

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

LOCATION/ENDROIT: NATIVE CANADIAN CENTRE
TORONTO, ONTARIO

DATE: THURSDAY, JUNE 25, 1992

VOLUME: 1

"for the record..."
STENOTRAN
1376 Kilborn Ave.
Ottawa 521-0703

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Aboriginal Peoples

1 Toronto, Ontario

2 --- Upon Commencing at 9:00 a.m. on Thursday,

3 June 25, 1992

4 **CO-CHAIR GEORGES ERASMUS:** We are going
5 to start with a welcome drum, Lester Mianscum from Medicine
6 Hoop.

7 -- (Welcoming Drum)

8 **CO-CHAIR GEORGES ERASMUS:** Thank you.
9 We will remain standing and we will have an opening prayer
10 by our Elder, Betty Pamp.

11 --- (Opening Prayer)

12 **CO-PRÉSIDENT RENÉ DUSSAULT:** Je
13 voudrais d'abord souhaiter la bienvenue à tous au nom de
14 la Commission royale sur les peuples autochtones au Canada.
15 Welcome everybody. It is a great pleasure for the Royal
16 Commission on Aboriginal Peoples to hold this first hearing
17 in Toronto.

18 This is the last leg of our first round
19 trip that was started in Winnipeg just after Easter. We
20 have visited all the provinces and the territories in the
21 last ten weeks. We have heard a lot. We have also
22 listened a lot.

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1 We are very confident that what is
2 mentioned to us throughout this round of public hearings
3 will be of great help to set out some priorities or
4 tendencies on which we will be able to focus during Round
5 2 of our public hearings that will be held early next fall.

6 The Commission is formed of seven
7 members. The Commission was created in late summer last
8 year. There are seven commissioners, four of whom are
9 from aboriginal peoples. Most of them were very active
10 in aboriginal organizations.

11 I would like to introduce my fellow
12 commissioners.

13 Georges Erasmus, who is Co-Chair with
14 myself. I am René Dussault. I am a judge with the Court
15 of Appeal for the Province of Quebec. Georges Erasmus
16 was, until a year ago, Chief of the Assembly of First
17 Nations.

18 I have, from the far right, Allan
19 Blakeney, who was Premier of Saskatchewan for more than
20 a decade.

21 Madame Bertha Wilson, who was with the
22 Supreme Court of Canada for many years.

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1 Mary Sillett, who is an Inook from
2 Labrador, who was Vice-President of Inuit Tapirisat of
3 Canada and also very active in women's associations.

4 At my far left, Viola Robinson, who was
5 President of the Native Council of Canada, who is a Micmac
6 from Nova Scotia.

7 Paul Chartrand, who is a Métis, teaching
8 at the University of Manitoba, a law professor.

9 We have with this morning an Elder,
10 Madame Betty Pamp. She will be acting as Commissioner of
11 the Day as an Elder to help us to grasp and understand
12 what will be said to us.

13 We are committed to a large public
14 education process. We hope to be able to reach as many
15 people in the northern communities but also in the southern
16 cities. We hope to be able to hear from both aboriginal
17 and non-aboriginal people. We want to go to the people
18 when they can't come to us. That's the reason why we are
19 visiting institutions like federal penitentiaries, like
20 provincial jails.

21 We are extensively going in the schools
22 to meet with children, with people who are in secondary

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1 schools, because we feel education is certainly key for
2 the future of young people. We go to halfway houses.
3 We go to small businesses. So we try to meet the people
4 where they live their daily life in order to hear from
5 their life conditions and the ideas they might have to
6 improve their life conditions, because many of the
7 solutions will be grassroots solutions and they are the
8 ones who know what could work in their communities and
9 what would not work.

10 We also of course want to hear from the
11 political leaders, the organizations themselves. During
12 these two days we are going to have an opportunity for
13 the first time to hear from the major national
14 organizations, including the women's associations.

15 We plan to have four rounds of hearings.
16 The second one will be in the fall. There will be a third
17 in early 1993 and a fourth later in 1993. The reason for
18 this is that we want to meet as many people as possible,
19 but also that we want to establish a dialogue and to have
20 feedbacks and to exchange views and ideas as to what could
21 be done.

22 We plan to publish at the end of the

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1 summer a document that will be summing up what we will
2 have heard during this first round of the hearings. That
3 will also contain some analysis and raise what seems to
4 us the major questions that were put to us by those who
5 came to make presentations during those hearings.

6 Alongside we have embarked upon an
7 extensive research program, more academic research. We
8 are aware that at the end of the day we will want to put
9 all the streams of information -- information coming from
10 the public hearings, information coming from more
11 traditional research -- into a single discourse.

12 We hope that this process will bring a
13 better understanding by the larger society of what is at
14 stake, what is involved in bringing to the fore a new
15 relationship between aboriginal and non-aboriginal
16 people, a new relationship that will not be built only
17 on the feeling of guilt but on positive sharing view of
18 the future.

19 Again, we hope that we will be able to
20 perform our task within three years of our creation. That
21 means we still have roughly two year ahead of us. As we
22 used to say, a Commission like ours can give only what

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1 people put into it. That's why we hope to have the
2 contribution of as many people as possible, both aboriginal
3 and non-aboriginal. Thank you very much. Merci
4 beaucoup.

5 I would like to ask Georges Erasmus to
6 complete.

7 **CO-CHAIR GEORGES ERASMUS:** We have a
8 very extensive mandate. The mandate of the Royal
9 Commission is quite broad.

10 The way we began was by the Prime
11 Minister asking the former Chief Justice Brian Dickson
12 to consult on the mandate of the Royal Commission. He
13 did so over a number of months last spring and the results
14 of his consultation provided us with a very broad sweeping
15 mandate.

16 It covers virtually every issue that the
17 Aboriginal people of Canada could possibly want anyone
18 to deal with and provides the Royal Commission with an
19 ability to deal comprehensively with all of the issues
20 of all of the Aboriginal people in this country.

21 We cover things like self- government,
22 obviously, whether it is in the Canadian Constitution or

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1 not, whether it's legislation, whether it's revision to
2 the Indian Act, whether it's modifying Indian Affairs,
3 the relationship with Aboriginal people in this country,
4 justice issues -- again, it could be linked to the whole
5 question of self-government or it could be just modifying
6 the present justice system.

7 Indeed, we are trying to work on the
8 basis that we are building from work that has already been
9 done. So, studies that have been done in places like
10 Manitoba, Nova Scotia, Alberta and so forth in the area
11 of justice we hope to use as a basis for our work. So we
12 will be looking into the possibility of tribal courts or
13 some sort of Aboriginal justice system.

14 We also have a mandate to deal with
15 social issues -- the concerns of Aboriginal people across
16 the country, the kind of social breakdown that is evident
17 to anyone who examines First Nations or Aboriginal
18 communities.

19 We have already heard a lot on the issue
20 of culture and language and identity. It is another major
21 mandate that we have to deal with.

22 Economic issues is an important mandate,

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1 particularly because Aboriginal people largely are still
2 unemployed and live in parts of the country that have very
3 little economic opportunities, so we feel that is a very
4 serious challenge for the Royal Commission.

5 As I mentioned, we will look at Indian
6 Affairs and the Indian Act. It is something that must
7 be addressed by this Royal Commission. By the end of our
8 term we have to have some very serious recommendations
9 in that area.

10 Self-government models, we hope that the
11 work of this Royal Commission will link to the
12 constitutional effort. Early on we did have an
13 opportunity to play a small role in the constitutional
14 efforts. We felt that was as much as we needed to do.
15 We came out with a commentary, which we have copies of
16 here.

17 The role of the Royal Commission, we
18 believe, is in doing some work in the area of the actual
19 implementation of self-government in the country. We are
20 working on the basis that there will be a positive
21 resolution of the constitutional effort. We have our
22 fingers crossed.

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1 We are then assuming that there will be
2 a tremendous amount of work that is needed to work out
3 the actual flesh and bones of what self-government will
4 mean on the ground across this country.

5 Urban Aboriginal issues is a very big
6 mandate for us. It is an area where not a lot of work
7 has been done in the past and there are growing numbers
8 of Aboriginal people living in an urban setting right
9 across the country. Some have left their communities for
10 a temporary reason, either for employment or education,
11 but growingly there is a large number of Aboriginal people
12 who have been in an urban setting for a number of decades.

13 We have just come from Edmonton where
14 we had our first round table. It was our beginning effort
15 at looking at urban Aboriginal issues.

16 We hope to answer some questions by the
17 end of this Commission as to the future of Aboriginal people
18 in an urban setting: How will self-government play itself
19 out in an urban setting? Will it mean school boards,
20 hospital boards? Will it mean small reserves, land base
21 within an urban setting? Will there be a single service
22 delivery, status blind as some people say, for all

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1 Aboriginal people in an urban setting? Will there be
2 distinctions between them? What will their relationships
3 be to their home communities? Will there continue to be
4 some kind of link? If there is justice systems and if
5 self-government actually does come around for the
6 Aboriginal people, what will the link be between the home
7 communities and people living in an urban setting? We
8 have a lot of questions that need to be resolved.

9 The first round table helped us do a good
10 job of listing out the problems, and we did begin the
11 process of looking at some of the solutions. We have a
12 long ways to go before we have a very clear picture of
13 the future of Aboriginal people in urban setting.

14 In addition, we have been mandated to
15 look at the issues of the youth, the elders, the women,
16 and in our hearings we have been making an attempt to make
17 sure that we do hear from those constituencies within the
18 aboriginal community.

19 We have a very broad mandate and I am
20 sure I have missed some things. A couple I can think of
21 right away are Métis issues, the North. Suffice it to
22 say that if you can think of something important that

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1 applies to Aboriginal people, this Royal Commission has
2 a mandate to deal with it.

3 What we have been trying to do in our
4 opening hearings that have occurred now for the last two
5 and a half months has been to get a very quick idea from
6 across the country of the status of our communities, the
7 major issues that people want us to hear.

8 We have been trying to encourage people
9 not only to tell us their concerns but actually to tell
10 us the solutions. The reason is that we are firmly of
11 the opinion that our work is not to discover the solutions
12 by ourselves. We are firmly of the opinion that a dialogue
13 needs to occur in this country between both Aboriginal
14 and non-Aboriginal people on the collective future that
15 we all want to have in this country.

16 In fact, some people have said that
17 Aboriginal people have been studied to death already.
18 We take that to mean that Aboriginal people have told their
19 story many times about what their problem is and there
20 have never been any serious solutions. The reason partly
21 is that actually coming up with the future that we all
22 want together, where there is justice for Aboriginal people

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1 in some cases, is a bit harder than others.

2 In reviewing the research that already
3 exists on Aboriginal people we find that in some places
4 on some Aboriginal people there is some degree of work
5 and in other areas there is not a lot. The solutions are
6 the harder part of the work of the Royal Commission.

7 We have created an intervenor fund of
8 \$8 million to assist Aboriginal organizations and
9 non-Aboriginal, but we expect that primarily it will be
10 Aboriginal organizations that will seek the funding, to
11 indeed concentrate on that.

12 We want to let you know that as the work
13 of the Royal Commission continues we are going to be
14 focusing more and more on the solutions. So we hope that
15 today and tomorrow is an assistance to us in that area.

16 That's what we are after, a future that
17 has been outlined, the aspirations of Aboriginal people,
18 the way in which the relationship between both non-Native
19 and Aboriginal people will live together in this country.

20 We seriously believe that Canadians and Canadian
21 governments want to know what they should be doing, so
22 we are encouraging people here in the next two days to

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1 make our life a little bit easier by starting to tell us
2 what kind of future they imagine is necessary to fulfil
3 all of their aspirations.

4 Those are our opening statements. We
5 wanted to briefly let you know about our logo. You see
6 it in a number of places in the building here. We had
7 a contest to arrive at this particular logo. We notice
8 that the artist who won the actual contest has just arrived.

9 If he wouldn't mind, we would like him to just tell people
10 here very briefly the meaning of the logo and perhaps we
11 can appreciate the work he put in the logo.

12 If I could ask Joseph Sagutch to briefly
13 come to one of the mikes and give us the background of
14 the logo. Any one of the mikes, Joseph.

15 **JOSEPH SAGUTCH:** I saw the notice, to
16 start off with -- I don't know exactly what to say.

17 I spent a lot of time doing research --
18 a lot of sketching, trying to put together something that
19 would represent not only one nation, but different aspects
20 from all across Canada. I have more or less been involved
21 in ceremonies with Elder Vern Harper. I got a lot of
22 inspiration from him, and also from different people, the

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1 friends and --

2 One of the things I usually have a hard
3 time with is trying, as an artist, to spend a lot of time
4 with good financial funding to establish some kind of a
5 flexibility. It was pretty coincidental, I think, that
6 Mr. John Kim Bell's organization, the Canadian Native Arts
7 Foundation, had just received a purchased art work from
8 their organization.

9 So I did spend a lot of time doing this
10 logo, and it gave me a lot of room to think without having
11 to worry too much about my own personal livelihood.

12 The inspiration started from the Wampum
13 Belt from the Iroquois. I liked the idea of the joining
14 hands, but for me to just present it in a straight-across
15 format I thought was not suitable, so I put it more or
16 less in a circular fashion. I thought it would be more
17 appropriate.

18 I think from there it kind of worked
19 itself into having the red circle which symbolized the
20 red circle of life or the red path. The figure between
21 the red circle is the sunburst, which has to be kind of
22 looked and searched for. That was to represent the Inuit

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1 Nation. The inspiration came from the idea that they only
2 see the sun for a period of time some months during the
3 year.

4 After I finalized pretty well everything
5 the idea of the bear paw, symbolizing the healing energy,
6 was an inspiration. I kind of tossed around the idea and
7 of course I had people that I had talked to about the
8 symbolism behind the bear paw, and it was appropriate to
9 use the left-hand paw because I think anatomically it's
10 closer to the heart, and I think to travel in this journey
11 and meeting a lot of people you have to have a lot of
12 patience and a lot of heart to take time to listen to the
13 concerns and issues that are being raised from the
14 Aboriginal people and also the Métis and Inuit and also
15 the other Canadians.

16 After that was all finished I fiddled
17 around with the idea of the West Coast Indians and I
18 realized that the characteristic of the Sun Mask has eight
19 points, so I wanted to incorporate also the West Coast
20 influence.

21 I had probably three or four different
22 designs for this logo and I felt very confident with the

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1 one I submitted, and I feel very proud that the Royal
2 Commission had selected my logo and I'm sure any one of
3 the other artists would feel as proud as I do.

4 I feel very honoured to have made a small
5 contribution to a very worthwhile cause.

6 Thank you.

7 **CO-CHAIR GEORGES ERASMUS:** Thank you,
8 Joseph.

9 We will proceed to our first presenters.

10 I'll ask John Kim Bell from the Canadian Native Arts
11 Foundation to begin his presentation.

12 **JOHN KIM BELL, CANADIAN NATIVE ARTS**

13 **FOUNDATION:** Good morning, Madam Justice.

14 Congratulations on your Order of Canada appointment. It's
15 in the paper this morning. Allan, Georges, it's good
16 to see you.

17 I am joined today by the Vice-Chairman
18 of the Canadian Native Arts Foundation, the well known
19 Native artist Maxine Noel, and our Elder, Vern Harper.

20 We are here to discuss art -- the role
21 of art in Native society, not culture, but specifically
22 art within the framework of culture today.

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1 I think the whole premise that we would
2 like to bring forward to the Commission is, if Canada is
3 going to support the arts, then Native people should have
4 their proportional share of that support.

5 Two years ago the Foundation lobbied the
6 issue of the aspirations and special needs of Native people
7 in this country onto a federal task force for professional
8 training in the arts in Canada. The Commission has
9 received this report. It cost a couple of million dollars,
10 so I hope we will be able to take a look at this very
11 carefully.

12 We went across Canada and interviewed
13 more than 200 Native artists and cultural workers to
14 determine the issues which face specifically the artistic
15 native community of Canada, a community which has in fact
16 always been formally ignored. As you may know, this was
17 my attempt in creating the Canadian Native Arts Foundation
18 and all the members that now belong to it, to create a
19 formal body to address the issues and the special needs
20 of Natives in this area.

21 First of all, what is the value of art
22 in society? Art is that which survives culture. When

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1 our cultures were destroyed, the French social scientist
2 Levy Strauss put forward the notion that we were able to
3 reclaim our heritage, the understanding of our history,
4 only through the material objects which existed.

5 When our languages were outlawed, when
6 we were put in residential schools, the way we reclaimed
7 many of our heritage, which is a new heritage, by the way,
8 according to Levy Strauss, was that we did so through the
9 art which survived the material culture. So art is that
10 which survived culture, art is that which bears witness
11 to culture. Sometimes art defies culture. Art is
12 interesting in that way.

13 Einstein said: The greatest aspiration
14 of humankind is the artist and the scientist, to a secondary
15 degree. It is in art that we express our values to the
16 highest degree, and we reflect our society's interest.

17 This past year, when Germany entered
18 into a cross-cultural exchange with Canada they brought
19 the Hamburg Ballet over, and this year Canada took the
20 National Ballet to Hong Kong. Why did they do it? Because
21 the excellence of art in a country reflects the values,
22 and the values reflect its economic health and its ability

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1 to compete in the world.

2 Actually, art is generally ignored by
3 governments. Germany spends \$6 million a year on art from
4 their government; France, \$6 billion; Canada, much, much,
5 much less. We are a younger country. We are not a
6 homogeneous society. We have not established yet a
7 national identity.

8 But I say to you, if Canada has a national
9 identity, it is not the European identity outside of
10 Canada. Canada is known for its native people, and its
11 native people are not known outside of Canada for its royal
12 commissions, for its native political leaders.

13 Native people are known outside of
14 Canada for their cultural products. They are the moccasins
15 and the sculpture and the art which is known outside of
16 Canada. They know nothing of our policies and our issues.
17 They know we have a struggle, but they have no precise
18 information.

19 When we are talking about
20 self-government and self-determination, what do we mean?

21 Unfortunately, I feel we are caught up too much in the
22 process and never the results, although I have hopes and

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1 aspirations that this Commission will begin to address
2 the results.

3 We must speak more about who the police
4 force will be and who will control the sewers of our native
5 communities.

6 We should be thinking, in tandem with
7 these broader political issues, with issues of sectoral
8 development, for it is these issues of sectoral development
9 that will project our communities and our whole Native
10 society to a position of sustained operations, to economic
11 self-reliance.

12 Of course, economic considerations are
13 very important, but we must not forget culture. When I
14 say culture, art. Art is the cornerstone of humankind's
15 greatest aspiration.

16 First of all, art promotes native
17 identity. Secondly of all, art promotes national
18 identity.

19 It's interesting that an artist like Joe
20 Sagutch, who is very, very talented, can hardly find
21 support, and yet it is always the artist which is used
22 in the time of need in the native political world. It

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1 is a great paradox.

2 When we talk about culture, when we talk
3 about art, what should Native people be doing in this day
4 and age? I believe this is the key. We are struggling
5 to emerge, and I believe we are emerging, but it is a slow
6 emergence.

7 What is native and what is non-native?
8 What is traditional and what is contemporary? What is
9 acceptable? First and foremost, not all native people
10 are exactly the same, and not all people in the whiter
11 cultural community are exactly the same. There are many
12 different religions in the whiter cultural community,
13 there are many different religions in the native community.

14 On my reserve, the Kahnawake reserve,
15 there are five different religions, there are five
16 different long houses. One of them follows the Hanson
17 Lake religion. In fact, there are more natives who are
18 anglican and catholic than there are their own traditional
19 religions. And we live in this paradox, we say we are
20 traditional on one day and the next we're catholic on the
21 next day. And it's a paradox. And we never question it.
22 We never talk about it.

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1 The greatest employer of native people
2 is the Federal Government of Canada. And no Native, ever,
3 would deny that it is the Federal Government of Canada
4 which is suppressing their rights. Yet they are making
5 \$50,000 and \$60,000, and they are having a great time,
6 and on the week they go home to their communities and they
7 complain about it.

8 So it's okay to work for the federal
9 government, but if you want to be a native ballet dancer,
10 that's not okay. And that is a lie. And that is
11 hypocrisy. And that's where we have to emerge.

12 We played bingo, and we talk about
13 traditional native values. It has been said that bingo
14 is the national cultural pastime of native people, because
15 it seems to be true. Everybody plays bingo. Bingo's
16 okay. Bingo is gambling, and the value behind gambling
17 is to get something for nothing, and that is not a
18 traditional native value. But everybody does it and no
19 one thinks anything about it. It's okay. But the native
20 ballet dancer is not okay. And that is hypocrisy.

21 And we can go on and on about what is
22 native and what is not native. It's okay for a native

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1 person to start a 7-11 in a native reserve, of which all
2 the products are Procter & Gamble, not made by Natives.
3 It's hypocrisy.

4 If it's okay to have a 7-11, if it's okay
5 to work for the Federal Government of Canada, if it's okay
6 to play bingo -- at all our dances we have country & western
7 music and rock & roll, and I have news for you. The words
8 may be about the native experience, but the music is
9 European, tertian harmony. And it's hypocrisy.

10 So if it's okay to do each and every one
11 of those things, which we all do and we never question
12 and we never discuss those issues, then it must be okay
13 for a native person to become an architect, ballet dancer,
14 a modern dancer, a contemporary artist in addition to a
15 traditional artist. Both are okay.

16 We live in two worlds and most of the
17 chiefs now are beginning to say that we understand we live
18 in two worlds. We must preserve the language, we must
19 preserve as much as we can the cultural aspects of our
20 societies. I hate the word "tradition". You know why?
21 I like the use the word "historical", because traditions
22 change. All cultures evolve. Canada is not what it was

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1 100 years ago and native people, societies, are not what
2 they were 400 years ago. We have radically changed.
3 Unfortunately, it has not been for the better.

4 We must preserve languages, we must
5 preserve that which was. That is what creates our national
6 identity. I want to make that very clear, that the
7 Canadian Native Arts Foundation and I in a suit am not
8 saying that we should not preserve those things, but if
9 it's okay to work in a 7-11 and there is economic benefit,
10 if it's okay to work for the federal government, the enemy,
11 for which there is economic benefit, then it must be okay
12 for a native person to have freedom in every area of life.

13 Let's talk about art and how art should
14 be set up for native people in this country.

15 The United States and Canada and Ontario
16 and Manitoba and virtually every formalized political
17 government created the Endowment for the Arts in the
18 States, the Canada Council in Canada, the Ontario Arts
19 Council, the Manitoba Arts Council. There are all these
20 arts councils, and they are driven by two principles.

21 One, they should have an arm's length
22 distance from politicians and political entities. The

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1 issue there is censorship. The issue there is for
2 political will to determine what is art and what should
3 be supported as art.

4 Secondly, artists, judging artists and
5 supporting artists, is a process which is driven by
6 critical expertise. I would not presume to know the law.

7 There are so many native lawyers, but what they have
8 studied is not native law. They have studied the Crown's
9 law, the Queen's law. Another paradox.

10 Another interesting paradox is our great
11 hero, Elijah Harper. Elijah's image is that of the very
12 traditional man. His beautiful long black hair and his
13 great contribution was in stopping Meech Lake. Elijah
14 and I were speaking in a Native Youth Conference in
15 Vancouver, and Elijah said "Integration -- assimilation,
16 but integration also -- is a government plot", which may
17 be true. But it's the fact that he was integrated. He
18 was not in the native political system, he was in the white
19 man's political system. He is part of the Manitoba law
20 system and he made his great contribution because of that.

21 Should he have been there, or should he
22 have not been there? No one ever questioned that. The

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1 point is, he made such a tremendous incalculated
2 contribution for all time that no one even questioned those
3 issues, but those are the issues we have to talk about.

4 What is native, what is not native, what is acceptable?

5 I have no problem with what he did. I
6 don't think anybody does. But we must discuss, then, what
7 is native and what is not native.

8 So these arts councils should be set up
9 at arm's length, because in the whiter cultural community
10 government's don't understand art or value it, and in the
11 native political community they don't understand and value
12 it. And I don't understand the other sectors, and I don't
13 presume to, but the sectors should be driven by critical
14 expertise, and there should be sectoral development.
15 Sectoral development is the type of development that will
16 thrust us to a position of sustained operations.

17 It's important for us to break
18 stereotypes. That is the issue of these two worlds I am
19 talking about. We must demystify what our values are.
20 We must discuss them.

21 Art creates empowerment and pride.
22 What we need in this field and we don't have, though, is

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1 the transference of technology. Greg Coynes today from
2 Alberta, who has been member of the Foundation's jury,
3 is here today with some cameras. We need to learn much
4 more about how they are built. We don't just want to buy
5 them, we need to learn how to build them. We need to learn
6 about the cultural industries.

7 The cultural sector in this country is
8 the third largest sector. It has \$8.3 billion of revenues
9 and employs 400,000 Canadians, and we are excluded from
10 it to a large degree. It has never been explored. In the
11 Native society it is totally invisible and has never been
12 explored.

13 I suggest to you that a formal study
14 following up this task force report to determine the
15 economic benefits for native cultural workers in this
16 country will provide you with a tremendous focus and hope
17 for native cultural people in this country because, for
18 the years I have been talking with the Native Business
19 Council, and I have always said that the one sector where
20 we can emerge first, the one sector we already succeed
21 in, the only one that we really succeed in, is cultural
22 output.

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1 Our artists are well known outside of
2 this country. We have products which are international
3 in terms of markets, which we have not even developed.

4 An Angus Reid poll conducted after the
5 Oka crisis polled Canadians and it concluded that 54 per
6 cent of Canadians said that native art was the most
7 identifiably Canadian art that there was. The Angus Reid
8 also concluded, along with other studies -- the many, many,
9 many, many, many studies, for many, many, many, many, many,
10 many dollars -- that Japan and Germany are unlimited
11 markets for native art and that no one is developing it,
12 no one is focusing on it in a systematic way.

13 Art as communication. Art transcends
14 language, art transcends socio-economic barriers, all
15 ethnic groups, all religions. Art is the greatest
16 expression of humankind.

17 George Tuckeroo, a Dene from
18 Yellowknife, was interviewed on our task force. George
19 Tuckeroo now works for the Government of the Northwest
20 Territories as the Cultural Officer for their Ministry
21 of Culture. George said that self ghettoization of native
22 people, the traditional singing and drummers, are a

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1 religious expression. They are absolutely important.

2 I want to say that first before I make
3 the next statement, that what George said, a Dene Indian
4 in the Northwest Territories, was: At every political
5 meeting we always have the traditional drummers, but we
6 never have anything else. Nothing else exists. It is
7 the political organizations which ghettoize native people.

8 It suggests that there should be nothing
9 else, that nothing else is important, that any other thing
10 that a native would aspire to in the area of artistic
11 development, in the expression of the soul through music,
12 through dance, through theatre, has no official
13 recognition. It's because we have no education. Our
14 native political leaders are not educated -- it's not that
15 they are not educated, they are educated in affairs of
16 political matters, but in the area of cultural matters
17 they have always been ignored and no one has ever sat around
18 the table to discuss what should we do and what should
19 we not be doing, what should we be thinking about ahead
20 of time, what should we be pro-active about?

21 This is a very difficult thing, but I
22 hope it's something that we can discuss in frankness, to

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1 our mutual positive benefit.

2 The Canadian Native Arts Foundation,
3 after seven years, is recognized now by the native cultural
4 community of Canada as the Canada Council for Native
5 People. You see all these arrows back here? It's going
6 very well.

7 We have now given out a million dollars.
8 We do this through a juried process. Twice a year the
9 Canadian Native Arts Foundation brings in native cultural
10 leaders from across the country, representing many
11 different native languages and bands, and many different
12 disciplines, the arts and cultural industries. Greg
13 Coynes has served on the jury from Alberta. Vern Harper
14 is our Elder who has served on the juries. Vern Harper
15 was also in our ballet in the Land of Spirits. He will
16 be speaking to us shortly. Maxine Noel as our
17 Vice-Chairman has been in all the juries since the
18 beginning.

19 We are being accepted, but of course it
20 is very difficult to get formalized. It is very difficult
21 to get anywhere at all. Each department defers the
22 responsibility to the next department.

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1 I think our greatest achievement
2 politically is that this year we had to go before the
3 National Aboriginal Management Board, a process created
4 by Employment and Immigration Canada. This process is
5 comprised of the six major political groups, and we in
6 fact for the first time received official sanction from
7 the six native political groups. Our funding is based
8 upon their approval of what we are doing. I see that as
9 a major breakthrough, and it is very hopeful.

10 We have provided over one million
11 dollars to over 300 aspiring young Native artists. Joe
12 Sagutch was one as well. This is support that they can't
13 get anywhere else.

14 There are two issues which need to be
15 addressed. One is training, the other is practice, which
16 is why if Canada is going to support the arts, then Native
17 people should have their proportional share.

18 We deal specifically with training.
19 The next step in the evolution is practice. What I mean
20 by that is, according to the CEIC, the money they give
21 us, we are allowed to train people in the way we see it.

22 But if you want to be a native person in a native theatre

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1 company or a native professional dance company, there
2 aren't any. We don't have too many. We have a few small
3 -- Native Earth is the most prominent one in our country
4 and the rest are really struggling even to survive.

5 We lack skills, we lack business skills,
6 we lack technology and the knowledge of technology, and
7 we require the transference of technology and skills.

8 The problem is there are no practising
9 institutions for Natives. We can be trained, then we have
10 to go a non-native institution. There is great value in
11 that, but a native person should have a choice, whether
12 they want to go with the Great Canadian Stage Company or
13 Native Earth.

14 A Native modern dancer or a Native ballet
15 dancer -- and I want you to know there are many -- should
16 have a choice whether they want to go to the National Ballet
17 or they want to go to a Native dance company.

18 In New York City I used to conduct for
19 the Dance Theatre of Harlem. They did African and
20 Caribbean traditional dancing and they also did classical
21 dancing. And you know what? It's okay. Twenty years
22 ago the United States of America, America's number 1

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1 ballerina was a Sioux, Maria Tall Chief. Her success
2 inspired a whole generation of young Natives into dance.
3 And they are 20 years ahead of us.

4 They are 20 years ahead of us in terms
5 of artistic development and cultural policy. There is
6 a university in the Sante Fe which is the only fully
7 accredited Native arts college. It's going very, very
8 well. What they did there, interestingly enough, the
9 President of the United States appointed half of the Board
10 as Native, half of the Board as non-Native.

11 The non-Natives who were appointed were
12 all senior corporate officials, and they were appointed,
13 and the appointment is at the same level as an
14 ambassadorship. It is very prestigious. As a result,
15 they are able to get first class corporate executives on
16 this board and those people's job is to raise unprecedented
17 amounts of money.

18 The Canadian Native Arts Foundation has
19 modelled that and studied it. We have a majority of Native
20 people on the Board. The Executive Committee is on the
21 Board. The Foundation must always have a native Chairman
22 and a native president. But we have managed again senior

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1 corporate officials from the whiter cultural community
2 and, as a result, we have shown seven straight years of
3 financial growth.

4 I thought there would be some value. We
5 get a lot of letters. This one was written to Chief Joe
6 Miskokomon, who is one of the co-chairs of the National
7 Aboriginal Management Board.

8 It's from a native woman who is a writer
9 in B.C.:

10 "Dear Chief Miskokomon:

11 The funds from the Canadian Native Arts Foundation, which
12 allowed me to attend the Writers'
13 Workshop in Alcon Centre last
14 August, was a step towards my
15 dream. The workshop helped me to
16 build writing skills and, more
17 importantly, helped me to build up
18 my self-esteem and belief in myself
19 and my value as an artist and a
20 Native woman today.

21 I have continued to write poems and stories and now work
22 with children teaching Cree

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1 language and native arts and crafts
2 in the schools in Fort McMurray.
3 I have moved from a chambermaid
4 position, earning one-third of the
5 money, to a pre-instructor
6 teaching self-esteem and
7 confidence through self-
8 expression to Native children in
9 the schools.
10 I could not have done this if I had not been supported
11 by the Foundation. I now pass on
12 that encouragement to the
13 children.
14 My dream is to one day have my work published, and I believe
15 it is only a matter of time before
16 I find the funds and the method of
17 doing this.
18 Your support has been greatly appreciated. Any further
19 assistance from you means another
20 step towards my dream.
21 I have included a poem entitled "Seeing is believing in
22 a dream" which I wrote after I

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1 received the funding. I have also
2 included another poem and articles
3 written about my work in the
4 classroom.

5 Thank you for all your help.

6 Sincerely,
7 Leoni Iron-Culinaor [ph]"

8 I will leave this letter. We have
9 received many such letters.

10 The recommendations of the Task Force
11 -- before I would like to have our Elder and Maxine Noel
12 speak -- are quite interesting. I am very proud to say
13 that Recommendation 41, for the first time in Canada's
14 history backed by the weight of a federal task force --
15 actually, The Globe published a little story on it but
16 most of the native politicians missed it -- recognizing
17 the First Nations status of the aboriginal peoples of
18 Canada and recognizing that the First Nations peoples are
19 one of the founding nations, which has never really been
20 said, the founding nations of Canada, endorsing their right
21 to self-determination.

22 This Task Force recommends -- and here

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1 is no. 41:

2 "That the Government of Canada recognize that the First
3 Nations peoples are one of the
4 three founding nations of Canada."

5 Here it is. It's the first time it has
6 ever been written.

7 Some Natives would say, "well, Bell, you
8 were the only Native in the group and there were 11 other
9 non-Natives, so what difference does this make?" What
10 I suggest to you is that the whiter cultural community
11 for the first time in Canada is beginning to say it is
12 absolutely true that Native people are one of the three
13 official founding nations of this Canada. And there is
14 a great strength. We have always recognized it. They
15 have not. The fact that they are saying this here -- I
16 hope you will use this to your benefit.

17 The other thing that this suggest, and
18 I leave it for you to study on your own, in order for us
19 to achieve a higher level we must have affirmative action.

20 Natives must be appointed to the boards of the Canada
21 Council, the National Film Board, hopefully some day the
22 corporations and Crown corporations.

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1 One of the view is "well, ghee, John,
2 there aren't any Natives out there". I have news for you.
3 There are tremendously highly educated Natives out there
4 who have tremendous expertise and experience, and they
5 are worthy of being on the boards of Crown corporations.

6 It's not until that time when we will
7 begin to have the control-making process and the
8 understanding. At first we simply should have to
9 understand how these large nebulous mechanisms as the Film
10 Board and the CBC work. That is going to be very key and
11 crucial to our ability to learn, to have the transfer,
12 to have the self-control. Then we will be building the
13 cameras instead of just buying them at premium rates.

14 I would now like to call upon our Elder
15 Vern Harper, who is pointing to Maxine, and Maxine is
16 pointing to him.

17 Vern has been a member of our juries and
18 Vern was in our major native ballet In the Land of Spirits,
19 which incidentally is touring again this fall across
20 Canada, not supported by the Canada Council.
21 Marginalization.

22 I would like to ask Vern to make his

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1 comments from an Elder's perspective. Thank you.

2 **VERN HARPER, ELDER:** I would like to
3 give greetings to all my brothers and sisters of the four
4 directions.

5 As a Community Elder I am really honoured
6 to be here to come and share. That is one of our strengths
7 as Native people, our sharing -- sharing our land, sharing
8 our culture, sharing our own experiences.

9 Today in a sharing experience I would
10 like to congratulate the Foundation on the sense of what
11 it has done, and to share with you my little bit of
12 involvement with it.

13 As a traditional person, or trying to
14 live a traditional way of life in an urban setting, which
15 is with great difficulties, my background is a very simple
16 background. I have no formal education yet I consider
17 myself an educated man through life, through experiences.

18 I am a fifth generation grandson of
19 Mistawasis, who is a hereditary chief. I am from
20 Saskatchewan.

21 As an artist I have a feeling, as John
22 was speaking, how important art is. In the last few years

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1 I have really seen, as Native people in Canada, I have
2 a feeling that, from my own personal feeling deep within,
3 when I hear people say to us "we've lost this, we've lost
4 that", I do not believe that. I believe that's a lie.
5 We have not lost anything. We have just forgotten. We
6 have forgotten a lot of our past, a lot of our things.

7 I believe that, as Native people, in
8 Canada especially, we are coming out of a big sleep. We
9 have been in a big sleep. We are waking up, and it's a
10 beautiful thing, to wake up and see we are alive, we are
11 still here.

12 You have to excuse me when I talk and
13 feel this way. Us native people get emotional. I feel
14 a sense that Canada is not at a loss but it is at a very
15 beautiful, critical important time as us coming together
16 as a nation of people.

17 As Native people we have a very, very
18 important part to play in this, to keep Canada together.

19 To me, a nation is not just made by borders. It is made
20 by the people. We have people of the four directions.

21 I consider myself, as Russell Means
22 says, and I believe, as a person who is a patriot. I am

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1 a patriot to Canada, and Canada consists of all the four
2 colours. We cannot forget that. Sometimes people want
3 to.

4 Some of the non-Native people might feel
5 a little offended by this, but I am going to say it anyways.

6 I think the non-Native people have to learn one thing
7 we know, and we have a historical on it. We know how to
8 share. If we all learned how to share we can get along
9 much better together.

10 I am here to talk about the Foundation.

11 The Foundation means a lot to me. As a grassroots person
12 and being involved in this, as a storyteller it was passed
13 on by my uncle Samuel Dreever. It was given to me as a
14 storyteller. I would like to tell you a very short story.

15 Recently I was down in New Mexico. I
16 met a young man. He was Cree and Blackfoot, which is not
17 too common because traditionally us Crees and Blackfoots
18 don't get along too well over territories. We have put
19 that aside now to work together, then we say we'll get
20 on with that. Once we deal with the government and get
21 things settled, then we'll get back to our traditional
22 way of looking at things. I said, that's fine, that's

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1 okay.

2 When I was in New Mexico I met this young
3 man. As John Kim Bell had mentioned, in New Mexico and
4 Santa Fe they have this beautiful college, and they have
5 a beautiful Native program there.

6 I was asked, as a ceremony leader, to
7 conduct a sweat lodge. So I did. After the sweat lodge
8 ceremony this young man came up to me and talked to me
9 and he said that he had heard I was from Toronto and he
10 asked me if I knew about the Foundation and I said, yes,
11 I did. He said: I'm so thankful and so grateful because
12 I would not be here if it wasn't for the Foundation.

13 He was a very young man, but he said:
14 My dream was to come here, to come down here to this
15 college. My dream is to go to this school, and now my
16 dream is a reality.

17 This man is not just an artist, but I
18 consider he is going to be one of the greatest Canadian
19 Native artists. He is brilliant. That's all you can say.

20 He's just a beautiful, brilliant artist. This man's
21 dream at a young age is fulfilled because the Foundation
22 that John Kim Bell started was able to help him to reach

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1 out, give him the resources, but he does the work.

2 This man said to me that, because of what
3 has happened to him, he believes, as John and I believe,
4 that you don't get anything for nothing. If something
5 is given there should be an exchange. He said that when
6 he goes back to Calgary when he is finished he is going
7 to work and help young Native people who want to go to
8 school and learn native art.

9 When I was growing up and learning life
10 experiences and trying many things as native people, I
11 was a professional fighter for a number of years, as a
12 former fighter, very seldom you hear a connection about
13 ballet. When I got involved when the ballet was here,
14 there are a number of things I have accomplished but I
15 feel that to be on that ballet meant a lot to me as a
16 grassroots person.

17 I think that many Native people
18 understand and realize and it has been, like John and others
19 who have inspired us grassroots people, who don't have
20 the education, but that does not have to stop us. I
21 consider myself a professional person and try to conduct
22 myself in that way.

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1 As grassroots people we see, and I see,
2 the ballet as a very important thing -- very important
3 -- for Native people. We can do whatever we want to do,
4 and be good at it.

5 When I was in the ballet, I remember
6 coming on the stage after we took our bows. As each one
7 was introduced, when they introduced the Elder, which I
8 happened to be, and it could have been anyone else, I got
9 the greatest applause from the children. We did a matinee
10 for the children and the one who represented the elders
11 got -- I could see the faces of the native children there.
12 There were 600, 700 native children there.

13 I could see the pride and the love and
14 the healing aspects in their eyes. They were so proud
15 that a Native Elder of their culture, their way, was being
16 recognized and being honoured in a play, in the ballet.
17 It really moved me to see that, to feel that. The next
18 day there were non-native children there, and they too
19 felt the very same way. They had the same kind of response.

20 Being involved with the Foundation and
21 seeing our people as artists, and art to me is everything.
22 One of the beautiful things that is happening with us

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1 coming out of our sleep, many years ago when our ceremonies
2 and things were not being practised, a lot of the things
3 were not being made. Now sacred drums are being made,
4 special rattles, pipes -- artists are creating them. Things
5 that were put aside are now alive again, being active.
6 So the whole of art is coming alive.

7 It is very true what John said about many
8 artists struggling. Native artists struggle very hard.

9 At different conferences they are recognized, but to
10 survive for a native artist is very hard. I would love
11 to see the day, and I hope it's soon, where we don't have
12 to send our people down to Sante Fe, where we would be
13 able to have these kinds of training in schools in Canada,
14 in Alberta, in Ontario, in the Micmac country.

15 As a Saskatchewan, as a Cree, I always
16 like to recognize the others. When I was in Saskatchewan
17 as a young man, about the Micmacs, I thought the Micmacs
18 were East Indian, and I guess they are. There is a great
19 thing of us coming together as native people. Some people
20 ask me if I am related to Elijah Harper. I say no, he
21 is related to me.

22 All of us have an important part to play.

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1 Men like Norville Morasso and others and, as my friend
2 Joe was saying, we all have a lot to offer and contribute.

3 I think the Canadian public is realizing too and seeing
4 that. I believe that, on a whole, there is racism and
5 it is entrenched in many places, but I feel on a whole
6 that for many non-Indian people, their feeling is that
7 they want the best for us as Native people.

8 Because we have been in isolation, there
9 is still a lot of misunderstanding, there is a lot of
10 ignorance because of our isolation. I believe
11 historically that we were put into isolation. Now we are
12 coming out of that.

13 One other statement I would like to say
14 about us regarding our children. My daughter, who is seven
15 years old, wants to be a ballet dancer. I think as Native
16 people we are saying, and we are feeling very proud about
17 it, that never again in the history of our people are we
18 going to hand our children over to anyone else. We are
19 not going to allow that to ever happen. That was a tragic
20 historical mistake.

