

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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Saskatoon, Saskatchewan
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1 Saskatoon, Saskatchewan

2 --- Upon commencing on Wednesday, October 28, 1992

3 at 8:45 a.m.

4 **Co-Chairman GEORGES ERASMUS:** Good
5 morning. We will start with a prayer and I will ask Joan
6 Lavallee, our Commissioner of the Day, to start with the
7 morning prayer.

8 **(Opening Prayer)**

9 **Co-Chairman GEORGES ERASMUS:** We are
10 going to carry on from where we left off last night. Our
11 first presenters this morning are the Gabriel Dumont
12 Institute Research and Development Team.

13 **JOHN DORION, DIRECTOR OF RESEARCH AND**
14 **DEVELOPMENT UNIT, GABRIEL DUMONT INSTITUTE RESEARCH AND**
15 **DEVELOPMENT TEAM:** We want to thank you for giving us the
16 opportunity to make a presentation here today.

17 My name is John Dorion and I am the
18 Director of the Research and Development Unit. Today we
19 are doing a team presentation. I have here my research
20 staff. To my far right is Giselle Marcotte, in the middle
21 is Perry Chaboyer, and our senior research officer is
22 Kuanen Yong.

23 We will be doing a team presentation.

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1 The purpose of our presentation today is twofold. The
2 first part will be to introduce the Gabriel Dumont
3 Institute to the Royal Commission, and the second part
4 is we are here to solicit your support for a research
5 project on Métis family literacy and the development of
6 a youth education strategy.

7 We submitted a proposal to the
8 Intervenor Fund Program in Ottawa, and we will be
9 discussing the proposal as the second part of our
10 presentation.

11 With that introduction, I guess Perry
12 and Giselle have a few comments.

13 **PERRY CHABOYER, GABRIEL DUMONT**

14 **INSTITUTE RESEARCH AND DEVELOPMENT TEAM:** What I am going
15 to do is introduce a mission of the Institute. It is to
16 promote the renewal and development of the Métis culture
17 through appropriate research activities, materials,
18 development, collection and distribution of those
19 materials and the design, development, delivery of
20 specific educational and cultural programs and services.

21 Sufficient Métis people will be trained with the required
22 skills, commitment and confidence to make the Métis Society
23 of Saskatchewan's dream of self-government a reality.

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1 From that, I would like to move on to
2 the organizational chart of the Institute.

3 It starts from the Gabriel Dumont
4 Institute which is run by the management board. The
5 Executive Director is the person that follows the lead
6 of the management board. From there the assistant
7 executive director assists the director in running the
8 institute itself. And from the assistant executive
9 director we have research and development, finance and
10 administration, which looks after accounting, SUNTEP
11 native studies curriculum. SUNTEP is the Saskatchewan
12 Urban Native Teachers Education Program. And university
13 programs, which include SUNTEP of course and preparatory
14 programs through DTI, which is Dumont Technical Institute.

15 The Dumont Technical Institute is in the
16 process of negotiating with SIAST, a federation agreement,
17 to work together and work in the same building as SIAST.

18 The CTR board of directors is the
19 Community Training Residence for female offenders, and
20 Giselle will be expanding on that.

21 **Commissioner ALLAN BLAKENEY:** When you
22 refer to SIAST, you refer to the Saskatchewan Institute
23 of Applied Science and Technology?

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1 **PERRY CHABOYER:** Right.

2 **GISELLE MARCOTTE, GABRIEL DUMONT**

3 **INSTITUTE RESEARCH AND DEVELOPMENT TEAM:** The growth,
4 expansion and increasingly significant accomplishments
5 of the Gabriel Dumont Institute throughout the 1980s and
6 the early part of the 1990s have been achieved by keeping
7 the institute's guiding principles at the forefront of
8 all consultations, negotiations and decision-making with
9 government, our membership and other education institutes.

10 There are basically three principles.

11 All the training that we provide must be fully accredited
12 and recognized. It must be of the highest quality. That
13 includes in choosing its staff and in its curriculum, as
14 well as all activities undertaken by the institute will
15 be directed toward self-government, self-reliance and
16 self-determination of the Métis people.

17 The institute represents a major step
18 toward the realization of the Métis self-determination
19 in its education. We are looking forward to addressing
20 the public and teaching the public about the education
21 system that we are developing.

22 Some of the special features of the
23 Gabriel Dumont Institute include community based programs.

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1 We have programs based in Saskatoon, Prince Alberta and
2 Regina, and we bring them out to the communities as well.

3 We have them in Cumberland House, La Ronge, Beauval,
4 Archerwill. This is important for the students so that
5 they can stay close to home and their families and be able
6 to go to school. We have had large success rates with
7 this so that the students don't have to go through the
8 stress of moving into another community.

9 Most of the Gabriel Dumont Institute
10 programs offer a 16-week preparatory phase so that we can
11 bring the students up to a formal education level so that
12 they can succeed in nursing and biology at the university
13 level, and things like that. We offer Métis studies
14 courses. The curriculum is developed in our curriculum
15 department. We offer counselling services to the students
16 so that they are able to have the support that they need
17 in learning how to study, perhaps, or in financial areas,
18 family issues. As well, we offer when possible a practicum
19 phase so that the students can come out of their education
20 with actual experience, so that they can go to the employer
21 and say: "I have experience; it is not purely academic."

22 In 1992 the Gabriel Dumont Institute's
23 membership passed a mandate entitled "Toward Self

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1 Government A Mandate for the 1990s". I would like to
2 highlight some of the parts of that mandate.

3 The Gabriel Dumont Institute will be
4 taking a lead role in self-government and nation building
5 in terms of educating for it. We will be developing Métis
6 self-government community education programs in the
7 planning for self-government and implementation of
8 self-government. We are in the process of consulting with
9 the Métis Society of Saskatchewan for the development of
10 a Métis Education Act. This is very important to the Métis
11 nation. If we are going to be having education institutes,
12 they must be governed by legislation.

13 The Dumont Technical Institute, as Perry
14 mentioned, is federated with the Saskatchewan Institute
15 of Applied Science and Technology. We are negotiating
16 to obtain further technical training programs so that we
17 can offer them to the students. One of the reasons is
18 that over 70 per cent of Métis youth have not obtained
19 post-secondary training. These are students 15 years and
20 over. We are facing the same problems as status Indian
21 and treaty Indian students are in the education system.

22 We are looking to establish a K-12 task
23 force for two reasons. We want to evaluate why the schools

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1 are failing Métis students as well as to determine if there
2 is community support for such a system.

3 We are looking to establish regional
4 colleges in both northern and southern Saskatchewan --
5 and this will be part of the Dumont Technical Institute
6 -- in order to offer technical and university training
7 and education.

8 We are in the process of federating with
9 the Universities of Regina and Saskatchewan to offer
10 successful university education. We have established a
11 very successful model through the Saskatchewan Urban
12 Native Teacher Education Program, and we are looking
13 forward to using that model in other programs.

14 We will be establishing a new funding
15 system, in part with non-status and Indian and Métis
16 bursary program. Many of the students are coming out of
17 university and colleges with \$35,000 loans and they have
18 to begin paying it right away, regardless of whether they
19 are employed or not.

20 These guiding principles, special
21 features and the mandate have been established to
22 successfully teach, train, graduate and employ Métis
23 students. The overall success rate of some of the

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1 2,000-plus students who have passed through the Gabriel
2 Dumont Institute is 70 per cent. That is 60 per cent higher
3 than the provincial success rate of Métis students in the
4 K-12 system. We think that our substantially higher
5 success rate is due to the institute's adherence to these
6 principles and special features. It is also due to our
7 vision of the future as the institute educates toward
8 self-government.

9 The Gabriel Dumont Institute is at the
10 forefront in Métis education. We have the support and
11 respect of other nations in Canada for our culturally and
12 socially appropriate structure of education. We look
13 forward to further support from governments. In
14 particular we hope that you will support our Métis family
15 literacy and youth education strategy which we have
16 submitted to the Intervenor Program.

17 I would like to pass it on to Kuanen now
18 to present that proposal to you.

19 **KUANEN YONG, SENIOR RESEARCH OFFICER,**
20 **GABRIEL DUMONT INSTITUTE RESEARCH AND DEVELOPMENT TEAM:**

21 Thank you very much for giving us this opportunity. I
22 am Dr. Kuanen Yong, Senior Research Officer of the Gabriel
23 Dumont Institute.

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1 What I want to share with you is the
2 proposal for the research project. It is entitled "Métis
3 Family Literacy and Youth Education Strategy". My
4 presentation will be concentrated on provision of some
5 general background knowledge about the project.

6 The first thing I would like to share
7 with you is some statistics.

8 In this year the institute has conducted
9 extensive research in the areas of external environment
10 and internal environment analysis for the five-year
11 strategic plan for the institute. From the research we
12 conducted on the external environment analysis, we
13 compiled enough statistics on education levels of Métis
14 population in this province. From this table you can see
15 that on the first panel are present statistics for Métis
16 people in the province of Saskatchewan. The second panel
17 is the total Aboriginal population in this province. The
18 third one represents the total population of the province.

19 We can see that for people who only have
20 less than grade 9 education, for Métis people the
21 percentage is as high as 32 per cent. For the total
22 Aboriginal population in this province it is as high as
23 over 37 per cent. And for the total population of the

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1 province, it is only 19 per cent.

2 For people with education of grades 9
3 to 13, for Métis population there is 39.5 per cent; for
4 the total Aboriginal population there is close to 37 per
5 cent; and for the total population of the province it is
6 41 per cent.

7 If we combine this group we can see that
8 more than 70 per cent of Métis people and total Aboriginal
9 people in this province do not have any post-secondary
10 education. If we think about people who receive
11 university education, for Métis people there is only 7.5
12 per cent; for the total Aboriginal population it is 9 per
13 cent. But for the total population of the province it is
14 17.9 per cent.

15 From those statistics it is immediately
16 clear that Aboriginal people, including Métis people in
17 this province, are under-educated. We show that most of
18 the people have less than grade 9 education.

19 I also would like to introduce some past
20 efforts of the Gabriel Dumont Institute in pursuit of Métis
21 literacy and education. In 1989 the institute launched
22 a major research project with full financial support from
23 the Secretary of State of Canada. This project aims to

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1 develop recommendations for actions in the areas of policy,
2 program and strategies to meet the literacy needs of the
3 Métis and non-status Indian people in Canada. The project
4 was completed in the spring of 1992. The final report
5 was submitted to the Secretary of State at that time.
6 Through extensive nationwide investigation strategies and
7 recommendations have been identified from the point of
8 view of people in charge of development, of literacy
9 programs and policy-making.

10 The second step is our proposal that
11 right now we are proposing.

12 For the next part of my presentation I
13 want to say something about the significance of the
14 project.

15 The major significance of the project
16 is well reflected in a document given out by Saskatchewan
17 Education. It says:

18 "One important way is through family literacy programs
19 -- programs in which children and
20 their parent(s) or caregiver(s)
21 improve their literacy skills
22 together. These programs have
23 benefits for both adults and

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1 children and are one way of
2 breaking the intergenerational
3 cycle of low literacy that
4 sometimes occurs in families."

5 From the previous research we did and
6 from extensive literacy review we have conducted we notice
7 that a lot of people in research committees have conducted
8 significant research in the area of family literacy or
9 in the area of youth education strategy, including school
10 drop-out problems. But we notice that rarely people think
11 about the relationship between these two. There must be
12 some kind of close relationship between family literacy
13 and high drop-out problems among Métis communities. I
14 think it is also significant among all Aboriginal
15 communities.

16 So this project is aimed to first reveal
17 detailed information from grassroots Métis and develop
18 literacy and youth education strategy for Métis people.

19 The second purpose is to develop literacy and youth
20 education strategy which will be able to bring about
21 significant changes in the course of promoting Métis
22 literacy and youth education from province to province.

23

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1 I think if we conduct such a research
2 project in this province the results will represent the
3 situation not only in this province but also will have
4 quite significant representation all over the western and
5 prairie provinces.

6 The third purpose is to develop Métis
7 youth literacy and youth education strategy which will
8 be able to address social problems in Métis families and
9 communities.

10 And finally I want to review the purposes
11 of the project. Generally speaking this project has two
12 common goals.

13 The first goal is to investigate the
14 education conditions and literacy needs of Métis people
15 and families in this province. There are three objectives
16 to be completed. The first one is to investigate Métis
17 people's literacy levels, educational attainments, past
18 and current learning barriers in literacy. The second
19 is to investigate the education conditions of Métis youth
20 and the impacts of school drop-out and education on
21 employment. The third is to investigate the needs and
22 wants of Métis people in literacy and the ways of enhancing
23 their literacy skills.

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1 The second goal is to analyze the results
2 of the investigation and to develop a youth education
3 strategy. The following objectives should be completed.
4

5 The first is to study the relationship
6 between family literacy and youth drop-out problems. The
7 second is to study the major factors of Métis youth drop-out
8 problems. The third is to define the standards,
9 requirements and subject areas of literacy programs for
10 Métis people based on the investigation. The fourth one
11 is to develop major strategies of youth education,
12 including the following areas: (1) areas of curriculum
13 which should be improved or developed; (2) types of
14 resources which could be made available to this youth
15 education strategy; and (3) sorts of organizational
16 measures like parental committees, school division
17 committees, and students and teachers co-operation groups,
18 et cetera. And the last objective is to develop a linkage
19 into the GDI's education network.

