in existence
20 since 1984. We are a self-sufficient group in that we
21 have no base funds to work from. We raise our own monies
22 by our fund raisings.

23 Some of the things we have been able to

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1 do with the monies we fund raise have been to attend
2 conferences -- as I said, we attended conferences both
3 in Arizona, Edmonton, Costa Mesa, California, and local
4 ones here in Montreal and Kahnawake. We have also attended
5 workshops to better ourselves and our community.

6 Many past M.A.D. Group members hold
7 respectful and responsible positions in our community.
8 Some have gone on to become firemen, teachers, graduates
9 and peacekeepers; others own their own businesses today.

10 We would like to say that, as
11 representative of the youth of Kahnawake, we feel that
12 the walls should be broken down between us and the outside
13 cultures. By educating everyone, we can better the
14 understanding between peoples. If things like that are
15 done, we will have a better future.

16 **JESSE GILBERT:** One of the things we
17 would really like to see is the government and our own
18 community leaders give us responsibility and support in
19 the decision making that goes on in our community and also
20 nationally, as we are the future generation of leaders
21 of the Mohawk people. We would like also to see more
22 financial support for youth and youth activities. If more
23 funding were granted to us, we could continue on with more

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1 of the above-mentioned activities, such as conferences,
2 workshops, and make them bigger, open to people outside
3 our community. We could host bigger conferences, more
4 workshops and more social activities and gatherings.

5 Thank you. Myiow kowa (PH).

6 **CO-CHAIR GEORGES ERASMUS:** Thank you
7 for your presentation. I got a kick out of your name,
8 M.A.D.

9 One of the things I would like to let
10 you know is that the Royal Commission is going to hold
11 a Round Table on Youth Issues this coming fall. It will
12 be a national round table. We are not exactly sure yet
13 how delegates are going to be selected, but we intend on
14 having a forum which will represent Aboriginal youth from
15 across the country. So if you could give us your mailing
16 address, we will try and keep in touch with you. We will
17 be creating a committee fairly soon, if one hasn't been
18 created already, to deal with this round table. Our
19 National Round Table Co-ordinator is Myrtle Bush (PH),
20 who is here. You probably know her reasonably well. She
21 works out of the Royal Commission offices in Ottawa.

22 What I wanted to ask was why do you use
23 this concept of making adult decisions? Is there some

1 background to that? What exactly does that mean?

2 **CHAD DIABO:** The reason we chose the
3 name M.A.D. Group, "Making Adult Decision", is because
4 we are youth; if we are to be the next generation of leaders,
5 we have to make decisions for ourselves.

6 In the M.A.D. Group, we have President
7 and a Vice-President. Jesse right now is the Acting
8 President. I am the Treasurer. We are really organized.
9 We do that because we have formed it according to the
10 way adults would, so we better understand the way our
11 responsibilities will be in the future. That's why.

12 **CO-CHAIR GEORGES ERASMUS:** What age
13 group do you cover?

14 **CHAD DIABO:** The age group is mostly
15 teens, 13 to 18.

16 **CO-CHAIR GEORGES ERASMUS:** Do you work
17 out of this centre that we heard about a little bit earlier?

18 **CHAD DIABO:** Do you mean the Youth
19 Centre?

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

21 **CHAD DIABO:** No. We work out of the
22 KADAPP building, Kahnawake Alcohol and Drug Abuse Program
23 Prevention building. As of now we don't have our own

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1 building. Our address is that of the building there.
2 We don't have the funds to get our own building, but that
3 is one of our future projects.

4 **CO-CHAIR GEORGES ERASMUS:** Do you have
5 regular activity?

6 **CHAD DIABO:** Yes. We have regular
7 meetings every Monday and general meetings once a month.
8 There we deal with issues of planning our future
9 activities, whether it be going to the movies, having
10 special dinners. There we plan our volunteering
11 activities, where we are going to volunteer and how we
12 are going to go about it, and we plan our fund raisers
13 and other social activities.

14 **CO-CHAIR GEORGES ERASMUS:** What link do
15 you have to adults? You had an adult who introduced you.
16 Is there kind of an advisory group?

17 **CHAD DIABO:** We have our facilitator,
18 who is our worker from the KADAPP building.

19 **CO-CHAIR GEORGES ERASMUS:** Okay.

20 **COMMISSIONER BERTHA WILSON:** Could I
21 ask how many people are involved with your group?

22 **CHAD DIABO:** Currently, we have about,
23 I would say, 15 or 20 members that are active. Like I

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1 said, a lot of our past members have gone on to become
2 leaders in the community, whether it be peacekeepers,
3 firemen or teachers. Our entire roster would be around
4 I guess maybe 50, past and present members.

5 **CO-CHAIR RENÉ DUSSAULT:** May I ask you,
6 you thought about bringing together young non-Aboriginal
7 people and young Aboriginal people, Mohawk people in
8 particular, and you thought about the need of money to
9 do that. I was very interested in this idea. Have you
10 been doing it so far in your activities that you had, events
11 where you had both, young people from the Montreal area
12 and young Mohawk people participating in those events?
13 Has it occurred, or is it still a plan that you have in
14 mind?

15 **CHAD DIABO:** In a couple of activities
16 we have had -- we include the Youth Centre of either groups
17 from within Kahnawake, when we plan an activity. We have
18 had mutual fund raisers with the Youth Centre as such,
19 and, yes, we do plan to include other maybe nations or
20 other reserves of Mohawk people into our activities. But
21 as such, right now, we don't have the funds for that.

22 **CO-CHAIR RENÉ DUSSAULT:** So it hasn't
23 happened yet. You would like to be able to do that in

1 the future.

2 **CHAD DIABO:** Yes, we would

3 **CO-CHAIR RENÉ DUSSAULT:** One of the
4 things we have in mind -- we are juggling with ideas about
5 how the Youth Round Table should be organized, and we are
6 going to consult or get the best ideas of young people
7 across the country to make it possible to have both young
8 non-Aboriginal people and Aboriginal people participating
9 in that event, because we feel that it is certainly probably
10 the best shot for the future, to start with young people
11 understanding each other.

12 **CHAD DIABO:** I am sure there already
13 have been activities such as you speak of, but to our
14 knowledge we haven't had any.

15 **JESSE GILBERT:** I was also a member of
16 the Iakotehia:ron, the Adults of Tomorrow Group, which
17 held a Teen Forum in January. It went relatively well,
18 but, as we say, if the funds were available, this could
19 be done on a larger scale. The Teen Forum was only held
20 for the youth of Kahnawake.

21 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
22 much.

23 **CHAD DIABO:** Myiow.

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

2 **COMMISSIONER FOR THE DAY BILLY TWO**

3 **RIVERS:** Next I would like to call on Ms. Kahn-Tineta Horn
4 and Ms. Dale Dione, please.

5 **KARONHIAHENTE DALE DIONE:** Good
6 afternoon. We will be doing the presentation in two parts.
7 My name is Dale Dione. I am a citizen of the Mohawk
8 Nation. The subject that we are going to be discussing
9 is Iroquois Democracy and the fact that the Mohawk Nation
10 struggle still continue.

11 I would like to begin by a quote from
12 one of our elders, who is also a scholar, Louis Kariaktajeh
13 Hall. He has said:

14 "In the mainstream system, the person who gets the most
15 votes wins. Once they're in
16 office, they don't have to consult
17 with their constituents, and can
18 be dictators for the next four
19 years."

20 He says:

21 "This is not democracy!"

22 We see this all over the world. He also continues in
23 saying:

1 "In the United States the president has the power to declare
2 war on another country. They can
3 use the army for their own personal
4 purposes."

5 Iroquois democracy does not allow such
6 autocratic power, much less for it to be vested in any
7 one person.

8 Our democracy is so unique that it was
9 studied but not fully adopted as a foundation for the United
10 States constitution and the Charter of the United Nations.

11 It was studied by Marx, Engels and others for the
12 development of their ideologies for social structures.

13 To understand the Mohawk, you have to
14 know what happened to us in the past, the strategies used
15 to steal our land and assets, and about our laws and how
16 we deal with our national concerns. We will briefly
17 provide some background of the Mohawk Nation, explain our
18 form of democracy, our structure for resolving issues,
19 and our present struggles.

20 All we indigenous peoples are connected
21 by our race, our common history and our roots in the western
22 hemisphere. Recent reports such as "American Indian
23 Holocaust and Survival" state that 85 to 112 million of

1 our people died as a result of the theft of the western
2 hemisphere by the Europeans. Our own Native historians
3 report at least 120 million.

4 The growth of the European populations
5 began an era of oppression of Native American people,
6 languages, ceremonies and spiritual expression which
7 resulted in genocide. Native American peoples ceased
8 being nations of people and became victims and wards of
9 the government.

10 Racism is ignorance. Dehumanization is
11 the strategy that was used to slay the Indian people who
12 were in the way. Genocide was justified through control
13 of the knowledge doled out about us. We were looked at
14 as a thing, because we are of the past, all dead, buried
15 and forgotten, an invisible race. This is undercover
16 racism, or genocide disguised as "paying respect to the
17 dead".

18 The Mohawk Nation refused to give in to
19 those strategies and has remarkably survived intact, for
20 the most part, aware of our rights, history and identity.

21 Why? A few have managed to preserve our Constitution,
22 known as the Kaienera:kowa, the Great Law of Peace, and
23 this knowledge has preserved our existence. It was

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1 necessary for our people to go underground and continue
2 our traditions and spiritual ceremonies for a long period
3 of time in our history.

4 Who are the Mohawks? The Mohawk Nation
5 is one of the founding nations of the original Five-Nation
6 Iroquois Confederacy -- behind you I see you have a flag
7 which is a replica which represents the five nations --
8 the caretakers of the northeastern part of Turtle Island,
9 or North America. As the sole custodians of the land we
10 occupy, none other may hold title to our territories.
11 Creation placed us here and only Creation may take it away.

12 The other nations are the Seneca, Oneida, Cayuga and
13 Onondaga.

14 All confederacy nations are responsible
15 for the preservation and protection of our Constitution,
16 the Kaienere:kowa, the Great Law of Peace, given to us
17 by the Peacemaker. In 1712 the Tuscarora Nation joined,
18 making this the Six-Nation Iroquois Confederacy, the first
19 "United Nations" established to advance peace, harmony,
20 respect and equality. We established a strong democratic
21 and spiritual way of life, which guides our people today.

22 One of the main problems in dealings
23 between the Aboriginal people and the mainstream

1 governments is the differing processes of decision making
2 followed by each. The Iroquoian people, coming from a
3 communal society, often find themselves in conflict with
4 the mainstream hierarchal decision-making process.

5 As part of our Great Law of Peace, our
6 consensual process of decision making became the essence
7 of the democratic principles which direct our people today.

8 The original democracy.

9 Our people understand that the purpose
10 of government was to abolish war and robbery among
11 brothers, to establish peace and quietness, to prevent
12 the abuse of human beings by cultivating a spiritually
13 healthy society, to establish peace, not law and order.

14 Peace was defined as the active striving
15 of humans for universal justice. Peace is enacted through
16 education, public opinion, political and, when necessary,
17 military unity.

18 Righteousness directs that all thoughts
19 of prejudice, privilege or superiority be swept away and
20 recognizes that Creation is intended to benefit all
21 equally.

22 The power to enact a true peace is the
23 result of a unified people who are on the path of

1 righteous and reason. The power that the Peacemaker
2 spoke of was intended to enable the followers of the law
3 to call upon warring or quarrelling parties to lay down
4 their arms and to begin peaceful settlement of their
5 disputes. This is true power when our people are united.

6 The criteria.

7 Our system, which has worked well for
8 at least a thousand years, is based on the above-mentioned
9 three main criteria:

10 One, peace; does the decision preserve
11 the peace that is already established?

12 Two, righteousness; is it morally
13 correct or right?

14 Three, power; does it preserve the
15 integrity of the nation? What does it do for the present,
16 and how does it affect the future seven generations from
17 now?

18 The goal in entering the consensual
19 decision-making process is not complete agreement, but
20 complete understanding, while not violating the will and
21 the rights of each individual.

22 The clans.

23 The Mohawk Nation is divided into three

1 main clans, or extended families: Wolf, Turtle and Bear.

2 This clan system is passed on through the mothers. Each
3 clan has three Clan Mothers, who are selected by the people
4 of each clan. Each clan has three spokespersons, who are
5 called Rotianer, who can be deposed by the Clan Mothers
6 or upon the direction of their clan. Men always belong
7 to their mother's clan and must marry a woman from another
8 clan. Their children are members of their mother's clan.

9 The Rotianer -- people relate that to
10 chiefs -- in council do not hold absolute governing powers,
11 but in fact are the spokesmen and mentors of the people.

12 The rotianer during council bring together all the factors
13 after the people have decided, using the consensual
14 procedure. Then the Rotianer sanction the decisions made
15 by the three clans.

16 The Well-Keeper. When an issue that is
17 of great concern to all the people comes before the nation,
18 the Well-Keeper and the War Chief will call a meeting of
19 the people. The people sit in their clans to discuss the
20 issue.

21 The War Chief, who is selected by the
22 men and is accountable to the people, keeps order during
23 the meetings. He makes sure that all protocol is followed

1 by everyone.

2 Whatever ideas the participants
3 contribute to the decision-making process, their needs
4 and attitudes will be considered and will complement the
5 decision. Also, the individuals have a duty to attend
6 the meeting, to be directly involved and bring their ideas
7 into the discussion within their clan. The final decision
8 will be fully satisfactory to some, satisfactory to some
9 others and relatively satisfactory to the rest, but will
10 reflect elements from every group. All must have a
11 complete understanding of the final decision. A whole
12 description of the process will be attached in appendix,
13 which we will deposit after the presentation.

14 Throughout our history in our relations
15 with foreign nations our people used our democratic process
16 to establish treaties of peace and friendship with them.
17 When the American Constitution came into being, using
18 some of our form of democracy, many of the terms of our
19 democracy were not included, the most glaring omission
20 being the equal and complementary positions of women and
21 men.

22 Unfortunately, oppressors do not want
23 true democracy in its original form to be established

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1 throughout the world because their repressive institutions
2 would have to be torn down and true democratic structures
3 would have to be set up so that all of humanity can enjoy
4 the basic natural freedoms embodied in the Great Law.
5 The new world order, the control of the world by one
6 dominant power, according to the Great Law, is unnatural
7 and enslaves most peoples of the world.

8 In our view, our system can be the map
9 for the survival of the world, because it establishes the
10 indigenous people as the caretakers of the environment.

11 The original vision of the Peacemaker
12 was to provide the message of the Great Law of Peace to
13 all people of the world. People who are concerned about
14 liberation and seeking shelter must follow the roots of
15 the Tree of Peace to its source, take up the great Law
16 and promote it wherever they are.

17 One of the recommendations we would like
18 to make to the Royal Commission is that the Royal Commission
19 do a study of the Iroquois system of democracy for the
20 purpose of understanding us, because our system does not
21 conform with the mainstream systems, and it seems that
22 whenever we invoke our own system we come into conflict
23 because we do not conform, everyone else around us is

1 different.

2 I will pass on the rest of the
3 presentation to Ms. Horn. Thank you.

4 **KAHN-TINETA HORN:** Myiow kowa (PH).

5 I will get into the recent events.

6 The Iroquois continue to presently cling
7 to the principles of the Great Law. Consequently, the
8 Mohawk Nation have been persecuted by those forces that
9 would stop the Great Law from taking its earthly course,
10 to bring peace and harmony to peoples everywhere.

11 Since contact the invaders have
12 vigorously attacked us and our ways. In 1892 New York
13 State forcibly placed a foreign form of government in the
14 Mohawk territory of Akwesasne and passed laws restricting
15 the traditional government there. Canada used the same
16 strategy, violently imposing puppet governments on our
17 territories. The full story of these betrayals and
18 atrocities are slowly unfolding.

19 Today we struggle to maintain our true
20 democracy. Consequently, we continuously clash with the
21 Euro-American society. Both the United States and
22 Canadian governments have consistently sabotaged our
23 sovereignty and have breached their lawful covenants with

1 us, more so since 1979 when the Mohawk Territory at
2 Akwesasne clashed with New York State authorities and the
3 Onondaga Nation, near Syracuse, said they would blow up
4 power lines and paralyse America. Since then the United
5 States and Canadian governments have accelerated their
6 efforts to destroy the Mohawk Nation. Why? Because we
7 have consistently maintained our political position as
8 a nation, demanding rightful nation-to-nation relations
9 with the settler states.

10 In the summer of 1990, we Mohawks were
11 once again involved in an armed confrontation with the
12 Canadian army at Oka, Quebec. Today our communities are
13 in a constant state of siege, surrounded by swarms of both
14 RCMP, the Royal Canadian Mounted Police, and SQ, the Sûreté
15 du Québec, police, with routine police surveillance and
16 harassment, and even official and unofficial wiretapping
17 by various government agencies. We hear some of their
18 policemen have even learned to speak Mohawk!

19 The media, Sûreté du Québec and Quebec
20 government are creating fear amongst the non-Indians
21 against Mohawks. In a recent case, 37 motorists were
22 issued traffic tickets by Kahnawake peacekeepers, and the
23 Quebec Superior Court dismissed their charges because they

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1 said they were afraid to enter Kahnawake. Public Security
2 Minister Claude Ryan stated:

3 "The conclusion of the Justice was that those citizens
4 who brought their case to court
5 were justified in deciding they had
6 reason to be afraid about going to
7 pay their tickets in Kahnawake.
8 I'm satisfied. I think (the
9 verdict) confirms what we've said
10 all along -- that as long as those
11 watchposts are there and they're
12 handled by people who are often
13 armed, that's absolutely
14 unacceptable."

15 --- (Power Failure)

COMMISSIONER FOR THE DAY BILLY TWO

17 **RIVERS:** We will call a five-minute break.

18 --- Short Recess at 3:45 p.m.

19 --- Upon resuming at 3:55 p.m.

COMMISSIONER FOR THE DAY BILLY TWO

21 **RIVERS:** (Native language - no translation)

22 **KAHN-TINETA HORN:** Myiow. I told you
23 there was surveillance!