21 As Native people, as we are coming as
22 a nation and willing to be part of a greater nation that

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1 is called Canada, we are taking care of our children. We
2 are going to make sure that we look after them, that we
3 take care of them.

4 I see my daughter, who is seven years
5 old, and I do my best to protect her in a safe environment,
6 to be able to some day, if she wants -- if's hard work.

7 I have learned a lot of things, being with the Foundation,
8 meeting other artists, other people from across the
9 country. I have realized that, as a person, education
10 is very important but one of the things I remember my uncle
11 Ernest Statustis, who is a Cree elder, said to me: Be
12 careful of the white man's education. It can take you a
13 step away from your culture.

14 We are going to make sure it doesn't.
15 We are going to make sure it doesn't take us away. We
16 are going to make sure it doesn't.

17 Again, I would just like to say about
18 the Foundation that being involved in it and -- I don't
19 think too many people, even at my age, being a former boxer
20 and calling me a sissy for supporting ballet -- I don't
21 think I'll get too many arguments. I believe that ballet
22 is -- if our people want to do it, then by all means they

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1 should be able to do it.

2 I have been involved in many different
3 organizations but there is one I have seen with excellency,
4 really excellent, and that is one of the things I have
5 a lot of respect for my brother John, because he shows
6 that Native people -- in every community, in every places
7 we have people pro and against and we have to watch our
8 backs some times for arrows in the back and that kind of
9 stuff. It happens in everybody's communities, it happens
10 in the Conservative Party, it happens everywhere. That's
11 part of life.

12 I do see that ballet, and the Native Arts
13 Foundation has shown and proven that we can be first class.
14 Whatever we want to do as Native people, we can do it
15 with pride and dignity. I think a lot of young people
16 are looking out there.

17 Many of our people are starving for a
18 good self-image, a lot of young people. That's where the
19 arts have really helped and are really important.

20 In the last few years, as a Native actor,
21 and I would like to give thanks to Chief Dan George, who
22 inspired a lot of us, even at my age, not to give up.

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1 If we want to be actors, we can. It is really beautiful
2 to see in Canada now that we can play our own parts. Before
3 we had Greeks and Italians playing our roles. Now we are
4 doing our roles.

5 As a self-taught person I have learned
6 different words, different things, and I like the word
7 "history". You break that word down and it mans
8 "his-story". We as Native people need to tell our story,
9 not for someone else to tell our history, but we need to
10 tell our history, our story. It's our story.

11 That's what we are doing. We are
12 telling our story. We'll do it through the arts and we'll
13 do it through other ways. Again, I would like to thank
14 the Foundation for allowing me --

15 The other point I would like to share
16 with you -- across the country you might hear other
17 interpretations of the word "elder". I consider myself
18 a community elder because the community people use me and
19 want me for that position, but in the true sense I am not
20 an elder. I am a ceremony leader. I lead ceremonies.

21 Elders -- on the highest level there are
22 men like Peter O'Chiese or sister Betty here. I consider

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1 them elders, knowledgeable. They have lived their lives
2 that way and continue to serve the people.

3 Elderly people are not necessarily
4 elders. They are elderly people. The communities will
5 define who they have as what I would call community elders,
6 but in the true sense of Elders, they are people who are
7 spiritual leaders, who have dedicated their lives and
8 continue until they go to the Spirit World. They are trained
9 in the culture. They live the culture, they know the
10 culture, and they have been trained in it. These are the
11 true elders.

12 We have some elders you might never, ever
13 hear of. They stay in the bush, they stay in their
14 communities, but they are elders. They are spiritual
15 elders, and they live that way of life.

16 Some are encouraged, such as Peter
17 O'Chiese and others, to go out and share, and to teach
18 and to learn.

19 Again, I would like to thank the
20 Foundation for allowing me to be involved. The Foundation
21 has a great future ahead of it, and it has a good start,
22 a good past. It has contributed to the Canadian way of

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1 life, to encourage our children and our grandchildren to
2 be proud of their native heritage. Art does that.

3 I cannot describe the words of art, what
4 it means to me. I just have that strong feeling. We are
5 very blessed in Toronto.

6 Someone said to me -- and it kind of hurt
7 my feelings at first -- that Toronto was probably the most
8 fragmented Native community in Canada. Fragmented -- all
9 kinds of animosities, all kinds of things against it.
10 Fragmented -- not getting along, so many different groups
11 not supporting. Some of that is true but, on the other
12 hand, I feel the native community in Toronto has probably
13 the best, strongest potential of being the best native
14 community in Canada.

15 We have one of the highest populations.
16 It depends who you talk to. I have heard 45,000, 70,000.
17 We have Micmac, Cree, Ojibway.

18 I was born here in 1936, but have been
19 raised in Saskatchewan. So Toronto is my home and I am
20 very proud to be from Toronto.

21 A lot of people in the city need to be
22 educated too because if you mention you are an Indian in

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1 Toronto they ask you whether you come from the North.
2 We have many generations born right here in the city.
3 My wife is a third generation person born here.

4 Again, I would like to thank you for
5 being patient and listening to me and allowing me to share
6 with you and, again, on behalf of the Foundation I would
7 like to thank you for allowing me to be here.

8 Megwetch.

9 **CO-CHAIR GEORGES ERASMUS:** If I could
10 ask the next presenter to be brief in case the commissioners
11 have some questions or comments.

12 **MAXINE NOEL:** I will be very brief,
13 other than to say I am Maxine Noel, professional Native
14 artist. I hesitated saying that, driving down the Don
15 Valley, but then I realized that's how I make my living.

16 There are very few successful female
17 Native artists, and it is not because there is a lack of
18 talent. When I started we didn't have an organization
19 like the Canadian Native Arts Foundation. It certainly
20 would have made things a lot easier for me.

21 As I said, I'll keep it very brief. I
22 would just like to say that I strongly support the

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1 Foundation and all its endeavours, and I would like to
2 see everyone at our ballet when it hits your town.

3 Thank you.

4 **CO-CHAIR GEORGES ERASMUS:** Thank you,
5 Maxine. I'm going to see if the Commissioners have any
6 comments or questions of you, if you don't mind. I'll
7 start with the co-chair, Mr. Dussault.

8 **CO-CHAIR RENÉ DUSSAULT:** Very briefly,
9 I would like to thank both of you for presenting us with
10 such an articulated, thoughtful and also intellectually
11 challenging presentation.

12 I think what you mentioned to us is
13 inspiring, not only for the Commission but also for both
14 young and older Native people in this country and Canadians
15 at large.

16 We thank you very much.

17 **JOHN KIM BELL:** Thank you.

18 In closing I would like to say that I
19 hope the Commissioners will have a lot of questions, and
20 they should have a lot of questions, and that at a future
21 date upon your examination of some of these issues and
22 the statements made today perhaps there can be a more

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1 formalized mechanism or process where we can discuss some
2 of these issues more fully.

3 Thank you.

4 **CO-CHAIR GEORGES ERASMUS:** Do we have
5 any commissioner who is interested in making a comment
6 or ask questions?

7 Paul Chartrand.

8 **COMMISSIONER PAUL CHARTRAND:** I want to
9 thank the presenters for the Foundation.

10 Mr. Bell, I agree with the paradox of
11 native law. It happens to be the thing that I do and it
12 always drives me to a quick, necessary explanation about
13 the content which you have referred to, and I would be
14 more than delighted to hear of a better label that can
15 be attached to it.

16 It may be suspected generally that I am
17 strong supporter of the spirit of free enquiry which
18 certainly underlines your presentation. I do believe it
19 is very important to think out loud.

20 I merely want to take the opportunity
21 to thank you and your colleagues for your thoughtful
22 presentation, and I agree that it does contain important

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1 issues which need to be considered. I am reasonably
2 confident that they will be deliberated well on our way
3 to the making of our recommendations.

4 Thank you.

5 **CO-CHAIR GEORGES ERASMUS:** Anyone else?

6 If not, for the group I certainly would
7 like to add my feelings. With the co-chair, I would like
8 to thank you for your presentation. It was very good.

9 As you say, we will have to get together
10 again and have a much longer discussion and exchange.

11 Thank you.

12 We will proceed to our next presenters,
13 Ron George, President, Native Council of Canada.

14 **RON GEORGE, PRESIDENT, NATIVE COUNCIL**
15 **OF CANADA:** Good morning Elders, Commissioners. I would
16 like to thank you for inviting the Native Council of Canada
17 to make this presentation.

18 If I can, I would like to say a special
19 hello to Viola Robinson, who was the predecessor to myself
20 as the President of the Native Council of Canada. She
21 was the head of one of the male dominated organizations
22 that we have been hearing about lately, and I say that

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1 with tongue in cheek because if anybody was watching or
2 is attending most of our assemblies they would notice that
3 it certainly is not male dominated.

4 I think we are one of the few
5 organizations that have had two presidents who were female
6 and several others who held executive positions. That
7 also holds true for all the provincial organizations and
8 all the local areas and their communities who happen to
9 have an interest in furthering the cause of off-reserve
10 populations as peoples. I might add that the majority
11 of these people are volunteers.

12 With that I would like to thank the
13 Commission once again. It's fitting that you are holding
14 this meeting here in Toronto to wrap up this segment in
15 an area that has tens of thousands of Aboriginal people
16 from different nations living in a centre where all of
17 us who live off-reserve know the trials and tribulations
18 of the systemic barriers that are there from the
19 governments that we have to deal with.

20 It's fitting that you started in
21 Winnipeg, where there is a Métis connection, one of the
22 most forgotten groups of people in this country, the Métis

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1 population who, along with the other off-reserve peoples
2 have fallen through the cracks of society's many laws and
3 policies.

4 We live in a country that is one of the
5 biggest in the universe. There is 10,000,000 square miles
6 of land, yet the majority of the population cannot access
7 their aboriginal rights. They cannot hunt and fish and
8 harvest their food and make a living because of the laws
9 in this country.

10 Yet, the three out of every four
11 Aboriginal people who find themselves living outside of
12 reserves are continuing to stage what we may now know as
13 a quiet revolution, where volunteer groups are making up
14 the institutions that are set up in urban centres where
15 we are lucky enough to have resource people who volunteer
16 their time to sit on boards over and above their other
17 responsibilities, be it a job or simply trying to get food
18 on the table or otherwise in spite of the fact there are
19 no resources such as babysitting services, etc.

20 This quiet revolution is taking place,
21 but you don't hear about it in the press. The only thing
22 you hear about in the press is that there is some

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1 sensationalism that is taking place, but all the while
2 these people are out there manning these boards, looking
3 after the people who leave the reserves, who come into
4 our centres.

5 We don't look at them and say "do you
6 have a status card when you come into our resource centres
7 or institutions?" They need only to cross the threshold
8 of those institutions and state their problem and their
9 needs, and they are being addressed in spite of the fact
10 that there are no funding mechanisms or anything permanent,
11 such as the Department of Indian Affairs does have for
12 some reserves, although we know that those are not adequate
13 to begin with.

14 These are going on and we think that in
15 a country that has 10,000,000 square miles of resources
16 should be able to afford the right to govern ourselves
17 wherever we live.

18 Throughout the process leading up till
19 now, the constitutional process etc., one of the common
20 themes we have heard in our Congress, and I might add that
21 the Native Council of Canada has done as much as it has
22 been able to with the resources that it has been getting,

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1 and again I would like to speak to a criticism that is
2 levelled at political organizations all the time,
3 especially off-reserve organizations.

4 We do as much as we can with the resources
5 we are able to get. We are treated like another ethnic
6 group, be it a Franco-Canadian or anyone else. We don't
7 enjoy the \$4 billion budget that everyone speaks of when
8 they speak about Aboriginal people. That \$4 billion budget,
9 by the policy of the federal government, is only directed
10 towards people who live on reserves. It is an apartheid
11 policy -- apartheid. Your rights are determined on where
12 you live, or at least the right to access that \$4.5 billion
13 budget, less than 50 per cent of which gets to the community
14 anyway.

15 It's not surprising that the community
16 consultations we have held with the limited budgets that
17 we get for this consultation, at least with this round
18 on the Constitution, that the reoccurring theme has been
19 to abolish the Indian Act -- Triple A: Abolish, Abolish,
20 Abolish.

21 One of our other themes was the Triple
22 E. We wanted equity of access to our rights, to the process

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1 and to the application of treaty rights and renovations.

2 And we got those too, by the way, with the limited
3 resources we have had.

4 This quiet revolution has been taking
5 place in spite of this political football. It's no wonder
6 that the Indian Act has to be abolished because of its
7 apartheid policies that I briefly outlined to you.

8 We know that it would be irresponsible
9 just to simply state that the Indian Act should be abolished
10 and then let the chips fall where they may. Of course
11 there has to be a transition process.

12 We know that 1969's White Paper policy
13 to abolish the Indian Act did not have any provision for
14 a transition process, that they were simply going to
15 decentralize it to the provinces, thereby relinquish their
16 91(24) responsibility. Of course we know that that is
17 not going to wash. It didn't in 1969 and it won't now.

18 In order to abolish the Indian Act we
19 have to replace it with either traditional governments
20 that were there before the advent of the Europeans and
21 the implementation of their laws or where there are no
22 traditional governments existent, then there has to be

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1 some sort of mechanism or government set up to adapt to
2 the current problems, with the inclusion of all Aboriginal
3 people.

4 We have been listening to some of the
5 presentations to this Commission and we understand that
6 there are concerns about self-government. I suggest to
7 you that a lot of the concerns about self-government stem
8 from the fact that a lot of people believe that the only
9 place self-government can be practised is on-reserve, or
10 reserve-based.

11 If that's the case, then they should be
12 concerned that self-government is something that we should
13 be afraid of because a reserve-based system is not a system
14 that certainly my nation can identify with, and we are
15 presently in the courts to defend right now in the
16 *Delgamuukw v. The Queen* case.

17 My system, which is traditional and to
18 which I am hereditary chief, and the name I am occupying
19 at the present time is "Saskai", looks after our nation
20 the way it was looked after centuries ago, centuries before
21 the advent of the European. Fortunately we are able to
22 continue looking after our people and the

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1 Gitksan-Wet'suwet'en nations the way we did before the
2 advent of the system.

3 We know that is not the case in a lot
4 of areas. In situations where the traditional governments
5 can remain intact there really isn't a problem except that
6 we have to also incorporate the federal, provincial and
7 municipal jurisdictions into the plan that we have to
8 coexist in this country. But where there are no
9 possibilities of reviving the traditional system, of
10 course we are going to have to figure out a way to deal
11 with the problem, and I stress, with all Aboriginal people.
12 There shall be no eliticism in this country.

13 The country cannot look at only
14 one-quarter of the Aboriginal population any longer. It
15 has to include everyone, everyone in the cities. The
16 children in Vancouver who are forced to prostitute
17 themselves, who shoot themselves in the corner of the eyes
18 with drugs so you don't see the tracks down their arms.
19 Those are the people we are talking about when we are
20 talking about changing the system, abolishing the Indian
21 Act, getting self-government. Those are the ones we are
22 worried about.

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1 They don't care about Indian
2 organizations or commissions. They are worried about
3 surviving and living to see tomorrow. The rest of the
4 country has to stand beside us and take ownership of what
5 caused this. It wasn't you personally, the non-Indian
6 people, or us personally, the Aboriginal people, that
7 caused this.

8 That does not justify why those children
9 are down on the streets doing what they do to survive
10 because their parents are refugees from residential
11 schools, etc., and refugees from the laws of this country
12 that treat Aboriginal people the way they have, the
13 Aboriginal people who lost their status because they were
14 away from their reserves, the Aboriginal people who needed
15 permits to leave their own reserves, the Aboriginal people
16 who have done -- you must have heard the story a thousand
17 times, all of the ways that Aboriginal people were treated
18 to remove their status as being who they are.

19 Can you imagine somebody going up to an
20 Englishman and saying "we just passed a law which says
21 that you aren't an Englishman any more", thereby denying
22 you the right to live where you are, to live with your

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1 family, because you don't have the same number they do
2 and therefore you can't learn your culture and your
3 languages, you have to learn somebody else's language.
4 That would never wash in society today, yet it still exists.
5 The Indian Act still exists.

6 That is why we are sitting before the
7 country trying to rewrite the Constitution to include all
8 Aboriginal people.

9 We make some recommendations in the
10 brief that the NCC has tabled before you, which I am not
11 reading verbatim, as you may have noticed. We mention
12 independent Aboriginal and Treaty rights Protection Office
13 for this transition period, which will allow for solutions
14 to any problems that come up, be it between municipal,
15 federal, provincial governments or other authorities.
16 They must be dealt with with high standards, unlike the
17 standards that were being practised over in Alberta, for
18 instance, where the federal government's answer to the
19 Lubicon situation was to circumvent it by creating another
20 band, the Woodland Cree. Not a very high standard in the
21 eyes of Aboriginal people, but certainly good enough for
22 the federal government.

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1 So there has to be an independent
2 tribunal of sorts to sort out these problems that we will
3 run into when the transition is made from the apartheid
4 system to a system that Canada can then be proud of as
5 they always state when they go to the international arena,
6 that we are the champions of human rights in the world.

7 Until we settle the Aboriginal question
8 on the ground, then we cannot make those assertions, but
9 there is a way we can do it with these types of suggestions.

10 The Native Council of Canada has been
11 working throughout this whole process and have initiated,
12 under the leadership of Viola Robinson, a premiers and
13 leaders dialogue, which is ongoing and is quickly coming
14 up on us, and other premiers' conferences to work out some
15 of the problems on the ground, especially for the urban
16 population.

17 We have also initiated a federal Cabinet
18 Aboriginal -- or a Native Council of Canada meeting in
19 which we hope to sign a protocol soon to deal with all
20 of the systemic barriers, like the inability to access
21 the Pathways to Success Program because of the lack of
22 resources

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1 -- things like that.

2 The fact that we are being denied our
3 access to our Aboriginal and Treaty rights because we don't
4 have a band number even though in some cases, such as the
5 Maritimes, that the court cases have said that as long
6 as you are a member of the treaty nation you have a right
7 to access it, but it is still being interpreted by
8 governments that you still have to have a status card.
9 The governments won't even listen to the outcome of their
10 own court cases.

11 The list goes on of how the off-reserve
12 populations are unable to access rights that rightfully
13 belong to them pursuant to court cases that say otherwise.

14 Nevertheless, we got the agreement of the Federal Cabinet
15 to meet and try and iron out some of the issues, and the
16 meeting should be culminating in a protocol or some sort
17 of an accord.

18 We have been interested in the child care
19 situation. We have a child care commission going around
20 the country working on one of the biggest problems in the
21 Aboriginal community and to which off-reserve peoples have
22 to deal with little or no resources. Single parent mothers

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1 who are descendants from parents who went to the
2 residential school system, parents who were children and
3 were taken away from home at the age of five not learning
4 how to be a parent, not learning how to be a brother and
5 sister because they were segregated, not learning the bond
6 that takes place between child and grandmother, child and
7 uncle.

8 These people grew up and became parents,
9 passed on -- I guess you meant to say they passed on their
10 ignorance. We are the second and third generation of these
11 people, descendants of these people who had their total
12 lifestyle stripped away from them.

13 There is a healing process that
14 definitely has to take place in the native community.
15 We have to heal ourselves. You hear a lot about adult
16 children of alcoholics and so on, those kind of groups
17 and all the healing that takes place. Even the refugees
18 from the camps, from Dakau went through healing processes.

19 The people who were defeated in Japan
20 were assisted by governments in the rest of the world to
21 heal their traumas. But there is nothing being done about
22 healing the Aboriginal peoples who went through the trauma

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1 of the same type of concentration camps that existed during
2 the residential school systems and what is now the reserve
3 system with the total control by the federal government's
4 Department of Indian Affairs.

5 No mention of the healing, yet you are
6 dealing with it. People are saying "how much is
7 self-government going to cost?". Well, let's look at how
8 much it's costing already. It's costing this country in
9 lives, it's costing Aboriginal people in lives and lost
10 resources. Human resources will never be functional in
11 this country unless there is some sort of healing process
12 that will take place.

13 It's costing this country the \$50,000
14 a year it takes to incarcerate one Aboriginal person.
15 It's costing this country -- this country spends billions
16 of dollars to keep Aboriginal people poor through their
17 welfare system. The list goes on. I could go on and on
18 on that score too but I think I have made my point.

19 Everything that this country spends on
20 Aboriginal people is spent on a negative band-aid program
21 instead of a pro-active program, which is what the
22 self-government proposals that we are making will address.

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1 We also suggest in our brief that in
2 order to solve some of these problems, and I might preface
3 my remarks by saying that the Native Council of Canada,
4 during this Constitution round, has taken the offer of
5 support from many non-Aboriginal groups we encountered
6 during the policy conferences started in Halifax, Calgary,
7 Montreal, Toronto, Vancouver, and finally the Aboriginal
8 meeting in Ottawa.

9 These groups, such as the Action Canada
10 Network, the Canadian Labour Congress, the Ethno-Cultural
11 Council of Canada, the National Action Committee on the
12 Status of Women, all of the groups such as the Japanese
13 Canadians, the Franco Canadians -- the Franco Canadians
14 identified the most with us. Among ourselves we joked
15 that they are off-reserve Quebeckers because when they
16 leave Quebec they suffer the same thing that Aboriginal
17 people do when they leave their reserves. They cannot
18 access their rights or have their rights protected. So
19 we are not exclusive in the treatment of governments.
20 They even do it to their own when it comes to jurisdiction
21 and convenience.

22 These groups have continually supported

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1 us and as a show of support the Native Council of Canada
2 has reciprocated and accepted their assistance by allowing
3 three seats for what we call a monitoring group to sit
4 with us during the self-government negotiations in this
5 latest round called the multilateral ministers meetings.

6 Following that theme, we suggest that
7 there be a summit of urban elders, both non-Indian and
8 Aboriginal, to work out the problems that are in our
9 communities. We who live off-reserve know that in order
10 to exist in this country the reality is around us every
11 day. There are non-Aboriginal people there every day.
12 We cannot ignore them. They are not going to evaporate,
13 nor are we.

14 If we are serious about building this
15 round, then there has to be serious considerations of
16 finding ways to get us together and come up with some solid
17 commitments and plans on how we are going to solve the
18 urban situation and the rural situation and every other
19 situation where it requires partnership to improve this
20 country so that we can truly be proud of it.

21 Yesterday I made a presentation to a
22 group in Edmonton, the Chamber of Commerce. I said "we

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1 really can't fly your flag". They had presented me with
2 a flag and I said "I really hesitate to take this flag,
3 because we are not part of Canada yet, but I am certainly
4 optimistic. I broke tradition when you sang "Oh Canada",
5 but I only sang with one lip." They got my point.

6 I really, truly want to see that Canada
7 accepts Aboriginal people as equals, without any
8 paternalistic plan any more. You must start listening
9 to us on how this country should be developed in the future.

10 We have one of the largest resources in
11 this country -- 40,000 Aboriginal students go through
12 post-secondary education institutions a year, yet there
13 are no jobs for them when they come out -- little or no
14 jobs. The unemployment rate is up to 80 per cent. So
15 there is much need for plans to be worked out between us
16 in the future.

17 We certainly need more than talk and this
18 co-operative action that I talked to you about has to take
19 place and there must be one of your recommendations, there
20 have to be serious commitments by all parties involved
21 -- federal, provincial, municipal and other groups who
22 tend to have the control over the resources of this country.

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1 I'll read from the text on our
2 suggestions on economic recovery.

3 We want our young graduates to become
4 the most economically active among our population, who
5 are proud of their culture and identity. We must look
6 to preparing the way for their success and leadership.

7 This past December we proposed a
8 five-point agenda for economic recovery to First
9 Ministers, to which we were not invited but to which were
10 made a presentation anyway through the media. I believe
11 the principles are sound and the agenda worthy of
12 consideration and action.

13 A major component of self-sufficiency
14 and self-government for Aboriginal communities must be
15 a sound, vibrant Aboriginal economy. In order for the
16 Aboriginal economy to recover and flourish to the point
17 of supporting political, cultural and community
18 development and institutions, we must have a fundamental
19 redefinition of principles, a fundamental re-ordering of
20 priorities and national initiatives to direct change.

21 With respect to principles, we believe
22 in simplicity:

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1 (1) Those most in need must be helped
2 first, in order to erase dependency and establish
3 self-sufficiency.

4 We say that with purpose because
5 presently it's not really those who are most in need who
6 receive help first, it's those who can lobby the best who
7 receive the help first. It's those who have the resources
8 to lobby the best who receive attention first. It's those
9 people whom the government recognizes first who receive
10 recognition first.

11 I am not talking about the three out of
12 every four Aboriginal people in this country, because they
13 don't receive the same level playing field that the federal
14 government spends of \$4.5 billion to, and I am not
15 begrudging the on-reserve people, but those who need the
16 help the most should be helped first. That calls for a
17 level playing field.

18 (2) There must be a new order for the
19 sharing of Canadian assets. Federal and provincial
20 governments must share with Aboriginal economic partners
21 in recovery, just as we have shared with them -- albeit
22 it was not voluntarily. At first it started out that way.

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1 (3) The Aboriginal component of the
2 Canadian economy must be reflected in both descriptive
3 and prescriptive terms.

4 As to the priorities, we at the Native
5 Council of Canada proposed five major focus points:

6 (1) Economic and employment planning
7 must address community-based solutions to the deepening
8 poverty of Aboriginal families. This would include the
9 establishment of a joint, Aboriginal and non-Aboriginal
10 government think tank to support the planning process.

11 Non-Aboriginal governments must make
12 binding commitments, firm targets for the hiring of
13 qualified Aboriginal people, particularly in management
14 positions. Employment equity is not working. Two million
15 public sector jobs represent a major labour market,
16 virtually untapped despite promises and programs. And
17 there is good reason for that, if I may wander from my
18 point here.

19 When we were working on this employment
20 equity we found that one of the major reasons employers
21 were having trouble keeping their Aboriginal employees
22 was because there has to be a major education process that

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1 has to take place.

2 Consider for a moment a person who is
3 not privy to the information that you and I are because
4 it's our business to know about constitutional law, to
5 know about politics, to know about the system and lobbying
6 and all that kind of thing. They are out there, they are
7 looking for a job. An Aboriginal person goes to look for
8 a job -- they go and their colleagues are more of the same
9 people who don't know anything about Aboriginal people
10 or lobbying or constitutional law, etc., etc., or the lack
11 of history that has been taught in the schools.

12 So they come up against questions like:
13 So what do you Indians want? You don't pay taxes. You
14 get free education. You get free housing.

15 An individual not privy to this
16 information is not going to put up with that very long
17 and of course won't last long in the public sector, or
18 any other sector where affirmative action is supposed to
19 be working. Therefore, it's not very long before that
20 person resigns.

21 Well, it's no damn wonder the
22 affirmative action is not working. So what has to be done

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1 in this country is that an education has to take place.

2 The lack of education that has been prevalent in this
3 country speaks volumes. The silence is deafening and it
4 has its effect on all of us.

5 There is no way that we can break into
6 the system with people who have not got the information
7 that they should have in order for us to co-exist. As
8 long as the apartheid policy, as long as the stereotypes
9 are there and are not being addressed and discounted by
10 the powers to be, it's going to be that way.

11 I have often said that the best thing
12 that ever happened to us, and I am only saying this in
13 the sense that it gave an opportunity for Canada to learn
14 a little bit of history, was the Oka problem. It wasn't
15 good for us, but I'll tell you, for two months media,
16 newspaper, television, radio and otherwise, had to dig
17 deeper to find out what really took place in this country,
18 why there were things like Oka, why there were things like
19 Lubicon and the Great Whale, why those things were
20 happening.

21 They had to really work hard at it and
22 dig down and see that, "my goodness, there is a royal

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1 proclamation that says that Aboriginal people have this
2 right and, yes, section 91(24) in the British North America
3 Act is in fact there, and these people know what they are
4 talking about, and, my goodness, since 1982 the inherent
5 right to self-government was part of the rights that were
6 entrenched under section 35 and yet they have not taken
7 us to court yet on that. My goodness. No wonder these
8 Indians are complaining." Two months. Finally, people
9 were learning about what we are talking about.

10 The media had no choice but to look for
11 new stories and finally come up with some of the truths
12 but if it wasn't for that this education would not have
13 taken place. But there has to be more of the same, and
14 it has to be initiated by governments and the
15 non-Aboriginal people. You have to own those things.
16 We have to own them. It took place, we can't ignore it.
17 If we want to solve it, it has to be a joint effort.

18 To continue:

19 (2) Income security and taxation policy
20 at the federal level must be changed. An Aboriginal income
21 security program can be financed from existing social
22 assistance, unemployment insurance and training and job

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1 creation programs, and operated either by federal or
2 Aboriginal governments and institutions.

3 Moreover, a simple change in federal
4 policy, that is to say a Cabinet decision to honour the
5 taxation immunity of Aboriginal individuals, would provide
6 instant financial relief to thousands of Aboriginal
7 families, and lessen pressure on poverty-level incomes.

8 I like to always say that if people think
9 that maybe an affirmative action program, by making the
10 special consideration at this point in history -- let us
11 look at what happened when the law was passed that only
12 white people could be citizens of this country, only white
13 people could own land, only white people could own
14 businesses, only white people could get an education, only
15 white people could vote.

16 I think that is the biggest affirmative
17 action program this country has ever seen. Up until 1960
18 this affirmative action program has been in place, so I
19 don't want to hear any more about Indians getting
20 exemptions on reserves or if we are looking for a little
21 bit of boost when it comes to starting off this new
22 relationship.

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1 The non-Aboriginal population has had
2 a hundred years of headstart on us to establish yourselves
3 and your institutions and your laws and your corporations.
4 And you have control over our land financially. Now it's
5 time to right those wrongs and do it properly.

6 We are making these recommendations
7 based on those realities.

8 (3) Business development must be
9 actively supported by provincial governments, something
10 now only assumed by federal programs. Five hundred
11 million dollars in a three-year period would generate
12 75,000 new jobs in the Aboriginal business sector.

13 Again, if it may look like we are looking
14 for a special consideration, it's a far cry from the
15 billions and billions and billions of dollars that have
16 been taken advantage of through your original affirmative
17 action program that ended in 1960 when we got to vote.

18 If we have the right as governments to
19 raise our own resources, we can, but we certainly need
20 a minuscule amount compared to what the original
21 affirmative action program was in order for us to start.

22 (4) Resource sharing and land use

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1 planning will inevitably change, therefore the new
2 partnership based on the principle of sharing of Canadian
3 assets must include and secure Aboriginal interests and
4 rights.

5 I would point out here a serious
6 situation that is developing. As you know, only 6,000,000
7 Canadians live outside urban areas. But to satisfy the
8 appetite of 21,000,000 others, hydro utilities, forest
9 companies, and government departments, like tourism and
10 recreation, are preparing 25-year investment plans and
11 projects.

12 Without a new land and water resource
13 regime which enhances Aboriginal rights and interests,
14 including our economic interests, we will be heading toward
15 more James Bay IIs. I believe a serious examination of
16 these 25-year plans will demonstrate the likely
17 flashpoints which must be avoided -- avoided with a new
18 land and water resource regime -- otherwise, we may need
19 to consider a moratorium.

20 (5) Aboriginal economic authorities
21 must be acknowledged where they exist and established in
22 urban, rural and remote communities where they are needed.

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1 Capital expenditure projects, such as housing, must be
2 rationalized and geared to a real January-to-December
3 year. Policies must be changed so we can prepare for more
4 than one year at a time.

5 Presently, all of this quiet
6 revolution that I opened my speech with is taking place
7 because our volunteers have to lobby three months of every
8 year to make sure we have a one-year program. What kind
9 of a way is that to run a government? Why do you think
10 we want to have Aboriginal government entrenched in the
11 Constitution? So that we can hit the ground running on
12 Day One instead of wasting three months of our valuable
13 resources every year to try and solve the problems in the
14 urban setting without any concrete arrangements at this
15 present time.

16 We cannot go too much further without
17 talking about the justice system. We all know that the
18 countless hours of testimony and research, case after case
19 and enquiry after enquiry, whether it's Donald Marshall,
20 Helen Betty Osborne, J.J. Harper and others, have reached
21 the same conclusion: Let's get on and do something about
22 it.

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1 We understand the Royal Commission on
2 Aboriginal Peoples is considering a full round table of
3 Aboriginal jurists in Canada to examine these issues that
4 concern Aboriginal people and justice. It is an extremely
5 important mandate and we hope that we can be involved again
6 with you if you are planning on having such a round table,
7 where we meet with the Justice Minister to squarely address
8 the matter. Time is of the essence.

9 I will now turn to the Constitution
10 debate, with which I am most familiar these days. We are
11 affectionately calling it "the 1001 Canadian Nights"
12 because, contrary to what people are saying that Aboriginal
13 people have only been at the table for two months and gotten
14 everything they wanted while others have been at it for
15 125 years, nothing could be further from the truth.

16 Canadians have been dealing with this
17 issue for the last 25 years. Some of the proposals that
18 the Native Council of Canada presented in 1978 are now
19 finding their way into this Constitution through the
20 clauses that have been negotiated.

21 I won't go into much detail, but I will
22 tell you that the Native Council of Canada has taken its

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1 direction from all of the community consultations that
2 we have been able to afford yet those people who came,
3 although they were afraid of self-government at first
4 because they thought that it meant expansion of the reserve
5 regime, eventually came and realized that it's possible
6 for us to fill out what we were already doing in the urban
7 centres and institutionalize and constitutionalize it.

8 We have come up with these mandates which
9 enabled us to put certain things in the Constitution that
10 will afford us equity of access. Before that, I would like
11 to also address the fact that over the last few days I
12 have been hearing about backsliding from several
13 provinces. I think they must not have been talking to
14 the same people I have been talking to over the last week.

15 The Native Council of Canada has met with
16 the powers to be -- some ministers, some premiers -- in
17 Saskatchewan, Manitoba and B.C. last week. It met with
18 them to ensure that there were no problems with the present
19 constitutional package. To tell you the truth, there were
20 no problems.

21 The only problem we ran into was in
22 British Columbia, where they were afraid that the

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1 three-year justiciability delay was not going to be
2 adequate. But they have already conceded the fact that
3 everyone around the table was not party to extending it.

4 The other province that had that concern
5 was Manitoba and apparently they are still of the same
6 mind.

7 Our recommendation, which we agree with
8 Bob Mitchell from Saskatchewan, is that the three-year
9 justiciability delay could be extended if negotiations
10 are continuing in good faith. If they are not, then the
11 hammer would drop and we could take them to court. But
12 if they were negotiating in good faith, they would trigger
13 an additional two years for the comfort of the governments.

14 We compromised. We did not have to
15 agree to this. We could have taken the government to court
16 in 1982. That's when the existing Aboriginal treaty right
17 was entrenched. But we did not take them to court.

18 Much is being made by all of the
19 naysayers and the doomsday reporters and everything about
20 all these red herrings, I call them, because if we wanted
21 to be in the courts, we could have done it ten years ago.

22 The only reason my tribal council is in court is because

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1 no one was willing to negotiate. The federal policy was
2 that you were only going to look at six claims a year.

3 There are 27 nations in my province.
4 That certainly was not going to do the trick. When we
5 lost our claim Weststar tripled their raping of our
6 territory. They put three shifts on, 24 hours a day, to
7 take the resources off our land. You're damn right we
8 had to think of something. We went to court. But we were
9 forced to.

10 If somebody was there to negotiate, we
11 would have been at the table. That's what we are trying
12 to do. So, this three-year justiciability delay, believe
13 me, is a red herring. It is certainly not our comfort.

14 It's the government's comfort. If anybody says we don't
15 compromise, well, there's one good example.

16 So, backsliding, I think the media
17 continues to repeat its own predictions and sometimes
18 doesn't pay attention to all of the facts.

19 We have a status report that we have
20 tabled with you, which I am sure you have, that gives you
21 an update on all of the agreements that we have made through
22 clauses in the Constitution. I'll just briefly go over

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1 some of them with you because I think other Aboriginal
2 leaders may discuss them more.

3 What we presently agreed to is that the
4 inherent right of Aboriginal peoples within Canada -- we
5 have agreed to that.

6 We agreed to a contextual clause which
7 outlines the parameters of Aboriginal government in
8 relation to our lands, seas and resources as it affects
9 our traditions, languages and cultures.

10 Some people are saying that that's not
11 definitive enough, that's not circumscribed enough. We
12 were in one workshop and somebody said "what does
13 circumscribe mean?", and some scholar said "it means to
14 circle". So this jokester says "well, do we now
15 circumscribe the wagons?".

16 We are willing to tell people what we
17 want to have jurisdiction over. The Native Council of
18 Canada and the Métis National Council tabled a list of
19 jurisdictions to define what we thought self-government
20 was going to be, what we wanted it to be. We stressed
21 that it was non-exhaustive because at our policy conference
22 or congress the Elders told us that we can't nail the door

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1 shut on the Constitution. We must leave room for future
2 generations to provide for any adaptations. So we
3 provided them with a non-exhaustive list.

4 Of course we need jurisdiction and
5 education, housing, justice, child welfare, you name it.
6 The list goes on. We have already been working in those
7 fields anyway.

8 For reasons I cannot understand that
9 list was taken off the table and a contextual clause was
10 put in there. That's fine with us. Certainly there is
11 no way that we can define self-government in Prince Edward
12 Island to be the same as in British Columbia. The
13 circumstances are different. The circumstances for
14 non-Aboriginal governments are different in P.E.I. and
15 British Columbia.

16 People are asking us to define
17 self-government. What is it going to be? What does it
18 mean? How much is it going to cost? But they don't apply
19 the same demands to themselves. When tourism is
20 entrenched in the Constitution nobody says: Define it
21 to the last letter. Nobody is demanding that to happen.
22 When immigration is entrenched in the Constitution,

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1 nobody is asking for a definition to the last letter.

2 All the other things.

3 The Prime Minister's role is not even
4 in the Constitution. It wasn't in there until 1982 when
5 it mentions that he has to invite us, the Aboriginal and
6 the Territories, to the table. So why this big hullabaloo
7 about Aboriginal people having to define self-government
8 to the last letter, especially when the other clause in
9 the Constitution states that all the self-government
10 arrangements are subject to negotiation?

11 Aboriginal people are not going to be
12 walking down Water Street in St. John's and all of a sudden
13 declare that the laws of St. John's don't apply to them.
14 Our experiences, when we contravene the law, we're in
15 the slammer just like that. No questions asked. They
16 don't even ask us whether we're status or non-status.
17 They just throw us in jail.

18 Those are some of my rebuttals to things
19 that have been coming out in the media that you should
20 be aware of because I don't know whether you're following
21 the day-to day Constitution deliberations.

22 I already covered the justiciability

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1 delay. Maybe I'll give you a little bit more detail.

2 Three years justiciability delay is
3 probably the maximum that we can agree to for the following
4 reasons.

5 It will take one year before Declaration
6 takes place because it has to go through the legislative
7 processes in each province. So, minimum, one year -- up
8 to three years, perhaps. That's when the three-year delay
9 kicks in. So we could be looking up to six years before
10 we will be unable to take the governments to court on
11 whether or not they are negotiating in good faith.

12 So what is that going to do? That's
13 going to give any political party reason to say "oh, well,
14 we won't have to deal with this until the next election".
15 Well, that's not acceptable. We want to have it dealt
16 with now.

17 We have the three equity of access
18 provisions negotiated. Aboriginal off-reserve will have
19 access to their inherent rights to gather or do whatever
20 they want in the territories from which they come. Treaty
21 descendant will no longer be discriminated against if they
22 don't have a status card but yet are descendants of a

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1 treaty. Equity of access to that process. And equity
2 of access to the self-government negotiation process.

3 Those are the things we have been able
4 to get into the Constitution and I must say that we did
5 not get everything we wanted. We wanted to also have a
6 say in appointments to the Supreme Court,
7 constitutionalized Aboriginal participation in the FMC
8 process. We did not get all that we wanted. We compromised
9 too. So, the media must know that, and so should everyone
10 else. We got everything we need to be self governing and
11 now we have to work out those arrangements.

12 I think I'm running pretty close to the
13 time that I have been allotted. I would just like to state
14 that at this point in history, to wrap up, not only must
15 Canada know about the present round of constitutional
16 negotiations and, believe me, the Aboriginal organizations
17 know we have not been paying attention to other areas that
18 concern the community, but if we have the right and
19 mechanism entrenched in the Constitution we will then be
20 able to have groups working in their own communities to
21 solve their problems and you won't have to say that you
22 belong to one of the four organizations in order to get

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1 something. People can do it in the communities where they
2 live.

3 We are not trying to empire-build. We
4 are just trying to build a way for people to access their
5 rights and provide a future for this country.

6 With that, I would be open to questions
7 and I thank you for your attention and indulgence, if there
8 was any.

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

10 A thousand and one nights --

11 **RON GEORGE:** Yes.

12 **CO-CHAIR GEORGES ERASMUS:** Very
13 interesting.

14 Are there any comments or questions from
15 any of the Commissioners? Viola.

16 **COMMISSIONER VIOLA ROBINSON:** Perhaps
17 I can start and return the congratulatory in thanking you
18 for making your presentation. I think you have done an
19 excellent job. It has been something that we need to hear
20 as a Commission.

21 I am very encouraged to hear about at
22 least one of the things that we have been grappling with

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1 is the way self-governance is going to take place off the
2 community-base. I think you have enlightened us on that.

3 The other thing I am encouraged about
4 in your presentation is the fact that one of the things
5 that we are trying to do as a Commission and we are mandated
6 to do is to bring together some form of dialogue and
7 co-operative effort between the Aboriginal and
8 non-Aboriginal community of Canada.

9 Certainly we are not getting much
10 success so far in our first round. We are hearing our
11 Aboriginal side but we are having difficulty hearing the
12 other side or getting that dialogue going.

13 I am encouraged to hear about your
14 multilateral integrated approach with the governments,
15 where at least you have some dialogue going there and some
16 inclusion. I think that is something that is very
17 necessary, as you say.

18 Other than that, I want to thank you.
19 You have given us a lot of information here as well as
20 talking about the repelling of the Indian Act. We hear
21 that over and over and over but nobody seems to be telling
22 us what it is that we should replace it or what kind of

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1 -- people are quick to say "get rid of the Indian Act,
2 get rid of Indian Affairs", but nobody offers any ideas
3 on what the relationship will be with the government, and
4 I see where you are attempting to at least address that.

5 With that, I am going to leave room for
6 some other comments. I'm sure others here may want to
7 make some comments. So, thank you again.