20 Now I would like to conclude my
21 presentation by introducing the Director of Research.
22 He will give you the summation of the project.

23 **JOHN DORION:** I guess the most important

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1 reason for our submission is that we have a young Métis
2 population in Saskatchewan and the existing school systems
3 are not meeting the needs of Métis people in Saskatchewan.

4 That goes for the K-12 system, the technical school and
5 also the universities. We are really under-represented
6 in these training institutions. Because our traditional
7 economies, our traditional ways of making a living are
8 being phased out and are dying out, we have to educate
9 our young people in order for them to survive in this world.

10 I think education is the key. We have to provide them
11 with skills so they can compete for good-paying jobs when
12 they leave our communities or if they want to work in our
13 communities. We want to train them to be teachers,
14 lawyers, doctors, et cetera, because these are the people
15 we are going to need when we start exercising our rights
16 to self-government, and also we will be needing them for
17 the implementation of self-government.

18 We strongly believe GDI has the
19 expertise and also the experience in doing this type of
20 research. But if we are going to tackle our youth
21 education problems, we really believe we have to have a
22 well thought out plan. This is what we are proposing to
23 the Royal Commission. We want to get out into the

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1 communities, find out what the problems are and try and
2 get some solutions from the people and develop a
3 comprehensive Métis youth education strategy for the
4 province of Saskatchewan. If we come up with a good
5 working strategy we can also share this information with
6 other provinces which have a high population of Métis
7 people.

8 I think the most important thing is that
9 the Gabriel Dumont Institute is working on a federation
10 agreement with the University of Regina and also we are
11 in the process of negotiating a federation agreement with
12 the technical institute. Also, we are looking at a K-12
13 system and we have proposed to the Minister of Education
14 to establish a Métis education task force in Saskatchewan
15 to evaluate the K-12 system -- why is it failing Métis
16 student -- and also to determine the support for
17 establishing a K-12 system for the Métis people in
18 Saskatchewan.

19 So we are tackling the education on all
20 fronts: K-12, university and technical schools. If we
21 can convince the youth to finish high school and come up
22 with education strategies that will keep them in school,
23 I think we will be in a position to career path these

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1 students once they finish high school or if they finish
2 preparatory training, if they have the education levels
3 to go to technical school training and also university
4 training.

5 With that, if you have any questions we
6 will try and answer them.

7 **Co-Chairman GEORGES ERASMUS:** Thank you
8 for a very fine presentation. We certainly will have some
9 questions.

10 I will start with Allan Blakeney.

11 **Commissioner ALLAN BLAKENEY:** I echo
12 Chair Georges' comment on the good presentation. I have
13 a couple of questions, first with respect to your
14 affiliation arrangements that you are negotiating with
15 the University of Regina and SIAST.

16 I am right, am I, in thinking that your
17 current management board contains people at least from
18 the University of Regina and perhaps from SIAST?

19 **JOHN DORION:** Yes. We have 27 Board of
20 Governors so we have university representation, the
21 Saskatchewan government, the Aboriginal women, the Métis
22 women, and the rest of the board members come from 12
23 different Métis regions of Saskatchewan.

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1 **Commissioner ALLAN BLAKENEY:** Can you
2 give me some rough numbers about the Gabriel Dumont
3 Institute. About how many students attend in the run of
4 a year, how many attend at Regina and how many are served
5 by various community-based programs?

6 **JOHN DORION:** Currently, I think we have
7 about 200. It depends on the funding. What we do as a
8 research unit is we go into the communities and we do a
9 needs assessment. We get ideas from the communities on
10 training programs and then from there it is our job to
11 develop proposals and hussle for money for training
12 programs with various governments. It depends on the
13 funding situation. Some years we really do well and some
14 years we go down in numbers.

15 **Commissioner ALLAN BLAKENEY:** I take it
16 from that that a large part of your funding is on sort
17 of a contract basis in the sense that you get funded from
18 the federal government or the provincial government, or
19 whoever else is running a training program, for the
20 delivery of training services to X number of students,
21 and that a smaller portion of your budget comes from a
22 base grant.

23 Is that accurate or not?

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1 **JOHN DORION:** We have negotiated a core
2 services contract with the provincial government this
3 year. It is a five-year core services contract. So some
4 of our salaries are paid through that core services
5 contract.

6 But in some years we have several hundred
7 students. Our programs accept anywhere from 20 to 30
8 students a program. So if we have 10, 15 programs running
9 in one year, some years we have 400 or 500 students coming
10 through the Gabriel Dumont Institute.

11 We are also the education and the
12 cultural arm of the Métis Society of Saskatchewan. The
13 Métis Society is the parent organization.

14 **Commissioner ALLAN BLAKENEY:** Have you
15 done any preliminary research of the kind you have outlined
16 here sufficient to indicate what are the barriers to
17 literacy among Métis young people? Is that sufficiently
18 clear so that you can offer any comment to us?

19 **KUANEN YONG:** Thank you very much for
20 your question. Before we developed this research project
21 we also did some other research in the areas of literacy
22 and youth education strategy. Notable are a few proposals
23 we developed for various organizations and government.

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1 For example, we proposed a pilot and research project with
2 the Secretary of State. It is still concentrated on Métis
3 literacy but it is not related to youth education.

4 Another example is we also proposed a
5 pilot project with Saskatchewan Education in the same
6 areas. We notice that youth education strategy and also
7 Métis young people drop-out problem is quite complicated.

8 A number of factors contribute to these problems. So
9 we envisage a number of factors we want to clarify in this
10 research project.

11 One of the most important factors would
12 be high family illiteracy rate. If the parents do not
13 have good education or do not have good literacy levels
14 they may not be able to teach their children to complete
15 their education, to complete their schooling. That is
16 an intergenerational cycle. It occurs in the previous
17 generation and is passed on to the next generation, and
18 passed on and passed on, just like a vicious cycle in many
19 Aboriginal communities. This is why the basic rationale
20 of the research project we are proposing is that we just
21 want to clarify the relationship between family illiteracy
22 and youth drop-out. There must be some kind of close
23 relationship between these two. We must develop some kind

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1 of strategy to address this problem.

2 **Commissioner ALLAN BLAKENEY:** Thank
3 you.

4 **Co-Chairman GEORGES ERASMUS:** Just a
5 few technical questions. I am very impressed with your
6 proposal.

7 When was it submitted to the Intervenor
8 Funding Program?

9 **JOHN DORION:** At the beginning of
10 November.

11 **Co-Chairman GEORGES ERASMUS:** Have you
12 received any kind of communication from them at all?

13 **JOHN DORION:** Yes. We just received an
14 acknowledgement, and they are seriously considering our
15 proposal.

16 **Co-Chairman GEORGES ERASMUS:** Just to
17 once again say the obvious, we set them up separately from
18 us so that they will have the final decision. We have
19 very little to do with any of the applications that have
20 gone in there. Certainly we have told them that, in
21 general and in principle, this is the kind of stuff we
22 want. In fact, we had hoped that as much of the \$8 million
23 as possible could be used for this type of research. We

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1 have our own research program and we were really hoping
2 that organizations across Canada would take up part of
3 the work of the solutions in working out proposals like
4 this. This is an excellent proposal.

5 Do you have other work that has led you
6 to this? I get the impression from the presentation that
7 you have made that you have done some preliminary work,
8 that other research projects are more or less a foundation
9 for this.

10 **KUANEN YONG:** Yes, I think there has
11 been some significant research in this area, especially
12 in the area of Métis family literacy. The most notable
13 example is the research project the Institute launched
14 in 1989 and has spent a couple of years to complete that
15 project. That project was carried out with the full
16 financial sponsorship of the Secretary of State.

17 The final report was developed in 1990.
18 It is called "Literacy for Métis and Indian People - A
19 National Strategy". This research project was conducted
20 through extensive nationwide telephone or in-person
21 interviews. The interviewees were a great number of
22 people who were in charge of development of operation of
23 literacy programs and education programs, also including

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1 a number of government officials who were in charge of
2 policy-making in the areas of education and literacy.
3 That was the first stage of the research project.

4 The final result was developed in
5 another final report called "Saskatchewan Aboriginal
6 Literacy Material Development and Pilot Program".
7 Through this program our Institute developed a
8 comprehensive literacy strategy specifically to address
9 literacy needs of Métis people in this province as well
10 as Métis people in this country. We also developed a
11 number of materials like curriculum materials to meet the
12 demands of the literacy program.

13 Before we prepared this research
14 proposal, we also conducted an extensive literature review
15 in the areas of Aboriginal education, Aboriginal literacy,
16 which includes the library of the University of
17 Saskatchewan and also the University of Regina. Of
18 course, we also checked thoroughly all libraries.

19 From our extensive literature review I
20 just mentioned, we noticed that a lot of researchers have
21 conducted significant research in literacy and in
22 education but rarely we noticed some people related these
23 two together. This is why we developed the basic rationale

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1 of this research project.

2 We hope it can come true from your
3 support.

4 **Co-Chairman GEORGES ERASMUS:** I have
5 not had a chance to read all this, but page 13, does that
6 outline how long it would take to do your work? Six months
7 to collect the data, ten weeks for the data entry and then
8 the analysis, three and a half weeks; close to a year?

9 **KUANEN YONG:** Close to one year, or even
10 probably over a one-year period. And that would be the
11 first phase. It is the first phase we would like to get
12 support from your Commission. For the second phase it
13 would be a pilot stage. We also want to develop a
14 comprehensive youth education strategy including the areas
15 of materials that should be developed. And I think we
16 want to pilot the results from the project. That could
17 be a period of one to two years. So probably we would
18 seek support from Saskatchewan Education or the Secretary
19 of State, or if we can get support from your Commission,
20 we would be very grateful.

21 **Co-Chairman GEORGES ERASMUS:** The pilot
22 stage would be one to two years.

23 **KUANEN YONG:** Would be one to two years.

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1 For education it is very difficult to see results in a
2 short period of time. Usually it takes one or even two
3 years to see the result of the piloting.

4 **Co-Chairman GEORGES ERASMUS:** That is
5 when you would be implementing an education strategy.

6 **KUANEN YONG:** Yes. That would be the
7 stage of implementation.

8 **JOHN DORION:** But we would like to have
9 the research done say within one year. When does the
10 Commission have to submit or write its final report?

11 **Co-Chairman GEORGES ERASMUS:** We are
12 hoping that the funding we provide that most of the work
13 will be in by September of next year. So it is getting
14 a little shorter than a year. I guess some projects could
15 go over that.

16 The reason we want our material by then
17 is that we are going to be working on our reports by then
18 so we want all the relevant information to be fed in.
19 Apparently it takes royal commissions about a year from
20 when they commence for that last stage on their report,
21 getting together ideas, testing it out to see if people
22 like them, redrafting, publishing, translating and all
23 the rest of it. So we are looking at the fall of 1994

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1 as to when we would be finished. That's why we would begin
2 working on it next fall.

3 Joan, do you have any questions or
4 comments?

5 **Commissioner JOAN LAVALLEE:** I would
6 like to commend the Gabriel Dumont Institute for all the
7 work they have done toward education and also for the
8 extensive work that they have done for women in prison
9 in their CTR House. I am really impressed with the work
10 that your organization has done for Métis and Aboriginal
11 people in general.

12 **JOHN DORION:** Thank you.

13 **Co-Chairman GEORGES ERASMUS:** Thank you
14 for a very good presentation.

15 Our next presenter is the Saskatchewan
16 Human Rights Commission.

17 **THERESA HOLIZKI, CHIEF COMMISSIONER,**
18 **SASKATCHEWAN HUMAN RIGHTS COMMISSION:** Some of the things
19 I am going to say today are self-evident or certainly the
20 Commission is well aware of them. But I think it is
21 important to restate them from the Saskatchewan
22 perspective and based on the type of work that the
23 Commission is actually doing.

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1 To say that racism is devastating to its
2 victims and to our society is an understatement. In my
3 opinion, and in the Commission's opinion, it is one of
4 the worst experiences a person can face, not only
5 individually but it weakens our entire social structure.

6 Many Canadians like to believe that we
7 are not a racist society, but unfortunately they are wrong.

8 If I needed any reminding about that, I will just relate
9 a few of my experiences on the Saskatchewan Canada Yes
10 Committee.

11 What astounded me was not the level of
12 debate on the issues but the level of misunderstanding,
13 perhaps, about such things as the intrusiveness and
14 controllingness of the Indian Act; the lack of
15 understanding about various cultures in our province, in
16 our country; and the out and out hatred. When one man
17 said to me "I live to hate" and then listed groups a week
18 ago, I had nothing to say to him. We continued the
19 presentation. But for us to think that racism is not alive
20 and well in our society is utter nonsense.

21 The Commission spends a great deal of
22 its resources dealing with the effects of racism and a
23 lot of our resources in trying to prevent racism. We had

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1 an excellent publication earlier this year that goes across
2 Canada. It was a co-production. We produced it and the
3 Canadian Human Rights Commission funded the process.

4 We do that often. They don't have an
5 office here so we use that as an excuse to get money from
6 them. And it has worked for a few years.

7 It is an excellent pamphlet. It is an
8 eight and a half by eleven production that has gone across
9 the country. It is into its third reprinting now since
10 March. The quality is there and the time we spend on
11 dealing with this issue certainly is considerable.