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1 All the testimony given by individuals
2 in these articles against Kahanwakeronon was all
3 substantiated. This fear mongering has to stop. We have
4 attached two articles from the Montreal Gazette as Appendix
5 2.

6 I would like to ask you Commissioners
7 if you were afraid to come to Kahnawake. If not, we would
8 recommend that each Commissioner write a letter to Claude
9 Ryan, the Minister of Public Security of the province of
10 Quebec, just telling him that you were not afraid of us.

11 After the 1990 War the courts have been
12 used as a way of trying to exhaust our financial resources.

13 The Mohawks were accused of obstructing
14 the army and the SQ and participating in a riot from
15 September 1st to September 26th, 1990. When the Mohawks
16 came out of the Detox Centre, which had been turned into
17 a concentration camp by the Canadian army, surrounded by
18 razor wire, 2,000 soldiers and enough armaments to start
19 a small war, we were all arrested.

20 An economic boycott promoted by the
21 government and their agencies has resulted in welfare
22 dependency, social breakdown and a rise in family violence.

23 Frequent arrests and long court cases, which causes a

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1 financial drain, are the strategies being implemented
2 here. Even in my own personal case, where I was fired
3 by the Department of Indian Affairs and went to court and
4 defeated them and was reinstated, the federal government
5 has appealed that decision. I am presently being harassed
6 by personnel and I have taken grievances on the basis of
7 racism and sexism right at this very moment. So it just
8 continues.

9 The first trial was of three Warriors
10 -- Cross, Lazore and Lazore -- which started in October
11 1991 and didn't finish until February of 1992. After five
12 months of courtroom gymnastics and a staggering legal bill,
13 one was acquitted and the other two were convicted of
14 beating up a fellow Mohawk who had been a police informant.
15 They have been granted bail pending appeal of their
16 convictions, and the bail is \$50,000, which is an
17 incredible amount for such a crime.

18 The trial of the 39 other Mohawks and
19 our allies then started in March 1992 and finally finished
20 on July 3rd, 1992. All were acquitted. About 200 other
21 Warriors, men and women, were also either charged or there
22 were warrants that were either just withheld, or some were
23 served, or they tried to serve it on them, for offences

1 relating to this defence of our lands, and many of them
2 have been processed through the Canadian legal system.
3 At this time we are presently all free.

4 Now there is a much publicised inquest
5 into the shooting death of SQ Constable Lemay, a member
6 of the para-military forces who, on the morning of July
7 11th, 1990, descended on The Pines at Kanesatake and opened
8 fire on a peaceful demonstration of Mohawk men, women and
9 children. Canada and Quebec are desperately trying to
10 pin this death on the Mohawks, who were defending Mohawk
11 lands and rights.

12 We are Mohawk citizens, a sovereign
13 people who are neither Canadian nor American citizens.
14 Throughout our history we have always declared ourselves
15 independent of, and not subject to, other nations. The
16 efforts of the United States and Canada to subjugate our
17 people is a violation of our right to self-determination
18 under international law. Thus, we do not participate in
19 the foreign -- that's the United States and Canadian --
20 electoral or other processes.

21 We are determined to survive as Mohawk
22 Nation citizens, to live according to Mohawk law and
23 custom. Our will is to promote and establish conditions

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1 for self determination, justice, international
2 recognition of our nation, to safeguard our future seven
3 generations, to secure social peace, security and a quality
4 standard of life harmonious with Creation.

5 Paulo Friere said:

6 "Freedom is acquired by conquest, not by gift. It must
7 be pursued constantly and
8 responsibly. Freedom is not an
9 ideal located outside the man; nor
10 is it an idea which becomes myth.
11 It is rather the indispensable
12 condition for the quest for human
13 completion."

14

15 "The ideas of the Iroquois Confederacy continue to live,
16 also, and little by little the
17 world is being exposed to these
18 ideas. As long as those ideas
19 remain alive, the possibility
20 remains that the Peacemaker's
21 vision of a world in peace and
22 harmony may yet be realized."

23 (Sitsisowah, Edited by Akwesasne Notes)

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At the United Nations Headquarters in Geneva in 1977 one delegate said:

"We may seem small yet -- but we represent the aspirations of millions and millions of people -- small nations which will be recognized."

Human beings are abusing one another, the planet they live on and themselves. The destruction of the natural world and its peoples is the clearest indicator of mankind's spiritual poverty. This message is addressed to you all, to the Commission and to the western world, which clearly identifies western civilization as the very process of that abuse of humanity and of nature.

Our main recommendation is co-existence through equality, meaning nation-to-nation relations.

Tohkaniko (PH). Myiow.

CO-CHAIR GEORGES ERASMUS: Thank you.

Thank you for the thought that has gone into this and the effort of putting this down. This is a fine piece of work.

We have heard the way that the Iroquoian

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1 people have made decisions before, but I don't think the
2 same kind of effort has ever gone into a presentation.
3 It is very, very clear; very good work.

4 It is interesting the way that you
5 describe the consensus process of decision making. It
6 is as close a way of describing a way the way that Dene
7 make decisions as you can possibly make it, the consensual
8 approach of some people fully being on side, some people
9 partially being on side and all the rest of it, and that
10 the key thing is that everyone understand. I have never
11 heard it presented better.

12 You suggest that we do more work on it.
13 It seems to us that the best people that probably should
14 do the work is the Iroquoian people themselves. I suppose
15 we could assist.

16 We are in fact, and have been for a while,
17 talking to the Confederacy to in fact get an agreement
18 with them so that the Commission could get as thorough
19 an understanding of the decision-making process and the
20 importance of the treaties as possible. We wanted to work
21 out a relationship with them that allowed us to do the
22 work. We have had some meetings. I am not sure now if
23 we have actually arrived at an agreement on it, but we

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1 have been trying to go through the proper protocol to do
2 the work.

3 So I guess to a certain degree what I
4 am trying to tell you is that we already for a while have
5 thought that we need to get a clear understanding of the
6 way that the Confederacy operates, the way the
7 decision-making process operates and the clear importance
8 historically of the treaties and how they might play a
9 role in the future. We thought the best people we needed
10 to do that with was in fact the Confederacy.

11 So we have made some initial approaches.
12 Some additional meetings have taken place at the staff
13 level. The first one was between the Commissioners and
14 the representatives of the Confederacy.

15 I guess in principle all I am trying to
16 say is that we don't disagree. This is an area that we
17 think is extremely important for people to understand the
18 way in which the democracy worked and the very big
19 differences there is.

20 Your presentation starts at the beginning
21 with how, in the electoral system, you can just about be
22 electing a dictator for four years, and so forth, and it
23 is certainly not the way the traditional system worked.

1 That's a very, very good point.

2 Do Commissioners have any questions or
3 comments? René?

4 **CO-CHAIR RENÉ DUSSAULT:** I would just
5 like to emphasize what Georges just said, that this is
6 a very clear and informative brief that you have presented
7 to us. We feel that it is very important for the Commission
8 to have a clear understanding of the Confederacy process
9 and democracy. We hope that, either through the
10 Confederacy or through other channels, we will be able
11 to keep in touch and pursue that, to make sure that we
12 have the right picture.

13 I would like at this point to thank you
14 very much for coming, joining us at the table and presenting
15 this brief.

16 **KAHN-TINETA HORN:** Thank you very much.
17 I appreciate your listening and your understanding the
18 points that we are trying to make. I guess with Canada
19 and the Aboriginal people continuing to be at loggerheads,
20 you have to now go pretty far to understand us and, instead
21 of the Canadian system, seeing our ways as being absurd
22 and using that as an excuse to legitimate their use of
23 coercive force on us. We can't live that way any more.

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1 We won't live that way any more. It is institutionalized
2 racist policy and it has led to some very serious conflict;
3 it has undermined us and it has undermined our rights and
4 our possessions and our resources. It is really just state
5 terrorism that we have been the victims of.

6 So we would like you to take very
7 seriously the strong feelings that we have about our way.

8 It is a natural way. The power comes from the people
9 and it is not a hierarchical system where it is dictated
10 from the top down; it comes from the people.

11 If you are going to deal with people or
12 consult with people, make sure you are consulting with
13 "the" people, not with people that you select and say,
14 "Okay, you are the representatives of the Confederacy".
15 You have to deal with the people themselves.

16 However long it takes, we are patient.
17 I have been involved in this fight for all my life, and
18 it is just a continuation of the fight of my grandparents,
19 my father, my relatives. I am just a continuum. I am
20 patient. I have children, and they are going to fight
21 too. So we are going to keep right on going, because we
22 really do believe we are right, and we can't compromise
23 what's right.

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1 I am glad you listened. Myiow kowa
2 (PH).

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

4 **COMMISSIONER FOR THE DAY BILLY TWO**

5 **RIVERS:** I will call on Donald Horne, please.

6 **DONALD HORNE, DIRECTOR, KAHNAWAKE**

7 **SHAKOTII'TAKEHNHAS COMMUNITY SERVICES:** Myiow, Billy.

8 I would like to thank the Commission for
9 allowing me the opportunity to appear before them this
10 afternoon.

11 As a representative of one of the
12 organizations within Kahnawake that is responsible for
13 some of the care-giving types of services to the community,
14 I guess my presentation is not going to be more along the
15 lines of telling what the problems in the community are.

16 I think earlier today you became very aware of what the
17 community problems are in the presentation made by Edward
18 Cross and Mike Diabo. I think what I would prefer to do
19 this afternoon is to give you some of my observations on
20 some of the barrier that we encounter in trying to deliver
21 adequate services and having to deal with some of the
22 policies of the government that are supporting us in trying
23 to deliver these services to the community here.

1 We talk about the need for development
2 of our communities. All too often I think we need to
3 understand the difference in perspectives -- the Native
4 communities versus mainstream communities -- because the
5 policies that are set often times are not coming from Native
6 peoples in the first place.

7 I think that if you looked at a snapshot
8 of a landscape across Canada, it would show that Native
9 communities are all at various stages of development, and
10 the policies that are implemented often assume that what
11 will work in some communities will work in others. It
12 has always been the historical background in the
13 government's approach to development, and you have to
14 question whose agenda is really being followed: the
15 government's or the Native communities'.

16 All too often it seems that the
17 government of the day's political agenda is the one that
18 drives the priorities that are being put forward. Stress
19 on universality of programs is one that is a hindrance
20 to Native communities' development.

21 We have examples of programs that have
22 been developed in areas, like Native Alcohol and Drug Abuse
23 Program, CHR programs, where job descriptions and program

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1 activities are already predetermined in some instances
2 by the funding source; so there is very little flexibility
3 for communities to operate to meet their own needs.

4 We have to be conscious of what seems
5 to be an approach to fund crisis types of programs. I
6 will give you some examples in the past few years of
7 programs that have come down the line: fetal alcohol
8 syndrome, family violence, AIDS, child abuse, suicide
9 prevention. This is not to say that those are not very,
10 very serious problems within our Native communities, but
11 what I am saying is that they are not at any given time
12 all the same problems in all the same communities.

13 So we have to consider the optics of this
14 approach by government. Is it because then the
15 politicians can report that the "problems" are being looked
16 after? Is it because then their bureaucrats can claim
17 that they have met the objectives of their operational
18 plans for the region and the national plan?

19 I think we have to consider what the
20 impact of this approach has had on our communities. We
21 have to understand what the infrastructure of a lot of
22 our communities across Canada are.

23 Kahnawake in a sense is fortunate to have

1 a good infrastructure in terms of dealing with some of
2 our situations. However, this is not the case in a lot
3 of the other communities across Canada.

4 Most of the administration is done by
5 one band manager, who is more than likely overwhelmed in
6 trying to keep up with the reporting requirements of the
7 existing funding arrangements. All of the programs from
8 Indian Affairs, Health and Welfare, in some instances
9 provincial programs all require to sign separate
10 agreements which are very cumbersome in terms of the
11 legalistic types of requirements that are built into those
12 agreements. Often times program proposals are difficult
13 to develop. There are different criteria that are
14 demanded from each one of the funding sources.

15 Then we have to consider that if an
16 individual does take the time to develop a proposal, the
17 rejection of that proposal due to lack of funding or because
18 some vague criteria was not met creates what I consider
19 is a lost opportunity. The community may not reapply in
20 the future as a result of frustration at the system.

21 I think another issue is that some of
22 these new programs are seen as job creation opportunities
23 by some of our Native political leadership and not as

1 meeting a need within the community. We often see
2 situations where people are not hired on their abilities
3 to deal with the issues but for other reasons, and often
4 these people are part of the problem and may result in
5 a loss of credibility for that particular program, making
6 it difficult for that program to recover from that loss
7 of credibility.

8 Some of these new initiatives that come
9 down have an impact on the existing program delivery staff
10 in place in the community. For example, with the Alcohol
11 and Drug Abuse Programs, in most instances they already
12 have a large responsibility for treatment and prevention
13 programs as well as other programs dealing with youth.
14 The CHR in a community may be responsible for primarily
15 health care as well as prevention programs, environmental
16 health issues and the like.

17 The other care-givers in the communities
18 are also overloaded, such as nurses, police and social
19 workers. Often times there is little or no co-ordination
20 of services. So the impact of these new responsibilities
21 that are coming down may be seen as being an added burden
22 to their already overloaded case load. What it does is
23 it dissipates energy and it increases the potential for

1 burnout. It also leads to confusion as to the direction
2 being taken by the community leadership.

3 I think that the greatest problem that
4 comes from this is that the care-givers are often seen
5 by members of the community as responsible for dealing
6 or solving problems because of being paid, and then when
7 the care-giver cannot deliver and solve the problems, the
8 community members become resentful at that care-giver and
9 that program. These care-givers are often not given
10 adequate training to deliver the program.

11 So I think we have to ask ourselves:
12 are we recycling the care-givers presently within the
13 communities without allowing them to having completed the
14 original job that we gave them?

15 All too often Native communities have
16 become dependent on others to provide for them.
17 Historically the Native communities in Kahnawake were
18 self-sufficient. A system was in place via the family,
19 extended family and the community to deal with problems.

20 So what I am saying is, I think we need
21 to provide these communities with the tools to break this
22 cycle of dependency and support the values of the culture.

23 The key is in allowing the community to define what their

1 needs are and to allow them to come up with the solutions
2 that are home-made.

3 We all know that an action plan that
4 develops as a result of input from the grassroots has a
5 greater chance of success. The empowerment of the
6 community to take control over the issues that concern
7 them the most ensures that ownership is shared, and so
8 are the responsibilities for following through on the
9 recommendations.

10 We need to validate the care-givers as
11 being part of a network of resource people that facilitate
12 the individual, family and community in developing and
13 maintaining wellness. We need to allow for flexibility
14 in how funding can be used by the community to be directed
15 where the need is the greatest. We also need to provide
16 role models and positive examples of individuals, groups,
17 programs and communities that have been successful in
18 either living or enabling their members to live a healthy
19 lifestyle.

20 At this point I would like to bring your
21 attention to the model of service delivery that the Mohawks
22 of Kahnawake have put in place.

23 The Mohawk Council has had the foresight

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1 to delegate full responsibility for community services
2 to a board of directors comprised of representatives from
3 relevant care-giving organizations as well as community
4 members. This has resulted in an organization that has
5 developed into a mature, competent and credible group of
6 services that delivers services to Kahnawake in the area
7 of alcohol and drug prevention programs; social services
8 to youth, families and elders; child welfare services;
9 community health representative programs in prevention
10 and environmental health; family violence awareness
11 programs; the youth program such as the presenter from
12 the M.A.D. Group presented a while ago.

13 In addition, the organization also
14 delivers the national Native Role Model Program as well
15 as a regional resource centre for care-givers to obtain
16 material to deal with alcohol and substance abuse
17 prevention.

18 I would like to share the mission
19 statement of the Kahnawake Shakotia'takenhas Community
20 services with you: Our goal, with the assistance of a
21 team of caring people, is to encourage a healthier
22 lifestyle through promotion, prevention and wellness
23 activities that strengthen pride, respect and

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1 responsibilities of self, family and community as Mohawks
2 of Kahnawake.

3 The principles of our organisation
4 service delivery are that we will take a holistic approach
5 which is community based, which sees a continuum of care,
6 which involves the community in as a wide area of
7 participation as possible, and as much as possible ensures
8 the co-ordination and linkage of program activities.

9 We are guided at this point by the
10 recommendations that resulted from the community
11 conference that took place in November of the past year
12 and which was spoken about this morning. I think this
13 initiative, and the recommendations that come from it,
14 is an example of how the community can come together to
15 work together to develop realistic approaches to deal with
16 the community issues. I think that the recommendations
17 that are contained in this document will be ones that our
18 community services are bound to follow, because this is
19 what people have told us is the direction we should be
20 taking.

21 So until such time that community
22 wellness is restored to the point that all members' needs
23 socially, physically, emotionally and financially are met,

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1 there will continue to be a need to harmonize the support
2 and services needed by at-risk individuals and families.

3 Therefore, in order to allow community
4 services to do their work, the obsession for the dominant
5 society to exercise power over Native communities must
6 be rejected. The policy of forcing Native communities
7 to adhere to outside jurisdictions and their values must
8 be abandoned. Further, the policy of forcing Native
9 communities to accept organizational structures modelled
10 upon those of the dominant society must stop.

11 In conclusion, I cannot overstate the
12 need to allow Native communities to take control of their
13 own programs, to develop their own institutions and to
14 work in partnership with the community, to re-establish
15 responsibility to the individual, family and community
16 for the well-being of all.

17 Myiow.

18 **CO-CHAIR RENÉ DUSSAULT:** I would like
19 to thank you for presenting us with a model that has very,
20 very clear roots and principles. As you know, we are
21 looking for solutions, and very often they come in terms
22 of models that might not fit all the situations, by far,
23 but that might be adaptable to many.

1 I think the main principle that you
2 stressed in your brief, in particular the important
3 decision that was made by the Mohawk Council to create
4 an independent board, is certainly crucial. We have heard
5 many, many times that in the service delivery this was
6 a key aspect of the success of a program. Also, your
7 mission statement and the goals and the principles are
8 very, very clear. This gives us a good picture of the
9 structures and the principles that underline your work.