8 **CO-CHAIR GEORGES ERASMUS:** Paul.

9 **COMMISSIONER PAUL CHARTRAND:** Thank you
10 for your presentation. In light of the circumstances I'll
11 pass to other members of the Commission.

12 **CO-CHAIR GEORGES ERASMUS:** Anyone else?
13 Allan Blakeney.

14 **COMMISSIONER ALLAN BLAKENEY:** Just a
15 brief question.

16 You indicated that you felt there was
17 a good deal of money now spent with respect to welfare
18 corrections and the other items you referred to and that
19 you felt that if there was a regime of Aboriginal
20 self-government, that some of this money could be more
21 productively redirected.

22 I agree with that and wondered whether

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1 you have any particular grounds for believing that there
2 would be, let's call it less welfare, with Aboriginal
3 self-government. I happen to agree that there would be
4 but I think a public statement from you on how that might
5 come about would be a good thing.

6 **RON GEORGE:** Thanks for asking, because
7 I certainly do have grounds for that belief. It's in the
8 other report that we have and I believe we have tabled
9 with you, or at least it was released in May, in regards
10 to government off-reserve, that was done by Queen's
11 University.

12 One of the examples they used is one I
13 am most familiar with, of course, since I was part of the
14 founding of that solution that I am going to outline to
15 you.

16 The off-reserve populations I have
17 mentioned have been part of this quiet revolution that
18 has taken place over the last 25 years. Institutions have
19 been set up in major centres. I understand that in Toronto
20 there is something like 30 institutions; in Winnipeg, there
21 is a similar amount.

22 What has happened in Vancouver is over

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1 the last three years a group was established that is known
2 as URBAN. It stands for the Urban Representative Body of
3 Aboriginal Nations. What that body has done is it has
4 amalgamated their human resources and mandates and
5 coordinated their efforts to the point that even the Social
6 Credit government recognized them. That's saying a lot,
7 because the history has been much worse.

8 They recognized the urban society and
9 began funding program dollars that had otherwise gone to
10 non-Aboriginal groups, to the Aboriginal institutions that
11 were there. These Aboriginal groups, the first amount
12 of funding that came through was sexual abuse counselling.

13 The groups that were concerned with that issue took the
14 funding and decided how that would be spent among
15 themselves, and did so with efficiency and very little
16 fanfare. They just went about their business and did that.

17 The housing corporations that I am most
18 familiar with, such as the B.C. Native Housing Corporation,
19 delivers all rural and native housing programs in the
20 province of British Columbia. I might point out that we
21 don't just deliver to Aboriginal people. There has to
22 be a certain component that go to non-Aboriginal people,

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1 especially in the area of residential rehabilitation
2 assistance. That has to go to homeowners and we are not
3 able to find a whole lot of Aboriginal homeowners, so the
4 majority of that program goes to the low income homeowner,
5 non-Aboriginal.

6 The point I want to make here is that
7 we have established a relationship with Central Mortgage
8 and housing Corporation, it used to be adversarial, it
9 was a we-they situation, to now, six or seven years later,
10 we are actually working as partners. They realize that
11 we are delivering an efficient cost-effective product and
12 they realize that they are fulfilling their mandate. The
13 only way we are able to reach that stage is through this
14 partnership arrangement.

15 It is no longer adversarial. For the
16 last few years the director and myself used to just go
17 there and observe, and the people used to do their job.

18 In addition to that, the corporation
19 delivers the residential assistance program to 80 bands
20 in the province, which helps the bands. It is a mutually
21 beneficial arrangement. One small band that gets five
22 allocations can little afford to hire a person to deliver

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1 the programs so they seek us out to deliver what we already
2 have expertise in and delivering a good product. So we
3 are the tie that binds between the off- and on-reserve
4 people. It's possible for us to work together.

5 The same with child welfare. We have
6 established the child welfare agency that looks after the
7 children off-reserve, of course, and have signed protocol
8 arrangements with other bands and tribal councils to look
9 after their children off-reserve whenever they show up
10 off-reserve. Again, a tie that binds us with our nation.

11 So it is possible for us to work together
12 if and when the Indian Act is no longer a factor in our
13 lives, and we are even doing it in spite of that.

14 As long as we can get away from this
15 we-they situation, then we can begin to start spending
16 this money wisely and work at it as a team. Those are
17 three examples that I can speak of right at the top.

18 In response to Viola's having a
19 government without a land base, we don't anticipate not
20 having a land base forever. My goodness, if the Chinese
21 Embassy can get land in the city of Ottawa, surely we can
22 find some land for Aboriginal people in our territories.

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1 After all, we were the original owners.

2 If we are going to rebuild Canada, then
3 we must be able to work out those arrangements. If
4 Canadians expect us to be self-governing, we must have
5 the land base. It's ludicrous for anyone to expect: You
6 guys go live off those reserves because you're not an
7 Indian, but now govern yourselves without land base. It's
8 a lot to ask and I think we can work that one out.

9 I hope that answered your question.

10 **COMMISSIONER ALLAN BLAKENEY:** Thank
11 you.

12 **CO-CHAIR GEORGES ERASMUS:** Bertha.

13 **COMMISSIONER BERTHA WILSON:** I am
14 wondering whether the Native Council has looked to this
15 point at different models of self-government, what it might
16 look like and how it would tie in with the other levels
17 of government because in many of the discussions we have
18 had, both in the cities and in the communities, the Native
19 people we have talked to seemed to envisage self-government
20 just as a matter of taking over the delivery of services.

21 In other words, that the responsibility for delivering
22 services to Native people would be transferred to Native

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1 people, and this would be the form that self-government
2 would take.

3 Obviously there is a larger dimension
4 to it than that and I am wondering if you have had the
5 chance to look at different models and see how they would
6 work.

7 **RON GEORGE:** Once again, had we the
8 resources we could probably come up with some very
9 definitive models but that not being the case, we have
10 this study that was done by Queen's University which did
11 look into those options which we have shared with them
12 and which found their way into that report.

13 If you have a government and along with
14 those powers should be the ability to raise money --
15 taxation, etc. -- we need only to look at the four school
16 boards in this province. You have the Catholic French-
17 and English-speaking school boards, two there, Catholic
18 and Protestant English-speaking school boards that people
19 can decide to which they give their tax dollar for
20 education.

21 The Catholic system has been in
22 existence for a long time. We could probably work some

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1 sort of an arrangement for taxation through that. The
2 simple ability to raise our own funds as a government would
3 go a long ways to solving our problem. As a matter of
4 fact, I would really like to point out at this time that
5 off-reserve peoples do pay taxes and therefore deserve
6 the right to expect the same type of consideration that
7 other non-Aboriginal Canadians enjoy when they say they
8 expect this for their tax dollar. They expect a social
9 safety net, they expect economic development to affect
10 their lives.

11 But it always seems to be a problem for
12 the fringe element who think that the stereotype still
13 remains, that, "well, gee, Aboriginal Canadians, what do
14 they expect? What is this going to cost us?" Well, it's
15 going to cost the same amount it cost non-Aboriginal
16 people. We have the same rights. That's all we are asking
17 for. There is really no difference at all.

18 We pay taxes, we expect a return on it.
19 We expect to have a say in it. We don't expect to have
20 one department of government dictating what the terms and
21 conditions are. If that's what people expect, then they
22 should apply to themselves. There should be a department

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1 of non-Aboriginal affairs, saying that you can do certain
2 things in certain areas but not in others. That's all
3 we are saying.

4 It's really not that complicated. We
5 expect the same type of considerations to determine our
6 future as anyone else has and if they happen to be a little
7 bit different, well, accommodations are being made for
8 other ethnic groups to be able to look after their lives.

9 Embassies come over here and plant
10 themselves on plots of land and do what they want. They
11 have diplomatic immunity. That seems to work. Nobody
12 seems to complain about that. There are all kinds of
13 circumstances that we can point to that are not the norm
14 or the status quo as people know them. We ourselves have
15 different traditions and beliefs.

16 For instance, justice. We thought of
17 those things. I need not go any further than my system
18 where collective rights protect individual rights. In
19 this case, section 15 of the Constitution is not strong
20 enough for my government. We are matriarchal system.
21 All of the clans that come from the mother, the female,
22 and when we are explaining this in the Delgamuukw v. The

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1 Queen court case. The province of British Columbia
2 accuses us of discriminating against men. So obviously
3 what the Charter does is not strong enough for us. So
4 we have to have the ability to be able to integrate our
5 police into the systems that we choose to have to govern
6 ourselves and that must be respected by other people.

7 Collective rights do not make
8 distinctions between gender. Men can't have babies. We
9 understand that. So we give women special considerations.
10 They run our system and we cannot be bound by the Charter
11 if it is going to diminish the purity of that system.
12 So we have to be able to accommodate that. So there are
13 going to be differences but certainly we are not going
14 to do it without negotiating and finding a way to coexist
15 with everyone.

16 Five per cent of the population can
17 little afford to try and butt heads with 95 per cent of
18 the rest of the rest of the country.

19 It's a long answer to a short question,
20 but we do have situations that differ across the country
21 that have to be considered.

22 **CO-CHAIR GEORGES ERASMUS:** Anyone else?

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1 On this side?

2 I think Co-Chair Dussault has a question
3 or comment.

4 **CO-CHAIR RENÉ DUSSAULT:** Just a brief
5 clarification.

6 In your presentation you mention that
7 \$4.5 billion in the budget was going to maybe 25 per cent,
8 a quarter of the Aboriginal people of Canada, what you
9 labeled the apartheid policy of the reserve should be
10 abolished and the Indian Act should achieve that.

11 I just want to know if you advocate the
12 abolition of the reserve per se or are you telling us that
13 you want the same amount of money being spent outside the
14 reserve without a link with the reserve system?

15 **RON GEORGE:** That may work in some
16 instances but I think what a lot of nations are considering
17 is using their own system as opposed to the Indian Act
18 regime. The Indian Act regime has many flaws. Of course
19 it leaves out three out of every four Aboriginal people,
20 and that simply is not going to wash with us who work
21 off-reserve and pay taxes.

22 I think in aggregate we do pay about \$5

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1 billion a years, us off-reserve people. It's an irony
2 that it goes to the Department of Indian Affairs and funds
3 that big bureaucracy. Self-government certainly is not
4 going to be a duplication of that process, I'll tell you.

5 In our wildest dreams we could not come
6 up with a worse case scenario of how to govern ourselves.

7 If I were to go out there with a
8 self-government proposal to the people and say "we are
9 now going to have 600 different governments in this country
10 and they are all going to be little plots of land and very
11 little resources", that would not sell, I'm telling you.

12 We have to work out better arrangements than that. Some
13 of them are manifested in treaties that still have to be
14 carried out.

15 There are considerations for certain
16 amounts of land for treaty descendants that have not been
17 dealt with.

18 The land claims that have yet to take
19 place used to be 40 per cent until the North has been coming
20 into agreement, but British Columbia for sure will answer
21 some of those questions where descendants of whatever
22 nation of those 27 are there will have access to lands

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1 that will come out of the land claims agreement.

2 Again, we expect a return on our tax
3 dollar the same as any other Canadian, and we don't expect
4 it to be administered by someone who is not even remotely
5 related to our way of life and government. Right now it
6 is an imposition on us, and we would like to change that.

7 If people want to adopt the Indian Act system, well that's
8 their business. That's what self-government means.

9 Some people don't have the ability to
10 bring the traditional governments in the ashes like
11 Phoenix. It's forever gone and killed. I know there are
12 some nations that will adopt the band system because --
13 well, if that's what they have decided, that's fine.
14 Nevertheless, it was a decision they made themselves and
15 not one that was imposed on them.

16 I hope I covered enough ground there to
17 give you a clear answer.

18 **CO-CHAIR GEORGES ERASMUS:** I wonder if
19 I could ask more or less the same question that Bertha
20 Wilson asked in relation to urban models of
21 self-government.

22 One thing we are trying to get a handle

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1 on is, in the urban situation if self-government is going
2 to have any meaning, do the communities that you are working
3 with believe they will have actual jurisdiction or they
4 will make laws and legislate? Will they have some kind
5 of system of government, where they will have some sort
6 of either the traditional system that Aboriginal people
7 originally had or a new kind of legislative body?

8 You say that, yes, there's little land
9 now but at some point there will probably be land. You
10 are suggesting that there will be land within urban areas
11 that are controlled by Aboriginal people? Is that what
12 you are talking about?

13 **RON GEORGE:** Yes to all of the above,
14 if that is what the people decided to be. Far be it from
15 me to say "that's what it is going to be" when I'm not
16 the one who is making those decisions. I am speaking on
17 behalf of those people who have no rights right now and
18 are trying to access rights that everyone else enjoys and
19 we should.

20 If people want to have it as simply an
21 administrative body on an urban centre, that's their
22 decision to make. If that right is entrenched in the

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1 Constitution then they should be able to limit
2 themselves, if you will, to being an administrative body
3 of programs and services. But if some people want to --
4 for instance, if they are in an area where they want to
5 take control of their languages and traditions, well,
6 that's their decision as well.

7 If you're living in Queen Charlotte
8 Islands off-reserve or otherwise, or integrated into your
9 nations, then obviously you will want to have the Haida
10 traditions, or in the East Coast where the Micmacs and
11 the Malecites live, they may be concerned with the
12 traditions and cultures and might figure out some sort
13 of a mechanism there.

14 In Toronto and Vancouver and Winnipeg
15 any of the above is possible if that is what they choose
16 to address themselves to but that, again, should be their
17 decision.

18 I might add as well -- for instance, in
19 the City of Vancouver, if we were going to get into any
20 type of a legislative regime it would have to be in concert
21 with the Musqueam people. We are not going to go willy-nilly
22 across this country without recognizing the authority of

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1 the Aboriginal nations on the lands on which we stand.

2 While I'm at it I would like to thank
3 the New Credit Mississauga people for being on their land
4 at this point.

5 We will not just all of a sudden come
6 out behind a closed door and say "all right, here we are,
7 we're an Aboriginal government and this is the way it's
8 going to be". We are obviously going to be talking to
9 the municipal governments, the other authorities that we
10 will be dealing with, the federal government if need be,
11 and the Aboriginal people if they exercise their authority
12 within the territories on which we are.

13 I also say, if we are going to establish
14 a government and want to give it a name we should give
15 it the name of the House of Common Sense, because that's
16 what it is going to be.

17 **CO-CHAIR GEORGES ERASMUS:** We all
18 appreciate the fact that any of the above could possibly
19 take place but if our work is going to make sense, then
20 it is going to have to be more than saying that any of
21 the above, possibly all of the above, is going to take
22 place.

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1 We need to be a bit more definitive than
2 that if the work of the Commission is going to be of any
3 use to anyone.

4 Do you know of any place in the country
5 where there will definitely be people who are seeking an
6 elected or an appointed or a traditional body, where they
7 will actually make laws? Do you know of at least one
8 situation where people are seriously seeking that as a
9 given model and are evolving to it?

10 **RON GEORGE:** My answer to that question
11 -- I'll make a comparison. It's like trying to determine
12 the sex of the baby before it's born. We do not have
13 self-government yet, so how can I tell you? Nor do we
14 have the resources to even contemplate doing the study
15 that it takes to go through all these urban communities
16 to find out what they envision as self-government.

17 We have occasion once in a while to make
18 a presentation to the Royal Commission or maybe to the
19 Joint Committee on Aboriginal Affairs or something to the
20 extent that we have the resources. Studies are made by
21 governments in the millions of dollars to determine models
22 and we have to stand before groups like you to try and

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1 explain to the letter and to the last dot of the "i" and
2 the cross of the "t", to explain what might be a possible
3 scenario when we just simply don't have the resources to
4 be able to do that type of study.

5 I don't know of any place that thinks
6 about legislating further authorities but if we are going
7 to call self-government, it certainly should be our
8 decision to make, instead of something that is dictated
9 to us. It cannot be self-government if it is contingent.

10 Sure, it's easy to recognize bands,
11 because they are there. They are existing, they are on
12 a plot of land and the government registers everybody who
13 is there, but appreciate the fact that we are all out here,
14 moving around depending on the economic circumstance of
15 each individual and it certainly is not a static community.
16 It's fluid at best.

17 For us to try and come to some sort of
18 an arrangement, you can appreciate how big the problem
19 is. We need the co-operation of all powers to address that
20 problem. It's not going to go away. It has to be addressed.

21 If a legislative body is the answer,
22 fine, that's what it will be, but it's not my decision

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1 to make or any other individual. It is going to have to
2 happen to as a collectivity because that's the way it is
3 now.

4 I was in attendance at a meeting in this
5 very building on April 25th, where the URBAN people were
6 trying to figure out how to address their problem. I'll
7 tell you, they don't have all the answers yet. They are
8 studying models, they are making considerations on how
9 to do it, the same way those 58 organizations in Vancouver
10 are doing now.

11 I suspect it's going to be an evolution.
12 My goodness, we have only been able to participate in
13 this society since 1960. We have only been able to go to
14 university since then and the non-status people have had
15 to go to university taking out student loans. We are not
16 part of the \$4.5 billion budget.

17 We have had to go out there, so we are
18 doing the best we can. Volunteer groups are involved with
19 the institutions in spite of the exclusion of the federal
20 and provincial policies
21 -- in spite of them. And we are looking after the people
22 who leave the reserves, which they are leaving because

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1 the federal government's jurisdiction is not doing the
2 trick.

3 If we can do all those things, I think
4 anything is possible. If it's legislation, then that's
5 what it will be. If it's simple administration of programs
6 and services, well, that's their decision to make if they
7 are happy with that.

8 The same as the Sechelt people adopted
9 their municipal style of government. That's their
10 decision. They made that. Everyone has that right.
11 They should have that right, anyway.

12 Did that clarify it any more?

13 **CO-CHAIR GEORGES ERASMUS:** I think so.

14 I think you have done a very good job in describing a
15 situation that Aboriginal people in an urban setting kind
16 of find themselves in right now, and that it is obviously
17 going to be an evolutionary process.

18 I'm glad you have answered your question
19 in that way because I think everyone watching this hearing
20 will be able to appreciate the situation Aboriginal people
21 find themselves in and the fact that lack of resources
22 in the past has not provided the time and the humanability

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1 to develop and evolve.

2 The reality is that everyone is trying
3 to get a picture of what this future is really going to
4 be. Without trying to curb anybody's ability to define
5 our own future, we are trying to get an idea of what these
6 models look like.

7 We had a couple of days on this issue
8 of round table on urban issues that just concluded a day
9 or so ago. We are beginning to get some ideas in that
10 area.

11 If you were to point to what you think
12 is probably an evolving model today, would you suggest
13 that it is more than likely that somewhere in the country
14 there will be, in an urban setting, a government model
15 that is primarily service delivery, an expansion of what
16 seems to be going on in places like Vancouver, Calgary,
17 Edmonton and so forth, where urban organizations have come
18 together, Winnipeg, and they are now delivering services
19 -- they have been delivering services for 20, 30 years,
20 and they are now coordinating their efforts.

21 Do you think an evolution of that kind
22 is more than likely?

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1 **MR. RON GEORGE:** It probably will be the
2 predominant model in the urban centres, the larger ones,
3 but I know that there are other off-reserve communities
4 that are not necessarily metropolitan who may be able to
5 deal with legislative bodies or even in fact nation bodies.

6 The urban representative body of
7 Aboriginal nations brings in the Nishga locals in
8 Vancouver. The Haida locals are considering that.
9 Another, the Gitksan-Mutsodan locals in Vancouver are
10 becoming a part of it and it's evolving into a traditional
11 forum where we have feasts and do feast business.

12 I myself have had two such feasts in an
13 urban setting to recognize certain members of the community
14 and to carry out business in respect of something someone
15 else has done for the UNN or for myself personally as
16 hereditary chief. Those things are evolving.

17 The urban society is even considering
18 modelling the governmental system around the feast
19 structure or the medicine wheel structure, which basically
20 everyone can agree to. Most people have clans. Most people
21 belong to one clan or another and most Aboriginal people
22 have the same respect for elders, respect for nature,

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1 Mother Earth, the same philosophies, where we don't
2 separate male and female and we did not have jails and
3 those kind of things.

4 We had those philosophies that were
5 holistic. So those may be the models that we come up with.

6 It may be legislative in the parliamentary sense, it may
7 be in the traditional sense, depending on which part of
8 the land we live in.

9 In the East Coast I can point to the
10 Puntlatch, which is prevalent over there, but I know that's
11 not so in the Prairies. It's a medicine wheel and so on.

12 So, who knows?

13 We may be incorporating our traditional
14 systems wherever we live so that it works for all of us.

15 After all, the traditions system has never left anyone
16 out. It stands to reason that may be where we are headed.

17 **CO-CHAIR GEORGES ERASMUS:** Could I ask
18 you one last question.

19 In your presentation you dealt a little
20 bit about transition, from where we are now, an amendment
21 in the Constitution that recognizes self-government and
22 where we are going to be in the future.

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1 What additional things can you tell us
2 about that important transitional period that would
3 complete the picture?

4 **RON GEORGE:** First of all, the most
5 important thing I have pointed out was education. People
6 have to believe we have the right to self-government.
7 It can't be just words. They have to believe that it's
8 necessary for us to govern ourselves to come out from under
9 the last 500 years of control.

10 We have to hone the problems that are
11 there, be we Aboriginal or non-Aboriginal. The facts are
12 there in front of us and we have to deal with them. It
13 has to be a joint effort.

14 It was not us that made 17 categories
15 of non-status Indians and caused us to live under the terms
16 and conditions of those categories. It wasn't me that
17 caused me to be a non-status Indian because my grandfather
18 chose not to live on a reserve and therefore lost his
19 status. It wasn't the descendant of a war veteran who
20 chose to live away from his people by law because his father
21 went to war and was away from a reserve for an extended
22 period of time.

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1 Those are all the things that we have
2 to deal with and we need some co-operation with an
3 understanding. So the transition period must include
4 education so that we know what we are dealing with, we
5 know the circumstances we are dealing with.

6 It's a shame that all Canadians aren't
7 at the constitution table to understand the positions that
8 go into this process. There are 17 parties around that
9 table. Before I was involved in the process I was cynical
10 about it, but I have seen some genuine efforts by prominent
11 people like Peter Meekeson, Ron Watts. Professors across
12 this country are working to solve the problems.

13 Those kind of people must be involved
14 in the transition process because they are knowledgeable
15 about the situation. We have many of our professors, some
16 who have passed on, like George Manuel, elders like them,
17 who must be part of the transition process to amalgamate
18 our experiences, and no longer whine about the problems
19 but to find solutions to them.

20 Anybody can whine. You can whine in
21 front of your children and that child will become a whiner,
22 but if you sit in front of that child and try to solve

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1 a problem, then that's what they will do when they grow
2 up. So will the non-Aboriginal people. They have to be
3 there as part of the solution.

4 To make sure that people do it with high
5 standards, unlike what happened in the Woodland Cree
6 situation, where to solve the problem they just gathered
7 up another group of people and formed another band that
8 would agree to the situation that they were dealing with.
9 They have done that. They have split bands, they have
10 amalgamated bands. They have done all those things.
11 That's not honourable, so we have to set up a transition
12 system where honour is the cornerstone to any transition
13 mechanism.

14 It cannot be a halfhearted effort. It
15 has to be something everyone is going to assured justice
16 from.

17 I don't know if I can add much more to
18 that answer.

19 **CO-CHAIR GEORGES ERASMUS:** Just one
20 sub-question.

21 Whose laws should apply in the interim?

22 **RON GEORGE:** In the constitution that

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1 we have negotiated, it is already clear in there that
2 existing federal and provincial laws will apply until
3 replaced by Aboriginal governments. Again, those will be
4 negotiated arrangements. They are not going to be
5 unilateral. That's fairly well covered in the constitution
6 document that you have here in the progress report.

7 **CO-CHAIR GEORGES ERASMUS:** I appreciate
8 that. I was aware of that. I am asking for the record
9 and for public education.

10 **RON GEORGE:** I know.

11 **CO-CHAIR GEORGES ERASMUS:** I would like
12 to thank you for standing there as long as you have and
13 giving us a very thorough presentation.

14 **RON GEORGE:** I have been sitting for a
15 long time so it doesn't hurt to stand once in a while.

16 **CO-CHAIR GEORGES ERASMUS:** Did you want
17 to add something briefly, René?

18 **CO-CHAIR RENÉ DUSSAULT:** Je voudrais
19 simplement vous remercier de votre présentation et dire
20 que nous allons certainement garder le contact avec votre
21 groupement. Merci.

22 **CO-CHAIR GEORGES ERASMUS:** We are going

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1 to take a very brief break. We are not going to go for
2 lunch just yet. We are going to go for at least another
3 half-hour, so we are just going to take a five-minute
4 stretch and washroom break. Thank you.

5 --- Short Recess at 12:05 p.m.

6 --- Upon resuming at 12:10 p.m.

7 CO-CHAIR RENÉ DUSSAULT: I would now
8 like to ask the next presenter to join us at the table.

9 J. SPENCER ROWE: Bonjour. My name is
10 Spencer. I'm here as an individual. I speak for myself.
11 I'm speaking in regards to cultural issues.

12 A lot of our culture and tradition is
13 based on and around the land. As Mother Earth's blooms
14 continue to grow and become more diseased, so does our
15 culture.

16 In regards to language, yesterday I was
17 talking to a young student who was in Grade 4 up in
18 Peterborough. He was telling me how he is learning French
19 in Grade 4. Frankly, he did not understand that, he said,
20 because he is an Ojibway.

21 Everything I have ever learned about my
22 culture and my traditions I have learned by listening and

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1 by seeing by example, more often than not by women and
2 through oral presentations in both official languages,
3 Ojibway and Cree.

4 There is one thing that comes really
5 strong to me about our traditions and our culture. That
6 is that we try to do things in a kind way and we understand
7 and respect people as individuals. We understand that
8 everyone, everything, has roles to play.

9 In a non-Native setting, I could even
10 say that in a non-Native setting like some reserves, this
11 is not respected. On some reserves if you don't go to
12 church, if you don't play bingo and if you don't drink,
13 it's a difficult time for you.

14 A president in America once promised his
15 people a chicken in every pot. I think a sweat lodge in
16 every backyard is the goal we should go for.

17 The problem is land. When people get
18 off their land, when a Native people leave the land they
19 are removed from the very spirit that is guiding them,
20 or at least I am removed from the spirit that is guiding
21 me.

22 I could receive all the money from the

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1 government to put on a play, to take it on the road, very
2 much like this Commission, and try to present my native
3 ways to my people. All I can say to that is I could do
4 the best I can but I would not be doing the job I should
5 be doing, or I could be doing, on the land.

6 I cannot take a lodge with me. I cannot
7 in a respectful manner utilize the gifts used for music
8 with me on stage. I would not be able to speak Ojibway
9 to the audience because I would have to sell tickets in
10 a theatre in downtown Toronto.

11 Fundamentally, if you take language, if
12 you take the language and the music and the dance and the
13 spirit away from Native people, then you take away the
14 Native species.

15 Megwetch.

16 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
17 much for your presentation.

18 I would now like to ask the
19 representative for the Canadian Executive
20 Services Organization to join us.

21 **CO-CHAIR GEORGES ERASMUS:** If people
22 wish to sit and make their presentation, we could lower

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1 the mike.

2 **DAN HAGGERTY, PRESIDENT AND CEO,**
3 **CANADIAN EXECUTIVE SERVICE ORGANIZATION (CESO):** I think
4 I'm fine standing, Mr. Erasmus.

5 **CO-CHAIR GEORGES ERASMUS:** Fine.

6 **DAN HAGGERTY:** Good afternoon,
7 Commissioners, ladies and gentlemen. My name is Dan
8 Haggerty. I am President of the Canadian Executive
9 Service Organization. With me today is Robert Hartog,
10 our Chairman of the Board and Claude McCabe, Vice-President
11 of our Canadian Native Program.

12 My verbal presentation to you is about
13 11 or 12 minutes. I hope that might allow time for one
14 or two questions afterwards.

15 Viola Robinson addressed the Annual
16 General Meeting of CESO one year ago and reminded us that
17 when the Europeans first arrived in North America, it was
18 the Aboriginals who extended the hand of friendship and
19 showed them how to live in the harsh environment of this
20 continent. Therefore, in her view, CESO is an Aboriginal
21 concept which originally stood for "Can the Europeans
22 Survive Over here?" and she stressed the need today for

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1 the favour to be returned. This is what the modern CESO
2 is all about.

3 CESO is a non-profit, non-governmental
4 organization with the mandate to provide volunteers as
5 consultants to support the development and management of
6 the Aboriginal businesses and communities in Canada, and
7 of the business and social sectors of developing countries
8 around the world. Funding is provided by Canadian
9 federal, provincial and territorial governments, by
10 clients and by corporate and individual donations.

11 This year, CESO is celebrating its 25th
12 anniversary. Twenty-five years is a short time in the
13 history of the Aboriginal Peoples of North America but
14 it is a relatively long time in the history of
15 non-aboriginal institutions which have worked with
16 Canadian Aboriginals. In fact, excluding governments and
17 churches, CESO is certainly one of the non-aboriginal
18 organizations with the longest track record of working
19 with Aboriginal peoples of Canada.

20 During these years, CESO consultants
21 have contributed over 200,000 days of work on a volunteer
22 basis to complete almost 20,000 assignments with

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1 Aboriginal businesses and communities. At an imputed
2 value of \$350 per day, this would represent a volunteer
3 contribution of services worth in excess of 70 million
4 dollars. Quite an impressive figure!

5 It is all the more impressive if you look
6 at the qualifications of these volunteers. The current
7 CESO Roster includes over 3,600 men and women who have
8 a successful track record in business, in the professions
9 or in the public sector. The typical CESO Volunteer
10 Consultant has formal training, a lifetime of practical
11 experience in a senior position, discretionary time
12 available and the willingness to share his or her expertise
13 and experience with Canadian Aboriginals, without
14 remuneration. Ages range from the 20's to the 80's,
15 averaging just over 60.

16 To give you a feel for their profiles,
17 here is a sample of the Volunteer Consultants who were
18 working on Native projects in one region recently. It
19 included a former president of Manitoba Hydro, the former
20 Dean of Business of Ryerson College in Toronto and the
21 current director of training of a large municipality.
22 It also includes environmental specialists, financial

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1 specialists and chartered accountants, as well as former
2 business owners, construction managers and real estate
3 appraisers.

4 What is their mandate? This is best
5 described as "skills transfer". The term "Consultant"
6 which we use for CESO Volunteers is probably a misnomer.

7 In fact, this is where the mandate of CESO differs from
8 the one of commercial consultants. CESO volunteers focus
9 on helping their clients to become self-sufficient. More
10 than 1,500 assignments will be completed this year across
11 Canada on a budget of \$2.3 million. For illustration
12 purposes, a few of the projects in progress or completed
13 in the last few weeks have been the following.

14 Assistance to a Micmac businessman to
15 expand the premises of his grocery store in Burnt Church,
16 N.B.

17 Assistance to the Conseil
18 Attikamek-Montagnais to coordinate the planning and
19 development of a new radio network which will serve the
20 First Nations of Quebec.

21 Two five-week training programs and
22 workshops on water and sewage treatment for 16 members

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1 of the Matawa Tribal Council and for 13 persons from the
2 Ojibway 1850 Tribal Council.

3 And there are several other examples in
4 our written submission.

5 This brings us to the first point which
6 we would like to make. One of the most underutilized
7 resources in this country is the skills and experience
8 of retired Canadians. There are thousands of qualified
9 Canadians who would be willing to share their expertise
10 with Canadian Aboriginals, if given the opportunity.

11 Until now, CESO has been the most
12 important outlet for these people to volunteer their
13 expertise. Unfortunately, the scope of activity of CESO
14 and the size of its Roster are severely limited by funding
15 constraints. The Canadian Government portion of the
16 budget of the CESO Canadian Native Program (approximately
17 \$1.6 million per annum) has been frozen for the last eight
18 years, in spite of inflation and of a growing demand for
19 services.

20 At the official launch of the public
21 consultation process in Winnipeg, the co-chairs of the
22 Royal Commission stressed that "...an enormous gap between

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1 Aboriginal and non-Aboriginal people...must be bridged
2 by both groups working together." The CESO Program is
3 a good example of this kind of cooperation.

4 The Aboriginal person benefits from the
5 "skills transfer" while, on the other side, the CESO
6 Volunteer Consultant is given an opportunity to understand
7 the realities of Aboriginal people in Canada. Many CESO
8 volunteers returning from assignments report a feeling
9 that they have learned much more than they have
10 contributed. The bonding which results from these kinds
11 of relationships can only help to bridge that gap.

12 Therefore, our first recommendation to
13 the Commission is to ask the government to recognize the
14 untapped potential of expertise which is available on a
15 volunteer basis among Canadians to assist the development
16 of Aboriginal businesses and communities, and to provide
17 greater funding for organizations such as CESO to
18 administer and expand these programs.

19 We are aware that the Commission intends
20 to explore ways to improve the quality of life for urban
21 Aboriginal people, and it may investigate the provision
22 of services in general to Métis and non-status Indians.

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1 The CESO Native Program receives most
2 of its funding from the Department of Indian Affairs and
3 Northern Development and, as can be expected, this is
4 earmarked exclusively for work with status Indians and
5 Inuit. Therefore, CESO has not been able to extend
6 routinely its services to Métis and to many off-reserve
7 Indians, except in Alberta where some provincial funding
8 is available for Métis people.

9 Services to urban Aboriginal people have
10 also suffered from these constraints. It has become very
11 difficult for CESO to provide services to Friendship
12 Centres and to other Aboriginal urban institutions.

13 Last year CESO organized a two-day
14 meeting for a small group of Aboriginal business women
15 from across the country to explore the special issues
16 related to the economic development of Aboriginal women.

17 The conclusions clearly showed the
18 magnitude of the disadvantages suffered by this group,
19 the complexity of the issues and the need for solutions
20 which will integrate the social, the employment and the
21 business development aspects of women's affairs.

22 CESO currently completes some 400

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1 projects per year which are of special benefit to
2 Aboriginal women, but we could do much more to help in
3 this critical area.

4 Therefore, our second recommendation to
5 the Commission is to take into account the willingness
6 and suitability of CESO to extend its business advisory
7 and community support services to disadvantaged groups
8 such as Métis, off-reserve Indians, urban Aboriginal
9 people and Aboriginal women who are establishing and
10 developing businesses.

11 CESO assists the development, start-up
12 and operations of a very large number of Aboriginal
13 businesses -- probably close to one thousand each year.

14 In the last two or three years we have
15 heard comments with increasing frequency from our
16 Volunteer Consultants and from economic development
17 specialists regarding the reluctance of new entrepreneurs
18 to use advisory services during the critical period after
19 start-up. These services are commonly referred to as
20 "Aftercare" or "Mentoring".

21 The problem for the new business person
22 is cost. Too many new entrepreneurs hesitate to spend

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1 their own money on such services, and often decide to do
2 so only when it is too late. At that point, CESO Volunteer
3 Consultants often report that they had to arrange for the
4 funeral of a business which could have been rescued if
5 they had been called earlier. Huge amounts of investment
6 are wasted.

7 Aboriginals do not yet have the example
8 of large numbers of role models, nor the support network
9 which is available to most other entrepreneurs. We
10 believe that aftercare and mentoring would help to fulfil
11 that gap and would increase appreciably the survival rate
12 of new Aboriginal businesses.

13 CESO Volunteer Consultants respond to
14 some 500 requests each year to provide support for
15 community administration. They often express concern
16 regarding the scope of problems they encounter in the areas
17 of organizational development, human resources management
18 and financial management.

19 The management skills needed to
20 administer newly acquired self-government are still scarce
21 in many Aboriginal communities.

22 In the end, these problems have a

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1 negative impact on the quality and quantity of services
2 available to the members of these communities.

3 To address these issues, CESO Has
4 developed in the last few years a special range of services
5 to assist the elected leaders and the administrators of
6 these communities.

7 These programs integrate training
8 workshops with hands-on help for Chiefs, councillors and
9 administrators. They include organizational development
10 and human resources management; financial management;
11 leadership development for Aboriginal School Trustees;
12 roles and responsibilities of Councils Nations and of
13 Aboriginal Boards of Directors; and how to choose and work
14 with consultants.

15 Unfortunately, the delivery of these
16 programs is usually costly because of duration and
17 distance. In fact, the greatest problems are often in
18 the distant communities.

19 Our objective is to make these services
20 available to more First Nations.

21 Therefore, our third and final
22 recommendation is that the Commission underlines in its

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1 report not only the necessity to make aftercare and
2 mentoring services readily available to new entrepreneurs
3 during the first years of any new business, but also the
4 profound need for professional assistance at the community
5 level to support newly acquired self-government, and that
6 the Commission explains the ability and willingness of
7 Volunteer organizations such as CESO to provide these
8 services.

9 In step with the Royal Commission, CESO
10 has itself appointed a special task force this year to
11 review the needs of its Aboriginal clients and its ability
12 to respond. CESO undertakes important work in Canada
13 linking non-Aboriginal expertise and experience to
14 Aboriginal aspiration.

15 These are years of rapid change, of
16 devolution of the authority of central government, of
17 evolution of Aboriginal self-government and of rapid
18 economic and social development.

19 CESO has a significant, if not vital role
20 to play in harnessing the volunteer energy of professional
21 Canadians wanting to help Aboriginals explore and seize
22 these opportunities. CESO's track record,

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1 professionalism and cost-effectiveness are second to none
2 and an open book.

3 We wish to be counted in, in a major way,
4 over the next years by extending the hand of friendship,
5 by learning and by co-creating with the Aboriginal peoples
6 of Canada a social and economic future which can sustain
7 us all.

8 Thank you.

9 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
10 much for providing us with a good overview of your
11 organization, what you have done in the past and what you
12 could do.

13 I will ask my fellow Commissioners if
14 they have questions. I will start on my left. Madam
15 Robinson?

16 **COMMISSIONER VIOLA ROBINSON:** I thank
17 you for coming before the Commission and for your eloquent
18 presentation on the work you are doing. I am quite
19 familiar with the goals and objectives of CESO.

20 I think you have outlined quite well the
21 services that are offered by the organization and how
22 restricted they are. Certainly one of the concerns we

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1 have always had is how do we extend the service that you
2 offer to others besides those who are supported by the
3 Department of Indian Affairs?

4 We have no way of resolving that but
5 certainly it is something that I believe falls into a lot
6 of the other jurisdictional questions that come before
7 us. There are many other areas of service that is there
8 and is very restrictive on how it applies to Aboriginal
9 people. So yours is one of many.

10 I am not going to ask you any questions
11 myself because I am quite familiar with your organization.
12 Maybe I might just thank you.

13 **COMMISSIONER PAUL CHARTRAND:** Unlike my
14 colleague, I am not familiar at all with your organization
15 so I am particularly grateful for the information you have
16 provided us. I certainly appreciate the good will that
17 lies behind it.

18 I may note that in my limited experience
19 I have seen situations where those people not covered by
20 your program, as you have indicated, Métis people in this
21 particular instance, in my experience would appear to
22 require the sort of services that you are referring to.

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1 I know that the consultants have been hard at work in
2 assisting, for example, in designing new methods for
3 marketing internationally some products.

4 I am glad that you clarified the
5 clientele that your organization provides services to.
6 Your fact sheet in fact refers to Aboriginal people as
7 a general term. People have expressed before us their
8 concern that where the general term is used, then there
9 follows an assumption on the part of the reader that there
10 is a general treatment of all the Aboriginal peoples, so
11 it is useful that you have indicated that in fact all the
12 Aboriginal peoples of Canada do not have access to the
13 services that you provide.

14 Again, thank you very much.

15 **COMMISSIONER BERTHA WILSON:** I too am
16 not familiar with your organization but I am very
17 interested because, as we have gone around the Native
18 communities we have heard rather sad tales of businesses
19 attempting to be established and of the sad saga that has
20 ended up in their folding. In many instances it is pretty
21 clear that it's a lack of expertise that has been the cause
22 of it.

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1 I am thinking of one community
2 particularly we recently visited where three or four
3 different businesses were started and every one of them
4 folded, and I am wondering to what extent your organization
5 promotes the availability of this kind of help in the Native
6 communities.

7 **DAN HAGGERTY:** We certainly try to
8 promote ourselves as best we can with very limited
9 resources. The reality is that we are not a funding
10 agency. Our resource is the skills and experience of our
11 volunteers.

12 We have to find the resources to pay
13 their very nominal cost and unfortunately, as I explained,
14 we get most of our budget from Indian Affairs, which only
15 deals with status Indians.

16 Therefore, we cannot promote ourselves
17 to non-status or Métis people because we don't have any
18 funding for them except in the province of Alberta. That's
19 one of the conundrums that we face as an organization.
20 It's almost a Catch-22 situation.

21 The reality is that our volunteers are
22 as close to altruism as one can find today. They are not

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1 trying to sell anything for a living, because they are
2 volunteers. They are doing this because they want to help.

3 That's a challenge we face as an
4 organization and I hope that perhaps the Commission might
5 consider addressing in its report as to how organizations
6 like ours can be more helpful to the economic
7 self-sufficiency of the Aboriginal people of Canada.

8 **COMMISSIONER MARY SILLETT:** My
9 understanding is that your program is available only to
10 status Indians and Inuit. Those people are covered by
11 DIAND, right?

12 **DAN HAGGERTY:** Yes. With our Indian
13 Affairs funding. We do have some work in Alberta with
14 Métis. From time to time we do get other small contracts
15 from other organizations to do something specific, but
16 certainly something approaching 90-95 per cent of our work
17 is with status Aboriginals only.

18 **COMMISSIONER MARY SILLETT:** For those
19 Aboriginal groups that don't necessarily fall into that
20 neat category, what kind of assistance is available to
21 them to get businesses started?

22 **DAN HAGGERTY:** Through an organization

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1 like CESO, very little.

2 **COMMISSIONER MARY SILLETT:** Are there
3 any other organizations that they can contact?

4 **DAN HAGGERTY:** Not to provide the
5 hands-on expertise of an individual familiar with the kind
6 of business that they want to provide. There are one or
7 two other organizations I think that can do some of this
8 work, but on a very limited basis.

9 **COMMISSIONER MARY SILLETT:** What is the
10 relationship of CESO to the Canadian Aboriginal economic
11 development strategy, if any?