12 I won't go into the statistics. They
13 are in the presentation here, the Canadian statistics.
14 But I will talk about our work at the Commission.

15 We confront racism and discrimination
16 every day. In 1991 -- and I unfortunately have to use
17 mostly those figures -- almost 24 per cent of our complaints
18 were race-related. Of those complaints, 65 per cent came
19 to us from Aboriginal people. That is 5 per cent higher
20 than 1990, and there are a lot of reasons for that.

21 The statistics for this year, to the end
22 of September, indicate that the number of race
23 discrimination complaints continue to increase. In the

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1 first nine months of the year there were 48 race
2 discrimination complaints, again 65 per cent from
3 Aboriginal people.

4 We know, however, that our numbers are
5 just the tip of the iceberg. Not everyone reports race
6 discrimination to the Commission. And we know that the
7 number of complaints that we receive does not come close
8 to reflecting the true extent of racism in Saskatchewan.

9 I am sure you have heard about the
10 Angus-Reed polls throughout the Commission, so I won't
11 spend time talking about the number of people that are
12 intolerant.

13 There is the recent federal study on
14 immigration leading us to conclude that Canadians want
15 us to have people that are similar to us; they don't like
16 what is different. I am sure you have heard that again
17 so I will deal more specifically with Saskatchewan.

18 In 1989 a task force that was established
19 by the provincial government reported in a report called
20 "Multiculturalism in Saskatchewan". This report
21 indicated that a substantial number of people in the
22 province hold negative stereotypes about Aboriginal
23 peoples. And we know that the impact of racism against

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1 people of Indian ancestry in Saskatchewan is tragic.

2 The majority of Aboriginal people in
3 Regina -- some say as high as 80 per cent -- live below
4 the poverty line. Provincial health records tell us that
5 Aboriginal infant mortality rates are well above the
6 average. The unemployment rate for Aboriginal people,
7 based on 1986 census figures, was 26 per cent. For the
8 population as a whole in 1986 it was 8 per cent.

9 We use the census figures and the most
10 recent figures we have to deal with our affirmative action
11 programs. In January or February we will have the 1991
12 stats and those figures, of course, will be more relevant.

13 As if those numbers are not shocking
14 enough, the gap between the employed and the unemployed
15 is even greater for young people. In the 15- to
16 24-year-old group, again for 1986, 41 per cent of
17 Aboriginal young people were unemployed. In the general
18 population that number was 15 per cent.

19 And even when Aboriginal people get into
20 the workforce they make less money than non-Aboriginal
21 people. On average, salaries for Aboriginal men are about
22 60 per cent of that of what non-Aboriginal men earn.

23 I don't have to talk to Joan about

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1 Aboriginal teenage suicide rates. We know that they are
2 much higher than non-Aboriginal rates in this province.

3 And by age 25, the statistics that your Commission use,
4 the incarceration rate is of course incredibly high for
5 Aboriginal youths.

6 We could give you more pieces of
7 information but I think you have had many statistics.
8 What that information shows us is that we cannot ignore
9 the whole issue of racism. We cannot ignore something
10 that hurts and disadvantages millions of Canadians every
11 day. If allowed to continue it is going to have serious
12 consequences -- well, it has serious consequences but it
13 will have more significant consequences for all of us.

14 There are two kinds of racism. We know
15 about the overt kind where there is graffiti on the walls
16 and where people make remarks and we deal with that every
17 day on an individual complaint basis. But the Commission
18 is attempting to deal with systemic discrimination. That
19 is something I will get into in a bit. I think that will
20 have more long-term effects. There are various programs
21 that we have.

22 Individual complaints are as varied as
23 Aboriginal people accosted for buying rubbing alcohol,

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1 being prohibited to buy that product because some
2 storekeeper thinks someone is going to drink that. A
3 businessman in Saskatoon is refused to rent office space
4 because he is going to assist Aboriginal people to gain
5 employment. That is his business. We can't even begin
6 to list the number of cases where derogatory complaints
7 and statements are made to Aboriginal people in the
8 workplace, when they are looking for work or housing, or
9 attempting to obtain a public service.

10 Recently we settled a case where an
11 Aboriginal youth was just lied to. He was told that a
12 job was filled and he turned around and saw a non-Aboriginal
13 person going into that same little kiosk and given a hat
14 and was hired not five minutes later.

15 We have seen a husband and a wife and
16 three children refused accommodation because an apartment
17 block owner does not want to rent to Indians because it
18 might drive others away.

19 We have had horrible cases where people
20 have been assaulted while they are attempting to obtain
21 a service that you and I take for granted. A store manager
22 pulls down a young woman's jeans to see if she is
23 shoplifting.

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1 That is blatant and direct racism that
2 Aboriginal people in this province every day. And we deal
3 with those complaints on an individual basis.

4 Unfortunately, that takes a lot of time, as you are aware.

5 It takes us anywhere from 44 to 51 weeks to deal with
6 a complaint. That is the result of our structure and our
7 funding nature.

8 The area where the Commission feels we
9 can make long-term changes is in the area of systemic
10 discrimination. And that is discrimination that is built
11 right into various systems, organizations, institutions
12 in our society. This kind of racism is very difficult
13 to get rid of because it is built right into those
14 institutions that we participate in. It is built into
15 the normal way we do things. Often this kind of racism
16 is unintentional because it is built right into the
17 structure, and it is some times extremely difficult to
18 identify. But the impact, I think we can agree, of
19 systemic discrimination on Aboriginal peoples is
20 overwhelming.

21 You just heard John Dorion's team talk
22 about the impact of the lack of education on Métis people.

23 The Commission in 1986 held public hearings into the

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1 problems of the failure of our education system, our public
2 education system, K-12 as it relates to Aboriginal people.

3

4 We have information that some studies
5 indicate that 90 per cent of Aboriginal people in
6 Saskatchewan do not complete grade 12. We can argue about
7 that figure, whether it is 80 per cent, 82 per cent.
8 Regardless, it is far too high.

9 The Commission concluded that
10 Aboriginal children were not benefiting from the education
11 system in the same way that non-Aboriginal children do.

12 And we believe that the problem is with the education
13 system itself. It is not that there is intentional
14 discrimination. Far from it. Students are not turned
15 away or treated differently because of their race. But
16 of course there can be discrimination when there is no
17 intent to discriminate.

18 We believe that the school system
19 itself, because of its social, economic and historical
20 factors, has been structured in a way that does
21 discriminate against Aboriginal students. This failure
22 of our system accounts in a large part for today's
23 distressingly high drop-out rates for our Aboriginal

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1 children. And again, you heard earlier that without
2 education these young people cannot make their best
3 contribution to society. Or still, we know that there
4 is a direct correlation between high school drop-out rates
5 and entrance into the criminal justice system.

6 What the Commission did after holding
7 these hearings was establish an education equity plan.
8 It is special affirmative action plan that has five
9 components to it. All school divisions that had a
10 component of 5 per cent Aboriginal children had to
11 participate in this program. Eighteen school divisions
12 are now participating. We are missing five. Three of
13 those school divisions are working on plans; the other
14 two have no intention of working on plans. They are
15 ignoring the problem. So we have almost 75,000 students
16 involved in this education equity program.

17 I think that this attack on systemic
18 discrimination in all school systems will go a long way
19 to sensitising everyone about the issuing of racism and
20 the impact of discrimination, whether intentional or not,
21 on people; not just Aboriginal people but on people in
22 general. It is a good program.

23 The goal of education equity is to

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1 provide a supportive learning environment for Aboriginal
2 children. There are five components to an education
3 equity plan.

4 The first is to recruit more Aboriginal
5 teachers in all of our schools.

6 The second is to involve Aboriginal
7 parents in the education of their children. And that means
8 a lot of things. That means making schools more friendly.
9 That means teachers being available to parents on a very
10 flexible basis. That means encouraging parents to
11 participate in all aspects of school life, including school
12 boards, division boards, that kind of thing. The
13 Commission did not go so far as to order participation
14 on school division boards, although it is our opinion that
15 we have that authority.

16 The third component of an education
17 equity plan is to put more Aboriginal content into the
18 curriculum. The Department of Education has had task
19 force and has had some curriculum. The Commission has
20 gone further. We have prepared and had sent out to all
21 school divisions, all schools in the province, lesson plans
22 that deal with Aboriginal history and deal with the
23 problems of discrimination.

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1 Let me just give you one example of one
2 lesson plan. We have a grade 3 or 4 class sitting in school
3 and there is a knock on the door. The teacher is in an
4 ordinary lesson and there is a knock on the door, and it
5 is a grade 8 student that comes in, just walks in, doesn't
6 talk to anybody, and starts measuring the room. Of course
7 there is a buzz and the teacher doesn't say anything to
8 the students. Nothing is going on. The grade 8 student
9 leaves. A few minutes later that student comes in and
10 in just gibberish --what the student says is in another
11 language -- offers two alternatives to the grade 4
12 students. The grade 4 students can't read so they don't
13 do anything. They can't read this. The teacher doesn't
14 know what to say to the students. The grade 8 students
15 come in and move the grade 4 students out of their desks
16 to a very small area in the back of the room. The students
17 are confused. And they do everything right. They problem
18 solve very well, as intelligent kids will. They go and
19 talk to the grade 8 students and tell them to go away.
20 There is no dialogue. It is a very authoritative way of
21 dealing with people. And of course there is a lot of
22 frustration. Some of the students want to fight; other
23 students who have parents for lawyers want to have a law

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1 suit against the grade 8 students. What the children have
2 learned is that they do not have their classroom any more.
3 The grade 8 students have taken over their classroom.
4 The grade 8 comes back and explains to them in not a very
5 clear way that they can either have some money for their
6 room or they can have some more room. Unfortunately, that
7 room is a broom closet. And the lesson goes on. And you
8 can see what the lesson plan tries to do. Then we talk
9 about perhaps the northwest rebellion or revolution
10 depending on the point of view in that class.

11 But lesson plans like that have gone all
12 out, and they go a long way to educating kids. It is
13 surprising. The goal of the lesson is for the students
14 or the class to write a letter. And I have seen some of
15 the letters that actually have been written and some of
16 them go to the newspaper to talk about discrimination and
17 unfairness. There are other lesson plans about
18 discrimination based on age and things like that that the
19 Commission has sent out.

20 But the goal is to make the content more
21 relevant to everyone so that we all learn and certainly
22 so that Aboriginal kids learn too. That is one example.
23 There are many examples.

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1 The fourth component of education equity
2 is providing cross-cultural training for all school staff
3 and for school administrators. That, to me, is a crucial
4 part of education equity. Many school divisions have gone
5 a long way to providing excellent cross-cultural training
6 for their teachers. Unfortunately, all school divisions
7 have not done that and it is something that the Commission
8 is seriously considering mandating. It is at the point
9 where some school divisions are going to have to be ordered
10 to do that in the near future.

11 The final component to education equity
12 is a review of all school policies to make sure that while
13 they may appear neutral they do not intend to discriminate;
14 again to remove systemic discrimination. For example,
15 late passes: when we know that certain people who have
16 to drive in perhaps from out of town are going to be late
17 on a continual basis, for many reasons, that the children
18 are not punished because of that. School lunch programs
19 -- so that they don't discriminate. And something as
20 simple as requiring a cap and gown, that the school does
21 not charge rental so that everyone can attend public school
22 and whatever graduation ceremonies there are. Simple
23 things like that that change participation rates, that

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1 allow everyone to have a chance to participate. All school
2 policies are reviewed.

3 Many school divisions have taken this
4 to heart and have gone right to Aboriginal organizations
5 to improve their policies. Some have not. That kind of
6 affirmative action program fights against systemic
7 discrimination. We know that changing the system is a
8 slow process. Our position is that that process has to
9 start now. We have to do something.

10 Systemic discrimination is not
11 exclusive to the education system. We believe it is also
12 inherent in the justice system. And again the statistics
13 are certainly well known to the Commission. We know that
14 our European style justice system has not served Aboriginal
15 people well. The adversarial justice system is not
16 developed for Aboriginal people and their cultures. It
17 is foreign. It is hostile. It is blind to Aboriginal
18 cultures, traditions and lifestyles. For many, often it
19 is a system that delivers injustice, not justice.

20 It is essential that the justice system
21 be non-racist, non-discriminatory, and culturally
22 relevant.

23 Let's start with racism. The most

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1 glaring reason the current justice system has failed the
2 Aboriginal community is racial discrimination, in my
3 opinion. We know that inadequate translation services,
4 infrequent court sittings in Aboriginal communities,
5 non-Aboriginal juries, compulsory bail for low-income
6 people, and imprisonment for not paying fines are all
7 telling examples of how systemic discrimination puts
8 Aboriginal people at a disadvantage.

9 These, along with countless other
10 systemic inequalities, are part of the reason why there
11 is an over-representation of Aboriginal people in the
12 courts and in the jails. Our incarceration rate this year
13 for Aboriginal people was as high as 68 per cent. Even
14 more disturbing, Aboriginal youth represented
15 three-quarters of all custody admissions.

16 How do we eliminate systemic racism?
17 The answer is that we begin with systemic change. In our
18 opinion, three ways to start that process are
19 cross-cultural training, affirmative action and strong
20 and effective anti-racism policies with teeth to them.