10

11 Maybe it would be useful for us if you
12 could give us some additional data on your practical
13 delivery of services, your clientele, your budget, to give
14 us a more detailed picture of what is done by the
15 organization, the community services in Kahnawake.

16 **DONALD HORNE:** I don't know if you would
17 want me to give you that information now or if it is
18 something that you would want me to document to you in
19 the future, which I will be more than happy to do.

20 **CO-CHAIR RENÉ DUSSAULT:** Just a general
21 outline, and if you could provide us with additional data
22 later on.

23 **DONALD HORNE:** Sure. I will be more

1 than happy to.

2 **CO-CHAIR RENÉ DUSSAULT:** I would like
3 only to have a sense of the task that you have to accomplish
4 on a daily, weekly and monthly basis. Maybe you could
5 give us some of the characteristics of your clientele and
6 the main services that you are providing.

7 **DONALD HORNE:** I think that we could
8 provide you perhaps with a few copies of our quarterly
9 activity reports, which I think capture pretty much the
10 activities of the entire organization and what they are
11 doing.

12 **CO-CHAIR RENÉ DUSSAULT:** For how long
13 has the centre been in existence, your organization?

14 **DONALD HORNE:** I guess the historical
15 background of the social services began back in the early
16 sixties, where the first social worker, who was Mrs. Mary
17 Cross, who was also a member of the Council at that time,
18 had the foresight to see that there was a need for more
19 than just welfare services and she began counselling
20 families and individuals on her own.

21 That gradually expanded into a bona fide
22 social service program, but it was not until, really, 1983
23 that the social services itself became autonomous from

1 the provincial social services within Kahnawake, where
2 we reached an arrangement that allowed us to take on
3 comprehensive social services within the community.
4 Since then, that's when the programs began to expand. It
5 started with the social services. Then it took on the
6 Alcohol and Drug Abuse Program, which at the time was
7 consisting of not only the prevention but also the
8 treatment programs, the CHR program, and then subsequently
9 all of the other programs were added on through the years
10 as we expanded our scope of activities.

11 I think we have arrived at a point, as
12 I said, where we are a mature social service agency that
13 is delivering comprehensive social services to the
14 community.

15 **CO-CHAIR RENÉ DUSSAULT:** What kind of
16 link have you established with the health facilities in
17 the community? Are you working very closely with them?

18 **DONALD HORNE:** Yes, we are. As a matter
19 of fact, I think the conference, as I said, is an example
20 of that close working relationship with the education and
21 also with the health facility. It was co-sponsored by
22 the three organizations to bring this out.

23 I think there are regular ongoing

1 protocols that are set in place with all the service
2 organizations within the communities, with the education
3 system, with our peacekeepers, so we are quite aware.
4 We deal with the day-to-day situations that arise in a
5 very comprehensive way.

6 **CO-CHAIR RENÉ DUSSAULT:** As far as women
7 are concerned, you are dealing with the situation of family
8 violence?

9 **DONALD HORNE:** That's right. We have
10 a Family Violence Awareness Program that has been put in
11 place. There is a protocol that has been developed where
12 all of the various care-giving organizations in the
13 community have come together in a committee to determine
14 what are the roles and responsibilities of each one of
15 these services when any kind of a situation of family
16 violence occurs, so that we are able to deal with it as
17 soon as the situation occurs. Also, there are women's
18 groups that have been supported and begun by the family
19 violence co-ordinator at this point.

20 **CO-CHAIR RENÉ DUSSAULT:** Do you have
21 women's shelters?

22 **DONALD HORNE:** There are no women's
23 shelters in Kahnawake per se, but we do have resources

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1 that are outside, yes.

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

3 **CO-CHAIR GEORGES ERASMUS:** So you
4 actually assisted in the creation of this M.A.D. youth
5 organization that we have heard of earlier?

6 **DONALD HORNE:** No, I don't personally
7 take credit for that.

8 **CO-CHAIR GEORGES ERASMUS:** No, I meant
9 --

10 **DONALD HORNE:** That comes from the
11 Alcohol and Drug Abuse Program, which saw that as one of
12 the activities in terms of alternative activities for youth
13 in trying to get them into wellness activities. So it
14 was the creation of that program.

15 **CO-CHAIR GEORGES ERASMUS:** How many
16 organizations are under this umbrella?

17 **DONALD HORNE:** We have the CHR Program,
18 we have the Alcohol and Drug Abuse Prevention Program,
19 we have the Social Services Program, we have the Family
20 Violence Program. We also have the National Native Role
21 Model Program as well as the Kahnawake Resource Centre,
22 which is a regional resource centre.

23 **CO-CHAIR GEORGES ERASMUS:** Do they all

1 have representatives on the board?

2 **DONALD HORNE:** The board is comprised
3 of other care-giving organizations, such as the
4 peacekeepers, our health services, education services,
5 and then the rest are made up of community members. We
6 have one staff person on this board, just to reflect, I
7 guess, input from the staff.

8 **CO-CHAIR GEORGES ERASMUS:** So you are
9 quite independent from the political leadership in the
10 community.

11 **DONALD HORNE:** The way we are structure
12 is that the board has a delegation from the Mohawk Council
13 which mandates the board to deal with all areas of community
14 services that I have described, but we still are
15 responsible in turn to the Council and ultimately to the
16 community for the actions.

17 **CO-CHAIR GEORGES ERASMUS:** I understand
18 how you can deliver the services. Who develops the actual
19 policies as to how you actually dispense your actual
20 service?

21 **DONALD HORNE:** That was part of my
22 presentation; this is the difficulties that we encounter,
23 because often times we are obliged to have to follow the

1 policies that have already been implemented by non-Native
2 institutions; I speak in the area of child welfare.

3 **CO-CHAIR GEORGES ERASMUS:** Right.

4 **DONALD HORNE:** Because of the statutory
5 nature of that service, we are bound to have to respect
6 those policies that are put in place by the Province of
7 Quebec. In the area of other services, we have to follow,
8 obviously, the standards that have been put in place, and
9 sometimes it does cause us a conflict, because it does
10 conflict with the values and standards of the community.

11 **CO-CHAIR GEORGES ERASMUS:** Okay, I
12 understand. Good.

13 Is there anybody else? Viola.

14 **COMMISSIONER VIOLA ROBINSON:** I just
15 had a couple of questions. I have been sitting here
16 thinking -- even from the former presenter and yourself.

17 The way that you have structured this,
18 it seems to me that you have got something here that you
19 are presenting as a model maybe that other communities
20 could adapt. You talk about your values as a nation and
21 how you want to administer your authority over certain
22 things, and this is one thing. In doing this, and the
23 way that you are delivering these services, have you

1 incorporated those kinds of values and everything into
2 this?

3 **DONALD HORNE:** At the present time this
4 is exactly what we are attempting to do, is to try to come
5 to grips with what the community values are, because we
6 have strayed away from that in a sense because of the fact
7 that we have had to work with the outside values in order
8 to continue to receive the funding. So that has caused
9 us a conflict.

10 **COMMISSIONER VIOLA ROBINSON:** This is
11 my problem, and I think this is what we will be struggling
12 with. We know, I know your values and what your beliefs
13 are; we have been told over and over and over again. Then
14 you have the outside structures, the government. Then
15 we talk about being self-sufficient and taking over
16 authority, and yet we want to be sort of sovereign to,
17 we don't want to be responsible to anyone.

18 How does that fit? The funding agency,
19 obviously -- we still say the federal government has a
20 fiduciary responsibility for us. We have the right to
21 free education, we have the right to taxes, we have the
22 right to health, we have obvious rights. Who is to stop
23 us from doing these things?

1 I guess what it is is the resources.
2 I think what we are going to try to come to grips with
3 when we try to make recommendations -- we are going to
4 need help. We need help from people like yourselves to
5 formulate the kinds of recommendations that will meet what
6 you want as well as satisfy government, because you are
7 going to have to get resourcing as you make a transition
8 until the day that you can become really self-sufficient.
9 There has to be that relationship. So where do we draw
10 the line? And somebody has to help us out with this.
11 This is the difficult part.

12 It is fine to make a recommendation:
13 This is what we want, all this and this and this, but then,
14 how do we provide the resourcing and things that goes with
15 it?

16 For instance, this agreement that you
17 have now, or whatever. You said you have taken over the
18 control of this program and you have a lot of programs
19 in there for social services. Obviously you have an
20 agreement with some level of government. Would it be the
21 Quebec government or the federal?

22 **DONALD HORNE:** Both.

23 **COMMISSIONER VIOLA ROBINSON:** Both,

1 okay. And that agreement, obviously, is to provide the
2 resources for you to be able to do this.

3 **DONALD HORNE:** That's right.

4 **COMMISSIONER VIOLA ROBINSON:** But there
5 is still some guidelines.

6 **DONALD HORNE:** Yes.

7 **COMMISSIONER VIOLA ROBINSON:** This is
8 the problem for us. This is where we need some help.

9 **DONALD HORNE:** I think I come back to
10 what I said earlier, that historically the community was
11 self-sufficient, it was able to deal with its own problems.
12 The individuals, the families and the extended family
13 used to deal with the problems. What has happened is,
14 because of the dominant society's approach to dealing with
15 their problems, they have imposed those values on us also
16 in saying, "These are the solutions that you need to apply
17 to your set of problems also".

18 That does not necessarily hold true any
19 longer, because you need only look at what is going on
20 in the dominant society's institutions, and they are
21 starting to collapse because they are so top heavy within
22 themselves that they can no longer sustain themselves.

23 I think what we are saying is that we

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1 do have some solutions where we give responsibility for
2 issues back to the individual, back to the families and
3 back to the community to deal with any kind of deviant
4 behaviour. This is where we are going to have to try to
5 come to grips with what is the community's standards, what
6 will the community accept and not accept, so that once
7 the community accepts a certain set of standards and
8 behaviours, anybody who steps outside of those parameters
9 will know that there is going to be sanctions that are
10 going to be brought against them.

11 Instead of criminalizing everything,
12 which is done on the outside, we look more towards assisting
13 people. Our name, Shakotii'takehnhas, says it, which is
14 that we are facilitators, we are helpers more than anything
15 else. I think we are not looking to take on the burden
16 or responsibility for all of the problems of individuals,
17 the families and the communities. We need to work with
18 them to come up with their own solutions. I think this
19 is the key even for the dominant society, that they have
20 to begin to look at some of those principles themselves.

21

22 Wellness is a responsibility of us all
23 individuals. You cannot force wellness on anybody. We

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1 have to take responsibility for ourselves in that area,
2 and the only way we can do it is, in some instances we
3 have to help each other.

4 **COMMISSIONER VIOLA ROBINSON:** I can't
5 agree with you more. The request has been made to provide
6 us with information as well as any other information that
7 you can think of that will help us to come to the right
8 kind of wording to convince the public and everybody to
9 understand the thinking.

10 **DONALD HORNE:** I would be more than
11 happy to provide you with that.

12 **COMMISSIONER MARY SILLETT:** I have just
13 one question. First of all, thank you. Earlier you said
14 that there were conflicts between provincial legislation
15 in social areas and the values of Mohawks. As you said
16 that I remembered in my own mind certain examples that
17 were unique to the Inuit. But I was wondering if you would
18 be able, just to increase my understanding in this area,
19 to provide me with an example of -- like, for example,
20 the kind of conflict that you may have had with child
21 welfare legislation which conflicted with the values of
22 your people and how that was dealt with.

23 **DONALD HORNE:** I guess the best example

1 that comes to mind of a real conflict between our cultural
2 standards within this community and that of the outside
3 societies is in the area of adolescent behaviour.

4 We have had situations in the past where,
5 in the area of youth protection, we were dealing with
6 families and their adolescent women, where a 16 year old
7 girl was choosing to go out with a 25 year old man, and
8 he was influencing her in a negative way, not to obey her
9 parents, staying out late and some other negative types
10 of behaviours. We tried to work with the family, with
11 the individual, and it finally came to the point where
12 we had no other alternative but to judicialize it.

13 Now, because of the fact that our local
14 justice system has not been recognized as of yet in being
15 able to deal with those kinds of problems, we had to go
16 to the outside court system to try to get this thing
17 resolved, which was our last resort.

18 What ended up happening is that when we
19 finally got to the court system, we were practically
20 laughed out of court, because that was not an issue that
21 was considered as important any longer, because it seems
22 that 16 year olds in the outside societies are considered
23 almost like adults at that point and can choose who they

1 choose to be with. So what ended up happening is that
2 that individual came back to Kahnawake and more or less
3 told her peers that this is what happened, and it further
4 again eroded that one sanction or community value.

5 So that's just one example, and I think
6 there is a lot of others that are like that.

7 **CO-CHAIR GEORGES ERASMUS:** It looks
8 like those are all our questions. Thank you for coming
9 forward and presenting this.

10 **DONALD HORNE:** Thank you.

11 **COMMISSIONER FOR THE DAY BILLY TWO**

12 **RIVERS:** Now, I would like to call on Mrs. Rheena Diabo,
13 please, and Keith Leclair.

14 **RHEENA DIABO, HEALTH CONSULTATION**

15 **COMMITTEE:** Good afternoon, and thank you for inviting
16 the Health Consultation Committee to make a presentation.

17 I think before I start I would like to
18 share the philosophy of the Committee.

19 The Committee is a technical advisory
20 committee that serves our local leadership as well as the
21 health and social service institutions in the community.

22 Our statement of purpose is: Whereas the Mohawks of
23 Kahnawake believe the well-being of our people to be in

1 jeopardy due to the many health problems that face us today,
2 we acknowledge the responsibility for the quality of life
3 and recognize the importance that health, education and
4 planning play in the improvement of our people's
5 well-being.

6 The Health Consultation Committee
7 accepts responsibility to administer the health
8 consultation funds for this purpose. In essence, we do
9 not see health as a right, we see health as a responsibility
10 of individuals. Our intend is to foster and facilitate
11 that philosophy.

12 Some of the goals that we look at in our
13 dealings as a committee is to assist in determining
14 training need and priorities for community services of
15 health promotion and providers in the area of prevention;
16 to deliver training to community service providers; to
17 improve community participation in needs determination,
18 planning, evaluation and administration of health and
19 social services; develop information programs on the
20 well-being of the community; to participate and point out
21 the relationship between the health and social services.

22 What follows is a little historical
23 background on the Committee and how it evolved into where

1 it is today.

2 In 1979 the federal government came out
3 with a new Indian Health Policy aimed at involving First
4 Nations more in the decision making and delivery of their
5 health services. The impetus behind the policy was
6 created by three factors: the position of the World Health
7 Organization on health, the increasing health problems
8 of First Nations, and the political pressure by First
9 Nations to consult with them more in policy making that
10 would impact on their people and communities.

11 Funds were made available for this
12 purpose and were channelled through national and regional
13 First Nation organizations. In Quebec the monies were
14 identified under the activity of the Health Consultation
15 Fund and were located within the house secretariat of the
16 now defunct Confederation of Indians of Quebec.

17 In the nineteen eighties this
18 organization was disbanded and monies were located within
19 the various communities of Quebec. In Kahnawake the
20 health consultation funds were located with the social
21 service program, who was also responsible for
22 administration of community health program, and for
23 several years the monies were used to send representatives

1 to meetings, conferences and other activities relevant
2 to health.

3 In 1987 the Mohawk Council made a
4 landmark move by instituting and delegating authority to
5 a board of directors for the governance of Kahnawake
6 Shakotii'takehnhas Community Services, an umbrella
7 organization responsible for the following programs:
8 Social Services, Community Health, Alcohol and Drug Abuse
9 Prevention, Regional Film Library and a national Role Model
10 Program.

11 In turn, Community Services saw the need
12 to bring health managers together to plan, advocate and
13 negotiate with the federal and provincial governments for
14 better services for our people. All managers who were
15 responsible for administering health and welfare programs
16 were invited to participate in regular meetings.

17 I want to add at this point that we got
18 a lot of resistance from the federal government when our
19 Band Council delegated authority to our board. It is not
20 an accepted practice, and quite often when we sit at the
21 negotiating table or go to sign agreements with the federal
22 government, they make it sound like they have done us a
23 big favour in acknowledging an authority that our Band

1 Council had every right to enact.

2 The formal structure of the group
3 started to operate under the name of the Health
4 Consultation Group, which evolved into a committee. In
5 1989 the Committee established formal mechanisms for
6 operating, and in 1990 the Committee's terms of reference
7 were adopted through a formal resolution by the Community
8 Services board of directors. This resolution, backed by
9 the Mohawk Council Resolution, identified the Committee
10 as a technical advisory body that had to be recognized
11 by federal and provincial governments.

12 I will forward the terms of reference
13 of the Committee to the Commission.

14 The philosophy of the Committee.

15 The Health Consultation Committee
16 believes it is important to have an understanding of the
17 values and principles that guide health and social services
18 in Kahnawake. These principles are based on the
19 traditions of our people and are supposed to govern all
20 our relationships with the world around us. They are the
21 principles of peace, respect and a good mind. We also
22 operate and advocate the traditional ethic of
23 responsibility. As I mentioned earlier, health is a

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1 responsibility given to us by the Creator and not a right.

2 It is up to us to ensure that we take care of what He
3 has given us.

4 It is important for us to deal with
5 others in an honest and forthright manner, always keeping
6 in mind our responsibility to our community. We believe
7 health is one of those responsibilities.

8 It is interesting to note that Health
9 and Welfare, in dealing with the health services, has been
10 using the term "partnership" a lot. The term is used but
11 is not practised. So we felt we needed to establish I
12 guess a terminology when dealing with them. This
13 terminology includes all our documents that are sent to
14 them and follows:

15 When operating in a partnership we
16 understand this to mean partners are equal, share in
17 decisions, operate on equal levels of information and are
18 respectful of each other's values, principles and ethics.

19 We have developed a secretariat because
20 the work now required of the Committee is too overwhelming
21 for the individuals who used to share in the workload.
22 The responsibilities of the Committee and the secretariat,
23 in addition to the ones I mentioned earlier, are:

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1 - participation on regional and national
2 working groups for health and social services in the Native
3 milieu;

4 - involvement in AFN Health Commission
5 initiatives;

6 - preparing policy and position papers
7 on health for our leadership;

8 - preparation of the community's
9 submission and participation in the regional operational
10 plan for National Health and Welfare; and

11 - supervising the Brighter Futures
12 initiative in Kahnawake, of which the November conference
13 is the thrust.