12 **DAN HAGGERTY:** No formal relationship
13 whatsoever. We have had discussions with them. Ken
14 Thomas was a member of our Board for a while. He is now
15 a member of our Advisory Council, so certainly we are in
16 contact with them but there is no formal relationship,
17 nor funding support.

18 **COMMISSIONER MARY SILLETT:** As a final
19 question, for Inuit communities that want information
20 about CESO, the Inuit communities in the Northwest
21 Territories, Northern Quebec and Labrador, who do they
22 contact?

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1 **DAN HAGGERTY:** They can contact the
2 Territorial people in Yellowknife. We also have contacts
3 in Iqaluit. The best thing I can suggest is that in the
4 material we have given you is our offices across the
5 country.

6 The Western Arctic is handled by our
7 Edmonton office and the Eastern Arctic is handled by our
8 Toronto office.

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

10 **CO-CHAIR GEORGES ERASMUS:** Could you
11 tell me if you have an organization of volunteers, what
12 actually is the funding used on? Is it used for the
13 operation and expenses of these people going out?

14 **DAN HAGGERTY:** Yes. The organization
15 is quite decentralized in the sense that the 3,600
16 volunteers I referred to are right across the country.
17 But in the case of Saskatchewan, our regional office in
18 Saskatchewan will call upon Saskatchewan volunteers to
19 work with our Aboriginal clients in Saskatchewan.

20 Occasionally, if there is a need for a
21 special expertise that is not available we will bring
22 somebody in from another province, but 98 per cent of the

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1 work is done by volunteers in the area, and it is generally
2 day trips, up to a reserve, back again. Occasionally,
3 if they are farther away, up in the far North, it might
4 require overnight stops and so on.

5 Most of our expenses are transportation
6 for the volunteers, food, and so on. No salaries.

7 **CO-CHAIR GEORGES ERASMUS:** Do you have
8 any idea of an average cost per project of keeping a
9 business going?

10 **DAN HAGGERTY:** Yes. In fact, we did,
11 as I mentioned to you, 1,500 projects last year on a budget
12 of \$2 million. So the average cost of a project is about
13 \$1,250 -- something in that range. It varies from a couple
14 of hundred dollars up to maybe \$3,000 or \$4,000 if we have
15 to send somebody up to the Northwest Territories to spend
16 some time. Airfare is very expensive, and so on.

17 The average is about \$1,200. It's an
18 extraordinarily cost effective form of assistance. Of
19 course our volunteers are people with years and years of
20 hands-on experience who have the time to work with
21 struggling Native entrepreneurs.

22 **CO-CHAIR GEORGES ERASMUS:** Does your

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1 membership exist everywhere in the country?

2 **DAN HAGGERTY:** Yes. We have volunteers
3 right across the country, from Whitehorse to Halifax, in
4 almost every industry sector you can pick out. It is a
5 remarkable resource.

6 **CO-CHAIR GEORGES ERASMUS:** Just one
7 last small question. The restriction the Department has
8 put on in relation to primarily reserve based activity,
9 is that something that they initiated or is that something
10 that --

11 **DAN HAGGERTY:** It is a requirement out
12 of the Indian Act. The Department of Indian Affairs can
13 only work with status Indians, only fund status Indians.
14 We do work with status Indians who are off the reserve.

15 **CO-CHAIR GEORGES ERASMUS:** You do?

16 **DAN HAGGERTY:** Yes. They have to have
17 status, though, and we can work with them off the reserve.

18 **CO-CHAIR GEORGES ERASMUS:** I'm glad you
19 added that because the impression I was getting was that
20 you were only going to reserves.

21 **DAN HAGGERTY:** I'm sorry. I should
22 have been clearer about that.

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1 **CO-CHAIR GEORGES ERASMUS:** For
2 instance, that you could not do anything in downtown
3 Toronto here or something.

4 **DAN HAGGERTY:** We work here in the city
5 provided the Native client has status.

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

7 **CO-CHAIR RENÉ DUSSAULT:** I have a
8 question.

9 I understand from your presentation that
10 under this program for status Indians the money is
11 available for help only for development and to start up
12 the project, not for the after-care or mentoring, because
13 you mentioned that the critical period after the start-up
14 is one of the problems.

15 **DAN HAGGERTY:** One of the problems is
16 that our budget from Indian Affairs, as I mentioned, has
17 been frozen for eight years. You can imagine just from
18 inflation what that has done in real terms.

19 We have been able to keep the project
20 activity up by effectively reducing the length of a
21 project. Trying to provide services to 1,500 clients a
22 year, we can no longer give them 10 days, 20 days, 30 days

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1 of after-care because we just don't have the resources
2 for it.

3 We do do a little bit of that but not
4 nearly what we used to do nor what I think the market could
5 justify.

6 **CO-CHAIR RENÉ DUSSAULT:** It's your
7 decision due to the funding.

8 **DAN HAGGERTY:** Yes.

9 **CO-CHAIR RENÉ DUSSAULT:** It is not built
10 into the project.

11 **DAN HAGGERTY:** Exactly. Yes.

12 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
13 much.

14 **DAN HAGGERTY:** Thank you.

15 **CO-CHAIR RENÉ DUSSAULT:** We will hear
16 another presenter before breaking for lunch. I
17 would like to ask Rosemarie Moffit to join us, please.

18 **ROSEMARIE MOFFIT:** Good morning.

19 Mr. Chairman and Members of the
20 Commission -- I am so happy to see Viola Robinson and Betty
21 Pamp and Mary. I haven't seen Mary for a long time.

22 My name is Rosemarie Moffit. When

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1 someone took at look at my presentation they said "are
2 you going to read all of that?" I'm going to try to really
3 keep it brief and short because everybody is raring to
4 go for lunch. I'll try to keep it within 15 minutes.

5 Just to tell you a little bit about
6 myself, I am from Northern Ontario. I was born in a little
7 fishing village called McDermid. I grew up in a little
8 place called Dorion and moved to Thunder Bay when I was
9 12 years old.

10 Someone also asked that as an individual
11 presenter if my presentation was going to be based on some
12 of my experience and how things have affected me as an
13 Aboriginal person.

14 The Members of the Commission have a copy
15 of the draft of my presentation. To the best of my ability
16 I wanted to share a little bit on Ojibway culture, because
17 I had the privilege and opportunity to do a paper in
18 Australia and in Brazil. I have a very dear friend who
19 is watching every move I make and every word I say as well
20 as Betty Pamp, who speaks Ojibway and knows a lot about
21 the Ojibway culture.

22 The reason I want to share this with you

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1 is at these presentations it was an international congress
2 on child abuse and neglect, and I feel very strongly that
3 this paper, if we do not share some of the things that
4 we have with each nation, self-government and all of the
5 other issues will continue to meet with opposition.

6 My first encounter in doing this paper,
7 I consulted with some elders and I had a lot of mentors.
8 When I left Ottawa, which is about six years ago, I asked
9 some of the elders what they thought of this particular
10 contribution and they said that it was the first, because
11 we have a lot of research and a lot of studies done written
12 by non-Native people.

13 I just want to give you a little idea
14 of the Ojibway people in Ontario and of course that changes
15 every year. That's one of the reasons I am reluctant to
16 have anything published, because even reading through this
17 paper this last weekend, I came from Thunder Bay, and some
18 of the words I have changed over the weekend.

19 The Ojibway Nation occupies almost all
20 of Ontario and part of the provinces of Manitoba and
21 Saskatchewan. The Algonkian linguistic group includes
22 the Cree, Ojibway, Blackfoot, Algonquin, Micmac, Malecite,

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1 Montagnais, and Naskapi. That's eight groups of people
2 in one linguistic group.

3 In Ontario -- I want to stick with the
4 Ojibway people because that's my background. The Ojibway
5 people are status Indians living on the reserve. As of
6 December 1990 the figures are 112,826. The Métis are
7 generally defined as persons of mixed ancestry, but it
8 includes aboriginal people.

9 The latter term are individuals, the
10 non-Status, that is, are people who have had status
11 according to the criteria under the Indian Act but lost
12 their rights either through marriage or enfranchisement.

13 Again, I am going to try to interject
14 a couple of personal things that I have had over the years.

15 I have been involved with the native organizations for
16 about 20 years. The term Métis has always been acceptable
17 for me, until I started studying French, because my father
18 spoke fluent French, he was from Quebec. He was of Irish
19 and German extraction.

20 I have always admired languages, because
21 my mother spoke Ojibway and was Ojibway and Scottish.

22 I prefer to us the term Heinz 57 because if you look in

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1 a French dictionary, the term "Métis" is defined as
2 "halfcast, halfbred mongrel".

3 I have been saying this in the last
4 couple of weeks to different people in the community and
5 I nearly got my head shot off by a person from Alberta
6 because the term Métis is very precious to them.

7 During the last few years we have had
8 a Bill 31 that has brought status Indians back. I received
9 my status back and have not received any word from Gull
10 Bay. I spoke to the Chief, who is a second-cousin of mine,
11 and we have not received any correspondence either from
12 the reserve or the representative political organization.

13 The state of the real world is that there
14 is deprivation, and economically we are at the lowest level
15 of poverty.

16 In my opinion, conflicts are created
17 when perception and knowledge have no equal value, equality
18 or relationship. The native and the non-native society
19 can accept this reality into scientific sense as perception
20 being theoretical and knowledge being the collection of
21 information.

22 Of course its purity (truth) comes in

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1 applying that knowledge. Why is it then that the same
2 equation cannot be applied to the Aboriginal population?

3 The resources are available to pursue this research.

4 The reality of our socio-economic
5 conditions is still extremely gloomy. The suicide rate
6 is four times higher than the rest of the population.
7 The number of child welfare interventions are five times
8 that of the national average. The rate of alcoholism
9 ranges from 30 to 95 per cent on reserves and a study of
10 indigenous women in Nova Scotia indicated that the abuse
11 was seven out of ten women.

12 Research, resources and a massive
13 education program must supersede the predominantly current
14 crisis oriented programs which now exist. It is a trend
15 among policy-makers to invent a new strategy or a
16 multidisciplinary approach in order to deal with the
17 difficulties and the resolution of these conflicts.

18 In order to avoid falling in the trap
19 of rhetoric again, let me share with you that it has been
20 an incredible experience. The literature, unpublished
21 papers, networking and exchange of information that
22 provided me the opportunity to go to Australia and Brazil

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1 was most gratifying. An Ojibway woman who relates better
2 in the traditional way, I can offer only what I have
3 received in gratitude.

4 These principles, teachings, and modus
5 operandi of the Ojibwe (which is my primary advocacy)
6 people are alive and well. However, the examination of
7 its relevancy to the decision-making process is crucial.

8 The reality of the situation for me is that regardless
9 of what studies or what information is gathered or for
10 whatever purpose, the data will continue to be unreliable
11 if we continue to deny the seriousness and the implications
12 of alcoholism.

13 Secondly, the information must be
14 collected by us and serve a much needed purpose. I think
15 in the past we have said that native people have been
16 studied to death, we don't need any more research, so on
17 and so forth. It's not that I object to that statement.

18 I just believe that we need to do some more work on our
19 own knowledge of our own nations.

20 The five categories of Ojibway heritage
21 that I would just like to quickly review, one category,
22 Parenting. Under that category there are two items that

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1 I would like to talk about. There's the role of Elders
2 and the Cradle Board, because of my own experience.

3 The role of women and under this,
4 parenting, these are some of the issues that I think we
5 need to examine, role of elders, role of women, the role
6 of men, and the marriage ceremony, pregnancy, afterbirth,
7 cradle board, extended family, naming ceremony, and incest
8 taboo.

9 The second item is the Belief System --
10 teachings, the meaning of tobacco and all the other sacred
11 herbs, sweat lodge, the Midewewin Society, reincarnation,
12 drumming, dancing and singing, messengers - pipe carriers,
13 shaking tent, leaders - faithkeepers, legends, dreams,
14 and vision quest.

15 Part of my paper on child abuse and
16 neglect emphasized the ethics -- freedom of choice,
17 non-interference, no display of anger, discipline, no
18 display of praise and, finally, values.

19 The fourth item is Health -- the medicine
20 wheel, healers, herbal remedies and nutrition.

21 Again, a lot of this is just a beginning.
22 I beg of you that I share this to the best of my ability

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1 of what I have read and of papers that I have been given
2 by other Native people. It's been a real gift.

3 Community Support -- again we have to
4 look at the clan system, the learning process, totem,
5 animal nature, story telling, governing principles,
6 hunting, trapping and fishing, arts and crafts,
7 environmental relations, clothing, plant, nature, the
8 circle, law, and I would like to add in that category the
9 unwritten law, and recreation.

10 I think that some of these items,
11 especially the role of elders, the traditional way is a
12 way of life and in this decade aboriginal consciousness
13 leads to the advice of Elders on history, teachings and
14 for direction. The role of Elders in the area of parenting
15 is essential since it affects all community life.

16 The sense of belonging, from birth
17 through the early years of nurturing for the child, was
18 developed by the truly significant roles of elders as
19 historians, community leaders and grandparents. In my
20 case I can only relate to you that my mother, my grandmother
21 and my great-grandmother, four generations of women who
22 were very, very strong in the community, would have been

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1 recognized over those four generations as non-status or
2 Métis women and not been an intricate part of this force
3 to get Indians involved in self-government.

4 The importance of the "Tikanogan", or
5 the cradle board, which is the Ojibway word for baby cradle,
6 in the crucial early childhood development features. I
7 was in a cradle board. The extended family initially
8 involved with the design and the production of it and
9 besides being essential for posture it also represents
10 the importance of the primary need to develop the five
11 senses, that is, the facial senses, hearing, touching,
12 smelling and tasting. It can also be viewed as the
13 psychological sense as preparing the child for the sudden
14 exposure to a new environment.

15 The Respect for Life Conference
16 mentioned that it is also a reminder that it gives the
17 infant an early introduction to discipline and control.

18 There are currently three versions of the cradle board,
19 with the first being a bunting bag, a smaller one, which
20 is a very small bunting bag, and a smaller cradle board
21 for every-day use, and then a fancier one to be used at
22 special events.

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1 In practical terms, the cradle board
2 served early nurturing techniques for physical, emotional
3 and spiritual well-being. It meant that the child
4 belonged and could travel to all areas of the adult activity
5 world. These practices are still common in the north and
6 are quickly being revitalized in urban communities.

7 The clash of culture which motivated me
8 to write about all of this in the first place was my own
9 personal experience. As a child, where there was British
10 midwifery in the North, I was affected with both hips being
11 pulled out of their sockets. Out of four females in our
12 family, three women were affected in the same condition.
13 It's called congenital dislocated hips.

14 When I was four years old doctors in
15 Thunder Bay told me that I would never walk. I started
16 walking when I was five years old and I know that some
17 of that reality, that ability to do those things came
18 through dreams as well as the encouragement of my extended
19 family.

20 The belief system. The Midewewin
21 Society. I should just comment here. When I walked in
22 here I saw all these lights and people and big guns and

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1 I thought, "oh, my God, I'm not going in here." I got
2 a little scared and I was ready to run.

3 As these big guns did their presentation
4 I want to assure you that my little bow and arrow towards
5 the contribution to this Commission -- I had a time that
6 I was not sure how I could fit this document into the terms
7 of reference, but I saw it as a social, cultural and
8 economic basis.

9 Again, the teachings, as described in
10 the belief system, the Ojibway people were spontaneous
11 beings. There are several definitions on the description
12 of Anishnabeg. The legend goes that the people were dying
13 and a young boy named Odaemin became the first medicine
14 man. His student would succeed him only after death.

15 The gift of medicine demands a long life
16 of study of plants and the conduct of animals. Integrity
17 and good works characterized the men and women of this
18 society and to become initiated was only by invitation.

19 It is very difficult, I think, even today
20 for us as Aboriginal people, because we don't understand,
21 we have not the time, because we seem to be spending a
22 lot of time doing some patchwork and running around,

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1 becoming "sane".

2 There are four orders, or degrees, which
3 the student must be committed to and each year a sponsor
4 or a teacher gives guidance and instructions to ensure
5 that proper preparation is made. Eventually there is a
6 need to exchange this vast amount of information, so an
7 association was formed.

8 The Code for this Association, again,
9 is based on spiritual beliefs, to thank Kitche Manitou
10 for all his gifts. I used the term "Creator" in my writing.
11 In the last few days I have decided that it is not proper,
12 that I need to use the word "Great Spirit". So maybe it's
13 better to use the Ojibway word, Kitche Manitou, which means
14 Great Spirit.

15 "Thank Kitche Manitou for all his gifts.

16 Honour the aged; in honouring them you honour life and
17 wisdom.

18 Honour life in all its forms; your own will be sustained.

19 Honour women; in honouring women, you honour the gift of
20 life and love.

21 Honour promises; by keeping your word, you will be true.

22 Honour kindness; by sharing the gifts you will be kind.

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1 Be peaceful; through peace, all will find the Great Peace.
2 Be courageous; through courage, all will grow in strength.
3 Be moderate in all things; watch, listen and consider;
4 your deeds will be prudent."

5 I think part of the last little section
6 that I will share with you, about 20 years ago, when I
7 began being involved with the Ontario Métis and at that
8 time it was called a non-status association, I was a field
9 worker.

10 We ran all over the province, we searched
11 out trying to find different Métis and non-status people.
12 It was a wonderful experience.

13 Shortly after that I went for treatment
14 as an alcoholic. Part of this paper ends with the reality
15 of alcoholism. I have had 15 years of clean and sober
16 living, and not too much sanity.

17 I just wanted to share with you, when
18 I went for treatment there was very little cultural
19 appropriateness in the follow-up. One of the counsellor,
20 who was a minister, had given me a direction to do some
21 things -- keep coming back to the hospital and so on.
22 One of the recommendations was to read "Psychic Discoveries

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1 Behind the Iron Curtain". I read it. That's the kind of
2 misdirection -- we have a serious, serious issue that I
3 think we have to look at as far as treatment goes, as far
4 as alcoholism is concerned.

5 One of the things that I was very
6 grateful for, about ten years ago we had an education
7 conference. I have written a little bit in this paper
8 about values. We have heard cultural appropriateness and
9 values mentioned all the time. The values that have been
10 written up in history books or any anthropological booklets
11 in my opinion has just been another example of portraying
12 the noble Indian.

13 One of the Elders in Saskatchewan was
14 presenting some information on education. I liked his
15 definition of values, because they said they had worked
16 on this for many years and had lots of discussions on it.
17 This man's name is John McLeod. He's not with us, but
18 he was a very, very strong influence in my understanding
19 of what we need to pursue and what we need to develop in
20 terms of this value system.

21 He said the Aboriginal people has a first
22 value as the unknown. A long, long time ago that first

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1 value was the Great Mystery and now it's known as the Great
2 Spirit. He said to the non-Native people that you call
3 this God. The second value was the environment for the
4 Aboriginal people. The third value was mankind. The
5 fourth value was the self.

6 In my experience I really understood
7 what he meant because he said for a non-Native people it's
8 the other way. I have gone to two universities, Lakehead
9 University and Carleton University, and I got a Master's
10 Degree in social work. I understand that these systems
11 have to be defined and integrated, because he says we're
12 not saying that one is better than the other. We are saying
13 that the Aboriginal person cannot exist, and he is dying.

14 He does not know how to live as an individual in the society
15 that he has to live in. And the non-Native person, the
16 non-Aboriginal, is having great difficulty in living in
17 a communal sense.

18 So we need to learn from each other, we
19 need to share and operate on these equal value systems.

20 And he took each hand and put them together in a handshake.

21 That makes me feel good and it makes me
22 feel that some part of this understanding between the two

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1 cultures is beginning to be understood.

2 I'll skip to the end, where I have listed
3 some solutions.

4 This paper is dedicated to an Elder we
5 had in our community, Joe S. I can say his full name.
6 It's Joe Sylvester. Joe said that if you are not a part
7 of the solution, you remain a part of the problem.

8 A review of three pertinent factors that
9 Aboriginal people of the Americas have suffered contains
10 the following:

11 (1) The exploitation of land and
12 resources -- decision-making and control of both of these
13 items are basic requirements for individual and group
14 survival and growth.

15 (2) Cultural deprivation initiated by
16 the governments and religious organizations.

17 (3) The effect of diseases for which the
18 aboriginal people had no immunity system, nor any social
19 support structure to alleviate or control them, let alone
20 eradicate them.

21 There are two basic assumptions, that
22 unless the dis-ease of alcoholism is carefully examined

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1 and dealt with, (2) that recognition is given a historical
2 perspective of Aboriginal people of the Americas,
3 self-governing principles will continue to meet with
4 opposition.

5 In any society, knowledge, power and
6 authority that is held in the palms of a few is bound for
7 disharmony. That is included in the Aboriginal community.

8 So realistically, even if there were some positive moves
9 for Aboriginal people, the rate of alcoholism would produce
10 little if any impact on the rest of society or country.

11 This paper began for the sole purpose
12 of exploring the parenting practices of the Ojibway people
13 and culture. The number of dismal reports on the problem
14 is sufficiently available. This is offered as a part of
15 the solution. It is an exploratory approach, somewhat
16 unconventional. It is a path for a vision of hope that
17 as we create life in its form has always changed for the
18 better.

19 When I made a decision to cancel my
20 involvement with alcohol or drugs, the day before I had
21 my assignment in Carleton University I met with my Faculty
22 advisor and recited a poem to him. I wrote it on a piece

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1 of paper and handed it to him and said "I want to share
2 this poem with you". He said "when did you memorize it?",
3 and I said, "I didn't".

4 I want to share this poem with you
5 because it tells you a lot about where I was coming from
6 and what I am still feeling today.

7 "Thank you for the things we didn't get and for the plight
8 of the ecstasy of death, and
9 dreaming of the things we couldn't
10 be and nothing better to look
11 forward to or see.

12 When wisdom was but a silent way of knowing and the people
13 seeking nothing but their needs,
14 why can't I find the words to make
15 them understand the delicate
16 enrichment of human growth. We
17 all demand a chance.

18 But rivalry still forces man to believe in weakness much
19 more than strength, a philosophy
20 to hide behind a greatness that
21 only destroys the humanity of man.

22 Thank you for the things we didn't get.

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1 In those days of want we understood the need.
2 But let us not be so foolish to think that times have
3 changed. History will repeat
4 itself with something more or
5 rediscovered perhaps in space.
6 Thank you for the chance in going back to face the zeal
7 of life in man, in nature, and in
8 the spirit of them both that
9 universal knowledge that we both
10 must face.
11 That conditioning of learning will not last but an openness
12 of mind and a freedom of the will
13 to feel the needs of others and
14 inner growth shall come.
15 When commitment becomes dedicated to an awareness, that
16 everyone's belief is just their way
17 of discovering their needs instead
18 of developing their potential.
19 Thank you for the chance in going back.
20 Thank you for the chance we didn't have and not wanting
21 more than we could get, a simple
22 life in knowing the joy of living

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1 was greater than knowing there was
2 something we were missing."

3 Megwetch.

4 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
5 much for such an enlightening and insightful presentation.
6 It will certainly be of great help in the deep thinking
7 of the Commission.

8 For one, I think that the understanding
9 of values and of the realities are fundamental to achieving
10 self-government, as you say. Your comments are both
11 elevated but also quite practical in terms of results,
12 and I thank you very much for this.

13 I would like to ask my colleagues to say
14 a few words.

15 **COMMISSIONER BERTHA WILSON:** I would
16 like to thank you too for a very inspiring presentation.

17 I am wondering if it would be possible
18 to obtain from you copies of the papers that you presented
19 in Australia and Brazil.

20 **ROSEMARIE MOFFIT:** Absolutely.

21 **COMMISSIONER MARY SILLETT:** I too thank
22 you very much. I must say your memory is a lot better than

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1 mine ever could be.

2 We have just completed a round table on
3 urban issues in Edmonton. In one of the workshops that
4 I was in there was much discussion about the need to
5 sensitize non-Aboriginal RCMP, social workers, etc., about
6 Aboriginal culture.

7 On the role of self-government it was
8 felt that a way to improve Aboriginal--non-Aboriginal
9 relationships in urban areas was to make cross-cultural
10 education a mandatory aspect of service delivery, career
11 training.

12 One of the problems identified in
13 providing this training was the lack of culturally
14 appropriate materials. I think certainly the work you
15 have done is a great contribution in this area of
16 cross-cultural education and I was wondering what your
17 future plans were for the research that you have done.

18 **ROSEMARIE MOFFIT:** Right now I would
19 love to just do more research in this area, because I think
20 the Ojibway culture, where I come from there is a lot of
21 people still there who can refine some of the data that
22 I have. I just touched on it.

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1 **COMMISSIONER VIOLA ROBINSON:** I too
2 want to join my colleagues in thanking you for coming
3 forward with such an eloquent presentation. It is
4 certainly important what you have to say about the joining
5 of the different cultures and that there is a need for
6 all of this cross-cultural relationship and for
7 self-government to be a success.

8 I think we have to look at it very deeply,
9 so I appreciate your comments. Thank you.

10 **COMMISSIONER PAUL CHARTRAND:** Thank
11 you, Ms Moffit, for your presentation.

12 I would like to explore for a bit the
13 issue of identity that you have raised, particularly as
14 it relates to Métis people.

15 I would like to state first that we have
16 heard in many places the view that identity is of
17 fundamental importance to Aboriginal people. I'm glad,
18 then, that among other things you have emphasized that
19 the term "halfbreed" is one that is offensive, because
20 it is indeed very offensive in some quarters.

21 I would like to ask a question with
22 respect to a statement that you have on the second page

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1 of your presentation, a copy I have before me, with respect
2 to this issue of terminology.

3 I am referring to the second portion
4 "Location and Description", and in the second paragraph
5 there, the second line:

6 "The Métis are generally defined as persons of mixed
7 ancestry but it includes
8 aboriginal people."

9 You say "generally". I note that the
10 Métis National Council, which represents the not
11 insignificant number of people in Western Canada, takes
12 a different view and it might be thought that it is worth
13 mentioning the exception to the general definition which
14 you have not described here.

15 For the purposes of the following view,
16 I will not assume that words are right or wrong, but words
17 are either useful or not so useful.

18 I then address this portion of your
19 statement "defined as persons of mixed ancestry". It is
20 indisputable that there are many people who are not Métis
21 people, out of so-called mixed ancestry. There are people
22 indeed who are defined as Indians pursuant to the terms

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1 of the Indian Act who are of mixed ancestry, at least on
2 any notion that I can understand.

3 There are many other people who have been
4 called non-status Indians also who are of so-called mixed
5 ancestry, and I imagine then that there are many in any
6 conceivable group of aboriginal people within the country
7 who are of mixed ancestry.

8 That being so, I wonder about the
9 usefulness of such a definition.

10 My question to you is this. What is
11 intended to be meant by the second part of the statement,
12 "but it includes Aboriginal people"? I emphasize that
13 my question is placed in light of the provision in section
14 35 of the Constitution Act (1982), which provides that
15 the Aboriginal peoples include the Indian, Inuit and Métis
16 peoples.

17 That is my question. What is the
18 meaning of that sentence and in particular the second
19 portion of it?

20 **ROSEMARIE MOFFIT:** The term Métis was
21 new to people in Ontario in the days that we began to
22 organize. We understood that it meant primarily people

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1 of mixed ancestry who were of Aboriginal descent. That's
2 as clear as I can make it. I hope that answers your
3 question.

4 Basically, it's people who have mixed
5 Aboriginal ancestry.

6 **COMMISSIONER PAUL CHARTRAND:** You would
7 concede that if you wish to establish that as a category
8 you would necessarily have to include, at least as a matter
9 of law, the people of mixed ancestry are defined as status
10 Indians.

11 **ROSEMARIE MOFFIT:** Absolutely. But
12 further to that, as I mentioned before, I personally don't
13 like the term "Métis", because as it is defined, as I
14 mentioned, it is people who are halfbred, halfcast,
15 mongrels, in the French dictionary. That's my own
16 personal bias.

17 **COMMISSIONER PAUL CHARTRAND:** In your
18 experience, and you say that you worked with the Métis
19 Organization in Ontario, are there people who believe that
20 the label is somehow attached to them but who nevertheless
21 do not like the attachment of that label to them?

22 **ROSEMARIE MOFFIT:** I think, again, the

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1 people that I began organizational work with like 15, 20
2 years ago, they wanted to be referred to is as Indian
3 people, even though they were Métis or even though they
4 were non-status. The term "non-status" was very offensive.

5 Again, the term "Métis" is much, much
6 stronger in Saskatchewan and Alberta but in Ontario it
7 was just never used to a great extent, because many of
8 the people who were Métis were Ojibway-speaking and more
9 culturally related to the Ojibway culture. They picked
10 up the term but -- there was a lot of argument.

11 There were a lot of non-status Indian
12 women who did not want to even be considered as a Métis
13 person because they were more full blooded Native people.

14 That's as close as I can come to giving
15 you some insight into northwestern Ontario.

16 **COMMISSIONER PAUL CHARTRAND:** Thank you
17 for that. That is indeed very helpful. One of the
18 very important issues before us, and I think before Canada,
19 has to do with the matter of the identification "Aboriginal
20 Peoples" and it seems that any reasonable conception of
21 the matter of identity of people must include a wider range
22 of factors and certainly cannot be conceived as a matter

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1 that begins and ends with biological factors alone.

2 Thank you very much for your
3 contribution to a very important debate.

4 **ROSEMARIE MOFFIT:** Thank you.

5 I would just like to add that one of the
6 more sensitive memories I have and positive ideas about
7 this particular issue, Mr. Chartrand, is Peter Kelly at
8 one time looked at me and I said "what about the Métis
9 or the non-status people? How are we going to fit in to
10 self-government?" He said, "You are an Ojibway nation
11 person." And I liked that. Megwetch.

12 **COMMISSIONER PAUL CHARTRAND:** Thank
13 you. The analysts who have looked at this have commented
14 on this issue and have suggested that one of the indicators
15 of the relative powerlessness of Aboriginal peoples is
16 the ease with which outside labels can be attached to them.

17 I think you have provided us some assistance with your
18 experience in that area and we have heard similar evidence
19 across the country.

20 Thank you again.

21 **CO-CHAIR GEORGES ERASMUS:** I want to
22 thank you for your document. Along with Bertha Wilson,

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1 I would like to encourage you to send us not only the two
2 other presentations that you seem to have made but any
3 other ones you have made elsewhere that you feel would
4 be useful.

5 In the next year, if you continue on with
6 this particular type of work, I think we would really like
7 to hear from you again. It is most useful.

8 Our hearings have heard a lot about
9 people needing to know their background, their history,
10 their culture, their values, and any work that is being
11 done to actually put in a written form the ethics, the
12 specific values, the ways of identifying one person from
13 another is extremely important.

14 I have been trying to dig these kinds
15 of things out in a couple of places. I was asking people
16 "what would the difference be between a community that
17 was originally aboriginal and everyone in the community
18 is now a professional of one profession or another, and
19 in another over there, which was originally anglosaxon,
20 and they are all professionals too. You can match them
21 lawyer by lawyer. What's the difference? What would be
22 the difference?"

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1 The answer has to come back to the
2 beliefs, the values, the ways that people do things, so
3 that presumably the professions over here would not be
4 acting exactly as the professions over there because if
5 they did, then they would have lost their original culture.

6 So your work is extremely important.
7 I would like to thank you for coming forth. You certainly
8 did contribute as much as anybody else.

9 I want to encourage you to keep doing
10 what you're doing and share with us. Thank you.

11 **CO-CHAIR RENÉ DUSSAULT:** I just want to
12 add that your work is extremely important not only for
13 Aboriginal people, but for non-Aboriginal people.

14 Merci beaucoup pour votre présentation.

15 **ROSEMARIE MOFFIT:** I thank you for the
16 honour for the presentations and your listening, and I'm
17 sorry to have kept you for so long for lunch. Thanks again.

18 **CO-CHAIR RENÉ DUSSAULT:** We are running
19 a bit out of time. My suggestion will be that we break
20 for 45 minutes for lunch and that we come back at 2:15,
21 in this room. Thank you.

22 --- Luncheon Recess at 1:30 p.m.

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1 --- Upon Resuming at 2:25 p.m.

2 CO-CHAIR GEORGES ERASMUS: We are going
3 to resume. We will start with the Two Spirited People
4 of the First Nations, Susan Beaver.

5 SUSAN BEAVER, PRESIDENT, TWO SPIRITED
6 PEOPLE OF THE FIRST NATIONS: Good afternoon. I hope you
7 all enjoyed your lunch.

8 Before I began, I just want to pay my
9 respects to the Commissioners present, the Elders present
10 and all the honoured women who are sitting with us in our
11 circle today. Sago; bonjour.

12 I'll introduce myself. My name in
13 Mohawk is "Kejija Oway" [ph]. That means "Carrying
14 Flowers". I am a Mohawk from Six Nations, Grand River
15 territory, and I am a member of the Wolf Clan.

16 I am going to be reading to you from a
17 paper I prepared very recently. It's entitled "We are
18 part of the tradition". I'm going to be speaking to you
19 about the experiences of two spirited people, otherwise
20 known as gay and lesbian people, in the city of Toronto.

21 I'll talk to you first about our
22 organization, Two Spirited People of the First Nations.

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1 In January 1989, First Nations queens,
2 queers, lesbians and gay men met for the first time in
3 Toronto as a community. With only a minimal number of
4 things in common, we set about establishing ourselves as
5 an organization and as a community. We called ourselves
6 Gays and Lesbians of the First Nations. For some it was
7 the first opportunity to meet with other First Nations
8 people.

9 We subsequently established our vision:
10 To forge a link between our sexual identities and our
11 identities as members of the First Nations community; to
12 provide a safe environment for our members to interact
13 and share with each other; to strengthen and share our
14 cultural knowledge, especially as it relates to two
15 spirited people; to encourage a positive image and
16 self-image of Native lesbians and gay men by reinforcing
17 that traditional cultural knowledge.

18 At our 1991 annual general meeting the
19 membership laid down the European terms, lesbian and gay,
20 and embraced the tradition of two spirited people. Hence,
21 we are now known as the Two Spirited People of the First
22 Nations.

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1 As an organization and as individuals
2 we have gained strength from knowing that we once held
3 a sacred and special place in the spiritual and political
4 lives of our nations. We intend to honour that tradition
5 and reclaim that place in society.

6 Two Spirits, the Tradition -- The
7 Humming Bird Society, Wingtay, Burdash, Ogokwait [ph],
8 two spirited, the basket and the bow, these are all symbols
9 and words used to describe the sacred people known as
10 lesbians and gay men.

11 First Nations scholars, such as Paula
12 Gunallen, and historians such as Walter Williams, have
13 taken on the task of documenting the existence of
14 homosexuals in First Nations societies and cultures before
15 the Europeans reached Turtle Island. It is well known
16 that before the Europeans most indigenous societies had
17 names for homosexuals, and far more than just identify
18 us. These names reflected a recognition of the sacredness
19 of two spirited people.

20 We were respected and vital parts of our
21 societies. We were medicine people, warriors, healers
22 and visionaries. It is said that two spirited people will

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1 walk where no one else will, and we will walk where other
2 people are afraid to.

3 Our existence was used to justify the
4 belief in our barbarism as primitive peoples. Where that
5 history began we now live with today. Homophobia is not
6 indigenous to this continent. Tolerance of diversity is.

7 We are part of a tradition, a tradition
8 that includes respect. We are part of a tradition that
9 saw many two spirited people slaughtered by the explorers.
10 We are part of a tradition that saw lesbians with black
11 triangles and men with pink triangles sewn onto their
12 clothing, rounded up and sent to their deaths in
13 concentration camps in Nazi Germany.

14 We are part of a tradition that saw women
15 centered religion suppressed by patriarchal christianity.

16 Our Experience -- Take some examples.
17 You grew up on the reserve with your language, with
18 alcohol. Maybe your father fucked you and maybe he fucked
19 your brothers. Maybe you grew up in a foster home, where
20 the only people you knew as parents abused you in too many
21 ways to remember.

22 Maybe you grew up relatively happy,

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1 experiencing the wondering years of adolescence. Maybe
2 you grew up with single piece of knowledge that could not
3 nor cannot be disputed or suppressed or cured. You are
4 different.

5 Maybe it is a feeling that won't go away.
6 Maybe it is something you know but can't name. Maybe
7 it is something you express only in secret because you
8 know the repercussions of being found out are too large
9 and too overwhelming for you to contemplate.

10 You don't know who you are, but you know
11 people think it's wrong. Heterosexual experiences are
12 rarely talked about; never mind yours.

13 We often grow up without a language to
14 describe ourselves. Lesbian, gay or queer are used as
15 curses and insults. With the influence of the church and
16 Europeans, two spirited is a tradition from so far away
17 only a few people remember it and even fewer honour it.

18 You receive no support and see no models
19 and you are left to find your own way.

20 Maybe your life is threatened because
21 people know, or maybe it is just your sanity that is in
22 danger. You grow up knowing that the reserve is no place

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1 for you.

2 Lesbians and gay men find themselves in
3 cities built on racism and fed on the oppression of everyone
4 who is not heterosexual, white and male. "Fucking dyke"
5 is shouted at you from across the street. A white man
6 comes up to you and mutters "squaw". Your friend is beaten
7 up on the street and you don't know if it's because the
8 attacker didn't like Indians or fags.

9 We are not likely to turn to many
10 organizations who are supposedly responding to the needs
11 of a community. Our issues of safety are much more
12 sensitive.

13 We know that if we walk into an
14 organization in the lesbian and gay community we may not
15 be welcomed because our traditions are too foreign and
16 our skin too brown. We cannot walk into a native
17 organization as easily as other people because we don't
18 know whether we will be sneered at or accepted. We only
19 know that it is a risk.

20 To be openly queer is to take a risk.
21 Will you, as a lesbian, lose custody of your children?
22 Will you lose your friends or respect? Will you be

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1 rejected by the community that represents another integral
2 part of your identity?

3 We as the two spirited community must
4 heal. We must learn that to be two spirited is an honour.
5 We have grown up with the single message that lesbians
6 and gay men are sick. We are in the process of rebuilding
7 a positive self-image as a result of this past.

8 If, as in the larger First Nations
9 community, two spirited people suffer from suicide,
10 substance abuse and short life spans, then we must
11 recognize this as a symptom of a very different illness.

12 We, as two spirited people, identify
13 ourselves very strongly as members of the First Nations.
14 We take an interest in the future of our nations and wish
15 to play an active role in that future.

16 Two spirited women and two spirited men
17 -- As a two spirited woman of the First Nations you become
18 aware of something called triple oppression -- you are
19 a lesbian, female, and native -- in a society dominated
20 by a world that does not honour women or indigenous peoples
21 and by a world that says your sexuality is non existent,
22 a phase, a threat or a sin against God. The church has

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1 made sex dirty and women evil.

2 We are expected to marry a man or suffer
3 the consequences of our wilfulness. As lesbians we
4 understand our sexuality in a social, political,
5 historical and cultural context. As two spirited men you
6 know there is no room for your life on the reserve. Your
7 sexuality is not tolerated and many men leave to find urban
8 centres where they can express themselves, and many men
9 on reserve lead a dual life. Bisexuality on the reserve
10 is more common than you think.

11 If you are one strong enough to be who
12 you are, you are ridiculed, harassed and only sometimes
13 understood as again being different.

14 Sexual orientation -- Our sexuality has,
15 in the European tradition that we have all experienced,
16 been viewed as a psychological neurosis that can possibly
17 be cured, is the result of a dominating mother and a weak
18 father, is a choice we make, is a sin against God, a threat
19 to all that is moral and good about our world, and now
20 maybe it's genetic.

21 We did not choose our sexuality. Our
22 sexuality chose us. The Creator made us different and

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1 the Creator made us special for a reason. Our lives are
2 radically different from straight Native people.

3 We understand that as Native people we
4 have been oppressed and do not enjoy Canada as one of the
5 best places in the world to live. We also understand that
6 heterosexual Native people enjoy more privilege in the
7 society than we as two spirits do.

8 To be two spirited is more than who you
9 sleep with. We are a community in and of ourselves. Our
10 ways of talking, interacting with each other, ways of
11 seeing the world and how we experience life are different
12 from other First Nations people.

13 Heterosexual people marry who they wish
14 and it is celebrated, sanctioned, and indeed promoted like
15 any other propaganda. Our relationships are radically
16 different. We do not wish to be seen as heterosexual
17 couples except for the sexes of the partners. We are free
18 to define our relationships as monogamous, non-monogamous,
19 SM or vanilla or however we choose.

20 In Ontario it is against the law to
21 discriminate against someone on the basis of their sexual
22 orientation, and that is the only law. Most laws in Canada

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1 discriminate against us on the assumptions made about who
2 they are addressing, the language used, and the values
3 they seek to reinforce.

4 I have included a section on Acquired
5 Immune Deficiency Syndrome. It is by no means a gay and
6 lesbian issue, but I received a phone call from the Royal
7 Commission saying "okay, what about AIDS?", so I have
8 included it here.

9 Acquired Immune Deficiency Syndrome
10 cannot be translated into most aboriginal languages and
11 is in some places known as simply as a disease with no
12 name.

13 Facts about AIDS -- AIDS is not a white
14 man's disease, AIDS is not a gay plague. AIDS phobia and
15 AIDS hysteria has been created by a homophobic ill informed
16 media. AIDS is not the same as HIV. AIDS can be found
17 in every gender, sexual orientation, economic class and
18 culture.

19 You can't get AIDS by touching, hugging,
20 dry kissing someone who is HIV-positive or who has full
21 blown AIDS.

22 The leadership of First Nations

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1 communities continues to live in denial and has refused
2 to admit that our people are dying of AIDS and has
3 consistently failed to respond.

4 First Nations people are susceptible to
5 the transmission of the HI virus because of such realities
6 as alcohol abuse, IV drug abuse, high rates of STDs and
7 teenage pregnancies. There are no high risk groups when
8 it comes to AIDS -- there is only high risk behaviour.

9 People living with AIDS live in
10 inadequate housing and well below the poverty line.

11 Women are diagnosed HIV-positive later
12 than men, if at all, or posthumously. Women live shorter
13 lives than men after diagnosis. Women are discriminated
14 against in research and drug trials. Women, because of
15 their economic class and status as primary caregivers for
16 our children, are denied adequate access to health care.

17 Women of colour in Canada have transmission rates of HIV
18 six times higher than that of white women.

19 AIDS is not a punishment from God for
20 living the life the way you do.

21 AIDS has affected the two spirited
22 community but it has not affected us because we're gay

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1 or promiscuous or because we deserve it. It has affected
2 us because we are human beings susceptible to illness and
3 disease.