21 As you know, racism is founded on
22 misinformation and fear of difference. Some times this
23 lack of understanding is called cultural blindness -- our

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1 inability to accurately see, hear and interpret what people
2 of other cultures say and do.

3 I can give you many examples. For
4 example, lack of eye contact means insecurity or shiftiness
5 to many of us. Many Aboriginal people think that direct
6 eye contact is disrespectful, and so on. Thousands of
7 simple gestures and ways of behaving just like these are
8 constantly misunderstood and misinterpreted among
9 culturally diverse people. Unfortunately, this kind of
10 cultural blindness has had a destructive effect on the
11 way Aboriginal people are treated by the Canadian justice
12 system where administrators fail to understand behaviour
13 that is not like their own. After all, if administrators
14 don't see or hear what Aboriginal victims, witnesses and
15 accused are saying, how can they possibly make fair arrest,
16 trial and sentencing decisions? And when I say
17 administrators, I am talking from the police to the court
18 workers, prosecutors, judges and corrections people.

19 Cross-cultural training is a proven way
20 to eliminate fear of difference and lack of knowledge.
21 It increases people's racial and cultural sensitivity and
22 teaches us to accept the differences among us. When we
23 explore and learn about other cultures, about negative

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1 stereotypes, prejudice and discrimination, about what
2 makes culture, heritage and race different, we will be
3 able to co-operate and communicate more effectively with
4 culturally diverse individuals and communities. In the
5 process we learn too that different isn't better, it isn't
6 worse; it is merely different.

7 If we want to bring about systemic
8 change, a comprehensive proactive cross-cultural training
9 program must be implemented at all stages of our criminal
10 justice system, from entry level staff to senior service
11 providers. Only then will clerks, police officers,
12 correction workers and prosecutors and judges be truly
13 capable of providing justice services to Aboriginal
14 communities in a culturally relevant way, assuming the
15 system as it is, as leaders and role models in the justice
16 system must genuinely embrace the concept of
17 cross-cultural training and convey their commitment to
18 others throughout the system.

19 It is a long-term commitment.
20 Cross-cultural training cannot be taught or learned
21 overnight. It is not an isolated event or a one-day
22 workshop. It is a life-long learning process.
23 Cross-cultural training should be delivered by experts,

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1 by specifically or especially qualified Aboriginal people
2 rather than staff currently inside the justice system.

3 Another way the justice system has
4 failed Aboriginal people is in the absence of role models,
5 again assuming the current system. Clearly, if the system
6 expects to be fair and responsive to all Canadians, then
7 those who deliver the services must reflect our culturally
8 diverse population. Unfortunately, that is not the case.

9 That is where affirmative action programs can be
10 important. They can break down discriminatory barriers
11 that have made it so very difficult for Aboriginal people
12 to pursue careers in the criminal justice system.

13 Affirmative action does two things.
14 First, if there is unequal opportunity, like
15 under-representation of Aboriginal people in the
16 workplace, employers will change the way they do things
17 to eliminate discriminatory practices. New recruitment
18 and hiring promotion practices can take place. Those are
19 called remedial measures.

20 Second, employers give extra help to
21 members of under-represented groups who have traditionally
22 been discriminated against in the past. These support
23 measures can include on-the-job training and pre-entry

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1 upgrading for Aboriginal people, for example.

2 Although affirmative action strategies
3 can take time to produce results, some are beginning to
4 improve opportunities for those who have been
5 discriminated against in the past.

6 In Saskatchewan the one program that has
7 worked is in the Royal Canadian Mounted Police. We have
8 done away with the Special Constable program in the past
9 year because there are 70 Aboriginal people qualified on
10 waiting lists to get into the program. Whether or not
11 the police is the best example of a successful affirmative
12 action program, we could argue about that. The fact
13 remains that affirmative action works, and this is one
14 example of where there is commitment, it can work.
15 Unfortunately, I question that example.

16 What made that program work was that
17 there was a strong commitment from senior management to
18 make sure it works. It is a concerted long-term effort
19 and commitment to have Aboriginal people in the Royal
20 Canadian Mounted Police.

21 The Commission recommends mandatory
22 implementation of affirmative action throughout the
23 criminal justice system. Previous voluntary initiatives

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1 have not been successful as we need them to be.

2 We made this same presentation to the
3 Saskatchewan Aboriginal Justice Review Committees.

4 As in cross-cultural training, a
5 comprehensive, top-to-bottom affirmative action plan is
6 required throughout the justice system. Clearly, if the
7 system expects to be fair and responsive to all Canadians,
8 then those who make up the system must be representative
9 of the communities they serve, again assuming the current
10 justice system.

11 Another effective tool we can use to
12 eliminate racism is to speed up our pursuit of systemic
13 change in a comprehensive anti-racism policy.

14 Consider the recent impetus by
15 Saskatchewan Education working together with the Human
16 Rights Commission, the Saskatchewan School Trustees
17 Association and the Saskatchewan Teachers' Federation.
18 We have developed, together, an anti-racism kit that
19 teaches teachers and school administrators about racism
20 and provides a framework for eliminating it from the
21 classroom. It is more than that. It provides a complaint
22 mechanism, what you do if you experience racism
23 student-to-student, teacher-to-student,

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1 student-to-teacher, et cetera. It provides a method, a
2 way of dealing with the issue so that there can be no
3 confusion. Who do you contact? How are parents
4 contacted? How do we deal with this problem? And there
5 are consequences to people's behaviour.

6 The same sort of policy needs to be done
7 in the justice system. But racism education and specific
8 anti-racism policies operating at all levels of the justice
9 system will go a long way to eliminating racial incidents.

10 A functional policy would include input
11 from the community, related interest groups, and justice
12 system administrators and employees. It would state
13 exactly why racism is intolerable, describe who is
14 responsible for administering the policy, and provide
15 clearly defined step-by-step procedures for investigating
16 and remedying racist activities.

17 And again in the policy there is a
18 statement that this type of behaviour is not tolerated,
19 and there are consequences to that type of behaviour.
20 I think that is important.

21 Just like affirmative action and
22 cross-cultural training, there must be top-down commitment
23 to the policy and to making sure it is going to work.

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1 It is clear that racism and
2 discrimination have limited the lives of Aboriginal people
3 in Saskatchewan. In employment situations, in the
4 education system, the number of Aboriginal people living
5 in poverty, and the vast numbers of Aboriginal youth who
6 are over-represented in the criminal justice system.

7 These inequities and the problems they
8 generate are not going to go away by themselves. All of
9 us have to make a concerted effort to turn things around.

10

11 We have to change our school system.
12 We have to look at the demographics of this province and
13 realize that there is a real urgency to dealing with this
14 issue now. Whether that is in the current system or in
15 Band schools, the realization of the necessity to address
16 this problem is now. I would suggest, with respect, that
17 that is a role that this Commission can play, a significant
18 role.

19 By the year 2011 it is estimated that
20 approximately one-third of the school population will be
21 of Aboriginal ancestry. Again, we can deal with that
22 number; it is an estimate. Although the number of
23 school-aged children in the general population will

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1 decline in the years ahead, the number of children of
2 Aboriginal ancestry will almost double.

3 Anti-racism policies, affirmative
4 action, and cross-cultural training are sound strategies
5 for combatting racism and discrimination in the school
6 system.

7 The kinds of strategies that are working
8 for Education Equity are also fundamental to change in
9 the criminal justice system. These changes must not be
10 made without extensive communication and collaboration
11 among all the parties involved. And you know the players
12 as well as we.

13 We must listen to Aboriginal leaders and
14 communities, to their concerns and their suggestions.
15 We have to use that information to design concrete
16 strategies for improving the current system at every level.

17 We must put emphasis on programs that
18 improve educational opportunities for Aboriginal youth
19 people that lead to jobs on rural and urban police forces.

20 And on urban forces in particular, affirmative action
21 programs will be required to ensure Aboriginal
22 representation. Currently, only the Regina city police
23 force has an affirmative action program. The Prince

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1 Albert police force is working on a plan and we hope to
2 have that if not late this year, early next.

3 The same kinds of measures must be
4 introduced throughout the corrections field. There has
5 to be greater emphasis on culturally-specific counselling
6 programs.

7 Native court workers and additional
8 funding for Legal Aid services are also required. It is
9 important to examine models where elders assist in
10 sentencing and rehabilitation process. I don't know if
11 you have been to La Ronge yet and seen the sentencing
12 circles, but I hope you have an opportunity to see that
13 process working, because it does work. We must seriously
14 consider the use of Aboriginal court systems for certain
15 offences, without doubt, in our opinion.

16 Whatever final solutions are proposed,
17 they must be flexible, relevant and useful to each
18 community. It should be clear by now that we cannot
19 sweepingly apply our own beliefs and systems to others.
20 We must remember that there are at least five culturally
21 distinct Aboriginal communities, along with many Métis
22 communities in Saskatchewan. So what works for one
23 community may not work for another.

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1 There is much that can and must be done
2 to redress the inequities that Aboriginal people face.
3 This Commission has the opportunity to assist in this
4 absolutely necessary process of change in a significant
5 way. We look forward to your recommendations and to
6 working with the recommendations in whatever ways we can.

7 I would finally like to say that in the
8 education system the Commission has approved an
9 affirmative action plan for SIAST, and along with that
10 we are reviewing that plan right now. We just finished
11 monitoring hearings. And along with that education equity
12 plan we will be ordering an employment equity component
13 with that. We have worked with Aboriginal organizations
14 to attempt to improve SIAST's program delivery, its
15 relevance, the issue of discrimination and prejudice in
16 SIAST. We are working together and this is a process.

17 The second thing I would like to say is
18 that the Commission has ordered its first affirmative
19 action program in the province, and that is at the
20 University of Saskatchewan. That is creating some
21 controversy because the recommendations are sweeping, the
22 conditions are sweeping, and deal with racism and cultural
23 inequities head on.

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1 One other thing that the Commission has
2 ordered in that plan is the university to prepare a
3 comprehensive education equity plan, not just a piecemeal
4 approach. For example, the Native Law Centre, effective
5 though that program may be it is just one part of the
6 university. There is now an Aboriginal nursing program.
7 There is talk of an Aboriginal medicine program. We have
8 ITEP, the Indian Teachers Education Program, in the College
9 of Education.

10 What the Commission is proposing is that
11 the university co-ordinate specifically culturally
12 representative programs on a university-wide basis. If
13 there is not equal representation or significant
14 representation in a college, why not? And what can we do
15 to improve it? That is the goal of that recommendation.

16 But it is creating some controversy.
17 We don't make those recommendations or conditions in a
18 vacuum. We consult with many people and hear from many
19 people. So even though we seem to be working together
20 toward the same goal, many organizations are co-operating
21 and bit by bit, piece by piece, we are making a more
22 comprehensive attack on these issues.

23 The recommendations that this

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1 Commission makes will be very useful to organizations like
2 ours. We will be able to take your statistics because
3 they will be Canada-wide. We will be able to use your
4 examples in a convincing manner, the way we use our
5 examples. You cannot argue with these statistics and you
6 cannot argue with these examples. So it will help us to
7 do our work more effectively.

8 We look forward to your tough
9 recommendations.

10 **Co-Chairman GEORGES ERASMUS:** Thank you
11 for a well-prepared presentation. Would you mind if we
12 ask you a few questions?

13 **THERESA HOLIZKI:** No.

14 **Co-Chairman GEORGES ERASMUS:** Allan,
15 would you like to start?

16 **Commissioner ALLAN BLAKENEY:** You have
17 obviously given a great deal of thought to many of these
18 issues. If you were in our position and called upon to
19 make some recommendations, could you give me one or two
20 of the recommendations that you would make.

21 **THERESA HOLIZKI:** Because I am a lawyer,
22 my training maybe puts me in that direction. I think that
23 the criminal justice system has to be overhauled and I

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1 would hope that this Commission would say without a word
2 of a doubt that there have to be significant changes; that
3 we have to be prepared to share our power; that we have
4 to be prepared to allow everyone in our country to
5 participate.

6 In my opinion, we will not see
7 significant change in the numbers of Aboriginal people
8 in our jails unless we change the system. I believe in
9 all the things I said in our presentation. Those will
10 go a long way to dealing with the system as it is. But
11 if we don't have Aboriginal participation dealing with
12 Aboriginal people in a way that is culturally relevant,
13 any punishment, any deterrent effect that our system has
14 is irrelevant to Aboriginal people, in my opinion. I just
15 don't see the point of putting people in jail. I don't
16 see the point of not having people feel responsibility
17 for what they have done.

18 If removing Aboriginal people from a
19 community and incarcerating them does not work -- and we
20 know it does not work -- I would hope this Commission would
21 make a recommendation that would have Aboriginal people
22 dealing with offences, dealing with sentencing, and again
23 all of those issues that I dealt with -- the cross-cultural

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1 training, anti-racism policies. But they have to have
2 teeth to them. If people are not going to be fired, are
3 not going to be disciplined for doing this, there is no
4 sense in having an anti-racism policy. You don't fire
5 someone for saying something that perhaps they don't know
6 about. You have a discipline process, an education
7 process if you will. But if that does not work, there
8 have to be consequences.

9 So I would start by looking at the
10 justice system and making significant changes to that so
11 that there is relevant participation by Aboriginal people
12 in all aspects of the justice system. And I mean as far
13 as judging issues.