14 As a committee we have been fairly
15 successful, but there are barriers to our effectiveness.

16
17 The community takes great pride in the
18 strides it has taken in health services delivery and
19 recognizes the vast potential we have. There are some
20 limitations, and we feel it is important to share them,
21 as our experience shows us two heads are better than one.

22 In the sharing new solutions and alternatives can
23 sometimes be found.

1 One of the greatest problems, I think,
2 is our view of health and that of the federal government.
3 The new thrust in the health field is holistic health.
4 Our people have always approached health in that sense.
5 So when programs and policies, as mentioned earlier by
6 Mr. Horne, came out, they were always very
7 compartmentalized and never looked at the whole human
8 being. That, as a result, does create problems when you
9 are trying to generate responsibility at the community
10 level and generate ownership of the responsibility for
11 one's health when you have somebody imposing what the
12 quality of that health should be, how it should be delivered
13 and how should be delivering it.

14 I think also the attitude of the
15 government towards Indian people carries over to the
16 Canadian public in that there is a misconception that we
17 cannot administer and manage our own affairs. I think
18 this community in the area of health and social services
19 has demonstrated that we can do it. The existing policy
20 on transfer does not support autonomy or responsibility.

21 In 1986 our Council developed and
22 supported a position statement on transfer initiative that
23 is being promoted by Health and Welfare Canada. I would

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1 like to read part of that position here:

2 "Kahnawake has already proven that it is in the best
3 position to develop and provide
4 health services for our territory.

5 We have the necessary technical
6 resources. We also have the
7 community framework and support.

8 The time is right to assume our
9 total responsibility for the
10 provision of health services. To
11 do so resources must be made
12 available.

13 Kahnawake, like other First Nations across Canada,
14 believes that managing someone
15 else's program is not control.
16 Control is management,
17 implementation and responsibility
18 for programs that are developed by
19 and for the territory for which
20 those services are intended.

21 This position is a reflection of the views of the Mohawk
22 Territory of Kahnawake."

23 Since the Health Consultation Fund was

1 established in the early eighties there has been no
2 enhancement for the monies we utilize to operate. These
3 resources are important to the community in that they
4 provide a way and means to establish consultation
5 mechanisms for health, especially if a community has not
6 bought into the transfer initiative.

7 We have been labelled as the refuseniks
8 during our attendance at some of the transfer initiatives
9 of Health and Welfare -- their conferences. We are not
10 against other Indian communities participating in the
11 transfer initiative. What happened is, by the time the
12 transfer initiative came around, we had already been and
13 had control and were administering more than what they
14 were offering. So it was kind of a step backwards for
15 us. That was our position, and it was not imposed or
16 suggested to others.

17 What has happened, though, is there has
18 been a real interest from across the country, and we have
19 had many communities come to visit us to take a look at
20 how we structure and do advocacy, consult and develop our
21 programs. As a result there has been, I guess, a backlash
22 against transfer, with no intention on our part.

23 There is also a problem within Quebec

1 region in that nationally-disseminated information is
2 withheld in Quebec till the French translated version is
3 available, meaning a delay in information as compared to
4 what the rest of the country gets. There is also a variance
5 in what headquarters and the regions see as policy or
6 initiatives and how they interpret them. So sometimes
7 the region tells us one thing and headquarters another.
8 It creates a problem and usually prevents us from
9 implementing a lot of programs on time.

10 At this point I would like to defer over
11 to Mr. Leclair, who has to identify some other areas that
12 are specific to the hospital and tie into the work of the
13 Health Consultation Committee.

14 **KEITH LECLAIR, HEALTH CONSULTATION**
15 **COMMITTEE:** Thank you.

16 I think the most important point that
17 I really want to share with you is that the Health
18 Consultation Committee sees itself as a technical
19 committee. One of the strengths about Kahnawake is the
20 fact that we have the infrastructure to be able to handle
21 these issues. There are so many areas that we really focus
22 in on.

23 One of the problems, as Rheena had

1 mentioned, was the issue about the fact that the
2 government, both federal and provincial governments, seem
3 to be focusing in on creating programs following program
4 criteria that are very structured, very regimented. The
5 problem with that is, from a health perspective, the fact
6 that right now what we see is the federal government is
7 basically the group responsible for prevention activities,
8 and what we see is that the province has been delegated
9 authority for treatment health services.

10 The difficulty in trying to meet those
11 programs to suit our needs in the community basically leads
12 to the fact that the development of community-based needs
13 are put on the wayside to be able to meet the requirements
14 of the federal or provincial structures. The community
15 prefers to look at things from a holistic perspective,
16 and our attempt is to try and meet those community needs,
17 even though sometimes the programs that are already there
18 are barriers in themselves. We have to fit their criteria,
19 which in fact makes us look sometimes almost like we are
20 not being 100 per cent correct. But in reality we have
21 to do that.

22 With regard to government programs, a
23 good example that I can really tie in is the fact that,

1 with the use of per-treatment services there is a
2 requirement to use provincial medicare cards. In fact,
3 the provincial medicare cards system is an onshoot, where
4 in fact, if we are talking about the development of
5 ourselves in our own health infrastructure, we are again
6 having to go outside of our own development and have to
7 adopt something which is not necessarily as useful as can
8 be.

9 Another example at the federal level is
10 the fact that we have to be included on an eligibility
11 list individually if we are to take any advantage of any
12 type of non-insured health services that are available.

13 So again, in fact, if we are trying to look at community
14 needs from a community perspective, we have to meet the
15 criteria of the programming, and the programming fails
16 to see the need for community development, specifically
17 in the health area.

18 I guess the strongest recommendation
19 that we can present to you is the fact that I think the
20 best case scenario in the area of health would be to be
21 able to have one source of health resourcing rather than
22 having to go to the provincial government for certain
23 items, to the federal government for certain items, and

1 then to other sectors -- for instance, in Brighter Futures
2 we have to focus in on for Indian mental health. If we
3 need something from Indian health services, it has to be
4 defined.

5 In fact, even just from my own personal
6 background, one of the things I found was, in the United
7 States Indian First Nations approached the federal
8 government through a Senate Appropriations Committee to
9 get health resourcing funds, and I think that in fact if
10 that could be even looked at, we would see a better
11 approach, rather than us having to deal and focus and
12 basically communicate with two forms of government for
13 the same issue.

14 We in the community are looking at it
15 holistically. The difficulty is the way the regimented
16 regulations are. You have to go see the federal government
17 for prevention materials and you have to go see the
18 provincial government for treatment services. Again,
19 that leads into a lot of other complications. Thank you.

20 Rheena.

21 **RHEENA DIABO:** Some of the other things
22 we have looked at in overcoming the barriers are strategies
23 we have used. We have developed our programs and services

1 to serve as models; so we are invited to participate as
2 advisors locally, regionally and nationally. So we do
3 get the information we need because of that element.

4 We are also invited to participate in
5 policy making and development of Treasury Board's
6 submissions because of our technical experience in
7 community health, planning and service delivery.

8 We are presently developing consulting
9 services in the health and social services sector, and
10 the revenues will be used to subsidize services in our
11 community. We use job development and in-service training
12 to create our own pool of human resources at front-line
13 and management levels.

14 Our best advice to other communities is:

15 - develop your own programs and services
16 in such a way that your expertise is not only valuable
17 to your community but serves others as well;

18 - develop your present human resources
19 by investing in training based on what you need to service
20 your community and advocate on their behalf;

21 - develop your human resources with the
22 future in mind;

23 - treat information as a resource and

1 share it with your people;

2 - develop a local team of technical
3 people to serve as advisors to the community and leaders.

4 Thank you.

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

6 Perhaps, Keith, I could ask you about
7 the suggestion you had about the U.S., about using the
8 Senate funding approach. Does that mean that all funding
9 in relation to health, for instance, would be involved
10 in that one bill? Would that kind of make it a one-stop
11 approach of getting funds? Obviously, they wouldn't be
12 getting funds from any of the 50 states, but would there
13 be other federal departments where funding would come from?

14 **KEITH LECLAIR:** Correct. One of the
15 things in the United States is, the Indian Health Services
16 is falling directly under federal responsibility. So,
17 in fact, servicing comes directly from the federal
18 government. One of the ideas that we are really looking
19 at is, rather than incorporating the use of two separate
20 funding sources, it would make a lot more sense, if we
21 are talking holistically, to be able to get it from one
22 area.

23 Again, it is an interesting process that

1 can be looked at. But, more importantly, it will solve
2 the difference of whether or not you are an Aboriginal
3 person from British Columbia, or if you are an Aboriginal
4 person from the Northwest Territories, in terms of
5 services.

6 I think we are all aware the present
7 medicare system is undergoing some changes. I think over
8 the next four or five years there will be very radical
9 changes. The bottom line we are looking at as Health
10 Consultation Committee is what will be the effect of our
11 citizens on this. In fact, we have too many players.

12 The concept we do want to focus in on
13 is that the responsibility for Indian health services be
14 from one component, and that that basically be at the
15 federal level as opposed to the provincial level.
16 Unfortunately, I believe that the present jurisdictions
17 authorize that all treatment services have to go to the
18 province, and that's the handicap that we are working with.

19 **CO-CHAIR GEORGES ERASMUS:** You were
20 saying that there is a problem using the cards in some
21 cases, the health cards. Could you talk a little bit more
22 about that? What do you see as a way to replace that?

23 **KEITH LECLAIR:** I believe that the

1 concept right now is, with medicare cards you are providing
2 an imposition of a federally-delegated authority, i.e.,
3 a provincial authority over an activity that at one time
4 was totally federal. Because of that implication now,
5 in fact, we are looking at a decrease in the area and the
6 responsibility from the federal government over to the
7 provinces.

8 What are the implications? Very, very
9 clearly, in order for us to receive any services we have
10 to acknowledge to the fact that we have to go through a
11 provincial system, we have to acknowledge in fact that
12 we are under the "authority" of another regime. That in
13 fact takes away from the whole concept of a holistic health
14 programming, and that was the main point that we kept
15 focusing in on.

16 You do have to bear in mind that there
17 are members of our own community that are traditional
18 people that, through their own choice, prefer not to
19 utilize the provincial medicare system, and it is those
20 people that we have to look towards. As well, for people
21 there is also a question of residency. What happens if
22 you move internally within Canada? If I decide to move
23 up to Iqaluit? What are the regulations concerning the

1 services that I get for health? They will change within
2 182 days, and then there is a whole different regime that
3 comes in? And, don't forget there are differences. I
4 believe OHIP, the Ontario Hospital Insurance Plan, is using
5 presently user fees. What impact does that have on our
6 citizens? Services that are provided in one other area,
7 perhaps Manitoba, will be basically provided through the
8 responsible sources; in another area such as in Ontario,
9 the governments will only provide up to a certain
10 limitation. That has created a very difficult problem.

11 The other points are the fact that most
12 of our people -- as Mohawks we do a lot of travelling into
13 our suburbs, be they Brooklyn, or be they Plattsburgh,
14 or be they other areas, and the bottom line is that there
15 are activities that are happening where we have family
16 where we have activities that are going on. Our people
17 are mobile. Again, the difficulty is that we are getting
18 into jurisdictional disputes.

19 The bottom line really is that Indian
20 health is not necessarily a medical problem, it is more
21 a political problem and, as Mr. Horne has said, it is a
22 social problem as well. That's the important point that
23 we are trying to share with you today.

1 **CO-CHAIR GEORGES ERASMUS:** What is your
2 solution for the fact that there is mobility, there is
3 a lot of mobility, there is a lot of First Nations citizens
4 living in urban cities, and they move around? Are you
5 saying that this present system of providing health through
6 the present health insurance, which is different in
7 different provinces -- and perhaps we are only starting
8 to see the beginning of the differences; it may even get
9 more severe in the future. What is the solution for First
10 Nations citizens and Aboriginal people?

11 **KEITH LECLAIR:** I would recommend that
12 there be the formation or the development of a group to
13 determine what would be the best approach from an
14 Aboriginal perspective. Really, what my intention is is
15 to develop something like an Indian Health Service that
16 would be able to assist and work with individuals. But
17 that, again, would have to be community defined, but
18 implemented at a national level.

19 **CO-CHAIR GEORGES ERASMUS:** Would you
20 see something like cards that are issued to Aboriginal
21 people perhaps by the federal government, and there is
22 a certain level of service that comes with that that is
23 universal?

1 **KEITH LECLAIR:** That is one of the
2 options that I have heard. In fact, the other options
3 could be the development of a non-governmental agency to
4 handle this aspect, similar to perhaps the concept of a
5 health insurance scheme outside of the regime of the
6 federal or provincial government.

7 **CO-CHAIR GEORGES ERASMUS:** Like an
8 Aboriginal Blue Cross.

9 **KEITH LECLAIR:** You got it. That way,
10 the decisions on the determination of eligibility and that
11 can be determined by the communities themselves and it
12 can be incorporated into a larger network.

13 **CO-CHAIR GEORGES ERASMUS:** Thank you.
14 Any other questions or comments? I
15 guess not.

16 Thank you for your presentation.

17 **RHEENA DIABO:** Thank you. You guys
18 look tired. Hang in there.

19 **COMMISSIONER FOR THE DAY BILLY TWO**

20 **RIVERS:** Thank you. Now, I would like to call on Eddie
21 Cross, please, to continue or conclude his presentation
22 from this morning.

23 **EDWARD J. CROSS, CHAIRMAN,**

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1 **KANIEN'KEHAKA RAOTITIOHKWA CULTURAL CENTER:** This is not
2 a conclusion of my presentation this morning. I am now
3 here representing the Kanien'Kehaka Raotitiohkwa Cultural
4 Center.

5 Wa'tkwannonhwera:ton.

6 Members of the Commissions, guests
7 brothers and sisters, I give you greetings from the
8 Executive Director, staff and board of directors of the
9 Kanien'Kehaka Raotitiohkwa Cultural Center.

10 I appear before you to reiterate our
11 concerns about the reluctance of the Canadian government
12 to make commitments, whether through policy or law, to
13 our fundamental rights to expression and preservation of
14 our culture and language. I will provide Canada, through
15 this Royal Commission, with specific recommendations for
16 establishing a renewed relationship with Aboriginal
17 peoples based on mutual respect and ways the government
18 can solve the present situation we face as Aboriginal
19 peoples in our own homelands.

20 Let me provide you with some brief
21 background information about our centre and how it was
22 formed.

23 Kanien'kehaka means the People of the

1 Flint, and Raotitiohkwa means it is our organization.

2 This cultural institution grew from the grassroots. It
3 was formed in 1978 by a group of interested Kahnawakeronon
4 who recognized the need to strengthen our language and
5 culture. Language and culture together form a solid
6 foundation on which we can ensure our survival as a people.

7 When our way of life is threatened as
8 it was at that time nothing could stop us from establishing
9 our centre. When it had gained momentum, support was given
10 by the Mohawk Council. It is now one of the recognized
11 cultural institutions in Kahnawake, in North America and
12 around the world.

13 The mandate of the board and staff is
14 to preserve, maintain and promote Kanien'kehaka language,
15 culture and tradition and to provide the community with
16 the tools for its survival as a people. We are also a
17 research and resource centre for anyone who wishes to learn
18 more about Kanien'kehaka.

19 Let me set the stage for today's
20 presentation by sharing a bit of our historical past.
21 Our life before Europeans was a genuine way of life. We
22 understood the meaning of creation and took responsibility
23 for Mother Earth. We were given our original instructions

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1 from the Creator, who sent the Peacemaker to North America.
2 He gave us the Great Law of Peace, the Kaienera:kowa.
3 It was through these laws that we are to conduct ourselves
4 and our dealings with others.

5 The Kanien'kehaka have always felt
6 strongly about our identity, as members of the Iroquois
7 Confederacy and as a nation. By this I mean we have a
8 Constitution based on a democracy that was functioning
9 at the time Europe was ruled by monarchies. We have a
10 land base, although diminished. We have a viable language
11 and culture. We can make our own laws and enforce them.
12 Making agreements with other nations is one of our
13 historic strong points.

14 Our Constitution is the basis of what
15 western civilization calls democracy. The original
16 relationships we established with the newcomers to our
17 lands was based on mutual respect. This should be the
18 basis for any model developed today.

19 Nowhere is this relationship more
20 clearly spelled out than in the Two-Row Wampum concept.
21 Let me explain the essence of this concept.

22 From the beginning we realized that the
23 newcomers were very different from any other people who

1 lived on Turtle Island. Consequently, our people proposed
2 a special agreement to be made between the two parties.

3 It is an initial guide for developing relations between
4 ourselves and any other nations. It is the timeless
5 mechanism. Each succeeding generation is taught the
6 importance of maintaining the principles of the
7 Kahswenhtha, or Two-Row Wampum for generations to follow.

8 As you can see, the background of white
9 wampum shall represent a river. The two parallel rows
10 of purple wampum represents two vessels travelling upon
11 the river. The river shall be large enough for the two
12 vessels to travel together. In one vessel shall be found
13 the Kanien'kehaka, and in the other vessel the European
14 nations. Each vessel shall carry the laws, traditions,
15 customs, language and spiritual beliefs of the respective
16 nation.

17 It shall be the responsibility of the
18 people in each vessel to steer a straight course. Neither
19 the Europeans nor the Kanien'kehaka shall intersect or
20 interfere with the lives of the other. Neither side shall
21 attempt to impose their laws, traditions, customs,
22 language or spirituality on the people in the other vessel.

23 Such shall be the agreement of mutual respect accorded

1 in the Two-Row Wampum.

2 It is from these very cultural
3 underpinnings of our society that a new relationship and
4 governance should be derived. It is not from the
5 interpretation of governments, politicians or the writers
6 of Canadian laws.

7 What are we faced with today? We face
8 a legacy that includes presupposed and prejudiced
9 conceptions that paint the original peoples of this land
10 as enemies of the State, dependents and users of Canadian
11 people's taxes and threats to national security.
12 Government inaction in dealing with these misconceptions
13 only strengthens these misconceptions.