4 We wish to assert that people who are
5 HIV-positive are members of the First Nations community
6 and, as such, deserve understanding and respect.

7 In closing, I would like to say that Two
8 Spirited People of the First Nations demands that our
9 Aboriginal leaders be role models and their universal
10 acceptance of all First Nations people and all of their
11 complexity with all of their issues.

12 I thank you for your time and attention.

13 **CO-CHAIR GEORGES ERASMUS:** Thank you
14 for coming forth and taking the time to make such a good
15 presentation.

16 We have been hearing from other people
17 of the -- they are still calling themselves gay and lesbians
18 First Nations people. Your research and reference back
19 to the traditions of the two spirited people is very
20 interesting and I suspect that it will become the term
21 across the country before long.

22 Thank you for having the courage to come

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1 forth. I think we really need to have this issue come out
2 very, very clearly. It's an issue that has to be dealt
3 with, obviously not only amongst First Nations people but
4 world-round.

5 Do Commissioners have any comments or
6 questions? Bertha Wilson.

7 **COMMISSIONER BERTHA WILSON:** I don't
8 seem to have your paper, and you may have answered this
9 question in it. What facilities are there in Toronto for
10 homosexual Native people?

11 **SUSAN BEAVER:** We're it. Two Spirited
12 People of the First Nations. We provide support and
13 counselling services for people who are HIV-positive.
14 We are the only social group in Toronto devoted to two
15 spirited native people. We are the only political group
16 devoted to two spirited Native people.

17 **CO-CHAIR GEORGES ERASMUS:** Bertha, it
18 was passed out earlier this morning so it may be with the
19 documents you have from this morning.

20 Mary.

21 **COMMISSIONER MARY SILLETT:** I too would
22 like to thank you very much. Clearly there is a lot of

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1 public education needed in this area. I was wondering,
2 in your paper you said that the gay and lesbian people
3 leave their communities because of a lack of acceptance.

4 I am wondering, when they move to urban
5 areas, for example, whether there is acceptance of them
6 by the aboriginal community?

7 **SUSAN BEAVER:** It varies. It's a big
8 mistake to make gross generalizations about aboriginal
9 people, of course. In my own experience, I have found
10 that aboriginal people are far more accepting than other
11 communities I have interacted with.

12 On the other hand, I have encountered
13 a phenomenal wall of homophobia in a number of
14 organizations. Not to point any fingers or to accuse
15 anyone, but there is a lot of education that has to happen
16 within the Aboriginal community, and I am speaking about
17 Toronto right now.

18 Like I said in my paper, it's a risk.
19 You don't know how people are going to respond. You don't
20 know if that door is going to be closed in your face, or
21 you don't know whether people will say, "well, it's about
22 time that two spirited people were around and alive and

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1 positive about their issues".

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

3 Allan.

4 **COMMISSIONER ALLAN BLAKENEY:** Thank
5 you. It's an interesting paper on an area which is
6 frequently not covered as well as you have clearly covered
7 it.

8 We are, among other things, exploring
9 models for Aboriginal self-government, both on-reserve,
10 where the models are relatively easy to construct, and
11 in urban centres, where they are more difficult to
12 construct.

13 My question is, do the Two Spirited
14 People of the First Nations feel any special apprehension
15 about Aboriginal self-government, either on the reserve
16 or in urban centres, or no particular apprehension any
17 more than they have with respect to general society?

18 **SUSAN BEAVER:** Like I said, it's a risk.

19 The reason I am here representing my group is that we
20 wish to reinforce that traditional knowledge and that
21 traditional place that we had. We sat at all the tables
22 of discussion. We sat in all the councils. Our opinions

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1 were valued.

2 That all changed with the coming of the
3 Europeans. We are back here now saying we are willing
4 to sit at the table. But these are issues and you have
5 to take our issues into consideration. We want to be made
6 to feel welcomed and, again, it's a risk we don't know
7 until after-the-fact, whether we're going to be made to
8 feel welcomed or we're going to be written off as being
9 whatever people think gay and lesbian people are.

10 As far as self-government goes, Two
11 Spirited People of the First Nations in Toronto is very
12 interested in urban self-government because for a long
13 time our issues and our sexuality and who we define
14 ourselves as and who we have been defined as has been
15 ignored by Aboriginal people, by Aboriginal leaders. It's
16 ignored by leaders in the Canadian government.

17 We are here to say that we want our issues
18 to be part of this discussion. We want our names to be
19 heard when people talk about Aboriginal people.

20 When you talk about Aboriginal people
21 you mean all Aboriginal people, whether they are living
22 on the street or they are lawyers, or they are prostitutes,

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1 or they are two spirited, or whoever they are. That's
2 what we're here to try and reinforce.

3 As you may have guessed from this paper,
4 a lot of two spirited people are in urban settings by
5 necessity. There is no other way to express yourself.
6 There is no safety for you on the reserve. So we are almost
7 by definition urban aboriginal people.

8 **COMMISSIONER ALLAN BLAKENEY:** Thank
9 you.

10 **CO-CHAIR GEORGES ERASMUS:** Do
11 Commissioners on this side have any questions or comments?
12 Viola or Paul? Viola.

13 **COMMISSIONER VIOLA ROBINSON:** Thank
14 you. I want to thank you for having the courage and to
15 produce such an informative paper here on the issue.

16 I'm just wondering about, with your
17 group and obviously I think there must be large groups
18 of lesbian and gay rights movements, particularly in
19 Toronto. I would suspect that you get support from that
20 group. Do you have a good working relationship with that
21 group?

22 **SUSAN BEAVER:** That's an interesting

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1 question.

2 I talked about Native people, that when
3 we come to the city we experience racism. The lesbian
4 and gay community is no exception to the misinformation
5 about Native people.

6 We have recently, as an organization,
7 decided not to hold our meetings in what is predominantly
8 a gay and lesbian community centre because we are not
9 allowed to practice our culture there. They have no
10 respect for circles and they told us that burning sage
11 was against the anti-smoking bylaw in the City of Toronto,
12 which is -- well, we won't tell you what that is.

13 The Lesbian and Gay Rights Movement --
14 I'm not out as a lesbian because of lesbian and gay rights
15 movement in Canada. That has primarily consisted of
16 middle class white people, Europeans.

17 To give you an example, there was a case
18 going before the Supreme Court talking about spousal
19 equivalence between same sex partners. What this person
20 who is coming before the court wanted to do was to overturn
21 a part of our laws that says you can't discriminate against
22 anyone on the basis of their sex, race, creed -- all of

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1 these other things.

2 But, because it did not apply to sexual
3 orientation, that person wanted that entire law to be
4 overturned, which would have been very detrimental to
5 women, the gains of the women's movement. It would have
6 done nothing for people of colour and how long they have
7 fought to anti-discriminatory laws around race in place.

8 We are sort of working out that
9 relationship as well. Our concerns are not heard unless
10 we bring them forward, and we continually bring them
11 forward. We fight those kinds of battles every day, and
12 it's tiring.

13 We don't want to be fighting with
14 everybody. We don't want to be fighting with the lesbian
15 and gay community. We don't want to be fighting with the
16 native community. But we have a lot of issues to work
17 out amongst ourselves, between ourselves, between our
18 communities. That takes a lot of willingness. That takes
19 a big commitment on the part of people who see themselves
20 as fighting for their lives and who see themselves as being
21 vital parts of a movement that would improve the quality
22 of life for everyone in Canada.

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1 Sometimes they don't take into
2 consideration that what benefits the white middle-class
3 people does not benefit native people or black people or
4 people from the Caribbean or wherever.

5 I hope that answers your question.

6 **COMMISSIONER VIOLA ROBINSON:** Thank
7 you.

8 **CO-CHAIR GEORGES ERASMUS:** René.

9 **CO-CHAIR RENÉ DUSSAULT:** Again, I would
10 like also to thank you for coming with such an informative
11 paper on a delicate issue, but a real one and a serious
12 one.

13 I would just like to ask you whether
14 there are similar organizations elsewhere in Canada to
15 yours?

16 **SUSAN BEAVER:** Native organizations?

17 **CO-CHAIR RENÉ DUSSAULT:** Yes, native
18 organizations.

19 **SUSAN BEAVER:** We have a sister
20 organization that has just started up in Vancouver. There
21 is one in Edmonton. That's it. We have a sister
22 organization in San Francisco and New York City and

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1 Minneapolis.

2 **CO-CHAIR RENÉ DUSSAULT:** Those two
3 cities are the two you are aware of?

4 **SUSAN BEAVER:** Yes. I think if there
5 were more I would be aware of them.

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

7 **CO-CHAIR GEORGES ERASMUS:** The
8 reference you made to traditional societies being more
9 tolerant, the different societies you mentioned, the
10 Hummingbird Society and so forth, do you find that in an
11 aboriginal community if the community has become so
12 acculturated to the general western society that is here
13 on Turtle Island that if you are actually dealing with
14 more traditional people and elders, is there more
15 acceptance there and is that the way to build some kind
16 of tolerance back again in the aboriginal community?

17 **SUSAN BEAVER:** Elders are very
18 important to my community and to my organization. We
19 recognize that we need these people. If they have
20 information about who we are, we want to talk to them,
21 we want to know about them. We need that kind of support
22 within our communities, if for no other reason than our

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1 own sanity.

2 Again, it depends on the Elder. I have
3 spoken with Elders who say, "I understand who you are and
4 I respect who you are, but if you ever want to be cured,
5 you can come and talk to me."

6 I have encountered and I have heard of
7 Elders who are glad that we are still around, that we are
8 still alive, that we are maintaining that tradition.
9 Again, it's a very broad spectrum.

10 I have met Elders who are unwilling to
11 acknowledge homosexuality, who are unwilling to
12 acknowledge a lot of things.

13 When we look at Aboriginal people I think
14 we very much have to look at Aboriginal people as a product
15 of the last 500 years, and for 500 years people have been
16 resisting and maintaining that cultural knowledge. It's
17 there. We have to look for it sometimes. It is there.

18 At the same time, the Church has been
19 around and has been a big part of our life for the last
20 500 years as well. I know, certainly the community that
21 I come from, both my parents are Christian and they haven't
22 a clue as to what two spirited means. They're working

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1 on it.

2 Again, it's a broad spectrum. It
3 depends on the individual.

4 **CO-CHAIR GEORGES ERASMUS:** You have
5 done a very good job here of describing the world that
6 two spirited people have to live in. As you said, there
7 is amazing disadvantage and discrimination and oppression,
8 particularly if you're a woman and you're an Aboriginal
9 and you're also two spirited.

10 What this Commission is looking for is
11 long term solutions, long term ways of dealing with the
12 Aboriginal people's agenda. I think your issue is very
13 central to many of the things we are dealing with.

14 If you could do us a favour over the next
15 year or so and come up with some clear ideas on how society,
16 Aboriginal society, governments, should deal with the
17 two spirited people of the Aboriginal people. It would
18 be very, very useful for us. That's what we need.

19 You have done the first step. We need
20 a very descriptive piece of work on the other side.

21 For everyone, we have an intervenor
22 funding program that we created for organizations to access

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1 if they need some resources to put together their ideas
2 for us. It's a solution-oriented kind of funding. That
3 might be of some use to you.

4 **SUSAN BEAVER:** Thank you. I think I
5 have a weekend free in August. I'll do that.

6 **CO-CHAIR GEORGES ERASMUS:** Thank you
7 for coming.

8 **SUSAN BEAVER:** Thank you.

9 **CO-CHAIR GEORGES ERASMUS:** Jimmy Dick
10 was not here this morning. Has he arrived? No? I guess
11 not.

12 We have an individual presenter, Ted
13 Harlson.

14 **TED HARLSON:** I apologize for not having
15 it typed out. If you want, I can type it.

16 I didn't realize there was going to be
17 a question period at the end, so if you want to cut me
18 off and I don't have time to finish all of this, just let
19 me now.

20 Schedule I, Terms of Reference in the
21 Mandate handbook states:

22 "The Commission of inquiry should investigate the

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1 evolution of the relationship
2 among aboriginal peoples (Indian,
3 Inuit and Métis), the Canadian
4 Government, and Canadian Society
5 as a whole. It should propose
6 specific solutions..." and so on.

7 Here's a specific solution, one
8 principle: Individual rights as an absolute.

9 I have said, with the right decisions
10 self-government can break the European British bounds that
11 are dragging down Native people in Canada. When I say
12 European 'British' I don't mean racially, but
13 philosophically -- the British European philosophy that
14 is anti-freedom, anti-life, collective and statist in
15 nature, anti-American by intent.

16 First and foremost, Native people have
17 a right to life. Abolish the Indian Act quickly and
18 completely. Every day the Indian Act exists it kills more
19 and more of our youth. Death and destruction has been
20 the only lasting consequence of that Act.

21 Honest academic studies would have to
22 be conducted to determine the extent Native people have

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1 been forced culturally, forced metaphysically, and
2 terrorized by no life alternatives by Government power.

3 Each individual should not be denied the
4 right to life. It's an inalienable right. Inalienable
5 means it cannot become alien to an individual or it cannot
6 separate. Each and every individual possesses that right
7 with or without government recognition.

8 Some have said that our rights flow from
9 the Creator or others say our rights come from God. I
10 don't know that Creator and I don't know that God but I
11 know my right to life is inalienable. It was not granted
12 to me and it didn't flow from anywhere.

13 I, as an individual, was in possession
14 of that right as soon as I became a human being. The
15 objective validity of that right stems from our nature
16 to choose our life as living beings, the individual being
17 the ultimate standard of value. That right exists already
18 but still must be chosen.

19 Metaphysically, you necessarily exist.
20 Simply put, once you exist, you exist and your existence
21 is not a moral question. What is, is. You are, and to
22 have a Government try to remove those facts is worse than

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1 futile. Trying to alter metaphysics by trying to ignore
2 or remove the right to life, trying to remove freedom,
3 trying to remove property, trying to remove the choice
4 of the pursuit of happiness has failed miserably, even
5 though it has cost untold suffering to Native people.

6 The metaphysically given, the universe
7 as it is, the earth, the wind, the animals, the atoms,
8 cannot be altered, not metaphysically. The nature of each
9 is what it is. The nature of man also cannot be altered,
10 as has been tried by European British philosophy.

11 We as people, human beings, survive by
12 our rational faculty, not like animals, not by instinct.
13 No one has an instinct to build a home complete with
14 contemporary furniture. A provision like this has to be
15 learned. Our nature is our rational faculty.

16 The basic axiom is that this is the real
17 world. Our awareness individually is identification of
18 what exists. We could not be conscious unless it is of
19 this world and what's in it. How we think of what it is
20 is very important individually. Do we deny or fabricate
21 certain parts of reality? Do we deny certain individuals?
22 How do we organize as rational human beings, with

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1 individual rights as a starting point in society, an
2 objective moral base is also recognized. Its right to
3 be free, to have liberty, to have property and to pursue
4 happiness.

5 Individual rights are objectively
6 identifiable rights. They are not rights one has to accept
7 from some other world. Life is a process of
8 self-sustaining and self-generating action. The right to
9 life means the right to these actions for the furtherance
10 of one's own life. It's inalienable. It's inseparable.

11 The starting point is not the community
12 or the nation. Plato, the early Greek philosopher, made
13 the first outline for the totalitarian ideal in his
14 "Republic" and "laws". Plato divided the world in two.
15 One dimension, the world of abstracts, he considered
16 supernatural: without perception, the universal perfect,
17 that contained forms of which this dimension, the material
18 world, was only an imperfect reflection.

19 So, perfect man has a single form of
20 which we in this material world don't become perfect unless
21 we can conform to the perfect man
22 -- the perfect form. According to Plato, therefore, the

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1 universal man reigns supreme. Our common sense would see
2 different men, but ideally they are one and of the same
3 form.

4 In this material world what logically
5 followed was the disappearance of the individual and the
6 "organic whole" became the standard. The community became
7 the standard. Ethically the community became the standard
8 of value.

9 What actually happens is that this world
10 once again becomes rejected. Of course a special elite
11 would have special insight of these forms, who must rule
12 this organic whole wherein self has submerged into the
13 community, or whole.

14 Of course in reality we are all different
15 and cannot be made to conform to any so-called organic
16 whole. Aristotle's answer to this is very simple.
17 Aristotle said there is no need to duplicate reality.
18 What you see is what you get. This world is real. Each
19 entity has its specific identity.

20 What Aristotle described was a world of
21 science and with a rational process of thought through
22 which to discover it. Faith and Force go hand in glove

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1 in any attempt to alter humans. I say "force" because
2 faith has no other way to persuade. Witness the Indian
3 Act. By Force alone, the Canadian Government had to say
4 we were not individuals, we were not real people and by
5 that had to rely on Faith alone to justify and propagate
6 their actions. How? By hand-me down philosophy from
7 their home countries. By romanticising about the Noble
8 Savage, by relying on determinism, by manifest destiny
9 and so on.

10 They listened to philosophers like Plato
11 without question and that "other dimension" justified
12 their actions, where anything can be anything, even though
13 reality was staring them in the face.

14 What I find amazing is now the courts
15 are asking Native people to prove that we exist, to prove
16 that we as former and existing societies have or are
17 existing. There is ample evidence in the rocks, in us simply
18 being here, word of mouth, archaeology, that Native people
19 have a society, an organization, that has not been
20 eliminated.

21 The amount of freedom we had was not
22 disorganization and the amount of freedom that I envision

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1 today is not anarchaic or collective or subjective.
2 European British Canada has had an history of not providing
3 freedom as a government. It has always had to be fought
4 for from Cromwell to the American Revolution.

5 Representation has had its martyrs.
6 The representation has eventually come to the
7 representation for the individual thanks to the
8 Declaration of Independence and the American Revolution.
9 It is this representation of the individual that I want
10 to keep stressing.

11 The individual is the smallest political
12 unit and the starting point from which a government is
13 built. With rational, objective, provable rights, the
14 Americans, with their freedom, confidence and success,
15 surpassed all other nations. To this day I don't think
16 that European/British Canada has forgiven America for
17 being right. There is a resentment I hear sometimes by
18 today's leftist circles and even liberal Canadians.

19 I found out that Nazi Germany hated
20 Capitalism, particularly Laissez Faire. They called it
21 "Americanization". They called capitalism devoid of
22 feeling, common trust and decency, bare of any social

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1 compassion, the way of a predatory animal, a mish mash
2 of nations without race or culture. How could a country
3 like Nazi Germany like the Declaration of Independence
4 when their philosophy demanded the disappearance of a self?

5 Joseph Goubbels, an early Nazi chief who
6 had helped Hitler to power wrote in 1944:

7 "Fifty or a hundred years from now, National Socialism
8 too will have become a philosophic
9 system that can be studied at the
10 universities for four or five
11 semesters, just as today theology
12 or classical economics are
13 academic subjects . If at such a
14 time I should ask a representative
15 of National Socialism,, "Can you
16 tell me in a word what you mean by
17 National Socialism?" He would give
18 me the same answer to the question
19 which I now will. It is this. The
20 difference between National
21 Socialism and all previous
22 systems, particularly the system

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1 it is not conquering, is that its
2 starting point is the community,
3 not the individual. This gives a
4 very different character to all our
5 social ideas. What I mean when I
6 say war, or society, or economics,
7 or political philosophy, all these
8 things suddenly appear from a
9 different angle. We do not see
10 these things from the point of view
11 of the individual, but from that
12 of the community. The basic
13 principle with which we brought the
14 whole German people to follow us
15 was a very simple one. It was "the
16 common interest before
17 self-interest."

18 Here is Melita Maschmann, who was a
19 convinced National Socialist, leader of the Nazi Youth
20 Corp. Later she came to see the criminality of the
21 ideology she once believed in.

22 She writes, in 1963:

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1 "During the Eichman trial, I frequently talked with the
2 17-year-old daughter of a Hitler
3 youth comrade, a pilot who had been
4 shot down shortly before the end
5 of the war. One day the girl asked
6 me about the special
7 characteristics of her father who
8 had been a friend of mine. I drew
9 a truthfull picture for her, of a
10 person gifted with a sense of
11 humour, and a readiness to help
12 others, a man who was somewhat lazy
13 and lacked, let us say, the
14 pendant's sense of order, but who
15 was a thoroughly decent man, with
16 a special sympathy for animals.
17 "And he was a real Nazi?", the girl
18 asked me. "Yes, I replied. He was
19 a convinced National Socialist."
20 "But didn't you say he was a
21 thoroughly decent man, and a
22 helpfull one?" "

StenoTran

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1 For those young people who secretly look at their parents
2 with the question "You were a Nazi,
3 weren't you?", there are
4 contradictions here that we should
5 just not ignore. The problem
6 which the question faced me was
7 this: Should I have told the girl,
8 "Look, you and your friends have
9 a one-sided view of things.
10 National Socialism was not as
11 atrocious and as abismally evil as
12 the Eichmann trial, let us say,
13 shows it to have been. It had some
14 good tendencies too. What won
15 your father over, for instance, or
16 me, or many others, was that it
17 wished to create a national
18 community, or that it brought us
19 up to make sacrifices for a cause
20 which was not a part of our selfish
21 aims."

22 They called this "volksgemeninschaft" --

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1 I apologize for my German. "The national community" is
2 what it meant, wherein the self disappeared.

3 In all their irrational, bloodthirsty,
4 collective history, only America stopped this carnage by
5 recognizing individual rights, and set a cleaner, brighter
6 precedent for the world.

7 Even today individual rights are not
8 recognized enough or fully protected. Look at
9 European/British Canada with all the constitutional
10 wrangling. A new America isn't being sought, but the
11 opposite is being planned. The real power play is between
12 governmental powers and not on limitation of powers.

13 If the Canadian government really cared
14 about individual rights, property rights would be
15 immediate and not just a debate, or Canada would institute
16 individual rights as an absolute. Individual rights as
17 a non-absolute means that the government decides how and
18 where an individual is protected.

19 The courts do not decide on objective
20 criteria based on absolute individual rights but on
21 historical colonial precedent and where no precedent
22 exists, because the individual is not protected

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1 absolutely, then the government (judge) decides usually
2 according to a utilitarian philosophy, i.e., the greatest
3 good to the greatest number, or to some other non-objective
4 precedent and standard, which means, no matter how you
5 look at it, the decision is subjective.

6 It is a contradiction to speak of
7 individual rights and then of government rights, or
8 collective rights. Individual rights are supreme.
9 Governments are negative. Their only power is force or
10 coercion. That is its basic function; nothing else. That
11 coercive force introduced into any areas of a country's
12 life stops or destroys that action. It produces nothing.

13 Imagine government controlling the arts
14 or religion. Well, government is destroying the economy
15 and education. The greater the government involvement,
16 the greater the damage. You can see it by looking at the
17 Indian Act and the land question. That has been government
18 force all the way, where the most objective, honest
19 appraisal of an issue should have been rationally, mutually
20 discussed.

21 Government has no moral right becoming
22 a partner with business. You know what happens when that

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1 is the case. Look today at the Canadian banking system.

2 It's so-called oligopoly, where a small number of firms
3 or corporations supply most or all of an industry's output.

4 In this case it is the service of money.

5 What this really is in truthful naked
6 terms is a government coerced or government forced
7 monopoly. It is a socialist system in a critical area
8 of the economy. Look at the results. Free from real
9 competition, the banks charge high service charges,
10 ridiculously high credit card charges. What justifies
11 this high rate? Ultimately, government power.

12 But the government is not in a moral
13 position to say to newcomers, "no, you cannot compete".

14 Greater government controls can only result in
15 necessitating other controls. The banking leaders are not
16 only in an immoral position, but they are also in a cowardly
17 position and do not speak honestly of free enterprise,
18 and they cannot.

19 With greater freedom, more and varied
20 banks would emerge. Competition would allow cheaper,
21 better services. Nothing less than the separation of
22 government and economics is needed, for the same reasons

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1 of separation of church and state.

2 Native self-government is in a rare
3 position to not implement these kinds of unfair practices.

4 Tax freedom day is becoming a sad and sick joke. It's
5 embarrassing. Tax revolts are beginning, and rightfully
6 so. I have personally help the revolters and I have gone
7 out to their meetings and helped distribute pamphlets.

8 Freedom is a serious issue but a mere
9 reform of the same European/British political mechanism
10 is worse than futile. A complete change of principles
11 is necessary, starting with individual rights as an
12 absolute.

13 I am tired of the government draining
14 my life and dreams away. I work hard for what I get and
15 to have a government expropriate when and how it chooses
16 is evil.

17 Urban self-government, if it works, can
18 only work with the recognition of individual rights. As
19 individuals we don't need or want just another level of
20 government taking our money and freedom away.

21 For self-government to work it must be
22 first based on individual rights. Methods can be

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1 implemented that allow governing and freedoms.

2 Thank you.

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

4 The eight or nine pages were to get to the last two lines,
5 were they?

6 **TED HARLSON:** Yes.

7 **CO-CHAIR GEORGES ERASMUS:** It's a very
8 interesting paper -- very interesting. It seems like a
9 lot of work went into it.

10 I'll check and see if the Commissioners
11 have any comments or questions. I'll start on my left.
12 Paul?

13 **COMMISSIONER PAUL CHARTRAND:**

14 Thank you.

15 I agree, it is an interesting
16 presentation and it certainly comprises an invitation to
17 make all sorts of comments, but I will not. Perhaps I
18 will restrict myself to this comment, that with respect
19 to your suggestion early on in the paper, proposing that
20 individual rights be absolute, I wonder if you might, by
21 re-examining your paper, perceive that that value may be
22 contradicted by some of the examples that you use later

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1 in demonstrating the problems that arise out of too much
2 emphasis on the community.

3 As one nears an absolute point, maybe
4 there are dangers. I think a lot of people will suggest
5 that a balance is more appropriate than any form of
6 absolutism.

7 In any case, I will resist from making
8 further comments. Thank you for your thought-provoking
9 paper.

10 **TED HARLSON:** Can I comment on that?

11 **COMMISSIONER PAUL CHARTRAND:**

12 Certainly. Please do.

13 **TED HARLSON:** Individual rights as an
14 absolute to me is meant that the government cannot coerce
15 an individual in any manner whatsoever. That would seem
16 like too extreme but really it isn't. It seems extreme
17 only if you say that if you look at it in an anarchaic
18 sense, saying the individual is free to do whatever he
19 wishes to do, which is of course absolutely ridiculous.

20 In a society of rational people, in a
21 society where people are organized, there would be
22 limitations on what the individual could do, reality itself

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1 stopping the individual from running rampant in any sense
2 or any way that he wishes.

3 If you consider yourself absolutely free
4 today, you wouldn't just go out and just do whatever you
5 wish. You would do what you have to do to survive, to
6 provide for yourself. You would trade. You would make
7 contracts with agreements with other people in society.

8 That's it.

9 **COMMISSIONER PAUL CHARTRAND:** You tempt
10 me to reply, but I will resist and give way to others.
11 Thank you.

12 **CO-CHAIR GEORGES ERASMUS:** Any other
13 Commissioners?

14 **CO-CHAIR RENÉ DUSSAULT:** I will do the
15 same. We might have a very interesting philosophical
16 debate and it has concrete applications, but I think we
17 have your papers and we are certainly going to reflect
18 on it. We thank you very much.

19 **TED HARLSON:** Thank you.

20 **CO-CHAIR GEORGES ERASMUS:** Thank you
21 again for your presentation.

22 We have two people in the next

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1 presentation, from the Toronto Board of Education and
2 McMaster's University, Alex McKay and George Fulford.

3 Please proceed whenever you are ready.

4 **ALEX MCKAY:** (Opening remarks in Native
5 Language).

6 I was born to parents who speak their
7 language and lived their culture -- Big Trout Lake,
8 Ontario.

9 They were my first connection with
10 (Native language) -- the native way of life. I could not
11 help being observant of the events and customs that were
12 being lived in my culture. What I heard people say about
13 the things that happened within their tradition seemed
14 natural and intelligible.

15 By speaking my language and living my
16 language I soon understood, or understand, the meaning
17 of the teachings that my parents and elders were teaching
18 me. Megwetch.

19 I want to clarify that I do not represent
20 the Toronto Board of Education; I am here on my own.

21 According to the re-creation story, when
22 the world was flooded, a man asked the services of certain

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1 animals to dive in the deep waters for mud. All these
2 animals try, but only the muskrat reaches the bottom.
3 He comes back to the surface with some mud in his paws.
4 He is half-dead. And the man takes the dirt from the
5 muskrat's paws, which are in appearance like human hands.
6 He rolls the mud in his hands to create dry land.

7 As he rolls the mud, he breathes into
8 it. As he does this, the mud grows and grows. When it
9 is an appropriate size the man asks some creatures to run
10 across the new land and when they don't come back, the
11 man knows the land is big. This is the land we still call,
12 in my dialect, "Mikinak aki" -- Turtle Land, in English
13 known as Turtle Island.

14 When one dives into the insensibility
15 of one's mind, one comes back with information which is
16 like the mud in the creature's hand. One uses that
17 information to create one's own world. The creatures work
18 together. Nobody depends on other people to make
19 themselves and create their own world.

20 Does it confuse you when I refer to
21 animals as people? In my language this is not confusing.
22 You see, we consider both animals and people to be living

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1 beings. In fact, when my people see a creature in the
2 distance, the first thing they say is: Awiiyak 'Somebody
3 (plural) is there.'" It is not that my people fail to
4 distinguish animals from people. Rather, they address
5 them with equal respect. Once they are near and identify
6 the creatures' shadows, then they use their particular
7 name.

8 Aadizokaanik -- 'in the story' -- each
9 creature lives to recreate their world. The mud they bring
10 back is language. Each animal brings back a different
11 language from which to re-create the world. Although they
12 don't always understand each other, they have a common
13 purpose, and that aim is to recreate their own world in
14 their own way, in their own language.

15 The creature understands that no one
16 dialect is superior to another and agrees to keep and
17 respect differences. One should be encouraged to converse
18 in one's own First Nations dialect. Children are to be
19 encouraged to look up to their First Nations language.
20 First Nations dialects and languages are medicine: they
21 allow one to communicate with one's ancestors, family and
22 descendants.

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1 Adizokaan ga wiitamwanan. 'The
2 character who I am speaking here' here, by this story,
3 talks to us all. 'The story which I am telling' now,
4 through this character, speaks to us all. This person
5 speaks a living language in a living world in various
6 dialects and languages of the First Nations people.

7 First Nations people are responsible for
8 their life. Their life is made full through the character
9 of their language. We cannot blame anyone for what has
10 happened, regardless of how detrimental it may have been.

11 Poonendan ga kii
12 izhimaji'izhi-webiziyan odanak. 'Stop thinking about
13 whatever negative events happened in your life in the
14 past.' Maajii'bimaadizik. 'Start living'.
15 Aaabajitoon ga izhigiizhiweyan. 'Apply your First Nation
16 language.'

17 Aadizokaanik 'In the legend' the man is
18 floating on water and thinks about the countless events
19 happening around him. He looks around. And what does
20 he do? He talks to others and makes his environment.
21 The child acts in the same way as the man does in the water.
22 He hears and he thinks. And what does the child do? He

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1 speaks his language and lives his culture. From these
2 he builds his values and his life.

3 The character links the parts of his
4 environment together. He doesn't drift about. He laces
5 the sinews of his culture with his own language. He
6 communicates to others about the world around him in his
7 own language. Then he makes the mud into plentiful land.

8 In native teachings the child is a sacred
9 gift from manido. Our duty as First Nations parents is
10 to nourish our children and instill our language in them.

11 This is also the responsibility of our educators, leaders
12 and elders. If other people and other governments have
13 control over our language, they will control our lives
14 and children.

15 The man is also a child in the
16 re-creation story, when he drifts about on water. This
17 at a time before he re-creates the world with language.

18 The man is also a woman. You see, in Ojibway the word
19 for a person is Anishinaabe. This word refers both to
20 a woman and a man, 'anishi' being an ancient word for woman
21 and 'naabe' for man. Connected together they make the
22 word Anishinaabe. That's why the word Anishinaabe applies

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1 to both man and woman.

2 Women and men have equally important
3 roles in re-creating our world. Women are caregivers.
4 They teach their children language. Women can breathe
5 back the language of our people through their children.
6 They breathe language into our children, just like the
7 woman in the story breathes life back into the world.

8 In my language breath and language are
9 connected. The way one speaks is the way one breathes.
10 It's what we call izhikiizhwe -- the nature of the way
11 one speaks. The way one speaks is related to the sound
12 of breathing, but it is more than just this. The way one
13 speaks is also connected to the way one thinks. And that
14 is connected to how one is raised. It is the 'izhiki'
15 of a child to be an adult. Izhiki is the way the child
16 is bent, the way he grows. It is his disposition to grow
17 in a particular sound, that is, in a particular language
18 or dialect.

19 If your children are not permitted to
20 learn and grow within their language then they will become
21 indifferent. They will become incapable of knowing
22 themselves and understanding about becoming.

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1 In the re-creation story the man and the
2 animals cooperated with each other. It wasn't a
3 competition. Although each animal had different
4 requirements to live, they all cooperated in order to
5 re-create the world. Each animal functioned in its own
6 language and in its own world. They didn't need anyone
7 to tell them how to live. All they needed was to cooperate.

8 One's well-being and identity grows by
9 living the life of his own language and culture. The thing
10 is not to try and fit in to somebody else's world. It
11 is to make one's own world. And that's what language does,
12 both for the individual and the community. Through
13 conversing in one's own dialect one makes strong links
14 with others in the community. This is not to say that
15 learning other dialects and languages is a bad thing.
16 We must accept differences, but keep our own identity.

17 What do native languages tell us about
18 Turtle Island that the languages of other societies do
19 not tell us? In native languages the name of a place
20 describes that place. It also tells us about the people
21 who live in the area. The people are connected to the
22 land, the water and the air. They are connected to their

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1 fellow creatures. For example, Kichi Namegozibiik is the
2 original name of Big Trout Lake. It means 'big trout
3 waters'. And the person who lives there identifies
4 himself as namegozibiiwinini, not as Oji-Cree.

5 Namegozibiiwinini carries his community
6 around, no matter where in the world he may be living.
7 It is in him. You can never sever the individual who speaks
8 his language from his community, no matter where he may
9 be. There is a link with the land, the lake and the big
10 trout numagoz.

11 One does not necessarily identify
12 himself as numagoz. Numagoz links one with his ancestors.

13 Namegozibiiwininiwag have always eaten numagoz. Numagoz
14 activates the life of individuals living around the lake.

15 Namegoz brings back memories of how one was introduced
16 to the world and how one can draw upon it for resources.

17 Numagoz links the people together in the
18 community and also with their ancestors, who understand
19 the difference between a big trout and namegoz. What was
20 instilled by the people's ancestors in namegoz can be
21 retrieved and reconstructed by the people today.

22 Language allows one to express wonder.

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1 This wonder is part of one's original experience of the
2 world. Children experience this wonder when they learn
3 that language can re-create their world. But native
4 children have been denied the wonder that comes from
5 re-creating the world in their own language. Native
6 people who speak their native language have the ability
7 to make the wonder that comes from experiencing and
8 re-creating the world through their native language. This
9 is the message in the re-creation story and it must be
10 told to our children in their native language. If one
11 applies his language he need not be lost. He will be able
12 to solve problems and make his world.

13 Some people say that we have lost our
14 language, that it has been stolen from us. But how could
15 it be stolen when we do not hear other people speaking
16 our language? Nobody has stolen our language. One does
17 not lose one's language simply because one was forbidden
18 to speak it. The language is simply inert. Right now
19 native languages are being used less, but they are not
20 lost. One can relearn one's native language and culture,
21 no matter how old one is. Good parents, teachers and
22 elders and the motivation to learn are all that is required.

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1 The hardest work for native people is
2 to learn to depend on themselves. They have been taught
3 since the invasion to always look to someone else's
4 language and culture for their existence. The language
5 that has been forbidden in the past is the one thing that
6 connects natives to who they are today. If they are
7 forbidden to be who they are, then there is confusion and
8 misunderstanding. When one speaks one's own language he
9 knows who he is, where he comes from and where he's going,
10 what he's doing, when he will do it and, most importantly,
11 why.

12 Native people must be proud of who they
13 are. They must rediscover their sense of wonder and learn
14 to express it through their native language. What has
15 been imposed on them and what they have been made into
16 doesn't work. But their own identity will work for them.
17 Giiwe Anishinaabewatisiwag -- 'they return to the native
18 way of life'. Megwetch.

19 **GEORGE FULFORD, McMASTER UNIVERSITY:**

20 Giiwe Anishinaabewatisiwag -- they return to their native
21 way of life. This is a vision, not just for native people,
22 but for all Canadians. We are justly proud of our

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1 tradition of democracy, of our two so-called "founding
2 cultures" and "official languages", of our
3 multiculturalism. We claim to respect human differences
4 and present ourselves to the world as models of tolerance.
5 But where is our respect for the language and culture
6 of First Nations peoples?

7 Three years ago the Secretary of State
8 introduced a bill in the House of Commons to establish
9 the Canadian Heritage Languages Institute. He proposed
10 that the Institute be provided with an \$800,000 capital
11 endowment fund and an annual budget of \$500,000. The
12 purpose of the Institute is "to facilitate throughout
13 Canada the acquisition, retention and use of heritage
14 languages".

15 The Secretary of State was apparently
16 unaware that the languages of
17 Canada's First Nations people are not heritage language.

18 First Nations peoples are not immigrants to Canada. As
19 the name suggests, First Nations people are the first
20 nations of people to have inhabited Mikinak aki 'Turtle
21 Land', part of which we today refer to as Canada. Yet
22 the Government of Canada and most of the provinces have

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1 failed to recognize the unique status of First Nations
2 languages.

3 First Nations languages fall into a
4 constitutional, legislative and judicial no-man's land
5 in this country. To draw attention to this fact, the
6 Liberal Native Affairs critic introduced an act to
7 establish the Aboriginal Languages Foundation. According
8 to the bill, "the purpose of the Foundation is to facilitate
9 throughout Canada the acquisition, retention and use of
10 aboriginal languages".

11 Section 4 of the Act states that the
12 Aboriginal Languages Foundation should "respond to the
13 needs of aboriginal communities as each community is in
14 the best position to determine what is needed to ensure
15 the survival and functional use of its languages". It
16 also states that the Foundation will provide "the funding
17 required to enable communities to develop and control the
18 process, resources and activities needed to promote their
19 languages".

20 The act to establish the Aboriginal
21 Languages Foundation was debated in the House of Commons
22 on 3 November 1989, but did not make it past first reading.

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1 The act to establish the Canadian Heritage Languages
2 Institute was passed by the House of Commons and received
3 Royal Assent in the last session of Parliament.

4 But, due to budgetary restrictions, this
5 act has not yet been proclaimed. When the act is
6 proclaimed, the Heritage Languages Institute will fall
7 under the jurisdiction of the federal Department of
8 Multiculturalism and Citizenship. A spokesman from this
9 Department to whom I spoke to this morning told me the
10 following, and I quote:

11 "Aboriginal languages are heritage languages. I don't
12 know what all the fuss is about when
13 native people say they don't want
14 to be lumped in with the
15 immigrants. It's a sort of
16 reverse discrimination."

17 The concept of heritage languages is
18 based on sections 3 and 5 of the Multiculturalism Act
19 (1988). The preamble to this act states that "English
20 and French are the official languages of Canada". Section
21 3 states that it is the policy of the Government of Canada
22 to "preserve and enhance the use of languages other than

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1 English and French, while strengthening the status and
2 use of the official languages of Canada; and advance
3 multiculturalism throughout Canada in harmony with the
4 national commitment to the official languages of Canada."

5 The concept of official languages is
6 recognized in the Constitution Act. Section 16 of the
7 Constitution Act states that "English and French are the
8 official languages of Canada and have equality of status
9 and equal rights and privileges as to their use in all
10 institutions of the Parliament and Government of Canada."

11 Section 23 states that parents of
12 French- and English-speaking children "have the right to
13 have their children receive primary and secondary school
14 instruction in (their mother tongue) in (their) province."

15 First Nations languages are not regarded as official
16 languages in the Constitution Act.

17 The federal government's legislation
18 and policy regarding First Nations languages has a direct
19 impact on the teaching of these languages in most Canadian
20 provinces. In Ontario, for example, First Nations
21 languages are considered to be heritage languages. Under
22 the provisions of Ontario's Heritage Language Act, First

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1 Nations languages will be taught for 20 to 40 minutes a
2 day in schools where 15 or more students or their parents
3 demand such programs.

4 The Native Language Curriculum
5 Guideline issued by the Ministry of Education for the
6 Province of Ontario in 1987 states that "Native language
7 (is) taught as a second language."

8 While the Native-as-a-Second-Language
9 (NSL) model may be appropriate to First Nations students
10 who have lost fluency in their native language, it is highly
11 inappropriate for First Nations students who have retained
12 native language fluency. The NSL model adopted by the
13 Ontario Ministry of Education does not recognize the
14 distinct status of First Nations languages. Nor does it
15 recognize the linguistic reality of students whose first
16 language (L1) is a native language.

17 As such, the Native Language Curriculum
18 Guide and its companion, the Native Languages Resource
19 Guide, must be seen as stop-gap measures to facilitate
20 NSL teaching in urban centres like Toronto. The Guides
21 are not effective instruments for preserving and promoting
22 the growth of native languages in other parts of Ontario.

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1 The most effective means of doing this
2 would be for the Government of Canada to unambiguously
3 recognize the special status of First Nations Languages.

4 In lieu of this, provinces like Ontario could recognize
5 the jurisdiction of First Nations school boards, band
6 councils or tribal councils to offer instruction using
7 either the NSL model or native languages as the medium
8 of instruction. This is the policy adopted by the Province
9 of Quebec in Bill 101.

10 A final option is for native
11 organizations to unilaterally enact bylaws that would
12 explicitly recognize their right to have education
13 provided in their own languages. The jurisdiction of
14 native organizations to enact such bylaws would in all
15 likelihood be contested in the courts.

16 The Royal Commission on Aboriginal
17 Peoples is not in itself the answer to the issue of native
18 languages in Canada. It is, however, a step in the right
19 direction. The mandate of the Royal Commission empowers
20 it to appoint task forces to look into areas of particular
21 interest with regard to aboriginal peoples. Language and
22 education are designated as such areas of interest.

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1 We recommend that the Royal Commission
2 immediately appoint a task force to look into the matter
3 of aboriginal language and education in Canada. The
4 findings of this task force should be reported to the
5 Government of Canada.