14 The second thing is education. Do you
15 want to ask questions about that or do you want me to go
16 on to my second point?

17 **Commissioner ALLAN BLAKENEY:** I think
18 we take your point on the justice system. Next month in
19 Ottawa we will be bringing together a group of people,
20 judges and others, who will be wrestling with this. The
21 initial question which would be posed is: Given that we
22 must change the justice system, are we talking primarily
23 about restructuring the present justice system or are we

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1 talking primarily about setting up a separate Aboriginal
2 justice system?

3 We have been down in the United States
4 and looked at some of the Navajo systems and others where
5 they have separate justice systems, separate civil justice
6 systems covering a wide range of activity and separate
7 criminal justice systems covering a more limited range
8 of activity. We certainly take your point on this although
9 we have noted that a fair number of the inquiries -- the
10 Cossie Inquiry in Alberta and the Aboriginal Justice
11 Inquiry in Manitoba and the Donald Marshall Inquiry in
12 Nova Scotia, and to a lesser extent our own inquiries here
13 in Saskatchewan -- have sort of called for a change but
14 have not modelled a change. They have not said "do that".

15 And this is where we see ourselves, with
16 your last comment saying "yes, we need something
17 significantly different for Aboriginal people". But that
18 does not get us far. And then your next comment was "but
19 it's got to be different for different communities". That
20 makes model building tough. We are at this stage and any
21 help you can give us will be more than welcome.

22 **THERESA HOLIZKI:** The first thing is we
23 have to be able to share the power. Until we are going

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1 to make that leap, there is not going to be change.

2 I truly believe that we cannot design
3 a system in northern Saskatchewan that will be relevant
4 to the Mohawk nation in Ontario and Quebec. I believe
5 that. And you are right. You have a tough job. We can
6 solve problems together. We always have and we will.

7 I believe that we have to change the
8 current system significantly. I believe that we have to
9 have Aboriginal people investigating and judging the
10 entire process for certain things. I would not go so far
11 as to say that we have to have a new Criminal Code because
12 I think we are all Canadians and we have certain laws that
13 we have to live by. I think that the serious offences
14 in the Criminal Code must stay. I just don't see how it
15 is relevant, however, to have a system that is foreign
16 to a community judge, for example, someone who breaks and
17 enters in that community. I think there are so many
18 criminal offences that can be dealt with at the community
19 level in that participation model, if I can use that word,
20 where Aboriginal communities themselves try -- and those
21 are only my words -- try and judge the perpetrator, the
22 alleged malfeaser.

23 That is how I would deal with that

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1 system.

2 Regarding civil matters, we have to be
3 culturally relevant. It is time for change. We have to
4 be prepared to share that power.

5 Your inquiries, laudable though they may
6 be, with respect, until we make that leap, won't be
7 effective. And that's what we are finding. That's why
8 -- well, I won't get into the debate of last week.

9 We have to be prepared to say there are
10 different ways of getting the same result, which is to
11 increase participation in our society. I don't know what
12 else to say to you. If you want from me a list of what
13 I think should stay in the Criminal Code, I can't give
14 that to you. I would simply say that there are some
15 offences that should stay and some should not. There are
16 lawyers who would do that kind of work who are better at
17 this than I. But I think there has to be that kind of
18 systemic change.

19 And to me, it boils down to sharing
20 power. Maybe that is a very simplistic way of looking
21 at it, but it is relevant to me.

22 **Commissioner ALLAN BLAKENEY:** I don't
23 quarrel with a thing you have said. The United States

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1 has grappled with this, not fully in the way we would
2 suggest, but if you go down to the Navajo Nation they deal
3 with a number of crimes pursuant to their law. They have
4 judges, all of whom are Navajo, which deal with them.
5 They then have a Court of Appeal, all of which is Navajo,
6 which deals with them. And in some cases they apply
7 federal government law for what are called major crimes.

8 And that is a model not too different than what you are
9 suggesting. And while I would not necessarily draw the
10 line where they have drawn it, they at least for large
11 communities like the Navajo make it work. And it seems
12 to be culturally relevant. It is difficult on a quick
13 visit and pouring over material to know how it works, but
14 my initial reaction was that it works a lot better than
15 our system for Aboriginal people.

16 I will stop talking and ask you one more
17 thing with respect to education, if you would like to add
18 a comment on education.

19 **THERESA HOLIZKI:** I think it is
20 incumbent upon this Commission to realize that because
21 of the systemic discrimination that has existed in our
22 society -- and we will talk about Saskatchewan in
23 particular -- it is particularly relevant for governments

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1 to fund Aboriginal students at a post-secondary level.
2 And when I say post-secondary level, I include upgrading.

3 If we don't have adequate funding for
4 Aboriginal people, we will be perpetuating what has gone
5 on in the past. We will be validating the systemic
6 discrimination that has existed. We will be validating
7 that 85 or 90 per cent drop-out rate in our education
8 system.

9 I think it is going to be interesting
10 to look at the 1991 census figures because I think what
11 we are going to see is not a significant increase from
12 1986 to 1991 in the K-12 grads but where we are going to
13 see that is in the technical grads and the university grads.

14 I think we are going to be amazed at the percentage
15 increase in those five years.

16 It will be interesting to do that on a
17 year-by-year basis because when funding cuts to Aboriginal
18 students came into effect I would suggest that it became
19 increasingly difficult for Aboriginal students to obtain
20 post-secondary education. So we are going to study those
21 census figures very carefully and I assume your Commission
22 will too, dealing with education. But there has to be
23 adequate funding. We simply can't say "we want everyone

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1 to participate, we want everyone to have the right to go
2 to school" if we don't provide the wherewithal. It is
3 not useful at all.

4 **Co-Chairman GEORGES ERASMUS:** Thank you
5 for your very excellent presentation. I have a lot of
6 questions but I am only going to ask one.

7 Have you noticed any change at all in
8 people's attitudes toward Aboriginal people during the
9 time you have been with the Commission? Is it getting
10 worse? Is it getting better? Is it staying static?
11 Where is the country going if nothing really changes?

12 **THERESA HOLIZKI:** I think things are not
13 getting better. I would have hoped at the best things
14 were staying the same. But as a result of my participation
15 on the "yes" committee side, I was in various communities
16 in this province and I was really reminded about people's
17 bigotry and hatred. It is very disturbing to me, very
18 upsetting. If we don't deal with systemic change, if we
19 don't get commitment from all of our leaders to deal with
20 racism in this country, if we don't start educating the
21 population about the controlling, horrible controlling
22 intrusive nature of the Indian Act, if we don't start
23 talking about dollars and cents -- this is the amount of

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1 money that an Aboriginal person receives and they are
2 expected to live on; this is the deplorable state of
3 housing; this is the deplorable state of the infrastructure
4 -- there has to be a concerted education effort across
5 Canada to deal with the realities of Aboriginal life.

6 I guess if there was one good point, when
7 I started talking about some of the intrusiveness of the
8 Indian Act -- inability to sell, the problems with probate,
9 et cetera -- people react to that and say: "We wouldn't
10 stand for that. Why do Aboriginal people stand for that?"

11 I mean that is such a moot point.

12 So I guess I do feel a little bit of hope
13 that if there is an education program that gets information
14 out to the public, things will improve.

15 But it is not just against Aboriginal
16 people. It is this rise of intolerance or this wave of
17 intolerance that seems to be sweeping our country. Look
18 at what is happening with their heritage, French against
19 Jewish people. Look at what is happening with the
20 so-called Arian nations in Quebec, Manitoba, Saskatchewan
21 and Alberta against immigrants -- and Aboriginal people
22 too, of course. This wave of racism is increasing and
23 I think we are going to find that more and more. This

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1 fear of being different. And until we get a message out
2 there that different is just different -- it is not better,
3 certainly not worse -- then we are not going to make a
4 change.

5 Our leaders have to have impressed upon
6 them that this is a crisis. This is such a waste of human
7 potential, people not being allowed to participate and
8 contribute to the best of our ability to our society.
9 Look what we are losing. I don't think that -- when I
10 say "we", I mean all of society, not just the individual.
11 Until that is impressed upon leaders that we have to
12 educate all of us, then there will not be change.

13 **Co-Chairman GEORGES ERASMUS:** Thank you
14 for your time and your presentation.

15 Our next presentation will be by the
16 Federation of Saskatchewan Indian Nations, Chief Lindsay
17 Cyr.

18 **CHIEF LINDSAY CYR, FEDERATION OF**
19 **SASKATCHEWAN INDIAN NATIONS:** Good morning, Joan, Georges
20 and Allan. I have with me Felix Musqua who is going to
21 do some detail on what it is we are going to be presenting
22 here.

23 I understand that there have been a

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1 number of meetings by the Federation and the Royal
2 Commission to date and there was an understanding of what
3 the presentations were going to be and when they were going
4 to be. I think what we will do is we will reiterate some
5 of those things so that everybody has a clear understanding
6 of how it is that we are going to proceed with the
7 information flow from ourselves to the Royal Commission.

8 I think it is important to look at our
9 relationships within Canada after the failure of the
10 Charlottetown Accord. I think there were a number of gains
11 that could have been achieved but basically a lack of
12 information and the lack of understanding by both
13 non-Indians and Indians contributed to a large part of
14 the failure.

15 I think there was a lot of incidences
16 where what we had identified in the Accord should have
17 been already implemented. I think the representation by
18 the off-reserve Indians or the off-reserve First Nations
19 to a certain degree has been ignored by our own Indian
20 First Nations and the federal and provincial governments.

21 And I think that contributed to the "no" voice that we
22 heard very loud and very clear.

23 I think we have to look at ways in which

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1 we are going to overcome that. I think we have to do what
2 it is that we have to do. I don't think we have to have
3 an accord or an enforcement mechanism to do what is right
4 in this country. I think all three levels of government
5 are obligated to the people and whatever the people need
6 in terms of information and input into the specific things
7 that happen to them on a day-to-day basis have to be heard
8 loud and clear. And I don't think that happened. I don't
9 think all the people were on side because of just those
10 things.

11 It is not all the fault of Indian
12 leadership. I think there has been a very negative
13 attitude in the past in terms of some of the fundamental
14 positions of Indian First Nations. I think the inherent
15 right was crippled in the negotiations and I think that
16 was very clearly understood by the Indian people, the First
17 Nations people.

18 I am not a lawyer so I don't want to get
19 into legal and technical terms, but that fear was there.

20 The bilateral process through the treaty
21 amendments that we have identified was also crippled
22 because of the multilateral process in which we were
23 involved knowing and understanding the constitutional

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1 amendment process, the First Nations people still feel
2 that the bilateral process has to be in place.

3 Coupled with the racism that was spoken
4 about earlier and rejection of the society both internally
5 in government and externally I feel is the reason why we
6 had such a difficult time in trying to obtain a "yes" vote.

7 I understand those are the types of
8 comments that you want to hear so I thought I would deal
9 with that first of all.

10 The process in which we will be
11 proceeding is a rationalized process. We feel that the
12 process is good. It will give you direction and it will
13 give us a better understanding and hopefully the
14 communication will be there with our people in order to
15 fully support the positions. It is basically the position
16 that we have maintained since the signing of the treaty.

17 The inherent right remains intact, nationhood,
18 self-government, jurisdiction, systems of law, resource
19 rights, distinct languages, cultures, values.

20 Treaties resulted in an additional group
21 of specified distinct agreements, which were the treaty
22 rights. Crown treaty rights, right to use and occupy the
23 land, shared jurisdiction, freedom of speech and worship,

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1 treaty First Nations, education, land and resources,
2 health services, hunting, fishing and trapping, gathering,
3 economic development, tax exemption, social development,
4 culture and recreation, resource and wildlife management,
5 shelter, agriculture, political agreements, judicial
6 agreements, fiscal arrangements and resource revenue
7 sharing. The treaties between the First Nations and the
8 crown, international agreements and enforceable in
9 Canadian law. The treaties created a confederate
10 relationship between the crown of Canada and the First
11 Nations. Treaty federalism or shared sovereignty. The
12 crown treaty relationship is a bilateral relationship
13 requiring a formal bilateral process between Canada and
14 the treaty nations.

15 Canada has misused section 91(24) to
16 legislate for Indians rather than to legislate the federal
17 role and responsibility to the treaty and to the
18 relationship. The province of Saskatchewan has no legal
19 position in the crown/treaty nation relationship. It did
20 not in fact exist at the time of the signing of the treaty
21 and the Indian people still don't relate that today. The
22 province of Saskatchewan must relinquish those areas of
23 jurisdiction they have unlawfully occupied using section

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1 91(24) as a basis for doing so unless Saskatchewan is
2 permitted by a formal agreement with the treaty nations
3 to do so.

4 The role and jurisdiction of all parties
5 must be clearly and formally identified in a true share
6 government relationship in Canada in that process. The
7 treaty nations will review those powers currently
8 exercised by Canada, section 91, section 94(a) and section
9 95, and those powers currently exercised by the province
10 of Saskatchewan, section 92, section 93 and section 95.

11 And they will identify the powers which will be exclusive
12 and jurisdiction of the treaty nations, the powers which
13 are shared or delegated to Canada or Saskatchewan, the
14 powers which are exclusively the jurisdiction of Canada
15 by virtue of the treaty commitments. The jurisdiction
16 will be clearly embodied in a formal agreement between
17 the treaty First Nations and Canada, the treaty nations
18 and Saskatchewan, and Canada and Saskatchewan.