14 There have been countless
15 constitutional meetings, commissions and committees whose
16 reports have solved little. One thing is clear:
17 governments of this land must deal with long-standing
18 issues. The settling of issues like land claims and
19 self-government would go a long way toward improving this
20 relationship. The question of land and self-governance
21 is so fundamental that they will impact every area of the
22 relationship. Negotiations and settlement must be based
23 on the two-row concept of mutual respect.

1 More than ever we recognize the need to
2 present our views to others. The political events of the
3 past two years and the atmosphere created clearly
4 demonstrate the need for re-education, cultural awareness,
5 cross-cultural education and understanding. The
6 relationship between our people and other peoples in Canada
7 can be improved through the process of education. We must
8 address the historical image in a new context which takes
9 into consideration mutual respect, fact and truth as seen
10 through our eyes. Understanding is attained through
11 accurate information and knowledge about people,
12 situations and events. Resources must be made available
13 so that we can interpret and write history from our point
14 of view. Adequate training should be given to those who
15 are in the front line of service delivery.

16 Aboriginal first languages must be
17 recognized as legitimate languages within Canada, like
18 French or English. Teaching of Aboriginal languages
19 within education systems needs to be revolutionized.
20 Funding must be made available for language research,
21 institutes, curriculum development and training centres.

22 This must be tackled with at least as much vigour and
23 funding as the federal government gave in developing and

1 implementing the policy on bilingualism.

2 Kanien'kehaka Raotitiohkwa Cultural
3 centre presently provides cultural education services on
4 a limited basis due to a lack of financial and human
5 resources and physical space. This situation is
6 aggravated by the fact that the Cultural Education Centres
7 Program of the Department of Indian Affairs has not
8 received a significant increase in funding since 1978.
9 In fact, the Cultural Centres Program has been
10 systematically downgraded since 1971. We started out as
11 a program and now we are a sub-program in the Department
12 of Indian Affairs.

13 In 1987 national funding was frozen at
14 \$8.1 million and a cost of living increase has never been
15 considered. A meagre increase of 3.5 per cent was made
16 to this program in 1992. This year funding was cut back
17 by 8.9 per cent. This is intolerable! There are First
18 Nations who do not even have access to a cultural centre
19 of their own. The government should extend this program
20 to meet the needs of 100 per cent of all First Nations
21 in Canada.

22 Let me point out other federal
23 departments where funding might be sought. In the area

1 of museums, an initiative was begun last year by the federal
2 government to provide support to Aboriginal communities
3 by establishing an Aboriginal museum component within the
4 Department of Communications. The total sum for the
5 Quebec region is \$19,000. Although this initiative is
6 new and welcomed, an allocation of \$19,000 cannot be
7 expected to have a positive impact on an Aboriginal
8 population of 53,814, with an additional 40,000 living
9 off reserve and 6,848 Inuit in Quebec. This allocation
10 works out to an underwhelming amount of 29 cents per
11 Aboriginal in Quebec.

12 In 1992 an all-party Commons committee
13 produced a report on Canadian culture called "The Ties
14 that Bind". Let me quote a principle from this report:
15 "Culture is intrinsic to our sense of nation, to our shared
16 identity, to our human spirit and
17 to our economic prosperity"

18 We share the dismay Canadians must feel
19 when the government rejects the recommendations of an
20 all-party committee. Perrin Beatty, Minister of
21 Communications, was unable to persuade his own colleagues
22 that this principle was worth funding. This lack of
23 commitment means that freedom of expression in the arts

1 has been stifled.

2 Native visual arts and performing arts
3 must be recognized as a vital component of expression in
4 modern life in Canada. It should be included at an equal
5 level with contemporary arts and culture in mainstream
6 North American culture. Every effort should be made to
7 build on traditional and contemporary arts at all levels.

8 This includes Native educational institutions and
9 community life. Funding should be directed to the
10 community level and not to groups who make no significant
11 impact at the community level.

12 We must have wider access to
13 communications networks, which include television, video,
14 radio, print media and computer networks. This would open
15 dialogue between Native groups and the non-Native public.

16 To the extent possible we are taking
17 responsibility in this cultural domain and we would like
18 to see the Canadian government do the same by developing
19 legislation and subsequent policies to ensure the
20 protection, preservation and longevity of our cultures,
21 traditions, customs and language. We must be equal
22 partners in this process. As a first step, we would like
23 to see the Cultural Education Centres Programs transferred

1 to the National Association of Cultural Education Centres
2 with the added resources to extend the benefits to 100
3 per cent of all First Nations communities. This would
4 mean that First Nations would be better able to meet our
5 cultural needs.

6 The Kanien'kehaka have a vision to share
7 with respect to the interpretation of our history and those
8 qualities that make this society and people unique. This
9 vision can only be interpreted by the Kanien'Kehaka
10 themselves. As the recognized cultural agent in the
11 community, the cultural centre has a responsibility and
12 must play a greater role in the education process as it
13 relates to our own people and to the outside world. We
14 are in a key position to provide services in the area of
15 culture to First Nations' governments. We are in a
16 strategic position to provide support, advice to First
17 Nations' governments and to other governments at all
18 levels.

19 We need to improve and expand our
20 services to the community of Kahnawake and the wider world
21 community, as demonstrated by the demands made on our
22 centre and our inability to provide the kinds of services
23 needed.

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1 Our services are in constant demand in
2 the area of museological research and development as it
3 relates to Aboriginal peoples. We are active in
4 aboriginal and cultural development on the national and
5 international levels.

6 Kanien'kehaka Raotitiohkwa Cultural
7 Center acts as a catalyst for change. This is a task we
8 are well suited for. We pave the way for the empowerment
9 of people through the knowledge of who they are and why
10 hey are special. We provide the support, leadership and
11 resources for activities that reinforce our identity, an
12 identity we need to maintain if we are to participate in
13 Canadian society on our own terms.

14 How can harmony be maintained and how
15 can we improve this relationship? Through something as
16 simple as mutual respect and a willingness on the part
17 of the government to accept the Aboriginal fact in Canada.

18 We are being proactive, and the
19 challenge to the Canadian government is to create a renewed
20 relationship that is a partnership based on mutual respect,
21 that recognizes through law our contribution to this
22 country, our languages, our culture and our traditions.

23 Myiow.

StenoTran

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

2 Yesterday we had a similar presentation
3 from the representatives of the national executive of the
4 cultural institutes across the country. I never realized,
5 though, that the funding in Quebec was only \$19,000. Is
6 that the total funding?

7 **EDWARD J. CROSS:** No, \$19,000 is what
8 the funding is for the museum project.

9 **CO-CHAIR GEORGES ERASMUS:** The museum
10 project.

11 **EDWARD J. CROSS:** Yes.

12 **CO-CHAIR GEORGES ERASMUS:** All right.
13 What is the funding, then, for the cultural institute?

14 **EDWARD J. CROSS:** Our funding is
15 approximately \$175,000. It works out to \$20 per person
16 in this community.

17 **CO-CHAIR GEORGES ERASMUS:** What is the
18 total funding in Quebec? Do you have any idea?

19 **EDWARD J. CROSS:** I am not aware of the
20 total funding for Quebec, but at the national level it
21 was \$8.1 million, which even works out to less per capita.

22 **CO-CHAIR RENÉ DUSSAULT:** Yesterday we
23 were told that there were 70 centres altogether across

1 the country. Are you aware of the number in the province
2 of Quebec?

3 **EDWARD J. CROSS:** The number of centres
4 in Quebec? I would say about six to eight, I am not sure
5 -- ten centres.

6 **COMMISSIONER BERTHA WILSON:** I am
7 wondering if we could ask you to do something for us.
8 We have been hearing, of course, as we have gone across
9 the country, a great deal about self-government. We have
10 also been dialoguing about a new relationship between
11 Aboriginal and non-Aboriginal people. Yesterday and
12 again today we have heard a great deal about the Two-Row
13 Wampum belt.

14 I am wondering, is it possible for your
15 institute to come up with a model of co-existence for Native
16 and non-Native people which would reflect the principle
17 of the Two-Row Wampum belt but would be appropriate for
18 the 21st century? This is our problem: we have to try
19 to come up with a model or models that are workable and
20 that are realistic and could be put into place for the
21 21st century, trying to reflect the principle of the
22 Two-Row Wampum belt, of the two groups travelling down
23 the river of life together, respecting each other's culture

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1 and systems.

2 Is that a possibility to design a model
3 of that kind?

4 **EDWARD J. CROSS:** It certainly is a
5 challenge, and I don't think I would have our cultural
6 centre assume this very overwhelming task. It is a task
7 that has to be accomplished by a consultation of many of
8 the peoples of the Iroquois Confederacy.

9 **COMMISSIONER BERTHA WILSON:** The
10 Iroquois Confederacy, though, would seem to be an
11 appropriate body to give some leadership in this area to
12 the Commission. Is that not a fair thing to ask?

13 **EDWARD J. CROSS:** That's right, and I
14 don't speak on behalf of the Iroquois Confederacy.

15 **COMMISSIONER BERTHA WILSON:** I am just
16 wondering, because we hear these concepts, and obviously
17 they are very basic and fundamental. It is how to put
18 them together in a way that is going to be workable and
19 is going to be appropriate for today, where there is a
20 much more complex society than at the time of European
21 contact.

22 So this is quite a challenge, and I am
23 just wondering what your reaction would be to the idea

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1 that perhaps the Confederacy could have a crack at
2 designing a model that we could look at.

3 **EDWARD J. CROSS:** Yes. As I said, it
4 is quite a challenge, and it is a challenge I suggest you
5 make to the members of the Confederacy who will be
6 participating in tomorrow's meetings.

7 **CO-CHAIR GEORGES ERASMUS:** Thank you
8 for coming forward again.

9 **COMMISSIONER FOR THE DAY BILLY TWO**
10 **RIVERS:** Thank you.

11 Now, I would like to call on Mrs. Irene
12 Tschernomor.

13 **IRENE TSCHERNOMOR, EXECUTIVE DIRECTOR,**
14 **KATERI MEMORIAL HOSPITAL CENTRE:** Good afternoon. I
15 would like to first thank you for inviting us and I would
16 like to take this opportunity to introduce two of my
17 co-workers that will be assisting: Dr. Louis T. Montour
18 and Keith Leclair.

19 It is both a pleasure and a privilege
20 for me to report on the current initiatives of Kateri
21 Memorial Hospital Centre. The importance of this
22 information is not so much to make you all aware of what
23 we are doing as a hospital but, more importantly, what

1 other communities could do if they so desire.

2 It is our philosophy at Kateri Memorial
3 Hospital to strive at all times for the best possible
4 quality of care and remain sensitive of our membership
5 and the circle of life of this community.

6 Working along the lines of consultation
7 and consensus within the Mohawk tradition, the hospital
8 has recently embraced the concept of participative
9 management. Through participative management, we are
10 able to involve as many people as possible in decision
11 making, so that people can make the greatest contribution
12 they can. It translates into the continuous search for
13 better quality service through the participation of all
14 in decision making.

15 As a hospital is in fact a professional
16 bureaucracy with a large operating core of professionals,
17 it is unrealistic to manage it in a centralized autocratic
18 manner. Decisions must come from the operating core,
19 where employees can feel free to contribute in the areas
20 which they know best.

21 In order to implement the process of
22 participative management, it becomes important to
23 decentralize accountability, authority and

1 responsibility. To decentralize implies that the power
2 no longer lies in the hands of one individual. Every
3 department is accountable and responsible for the
4 decisions that take place there. The decision making
5 process will be spread throughout the institution at each
6 level. With this comes the accountability for each
7 decision.

8 A strategic planning process was
9 formally undertaken to assist Kateri Memorial Hospital
10 in planning for and managing the issues that will affect
11 the quality of health services. The goal of our plan is
12 to provide an overall shared vision for Kateri Hospital's
13 future, through conscious choice among various
14 alternatives relating to the quality of health services
15 we provide, in consideration of our financial, human and
16 material resources.

17 Part of our philosophy emphasizes
18 consensus and consultation. The planning process is the
19 vehicle to develop realistic and supportable plans for
20 our future as a hospital. The partnership of involving
21 the board of directors, employees and community
22 representatives in the decision-making process lends
23 instant credibility to our strategic plan.

1 We know that the next decade will bring
2 unprecedented growth and change to Kahnawake and we must
3 anticipate what these rapid and dramatic changes will
4 bring. Through our strategic plan we will be prepared
5 because we will have created a future of our own design.

6 Our strategic plan is our road map to
7 the future which will guide Kateri Memorial Hospital to
8 make wise decisions and actions in the next decade. We
9 are charting a course for the future, but before we do,
10 we have to know which direction we are headed in order
11 to determine how to get there.

12 In order to better ourselves, we need
13 time, energy and resources to better prepare us for the
14 work that lies ahead.

15 Kateri Hospital works well because we
16 continue to explore employees' skill enhancement. If we
17 can make our employees more knowledgeable, they become
18 more effective and self-confident. From a hospital
19 perspective, staff training is one of the major priorities.

20 Present management practices support the following
21 training objectives:

22 - one, to plan; if you fail to plan, you
23 are planning to fail;

- 1 - two, to outline competency needs;
2 - three, to outline training and
3 development needs; and
4 - four, to develop an evaluation system
5 design at all levels.

6 Along the concept of evaluation at all
7 levels, we at Kateri Hospital support the development of
8 quality assurance in order to ensure the quality of care
9 that we provide in our hospital. This is done by
10 evaluating the process of how we do things, not the
11 evaluation of individuals but of processes. It shows how
12 we can improve on the way in which we work by continuously
13 monitoring and assessing.

14 Quality assurance will be a continuous,
15 never-ending process, as we will always be committed to
16 improving the hospital and looking for new ways of doing
17 this. Quality of services in the entire hospital will
18 therefore depend on the quality of each person's decision.

19 Specific to Kateri Hospital, quality assurance is a
20 creation of our own making and supports the continuous
21 evolution of Kateri Memorial Hospital.

22 Upon my appointment as Executive
23 Director two years ago I was mandated by the board of

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1 directors to commence the hospital's journey towards
2 accreditation. Accreditation is a purely voluntary
3 process to evaluate how effective we really are in
4 utilizing our financial, human and physical resources.
5 Since we are a hospital centre, there are formal objective
6 tools in place to evaluate our overall performance.

7 Many of you may be aware that other
8 Aboriginal hospitals such as Percy Moore Hospital,
9 servicing the Crees of Pequis First Nation, and Norway
10 House Hospital, servicing the Crees of the Norway House
11 First Nation, are presently already accredited. It is
12 the pride that one gets by doing a quality job in terms
13 of achievement and in bettering one's growth. It also
14 reflects a confidence we have in saying that we are doing
15 such a good job that we are willing to voluntarily be
16 assessed by other hospital professionals.

17 In the last few years there has been a
18 move to closer integrate the activities of the hospital
19 and Kahnawake Community Services. A memorandum of
20 understanding has been created between the hospital and
21 Community Services. This has been implemented to
22 facilitate integrating of services and help fill program
23 gaps to improve the services provided to the community.

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1 Recent developments have created a link
2 between health and social services in terms of the
3 relocation of a social worker into the hospital. This
4 has expanded to the integration of psychological services
5 into the family medicine unit at the hospital.

6 It is our philosophy to focus on
7 wholistic health. Taking care of the body must be
8 complemented by taking care of the mind.

9 One of our latest accomplishments has
10 been the designation of our hospital as a diabetes
11 education centre. This has resulted in recurrent annual
12 funding for a diabetes unit. The funding for this centre
13 is in recognition of those clinical services which our
14 hospital is already providing to those people and their
15 families in Kahnawake who have diabetes. Dr. Montour,
16 the speaker following me, will be elaborating further on
17 the clinical aspects of this program.

18 Kateri Hospital has also formally
19 established valuable links with surrounding hospitals by
20 becoming a member of the Montreal Joint Hospital
21 Association. The objective of this liaison is to
22 facilitate networking and enhance problem solving. These
23 links have been forged in an effort to optimize on our

1 external support mechanisms. This form of visibility has
2 enhanced the reputation of both Kateri Memorial Hospital
3 and the community of Kahnawake.

4 In this last year Kateri Hospital has
5 experienced a 15 per cent increase in outpatient department
6 visits, of which many are children's appointments. A
7 child play area has become crucial due to the limitation
8 of space.

9 A recent proposal to Macdonald's
10 Charities of Canada has resulted in a \$25,000 grant to
11 Kateri Hospital for this development. Our goal is to
12 create a safe play area for these children within the
13 hospital, where they can have stimuli while waiting to
14 be seen at the clinic. This will help children see
15 visiting Kateri Hospital as a positive experience and help
16 us focus on preventive health care as a routine way of
17 life for present and future generations.

18 At present, volume at the hospital is
19 so great that we are quickly running out of space in both
20 the inpatient and the outpatient department. In order
21 to maintain and enhance existing services and to solidify
22 our blueprint for Kateri Hospital's future, we will shortly
23 be submitting an expansion proposal for approximately 20

1 more inpatient beds as well as additional office space.

2 We at Kateri Memorial Hospital Centre
3 are well aware that the health of any society depends on
4 a series of vital processes that allow the individual to
5 grow, to discover their identity and to learn the skills
6 and ways of knowing themselves. We accept that change
7 is constant and that success is measured by how well we
8 shape tomorrow.

9 The coming years will bring with them
10 new challenges, and we have no doubt that with the continued
11 support of the employees, board of directors and our
12 community, we will meet these challenges head on.

13 I personally would like to acknowledge
14 Ms. Joanne Sky for her assistance as our present
15 Chairperson of the board of directors.

16 Thank you.

17 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
18 much for presenting us with this overview of the
19 functioning of the Kateri Hospital. As you are aware,
20 during the Health and Social Issues Round Table that we
21 had in Vancouver, Dr. Louis Montour was Chair of the whole
22 meeting, but we had a specific presentation on the working
23 of the Kateri Hospital; that was enlightening for not only

1 the participants to the round table, but it will be part
2 of the round table report. It was certainly a striking
3 example of what could be done with co-operation.