6 Canadians need to change their attitude
7 regarding First Nations language and culture. We need to
8 convince our governments to change their policies,
9 especially in the area of official languages and education.

10 Native people know that the ultimate
11 responsibility for their languages lies within their own
12 communities. They want to change, recreate their world
13 and improve themselves. They also want to control their
14 environment and master their own destinies.

15 **CO-CHAIR GEORGES ERASMUS:** Thank you
16 for an eloquent presentation.

17 You said you were not with the Toronto
18 Board of Education, Alex. I don't know how we got that
19 information.

20 **ALEX MCKAY:** I work for the Toronto
21 Board of Education and the University of Toronto, but I
22 am representing myself.

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1 **CO-CHAIR GEORGES ERASMUS:** Very good.
2 This is a very, very interesting
3 document. It's very, very effective the way you went back
4 and forth from' 233* original language to English. It's
5 a very good technique.

6 I was going to ask you to summarize it
7 then once you started I realized that we would really lose
8 the flavour of what you were after, so I just sat back
9 and enjoyed your presentation. Thank you for presenting
10 it to us.

11 Commissioners, do you have any comments
12 or questions? On my left -- Viola?

13 **COMMISSIONER VIOLA ROBINSON:** I want to
14 commend you too on your presentation and the way you
15 delivered it I think is very effective. It is certainly
16 an issue that has been brought up over and over again as
17 we move across the country.

18 Certainly language is one of the most
19 important issues I think that is being raised by Aboriginal
20 communities, Aboriginal people, and education.

21 I just want to thank you. I think it
22 is a really good presentation. Your getting right down

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1 to the recommendation I think is a good one. So, thank
2 you.

3 **ALEX McKAY:** Megwetch.

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

5 **COMMISSIONER PAUL CHARTRAND:** I agree
6 that this is an excellent and thoughtful presentation and
7 very well presented. I shall in very short order make
8 a number of comments, mostly inviting you probably in some
9 other forum to expand on some of the points you have raised
10 in the paper.

11 I am delighted by your assertion on page
12 2 that no one dialect is superior to another.

13 On page 8 you refer to the functional
14 use of language. This useful suggestion deserves
15 expansion. I can contemplate, in my inexperience, a
16 number of things that could be subsumed under that rubric.
17 Functional use -- for example, everyday communication,
18 including communication at home or communication in the
19 workplace or perhaps both perhaps as an alternative to
20 foster identity in the community and, if so, how do you
21 suggest that might be done.

22 Another alternative might be for ritual

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1 purposes. I would cite the example of the Roman Catholic
2 Church's Latin language in the mass, for example.

3 On page 9, I find the response from the
4 Department spokesman rather shocking. It illustrates the
5 fact that our mandate has been carefully thought out, which
6 includes initiating and promoting and sustaining a
7 dialogue between Aboriginal and non-Aboriginal peoples.

8 Hopefully we can do a small bit in reducing the lack of
9 understanding which is inherent in the description that
10 you have given us.

11 On page 10 I certainly agree
12 emphatically with your suggestion towards the bottom of
13 the page that the particular model is inappropriate for
14 First Nations students who are fluent. I believe everyone
15 will agree with that.

16 Your suggestion is one that at first
17 blush appears eminently reasonable and workable. It of
18 course requires further examination but, as I've said,
19 it sounds like a perfectly reasonable suggestion.

20 With respect to the other option, it is
21 a very interesting option. What I would say is that it
22 does pose some challenges. An underlying assumption might

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1 be that one of the Aboriginal rights protected in the
2 Constitution is the right to do such things -- to establish
3 school boards, to promote languages, to control languages,
4 and so on. I think that is a very strong argument.

5 On the other hand, your suggestion
6 raises some difficulties, that is, the fundamental
7 question: Who is the relevant community in which that
8 right adheres to do these things?

9 The only hint you give us here is Native
10 organizations. So that's another aspect that requires
11 some elaboration.

12 Finally, with respect to your
13 recommendation, it is indeed one that appears initially
14 to have much merit. We definitely will consider it.

15 Thank you, Mr. Chairman, for permitting
16 me all these remarks. And thank you, gentlemen.

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

19 **CO-CHAIR RENÉ DUSSAULT:** Very briefly
20 I would like to congratulate you for presenting us with
21 this thoughtful and comprehensive brief. I would just
22 like to say that you are going to the roots of the problem

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1 of understanding the place of Aboriginal people in this
2 country when you point out that Aboriginal languages are
3 not heritage languages.

4 I think that the understanding of that
5 very point would help a lot to understand many other aspects
6 of our mandates. This is very fundamental, and I wanted
7 to tell you that we understand that very well at the
8 Commission level.

9 I would certainly like to reassure that
10 you not only made your point, but that it is very important
11 to us.

12 As far as your recommendation of setting
13 up a task force on language and education, I must tell
14 you that during this first round of hearings language
15 issues and the question of education are certainly two
16 of the key items that are recurrent, coming back all the
17 time as a message of high priority.

18 The approach we have at the Commission
19 level is trying to have synthetic approach on all the 16
20 points of our mandate instead of starting up a separate
21 task force, because we feel that each issue might reinforce
22 each other, and we do not want to treat them only on a

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1 piecemeal fashion.

2 It does not mean that some key areas of
3 priority will not be looked at thoroughly, but we want
4 to make sure that they will be put into a general framework
5 in relation to the other elements.

6 So, thank you again for presenting this
7 brief to us.

8 **CO-CHAIR GEORGES ERASMUS:** Are there
9 any commissioners on this side who have questions or
10 comments?

11 **COMMISSIONER BERTHA WILSON:** I would
12 just like to mention that in one community we visited in
13 northern British Columbia recently the teachers and
14 parents had had a look at the existing instruction that
15 was given to the children and decided that it was not
16 particularly relevant to Native children, so they started
17 from scratch to devise curriculum they thought was
18 relevant.

19 The interesting thing is that they
20 started with children aged 2 to 4 and immersed them in
21 their own language. Then they moved on and they introduced
22 them to Native spirituality, the role of the Elder. They

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1 gradually progressively taught them about their own
2 culture and tradition.

3 Only after they had done that, they
4 introduced them to English. They said that the children
5 really loved it and that in the later grades they brought
6 in maths and other subjects. The whole purpose of this
7 was so that these children would grow up knowing who they
8 were and their self-respect and self-esteem would be
9 sufficiently built up that by the time they had to move
10 out of the community to a secondary school in the city,
11 they would be sufficiently aware of who they were that
12 they could then withstand the difficulties and pressures
13 that they would face from the white society.

14 They provided us with this entire
15 curriculum, and I thought it was just tremendously
16 imaginative and obviously extremely sensible.

17 I think that what you have been saying
18 to us today about language really supports what these
19 people are trying to do. Thank you very much.

20 **ALEX MCKAY:** Megwetch.

21 **COMMISSIONER ALLAN BLAKENEY:** As has
22 been indicated, we have had many discussions about language

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1 throughout Canada. When three of us were in Fort McPherson
2 we were told about a program there to educate young children
3 in school, four- and five-year-olds and thereafter, in
4 the guichan [ph] language.

5 One of the points made by the teacher
6 was that she had a lot of trouble getting the students
7 to follow the instruction because they got no help at home
8 because none of their parents could speak guichan and did
9 not seem awfully interested in learning. But that's
10 another matter.

11 The question I therefore direct to you,
12 simply for information, is what modes of communication
13 in Aboriginal languages operate in Toronto now? Are there
14 newspapers, are many of them published in Aboriginal
15 languages? Is there a radio station which operates? Is
16 there a television station? Is there a cable TV? What
17 is on the ground now that carries Aboriginal languages
18 into the average living room so that parents can keep their
19 skills sharpened?

20 **ALEX MCKAY:** First of all, where I come
21 from the language is flourishing. English is the second
22 language.

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1 **COMMISSIONER ALLAN BLAKENEY:** Where is
2 that?

3 **ALEX McKAY:** Kichi Numagozibiik, Big
4 Trout Lake, Ontario.

5 **GEORGE FULFORD:** Clearly, I am not a
6 member of the Native community.

7 My experience with Cree an Ojibway
8 language is in northern Ontario corroborates what Alex
9 states very matter factly, that English is the second
10 language in most of northern Ontario, for most reserves
11 in northern Ontario. Currently that's just the reverse
12 situation here in Toronto. About 12 years ago a very
13 useful study was produced by the Ontario Institute of
14 Studies and Education. It was a PhD dissertation by a
15 woman named Barbara Burnaby. In that she divided the
16 province up into three sections: one, which would be
17 southern Ontario, another which we might call mid-north,
18 which would include areas like Manitou Island, the north
19 shore of Superior and Lake Huron, Georgian Bay, and
20 northern Ontario, which seems to be north of the main CNR
21 line.

22 In the more northerly parts of the

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1 province language policy clearly should focus on teaching
2 in Cree or Ojibway as the medium of instruction. In the
3 southerly part of the province the NSL model that is being
4 used by the Toronto Board and in other areas is not a bad
5 one for people whose second language is a Native language,
6 and first language is not.

7 In the mid-north it's a bit problematic
8 because you have a combination of language skills in
9 English and Ojibway which are somewhat variable, and Native
10 parents often feel they want their children to learn more
11 English because that skill is more important than the
12 Native language.

13 Clearly there have to be different
14 policies for different parts of the province. When you
15 ask what's available in Toronto, I have to grin a little
16 bit from my own experience. It's a very good children's
17 broadcast, children's program based on the Sesame Street
18 model, which is produced by the Ojibway-Cree Cultural
19 Centre in Timmins.

20 That program is beamed through
21 TV-Ontario to northern communities. It is an excellent
22 vehicle for teaching native language, both at a second

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1 language level and a first language level to young people.

2 As a matter of fact, I find it very useful in improving
3 my second language skills in Cree.

4 Watching Cree people in communities in
5 the west coast of James Bay when that program was first
6 beamed in last fall, the whole family would sit around
7 the television and watch. They would videotape it and
8 watch it again, and again, and again -- parents,
9 grandparents, kids. It's a very successful vehicle for
10 promoting native languages, and I think a very useful
11 recommendation to come out of your Commission.

12 It's a very simple one: Making that
13 program available in other parts of the province.

14 **COMMISSIONER ALLAN BLAKENEY:** Your
15 answer told me a good deal about what is available for
16 educating people. What I was wondering was, is there
17 anything that goes into the ordinary living room where
18 a 30-year-old Aboriginal person would hear Cree or Ojibway
19 or as the case may be.

20 **GEORGE FULFORD:** Of course there
21 is "Wawatay", which is both the newspaper and, as you know
22 from being in the North, a television and radio network.

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1 That's available for broadcast media only on Sundays,
2 which really is not an awful lot of the time. The newspaper
3 is available in most bookstores.

4 I think Alex could probably address the
5 issue of what's available to the general household, because
6 Alex teaches Ojibway As a Second Language to adults, both
7 through the University of Toronto and through the Toronto
8 Board of Education, and clearly is trying to promote the
9 language and also curriculum development.

10 **ALEX MCKAY:** Teaching in Toronto, there
11 is very scarce material to work with the parents or the
12 teachers. One has to make curriculum as they go along,
13 which is very different from up north. Up north you have
14 all the resources at your fingertips. It would be the
15 same thing if I were learning English here. You are
16 constantly bombarded with English either way you look.

17 We created a night school for the parents
18 at First Nations School of Toronto, which is part of Toronto
19 Board of Education. We set up a night class once a week
20 so parents can take the language and reinforce it at home.

21 Once a week is a start but I don't think that is enough.

22 I think every breath one takes should be in Ojibway.

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1 I find it very ironic to be talking to
2 you in English that I have to constantly simultaneously
3 translate. If I were to talk to you in my language, I
4 don't need paper. I was a late bloomer in learning
5 English. I started learning English at 13. That's just
6 a comment I am making to the Commission. Megwetch.

7 **CO-CHAIR GEORGES ERASMUS:** Bertha.

8 **COMMISSIONER BERTHA WILSON:** Since you
9 are both professionals in the education business may I
10 ask whether any thought has ever been given to distance
11 education for Native people in their communities?

12 **GEORGE FULFORD:** My experience in the
13 North is that people respond better with a live, breathing
14 human being who speaks their dialect and language than
15 with a television screen or a conference call.

16 In the community where I worked last
17 winter they had such an individual working out of the church
18 basement in the community. He was university educated,
19 the first person from this community to do that. He spoke
20 his native language fluently, as well as English. He
21 taught basic English upgrading and bookkeeping skills.

22 The class was filled with about 40 people

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1 at two different levels of skill, mostly women. I think
2 there were two men.

3 The program was an extension program run
4 by Northern College in Timmins -- South Porcupine, I think,
5 a suburb of Timmins. This year they discontinued the
6 teacher and replaced him with what you call distance
7 education.

8 The classes all but collapsed. The
9 enthusiasm of the individuals showing up in the church
10 basement is not what it was last year. The individual
11 who was a teacher is now considering becoming a policeman.

12 I think distance education is a good stop
13 gap measure, like NSL is in northern schools, because
14 that's what is taught in most northern schools in Ontario,
15 Native as a Second Language and English Immersion, but
16 distance education is not the whole answer either. There
17 have to be Native teachers.

18 It does not mean that you have to be a
19 Native person. They have to be persons who speak the Native
20 language and have a sensibility to the Native culture.
21 That's my experience.

22 Alex certainly has a much more direct

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1 experience in these things.

2 **CO-CHAIR GEORGES ERASMUS:** I would like
3 to thank the two of you. It has been very, very useful.

4 **ALEX McKAY:** Megwetch.

5 **CO-CHAIR GEORGES ERASMUS:** We are going
6 to have one more presenter then we are going to take a
7 brief break.

8 Apparently Jimmy Dick is here and will
9 be making the next presentation.

10 While we are getting ready I would just
11 like to make a general comment to everyone. We have about
12 11 people that we know of who are going to try and make
13 presentations to us before the end of the day.

14 If I could encourage people to try and
15 be briefer than we have had up to now, it would be most
16 useful to us.

17 We are not trying to suggest you do not
18 make all the comments you want to make, but if you could
19 bear with us and try and get to the point and make the
20 case that you're after. Thank you.

21 Please begin whenever you're ready, Jim.

22 **JIMMY DICK:** It's good to be here this

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1 afternoon to welcome the Commission here and the Elder
2 who sits on the panel.

3 What I want to talk about today is the
4 inherent right to self-government. It has been an ongoing
5 issue for the last ten years, on trying to identify or
6 see how it operates.

7 Overall I believe that our peoples never
8 gave up our right to control our destiny. We didn't leave
9 it in the hands of the federal or Canadian government to
10 feed our children or something like that. We strongly
11 believe that those treaties were done to live in harmony
12 in this country, together, the way it is supposed to be.

13 I strongly believe that those treaties
14 still hold a lot of clout to what goes in the future dealings
15 of our people and I believe that the people who have the
16 land base or territories in their area should be included
17 in the decision-making process involving our chiefs in
18 the different regions.

19 I know this is a more complex issue as
20 it goes along because a lot of people nowadays just want
21 to make a deal instead of trying to get more discussion
22 flowing because we have been on a collision course for

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1 nearly 500 years. I think it's important that we talk
2 to people, the leaderships, to understand the treaties.
3 Being involved as an educator myself, doing all this
4 public education about the issues and concerns of
5 Aboriginal peoples, to be able to understand.

6 A lot of times I question the motives
7 of the government in relation with our peoples. These
8 commissions were done for so many years now, and I hope
9 this one does more action than the other ones that have
10 been done for years.

11 As I said, what I want to talk about was
12 the self-government issue, that we have to let everybody
13 know that we have a right to control our lives because
14 Canada right now is looking for alternatives on how to
15 get its act together.

16 We strongly believe that the Native
17 peoples are the alternative we are looking for, but not
18 really looking at it, the Aboriginal teachers and
19 protectors of this land it's still our inherent right for
20 them to listen to what we have to say. We still carry
21 that knowledge and our wisdom and our peoples and for the
22 people that are trying hard to understand how

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1 self-government is going to work.

2 It has to be run by the Native peoples.

3 It can't be run by a non-Native Department of Indian
4 Affairs. I don't think it's right. I think they are just
5 job-hopping on what we are supposed to be doing.

6 I think it's important that the Minister
7 of Indian Affairs be a Native person. We should start
8 thinking about that, because lots of times during these
9 elections there's always a non-Native minister talking
10 on our behalf. It's something to think about, being in
11 the elections. I think it's important that non-Native
12 people started taking us more seriously about our people
13 running in the elections.

14 I wouldn't mind seeing First Nations
15 people party going -- never mind going in partnership with
16 the Liberal Party. That was done a few years ago.
17 Because, you know, we've been going partnership, it's never
18 going anywhere.

19 Also, they said we needed to let
20 everybody know that we can control our way of life, that
21 we have been doing that for generations. We have to have
22 more control to what we are doing with our own institutions,

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1 our health centres, our education centres, and so on.

2 This is what I want to talk about, to
3 be able to talk about our inherent right and about land
4 base for the people in the areas that have to be recognized
5 more in the decision-making process.

6 I don't want to take too much time but
7 this is what I want to talk about. As I said, it has been
8 happening for quite a while and we need to give more people
9 more employment, because everybody is talking about that.
10 That's why I came to the city from James Bay, for economic
11 reasons.

12 Everybody is always pointing their
13 finger at Native people, saying they hardly work, they
14 don't like to work. Meanwhile, it's always our non-Native
15 brothers doing our jobs.

16 So it's something to think about, as I
17 said, the Department of Indian Affairs, about
18 self-government. There is the alternative, always trying
19 to find new ways to figure something out.

20 That's what I would like to say at this
21 time. I would like to thank you for listening.

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

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1 Do any Commissioners wish to make any
2 comments or ask questions? Paul.

3 **COMMISSIONER PAUL CHARTRAND:** One quick
4 question. I begin by thanking you for your presentation.

5 One of the important issues that we need
6 to face has to do with Aboriginal self-government, about
7 which you have been talking.

8 One of the questions is, who comprises,
9 who is the relevant group that will exercise these powers,
10 or rights, whatever they might end up being, of
11 self-government?

12 We asked that question and we got
13 different views. Is it Cree, for example? I think you
14 said you were from the James Bay. If that would be so,
15 would it be the Cree people? Would it be the band,
16 so-called, under the provisions of the Indian Act? Would
17 it be that particular First Nation, otherwise called.

18 In Toronto, who would be the relevant
19 group to exercise those powers of self-government, if
20 anyone at all, and how would they come about? When we
21 look at other places in the world where people have
22 conflicts over who should run and who should govern who

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1 and should be boss, we see unfortunate situations.

2 Sometimes people resolve those
3 questions by lining up with automatic weapons across back
4 lanes. Fortunately we don't do that here.

5 How is that issue to be determined, in
6 your view? Who is a relevant group that ought to exercise
7 these powers? Do you have any thoughts to offer?

8 **JIMMY DICK:** I have been thinking about
9 that quite a bit myself. I think it's important for both
10 levels of people to be involved in the leadership or
11 governing body. I think with the grass roots people and
12 with our elected officials, leaders.

13 I think that generally that has never
14 been happening for a while. It has only been lately --
15 Alaskan Elders who come to these meetings and these
16 commissions, but I don't think they are taking it seriously
17 enough.

18 I think it's important for our elected
19 officials to pay respect to the grass roots movement,
20 because that's how all these other changes are starting
21 to come along. I think that both have to be there to be
22 the representing body. I know it's a general membership

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1 that recognizes which people are out there that would
2 qualify for that situation, or position.

3 That's my thoughts on that. I think
4 it's important in the general areas where they are from
5 to be known in that area on what they do and how they conduct
6 themselves. I think it's important, like myself in James
7 Bay, our big issue is inherent right and people with land
8 use. They have land there and are being excluded. Things
9 get more complicated. They are talking about original
10 people who lived in that territory.

11 I know the original people in that
12 territory, the Mississaugas, and I think they have to play
13 a major role in what is happening with the self-government
14 issue here in Toronto, be sure they are approached about
15 it.

16 I guess the people in the city, the
17 people who have been here for quite a while I think would
18 be the first ones to be considered because they already
19 know and understand and faced the things that work and
20 the things that don't work in the city for Aboriginal
21 peoples.

22 Being in a city like Toronto you're going

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1 to do a lot of work to deal with racism itself. There
2 are a lot of things to do overall.

3 As I said, I think it's the grassroots
4 people and their elected officials or the educated people,
5 anyway, to be their controlling body.

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

8 **COMMISSIONER ALLAN BLAKENEY:** I would
9 like to ask a similar question. You said you hoped
10 something would come out of this Commission, and I hope
11 something will come out of it too. I'm pretty sure that
12 if we just talk about inherent right to Aboriginal
13 self-government nothing will come out of it because
14 somebody can say "I agree with inherent right", and nothing
15 has changed.

16 Nothing changes because we say "I agree"
17 to a broad principle. It only changes when we say "and
18 now the schools will be run by a board which is elected
19 by Aboriginal people", or "the health system will be run
20 by a group of chiefs who are elected by Aboriginal people",
21 or some change in the way it works, because that is sort
22 of the way government works. It does not change by making

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1 declamations but only by changing the nuts and bolts.

2 What I am particularly asking you and
3 everybody else I can get to listen, is how do you think
4 things ought to change? Who controls what ought to
5 change in Toronto with respect to, let's say -- you
6 mentioned schools or health. Take either one of them and
7 tell me how you think it ought to change.

8 Don't tell me that somebody ought to talk
9 to the grassroots, tell me who ought to talk to the
10 grassroots. Who is going to run it?

11 **JIMMY DICK:** I think the major ones that
12 would run the school would be the people who use it, like
13 the parents and the students, the parents who go to that
14 school plus -- the partnership deal, as I said, they never
15 work.

16 The process, I guess, is all too much
17 bureaucracy and above all, I think that for the people
18 who use it as schools -- take the school here. It has
19 been here going on 16 years now. We never had full control
20 of the school. The highest amount of students are going
21 to be attending this year and there were only 50, I think,
22 so far.

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1 A lot of people are now starting to
2 understand, getting back to cultural Native way education,
3 but we have to talk to our people about it. We can be able
4 to put more minds in one general area to make things work.

5 I think it's important for people who use that school
6 to get as many people involved and believe in that school.

7 We then have to be able to find certain
8 officials involved in the general area to support that
9 school. We have to make it work and not just talk about
10 it. That's the main thing, to have the people involved
11 and working with it, to be able to run that school or that
12 centre.

13 **COMMISSIONER ALLAN BLAKENEY:** So you
14 think it is primarily a change of attitude on the part
15 of the parents who are involved and others and you don't
16 need any change in the school board or change in the
17 Department of Education or a change in the federal
18 government having a responsibility for Aboriginal
19 education.

20 We don't need any of those, but we need
21 it just at the level of the people here who are using or
22 might use the school.

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1 Am I fairly putting it, or not?

2 **JIMMY DICK:** The other thing that would
3 probably put it more in line to what we are doing there
4 would be to have one of these schools where you have a
5 native studies department or just a native studies centre.

6 Peterborough, it was a small population
7 and they got a whole department to teach native studies,
8 things like that. I find it ironic that Toronto doesn't
9 have one at all. There's a lot of talk about starting
10 one like that, but there's still no action on it.

11 I think it would probably give it a
12 little bit more feasibility. I think that would probably
13 be the major stepping stone, if we did that.

14 **COMMISSIONER ALLAN BLAKENEY:** Thank
15 you.

16 **CO-CHAIR GEORGES ERASMUS:** Are there
17 any other comments?

18 I would like to thank you for telling
19 us your views. We will be at this for some time. I would
20 like to encourage you here in Toronto to maybe flesh out
21 some of your collective ideas. Perhaps the different
22 organizations that exist here might consider either

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1 meetings or workshops to come up with some directions for
2 the future.

3 It would be very, very useful for us if
4 we could get some of the ideas of how people here, after
5 they have had some time to think about it, on what urban
6 self-government might actually look like to the people
7 here.

8 Thank you.

9 **JIMMY DICK:** I thank you very much.

10 **CO-CHAIR GEORGES ERASMUS:** We are going
11 to take a very brief break then we will resume again.

12 **--- Short Recess at 4:25 p.m.**

13 **--- Upon Resuming at 4:40 p.m.**

14 **CO-CHAIR RENÉ DUSSAULT:** We will now
15 resume. I would ask John Moore to come and make his
16 presentation.

17 **JOHN MOORE:** Good afternoon. It's nice
18 to see you again, Mr. Erasmus.

19 I wrote an original copy. I got it typed
20 up but I felt that all the stuff I left out after I got
21 it typed up was very important, so I'm going to go back
22 and forth between my original copy and my typed up copy.

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1 I am John Moore of the Cree Nation, in
2 the James Bay area. Good afternoon, Mr. Erasmus, Judge
3 Dussault. It is a pleasure to be part of the Royal
4 Commission on Aboriginal Peoples. I hope the outcome of
5 this Commission is a positive one, a constructive one for
6 the First Nations' relations with the Government of Canada
7 and for other peoples in Canada and around the world.

8 I must say that we are all related with
9 the hopes and aspirations that bind us together as a human
10 family. I believe that this principle in nature can bring
11 about justice and equality. It is the most for anyone
12 to be recognized for who they are, their customs, heritage,
13 their tradition, which is built from the basis of Creation,
14 a balance in nature.

15 Times have changed drastically since our
16 forefathers have roamed freely, hunted and fished, where
17 these days a whole new set of principles have to be accepted
18 or either we fade away as a People.

19 It is not easy, I believe it never was,
20 to live off the land today with all the poison and
21 pollutants everywhere, in the wind, the earth, the water,
22 the threat of a nuclear bliss. Even the sun is a threat,

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1 which shines on everything that is. Scientists explore,
2 test, research and research, produce chemicals to combat
3 another form of threat to life. When are they going to
4 actually listen to what we have to say?

5 The pace that this society imposes on
6 individuals, on people, is rather like if you don't succeed
7 you'll die, so it brings everyone to compete to struggle
8 to the top of the heap of you-know-what.

9 God does not tamper with the free world,
10 the spirit of who we are.

11 There are 16 subject areas of concern
12 that have been acknowledged and considered Terms of
13 Reference for the Commission which I feel neglect the
14 accountability from the people responsible. How much time
15 is it going to take when things begin to materialize in
16 the best interest for the Aboriginal peoples of this land?

17 How many lives, how much suffering is
18 it going to take of the Aboriginal people before you hear
19 what we are saying?

20 It was all laid out during the times of
21 our Forefathers and the Fathers of Confederation when they
22 developed treaties, treaties between Nations. It was

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1 agreed in faith and goodness that a future of adopted
2 principles of another Nation be secured.

3 The intent of our Aboriginal Forefathers
4 was to have social and economic development, education,
5 medical attention, self-determination, title to land above
6 and below for land. However, the First Nations people
7 were left out for matters I do not know of and their title
8 and recognition have been totally rejected and ignored.

9 For example, the Lubicon Crees who are presently against
10 the Clear Cutting in that area of Alberta.

11 I am not looking for your approval or
12 a granted wish. I am looking for signs that you will begin
13 to act out your part in the bargain that dates back to
14 the treaties.

15 I feel as though I am fighting against
16 money and power, the hunger for greed that society feeds
17 on like parasites.

18 I feel that the whole country is waking
19 up after a long drunk that lasted for centuries. The Old
20 Ones tell me that we are in tougher times. It will be
21 a long road to recovery. We have all been infected with
22 this disease one way or another.

StenoTran

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1 The justice system promotes and enhances
2 punishment and you will come out a better person than what
3 you were before you went in. The law pulls your strings
4 because if you muck-up, you'll pay for it with your life
5 and those around you.

6 I too came close to becoming a suicide
7 statistic, was an alcoholic statistic who helped soar to
8 glory those who produced it.

9 I would like to see that education for
10 native people continue and the opportunities increased.

11 I would like to see native people working
12 in native organizations at all levels of society and in
13 organizations that have an interest with Native people.

14 I would also like to see programs
15 developed in the justice area with regards to
16 rehabilitation outside of a correctional institution,
17 federal or provincial, that legal aid be available for
18 the Native people.

19 I would like to hear and see who will
20 own the responsibilities of crimes done to native people
21 and to those who have tolerated it.

22 When Native people are forced to stand

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1 up for their rights and title, they are run through the
2 systems of justice which confuses the reasons we are
3 standing up for. I would like to see title and rights
4 and the living out of these agreements.

5 I would like to see more centres and
6 organizations created for Native people that address their
7 needs and also promotes and enhances Native cultures.

8 Through these suggestions I have hopes
9 that us, as a Nation, can be able to determine our lives
10 with regards to structure and responsibility. I repeat
11 again that we are all related with the hopes and aspirations
12 that bind us and working together we can create a future,
13 and not destroy it.

14 Megwetch.

15 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
16 much for your presentation, which covers a lot of ground
17 around the line of our mandate, in particular the difficult
18 question of treaty.

19 I would like to see if there are
20 questions from my fellow Commissioners.

21 Viola?

22 **COMMISSIONER VIOLA ROBINSON:** Thank you

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1 for your presentation here.

2 You say here:

3 "I'm not looking for your approval or a granted wish, I
4 am looking for signs that you will
5 begin to act out your part in the
6 bargain that dates back to the
7 treaties".

8 Are you asking us to do that?

9 **JOHN MOORE:** I am not asking you to --
10 I believe that in some way or another you are here as
11 moderators or people to take our concerns that are
12 expressed here to the government. That was my intention.

13 **COMMISSIONER VIOLA ROBINSON:**

14 That is what we are here to do. We are supposed to deliver
15 some sort of a message to the government that is supposed
16 to develop a better working relationship with government.

17 Let me ask you another one.

18 You have some very clear ideas about the
19 things you would like to see with respect to correctional
20 institutions and how people should be working, legal aid
21 and things like that.

22 Do you think the solution to those kinds

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1 of concerns that you raise may be found in the recognition
2 -- not so much a recognition but the fulfilment of treaty
3 rights for your people?

4 **JOHN MOORE:** In there, if we are
5 recognized as a nation and the points of the treaties are
6 carried out and fulfilled, we will be able to get our
7 self-determination. In that you can include managing our
8 own affairs and looking after our own people.

9 **COMMISSIONER VIOLA ROBINSON:** That
10 certainly would happen for your people in the James Bay
11 area. Would that happen for you here in Toronto as well?

12 **JOHN MOORE:** Yes.

13 **COMMISSIONER VIOLA ROBINSON:** How?

14 **JOHN MOORE:** I'm not speaking for one
15 particular area. I believe that the problems and issues
16 that Native people face are common to every indigenous
17 nation around the world.

18 **COMMISSIONER VIOLA ROBINSON:** Thank
19 you.

20 **COMMISSIONER PAUL CHARTRAND:** Thank
21 you, Mr. Moore. I will just say very briefly that I
22 appreciate your reference to everyone being part of the

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1 human family, that useful antidote to strong concepts of
2 nationalism. Nevertheless, you do make a reference
3 to self-determining nations, which my colleague Viola
4 Robinson asked about. That is one of the important
5 questions that faces us, that is, attempting to determine
6 views about who is a part of that nation. So it's an idea
7 that could usefully be developed. If you have any comments
8 on it, it would be very much appreciated.

9 **JOHN MOORE:** I think as an Aboriginal
10 person, wherever I go there is land. The areas do have
11 some kind of an influence on race or different nations
12 and how their cultures and traditions govern their lives.

13 I think the common thing is what I am
14 referring to here, not just for one person. What I want
15 to stress here is to get out that idea that up in the James
16 Bay area we have similar problems to all Native people
17 across Canada and how to go about dealing with them is
18 through our treaties.

19 **COMMISSIONER ALLAN BLAKENEY:** I want to
20 follow up on your last comment about treaties.

21 You are saying that in effect the
22 treaties are not being lived up to. The Government of

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1 Canada, and I suspect other governments, would say, except
2 for specific things which have already been pointed out,
3 things like unfulfilled treaty land entitlement and the
4 like, the treaties are being lived up to.

5 We can hear both sides of that with ease.

6 There's no doubt that there are two sides to it. The
7 fact that the treaties were written down but the writing
8 does not contain the whole deal and nobody knows what the
9 whole deal is.

10 I ask you, do you or your people have
11 any idea how they would like to see the disputes resolved
12 as to what the treaties mean?

13 **JOHN MOORE:** If I can start by saying
14 that the Government of Canada created the Indian Act which
15 was intended to help Native people govern their own
16 affairs, but really what the Indian Act was created for
17 was to divide the Native people, throw in some money there
18 and they'll have everybody fighting over this money and
19 jobs and development and stuff like that.

20 I think that the way to go about this
21 would be to deal with the people who still live that
22 traditional way of life as much as possible and to sit

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1 with them. I don't have any faith in the band councils
2 of certain reserves, communities, because I believe they
3 are just puppets of the government.

4 So it is going to the person who thinks
5 in the best interest or acts in the best interest of the
6 people not just as family or as relatives or himself or
7 herself.

8 **COMMISSIONER ALLAN BLAKENEY:** Do I
9 understand that you feel there should be in effect another
10 round of negotiations between the Government of Canada
11 and the people who live the traditional way of life on
12 or off the reserves, but in that general area.

13 **JOHN MOORE:** What is there to negotiate?
14 Our points of concern with reference to the treaties are
15 all there in plain English. What don't you understand?

16 **COMMISSIONER ALLAN BLAKENEY:** They are
17 there in plain English and if I asked the Government of
18 Canada to tell me what the treaties would mean, they would
19 also give me their answer in plain English and they simply
20 would not agree.

21 Do you agree that if a bargain is made
22 by two people, Bill and George, neither Bill nor George

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1 can say what the bargain means alone, without the other
2 guy agreeing?

3 **JOHN MOORE:** I know what the treaty
4 means. I guess it's kind of easier to say, from your
5 position as to my position and where I come from. I have
6 experienced oppression, not only as a nation but in the
7 community and in my own home.

8 It is just developing who you are and
9 where you come from is something that we strongly have
10 to consider and respecting one another, that there was
11 certain land and rights signed in agreement and there is
12 nothing confusing about that. It's just that what
13 happened after they were signed and agreed upon that these
14 territories or reserves were destroyed by development of
15 railroads, hydro-electric projects, becoming dependent
16 upon a Hudson Bay Company or a store to supply food.

17 It's losing our own self-reliance is
18 what we are trying to revive or to build up again.

19 **COMMISSIONER ALLAN BLAKENEY:** Thank
20 you.

21 **CO-CHAIR RENÉ DUSSAULT:** I would like
22 to thank you for your presentation.

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1 **JOHN MOORE:** Thank you.

2 **CO-CHAIR RENÉ DUSSAULT:** I would now
3 like to ask Michael Cheena for the Urban Aboriginal
4 Alliance.

5 **ANN BRASCOUPE:** Unfortunately, Michael
6 Cheena just stepped out for a moment, so we will ask Amos
7 Key, the next presenter, to make his presentation.

8 **CO-CHAIR RENÉ DUSSAULT:** Mr. Key, could
9 you introduce your --

10 **AMOS KEY, SWEETGRASS FIRST NATIONS**

11 **LANGUAGES COUNCIL INC.:** This is Cheryl Porter. She's
12 from the Sweetgrass Language Council. She is the
13 Secretary to our Council.

14 My name is Amos Key, and I am the speaker
15 for the Language Council.

16 **--- Opening comments and Prayer in Aboriginal**
17 **Language.**

18 Good afternoon. I just wanted to bring
19 greetings in my language and offer greetings to the Creator
20 on our behalf this afternoon in our language, the Cayuga
21 language.

22 We are from the Sweetgrass Language

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1 Council and the music I just rendered is a very important
2 element in my culture in which all males are required to
3 sing a personal chant and learn that chant and carry that
4 chant for the rest of their lives.

5 That song was taught to me by my father,
6 and I thought it was appropriate to do that today in light
7 of the information we are going to share with you, and
8 it is important to us as First Nations in southern Ontario.

9 We are here today to present to you the
10 tragic state of affairs in regards to Aboriginal
11 Languages in Southern Ontario -- Cheryl and myself.

12 It has been 500 years since Christopher
13 Columbus came to this hemisphere which we call Turtle
14 Island. It has just been 125 years for the Canadian Policy
15 of acculturation to destroy our languages.

16 It began much earlier when Canada was
17 not yet a Country with the religious orders who first set
18 foot in this country to deal with the Indians to spin their
19 religious missionary work of replacing our indigenous
20 religious institutions with Christianity, replacing
21 traditional education with European education and
22 replacing our languages with French and English.

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1 This missionary work dominated this
2 change until the 1920s when the Federal Government took
3 over the responsibility for education of our people. But
4 the religious orders had already set the tone in which
5 the Federal Government would inherent and deal with our
6 languages.

7 The Hudson Bay Company established a
8 linguistic stance in 1828 for the children of their
9 employees; they gave the charge to their male employees:
10 "as a preparative to education, the mother and children
11 be always addressed and habituated
12 to converse in the vernacular
13 dialect of the Father and he be
14 encouraged to devote part of his
15 leisure hours to each the children
16 their A,B,C..."

17 The British Court in 1836 gave a similar
18 decree to the New England Company to set up mission schools
19 in Upper Canada for, and I quote:
20 "for promoting and propagating the Gospel of Christ unto
21 and amongst the heathen natives in
22 the part of America, now called

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1 Upper Canada and elsewhere or near
2 the territories by the said charter
3 described as New England part
4 adjacent in America, and also for
5 Civilizing, Teaching and
6 Instructing the said heathen
7 natives and their children, not
8 only in the principles and
9 knowledge of the true Religion and
10 Morality and the knowledge of the
11 English Tongue..."

12 These policies of Aboriginal Language
13 deprivation continued with each successor religious order
14 and continued with the Federal government until the 1970s.

15 The physical wounds from the severe
16 punishment and horror stories shared by many of our Elders
17 for speaking our languages are common knowledge still
18 today.

19 With the rise of Residential Schools the
20 policy was set that our people were not allowed to speak
21 any language or correspond in any Native Language. A
22 letter dated April 13, 1901, from Rev. W.W. Shephard,

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1 Principal of the Mt. Elgin Institute to J.A. McCrea,
2 Department of Indian Affairs who was investigating
3 complaints of the day by our parents is a hideous example
4 of this atrocity.

5 In the letter:

6 "Our custom is to allow each child an opportunity every
7 two weeks for correspondence.
8 This is done in the school room
9 under the supervision of the
10 teachers. All the appliances are
11 supplied by the Institute except
12 stamps. The letters both going
13 and coming are under close
14 censorship and of course have to
15 be intercepted at times. We found
16 it necessary to prevent letters
17 written in indian from going out,
18 and the pupils all understand that
19 all must be in English or the letter
20 cannot go. It would be an
21 advantage if all parents and
22 guardians were compelled in the

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1 same way..."

2 Another rule in place at the Mohawk

3 Institute in Brantford stated:

4 "in order to guard against improper correspondence, all

5 communications must be addressed

6 to the Superintendent who will open

7 and peruse the same should he deem

8 it advisable..."

9 In Caps the rule ended:

10 "COMMUNICATIONS IN INDIAN ARE NOT ALLOWED."

11 These are but a few of the examples of

12 how the 'civilization' process raided our languages.

13 Today, there are volumes of written

14 reports, private member's bills available for referencing,

15 but there remains no official Aboriginal Language Policy

16 or state protection by the Federal government.

17 The Province of Ontario's Ministry of

18 Education has a Native as a Second Language Policy but

19 it too falls short of our needs and is often open to

20 interpretation in its administration.

21 The Sweetgrass First Nations Language

22 Council Inc. is a group of people concerned with the plight

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1 of our Aboriginal Languages. The council was incorporated
2 in 1989, organized to promote our languages and support
3 our teachers with professional development workshops and
4 conferences. But that is not enough when you look at the
5 retention rates of our languages. I will direct you to
6 that paper clipped appendix.

7 You will see the statistics, and they
8 are glaring statistics, I might add. Of the 24 First
9 Nations communities in southern Ontario
10 -- this is as of yesterday, June 24, 1992 -- in those 24
11 communities there are 44,800 people registered to them,
12 and those are Indian Affairs statistics as of last October.

13 We can only find 1,620 speakers left of
14 another language besides English. That only gives us 3.6
15 per cent of First Nations in southern Ontario who speak
16 an Aboriginal language.

17 The next sheet goes on to show you the
18 age groups, in 10-year increments.

19 As you can see for yourselves, it's
20 startling. The majority of our speakers are in the over-40
21 age, the majority of them being between 60 and 70 years
22 of age.

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1 We put together graphs to show you even
2 more blatantly -- when you look at the blocks compared
3 to the total number of speakers, that really becomes
4 horrendous.

5 I wanted you to carry those back to
6 whoever and share those.

7 When one studies the statistics you
8 realize we have approximately five to ten years to curb
9 this language loss. This language loss will result in
10 the loss of our world view, and these include respect for
11 the ecology and other nations; relationships which include
12 the extended family; socialization process based on
13 respect for our Elders and Children; our traditions and
14 customs; rites of passage from birth to death; our music
15 and our dance; our traditional religious institutions,
16 and on and on.

17 Our goals and objectives for the council
18 are to retain our societies and institutions. Our
19 philosophy on bilingualism is simple and in our terms.
20 Bilingualism is a First Language and the language of
21 business and commerce, whether that be English or French.

22 Some of our communities are addressing

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1 this issue by developing Immersion or Bilingual Programs
2 where instruction is in the Aboriginal Language. But we
3 are having resourcing problems to adequately fund the
4 programs.

5 These include curriculum development;
6 instructional materials development; development of
7 literary works; music composition; translations of
8 available teaching materials; production of video, audio
9 and music tapes; research in computer development for our
10 classrooms; teacher and teacher assistant training and
11 professional development; other pedagogical
12 considerations and research.

13 If this Royal Commission, with its
14 strength, makes recommendations it is hoped from our
15 standpoint that the Royal Commission would call on all
16 parties to support Federal legislation to protect our
17 languages.

18 A 'short' list of additional
19 considerations we suggest are:

20 The development of an Aboriginal
21 Languages Act that would have the strength of the
22 "official" Languages Act that could not be misinterpreted

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1 by any ruling party.

2 Adequate financial resourcing to
3 support our community language and provincial governments
4 initiatives that would mirror the Aboriginal Languages
5 Act, much like the transfer payments made for French
6 languages initiatives to provinces.