19 The agreements may form the basis for
20 constitutional reform but not necessarily since the basic
21 constitutional foundation exists already. A formal
22 bilateral process and such bodies, institutions, processes
23 and legal framework as required will be established.

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1 Treaty implementation, a detailed blueprint of full shared
2 sovereignty, fulfilment of the obligation and ongoing
3 relationship will be designed.

4 This is the plan that the Federation has
5 and I will allow Mr. Felix Musqua to elaborate on this
6 presentation.

7 **FELIX MUSQUA, FEDERATION OF**
8 **SASKATCHEWAN INDIAN NATIONS:** Good morning, Georges, Mr.
9 Blakeney and Joan Lavallee.

10 I would like to first of all apologize
11 to you for the misinformation that has been going on
12 regarding the presentation of the FSI. I understand it
13 is said that the FSI is going to boycott these hearings.
14 That is absolutely untrue and a categoric lie, whoever
15 made it. I imagine there is a misunderstanding. Our
16 impressions were that we were going to make special
17 arrangements for the FSI to make a one-day presentation
18 to the Royal Commission because we feel that we have a
19 tremendous amount of material that we would like to review
20 with you as a Commission and that we would like to table
21 at some point.

22 First of all, our Chiefs' conference is
23 going on right now and we are presently in the process

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1 of electing some of the society members. We have a
2 staggered election process. As a matter of fact, Chief
3 Lindsay Cyr here is supposed to be at the podium at 11:00
4 o'clock for nominations, and here we are. He may not be
5 able to get himself elected. But of course he is going
6 to be acclaimed anyhow, according to our procedures and
7 processes in the FSI.

8 Basically, I am going to read to you a
9 document that initially was tabled with the Intervenor
10 Funding for participation in the Royal Commission. I will
11 describe in brief the kind of processes we like to envisage
12 in terms of participation in the Royal Commission.

13 The people who will be particularly
14 directly involved with the Royal Commission will be
15 directed through Chief Rolland Crowe's office, and the
16 other person who is at the present time Vice-Chief Roy
17 Bird and who now is not going to seek re-election. And
18 that is the position that Chief Lindsay Cyr will be seeking
19 and I am sure will be elected as such by tomorrow. And
20 Vice-Chief Nanny Bellguard and of course myself, Felix
21 Musqua, will be acting, initially at least, as the
22 co-ordinator regarding the FSI.

23 Many of the things we will be looking

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1 at are the treaty and inherent rights. The FSI will
2 present oral and written materials on the spirit and intent
3 and the legal and historical background of the Crown-First
4 Nations treaties within the federation's boundaries.
5 These treaties include treaty 2, 4, 5, 6, 8 and 10. The
6 presentation will include information on First Nations
7 nationhood and self-government, jurisdiction and systems
8 of law, resource rights, language, culture and value
9 systems. The legal status of treaties include the treaty
10 rights to education, lands and resources, health services,
11 hunting, fishing and trapping and gathering, economic
12 development, tax immunity, social development, culture
13 and recreation, resources and wildlife management,
14 shelter, agriculture, political arrangements, judicial
15 arrangements, fiscal arrangements.

16 The documentation on each of these
17 specific talks will be extensive and detailed. These
18 presentations and materials will specifically address the
19 terms of reference of Nos. 1 and 5 of the terms of reference
20 of the Commission.

21 No. 3, First Nations self-government.

22 The federation will make a specific presentation on the
23 scope and exercise of First Nations governments within

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1 their federation boundaries by the First Nations locally
2 and regionally. The FSI conducted considerable research
3 into the components of the realistic and functioning
4 self-government systems of First Nations and will organize
5 and present the material in a form useful for regional
6 and national application. This project component will
7 be directed specifically to the mandate No. 2 of the terms
8 of reference of the Royal Commission.

9 The Federation of Saskatchewan Indian
10 Nations has established a unique arrangement with the
11 Department of Indian Affairs to deal specifically with
12 land and post-secondary education.

13 The establishment of the Office of the
14 Treaty Commissioner is viewed as a positive approach in
15 the resolution of land and resource issues.

16 A number of the First Nations of
17 Saskatchewan are also working closely with federal and
18 provincial governments on matters of access to resources
19 and co-management of the resources. As you have heard,
20 as of recently there was a co-management or a sharing of
21 the resources within a traditional territory by the First
22 Nations of Red Earth and also Shoal Lake, just as recent
23 as a month ago. That of course is historic in Saskatchewan

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1 as it pertains to the Federation of Saskatchewan Indian
2 Nations.

3 The federation will prepare and present
4 a comprehensive document on various land and resource
5 issues and approaches required within the boundaries of
6 the federation. I say again always the boundaries of the
7 federation for now because we don't feel that we should
8 try and intrude into the First Nations in Alberta,
9 Manitoba, or other regions for that matter.

10 This project component will direct
11 mandate No. 3 of the terms of reference of the Royal
12 Commission, programs and services. The federation
13 co-ordinates developments in all of the major program and
14 services areas through a system of regional boards and
15 commissions which have been established by the First
16 Nations under the federation. Each program or service
17 area has an executive council, portfolio vice-chief and
18 a professional staff to assist in directing and preparing
19 detailed program, delivery mechanism and fiscal
20 arrangements.

21 Fiscal relations are a vital component
22 of all the project activities and will be addressed in
23 some detail in all the presentations. The federation will

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1 also make a specific presentation of comprehensive fiscal
2 arrangements at some point of the commission.

3 Program and service areas will be
4 addressed through this project activity. It will include
5 social development, income support, child care, social
6 safety net, elder care, special cultural programming,
7 health services, education in school and post-secondary,
8 economic development and employment.

9 Culture retention: the federation will
10 emphasize the universality of the access to these programs
11 for all treaty peoples regardless of residency. A common
12 comprehensive and delivery system to all citizens on and
13 off reserve is essential. Realistic models will be
14 presented.

15 These materials and presentation will
16 address specifically mandates Nos. 9, 10 and 11 of the
17 terms of reference of the Commission.

18 First Nations justice systems: The
19 federation has done extensive work in the area of the
20 parallel integrated First Nations justice process.
21 Issues addressed during this presentation include First
22 Nations law making, First Nations jurisdiction and law
23 enforcement, corrections, legal services, inter-relations

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1 with Canadian criminal and civil systems and
2 infrastructures. This project activity will address
3 Mandate No. 16 in the Terms of Reference of the Royal
4 Commission.

5 Special concerns of women, elders and
6 youth: At a hearing specifically directed to address the
7 concerns of special groups of our citizens of the
8 Federation will co-ordinate with the Royal Commission.
9 Presentations prepared and delivered by the
10 representatives of Saskatchewan Treaty Indian Women's
11 Association, the senate, elders of the federation and the
12 Saskatchewan Indian Youth Organizations. These sessions
13 will be carefully structured to ensure that there is
14 adequate representation from all cultural and First
15 Nations backgrounds of the First Nations of the federation
16 which includes Plains Cree, Woodlands Cree, Swampy Cree,
17 Chippewans, Dakota, Assiniboin, Desoto and the Ojibway.

18
19 These presentations will directly
20 address Mandates No. 13 and 14 of the Terms of Reference
21 of the Royal Commission.

22 First Nations crown relationships: The
23 federation will present to the Commission documentation

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1 which will include:

2 (a) a detailed history of the crown-
3 First Nations relationship in Saskatchewan including the
4 Canadian policies of integration and devolution of the
5 more contemporary recognitions of a full First Nations
6 order of government.

7 (b) the historical application of
8 section 91(24) Constitution Acts of 1867 and the modern
9 interpretation of the true relationship and obligation
10 established under section 91(24). And section 25(35) of
11 the Constitution Act of 1982.

12 (c) a model of realistic and fully
13 functioning bilateral relationships between the First
14 Nations of Saskatchewan and the federal and provincial
15 crowns. A model would include recommendations on
16 structure, administration and the regulatory policy
17 legislative initiatives required by all parties.

18 This pretty well includes in terms of
19 what we envisage for the presentation regarding the FSI
20 to the Commission in due course.

21 We have internal developments within the
22 FSI as to the schedule that we want to follow, and again
23 we apologize for not having showed up at this time to make

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1 any real comprehensive presentation. What we would like
2 to request of the Commissioners is perhaps one session
3 with the federation in terms of the people I have mentioned.

4 It would be directly related to the Commission as pertains
5 to the FSI some time in November, if you have the time,
6 either in the middle or the end of November. It doesn't
7 matter. And we would be prepared to go to Ottawa if we
8 have to do that with the five people. And then we will
9 also go more directly into some detail some of the documents
10 that I have described. Then in March we would like to
11 give an interim report and presentation of draft materials
12 to the Commission. Then in August of 1993 we would like
13 to give you the presentation of final material that we
14 have developed for the Commission to assist you in terms
15 of your final report to Parliament.

16 We do have schedules within our own
17 internally in the FSIN to have hearings in urban areas
18 and also at the community level of the First Nations level
19 and also tribal councils for internal developments to
20 support the kind of correspondence we require, ongoing
21 meeting of minds and our documentations at the tribal
22 councils and also First Nations.

23 Particularly the outline -- I think Mr.

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1 Erasmus, I gave you this document initially when we met
2 in Regina, but I will table it with you at this time.
3 It schedules the kind of issues we would like to address.

4 We like to think that our presentation
5 to the Commission will be in three parts, the first part
6 defining the relationship. This could be done as the first
7 meeting in part and then in conjunction with the second
8 meeting that I am requesting some time in March, the second
9 part, to organize and implement the crown treaty nations
10 relationship. The third part, which we require some time
11 in August, will be the implementation, a blueprint for
12 the future.

13 Back to the first part, defining the
14 relationship. The things we will address in particular
15 in that presentation will be (1) the historical background;
16 (2) inherent rights and treaties; (3) Canadian
17 constitutional law; (4) shared sovereignty, treaty
18 federalism; (5) areas of jurisdiction: shared, exclusive
19 and delegated; (6) Canadian and international case law
20 in support of the documents we will be presenting; and
21 (7) the regional approach versus the national approach.

22 We will be giving our viewpoints on how this could be
23 enhanced, whether nationally or the regional approach.

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1 Those are the seven issues we will be
2 addressing in terms of defining the relationship
3 particularly in those documents.

4 The second part, organize and implement
5 the crown treaty nations relationship, which is the meeting
6 we are requesting some time in March, will address seven
7 areas. It will address (1) the bilateral process; (2)
8 areas of jurisdiction; (3) processes and instruments for
9 respecting and implementing judicial relationship; (4)
10 federal structures and legislation required; (5) treaty
11 nation structures and legislation required; (6) provincial
12 structures and legislation required; (7) monitoring
13 adjudication.

14 Those are the seven areas we will be
15 addressing in particular in the documentation pertaining
16 to that second part.

17 The third part is the one we are
18 requesting for some time at the very end of the process,
19 in August: implementation, a blueprint for the future.

20 We are looking at addressing 14 specific
21 areas in that particular presentation. Those will be (1)
22 political arrangements that are required; (2) judicial
23 arrangements; (3) fiscal arrangements and resources and

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1 revenue sharing; (4) institutional development; (5)
2 education; (6) health; (7) social development; (8)
3 economic development; (9) cultural and recreation; (10)
4 resources and wildlife management; (11) shelter; (12)
5 agriculture; (13) hunting, fishing, trapping and
6 gathering; and (4) tax exemption.

7 Particularly the third one will be quite
8 comprehensive and our portfolio holders within the
9 federation were charged with many of these agenda items
10 internally with our organization and they also probably
11 -- one in particular, education, probably will require
12 a whole day by itself. So it may be that in August some
13 time we may require two, three or four days depending on
14 how comprehensive our documentation will be. However,
15 I am sure we will have executive summaries too if the time
16 has to be shortened.

17 Those are the three different parts we
18 hope to present to the Commission as it pertains to the
19 FSIN. We do have initiatives which we have developed in
20 terms of the bilateral process.

21 Mr. Erasmus, I think we might have tabled
22 this with you back in November when we met initially with
23 the Commission in Regina.

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1 We are not prepared at this time to table
2 our documentation. As I indicated, when we have our
3 initial meetings as pertains to defining the relationship
4 we will table some documentation which is quite
5 comprehensive and quite thick. Particularly the historical
6 background will be quite thick as a document. At that
7 time we will table with you those portions of the documents
8 I referred to in part one of our initial meetings.

9 Also, organize and implement the crown,
10 again we will table some documentation, at which time I
11 think we will probably be tabling what we feel is a
12 bilateral process and how we feel our structure should
13 perhaps work in terms of co-ordinating an overall structure
14 and legislative process with the federal government and
15 the First Nations.

16 Also the implementation of blueprints,
17 again as I indicated, our portfolio holders will do that
18 and they will be giving comprehensive documentation as
19 to what we feel implementations are in terms of specific
20 issues on treaties.

21 For now I will end my presentation there,
22 Commissioners. Perhaps Chief Cyr would like to add some
23 points at this time.

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1 **CHIEF LINDSAY CYR:** If you have any
2 questions, maybe we will try to answer those now.

3 **Co-Chairman GEORGES ERASMUS:**
4 Certainly. Just a comment on your approach to the
5 Commission on the three different presentations.