4 I would like at this point to ask you
5 a question about the formation of the board and the
6 composition of the board. You are constituted under the
7 Health and Social Services Act in Quebec. Is your hospital
8 board formed under the general legislation?

9 **IRENE TSCHERNOMOR:** It is similar; it
10 is not identical, actually. We have four community
11 representatives, we have one rep from the Community Social
12 Services, we have one rep from the Mohawk Council and we
13 also have three hospital employees, one of which represents
14 the professional, one the non-professional and we have
15 one from the Council of Physicians. There are
16 similarities.

17 **CO-CHAIR RENÉ DUSSAULT:** You don't have
18 the government representatives; they are in the other
19 boards in Quebec.

20 **IRENE TSCHERNOMOR:** No, we don't. We
21 have the Council.

22 **CO-CHAIR RENÉ DUSSAULT:** There was no
23 legislation passed to set up the hospital. It was done

1 by regulation? The composition of the board, was it your
2 choice? Was it made in accordance with what you wanted
3 it to be?

4 **KEITH LECLAIR:** Maybe I can answer that.

5 **CO-CHAIR RENÉ DUSSAULT:** Yes.

6 **KEITH LECLAIR:** The development of the
7 hospital board was basically brought on by the community.
8 In fact, even though the present provincial legislation
9 said it had to be developed in one way, the community took
10 it upon itself to develop it within its own terms. In
11 fact, that was acceptable to the Ministry. So, in fact,
12 we are not following the regulations the way they are but
13 in fact we are doing it to meet the needs of the community.

14 **CO-CHAIR RENÉ DUSSAULT:** My
15 recollection is that you have 50 beds. What is the number
16 of beds?

17 **IRENE TSCHERNOMOR:** We have 43 beds,
18 actually. Out of those 33 are long-term care and 10 are
19 acute on the inpatient.

20 **CO-CHAIR RENÉ DUSSAULT:** And you are
21 looking for and plan for the future --

22 **IRENE TSCHERNOMOR:** We need at least 25
23 more beds already.

1 **CO-CHAIR RENÉ DUSSAULT:** Acute or long
2 term?

3 **IRENE TSCHERNOMOR:** Mixed.

4 **CO-CHAIR RENÉ DUSSAULT:** Mixed?

5 **IRENE TSCHERNOMOR:** Yes.

6 **CO-CHAIR RENÉ DUSSAULT:** The budget is
7 coming from the provincial government?

8 **IRENE TSCHERNOMOR:** It is 93 per cent
9 provincial and 7 per cent from the federal government for
10 the community health unit.

11 **CO-CHAIR RENÉ DUSSAULT:** You mentioned
12 earlier that there was some kind of integration of the
13 Social Services within the hospital. Could you tell us
14 how this worked with the community of Kahnawake?

15 **IRENE TSCHERNOMOR:** We thought we
16 needed a link between us and Community Services, especially
17 in the aspect of having a social worker who would actually
18 be a liaison person, who we could refer to, and this liaison
19 person would have direct contact with everybody in Social
20 Services. At the same time we felt that there was a great
21 need recently for psychological services, because most
22 of our physicians were spending a lot of time dealing with
23 psychological issues. That's something that will be

1 happening at the end of this month.

2 **CO-CHAIR RENÉ DUSSAULT:** Can you tell
3 us a bit more about your relationship? You mentioned that
4 you participate in the association of the hospital boards
5 within the Montreal area.

6 **IRENE TSCHERNOMOR:** We are linked up
7 with Montreal Joint Hospitals at present. That gives us
8 the networking that we need in terms of problem solving
9 we might have, questions and ways of dealing with things.
10 So we use them basically as an information and a resource.
11 It is a non-political association.

12 **KEITH LECLAIR:** For your information,
13 Mr. Dussault, one of the important things that we said
14 when we were talking about how the funding comes in, the
15 point is that 93 per cent of the funding does come in from
16 the province. Our position here in Kahnawake is the fact
17 that we are aware that there are federal transfer
18 agreements under the Estimated Program Financing Act as
19 well as the Canada Assistance Plan, that federal funds
20 are given to the provinces for the use of health treatment
21 services.

22 The contention that we are looking at
23 is in fact that the funding for the hospital is coming

1 directly through a stepping stone of the province but,
2 in reality, the funding is federal.

3 **CO-CHAIR RENÉ DUSSAULT:** Certainly, in
4 part, it is a joint program. The health care situation
5 was made a shared-cost program, and then there was a block
6 funding to the provinces. So it brings us back to what
7 you have discussed previously, this question of
8 jurisdiction over health services, medicare.

9 **KEITH LECLAIR:** That's right.

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

11 **KEITH LECLAIR:** Thank you.

12 **CO-CHAIR GEORGES ERASMUS:** It doesn't
13 look like we have any more questions on this part. Thank
14 you.

15 Please go ahead whenever you are ready.

16 **LOUIS T. MONTOUR, KATERI MEMORIAL**

17 **HOSPITAL CENTRE:** (Mohawk language - no translation)

18 Bonjour et bienvenue à tous. Greetings and welcome to
19 all.

20 It is a pleasure and an honour to be able
21 to address the Royal Commission today. Thank you, Judge
22 Dussault, for mentioning my chairmanship of the meeting
23 in Vancouver.

1 One of the main topics of my presentation
2 today will be about diabetes, because during three days
3 of hearings in Vancouver the word "diabetes" was mentioned
4 once and there was no specific portion allocated to that.

5
6 Diabetes is a condition which is
7 occurring in epidemic frequency not only in Canada but
8 across North America, in fact in all Native peoples.
9 Kahnawake at present has 342 people who experience
10 diabetes. Diabetes among Native people is most commonly
11 Type 2 in nature.

12 The Commission was very much looking for
13 approaches to solutions in this round of hearings, and
14 I felt that I think it would be important to share with
15 the Commission and with the Canadian public the approach
16 that has evolved at Kateri Hospital over time and how our
17 community is dealing with diabetes today and hopes to deal
18 with diabetes tomorrow.

19 I refer to something called the
20 "Diabetes Cascade", which is a term that I borrowed from
21 a mentor of mine, Dr. Michael Kline, who used to refer
22 to this in obstetrics. The cascade implies that once you
23 enter the route, you have to proceed to the bottom before

1 you are considered complete.

2 We employ a wholistic approach to
3 treatment needs in diabetes. I have divided that, I guess
4 arbitrarily or with my own thinking, into four broad
5 categories of care which should be available in all
6 communities:

7 First, in order to find out about
8 diabetes, you have to have available to the community a
9 system of getting an accurate diagnosis. This is missing,
10 I would say, in the majority of Native communities across
11 Canada today.

12 After diabetes is diagnosed, then there
13 must be available some means of acute care for the people
14 who have been so diagnosed. Once these people are
15 receiving acute care, this moves into the realm of
16 secondary prevention. Then, if you have a lot of Native
17 communities in whom there are a lot of people suffering
18 from diabetes, then your next move is primary prevention.

19 I will just define each of these terms quickly.

20 Accurate diagnosis should employ
21 nationally- and internationally-accepted criteria, and
22 the ones most commonly accepted are North American Diabetes
23 Data Group, or the World Health Organization criteria.

1 These are standards that we follow in differentiating
2 someone who has diabetes versus someone who does not.

3 My vision of acute care includes as a
4 major feature front-line, Native, primary care-givers,
5 of which there are unfortunately too few at present. We
6 have 54 Native physicians members of the Native Physicians
7 Association in Canada; we have about 500 nurses; we have
8 three Native dieticians -- not enough.

9 Secondary prevention means reducing the
10 prevalence of a certain disease by shortening its course
11 and "duration" -- that's a misprint, sorry -- and primary
12 prevention means preventing that disease from ever
13 occurring in the first place.

14 I would like to spend a few minutes now
15 and just highlight each of the areas or responses that
16 our health care system has evolved to each of these four
17 areas. For diagnosis we have the clinical staff of Kateri
18 Memorial Hospital centre; we have seven physicians, we
19 have a large nursing component, including many Native
20 nurses, we have CHRs, we have outreach, we have a lot of
21 activities where people can come in.

22 Acute care is the hands-on, day-to-day
23 stuff. The last sort of intervention or evolution is the

1 clinical practice guidelines for treatment of diabetes
2 mellitus. This is a document which is Canada-wide and
3 repeats things that were done both in Europe and the United
4 States, but the Canadian document, for the first time,
5 actually included Natives as part of their overall approach
6 and document.

7 A secondary prevention today in place
8 is the Diabetes Education Program of the Diabetes Education
9 Centre, which Irene alluded to earlier at the hospital.

10 We have Heather Jacobs-White (PH), our diabetes education
11 nurse, and Susan Monday (PH), our dietician, and they are
12 front-line providers of education for secondary
13 prevention.

14 We also have ongoing at present the
15 elaboration of a Diabetes Education Curriculum which
16 Heather and Susan just completed, and we had a first meeting
17 on April 21st, last month, to review this and got
18 recommendations from a national group. This, if things
19 work out, could lead potentially to a Kahnawake First
20 Nations Diabetes Education Centre, whereby we hope to
21 provide either community health representatives or other
22 lay people in Native communities with training on diabetes
23 and for them to go home and become front-line providers

1 of secondary prevention. This is a critical new
2 component, and it was endorsed by the Expert Committee
3 on Clinical Guidelines.

4 The fourth aspect of treatment for
5 diabetes is primary prevention. In Kahnawake we have
6 doubled the rate of diabetes which one would otherwise
7 expect, doubled compared to an equivalent white American
8 population matched for age, sex and education and financial
9 income. Not only do we have higher rates of diabetes,
10 but our people have high rates of complications of
11 diabetes. In fact, Kahnawake has the highest rate of
12 coronary artery disease in the world for Native people
13 -- that's heart attacks, that's bypass, that's angina;
14 they are the highest, 48 per cent.

15 This was data that we have researched
16 over time, principally Dr. Ann Macaulay and myself -- Ann
17 Macaulay will be presenting next -- and we felt that the
18 next logical evolution in our provision to health care,
19 seeing this incontrovertible proof of not only high rates
20 of disease but high rates of complication, we treat those
21 people who have it, but next we try and prevent it. We
22 are working very closely with the schools, with Mr. Cross,
23 with all the principals to try and get this program in.

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1 I would now like to elaborate a little
2 bit on each of these.

3 The first component of the original
4 slide I showed you for the cascade is the diagnosis. It
5 is the clinical staff at Kateri Hospital.

6 The second component is acute care. The
7 clinical practice guidelines were published in September
8 of 1992, and I have a copy of the Commissioners are
9 interested for their records.

10 The Clinical Practice Guidelines
11 Committee was under the sponsorship of the Canadian
12 Diabetes Advisory Board, which is a national advisory group
13 reporting to the Minister of Health federally. It is a
14 committee that deals not just with Native diabetes but
15 with diabetes in Canada across the spectrum, including
16 childhood or juvenile diabetes. I was fortunate enough
17 and honoured to be asked to participate as the Native
18 representative with this Committee, including
19 consideration of Natives for the first time.

20 There was a meeting in Minneapolis,
21 Minnesota in November of 1990 which, for the first time,
22 grouped together all of those people in Canada working
23 in Native diabetes with all of those people in the United

1 States working in Native diabetes. We met for three days
2 and looked exactly at this issue -- education and care
3 of diabetes for Native people. Thanks to that meeting,
4 I drew an enormous amount of inspiration and source of
5 material which I then brought to the Expert Committee,
6 unfortunately two weeks later -- I had a lot of work to
7 do between meetings. We hashed it out at that meeting,
8 and then there was a national symposium which was held
9 in Toronto, where all of the members of the Expert Committee
10 presented to a national group, and the thing was re-hashed.
11 Ultimately it came out, as I said, in September 1992.

12 This, we hope, will form the basis for
13 all clinicians in Canada for care of diabetes. That's
14 quite a comprehensive document, one small section of which
15 looks at Native diabetes.

16 We then move into the realm of secondary
17 prevention. A lot of people would argue actually that
18 the essence of care for diabetes is secondary prevention,
19 whereby you wish to prevent or delay the onset of
20 complications. Towards that end we have the Diabetes
21 Education Program which is in place, we have the Diabetes
22 Education Curriculum, the first phase of which is completed
23 and the next phase of which would be to develop the course

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1 content for a course which could be given for a two-week
2 period to community health representatives or others
3 across the country. Other suggestions have been
4 non-Native nurses who work in Native communities, or indeed
5 any and all health care workers who work in Native
6 communities.

7 Should funding -- not only should
8 funding be achieved, but should the hospital and the
9 community decide that this is a direction we wish to move
10 in, then this community could potentially become a First
11 Nations Diabetes Education Centre. We certainly have the
12 capability and the resources and the manpower; we don't
13 have the money or the capital and the buildings, et cetera.

14 I would just like to elaborate on our
15 Secondary Prevention Program with the Diabetes Education
16 Centre. We actually did a formal evaluation of this
17 program in January of 1992. This was something which
18 Heather Jacobs-White, our nurse educator, was promoting
19 that we should do, and we thought it was essential, before
20 we offered ourselves as a model or any kind of a cite,
21 that it works.

22 We had a masters student in Medical
23 Epidemiology, Dr. Stephen Hodgins (PH), collaborate with

1 us on this, and we did a formal, rigorous, scientific study,
2 retrospective, of the results of our program. In summary,
3 the people who participated in the program had bigger
4 improvements than non-participants in fasting glucose and
5 in blood pressure levels; participants scored higher than
6 non-participants in knowledge and self-esteem; and the
7 negative was that our program had no effect on smoking
8 or physical activity. Based on this data, we feel that
9 our program has had a demonstrable positive impact, and
10 we could look to the program for providing models for other
11 kind of care.

12 As far as the Diabetes Education
13 Curriculum for First Nations community diabetes educators
14 goes, this was yet another outcome of the Minneapolis
15 meeting in November of 1990. This recommendation was
16 endorsed and incorporated into the Clinical Practice
17 Guidelines published in 1992 and speaks to the issue of
18 the need to create front-line, Native, primary
19 care-givers. This is the lack consistently in all levels
20 for any kind of condition.

21 We just finished our meeting, on April
22 21st, whereby the first draft of the curriculum was
23 reviewed and it is being sent back for revisions. If we

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1 are to move beyond this, a potential is this Kahnawake
2 First Nations Diabetes Education Centre, which would be
3 a centre to train community diabetes educators, and we
4 are right now in a feasibility study phase for a possible
5 pilot project -- there are a lot of ifs here. As I say,
6 the curriculum is complete, and we need further funding
7 for course content development, for community consultation
8 and logistics planning, for an inaugural session which
9 will have eight to ten CHRs fly in from across the country,
10 be housed here and fed here for two weeks and undergo
11 curriculum training for two weeks; then, after that process
12 we have to step back and evaluate it critically and see
13 where it was good, where it was bad, what further support
14 we need, what kind of logistics are necessary. It is a
15 major undertaking.

16 The last aspect of care for diabetes is
17 primary prevention. I think this is where the money is,
18 this is where the effort should be put. I think this is
19 the hope for our future.

20 We are in a situation where diabetes is
21 occurring at a younger and younger age. Traditionally
22 it was thought to occur in the fifties to the sixties,
23 the fifth and sixth decade of life. Unfortunately, across

1 Canada and in the U.S. we are seeing it in 40 year olds
2 now and 30 year olds and 20 year olds and in teenagers.
3 This is Type 2 diabetes, not Type 1.

4 The other major impact of this occurring
5 in younger age groups is that it is occurring in women
6 in their child-bearing years. Women who have diabetes
7 before they become pregnant, their children have a 50 per
8 cent chance of developing diabetes by the age of 21. If
9 a woman develops diabetes during pregnancy, her child has
10 a 10 per cent chance of developing diabetes by the age
11 of 21. And if neither the parents have diabetes at all
12 and never did, then your chances are only 1 per cent.
13 So you see a dramatic impact of diabetes occurring at a
14 younger age. It automatically goes into the offspring,
15 and there is our future.

16 In our approach to how to best implement
17 a prevention program, the consensus was that a
18 school-based, teacher-delivered health education
19 curriculum is the best and most effective means. This
20 is included with a strong component of community health
21 promotion activities. This approach is based on
22 successful community approaches to the prevention of
23 coronary artery disease -- this is angina or hardening

1 of the arteries or heart disease.

2 It has never been proven anywhere yet
3 today that one can prevent diabetes. It doesn't exist.

4 There is no programs out there, there is nothing in the
5 literature, there is nothing there to guide us. The roll
6 call of risk factors for diabetes is identical to the roll
7 call of risk factors for heart disease, and the experts
8 are unanimous that the approach to prevention of diabetes
9 at the community level is synonymous or identical to the
10 approach for the prevention of heart disease at the
11 community level. There are five, six, ten, a dozen studies
12 which will show you that one can prevent heart disease;
13 there are none that show that you can prevent diabetes,
14 but because they are so closely linked our approach is
15 integrating those approaches used to prevent heart disease
16 and is trying to use that.

17 Our objectives are to decrease the
18 prevalence of obesity in the community, among children
19 and to increase the practice of physical activity among
20 children and teenagers in Kahnawake.

21 There are two separate intervention and
22 evaluation teams, and this is a funding requirement from
23 NHRDP. The team combines an excellent blending of the

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1 talents, strengths and energies of university-based
2 researchers and community-based clinicians, and, of
3 course, our big community support network of the schools,
4 the teachers, Eddie Cross and his team. We are in the
5 midst right now of a funding competition with National
6 Health Research and Development Program and we have a very
7 excellent chance of being funded to do the formal
8 evaluation of the impact of this program.

9 In summary, my recommendations to the
10 Commission for treatment of Native diabetes is that one
11 adopts a global approach; that successful management of
12 Native diabetes requires consideration and development
13 of innovative, local, community-specific approaches for
14 all elements of the diabetes cascade: diagnosis, acute
15 care, secondary prevention and primary prevention.

16 This comprehensive approach to
17 management of diabetes is inherently valuable in the
18 clinical care of people with diabetes. Should systems
19 such as this be available in other Native communities,
20 it potentially would have a ripple effect on many other
21 individual and community health problems. Implementation
22 of all of these elements is required for successful
23 management of Native diabetes at the community level.