7 Encourage the Federal government to
8 develop an Aboriginal bilingual 'bonus' system similar
9 to the \$46,000,000 a-year-plus given to the 58,000 Federal
10 civil servants who claim to be bilingual.

11 Development and establishment of an
12 Aboriginal Languages and Literacy Foundation and endowment
13 similar in scope to the Heritage Languages
14 Foundation/Institute of Western Canada.

15 Develop a Commission of Aboriginal
16 Languages similar to the Commission of Official Languages.

17 Encourage or give the opportunity to our
18 local First Nation governments to develop Bilingual
19 Language Charter(s) for First Nations Communities.

20 Encourage or give the opportunity to
21 local First Nation Governments to provide incentive
22 bonuses for First Nation Civil Servants who speak their

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1 Aboriginal Languages.

2 Encourage or give the opportunity to our
3 local First Nation Governments civil servants paid leave
4 to acquire these languages.

5 Encourage or give the opportunity to
6 Federal Civil Servants to acquire a working knowledge of
7 our First Nations in those departments who deal with First
8 Nations.

9 Encourage the Canada Council and other
10 arts institutions to allow for grants, etc., to be shared
11 with First Nations people who want to write, compose,
12 score, script, and recite in the Aboriginal Languages and
13 even choreograph to music composed in Aboriginal Languages
14 and their traditions.

15 Encourage or give opportunity to holders
16 of public office to recite oaths of office in Aboriginal
17 Languages.

18 Encourage the Attorney General to
19 resource Aboriginal Language correspondence courses for
20 individuals who are incarcerated.

21 This brings an end to our presentation
22 from the Sweetgrass First Nations Language Council Inc.

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1 of our findings to date.

2 We shared with you a bit of the history,
3 the retention rates for our Aboriginal Languages in
4 Southern Ontario and our encouragement to you as a Royal
5 Commission to give some thought in order to assist us to
6 retain and regain our languages, cultural institutions,
7 traits, traditions, and customs.

8 Before I end I would just like to share
9 with you a letter that we just found yesterday. We thought
10 it might bring some levity to this afternoon.

11 It is dated December 15, 1921, and
12 hopefully we have changed since then.

13 This is written by Thomas Graham, Esq.,
14 Indian Agent in Brocket, Alberta.

15 He writes, on December 15, 1921, 71 years
16 ago:

17 "It is observed with alarm that the holding of dances by
18 the Indians on their reserves is
19 on the increase, and that these
20 practices tend to disorganize the
21 efforts which the Department is
22 putting forth to make them

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1 self-supporting.
2 I have, therefore, to direct you to use your utmost
3 endeavours to dissuade the Indians
4 from excessive indulgence in the
5 practice of dancing. You should
6 suppress any dances which cause
7 waste of time, interfere with the
8 occupations of the Indians,
9 unsettle them for serious work,
10 injure their health or encourage
11 them in sloth and idleness. You
12 should also dissuade, and, if
13 possible, prevent them from
14 leaving their reserves for the
15 purpose of attending fairs,
16 exhibitions, etc., when their
17 absence would result in their own
18 farming and other interests being
19 neglected. It is realized that
20 reasonable amusement and
21 recreation should be enjoyed by
22 Indians, but they should not be

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1 allowed to dissipate their
2 energies and abandon themselves to
3 demoralizing amusements. By the
4 use of tact and firmness you can
5 obtain control and keep it, and
6 this obstacle to continued
7 progress will then disappear.
8 The rooms, halls or other places in which Indians
9 congregate should be under
10 constant inspection. They should
11 be scrubbed, fumigated, cleansed
12 or disinfected to prevent the
13 dissemination of disease. The
14 Indians should be instructed in
15 regard to the matter of proper
16 ventilation and the avoidance of
17 over-crowding rooms where public
18 assemblies are being held, and
19 proper arrangement should be made
20 for the shelter of their horses and
21 ponies. The Agent will avail
22 himself of the services of the

StenoTran

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1 presentation was excellent. We are honoured and I am
2 informed with the way you began the presentation, and I
3 want to thank you, especially for that.

4 The content is thoughtful and realistic
5 and the style, most professional. If I may say so, it's
6 also short and very much to the point and very well done.

7 It has many dimensions. I may remark
8 upon one in particular. I was aware of the last letter
9 you read, but not about some of the other citations from
10 letters.

11 It's interesting on page 3, in your
12 reference there to the letter, you are quoting from an
13 old letter prohibiting the use of what is called there
14 "indian languages" and I note that in their text they did
15 not capitalize the term, showing the lack of respect.
16 I am delighted to see that in your very professional
17 presentation you have indeed capitalized the word
18 "Aboriginal" properly where it appears. I congratulate
19 you for that, if I may, and applaud you for it.

20 If I may just add two points. It may
21 be of interest to you to hear about a couple of other
22 developments among others that we have heard about in the

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1 country with respect to language and language use and
2 education.

3 In one place we found out that a Master's
4 thesis has been completed and done entirely in the Micmac
5 language in this particular case. I thought I would pass
6 that on to you.

7 Another interesting recommendation,
8 along the lines of some that you have made here, was for
9 the making of announcements in aircraft, particularly
10 those that go to Aboriginal communities in the local
11 Aboriginal languages, which sounds eminently reasonable
12 and it is in fact astounding that it has not been done
13 before.

14 Again, thank you very much.

15 **AMOS KEY:** When we were picking up these
16 quotes to emphasize what we are trying to say today, we
17 had a difficulty with trying to correct someone else's
18 grammar. These are actually the way they were written
19 in the times.

20 We had to override the spellchecker
21 numerous times on the computer to make sure we quoted them
22 correctly.

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1 **COMMISSIONER MARY SILLETT:** I would
2 like to thank you very much as well for your excellent
3 presentation. Just a very small question then a larger
4 question.

5 The Merivian of the Thames, what
6 language speakers is that?

7 **AMOS KEY:** The Delaware language.

8 **COMMISSIONER MARY SILLETT:** That's sort
9 of interesting. In Labrador we also have the Merivians
10 but they are Inuktitut.

11 For my own information, I just want to
12 understand what the collective effort is in this province
13 in the area of Aboriginal language retention and what the
14 results of those efforts are.

15 **AMOS KEY:** It's haphazard at this point
16 because there is no concerted policy, except for the
17 Ministry of Education's NSL policy.

18 Of course, every community takes on its
19 own initiative. That's why we are suggesting that perhaps
20 they could look at development of charters on bilingualism
21 and give themselves a moratorium date of saying "within
22 ten years our community is going to be bilingual".

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1 Once you have the Charter, then
2 everything else springs from it. The philosophy of
3 education generally would change the whole society. But
4 that's to come.

5 I think with what is happening
6 internationally, with the Constitution now and with the
7 experience with our neighbours in Quebec, I think a lot
8 of us are now starting to become very vocal about this
9 language loss, even within our own communities.

10 There have been marked changes in some
11 communities. My community, for instance, Six Nations,
12 in 1980 they did not even want to have language. There
13 was a deputation to Toronto here saying, in 1980, that
14 no way are we going to have a language program at Six
15 Nations. That's when it manifested itself, this whole
16 policy. We became whiter than white. That's the
17 manifestation of this policy from which I quoted letters
18 from.

19 In 1985 we started an immersion program,
20 but that's from efforts from people just getting together
21 and talking about what we want to be in the Year 2000.
22 That's what has happened.

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1 It is slowly changing. It's almost like
2 re-educating ourselves.

3 I don't know whether I answered the
4 question or not.

5 **COMMISSIONER MARY SILLETT:** Part of it.

6 I would be interested in knowing is it taught a lot in
7 schools? Is it taught not so much in schools? Are there
8 Native communications organizations? Are there
9 broadcasting corporations? Are they radio? Are they
10 very strong?

11 **AMOS KEY:** In southern Ontario, as you
12 can tell by the figures, we're all primarily monolingual
13 English people. But there are great efforts and strides
14 being made to bring the language program back as a second
15 language program as a subject.

16 There are now parents who are now First
17 Generation Non-Speakers who are requesting that their
18 children be immersed in the language, that the mode of
19 instruction be in the First Language and still maintain
20 an English component for the English program.

21 In southern Ontario we are bombarded by
22 radio and television. We have 77 FM frequencies that we

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1 can get on our radio dial, and it's all American or southern
2 Ontario. Television, you now that the saucers are there.

3 The English language will never die in
4 southern Ontario. It's these languages here that will
5 die. So the efforts are now, as people are growing, moving
6 into the decision-making era or age of their maturity,
7 they are beginning to speak up and say "I've missed
8 something in my growth. I want my children to have the
9 language." That's what is happening. So it is
10 moving slowly.

11 **CO-CHAIR GEORGES ERASMUS:** I am very
12 interested in the fact that you created this organization.

13 I would like to applaud the fact that you organized it.

14 Can you tell us just a little bit more
15 about yourselves and what you do.

16 **AMOS KEY:** The group nucleus, the office
17 staff, comes from the Woodland Cultural Centre. At the
18 cultural centres the way they were built in Canada are
19 usually governed -- the governance is by a First Nation
20 or a group of First Nations that sort of provide band
21 council resolutions that give the direction for that
22 cultural centre.

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1 Southern Ontario only has one, Woodland
2 Cultural Centre in Brantford, and it is governed by six
3 First Nations communities. But as you can see, there are
4 approximately 18 or 20 other communities that don't have
5 -- I shouldn't say they don't have access, but they don't
6 feel like they have access to this cultural centre.

7 What we did was develop sort of another
8 group, the Sweetgrass First Nations Language Council, that
9 would go across -- if you know the politics of Ontario,
10 we have four political organizations as well. So, to go
11 over all those boundaries so that you could be just
12 affiliated by an interest of language.

13 You did not have to be appointed by any
14 political organization or First Nations community, just
15 out of sheer interest for the retention of the language
16 that you could become a member or work with the Sweetgrass
17 Language Council.

18 So it is very open. It's maybe more of
19 a professional organization. We have goals and objectives
20 to move the language program ahead.

21 The main members of our Sweetgrass
22 Language Council are teachers. But we do have some First

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1 Nations communities who have also bought memberships into
2 the Community Language Council. So I shouldn't say they
3 are not involved. They are.

4 **CO-CHAIR GEORGES ERASMUS:** Thank you.
5 I would like to encourage you to keep on with your efforts.

6 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
7 much. Merci beaucoup. Megwetch.

8 **AMOS KEY:** Yamakoa [ph].

9 **CO-CHAIR RENÉ DUSSAULT:** I would now
10 like to ask Brian Espaniel from the Native Sons.

11 **BRIAN ESPANIEL, VICE-CHAIR, NATIVE SONS**
12 **G.C.C.: --- (Opening Remarks in Native Language).**

13 Thank you very much for letting me speak
14 here on behalf of the Native Sons group. I have a friend
15 with me from Vanier. She is giving me some moral support.
16 Her name is Kim.

17 I just want to go through some things
18 so that we can get on with this. I am not going to take
19 too much of your time.

20 In the past, little has been done to
21 address the unique needs of native peoples in conflict
22 with the criminal justice system. Always, it has been

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1 assumed that the best way to deal with native offenders
2 is to try and force-fit them into white man's ways. The
3 failures of this policy and its underlying assumptions
4 are well documented.

5 Native social workers do indeed show up
6 to help native offenders cope with white man's justice.

7 Similarly, all correctional facilities have social groups
8 for members of the First Nations. We view these and most
9 current programs, however, as only a token and reluctant
10 recognition of our ethnic origins. All such programs fail
11 to provide any significant recognition of the deeper
12 cultural, spiritual and communal traditions at the First
13 Nations level.

14 The traditional way of dealing with
15 native offenders has been to ignore their traditions.
16 When non-natives appear before the criminal courts careful
17 note is made of ethnic origins, community values and the
18 perception of the community with respect to both the
19 offender and the offence. Prominent members of the
20 community are brought in to enlighten the court about
21 community sentiment and the role of the offender in the
22 community. For non-native offenders, this is the norm.

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1 The system of justice is strikingly
2 different for many native offenders. Every week native
3 offenders are sentenced in courts throughout southern
4 Ontario. Are the Elders of their communities routinely
5 consulted? Do probation officers attend meetings of
6 tribal councils to poll community sentiment?

7 If it does happen, it is still
8 indisputable that it is the exception -- not an every-day
9 occurrence. Most native offenders face white man's
10 justice and are judged by white cultural standards. For
11 most native offenders this is the norm!

12 Our proposal for after-care facilities
13 for native offenders is based on different assumptions.

14 We do not believe that hiring native judges and training
15 native lawyers to enforce white justice constitutes
16 significant or meaningful recognition of the spiritual
17 and tribal traditions of the First Nations.

18 As the momentum towards self-government
19 accelerates, we believe white judicial practices and
20 sanctions will become increasingly unacceptable to all
21 members of the First Nations.

22 Our concept of "aftercare" is based on

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1 the premise that the tribal traditions of our fathers and
2 our union with Mother Earth constitute the roots of the
3 First Nations. We believe that these tribal traditions
4 and the underlying relationship with the Creator and Great
5 Spirit constitute the heart and soul of all native peoples.

6 Further, we believe that these values
7 are the only standards against which behaviour in tribal
8 communities should be measured. Our values, and our
9 people.

10 Thank you.

11 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
12 much for presenting us with your views on the justice
13 system.

14 I would first like to ask my colleagues
15 if they have any questions.

16 Madame Wilson.

17 **COMMISSIONER BERTHA WILSON:** I think
18 there is a growing awareness as a result of the enquiries
19 that have already been conducted into the existing justice
20 system, that it has not worked for Native people.

21 Also, we are very well aware of the
22 number of Native people out of proportion to their numbers

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1 in the society that are in our penal institutions. We,
2 as a Commission, have had an opportunity to visit several
3 penal institutions and have gained a great deal of
4 information from the inmates there as to their individual
5 experiences with the existing justice system.

6 The Commission is really asking itself
7 whether the existing justice system can be changed so that
8 it becomes more appropriate in dealing with Native
9 offenders or whether that won't work and whether a
10 completely new justice system is required for Aboriginal
11 offenders.

12 We have been hearing both sides of that
13 discussion. I know that out in British Columbia there
14 has been a lot of work done on the existing system to see
15 whether it can be adapted and changed to make it more
16 appropriate for Native people, and some Native judges and
17 lawyers have participated in round tables to discuss that.

18 On the other hand, we know that the
19 Manitoba justice enquiry has come out in favour of a totally
20 separate justice system for Native people. So, the
21 Commission is struggling with that question and will be
22 very happy to receive any suggestions or ideas that you

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1 have that would help us to reach a view and to know what
2 your thinking is on that subject.

3 We would be happy if you have further
4 ideas and would like to send them to us. We would certainly
5 be delighted to receive them because this is a very
6 important aspect of our mandate.

7 Thank you very much for your
8 presentation.

9 **COMMISSIONER ALLAN BLAKENEY:** I
10 appreciated your presentation. I wondered whether you
11 might happen to have -- there's no reason why you
12 necessarily should have -- any figures on how many Native
13 people who are incarcerated, let's say in Ontario, are
14 incarcerated for, to use your phrase, behaviour in tribal
15 communities, and how many for offenses committed in urban
16 areas or areas which are not tribal communities.

17 I think you get the drift of my question.

18 Would you have a guess as to how many come from the reserves
19 and how many come from the cities, to oversimplify?

20 **BRIAN ESPANIEL:** I would not want to
21 make that kind of guess because I wouldn't be telling you
22 the truth and I would be just going through the numbers.

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1 The numbers that I represent right now
2 are about 30, and it is from a very small portion of the
3 provincial government's facility, which is Guelph. They
4 come from all different areas of this continent.

5 **COMMISSIONER ALLAN BLAKENEY:** I think
6 you can see what I am suggesting.

7 It would be not too difficult to devise
8 a separate justice system for operation on reserves. It
9 would be difficult indeed to devise one for operating,
10 let's say, in Toronto, because of the offenses on the
11 reserves will involve two Aboriginal people.

12 Many of the offenses in Toronto, whether
13 they be the person -- I'll use the jargon, the offender
14 and the victim. Those words carry no emotive content,
15 but I'll just call them the offender and the victim.

16 Frequently there will be one Aboriginal
17 and one non-Aboriginal both ways. It would be much more
18 difficult to devise a justice system which works in those
19 circumstances.

20 Any thoughts on that?

21 **BRIAN ESPANIEL:** That's very difficult
22 to answer, because I don't think we are really that far

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1 into what we are talking about. We are talking about
2 judges off reservations and judges on reservations.

3 I don't know how far we have gone with
4 that yet so I can't really speak on it. But these are
5 our views, of the people that I represent, that our justice
6 system should come down from our Elders, and our Elders
7 should be the ones to make the standard for also off reserve
8 offenders.

9 **COMMISSIONER ALLAN BLAKENEY:** Those are
10 valuable views --

11 **BRIAN ESPANIEL:** And off-reserve and
12 on-reserve, equal punishment would be none the different.
13 If you are off reservation, that the impact would come
14 directly from our Elders and the decision-making with
15 non-Natives and Native people should come through with
16 a dialogue that is very close when dealing on reservation
17 and off reservation.

18 **COMMISSIONER ALLAN BLAKENEY:** There are
19 some ideas in there which are not as difficult as I have
20 painted them. I know in some areas they operate where
21 guilt or innocence is determined by the white system but
22 when it comes to penalty, sentencing and all that sort

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1 of thing, then they bring in Elders and the rest. That's
2 not a perfect system but it's better than the one we have
3 that operates in the cities for the most part.

4 **BRIAN ESPANIEL:** It would be better for
5 Native people then if they are off reservation.

6 **COMMISSIONER ALLAN BLAKENEY:** Without
7 putting too fine a point on it, in this area what's better
8 for Native people is better for all of us because the
9 current system is not working. You think it's not working
10 for Native people. It's not working for non-Natives
11 either.

12 **CO-CHAIR RENÉ DUSSAULT:** Are there
13 other comments or questions?

14 If not, thank you very much for your
15 presentation.

16 I would now like to ask Mr. Michael
17 Cheena from the Aboriginal Urban Alliance of Ontario to
18 make his presentation.

19 **MICHAEL CHEENA, ABORIGINAL URBAN**
20 **ALLIANCE OF ONTARIO:** My name is Michael Cheena. I'm
21 originally from Moose Factory First Nations. I lived in
22 Toronto for 17 years.

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1 Members of the Royal Commission of
2 Aboriginal Affairs, fellow Aboriginal Brothers and
3 Sisters, Elders, ladies and gentlemen, we are pleased to
4 make this formal presentation to this Commission of the
5 concerns of many treaty and status Aboriginal people who
6 are living away from their reserve communities and
7 territories today.

8 It is estimated that over 50 per cent
9 of our treaty and Aboriginal status people do live in urban
10 centres throughout Canada today. In Ontario, the
11 situation is the same. About half of our treaty/status
12 people from over 130 reserve communities do not live in
13 their territories of origin.

14 Why do so many of our people live away
15 from their territories of origin?

16 For people like myself and many others
17 who are estimated to number over 60,000 in Toronto alone,
18 the answer is simple: No local employment opportunities,
19 no locally accessible educational institutions, and
20 extreme lack of housing accommodations in our reserve
21 communities.

22 Today we hear a lot about the Canadian

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1 Constitution, how this country will break apart if Quebec
2 and the other provinces are not given more equitable
3 powers, how Quebec must be accorded with a distinct society
4 status along with major veto powers at any future
5 amendments of the Constitution.

6 We also hear a lot on how our inherent
7 rights to self-government must be entrenched in the
8 Constitution; how Canada and the provinces want more
9 details of our self-government definitions; how our
10 leaders from the band councils, provincial and national
11 associations, find it very difficult to define what
12 self-government and inherent rights mean to us today; how
13 so many different organizations and groups claim to
14 represent our wishes and aspirations as Aboriginal people
15 across Canada today; and how in some cases many of these
16 organizations do not in fact represent myself and many
17 other treaty/aboriginal status people who do not presently
18 live in their aboriginal territories.

19 Like many others in Ontario, my family
20 name comes from the original signatories of our Treaty
21 No. 9 of Northern Ontario. I am also an Aboriginal status
22 person according to the Indian Act which, by the way, is

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1 not the best document to use to describe my special status.

2 When I left my community to seek employment, like many
3 others, I did not leave my treaty rights nor my distinct
4 Aboriginal status in my reserve community.

5 From the day I was born and regardless
6 of where I live, and to the day I die I will always be
7 a treaty/status aboriginal member of Moose Factory First
8 Nation. Therefore, no one can take these special rights
9 from me no matter where I live and work in this great country
10 of ours.

11 Furthermore, no outside aboriginal
12 organization be they treaty, provincial or national can
13 represent me without my written consent. The only group
14 that is set up to represent me is my own band council of
15 the Moose Factory First Nation.

16 However, if Moose Factory Band Council
17 cannot immediately remove itself from the colonial
18 shackles of the Indian Act and Department of Indian Affairs
19 and their exclusion policies that negatively affect
20 off-reserve aboriginal people like myself and others, then
21 we must stand up for our special rights and form our own
22 organization body to look after and promote our own

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1 interests and aspirations.

2 Let me explain the situation of
3 representation in the current constitutional
4 deliberations and aboriginal government developments in
5 this country. I will do so by listing how the following
6 groups do not and cannot effectively represent our special
7 interests and concerns.

8 The first one is the Band Councils.
9 Band councils are the creation of the Indian Act and
10 Department of Indian Affairs policies. While some chiefs
11 will claim that they represent all their people living
12 on and off their reserve communities, they do not because
13 these band councils are not provided with the necessary
14 resources to look after the interests of their people who
15 have moved away from their communities.

16 Therefore, the Ottawa controlled
17 policies of the Department of Indian Affairs dictate that
18 those Aboriginal people who move away from their
19 communities will not be provided with any financial or
20 informational support services regarding their rights as
21 treaty and aboriginal status people. The final result
22 is that no band council is equipped to look after our

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1 situation and needs while living away from our aboriginal
2 territories.

3 No. 2: Tribal Councils -- Our tribal
4 councils are extensions of our band councils and are in
5 turn mere extensions of Department of Indian Affairs.
6 Therefore, we are not represented by tribal councils.

7 No. 3: Treaty, Regional, Provincial
8 and National Associations -- These groups are also
9 extensions of chiefs, band councils, tribal councils,
10 treaty groups, provincial and national organizations who
11 are all administrative extensions of Department of Indian
12 Affairs. Therefore, these various groups do not represent
13 our special situation as treaty and aboriginal status
14 people living in urban areas.

15 No. 4: Chiefs' Office -- The Chiefs of
16 Ontario office was initially set up to be the coordinating
17 body of the various status/treaty aboriginal associations
18 in Ontario. We understand that from a staff of five people
19 in which four of these positions were provided by the four
20 member organizations, the Chiefs of Ontario Office has
21 grown considerably beyond the original concept of
22 provincial coordination of our organizational activities

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1 in Ontario.

2 In spite of the increased growth of the
3 Chiefs' Office, this body does not represent our special
4 interests as off-reserve treaty/aboriginal status people.

5 This Office may also be called the extension of status
6 aboriginal associations, band councils and tribal councils
7 who we have pointed out earlier are in turn administrative
8 extensions of Department of Indian Affairs.

9 No. 5: Ontario Métis and Aboriginal
10 Association (OMAA) and Native Council of Canada (NCC) --
11 These provincial and national groups have claimed to
12 represent all Aboriginal people living away from their
13 communities. This claim is not true because I and many
14 other Aboriginal people with treaty and special status
15 have not given mandate to these two groups to represent
16 us.

17 How can these two organizations who do
18 not have distinct treaty and aboriginal status that I and
19 many others possess represent our inherent status of
20 Aboriginal Government and our treaties? Why should we
21 allow other groups to fight for the rights that we already
22 have? If they do not have these same special rights that

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1 we have today, how can they possibly represent us
2 effectively?

3 No. 6: Friendship Centres and their
4 Member Associations -- These groups have done and continue
5 to do an excellent job in providing support for many urban
6 aboriginal people of treaty/status, non-status and Métis
7 when many of us require this adjustment support in coping
8 with urban living.

9 Various programs are provided by the
10 Friendship Centre groups which are very useful to many
11 Aboriginal people.

12 All these groups are incorporated legal
13 entities which spell out what each group can do usually
14 within religious and educational objectives as required
15 by the various corporate regulations of the provinces and
16 Canada.

17 However, they are not set up to deal with
18 our inherent rights to self-government; our treaty and
19 aboriginal rights; in fact, there is no mandate for
20 Friendship Centres and their associations to deal with
21 our land and resources questions of our self-government
22 plans.

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1 Therefore, these groups do not represent
2 nor have they been mandated to deal with our special status
3 matters such as treaties, inherent rights, land and
4 resources respecting our aboriginal governments.

5 No. 7: Women's Rights Groups --Due to
6 the chauvinistic society we live in, the Aboriginal women
7 are treated with the worst discrimination possible from
8 the Indian Act to the way they are treated by governments,
9 public and private institutions. They want guaranteed
10 protection in the Charter of Rights and Freedoms before
11 we establish our own Aboriginal Charter of Rights.

12 Although this group does not represent
13 us, we support their efforts in keeping the present Charter
14 of Rights until we can guarantee them that their concerns
15 and interests will be protected.

16 In closing, we just wish to present the
17 following recommendations for your final report.

18 1. Canada and the provincial
19 governments should conduct a comprehensive review of
20 funding provided to all aboriginal groups so that the
21 limited funding available will go to where the most needs
22 are.

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1 2. Department of Indian Affairs be
2 abolished and reduced to a caretaker role in maintaining
3 the trust and statutory sections of the Indian Act.

4 3. Current funding level of Department
5 of Indian Affairs be put into a central interest bearing
6 trust account wherein maximum funding for those First
7 Nations be funded directly and remaining funds that cannot
8 be advanced to some First Nations be deposited into this
9 special account.

10 4. That special legislation be enacted
11 to establish the new third order of government which would
12 clearly include each First Nation member to his/her
13 territory with full rights and privileges of that First
14 Nation.

15 In other words, I would belong to Moose
16 Factory First Nation Government and even though I live
17 away from my community my government would look after my
18 interests even to the point of receiving support in
19 organizing our aboriginal urban alliance activities.

20 Thank you for listening to my
21 presentation. I am also providing you with the detailed
22 background of our organization, Aboriginal Urban Alliance

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1 (AUA) .

2 If you have any questions, I will answer
3 them.

4 Megwetch.

5 **CO-CHAIR RENÉ DUSSAULT:** I would first
6 of all like to thank you for your thoughtful presentation.
7 Are there questions?

8 **COMMISSIONER PAUL CHARTRAND:** Thank
9 you, Mr. Cheena.

10 First, I wish to say that your process
11 of eliminating these various groups as not representing
12 your interest is useful. It is reasoned, and I understand
13 it.

14 I do have a question. It relates to your
15 fourth point on page 8, suggesting that special legislation
16 be enacted to establish a new third order of government.
17 There is an incidental point, that this would be powers
18 of governments delegated by the government.

19 I will skip over that one to get to my
20 question, which has to do with the necessary matter of
21 determining who, as individuals, would come under the
22 jurisdiction of that so-called third order of government

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1 and how do you contemplate such legislation would differ
2 from the existing provisions of the Indian Act, the
3 proposed scrapping of the Indian Act. How would your
4 proposed legislation differ essentially from the present
5 Indian Act scheme which, as you know, permits the bands
6 to determine their own membership?

7 That is a different point, of course,
8 from the establishment of what I may call full status under
9 the Indian Act.

10 Let me reiterate the question. In
11 contemplating your fourth recommendation and in addressing
12 the matter of the relevant jurisdiction of the proposed
13 third order of government, there is a question as to who
14 would properly be controlled by the exercise of the powers
15 of that government.

16 It's a necessary question, you will
17 grant. Then my question is, how would that membership
18 be defined? It would ostensibly be defined by the
19 government -- the federal government or the provincial
20 government?

21 In its essence, how would it be different
22 from that of the present Indian Act?

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1 Thank you.

2 **MICHAEL CHEENA:** I think I'm going to
3 let my colleague answer that question, if he is still here
4 -- he's right here. Mr. Rickard will answer that question.

5 **ANDY RICKARD, URBAN ABORIGINAL**

6 **ALLIANCE:** My name is Andy Rickard. I'm too old to die
7 young, I'm too young to be an Elder, but I'm approaching
8 it.

9 There are many questions that perhaps
10 would just perpetuate other questions, but basically your
11 question I believe is the very fibre of what is being asked
12 by Canada today. You speak of legislation and there are
13 very learned people here who are very familiar with the
14 legislative process.

15 To begin, to go beyond the Indian Act
16 one has to have some legal framework from which to promote
17 your government aspirations or your government systems.

18 What would happen then is that people are developing their
19 concepts as to how these things come about.

20 For example, I'm from the same reserve
21 of First Nation that my colleague Mike is from. We try
22 to fit in our concept of government into a system that

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1 is completely different from our way of life. It's like
2 trying to put a square into a circle, or trying to put
3 a concept that is completely diametrically opposed to our
4 way of definition.

5 For example -- (native language).

6 What you just heard is exactly how
7 different our concept of enabling legislation or procedure
8 or a system to tie in with the government of this country.
9 That's how difficult it is.

10 I don't know what your first languages
11 are, any of you here. We learn this language we are using
12 because it's easier for you to communicate and understand
13 what is being said.

14 To go further to that, how do you define,
15 how do you explain the concept of our way of existence
16 in terms of how we govern ourselves to a system that is
17 completely alien to us?

18 This is why I think we have to go through
19 the educational process of defining exactly how our system
20 of government would work, how those of use who don't live
21 in our communities would be associated with that system
22 of government that happened in our case to be in Moose

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1 Factory.

2 It's going to take a generation or two
3 perhaps to try to explain this much longer than the time
4 I have here trying to articulate it.

5 So the basic question is -- and it has
6 always been a question -- how do we fit into government?

7 It was never a question of how government fits into the
8 local requirements of our people. We have that mentality
9 that everything that happens in Ottawa and Toronto are
10 the answers to our socio-economic salvation.

11 We have been brainwashed to believe that
12 to a point that we are all running around behaving like
13 white people, like these guys over here. For example,
14 how many people who came here before you spoke their own
15 language to articulate to you what their feelings are,
16 what directions they come from? Bear that in mind.

17 The second and final point is that we're
18 going to have to go through a deprogramming process of
19 asserting who we are as people and then defining exactly
20 what direction we're going to go. It might take a whole
21 generation of educating your children and grandchildren
22 before we can achieve that definition.

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1 I think that is the most fundamental
2 question and challenge for all of us in this country, to
3 try to explain to the power makers of this country that
4 their system of government has never worked. I don't have
5 to go into any statistical information to explain all this.

6 For example, this Commission was set up
7 on the premise that you are all impartial and yet we hear
8 through the grapevine that the Prime Minister, through
9 his grace and whatever political wisdom he had to say to
10 hire his own white man -- I mean, his own appointee to
11 be Executive Director. Why couldn't you hire an
12 aboriginal person for this purpose?

13 There are so many inequities going on
14 that we feel a lot of times that it's going to take a hell
15 of a long time to achieve the kind of things that you ask.
16 Yet, these questions have to be asked until at some point
17 in time we will be able to educate people as to how perhaps
18 they can answer these questions.

19 With just that brief response hopefully
20 your question has been answered in part, yet I raised a
21 lot of questions in relation to how to deal with that.
22 Perhaps this process in the next three years will

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1 collectively come to on the part of all people involved
2 in this Commission as dialogue will answer that question.

3 Thank you very much.

4 **COMMISSIONER PAUL CHARTRAND:** Thank
5 you, sir. Your response has been helpful.

6 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
7 much for your presentation. I would like to remind
8 everyone that we still have six presenters to hear and
9 it's already 6:05. I would like everybody to keep that
10 in mind.

11 Are there other questions?

12 **COMMISSIONER ALLAN BLAKENEY:** I'll ask
13 one. I am still troubled by your last answer, because
14 the question directed itself not to how the power of
15 government would be exercised but who would be included
16 in it.

17 I quite accept the idea that how
18 Aboriginal self-government would develop would be
19 something which would take some time. But in essence --
20 let me be a little abrasive here.

21 People are saying the Indian Act must
22 be repealed and they are in effect saying "and the power

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1 that is now exercised by the Department of Indian Affairs
2 should be exercised by Aboriginal groups". Fair enough.

3 But it's a fair question to ask, then, who are the
4 Aboriginal groups?

5 I am not asking how you would exercise
6 the power, but who is included and who is out? And do
7 the Aboriginal groups have power to exclude people from
8 their ranks?

9 You start, obviously, by asking people
10 whether they are Aboriginal or not. And they would decide.

11 After that -- is that the end of it, or do the Aboriginal
12 governments have power to exclude? I speak for the
13 Government of Saskatchewan. There was a strict code as
14 to who could vote for the Government of Saskatchewan --
15 you have to do this. There was a way to find that out
16 in the courts. You had to reside in the province six
17 months, a way to find that out.

18 What I am asking of you is who it covers,
19 not how it will be exercised.

20 **CO-CHAIR GEORGES ERASMUS:** Could I
21 suggest that the answer be as brief and to the point as
22 possible?

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1 **ANDY RICKARD:** We always accommodate.
2 Basically, that question is the most
3 challenging question in our time. Twenty or 30 years ago
4 most of us were ashamed to be Aboriginal people. Today,
5 I can shake any of your family trees and I'm sure to God
6 we'll find an old Indian fall out. That's how popular
7 Aboriginal economy is.

8 As far as definitions go, we never had
9 any problems with definitions before your so-called
10 democracy came to being in this country. In other words,
11 in our community where I live, and most people I'm sure
12 in this room, where they come from they know what their
13 community consists of.

14 Of course, in the white man's system as
15 the premier of your province and as a lawyer I'm sure you
16 are familiar that -- a ex-premier, pardon me, and a good
17 one at that. I was told to respect your elders and all
18 this.

19 The point I am making is that we talk
20 about inherent rights. I might have to introduce a
21 two-year course to try and explain this question that you
22 posed to me. However, in very short terms, when you talk

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1 about inherent rights in the Constitution, or whatever,
2 that signifies or somehow indicates that there is a class
3 of people who belong to that particular group.

4 We asked different politicians and
5 leaders "how do we define this?" They wouldn't touch that
6 because that's a very volatile question. However, because
7 there will be questions of fiscal relationships, financial
8 resourcing systems of self-government, we have to identify
9 what these areas are.

10 We have never been given the opportunity
11 to do that because people in Ottawa, Queen's Park, did
12 all of the defining. The level playing field was always
13 here or in Ottawa and we were at the bottom.

14 We have to then sit down together as the
15 leaders of our community. In our case, Moose Factory First
16 Nation. Sit down with our elected leadership to say:
17 For this particular area this is how we envisage our
18 government to be. These are the members of our community.

19 These are the people who comprise this particular group
20 of people that govern themselves. And this is how we
21 associate ourselves in the various areas where we come
22 from.

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1 We have different communities. There
2 are some of us who left our communities but were still
3 attached to it by way of treaty membership, if you will,
4 or membership to that community. We are part of that
5 government. That's how we would define how we would belong
6 to that particular government group, if you will.

7 For other people, I don't know. But we
8 definitely have to come up with some kind of a definition
9 as to how this would be set up, and that's going to take
10 a collective dialogue not only in our constitutional
11 deliberations but what you hear in your deliberations of
12 the next three years.

13 We are working with our own communities
14 and our own people to try to grapple that question -- to
15 try to deal with that question. And this is the first
16 opportunity we had. It took a long time to be provided
17 with the opportunity to take part in the discussions as
18 to the kind of questions we're asking, to respond to those
19 questions.

20 Before your three-year term is up, I'm
21 sure that you will get diverse presentations to respond
22 to some of these basic questions you are asking, and I'm

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1 sure that towards the end of the day, collectively we will
2 come up with how we will deal with these issues.

3 Is that short enough, Georges?

4 **COMMISSIONER ALLAN BLAKENEY:** Thank
5 you.

6 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
7 much. I would like to say that this question of urban
8 self-government as an extension of treaty rights has been
9 presented to us by others and it is part of the overall
10 thinking that has to be done on what form could take
11 Aboriginal self-government.

12 I would like to thank you very much for
13 your presentation. We are certainly going to give thought
14 to what you have presented to us.

15 **ANDY RICKARD:** Merci beaucoup.

16 **CO-CHAIR RENÉ DUSSAULT:** Merci.

17 **MICHAEL CHEENA:** Some additional
18 information is attached to my presentation.

19 **CO-CHAIR RENÉ DUSSAULT:** I would now
20 like to ask Alex Cywink to come and make his presentation.

21 **ALEX CYWINK:** That's "Cywink" -- C-y-
22 and "wink". I'm not as sensitive as I used to be concerning

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1 my name. I'm sure there are some names here that I can't
2 pronounce.

3 I have here an Ontario's driver licence.

4 I have here an Ontario Métis Association card. I have
5 here a Treaty card. I have lots of little papers that
6 tell me who I am. I don't cease to exist when those papers
7 are gone.

8 I don't really believe that I need a
9 piece of paper to say who I am. I know who I am, and that's
10 what is important to me.

11 I have examined your package. We need
12 some kind of common ground here. Let's talk economics.

13 The Royal Commission are public
14 servants, as I recall. Public servants get a cheque, and
15 that cheque is issued by the Government of Canada, and
16 the Government gets their money from tax dollars. The
17 tax dollars come from Canadian society, and geez, that's
18 like when I was on welfare or social assistance once.
19 That's where I got my money too. So, let's talk economics
20 maybe. But we need a common starting point.

21 I have looked at your mandate and it's
22 very broad, and it's very good. I enjoy it. So, in

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1 response I shall be very broad. I don't believe we are
2 at the point of talking specifics yet. I don't represent
3 anyone, I don't speak for anyone really but myself. I
4 have taken the time to educate myself. So I have some
5 short points here to address each of your points.

6 Historically, the Native way of life has
7 clashed or conflicted with Canadian society as a whole.
8 This is due to a misunderstanding in the past. I have
9 a hard time relating to the government who is separate
10 from the people and does not fulfil its function of
11 providing for those people. The inefficiency goes quite
12 beyond words, and this is all well documented.

13 Canadian society is most open. I have
14 lived in Toronto for 10 years and I have taken the time
15 to educate those white people. I do believe I am
16 responsible also as a Native person to help Canadian
17 society as a whole.

18 I make alliances with the people in
19 Canada, not with the government, for it is the people who
20 are the government. My question is, who is responsible
21 for past wrongs? Is it the government? Perhaps maybe
22 those enlightened ones, called the church or religious

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1 members. Is it Canadian society as a whole? Or is it
2 us, for allowing such things to happen? I would like you
3 to tell me. For a new beginning we must consider what
4 originally happened.

5 Your second point -- generally it was
6 like this. This concerns self-government, I believe.

7 Children were observed and belonged to
8 clans. Everyone had a clan. This system showed up in
9 the child or sometimes other qualities were observed by
10 which they would then train in whatever their talents
11 happened to be.

12 Elders who were experienced in a similar
13 manner guided them in developing their skills. The
14 society or community then endorsed them in their
15 occupation. We'll use chiefs, for example.

16 Chiefs, for example, were a particular
17 clan and inherited it. Therefore, if the chief had no
18 offspring then a search or a nomination was instituted
19 to find one who was potentially a good negotiator. He
20 became chief. Also too was a war chief and only served
21 if war erupted.

22 Sometimes it was one and the same --

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1 peaceful times meant negotiating while war meant strategy.

2 So, you see, these qualities could be in one. However,
3 it is advice from everyone, which we call democracy, which
4 decides what we do.

5 This process is already underway, called
6 consultation, and implementing it is occurring slowly for
7 caution is necessary that we co-exist.

8 Three, concerning land. I do not claim
9 land for the Creator has given it to us in trust. Last
10 night I dreamt of the turtle and this base needs us, needs
11 our help. So perhaps the management of this land is what
12 is required.

13 No. 4 -- I don't know what section 91(24)
14 is, so I don't have a comment there.

15 Concerning treaties, I have met Howard
16 Hampton. I believe he is the Attorney General for Ontario.

17 I asked him aside and I said "maybe we should honour the
18 old treaties then we'll talk about making new agreements".

19 Honouring the old ones then we should talk modern-day
20 agreements.

21 I strongly suggest to Native leadership
22 to stop making agreements until we have dealt with the

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1 old ones. When this happens the people will trust that
2 you have our best interests at heart.

3 No. 6: Métis and off-reserve -- This
4 should be decided amongst ourselves. When we require
5 assistance or suggestions, then we will ask. Until then,
6 let us wrangle about it.

7 I believe that it is our decision or
8 responsibility. Of course fiduciary responsibility --
9 I just put that in there because I wanted to know if I
10 could say it -- is the Canadian government's responsibility
11 until we are self-supporting.

12 No. 7 -- I have no comments, as I have
13 no experience there.

14 No. 8 talks about the Department of
15 Indian Affairs and Northern Development. That's short
16 for DIAND and I hope it "die-and-rest in pieces".

17 The Canadian government and the Native
18 people need some kind of interface, a meeting or a joining
19 or an exchange point, mutually agreeable to both. So then
20 it is up to us to create one. I do believe the Department
21 of Indian Affairs and Northern Development is a one-sided
22 creation.

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1 As for 9, the social issues, I like what
2 the Hon. Brian Dickson had to say. I was very impressed
3 with him. He did us a favour by breaking up social issues
4 into headings 10 through 16, for the headings of 10 through
5 16 are in itself society and by dealing with those issues
6 we shall have eliminated no. 9, or dealt with no. 9, for
7 is not society comprised of those very things?

8 So I believe 10 through 16 should maybe
9 be sub-headed "A" through "J" and not be separated like
10 that.

11 In closing, I would like to speak about
12 time. The time is now. There's only this moment. Just
13 right now.

14 I don't remember having ever been put
15 on deadlines, for each deadline I have ever met in my life
16 has always only meant another beginning. So it does not
17 end like that. You can tell that to Brian Mulroney on
18 Monday when you give him his report.

19 The negotiation should remain open and
20 ongoing. I don't like this thing about, okay, we have
21 to meet this by then, because it does not stop there.

22 The generations that have been affected

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1 are how many? I remember stories that I don't like to
2 remember. I would like you commissioners to reflect on
3 some of those stories that you know of personally and what
4 you have heard when you're giving report, because it just
5 doesn't stop.