6 They seem to make a logical sense.
7 There is certainly no big problem with the dates you are
8 talking about in relation to March and August. It is much
9 easier for us because we have not set anything up yet.
10 In relation to November, unfortunately what we have done
11 is we have set up our calendar between now and Christmas
12 and it is very, very tight. We certainly can review it
13 again. If we can't do it before Christmas, we could as
14 early as possible in January have the meeting we would
15 want before Christmas and then carry on.

16 **FELIX MUSQUA:** What we could do if your
17 schedule is quite heavy, one and two we can apply together
18 when we have that initial meeting in March. We can do
19 the two if there is time available, like one or two days
20 to do that.

21 **Co-Chairman GEORGES ERASMUS:** It is
22 just in November and December it is a bit busy. But in
23 January we could have that first meeting if you want it

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1 then. I know off the top of my head that's how it is.
2 But we could do both of them in March if you want.

3 **FELIX MUSQUA:** Sure.

4 **Co-Chairman GEORGES ERASMUS:** Allan, do
5 you have any questions?

6 **Commissioiner ALLAN BLAKENEY:** I don't
7 think it is worthwhile at this stage to ask you questions
8 on what the content of these submissions would be. You
9 are outlining the process. I just want to underline what
10 Co-Chair Georges has said that I like the idea of getting
11 it in three groups and I like the idea of getting the first
12 one, if we can't manage it in November, then in January
13 because it is going to be fairly comprehensive stuff and
14 the more time we have to mull it over, particularly the
15 historical bit, which will be the first one which will
16 set a tone for the rest, I am sure. It would be useful
17 for us to get that early on because much of what you say
18 will be relevant to prairie treaty nations generally.
19 It will be relevant to Manitoba and Alberta, and perhaps
20 more widely. But it obviously will have relevance to the
21 prairies. We will be having other submissions and we will
22 be interested in seeing whether there is general agreement
23 or whether there is some divergence.

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1 We will look forward to that and I will
2 not ask any questions at the moment.

3 **Co-Chairman GEORGES ERASMUS:** Joan has
4 a comment.

5 **Commissioner JOAN LAVALLEE:** Good
6 morning. I am glad to hear that the urban population of
7 the native people are going to be addressed because in
8 a lot of instances we have been taken into the census and
9 not been a part of the whole procedure. I have been really
10 concerned about the urban native person.

11 **FELIX MUSQUA:** Chief Cyr will be
12 addressing remarks this afternoon. We have to do a lot
13 of initial desirous moves in terms of trying to include
14 the urban people into the discussions overall in the FSIN
15 in a more constructive manner because of the failure of
16 the accord. We had hoped that perhaps it would initiate
17 more legal manoeuvres in that area but I guess it is not
18 there now. It is certainly in the political arena and
19 it is up to the politicians to make that available. We
20 are quite aware that these are some of the things that
21 initially in our schedules of meetings that people are
22 also going to make arrangements for the urban people to
23 be involved in all the documentations that take place.

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1 **Co-Chairman GEORGES ERASMUS:** I want to
2 thank you for your presentation and letting us know how
3 we are going to work together over the next year.

4 I will not close off a possible meeting
5 before Christmas. We will review our schedule and we will
6 let you know.

7 **FELIX MUSQUA:** We are quite busy at this
8 time and it would be fine with us if it is in January.
9 As a matter of fact, it would be just right.

10 **Co-Chairman GEORGES ERASMUS:** It
11 actually would be better for us because we won't be hurried.

12 **FELIX MUSQUA:** That is fine for us too
13 in January.

14 **Co-Chairman GEORGES ERASMUS:** Thank you
15 both for your presentation. And congratulations. I
16 understand you got in by acclamation.

17 We are going to take a brief coffee
18 break.

19 --- Short recess at 11:05 a.m.

20 --- Upon resuming at 11:20 a.m.

21 **Co-Chairman GEORGES ERASMUS:** Our next
22 presenter will be John Hart.

23 **JOHN HART:** I would like to thank the

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1 Commission for hearing me. I am going to direct my
2 comments to the existing affirmative action programs,
3 particularly the Saskatchewan program and the federal
4 program. I have done considerable research in the last
5 couple of years in the area. The Saskatchewan program
6 has been here for approximately 12 years. In a way, we
7 have a report card on the Saskatchewan program. The
8 federal program is much newer but in a way it is similar.
9 So I think some of the comments I direct to the
10 Saskatchewan program are appropriate to the federal
11 program.

12 Basically, my position is that
13 affirmative action has failed native people in Canada.
14 It was designed to facilitate their entry in terms of their
15 numbers in the workforce, and this has not been achieved
16 anywhere in Canada or anywhere close. The goal is to see
17 native people in the workforce proportionate to the per
18 cent of the population.

19 To give you an example of Saskatchewan,
20 approximately 10 per cent of the population is native and
21 less than 4 per cent of the workforce is native. If you
22 look at the urban centres in Saskatchewan, the situation
23 becomes more interesting. In Saskatoon only 2.9 per cent

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1 of the workforce are native and in Regina only 2.8 per
2 cent. These statistics are from 1989. They are not the
3 recent year. But my evidence is that they have not changed
4 significantly.

5 The goal of affirmative action is to
6 bring native people into the workforce equivalent to the
7 numbers in the total population. As you can see, this
8 has not been reached. And it is interesting to note that
9 affirmative action has not raised the percentages. I
10 think that is the more interesting data, that affirmative
11 action has been in force, particularly in Saskatchewan,
12 for about 12 years, and it has not increased the percentage
13 of native people in the workforce.

14 It is interesting that the Human Rights
15 Commission itself is the only agency in Saskatchewan who
16 meets its requirements, where in 1990 they had 19 per cent
17 of their employees native. But that is the only agency
18 that even comes close. The rest are in the 2 to 4 per
19 cent.

20 It is also interesting in Saskatchewan
21 that most private employers do not belong to the
22 affirmative action program. For those who are not
23 familiar with the program -- and unfortunately in

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1 Saskatchewan that is most people, including native people.

2 One of the weaknesses of the program is that it is not
3 highly known. It is not publicised. Public knowledge
4 of the program is very low.

5 Before I go on, I will add some other
6 data.

7 Native people, for males, make
8 approximately 60 per cent of the wage of the total
9 population. That is an average. For women, native women
10 make approximately 51 per cent of the wage of the total
11 population of women in the total population. So they are
12 not only discriminated on the basis of the number employed,
13 they are discriminated on the income they receive. In
14 that sense again, although affirmative action itself does
15 not deal specifically with wage levels, it is part of the
16 problem.

17 Some other speakers this morning have
18 talked about systemic discrimination and that is part of
19 it. In my research I found people said: "Well, there
20 aren't qualified native people for the position." This
21 is a red herring. There are very few positions in
22 Saskatchewan today where there are not qualified native
23 people to fill them. And they still use this.

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1 Another response I received was from the
2 Chief of Police of the city of Saskatoon. He said: "Well,
3 one of the reasons I don't hire native people is that they
4 don't apply." One of the objectives of affirmative action
5 is to make employers actively seek and hire native people.
6 So a response such as "they don't apply", I think does
7 not fit with the intentions of the goals of affirmative
8 action.

9 Saskatchewan itself has a couple of
10 types of affirmative action programs. One is education
11 equity. I will just give you some data on that as well.

12 Of the school boards that signed up to
13 the affirmative action program, they have 16 per cent of
14 the student population native. And of those boards they
15 only have 3.5 per cent native teachers. Those are only
16 boards that are signed up in the affirmative action
17 program. It is interesting to note that although the city
18 of Saskatoon is a participant in the affirmative action
19 program they exclude police, transit and fire fighters.

20 I really never received an adequate response of why they
21 were excluded. They attempted to exclude them on "we are
22 a different jurisdiction", "we have particular
23 requirements". To me, these were excuses, not

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1 explanations.

2 For those who are not familiar with the
3 program, I will outline a little bit more about it.

4 Affirmative action in Saskatchewan is
5 voluntary. Companies are asked to join. If they join
6 -- and as I mentioned, not many do join. If they do join
7 they are expected to set quotas. And the quotas in the
8 long term -- and they are very long term, in some cases
9 up to 25 years -- they are expected to reach a level of
10 native employment of the per cent of native population
11 in the total population. It is voluntary. There are no
12 requirements, no regulations, no penalties for
13 non-compliance. As I am going to mention later, this is
14 one of its weaknesses, that it is totally voluntary.

15 I use the example of the Saskatchewan
16 Oil Corporation, Sask Oil. They had a goal and the Human
17 Rights Commission, who administers the affirmative action
18 program, made some firm statements to Sask Oil that they
19 were not really attempting to meet their objectives; they
20 were doing nothing. And the Human Rights Commission
21 wanted Sask Oil to meet its objectives, or at least to
22 be seen to be meeting them, to make an effort. And Sask
23 Oil's response was to withdraw from the program. There

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1 is no penalty to that. That was their response. A little
2 pressure: we are getting out of the program, thank you.
3 And that was the end of that.

4 I will read you some comments that I have
5 collected -- and they are not all from Saskatchewan --
6 regarding the success or the failure of affirmative action.

7 This is from an inquiry into the
8 Saskatchewan justice system.

9 "Saskatoon justice system is the worst in terms of racism
10 in Canada. Why isn't there an
11 inquiry into the way the force
12 treats minorities?"

13 Another participant asks:

14 "Why weren't there more visible minorities on the force
15 and why there were so many
16 allegations of police wandering
17 when it comes to bigotry?"

18 The chief's response was that:

19 "No minorities came to the police department to apply to
20 be police officers and the Police
21 Commission handles all
22 complaints."

23 I have a quote from Max Yalden from the

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1 federal Human Rights Commission.

2 "Natives are under-represented in the job market. Their
3 situation in Canada is a national
4 tragedy. Every social indicator
5 that you can think of, the native
6 people come out at the bottom of
7 the heap. If there has ever been
8 a fundamentally ill-used, morally
9 ill-used group in society, it is
10 the native people. And that
11 remains the case."

12 That quote was in the last three or four
13 years. And he was dealing with affirmative action.

14 I will now make some comments about what
15 I think should be done.

16 The American experience, in my opinion,
17 is the only answer. They have firm quotas. Any agency
18 dealing with the federal government, educational
19 institutions, employers with significant federal
20 contracts, must meet quotas that are set by the government.

21 And if they don't meet these quotas they do not get the
22 contract and they are publicly rebuked. The federal money
23 is cut off immediately. That is a firm quota, and to me

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1 that is the only route to go. The voluntary system in
2 Saskatchewan in 12 years has not worked.

3 There is a danger in affirmative action.
4 My research has brought out that the very fact that we
5 have affirmative action programs, the larger society seems
6 to believe that they are doing something. It is a
7 catharsis that "yes, we are trying to employ native people
8 and look, we have programs that do that. We can't do any
9 more. And we are doing good work." It makes them feel
10 good and the very fact that no natives are being hired
11 because of the program in effect reinforces "well, so what;
12 that's the way it is; they probably don't want to work;
13 there aren't any trained native people". So for them it
14 is the best of both worlds. Native people don't enter
15 the workforce to take their jobs, if you will. Some of
16 them have expressed that view. But yet at the same time
17 "we are doing something; we really are moral and
18 responsible and we want all of our citizens to share in
19 the bounty".

20 In effect, failed affirmative action
21 programs are ideal for them. And that is in effect what
22 we have now. They say: "Well, we are doing what we can.
23 We can't do any more." And at the same time the programs

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1 are not working. Then the argument is: "Well, you can't
2 force employers to hire." Yes, you can. If they are using
3 government money, you can. You can say: "If you want
4 government money or government contracts or deal with the
5 government, you will hire 10 per cent natives or you won't
6 get that contract." And you will see very quickly that
7 these contractors will hire 10 per cent native people very
8 quickly. There will be no question of that.

9 That is basically my conclusion, that
10 affirmative action is not working. And it is my view that
11 it is being such a catharsis for the larger population
12 it is really defeating its purpose. These affirmative
13 action programs can go on for years and make the larger
14 society feel good and no natives are being hired. To me,
15 that is scandalous.

16 I do not for a minute rebuke or chastise
17 the members of the Human Rights Commission. Their
18 intentions are honourable. They are as disappointed with
19 affirmative action as I am. I have talked to them
20 extensively. They are disappointed. But they are a
21 creation of government. I want to make this very clear.

22 I am not slamming the Human Rights Commission at all.
23 They have done exceptional work. It is just that they

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1 are agents of government. They are appointed by the
2 government. Legislation in this area is a government
3 action. The Human Rights Commission cannot legislate.
4 They are as aware as I am that their programs are not
5 working. So I don't want this to be seen as a criticism
6 of the Human Rights Commission. It is not. They are the
7 only agency, as far as I can see, that are really sincere
8 about this and they are trying very hard. But they are
9 not having much success. They are dealing with a society
10 that evidently is not too interested in their work.

11 I do hope the Commission deals with this
12 question and will help the federal government bring native
13 people into the economy.

14 I have a large paper that I was going
15 to read but I think it will take too long. I have other
16 points in it. But these are basically the highlights of
17 my paper. I catalogue a lot of information of its failure
18 and I speculate some reasons for its failure. And
19 basically the reasons, in my view, are racism, stereotypes.