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1 Thank you very much. Myiow kowa (PH).

2 **CO-CHAIR GEORGES ERASMUS:** Thank you
3 for the presentation. I agree, the Round Table on Health
4 did not view this issue adequately, and this is a first
5 rate presentation.

6 I think the idea -- if I can personally
7 express an opinion on it -- of creating an education centre
8 here would be a wonderful idea. I don't know anywhere
9 else amongst First Nations that would be ready to move
10 as quickly as you are. So it would make great sense to
11 do that.

12 Have you applied for the funding to do
13 the next leg of work?

14 **LOUIS T. MONTOUR:** We are right in the
15 midst of doing that. We have been fortunate, we have been
16 supported by the MSS, the ministère des Services de la
17 santé et des services sociaux. They have allocated
18 \$50,000 for the Diabetes Education Centre providing the
19 clinical care. We have received \$25,000 from the Quebec
20 office of the Department of Indian Affairs, national.
21 We are applying to the Ontario Ministry of Health; they
22 have allocated \$30,000 actually to support the course
23 content development. And, as of our meeting last week,

1 the Medical Services Branch had a representative and they
2 may well contribute \$60,000 to \$80,000 to allow us to
3 complete the pilot project.

4 This pilot project will see the course
5 completed and see it administered to eight to ten people
6 but will not address the needs of a centre, physical
7 facilities, a building, all that kind of stuff.

8 **CO-CHAIR GEORGES ERASMUS:** But it would
9 get you through the first part to show that it works.

10 **LOUIS T. MONTOUR:** Yes.

11 **CO-CHAIR GEORGES ERASMUS:** It would
12 cover the costs of bringing eight or ten ---

13 **LOUIS T. MONTOUR:** Right.

14 **CO-CHAIR GEORGES ERASMUS:** Very good.

15 I didn't realize that there was such a
16 close link between heart disease and diabetes. And there
17 are absolutely no studies that show that you can prevent
18 diabetes specifically, itself, isolated?

19 **LOUIS T. MONTOUR:** No, they do not
20 exist. The problem is it is a combination of genetics
21 and lifestyle, and to prevent it you have to start in
22 childhood, but the disease doesn't show up until you are
23 age 40 or 50 or 60. So you have to have a study for 50

1 years, and they don't exist.

2 So the theoretical framework is in
3 place, but the actual practical application of it is not.
4 And, even in our approach, because diabetes won't show
5 up until you are 40 or 50 or 60, we are looking at indirect
6 outcomes: knowledge, attitudes, behaviour, weight, body
7 mass, measures of physical activity and fitness. These,
8 you would hope, could extrapolate into the likelihood of
9 less diabetes 30 years down the road, if people are coming
10 out healthier, but there is no proof.

11 **CO-CHAIR GEORGES ERASMUS:** Why is
12 diabetes so prevalent amongst First Nations peoples? It
13 doesn't seem to me that the diseases of the heart are as
14 high. I guess that's where we are moving if we keep
15 becoming --

16 **LOUIS T. MONTOUR:** That's an excellent
17 observation. In fact, you could think that most Native
18 communities are on different points of the same curve.
19 Some are quite severe and some are yet to manifest
20 themselves.

21 I mentioned earlier that it is a
22 combination of genetics and lifestyle, and the classical
23 picture is over-nutrition and under-exercise. The key

1 to reversing diabetes is to reverse those things: get
2 proper exercise and appropriate nutrition.

3 **CO-CHAIR GEORGES ERASMUS:** Is stress a
4 factor?

5 **LOUIS T. MONTOUR:** Undoubtedly it makes
6 things worse, but it won't cause the primary condition.

7 **CO-CHAIR GEORGES ERASMUS:** It seems to
8 be becoming a disease of Aboriginal politicians.

9 **LOUIS T. MONTOUR:** Good. Maybe they'll
10 fund us. Actually, this is a message that we have been
11 trying to -- Aletha Kewahosh (PH), who was with the Assembly
12 of First Nations Health Care Commission has been lobbying
13 originally with yourself and subsequently with your
14 successor to bring this agenda to the National Chiefs.
15 Certainly, my personal feeling is that, as much as this
16 approach is sort of reasonable and rational and
17 understandable, in fact it provides an entrée and a hook
18 and a way of looking at many other diseases. What are
19 we advocating here but healthy lifestyle and proper
20 nutrition, and what enormous impact would this have on
21 many other conditions. So I think the benefits are
22 potentially substantial.

23 **CO-CHAIR GEORGES ERASMUS:** Would it be

1 too much of a generalization to say that in a large way
2 returning to Aboriginal diets would quickly assist?

3 **LOUIS T. MONTOUR:** They would
4 immediately assist. There is actually several studies
5 in Australia which have had Aboriginal people going from
6 their -- I don't know how they live; I guess they are
7 reserves or settlements, I am not sure what they are called,
8 but they were living in white housing essentially. They
9 sent them back to the bush and to traditional lifestyle,
10 and their sugar improved dramatically. The same thing
11 holds true for the Cree in northern Quebec. Those people
12 who returned to the trap line for four to six months came
13 back with excellent control of their diabetes.

14 If you are looking at genetics and
15 lifestyle as the causes, shall we say, of diabetes, then
16 the cure is a return to traditional lifestyle, of which
17 diet is one component.

18 **CO-CHAIR GEORGES ERASMUS:** Right.

19 Thank you.

20 Are there any other comments or
21 questions?

22 **COMMISSIONER BERTHA WILSON:** I was just
23 going to say I am glad we had this presentation after our

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1 lunch and not before it.

2 **LOUIS T. MONTOUR:** Did you have haggis?

3 **COMMISSIONER FOR THE DAY BILLY TWO**

4 **RIVERS:** No, we had steak.

5 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
6 much for this very interesting presentation. We wish you
7 the best of luck. We will certainly be looking at your
8 brief more carefully and hope to be of some help generally
9 on the issue of lifestyle.

10 **LOUIS T. MONTOUR:** Thank you very much.

11 It has been a pleasure.

12 **COMMISSIONER FOR THE DAY BILLY TWO**

13 **RIVERS:** Myiow.

14 Dr. Ann C. Macaulay, please.

15 **ANN C. MACAULAY, FORMER MEDICAL**

16 **DIRECTOR, KATERI MEMORIAL HOSPITAL CENTRE:** Thank you very
17 much for your invitation to me to allow me to present today.

18 My background is that I was the first
19 physician hired by the community of Kahnawake themselves.

20 Up until then they had had medical services provided
21 through National Health and Welfare.

22 I was Medical Director of Kateri

23 Memorial Hospital Centre from the time I came, which was

1 1970, until 1988, and I have remained as a family physician
2 here since then. My other job is as Associate Professor
3 in the Department of Family Medicine at McGill University.

4 I would like to talk about three issues
5 that I find very important in health care. One is the
6 effect of poor socio-economic conditions on health, the
7 implications for health care planning; secondly, the role
8 of traditional medicine; thirdly, the importance of high
9 quality of health care workers.

10 The "Background Paper on Health of
11 Canada's Aboriginal People", the paper for the Health
12 Commission Hearings, clearly outlines the poor economic
13 status and low levels of education of the majority of
14 Aboriginal people of Canada -- luckily, not the statistics
15 in this community. It is well known that low economic
16 and low education are both associated with high levels
17 of chronic physical and mental disease.

18 You have had Dr. Montour explain that
19 here in Kahnawake there are 342 people with diabetes.
20 You also heard that that's two to three times the national
21 average. You have also heard that 50 per cent of these
22 diabetic people have significant heart disease. In
23 addition, 13 per cent of people with diabetes have had

1 strokes and 13 per cent have peripheral vascular disease
2 which frequently leads to amputation. I can give you these
3 statistics with confidence because they are the result
4 of our community-based research here in Kahnawake. From
5 my clinical experience of the last 23 years it is also
6 my impression that there are other chronic diseases which
7 are high in this community.

8 I think this leads to two very important
9 issues. For short-term planning it is important that
10 health care organizations and governments recognize these
11 statistics and plan accordingly. Mr. Dussault, you
12 yourself stated that one of the five elements of a solution
13 to health and social problems in Aboriginal communities
14 was to "make comparable standards of medical and social
15 services for Aboriginal and non-Aboriginal peoples."

16 I believe that in order to meet these
17 standards it is important to understand that the national
18 norms for the distribution of health care workers are not
19 sufficient for many Aboriginal communities where there
20 are high levels of chronic physical and emotional disease.

21 Hopefully, in the future, there will not only be increased
22 number of health care workers but there will be increased
23 number of Native health care workers. It is also important

1 to remember to involve traditional healers.

2 For long-term planning it is imperative
3 that finances be made available for prevention programs
4 for physical and emotional disease. Mr. Dussault, you
5 again said, "Aboriginal peoples believe that health means
6 something more than the absence of disease, more than
7 ensuring adequate health services. Health from an
8 aboriginal perspective refers to the core of a person,
9 the vitality that animates peoples, their families and
10 communities."

11 You have heard Dr. Montour's
12 presentation today for our hopes for preventing diabetes
13 in this community. You have heard our hopes for improving
14 the general level of health.

15 I would like to second the statement and
16 I would like to congratulate this Commission on the
17 understanding of the link between economic status, poor
18 self-esteem and health.

19 I would now like to make some comments
20 on the role of traditional medicine.

21 From my own practice I know many patients
22 who previously had a sense of isolation, helplessness,
23 hopelessness and worthlessness and who have gained

1 feelings of self-esteem, peace and well-being through
2 attending traditional healers and participating in healing
3 ceremonies.

4 I believe strongly that this does not
5 negate the effectiveness of the prescriptions of the
6 western health care system. On the contrary, I believe
7 that traditional and western medicine can be easily
8 integrated. I find patients themselves have no
9 difficulties in using both systems at the same time, just
10 as it is natural to drive a car to a healing ceremony.

11 Finally, I would like to discuss -- and
12 I think this is the issue I feel most strongly about --
13 the importance of high quality of health care workers in
14 Aboriginal communities.

15 My strong belief is that high quality
16 of health care professionals, whether they be Native or
17 non-Native, is essential to the delivery of first rate
18 health care. In 1988 I wrote an article, "The History
19 of Successful Community-Operated Health Services of
20 Kahnawake, Quebec". In that article I wrote, "second and
21 third rate staff provide second and third rate health
22 care." So I do not believe that it is enough only to have
23 sufficient health care workers. I believe it is very

1 important to ensure that these are first rate health care
2 workers, whether they be doctors, nurses, community health
3 representatives, social workers, addiction counsellors,
4 anybody.

5 What are the essentials for a first rate
6 health care worker? First rate health care requires not
7 only an excellent command of health care knowledge and
8 skills, but also requires the ability to understand and
9 meet the specific needs of individuals and the community.

10 One essential element for every health care worker is
11 the need to understand themselves and to understand their
12 own health care needs before they can effectively address
13 the health needs of others.

14 Unfortunately, the high rates of
15 alcoholism, physical and sexual abuse are common in many
16 Native communities, and it must be recognized that health
17 care providers who come from these communities may suffer
18 proportionately from the same pattern of problems.

19 There is an interesting new initiative
20 of the Onentokon Treatment Centre in Quebec, which is a
21 treatment centre for alcohol and drug abuse, and that is
22 the commencement of a counselling program for the addiction
23 counsellors. Some of these counsellors, unfortunately,

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1 have come from dysfunctional families caused by alcohol
2 verbal and physical abuse. So this program has been
3 developed for counsellors who will now "walk the talk".

4 As a result, these addiction counsellors will better
5 understand themselves and, in turn, be more equipped to
6 care for their clients. This is an excellent case of
7 giving care to the care-givers. I believe this program
8 and similar other programs should be considered in all
9 our organizations to help those who care for others.

10 In addition to understanding themselves
11 -- and there are non-Native health care workers who come
12 out of abusive families too -- it is important for
13 non-Native health care workers to have an understanding
14 of the life-ways and traditions of the community where
15 they work. This must include knowledge of the sense of
16 values of the community and knowledge of interaction with
17 others in a cross-cultural environment.

18 Dr. Clair Brant, whom I know you heard
19 from in Vancouver, wrote an article entitled "Native Ethics
20 and Rules of Behaviour". That article will come to you
21 tomorrow. It clearly describes the patterns of
22 non-interference in traditional Mohawk communities.

23 The Diabetic Education Program here in

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1 Kahnawake, which you heard Dr. Montour explain, also was
2 developed to incorporate community ways into the health
3 education. This recognized that traditional
4 communication in this community was oral, the teaching
5 is one on one, we use much visual materials because of,
6 again, the knowledge that is coming to light that
7 Aboriginal communities seem to be more visually-orientated
8 -- right brain rather than left brain, if you like that
9 expression. The RN here in the Diabetic Education Program
10 has always been native. There is a strong story-telling
11 component to education.

12 I believe that cross-cultural care also
13 includes the knowledge of appropriate behaviour and
14 interpersonal relationships, and the important
15 differences in verbal and non-verbal communication. I
16 think it is very important for those of us who are
17 non-Native, especially in distant communities, to
18 understand that a Native person, whether speaking English
19 or French, is already using a second language. I think
20 it is very important to make sure that that person
21 understands the language one is using. I think it is
22 important to have some knowledge of the local vocabulary.
23 I think it is very important to understand the difference

1 between direct and indirect communication. Non-verbal
2 communication is also very important. I am thinking here
3 of body language, facial expressions, eye contact and the
4 use of silence, which is much more common in Native
5 communities than it is in a white background.

6 Finally, I believe that effective
7 cross-cultural care includes understanding one's own
8 background as well as an understanding of the community
9 in which you work.

10 I would just like to say that I am missing
11 some of my references, but I will make them available
12 tomorrow.

13 **CO-CHAIR RENÉ DUSSAULT:** I would like
14 to thank you for presenting us with your thoughts and also
15 experience. We realize that the health concerns and areas
16 of our mandate are very crucial ones and link to many
17 others. We appreciate that this link has been made to
18 us over and over again from the hearings and people who
19 give testimony before us. I think that's something that
20 should be emphasized that brings to the non-Aboriginal
21 people a strong message on the health system and the health
22 values themselves, and also on possibly the methods to
23 reach success in fighting some of the diseases.

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1 So at this point I would like to thank
2 you very much for completing our thoughts on that, and
3 we are going to pursue in that direction certainly.

4 Are there any questions?

5 Thank you.

6 **COMMISSIONER FOR THE DAY BILLY TWO**

7 **RIVERS:** Myiow kowa (PH).

8 Now, I would like to call on Susan K.
9 Horne, please.

10 **SUSAN K. HORNE, PRESIDENT, KATERI**

11 **MEMORIAL FOUNDATION:** I would like to begin by expressing
12 my appreciation on behalf of the Kateri Memorial Foundation
13 for the opportunity to address the Royal Commission on
14 Aboriginal Peoples and also to the members of my community
15 here today.

16 I will be presenting the following
17 information not for the purpose of reporting activities
18 of our Foundation but in a spirit of sharing our
19 experiences.

20 Kateri Memorial Foundation was
21 established in Kahnawake on June 1st, 1991 to act
22 exclusively as a charitable organization. The main
23 mission of the Foundation is to help fund and support health

1 care services at the community level and to ensure quality
2 services are enhanced. The focus is on areas that are
3 not covered or not fully covered by the conventional
4 government funding sources.

5 Through our volunteer board of directors
6 the Kateri Memorial Foundation will solicit and distribute
7 funds intended to meet the specific objectives of the
8 Foundation. The simplest way of explaining our objectives
9 is that they are broad, covering many areas of health
10 services, with our priority given to the unfunded needs
11 of the Kateri Memorial Hospital Centre.

12 During these present difficult fiscal
13 times, everyone in the health care sector and the health
14 service providers are continually being reminded of their
15 limitations. The costs of health care services are rising
16 while the government continues to make cutbacks in all
17 areas of health.

18 Kahnawake has been affected by this and
19 is not immune to the restraints. It became quite clear
20 there was a definite need for support outside of the present
21 financial funding agencies. If we were to continue
22 providing our community with the high quality health
23 services we are still accustomed to, we needed to take

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1 action, we needed to take our responsibility and become
2 involved; we needed a fund-raising arm.

3 We have taken on that responsibility
4 with the establishment of Kateri Memorial foundation.
5 We embarked on our first campaign last fall with the
6 knowledge that past experience has always proven Kahnawake
7 to be supportive of its health services in times of need
8 or crisis.

9 We can go back as far as 1955 for an
10 example of this type of tremendous support. Fifty years
11 after the opening of our hospital the organization
12 organizing Kateri went bankrupt. Closing the hospital
13 doors appeared to be evident. The community did not accept
14 this decision and was fed up with hearing about the closing.
15 The community members chose to take action and continued
16 servicing our people by volunteering and raising the funds
17 needed to keep the doors open.

18 In more recent history, in 1985 our
19 community came through again and raised a sum of \$36,000
20 in a short 48 hours to purchase a new ambulance for the
21 benefit of all of Kahnawake. Last year, \$50,000 was raised
22 in just a few short months to purchase a new hospital van
23 for the disabled. And the examples do go on.

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1 I would think that it is safe to say that
2 giving back to our own community is well within our
3 tradition.

4 We are now calling our first year of
5 activities as a foundation a learning experience and a
6 great success, raising over \$50,000. We learned that once
7 again we can count on our community. We were also very
8 pleased with the response received from supporters
9 outside. This confirmed our belief that there is the
10 support of the non-Native population out there who are
11 eager to help once we have opened the door and given them
12 the opportunity to learn what we are all about.

13 On the other hand, we learn what our
14 limitations are. We realize the need for more community
15 representation on our volunteer board and within our
16 volunteer members. We now need to expand our expertise,
17 our contacts and our workforce. We also need to improve
18 on public information that provides a clear focus of what
19 the Foundation is all about.

20 By this point you may be saying that
21 Kateri Memorial Foundation and what it stands for is
22 nothing new; the concept of a foundation to support a
23 specific need is nothing new. Well, for our community,

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1 the formal, organized and ongoing approach to fund raising
2 is something new. It represents our community taking on
3 a long-term commitment of assisting in the provision of
4 an enhanced quality of health care service.