6 The healing in the Native communities
7 has begun and it just keeps getting -- or we become better
8 or stronger or healthier. My family, I think we beat the
9 odds in the health area because we didn't get that much
10 help. I know my parents and lots of people died for no
11 reason. Maybe they were sacrifices -- I don't know.

12 I'm here to day to respond to your broad
13 mandate in a broad way. We can talk about specifics as
14 we go on, because I'm sure we will come to specifics.

15 I would like to thank you for your
16 attention. I think I beat my deadline of 15 minutes.

17 If you have any questions, you should
18 ask them now.

19 **CO-CHAIR RENÉ DUSSAULT:** Thank you for
20 your presentation. I can first assure you that the way
21 the Commission sees itself is as being part of a process
22 that has started long before the Commission and that will

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1 continue long after.

2 We fully realize that what we will be
3 able to do if we are successful is to set a direction and
4 to try to avoid having wrong policies or bad policies
5 established. That's the timeframe in which we see
6 ourselves.

7 I would now like to see whether there
8 are questions.

9 **CO-CHAIR GEORGES ERASMUS:** I don't have
10 a question, I just have a comment.

11 I just wanted to thank you for presenting
12 and having taken the time to look at the mandate and going
13 through each one is useful. Thank you.

14 **ALEX CYWINK:** I would normally say
15 "megwetch", but I'm not satisfied yet.

16 Thank you.

17 **CO-CHAIR RENÉ DUSSAULT:** I would now
18 like to ask Renee Abram from the Ontario Native Literacy
19 Coalition to make her presentation.

20 **RENEE K. ABRAM, Coordinator, Ontario**
21 **Native Literacy Coalition:** Good afternoon -- or should
22 I say "good evening".

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1 Thank you, Committee members, for
2 offering this time for me to speak with you on behalf of
3 the Ontario Native Literacy Coalition (ONLC) and to share
4 with you the growth we have experienced and the healing
5 that is taking place in the communities at this time in
6 the form of the Native literacy programs.

7 I would like to start with a brief
8 history of the ONLC, which started at the direction of
9 26 Native literacy workers who felt that there was a need
10 for a coordinating body that could support and provide
11 culturally sensitive resources. The Ontario Native
12 Literacy Coalition was created in 1987 by these people,
13 incorporated by 1988.

14 There are now 33 Native literacy
15 programs across Ontario that make up the membership of
16 the ONLC. We presently have a volunteer Board of Directors
17 and one full-time staff person.

18 I am here today to relate how far we have
19 come in the past four years and how much personal and
20 community growth we have witnessed. For our view of
21 literacy, as Native literacy, is that it is a community
22 development process resulting in empowerment and

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1 self-determination, not just for the individual involved
2 but for that individual's family, friends and community.

3 The manner in which we have achieved
4 this, or at least have started to achieve this, is just
5 by the fact of getting together as a group of individuals
6 with the same concerns and interests that have strengthened
7 the support needed for the work involved, which is not
8 a small part of our success. When I say "our" throughout
9 this I refer to the individuals, the coordinators, the
10 workers and the people involved in the programs. Two
11 projects were also developed to help with the delivery
12 of these programs.

13 Relevant resources designed for the more
14 unique aspects of Native literacy were quickly cited as
15 a major problem in further development. To this end the
16 ONLC launched a video project as a starting point to the
17 creation of culturally sensitive materials that
18 coordinators could use in their programs.

19 The final outcome of this project was
20 two videos and a resource manual entitled "Native Literacy:
21 A Healing Energy". The documentary format showed segments
22 of interviews and workshops from a conference held in 1989.

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1 Included are insights on Native teachings and values
2 shared by traditional teachers, elders and literacy
3 workers.

4 All express the need to reflect and
5 strengthen the identity and values of Native Peoples.
6 The fact that Native literacy programs have been initiated
7 and designed by Native people demonstrates the capacity
8 of Native people to look after their own lives in their
9 own way.

10 One of the presenters at our workshop
11 was Jim Dumont, a Traditional Teacher. I would like to
12 quote him at this time. It is a different quote than is
13 in the written presentation, but it more closely represents
14 how the programs are focused:

15 "We are giving them the foundation for their whole
16 identity. We are giving them
17 their culture, their spiritual
18 base. We are giving them their
19 history from the beginning. When
20 they have that, they can go
21 anywhere. They can go anywhere in
22 the world and they'll never have

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1 to doubt their own being."

2 This is something that is strongly held
3 by each of the coordinators working in the community
4 programs and by the ONLC as an umbrella organization.
5 This has come about and we have seen the progress in
6 individual clients within the programs and the
7 coordinators themselves.

8 Any program that is going to be
9 successful in Native terms has to be a program that relies
10 on the cultural base. Recognizing this and the multitude
11 of other issues that program coordinators face within their
12 roles, consultation was started around the concept of
13 developing a certificate program for training these
14 trainers.

15 In June of 1991 the ONLC initiated the
16 first-of-its-kind certificate course specifically
17 designed around traditional Native values and teachings.

18 Not only would completion result in a certificate through
19 a recognized college, it would result in the empowerment
20 of participants to be more effective leaders in their
21 community.

22 Courses included Principles of Adult

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1 Learning/Aboriginal Learning Styles, Prior-Learning
2 Assessments, Community Psychology, Interviewing and
3 Counselling Skills and the use of traditional Healing
4 Circles. Enroled in this course were 32 participants,
5 the majority of them program coordinators and special
6 project workers.

7 These individuals, program
8 coordinators, came into the course carrying quite a lot
9 of stress, from their own personal lives and largely due
10 to the nature of their position. Whether urban centered
11 or community-based, these people were often not only
12 dealing with clients' reading, writing and numeracy
13 levels, but often dealing with issues such as low
14 self-esteem, all forms of abuse, family problems and other
15 social issues.

16 Approaching Native literacy on the
17 Holistic approach means dealing with the whole person,
18 not just the case of putting words in front of them.
19 Sometimes the program coordinator is the only person that
20 the individuals can trust or has trusted with their
21 problems and the coordinator needed to know how much to
22 take on and how and when to suggest involvement of another

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1 appropriate resource person.

2 Through involvement in this year-long
3 course, which has just completed their last session last
4 week, coordinators were given the tools to develop their
5 own self-esteem in order to take that back to their
6 communities to assist in the development of self-esteem
7 of their program members. This was achieved through
8 instruction on assessment of prior learning, participation
9 and introduction to conducting Healing Circles, Cycles
10 of learning, basics of community empowerment and through
11 the power of traditional openings and closings to the weeks
12 we were together.

13 The power of acknowledging our culture's
14 traditions was felt by everyone. Simple greeting circles,
15 where we would circle around and hug each other in welcome
16 or in parting, made quite an impact as to the importance
17 of these teachings. This sometimes new-found importance
18 was carried back home to be continued and practised.

19 The personal growth of these individuals
20 in the program from the time they entered into the course
21 to its completion this past June was outstanding. There
22 is renewed energy, commitment, and plenty of self-esteem.

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1 Many programs have started using what
2 they have learned to empower their clients, with equally
3 amazing results. Healing or Talking circles have become
4 part of some programs, use of prior-learning has empowered
5 clients with the belief that just by living they have a
6 wealth of information and knowledge to their credit,
7 encouraging them to further develop basic skills of
8 reading, writing and numeracy, as well as starting to
9 regain control over some of the issues in their lives.

10 I am not saying that Native literacy
11 programs are the ultimate solution, but they are one step
12 that has proven itself effective. Native literacy is a
13 unique being, an important first step towards
14 self-empowerment that leads to Native empowerment.

15 It is impossible to convey the elation
16 felt when one single person realizes success, believes
17 in themselves as an individual with power and as a Native
18 person.

19 I would thank the Ministry up to date
20 for their support and I encourage funding to continue for
21 Native literacy programs so we can continue to develop.

22 Thank you very much.

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1 **CO-CHAIR RENÉ DUSSAULT:** I would like
2 to thank you for sharing with us the knowledge of your
3 organization and also the experience you have had so far
4 in terms of what approaches work best. I think it has been
5 very instructive and we thank you very much for being with
6 us.

7 **COMMISSIONER BERTHA WILSON:** Could I
8 ask a question?

9 This is not really a question, but I am
10 wondering whether it would be possible to get from you
11 the material entitled "Native Literacy: A Healing Energy",
12 dealing with insights on Native teachings and values.
13 I think it would be very helpful to us to have that if
14 it is available.

15 **RENEE K. ABRAM:** It is available. I
16 have copies that I can send in if you would like to give
17 me an address where it would be appropriate to send those
18 in.

19 **COMMISSIONER BERTHA WILSON:** Thank you
20 very much.

21 **COMMISSIONER ALLAN BLAKENEY:** I would
22 like to ask a brief question.

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1 When you are running your course for
2 coordinators and project people, you put a lot of emphasis
3 on how to raise self-esteem in the students. Are those
4 techniques well known or are you developing new ones along
5 the way?

6 **RENEE K. ABRAM:** I don't know how well
7 known they are, but a lot of them are based just in
8 traditional teachings and values. Part of that is
9 realizing your own blockages from the past and then you
10 can kind of see that in your students that come into the
11 program what is maybe holding them back or what is putting
12 up a blockade to them learning. Self-esteem is a large
13 part of that.

14 With the teachings that is developed by
15 a group through Tribal Sovereignties Associates, they had
16 worked with the ONLC on developing the courses which are
17 offered through First Nation Technical Institute. Part
18 of that was something they had already developed for other
19 courses offered through First Nation Technical Institute.

20 So they have been used for other programs
21 such as their child welfare program and band administrative
22 program.

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1 **COMMISSIONER ALLAN BLAKENEY:** I was
2 just going to say, it's easy enough to find people who
3 can teach spelling, let's say, but raising self-esteem
4 is a good deal more nebulous and must require a lot more
5 skill, if I may put it that way.

6 **RENEE K. ABRAM:** It takes a lot more
7 involvement with the student and recognizing them as an
8 individual with other problems. Their lack of literacy
9 skills is only a symptom of other problems usually.

10 **COMMISSIONER ALLAN BLAKENEY:** Thank
11 you.

12 **CO-CHAIR GEORGES ERASMUS:** I think it
13 was in Sault Ste. Marie, when we held our hearings there,
14 I heard some of the other people who are involved in your
15 organization. I was very impressed then, and your
16 presentation today actually went a little bit beyond what
17 they presented at that time.

18 It is very useful and I would like to
19 encourage you to keep on with the good work.

20 **RENEE K. ABRAM:** Thank you very much.

21 **CO-CHAIR RENÉ DUSSAULT:** I would now
22 like to ask Mr. Bob Crawford, who is the Native Liaison

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1 Officer with the Metro Toronto Police, to make his
2 presentation.

3 **BOB CRAWFORD, NATIVE LIAISON OFFICER,**
4 **METRO TORONTO POLICE:** Good afternoon, Mr. Chairperson,
5 commissioners. You certainly are a patient group this
6 afternoon. It has been a long day for you. My message
7 will be brief. Having said that, it is an important issue
8 to me and to the community of Metropolitan Toronto.

9 I would like to thank the Commission for
10 the opportunity for me to speak here this afternoon.

11 First of all I would like to acknowledge
12 the presence of our Elder Betty Pamp and other elders who
13 might be in the room. Today our Elders are being called
14 upon more and more and more for their wisdom that is needed
15 in the different issues that we get involved in in the
16 community. To any of the Elders who might be listening,
17 I say "megwetch".

18 My name is "Wapaski Megasi", which is
19 White Eagle. I am employed with the Metropolitan Toronto
20 Police Department, and have been for the past 23 years.

21 In 1989 Chief McCormick appointed me to
22 the position of Native Liaison Officer for the City of

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1 Toronto in an attempt to create harmony between the
2 Aboriginal community and the Police Department and the
3 justice system in general.

4 For the past three years I have been
5 involved in all 40-odd Native organizations in Toronto.

6 I do not believe it is necessary at this
7 time to repeat the historical injustices that have been
8 done to Aboriginal people. It has been said over and over
9 again. My message today is one more on a positive note.

10 Metropolitan Toronto is now the home to
11 some 65,000 to 70,000 Aboriginal people. In such a large
12 diverse community, access to services becomes very
13 important.

14 It is the intention of the
15 newly-proposed Aboriginal Peacekeeping Unit to provide
16 this access to the Aboriginal community of Toronto. This
17 Unit will be manned by Aboriginal police officers and
18 designated on the organizational chart as a distinctive
19 Aboriginal Unit within our police force.

20 At present there are two Native Liaison
21 officers attached to the Chief's Community Liaison -- Bill
22 Williams and myself.

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1 I would like to explain some of the
2 proposed Unit goals that we have planned.

3 One is the Aboriginal Awareness Training
4 to police on our force. At present we are on an ongoing
5 basis lecturing at our police college in Toronto. We speak
6 on Native awareness to schools, to community groups, to
7 government organizations, and in the near future, in
8 cooperation with the Aboriginal Legal Service, we will
9 be able to have members of the community, Aboriginal
10 people, come with us on these speaking engagements to
11 explain not only from our point of view but from their
12 point of view the Native awareness.

13 It is surprising and shocking to hear
14 some of the questions when we go out speaking. It's
15 unreal. Last week we spoke to a civilian group. One
16 person came up to us after and said he had arrived in this
17 country ten years ago and he had some business to do in
18 Manitou Island a couple of weeks ago.

19 He went up there and he looked around
20 and he says "who are all these people?" Of course they
21 were Aboriginal people. That is sad. That is sad, that
22 he had been here ten years and did not even know that we

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1 exist, First Nations people. That is not uncommon to hear
2 at some of the lectures we go to. To understand races
3 of people, dialogue is very important.

4 One of the goals of this new Unit is to
5 set up a community police committee so that there will
6 be input from the community regarding our Unit. Issues
7 and concerns that should be heard, and the community want
8 heard, will now be talked about at this committee and the
9 proper authorities will be informed.

10 At present the two of us are in a sort
11 of unique position. We had direct access to the Chief
12 of Police, so the bureaucratic steps are not there. I
13 speak for the Chief when I speak on Native issues.

14 Another part of our Unit will be the
15 complaint protocol system. In the past if you went to
16 the Complaint Bureau or the Citizen's Complaint Bureau,
17 and asked them how many Aboriginal people complained about
18 abuses by police, you would not find any.

19 So this is what I am talking about,
20 access to services. In our Unit we have already made
21 arrangements with our Complaint Department that Bill and
22 myself will take the complaint, so that the people in the

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1 community can feel at ease with any concerns they have,
2 and they know that it will be looked into.

3 For years this has been overlooked.
4 Whether it's because lack of trust or nothing will be done
5 about it anyway, whatever the case may be -- those barriers
6 won't be there any more.

7 Aboriginal recruitment is another
8 issue, to create new initiatives and develop strategies
9 for Aboriginal recruitment. We have on our Force until
10 recently 15 Aboriginal officers. I believe I was the
11 second one to start on our Force. I am the only Sergeant
12 who was promoted to Sergeant who identified themselves
13 as an Aboriginal person right from Day One, 23 years ago.

14 A recent survey found out that now there are something
15 like 32 on our Force with Aboriginal background.

16 There are young people out there who want
17 to be police officers and they have every right to go for
18 that goal. Our Unit is there to help them out in any way
19 that we can in preparing them for the testing, what they
20 have to go through. It's much easier to talk to another
21 Aboriginal person than it is to the system.

22 I closing, I would hope that the

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1 initiatives taken by the Native Liaison Officers and the
2 cooperation of the Metropolitan Toronto Police will be
3 seen as a positive step.

4 We play a leading role in our Police
5 Force in this Department. Across the country I cannot
6 pick up a phone and talk to another Native Liaison Officer.

7 There are Native Liaison Officers over there in the other
8 towns and what-have-you, but they're white.

9 I don't see any reason, and I think it's
10 a reasonable request, that the Solicitor General should
11 be informed and maybe look at our Unit as a model for other
12 police departments.

13 Megwetch.

14 **CO-CHAIR RENÉ DUSSAULT:** Thank you. It
15 is certainly a very interesting brief that you just
16 submitted to us. To be made aware of the existence and
17 the role both in terms of goals and strategies is very
18 important to us. I thank you very much.

19 I will see if there are some questions.
20 Madam Robinson?

21 **COMMISSIONER VIOLA ROBINSON:** I don't
22 have any questions, but I do want to commend you for the

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1 work you are doing, and I agree with you. I think it is
2 a positive step and it's something that could serve as
3 a model.

4 I just think that it's a good thing that
5 you are doing and I would like to encourage you on your
6 work.

7 **BOB CRAWFORD:** Thank you.

8 **COMMISSIONER PAUL CHARTRAND:**
9 Thank you for your presentation, for the materials and
10 for the pin. I put it in my pocket and I hope I am not
11 reminded of its presence when I go through the airport
12 detector.

13 Thank you.

14 **COMMISSIONER ALLAN BLAKENEY:** I just
15 want to add a word. I don't think in the major urban
16 centres there is any substitute for having a significant
17 number of Aboriginal people on the police forces and in
18 positions where they can relate to the Aboriginal
19 community.

20 I compliment you not only on the work
21 you are doing but also on your assistance for other
22 Aboriginal people to get on the force and feel comfortable.

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1 In so doing I am aware, in the city where I grew up, of
2 the difficulties that young Aboriginal people felt in
3 getting on the Force. I know some who have, it's not
4 impossible, but they all felt it was a special hurdle for
5 them. If you can make those hurdles a little lower, I
6 think it would be a job well done for the community and
7 for Canada.

8 **BOB CRAWFORD:** Thank you. I know I had
9 to try six times to get on, myself.

10 **CO-CHAIR GEORGES ERASMUS:** I just want
11 to thank you for your presentation.

12 **BOB CRAWFORD:** Thank you.

13 **CO-CHAIR RENÉ DUSSAULT:** I would now
14 like to ask Ms Tamara Bell of the Pow Wow Native Arts &
15 Fashion Centre to make her presentation.

16 **TAMARA BELL, PROPRIETOR, POW WOW NATIVE**
17 **ARTS & FASHION CENTRE:** My name is Tamara Bell. I am the
18 proprietor of Pow Wow Native Arts Centre. I have quite
19 a different slant on things. I happen to be a Native
20 entrepreneur. I am from the West Coast. I am Haida.
21 I have been here for six years, and I am desperately making
22 an attempt to bridge some of the boundaries between Native

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1 peoples and the non-Native sector in Toronto.

2 My presentation basically is more
3 economic than anything else because of the present
4 occupation I am in.

5 We, the people -- red, yellow, white and
6 black -- it is the nature of our culture to see into the
7 future for seven generations.

8 My People, perhaps the most isolated in
9 Canada, want to work fairly, equally, proudly within
10 Canada, but we lack the economic base to achieve our own
11 independence, and the social benefits which it brings:
12 a sense of community, pride, and achievement. We, the
13 First People, often feel like the last to be a part of
14 our country.

15 This is a time of correction and
16 solutions. Our reserves need to build an economic base,
17 and urban Natives need to be represented fairly on and
18 off reserve. When we leave in search of a better life,
19 we often must leave the very surroundings which nurture
20 and provide support for those ideas. Now, more than ever,
21 we need the progressive leaders in the community to build
22 Canada into land where there is equality and opportunity.

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1 Business can bridge gaps and cut through
2 cultural and social boundaries. We can be politicians,
3 we can be doctors, we can be lawyers, we can be
4 entrepreneurs, but we have to leave our community behind.

5 Economic independence has a distinct
6 advantage in helping both Native and non-Native community.

7 Urban Natives often are not represented,
8 and have a different status within the framework of our
9 governmental system. It discourages Natives from
10 entering into mainstream society, and often the
11 discrimination and battles that they face are even a
12 heavier burden.

13 On-reserve/off-reserve, there must be
14 equality; it is just. The system that exists now
15 encourages people to stay on-reserve, which is difficult
16 in areas that are immensely poor.

17 To conclude: Economic incentive for
18 Natives on and off reserve is essential for building blocks
19 within the communities that exist, eliminating the Third
20 World conditions in some areas by bringing the reserve
21 to general Canadian standards.

22 We must have similar status for both

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1 non-Natives and Natives on and off reserve to eliminate
2 the boundaries that are currently in place.

3 Canada needs to draw from its strengths
4 and see into the future, and see equality of all people.

5 Are there any questions in relationship
6 to the economic programs that -- I would encourage the
7 economic systems that exist and the economic incentives
8 can help individuals both on and off reserve.

9 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
10 much.

11 I would like to ask you, when you
12 mentioned the Pow Wow Native Arts & Fashion Centre, is
13 it the Centre in Toronto? What is the organization?

14 **TAMARA BELL:** The organization itself
15 is a Native owned and Native operated craft shop. One
16 of the goals of the store is to enrol Native people in
17 a functional part of their life, controlling their destiny
18 in their culture.

19 Art is such an important part of
20 statement within a community because when we look back
21 in history we find that the art generally reflects the
22 social and economic conditions that the people lived in.

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1 Controlling our destiny with our art work maintains our
2 culture, and that's one of the focal points of our gallery.

3 There are two presently, one in
4 Yorkville and one at Harbourfront. It's a beginning. It's
5 also a role model for the Native community in the sector
6 that exists. I think it's important that Native
7 communities support Native-owned businesses and I think
8 it's important for the non-Native sector to understand
9 the cultural background of the people that exist.

10 **CO-CHAIR RENÉ DUSSAULT:** Are you aware
11 of documentation on Native arts and fashion in particular?

12 **TAMARA BELL:** Yes.

13 **CO-CHAIR RENÉ DUSSAULT:** Are there any
14 documents we could obtain?

15 **TAMARA BELL:** I'm sorry, I didn't
16 understand the question. You wanted some information on
17 the...?

18 **CO-CHAIR RENÉ DUSSAULT:** On the Native
19 fashion.

20 **TAMARA BELL:** You want a background of
21 the business as a whole and how it operates?

22 **CO-CHAIR RENÉ DUSSAULT:** Yes.

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1 **TAMARA BELL:** I could provide something
2 for you.

3 **CO-CHAIR RENÉ DUSSAULT:** Could you?

4 **TAMARA BELL:** Yes. Some information on
5 how the business itself operates, the items that we carry.
6 The business itself is an interesting
7 one because it has set a precedence. We also help other
8 Native communities, other Native stores that exist within
9 Ontario, setting a precedence in the standard for the work
10 that exists.

11 Being Haida and being from the West
12 Coast, you expect things to be expensive, the cultural
13 side. Often I find that in Ontario things that are very
14 labour-intensive, the cultural aspect of the products that
15 are produced are often sold at a relatively low price,
16 providing no economic gain for the crafts people or artists
17 that exist.

18 The crafts and the artist are an
19 intrinsic part of all Native culture. I think there are
20 also many things that could benefit from it. Natives have
21 such a rich cultural heritage.

22 Often when people come into the store

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1 from other countries -- Europe and other places -- they
2 are obviously astonished at the lack of Native presence
3 in Toronto as a whole. What we try to do is we try to
4 provide a place where people can go if they need to learn
5 more about the culture and the products that exist and
6 what is available and what is not available.

7 **CO-CHAIR RENÉ DUSSAULT:** Paul
8 Chartrand.

9 **COMMISSIONER PAUL CHARTRAND:** Thank you
10 for your presentation. I think I saw one of your outlets
11 yesterday. I went for a short walk before our meeting
12 on Cumberland Street. There was a little sign there and
13 it said "Pow Wow Native Arts". I imagine that was one
14 of your outlets.

15 **TAMARA BELL:** Yes.

16 **COMMISSIONER PAUL CHARTRAND:** I went
17 for a walk to try and buy a fountain pen, but I only found
18 a very expensive one in a shop in your region.

19 **TAMARA BELL:** You should have come to
20 us. We have beaded Native Bic pens.

21 **COMMISSIONER PAUL CHARTRAND:** I ended
22 up buying a cheaper one on a different street.

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1 The fashion centre portion, then, does
2 not have any relation to the modelling profession, is that
3 right?

4 **TAMARA BELL:** No, it does not.

5 The fashion end of it is really -- there
6 is a lot of clothing that is produced by Native people
7 within Ontario, actually all across Canada. We also try
8 to represent that sector.

9 The clothing is a really important part
10 of Native traditionalism. A lot of people like to come
11 in and have a look at it, especially if they are from
12 overseas and are not familiar with exactly what the attire
13 represents, because it's all very representational.

14 **COMMISSIONER PAUL CHARTRAND:** I heard
15 that some Ojibway models were working in Toronto so I
16 thought you might know them.

17 Thank you for your presentation. It
18 certainly emphasized the importance of economic
19 initiatives. Thank you.

20 **CO-CHAIR RENÉ DUSSAULT:** Allan
21 Blakeney.

22 **COMMISSIONER ALLAN BLAKENEY:** Just a

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1 short question. I am assuming that you have been in
2 operation for a little while and are an economic success.

3 **TAMARA BELL:** I don't know, but we're
4 there. We're trying. I have been there for two years
5 and two months.

6 **COMMISSIONER ALLAN BLAKENEY:** Looking
7 across Canada, you can see many examples of high class
8 Aboriginal crafts, frequently, as it appears to me, not
9 marketed and priced with the skill that should perhaps
10 be exhibited.

11 I wonder whether you people have yet been
12 approached or would be in a position to respond to any
13 request to put out some information, a manual or whatever,
14 on how to merchandise, market and price Native crafts.

15 **TAMARA BELL:** I think one of the
16 important things that we try to do is we try to provide
17 as much information to the public as a whole about the
18 products that are made. Often a lot of the products that
19 are made and a lot of time that is put into it is really
20 put in with a lot of heart.

21 A good example is we had a porcupine
22 quill basket which took three months to make by one of

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1 the ladies in Manitou Island, which means that it retails
2 for approximately \$300 -- very labour intensive. We can
3 carry a product within the store. We actually had somebody
4 come in and offer \$20 because they didn't think it was
5 worth more than that.

6 Once you provide the information to
7 people about really what the product itself is and how
8 it's manufactured, the traditionalism behind it, people
9 are more apt to understand that and realize it's a
10 collector's piece.

11 A lot of the products have very
12 traditional backgrounds to them. The circular baskets,
13 or tobacco baskets, they used to carry medicine. I think
14 as people begin to realize the significance behind it they
15 naturally can attach a price tag to it.

16 Currently we are working on a brochure
17 to distribute. It really is to help the other people in
18 the region. We get a lot of crafts people and a lot of
19 other retailers who come to see us. I think the non-Native
20 sector sort of have a handle on controlling a lot of the
21 products produced by Native craftspeople and therefore
22 depleting and diminishing their incentive because the

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1 prices they offer them are so incredibly low.

2 That's why I think it's important for
3 Native people to control their own destiny, especially
4 through economic growth, because it provides them some
5 control over their future. They can continue producing
6 these amazing pieces of work, which I am sure at some point,
7 like in the West Coast, will end up being in museums and
8 galleries so people can also appreciate the amount of
9 labour and work that have gone into it.

10 **COMMISSIONER ALLAN BLAKENEY:** Thank
11 you.

12 **CO-CHAIR GEORGES ERASMUS:** Could you
13 tell me what the address of your store in Yorkville is?

14 **TAMARA BELL:** It's 106 Cumberland
15 Street, and there's one at Queen's Quay on the second floor,
16 on the South Side.

17 **CO-CHAIR GEORGES ERASMUS:** Do you have
18 artists that supply directly to you or is there a middle
19 person involved in there somewhere?

20 **TAMARA BELL:** We try to conduct business
21 in a fashion that is most conducive to the Native way of
22 doing business, which is quite different from the

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1 non-Native way of doing business, I find.

2 Within the non-Native community you sort
3 of buy what you can at a low price and then mark it up
4 really high and then sort of sell it as it walks out the
5 door. It is very conducive to producing at higher volumes.

6 We try to do things in a different way,
7 where we appreciate the amount of time that's put in and
8 deal directly with the artist. We get the most amount of
9 information, have the most amount of contact. I think
10 when you pass that on it adds a really human quality, so
11 that when people come in they have a good idea of who the
12 craftperson is at a firsthand sort of glimpse.

13 There are a lot of middlemen available
14 in Canada and unfortunately of them are non-Native and
15 don't pursue the avenue of finding out exactly how these
16 products are manufactured, made, how they are created,
17 and where they are created from, so you lose that sort
18 of quality.

19 I know that within the Inuit field, Inuit
20 art work is controlled to an extent by the government.
21 It is produced in such a way that it has almost become
22 a department store of Native artwork. I think what we

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1 are trying to do is eliminate that government sort of
2 intervention, the middle man, in essence, and provide a
3 much more reasonable economic base for Native people,
4 because you also deal on a less quantity oriented
5 environment. You can produce something and appreciate
6 the amount of work that's put into it.

7 **CO-CHAIR GEORGES ERASMUS:** Do you deal
8 with artists only in Ontario or from across the country?

9 **TAMARA BELL:** All across Canada. Long
10 distance bills are pretty high. We try and deal with
11 people across Canada. Our goal is to represent not only
12 Canadian Native artists but also American. The boundaries
13 that exist unfortunately do create some difficulty when
14 importing items which makes it difficult to sort of
15 represent North American arts.

16 There is a lot of continuity between all
17 Native peoples within North America, and that sort of
18 continuity of work and the appeal can also then again be
19 broken down into different regions, but we do try to
20 represent people from across Canada and encourage people
21 to produce our crafts, go in with them and set up prototypes
22 and set up products so that we can sort of put them together

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1 in the most reasonable fashion so that they can sort of
2 get ready for expanding and growing, because there seems
3 to be a greater demand for Native products within Canada,
4 which I think directly affects tourism.

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

6 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
7 much for your very useful presentation.

8 **TAMARA BELL:** Thank you for your time.

9 **CO-CHAIR RENÉ DUSSAULT:** I would now
10 like to ask Tom Wesley of the First Nations Running Club
11 of Toronto to make his presentation.

12 **TOM WESLEY, COACH, FIRST NATIONS RUNNING**
13 **CLUB:** Bonjour. Keespee Ahshet Ozawa Kinew diz nakoz.

14 My Indian name is High Flying Golden
15 Eagle. I am an Ojibway from the Lac Sioux Reserve in
16 Northern Ontario. I am the coach of the First Nations
17 Running Club here in Toronto.

18 What I will be discussing today is a
19 brief history of Native running and a brief history of
20 the First Nations Running Club. I am going to share the
21 concerns we have for Aboriginal youth and Aboriginal
22 Peoples, and a solution we see and the process that we

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1 are going in towards the future. After I'm done you may
2 ask questions.

3 Also notice that we plan to apply for
4 funding for cultural and social concerns for Aboriginal
5 Peoples and youth through the First Nations Running Club
6 at the national level. This First Nations Running Club
7 plans to expand to the national level.

8 Currently we have runners all over
9 Ontario, leading into Manitoba. Right now I am going to
10 explain the history about Native running. One thing
11 a lot of people know throughout Canada is that Indian people
12 are born natural runners. It's a gift they have had
13 throughout time. A long time ago Indian people, before
14 the first White Man came here, there were no horses and
15 Indian people used to run distances of 100 to 200 miles
16 to send messages, to warn of enemy attack, to announce
17 special events. They used to this by feet. It was a way
18 of life, to communicate over long distances. The original
19 runners of this line were messengers.

20 Going on to recent runners, notable
21 Native runners since the early 1900s to now, I would like
22 to name a few of them. One of them is Louis Tewanami,

StenoTran

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1 a Hopi who won silver medals in the 1912 Olympics in the
2 5,000-metre and 10,000-metre events, and a runner we all
3 know. His name is Tom Longboat, an Onondaga runner from
4 Six Nations who is the most famed marathoner in Canada.

5 Another runner is Billy Mills, an Ogala Sioux from Pine
6 Ridge Reservation in South Dakota. Billy Mills went to
7 the 1964 Olympics and won a gold medal in the 10,000-metre
8 event.

9 All these runners I am mentioning all
10 lived in racism. They all confronted the stereotypes
11 which were labelled upon them, to be drunken Indians and
12 stupid, lazy Indians. They all had to deal with this.

13 If you look at the careers of these
14 runners, they had a hard time dealing with that. A lot
15 of them went back to their culture to learn to bring back
16 the law for running. When they got to that level, when
17 they reached that point, they went on to represent -- one
18 good example is Billy Mills. Now they have a movie about
19 him called "Running Brave".

20 What I would like to explain right now
21 is that Tom Longboat, when we was running for Canada he
22 encountered a lot of racism. The Canadian people referred

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1 to him as the "Injun", the Red Skin, and they called him
2 "Heap Big Chief". That's the type of racism he had to
3 deal with.

4 The research that we did, I would like
5 to quote this. Lou Marsh, who at the time was a Toronto
6 Start writer and editor described Longboat as "smilingly
7 cocoon in a watermelon patch" and called him "the original
8 dummy". So when Tom Longboat was running and setting all
9 these records for Canada and also for Indian people, he
10 had to deal with this, with racism.

11 Tom Longboat, when he was 12 years old,
12 this is when he ran his first race, it was with a cow.
13 He grabbed the cow by the tail and he ran round and round
14 and round the field until the cow finally dropped dead.

15 He got into more trouble from that race rather than glory.

16 When Tom Longboat was younger and his
17 mother used to walk him from the reserve to Brantford,
18 which was a distance of 14 miles, and Tom Longboat at this
19 time was six years old. That distance was like 28 miles
20 a day there and back. At that time he would be running
21 it.

22 When Tom Longboat was 17 years old he

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1 ran his first race, which was 10 miles. He came in at
2 54 minutes, which set a new Canadian record at that time
3 by 2.5 minutes. From there Tom Longboat was discovered
4 and from there some business people from Hamilton
5 discovered him and saw the talent he had, so they took
6 him and entered him into the Boston Marathon when he was
7 19 years old. At that time that was the world's most
8 prestigious marathon, and it still is today.

9 He won that marathon in the time of 2
10 hours, 24 minutes, which was a world record by 5.5 minutes.

11 What I am trying to explain here is that
12 we have our Native runners in the past who have done well
13 and who represented our people yet they still encounter
14 the racism and the labels of what society has put on them.

15 To go back in time, in 1876 a Paani [ph]
16 runner -- his name was Chief Big Hawk
17 -- was timed by U.S. Army officers using stop watches.
18 They were amazed with the talent they had in running, so
19 they timed him for a mile and they measured it using army
20 accuracy. They had stop watches and they timed him, and
21 he ran that mile in 3 minutes, 58 seconds.

22 It wasn't until 1954 that they

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1 officially credited England's Roger Bannister with
2 breaking the first 4-minute mile. Even though at the time
3 Army officers signed it and witnessed that event and still
4 that Native runner was not credited for that feat.

5 What I am trying to say here is that we
6 still have our runners. We still have the racism and
7 stereotypes that people look upon.

8 Last week in our run the First Nations
9 Running Club had a youth memorial run in memory and in
10 honour of all the First Nations youth throughout our land
11 that we lost through alcohol, tragic deaths. We ran from
12 Cape Crocker, Chippewas and Awashs [ph] to Toronto, sending
13 the message that we could live our lives free from chemical
14 dependency, that we can express ourselves through the
15 tradition of running, to make our youth feel good inside.

16 Last week we were running through the
17 town of Owen Sound and apparently during the run a white
18 woman made a complaint to the Owen Sound police and said
19 "there's a bunch of drunken wild Indians on the road".
20 So we were running and the police knew very well why we
21 were running. It was announced on the radio and the police
22 already knew, yet they still stopped us. They pulled us

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1 over, we had a caravan of cars. They searched us for
2 alcohol and all the young runners were just looking and
3 wondering why.

4 At that time I was very angry but I knew
5 we had a purpose, that we had to keep on running and couldn't
6 let something like that distract us. So we kept on running
7 and we finished this run. We sent the message it was
8 successful but still today we still have to deal with that
9 as Native people. It's just too bad.

10 The concern that we want to do is to
11 revive the tradition of running back to our Native people,
12 back to the youth, to bring back our brave hearted women
13 and to bring back our warriors the way our warriors used
14 to run.

15 To run you have to take care of your mind,
16 think straight. You have to take care of your body. You
17 have to stay away from alcohol and drugs. We have to go
18 back to our old ways of learning and ceremonies.

19 When we do these spiritual runs, we
20 smudge down, we have a circle and at times we smoke the
21 pipe and then we run. That's all we do. We run for our
22 land, for our people, for the youth, for our future.

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1 That's what we run for.

2 We want to show that Indian people are
3 strong. When you run you feel a lot of pain and it's hard
4 sometimes. That's strengthening.

5 Our goal is to expand to the rest of the
6 Nishnawbe nations, which is all of Canada, to establish
7 a national Native running club. Since there is so much
8 talk, you hear so much in the newspapers about the way
9 Indian people are going now with self-government, I feel
10 that it's time that we as Indian people should take care
11 of our own running.

12 Myself I ran in the system in
13 cross-country in high school and there's so many other
14 Native runners who I have heard of that do so well, but
15 when they get to a point that they cannot deal with some
16 of the racism and they quit running, there are so many
17 Native runners that I grew up with that I know could have
18 been Olympic potential but -- it's hard to deal with.

19 What we are trying to do is give these
20 kids a place to belong. This past weekend we travelled
21 to Winnipeg, Manitoba, to participate in the Manitoba
22 Marathon. We met up there with other Native runners from

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1 across Canada and it felt really good to travel as a team.

2 I like that. It was like a family. It wasn't like we
3 were made to sit in the back of the bus and be quiet.
4 We didn't have that feeling.

5 So what we are trying to do is bring back
6 running, and we are going to do that. We plan on opening
7 clubs in the West. What we are doing is upholding the
8 tradition of running to be a strong and proud nation again
9 for our children.

10 We want to run strong and proud, with
11 dignity and respect, to represent our nations, our people,
12 and to run as our great-great-parents did before us.
13 That's what the First Nations Running Club is about. We
14 are moving in that direction.

15 That's about all I have to say, except
16 if you have any questions -- Megwetch.

17 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
18 much. You said a lot on a very important subject, about
19 physical fitness and the relationship of the mind.

20 Just a short question. Are you aware
21 of many other running clubs, like this one, across Canada?

22 **TOM WESLEY:** There are some Native

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1 running clubs across Canada but there is not any
2 -- last year we ran from Vancouver, B.C., to Ganawage.
3 All through that time we stopped off on these reserves
4 to see if they had anything organized. There wasn't, and
5 we asked them "would you be willing to join this movement
6 to bring back running?". A lot of kids are anxious.

7 If you look at the kids who come up to
8 us and say they wan to join, they are so excited about
9 it.

10 There are a lot of other Native running
11 clubs but there is none organized at the national level.

12 In Winnipeg we ran into some runners from Cross Lake,
13 Manitoba, who have their running club, and we told them
14 what we are trying to do here, if they wanted to be a part
15 of us, to represent their Cree Nation up there. They are
16 all for it. They want to join this National Native Running
17 Club.

18 **CO-CHAIR RENÉ DUSSAULT:** One last
19 question. Do you know if the high school on the reserves
20 are putting some emphasis on that kind of physical
21 training, on running?

22 **TOM WESLEY:** Running is a tradition.

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1 Running is part of our culture. It's one of the traditions
2 that was somehow forgotten. With the advancement of
3 technology that will reduce a lot of physical activities
4 amongst Indian people. It's not as important as it used
5 to be. It's like how we lost our language. It's just
6 like that.

7 **CO-CHAIR RENÉ DUSSAULT:** Paul
8 Chartrand.

9 **COMMISSIONER PAUL CHARTRAND:** Thank
10 you, Mr. Wesley, for your presentation on a topic that
11 is dear to my heart. I am not a runner. I have never
12 been a runner but I have run a lot because of the
13 requirements of other sports. I particularly admire
14 people who are running now that I'm a broken down old
15 has-been.

16 I can only remember the oxygen high that
17 you refer to in your paper here, so I can assure you that
18 I appreciate your remarks. As the co-chairs have already
19 mentioned, we appreciate the very significant relationship
20 between the enhancement of the mind as well as the body
21 that's running.

22 I was very interested too in your

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1 historical references to some of the great runners,
2 including Tom Longboat, who had some relationship of course
3 with Toronto. I think most Canadians might have heard
4 perhaps about Jim Thorpe or some of the others but as you
5 have indicated, there are many others too who are lesser
6 known in Manitoba -- Joe Keeper, for example. I understand
7 there's another young man who is very young but has
8 tremendous potential in northern Manitoba, and I certainly
9 wish him well and wish you well too.

10 You have already indicated that you have
11 a lot of courage in what you have been doing, a lot of
12 courage in the face of the racism that is very real and
13 that you have described here to us.

14 I want to encourage you to carry on in
15 these endeavours. I don't think one can stress too much
16 the importance of these kinds of things, for young people
17 particularly, but I was going to say for young people,
18 but I don't think that is good only for young people.
19 I'm not convinced of that. You may agree.

20 I hope that we will hear more from you
21 and organizations like yours. I am very interested to
22 see that you, interested in running, are anxious to look

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1 out nationally across the country and to make contact with
2 other people who are similarly minded. I think that is
3 very encouraging. Perhaps people in other endeavours
4 might take some advice from you in that regard.

5 My last word is that if you want after
6 I can give you the name of someone in Manitoba who is Chief
7 who might be interested in helping you. I would like to
8 give you his name.

9 Thank you.

10 **TOM WESLEY:** Megwetch.

11 **CO-CHAIR RENÉ DUSSAULT:** Thank you very
12 much.

13 **CO-CHAIR GEORGES ERASMUS:** Just before
14 we have our closing prayer and the drum I would like to
15 tell everybody that tomorrow we are going to try and start
16 at 8:30. I would like the drum group that is going to
17 be here in the morning to be told.

18 We are going to have a tight schedule
19 tomorrow because we have planes to catch at the end of
20 the day. Today we got started around 9:00 and we're kind
21 of paying for it now, so if tomorrow we could start right
22 at 8:30, and let the people know who are supposed to be

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1 presenting to us we are going to try and start a little
2 bit early.

3 I just want to tell you that the two
4 co-chairs are not going to have very much to say tomorrow,
5 so you can ask the 9 o'clock presenter to come a little
6 bit early if you want.

7 **CO-CHAIR RENÉ DUSSAULT:** Maybe before
8 starting the drum ceremony we could have the closing prayer
9 first.

10 **--- Closing Prayer by Elder Betty Pamp**

11 --- Whereupon the Commission adjourned
12 at 7:35 p.m., to resume at 8:30 a.m.
13 on Friday, June 26, 1992.

14