5 Kateri Memorial Foundation also
6 represents on the grander scale much more far-reaching
7 effects than just being the fund-raising arm that can
8 purchase you that much-needed piece of equipment. It
9 represents the flexibility needed to determine and address
10 our needs, not always having to wait on government
11 transfers to proceed. With this flexibility we will be
12 free to determine for ourselves what areas of health
13 services will be given special attention. We will be freer
14 to determine what our path can be.

15 In Kahnawake's health care sector we now
16 have the means to provide that flexibility. It is our
17 responsibility to develop it and keep it alive. Our
18 efforts will create a sense of synergy where the total
19 result will be much greater than the sum of all our
20 individual efforts and, with this, will bring a tremendous
21 sense of pride and self-respect for a job well done.

22 Of course, this means hard work and
23 dedication, something we have already been accustomed to

1 in this community. We are known to be fighter-minded,
2 and barriers have never meant turning back but meant having
3 to find a way. The success of Kateri Memorial Foundation
4 will ultimately depend on community involvement and how
5 we view the importance of our health and the importance
6 we put on improving it.

7 Health plays a critical role for the
8 future of our people. Without it we don't have anything.
9 Healthy individuals are the core to a healthy community.
10 When we initially feel good about ourselves, we then have
11 the power to improve on our own lives, and with this comes
12 the power to collectively improve the health of our own
13 community.

14 We have the responsibility to make
15 things happen and we will make things happen if we do it
16 together. I see Kateri Memorial Foundation's future to
17 be a collection of strong-willed, health-oriented
18 supporters working in positive and creative ways to assist
19 and improving on the overall state of health of Kahnawake.

20 We realize that the goal of our
21 organization is only a small part of the solution to the
22 financial restraints faced by the health sector in our
23 community and other Native communities across this

1 country. We are hoping, though, that our successes this
2 past year and some of our future successes can be used
3 as a model for other communities. We look at our efforts
4 as a step forward, forward to a healthier future.

5 Thank you.

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

7 The Foundation that you created, is that
8 registered somewhere?

9 **SUSAN K. HORNE:** Yes, it is registered
10 with Revenue Canada, Charities Division.

11 **CO-CHAIR GEORGES ERASMUS:** So you have
12 a number from them.

13 **SUSAN K. HORNE:** Yes, it is a registered
14 charity.

15 **CO-CHAIR GEORGES ERASMUS:** Do you have
16 any specific fund-raising drives, activities?

17 **SUSAN K. HORNE:** Like I said, we just
18 went through our first year and we did a lot of awareness
19 of the Foundation. That was our objective in the first
20 year. We did the normal direct mail thing to a lot of
21 people, we held a social evening at our hospital to invite
22 people to come and see the hospital and also hear what
23 the Foundation is all about. That really our first

1 fund-raising drive. We have tried to create awareness
2 on how giving in memoriam of a person can be used in our
3 community.

4 I think one thing that I didn't mention
5 and thought of only after I finished my speech was that
6 I didn't mention the areas that we were able to help in
7 the short time that we were in operation. I really want
8 to mention those things, because I left that out.

9 **CO-CHAIR GEORGES ERASMUS:** Go ahead.

10 **SUSAN K. HORNE:** Like I said, we went
11 through the awareness of the Foundation. Earlier in the
12 year we assisted in the purchase of a hospital van for
13 disabled; that we were able to do via a contribution through
14 our Foundation from an individual. Our major initiative
15 right now is, we are going to be opening a gift shop in
16 the hospital centre. This will meet the needs of the
17 clientele and it also ensures that the Foundation will
18 have an ongoing revenue. So we are trying to use our funds
19 wisely to look to the future.

20 We have also established three
21 educational awards in the community. They will be presented
22 in the near future. That was developed because one of
23 our main objectives at the Foundation is to promote health

1 careers amongst Native students. So we have created two
2 at the high school level, and we will be giving those out
3 at the end of this year, and there is one for a Native
4 woman in post-secondary education. That we were able to
5 provide through memorial fund that we received from a
6 family, and that's been put in trust with us to give an
7 award from the interests of that money each year to a Mohawk
8 woman who pursues post-secondary education in health.

9 We recently assisted in the purchase of
10 an electric bed for CBA patients in the hospital.

11 Our future plans are to, on a yearly
12 basis, review the needs of Kateri Memorial Hospital Centre
13 on a yearly basis, and then we can plan as best as we can
14 our activities around those needs.

15 **CO-CHAIR GEORGES ERASMUS:** Some
16 foundations try to develop a certain capital equity that
17 they will kind of maintain and they will use the interests
18 from that. Are you going to try and pursue that kind of
19 fund raising? It seems to be attractive to some people
20 that are prepared to provide money, similar to the memorial
21 that you are talking about from that family, where the
22 equity is provided to you; the equity is always there and
23 you use the interests. It seems to sell the idea to people

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1 that, with one major donation it will continue to provide.

2 **SUSAN K. HORNE:** We are in the early
3 stages where we are educating ourselves on a lot of these
4 issues. Many foundations from other hospitals have been
5 very helpful with that. The issue that you raise has been
6 passed on to us, and it is something to consider.

7 **LOUIS T. MONTOUR:** If you have any
8 names, Georges, we could use them.

9 **CO-CHAIR GEORGES ERASMUS:** Maybe you
10 could pass some of your brochures with your phone number
11 and all that kind of stuff on it before we go.

12 **SUSAN K. HORNE:** Okay.

13 **IRENE TSCHERNOMOR:** If I could just add,
14 actually, we were going to put one on each chair, but some
15 of us thought it might be tacky, so we didn't.

16 **CO-CHAIR RENÉ DUSSAULT:** Just a short
17 question. You mentioned that this could snowball in other
18 communities. I was just wondering to what extent you feel
19 that the presence of a hospital in the community has made
20 it possible to establish the Foundation, because the needs
21 are there even if there is no hospital in a community.
22 To what extent do you feel that the existence of a hospital
23 is something that is helpful in establishing a foundation

1 like yours?

2 **SUSAN K. HORNE:** I guess in our case it
3 was the driving force. I think maybe in other communities
4 that possibly don't have a hospital centre, maybe a nursing
5 station or whatever -- there is always a need of those
6 extra helping hands, to assist health services. I hate
7 to stress the point of dollars to a foundation. Everyone
8 that's going to contribute to the Foundation -- not
9 everyone can take money out of their pocket, but they can
10 do something to help the cause. In other communities maybe
11 it is the helping hands that are there to assist the health
12 service providers.

13 **CO-CHAIR RENÉ DUSSAULT:** As a last
14 point, you mentioned that the past year experience, or
15 a year and a half, proved that you can count on the community
16 but also on some segment of the non-Aboriginal community.
17 Could you expand on that? What has been the input of
18 people living outside the community but maybe using the
19 hospital services?

20 **SUSAN K. HORNE:** Maybe I could go back
21 a little bit. Even before the Foundation the hospital
22 services and health services have always had a group of
23 supporters outside of the community. So we knew they were

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1 there. I have always been told stories that they were
2 there; even at one point they came through with the payroll
3 that couldn't be made. So we knew that they were there.

4 We had the people that had interest in the hospital and
5 had people who were interested in the hospital. So we
6 knew we had that body to approach. I think just about
7 everyone that we approached responded in a positive manner.

8 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
9 much, and we wish you good luck with the other fund-raising
10 drives that you are going to have in the coming years.

11 **SUSAN K. HORNE:** Thank you.

12 **CO-CHAIR GEORGES ERASMUS:** Seriously,
13 drop off those pamphlets to us.

14 **COMMISSIONER FOR THE DAY BILLY TWO**

15 **RIVERS:** Now, for our final presenter, I would like to
16 ask Carl Curotte to come forward, please.

17 **CARL CUROTTE:** I would like to welcome
18 you to Kahnawake. Seeing many of you were appointed by
19 Prime Minister Mulroney and seeing all the travel you must
20 do and all the things you must listen to, I question if
21 Mr. Mulroney has something against some of you.

22 I wrote a few things I would like to have
23 addressed. I hope you will bear with me. I may not be

1 following the protocol, but I feel I am exercising my
2 democratic right.

3 I am left with only hope. I am proud
4 to be a member of the Mohawk Nation. I was born in a world
5 of problems; yet the greatest obstacle hindering my beliefs
6 is governments.

7 I at a very young age was discouraged
8 by schooling, religious institutions, and practising my
9 forefathers' values and principles and, the most
10 important, our culture. There was no research or
11 obtainable knowledge. The St. Lawrence Seaway was
12 expropriating our land to put a ditch to accommodate trade
13 from Montreal. My birth right was challenged since birth.

14
15 A lot of people have been broken down
16 to the point that they are also discouraged in rebuilding
17 our identity. There was a constant picking of sides.
18 The federal government's imposed band councils, these are
19 what the governments choose to recognize as the leaders;
20 yet 90 per cent of the people give recognition to their
21 birth right within the Confederacy and acknowledge the
22 traditional government as our representatives.

23 The federal and provincial governments

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1 as well as religious institutions project they know the
2 solutions to all our problems. So many people offer their
3 opinion; yet in your own history regarding a Commission
4 such as this, what has your governments acknowledged?
5 The argument of the past still remains intact.

6 We recognize our government as our
7 representatives and do not acknowledge the imposed system
8 regardless of if it is filled by a Native. Who are they
9 answerable to? Not the people, as can be shown in
10 countless scenarios.

11 Before we can give you solutions, it is
12 up to you to help identify the problem. The problem, is
13 we cannot envision the future through the eyes of our
14 oppressors. If in fact you are sincere and this Commission
15 is not a fact-finding mission which report is looked at,
16 like a surgeon doing surgery, to only later identify how
17 advanced we are and identify in your report how legislation
18 can be introduced to finalize the assimilation policies,
19 I ask, can you show me accountability on your government's
20 part? He asks us to be law-abiding people; yet he breaks
21 his own law in how he forces his policies on us. Can you
22 explain to me why, with all the wealth obtained in this
23 country and all the resources producing wealth for other

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1 countries, why is it Natives do not share in the prosperity?
2 Why do we share in the recession?

3 This Commission should question the
4 accountability of governments. Let's seriously identify
5 the problems. You have problems within your own system.
6 You are in a recession. No growth. Yet we see countless
7 riches you have yet to discover. Many of our people's
8 knowledge was identified in the Earth Summit and are
9 possibly the key to survival in the next world.

10 The fish in Newfoundland are gone. The
11 salmon no longer run in B.C. Drift nets catch millions
12 and millions of fish; yet an Indian is arrested for doing
13 what his people have done for thousands of years because
14 he has no permit. The function of our lives is based on
15 your interpretations. Solutions sought in our problems
16 are interpreted as you envision them. After 500 years
17 we are still not allowed to be who we are. There are
18 countless contributions we have made to the world; yet
19 many discoveries, just like Columbus, were made or recorded
20 by the paper world, by individuals who have observed
21 Indians. They are credited with introducing it to the
22 world. Its interpretation constantly needs maintenance
23 and it is modified to extinction, just as our people are.

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1 Our greatest gift to the world was
2 democracy. For those who came here, running from a world
3 governed by kings and queens, it is not funny, but it is
4 our principles and values which were modified to give you
5 the right to speak or gather freely; yet we are denied.

6 We are denied representation that is
7 justifiable to us. The band councils deny many a people
8 their rights. I for one cannot even get drinking water
9 unless I sign a list of forms and agreements. Today a
10 Native denied water is a lack of responsibility regarding
11 proper representation.

12 In your terms, no one is denied their
13 religious beliefs. This is within your Constitution, your
14 Charter of Rights and Freedoms. Why then am I not allowed
15 to practice our beliefs? Our religious beliefs embrace
16 the political, spiritual and natural beliefs given to us
17 by the Creator. Every culture is allowed to prosper.
18 Some are encouraged, but Natives are denied. This is the
19 20th century and not a Third World country.

20 The world is full of war, independent
21 states and countries fighting for freedom. How long
22 before it happens here? Many wars from across the waters
23 have surfaced here, and yet they are encouraged to practice

1 their culture.

2 Yes, I believe our fight is about to
3 begin. We are a poor excuse living in your interpretation,
4 under your guidelines and policies. We cannot survive
5 as a once proud people within your interpretation of
6 "civilized". Our Mother the Earth is grasping for
7 survival. Tell me how, under your interpretation of law,
8 order and good government, did our Mother become so sick
9 with pollutants? It all boils down to accountability.
10 Credible people within your governments acknowledge the
11 system is failing the people; yet those failing policies
12 are implemented on reserves through what is called
13 self-government, self-determination. It is confined to
14 whose interpretation.

15 It feels like the parent-child syndrome
16 without understanding that the child has grown up. What
17 will it take for you to understand the pain you have
18 inflicted upon yourselves by not allowing yourselves to
19 grow as well? Is civilized the result of waters no longer
20 drinkable, the trees dying, the ozone layer depleting,
21 children becoming a commodity? Yes, the old ones say,
22 if this is civilized, we have a tremendous role to play
23 in educating your people about barbarism as defined by

1 your interpreter, William Webster.

2 The biggest challenge today for all of
3 mankind is to trace their origins, for in that journey
4 is fear of what we may find out about ourselves.

5 I ask the Commission, try not to be hard
6 on yourselves. Perhaps you will be able to understand
7 and not fear us, but respect that we are different and
8 cannot accommodate your values if we are to survive in
9 the future.

10 I thank you very much.

11 **CO-CHAIR GEORGES ERASMUS:** Thank you
12 for your thoughts. They are quite interesting. I
13 personally can't think of any way that you are suggesting
14 what we might do, though, that would be of assistance.

15 **CARL CUROTTE:** One of the things that
16 could be done is perhaps you could explain to us, the Native
17 people of Canada, why we do not share in the prosperity
18 as other Canadians do. Why do people that are coming from
19 these other countries, landing here as immigrants, are
20 given all kind of prosperity, and we Native people have
21 people who don't even have access to drinking water, access
22 to toilet facilities.

23 The prosperity, the welfare that has

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1 come out of this country has influenced the whole world.

2 Just since 1990, since this crisis, Canada has given 10
3 times the amount the United States has given to the World
4 Bank. They are helping other countries in the world and
5 they can't even help their own people here in this country.

6 You have cities that are full of homeless
7 people, people that don't have a place to eat. Is this
8 democracy? Is this how we are to interpret civilization?
9

10 We ask this world, this Commission, to
11 respect who we recognize as our leaders. The reason
12 governments choose not to recognize who we recognize as
13 our leaders is because governments fear they will have
14 to be accountable to the treaties that our people signed,
15 the treaties our people were associated with. Those
16 treaties are not honoured by governments. The Royal
17 Proclamation of 1763 clearly tells people that the
18 government cannot enforce or legislate over the Indians,
19 but that goes on all throughout Canada.

20 My main concern is for the future of not
21 only my people but of North America. Did you ever ask
22 yourself why so many people have come to North America
23 and why no Native people have gone to Europe or other places

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1 to reside? Why has everyone come to North America? We
2 had the answers to all of these questions, but your society
3 is too puffed up with arrogance to think Native people
4 had anything worth listening to.

5 We can trace our beginnings to the
6 origins of man. It has only been 500 years since those
7 boats came here and took us apart. We can still trace
8 our beginnings to where we come from.

9 Our creation story identifies we come
10 from the sky world. The origins of man were all made here
11 on this continent and moved because they could not get
12 along together. It was then explained by the Creator to
13 our people and passed on traditionally that, as there are
14 birds that look the same, they have different songs. It
15 is just like human people. We cannot live in harmony
16 because of all the prejudice we have amongst each other.

17

18 We live in a world that is dominated by
19 white man's values. It does not take into consideration
20 the other races in the world. We always try to dominate
21 those other races. Let's take into consideration the
22 black man and what his characteristics are to represent
23 to bring about the balance in the world. Let's take into

1 consideration the yellow man.

2 The first contact we had with Europeans
3 was the white people that came to our territories. They
4 brought the black men to take all the riches out of the
5 country and used them as slaves. They brought the yellow
6 men to build the railways. And those people today, in
7 today's world, are prospering. They came as slaves, and
8 we, the owners of this land, have yet to be given the respect
9 we so deserve.

10 We deserve the respect because of the
11 wealth and the contribution we and North America have made
12 to not only North America but to the whole world.

13 I thank you.

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

15 **COMMISSIONER FOR THE DAY BILLY TWO**

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

17 This concludes our evening. I want to
18 thank the Commissioners for our patience, having
19 diligently sat through all the presentations. I also
20 thank them for their many comments and questions that they
21 addressed to the presenters. I believe that they have
22 a free evening tonight, but I will ask them if they would
23 be so kind enough as to possibly be here for nine o'clock

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1 tomorrow morning, maybe a little bit earlier to have some
2 local Kahnawake breakfasts. They are not as tremendous
3 as lunches, but we do have a lot of places that you can
4 have here.

5 So if we can come tomorrow morning --
6 we will start at nine o'clock if everyone is here. Our
7 first presenter tomorrow morning will be a brief
8 presentation by June Delisle. There will be opening
9 remarks previous to that made by the Co-Chairs. Then June
10 Delisle will be giving a short presentation. The Women
11 of the Longhouse will be making a presentation, to be
12 followed by the Mohawk Trail Longhouse representatives,
13 then the Myiow Longhouse representatives, then the
14 Kanesatake Longhouse representatives, which hopefully
15 will carry us to lunch. After lunch, the afternoon and
16 the conclusion of the meeting will be presentations made
17 by Tokwiwo Norton, Arnold Goodleaf, Billy Two-Rivers, Phil
18 Schneider and John "Bud" Morris. So that is the agenda
19 for tomorrow. That is a tentative agenda.

20 So hopefully we can see each and everyone
21 of you that were here today, to come back again tomorrow.

22 If you can't, be sure to listen to CKRK, who will be
23 carrying the entire proceedings.

StenoTran

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1 Myiow kowa ona (PH).
2 --- Whereupon the hearing adjourned at 6:55 p.m.,
3 to resume at 9:00 a.m. on Thursday,
4 May 6, 1993.