20 There is one area that affirmative
21 rights has difficulty with and I don't have a solution
22 to it. What I do is I ignore it. Many native people feel
23 well, look, if we have to get employed by these programs

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1 and we can't be employed on our merits, that is sort of
2 against us. It sort of puts us down and we don't want
3 to do that. Therefore, we won't participate in that.

4 My answer to that is get the job and don't
5 worry about that. Get the job and that's it. The purpose
6 of affirmative action is to get jobs. Use the assistance
7 because often without the assistance you might not get
8 a job.

9 But a strong recommendation is the
10 employers who are affirmative action do not advertise it
11 in their advertisements. To me, that was a shock. Every
12 employer who is in the affirmative action program should
13 clearly put in all of their advertisements that they are.

14 I have actually had students of mine who applied for a
15 position in a corporation that was an affirmative action
16 employer and the student did not get the job. And after
17 when I talked to the student they did not know. This was
18 a native student and this student did not know that that
19 was an affirmative action employer. "Oh, I didn't know
20 that." In that sense, that employer did not let that
21 applicant know that they had a preference. He was totally
22 unaware of that. And that is not uncommon.

23 If you have any questions, I would be

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1 pleased to answer any I could.

2 **Co-Chairman GEORGES ERASMUS:** Thank you
3 for your presentation. I am sure we do have a few.

4 Allan, do you want to start?

5 **Commissioner ALLAN BLAKENEY:** Can you
6 tell us how it works in the United States when I go down
7 there and I see X is an equal opportunity employer. This
8 has become a buzzword down there. It is part of the comedy
9 rituals one way or another. So obviously it is part of
10 the general understanding of the public.

11 How have they achieved that? First, is
12 it true? Are they equal opportunity employers? And how
13 have they achieved this making it just part of the
14 employer-employee landscape?

15 **JOHN HART:** It is by legislation,
16 federal legislation. And not all employers are. Only
17 employers or institutions who receive government funding
18 or government research grants, they have a specific number.

19 And it varies. It varies in the region and in the industry
20 and in the schools. If it is 10 per cent, they have 10
21 per cent or they don't get -- it is straight up. There
22 is no confusion, no subtleties. Your quota is 10 per cent.
23 Do you have 10 per cent? Then you can participate in the

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1 program.

2 They advertise it and it is very clear.

3 But it is also clear that not all employers -- private
4 employers who don't do any business with the government
5 don't have to do that, only institutions and corporations
6 that get federal government funding. But it is a clear-cut
7 quota. It is not voluntary. That is the main difference.

8 **Commissioner ALLAN BLAKENEY:** It is not
9 quite a legal requirement. It is only a legal requirement
10 if you happen to want to get a grant with the government
11 or contract from the government.

12 **JOHN HART:** Exactly.

13 **Commissioner ALLAN BLAKENEY:** That is
14 one phrase of voluntary.

15 **JOHN HART:** Exactly.

16 **Co-Chairman GEORGES ERASMUS:** To get
17 the government contract do you have to have already met
18 the quota?

19 **JOHN HART:** Yes. My understanding of
20 it is they will give you a certain set period of time,
21 but it is clearly checked. It is for that contract too.

22 It is specific to a contract that that company -- if you
23 are applying for this contract, during that contract you

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1 will employ. And if you want to re-apply you will be seen
2 -- and it is understood. The requirements are very well
3 known so all contractors are aware of it. It is just a
4 requirement.

5 It has been there now for about 20 years,
6 just about 20 years.

7 Universities are also in the program.
8 Universities that receive federal money they must be seen
9 to not only hire a minority staff but to have minority
10 students. So it is both in the private and in the public
11 sector.

12 **Co-Chairman GEORGES ERASMUS:** You would
13 say it has been successful there.

14 **JOHN HART:** Yes. It is certainly an
15 area of controversy. But to me, the objective of
16 affirmative action is to get minorities employed, period,
17 simple. It is not complicated. In the United States
18 their affirmative action program, their quota program,
19 has caused enormous controversy, and it still is. It is
20 one of the issues. There are still people working to
21 destroy that. And many people say that it is not working,
22 that they are just padding the payrolls and they are hiring
23 unqualified people. Another argument that I have seen

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1 --and it is a frequent argument -- is that they are not
2 hiring qualified people and qualified non-minorities are
3 not getting jobs. The opposition to the program is strong
4 in the States but the governments have persisted. And
5 I don't think they will change.

6 But it has succeeded in employing
7 minorities and to me that is the only goal. The governments
8 have to live with their political fallout, and they have.
9 And I don't think they will change in the States -- well,
10 I shouldn't say that.

11 **Co-Chairman GEORGES ERASMUS:** Are there
12 any provincial -- let me rephrase that. Are there any
13 --

14 **JOHN HART:** Yes, Quebec and the city of
15 Toronto have programs that have some teeth in them, but
16 not a lot. They monitor them closely and they put pressure
17 on them that it just about works. What the province of
18 Quebec does is they make it a priority and the city of
19 Toronto has made it a priority that they follow it very
20 closely.

21 If I could comment on that, one
22 suggestion I would make is to keep affirmative action out
23 of politics because what I have seen in Saskatchewan --

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1 and this is one of my strong points in my paper -- is that
2 it is a political issue. The NDP government of Allan
3 Blakeney started out doing some very good work in the early
4 1980s and late 1970s, particularly in the north. They
5 had some good initiatives. What I found and proved is
6 that the Conservative government really stripped those
7 programs, was not interested in the area. And the Human
8 Rights Commission has to deal with that government to be
9 sure they are appointed by that government. So in effect
10 affirmative action in Saskatchewan has become somewhat
11 political.

12 In the Key Lake mine example, the NDP
13 government had a very good plan for the Key Lake mine,
14 60 per cent northern -- and the definition of northern
15 then was ten years in the north, which is not necessarily
16 native but it will likely give you a good percentage of
17 native people. The Conservative government very secretly
18 and very quietly stripped that program, destroyed it
19 completely and revised the definition of a northerner as
20 living in the north for three years.

21 I don't like to see this valuable program
22 politicized, and it can be. Unfortunately, that is
23 difficult to avoid.

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1 And in jurisdictions such as Quebec and
2 the city of Toronto those administrations have made it
3 a priority. If the government of Saskatchewan or the city
4 of Saskatoon would make affirmative action a priority,
5 the existing voluntary programs might work. But I don't
6 think there is the political will to do that. So without
7 the political will, then have rigid programs that don't
8 require political will.

9 **Co-Chairman GEORGES ERASMUS:** Are you
10 going to be supplying us with your paper?

11 **JOHN HART:** I can leave a copy of my
12 paper; yes, I can.

13 **Co-Chairman GEORGES ERASMUS:** Thank you
14 for your presentation.

15 Our next presenters are the Aboriginal
16 Women's Council of Saskatchewan, and it includes the
17 Saskatoon sector.

18 **VICKI WILSON, ABORIGINAL WOMEN'S**
19 **COUNCIL OF SASKATCHEWAN:** Good morning. I am making a
20 presentation on behalf of Aboriginal Women's Council and
21 I am Vicki Wilson. Our presentation is called "Submission
22 to the Royal Commission on Aboriginal People to Secure
23 Government Funding". We will be sending our written

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1 submission to you. I have changed a lot of things in what
2 we had.

3 The Aboriginal Women's Council of
4 Saskatchewan has been in existence for 20 years and is
5 governed by a council structure consisting of 17 council
6 members. In the early 1970s Aboriginal women throughout
7 the province found their problems and issues were not being
8 dealt with at the various government levels. They decided
9 that if they could get together as a group they could lobby
10 directly with government and have their concerns heard.

11 It was at this time a small group of women decided to
12 apply for funding from government as it was extremely hard
13 for many of the women to travel because of the
14 responsibilities of raising a family.

15 In 1972 the organization received its
16 first grant from the provincial government. The
17 organization continues to be strong with Aboriginal women
18 coming forth and requesting assistance in dealing with
19 social issues in their communities.

20 The objectives of the Aboriginal Women's
21 Council of Saskatchewan is as follows.

22 (1) to unite Aboriginal women to deal
23 with their problems and issues facing Aboriginal women

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1 and children;

2 (2) to act as a forum in which Aboriginal
3 women's issues and concerns can be raised collectively;

4 (3) to promote equal opportunities for
5 Aboriginal women in programs and activities that meet their
6 social, economic, political, spiritual and cultural needs;

7 (4) to promote a better understanding
8 of the Aboriginal women;

9 (5) to offset discrimination and
10 stereotyping of Aboriginal people through greater
11 participation in all aspects of Canadian life;

12 (6) to foster mutual support among
13 members;

14 (7) to enhance co-operative growth and
15 development of the individual and the community;

16 (8) to work with other organizations
17 whose aims and objectives are similar to ours.

18 The Aboriginal Women's Council of
19 Saskatchewan is guided by a vision statement and a code
20 of ethics which we will be outlining with attached
21 brochures.

22 Aboriginal women were left out of the
23 negotiations at the Canadian constitution; hence our

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1 concerns and issues we feel will be neglected by the Indian
2 self-government which is being proposed. Traditionally,
3 Aboriginal women have been decision-makers and that has
4 changed drastically as our male leaders have adopted a
5 patriarchal system. With the coming of Indian
6 self-government we fear the loss of this privilege, hence
7 the negligence of social issues.

8 The objective is to be present in the
9 decision-making process that relates to Indian
10 self-government. Without input of caring and nurturing
11 mothers and elders we fear our culture will be lost through
12 our children. If Aboriginal women do not speak up now,
13 our culture may be lost forever.

14 In the twenty years that this
15 organization has existed, the council has been
16 instrumental in lobbying with government agencies to take
17 a closer look at the social issues that affect the lives
18 of Aboriginal women and children. We have dealt with
19 health issues, family violence, justice, education,
20 training, child welfare and sexual abuse.

21 We also had to deal with dysfunctional
22 families that was created by the government and churches
23 through the residential schools. We have various healing

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1 circles in various communities across the province. We
2 are requesting help in our tribal councils, in our Indian
3 governments, to help us in that healing process. Our women
4 and young people are flocking to the cities and the urban
5 centres. Things are not happening at home. They are not
6 being represented. We find that because we live in urban
7 centres and we have to deal with the First Nations people
8 when they come into the city. And of course a lot of
9 problems arise from that transaction. We also believe
10 in order for self-government to happen, to represent
11 everybody, that circle will not be complete unless there
12 are Aboriginal women and First Nations women in that
13 circle.

14 The organization has had difficulty in
15 securing funding from the federal and provincial
16 governments. Much of the work accomplished by these
17 members is done on a voluntary basis. We have a provincial
18 office with very limited staff because the government
19 continues to decrease our funding. We find as each year
20 passes that our funding comes in later and later in the
21 year, thus forcing us to lay off staff in the early part
22 of the year. It is hard to attract good qualified staff
23 because of the short-term employment that we are forced

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1 to offer.

2 We currently have a membership of 50
3 locals throughout the province. Our council is made up
4 of ten area representatives, four members at large, two
5 representing the north and two representing the south.
6 We have two youth representatives on our council. One
7 youth represents the northern half of the province and
8 the other the southern. We have two elders who guide us
9 through decision-making. All council members have an
10 equal voice in decision-making as we work together for
11 the betterment of our Aboriginal women and children.

12 We recently received an award from the
13 Corporate Misses International, a group that recognizes
14 women's efforts for the work that is done. A copy of the
15 certificate will be attached with a letter of
16 congratulations from the Premier of Saskatchewan, the
17 Honourable Roy Romanow. In the earlier part of this year
18 we received Women of the Year award from the YWCA in
19 Saskatoon. They recognized and acknowledged the hard work
20 we had done throughout the province.

21 I would certainly like to emphasize
22 again the urban situation. A lot of times we are asked
23 to deal with families moving into the city and of course

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1 it has been said, and you have probably heard zillions
2 of times of the discrimination and racism that exists.

3 I live in Prince Alberta and it is no
4 different from Regina where this a high native population.

5 I find mostly families, single parents, mothers, are
6 running from their communities because of the family
7 violence that is happening in their communities.

8 Therefore, the children when they enter the city -- there
9 are slum landlords like every other city -- are subjected
10 to living in slum housing. In the past I guess Aboriginal
11 people throughout the province I know have accepted a lot
12 of the racism and stereotypes and stuff, and we can no
13 longer accept that. And we will no longer accept that.

14 Like I said, governments and churches
15 have created dysfunctional families and we are dealing
16 with the fifth generation, I believe, of dysfunctional
17 families, where our children do not know their culture,
18 they do not know their language. We also work with the
19 prisons, in Prince Albert in particular in our prison for
20 women. We are in there with the healing circle project.

21 And finally the elders, June and myself, have been
22 recognized.

23 At one point we were not even allowed

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1 to burn our sweet grass in their chapel. So if that is
2 not racism, what do you call it?

3 We face racism in the schools. Our
4 children don't feel good about themselves when they come
5 home and that is all held in here. By the time they are
6 teenagers they are lashing out at their own people. Our
7 women also do not know who they are, created by the
8 dysfunctional families through the fourth and fifth
9 generation.

10 Like I said, we need help from the tribal
11 councils and the First Nation governments. Please
12 consider the damage you will be doing to our young people.

13 There are a lot of young men, young teenagers, that are
14 not informed what the constitution was all about, what
15 the referendum was all about. We are in contact with these
16 people every day because they are not represented by their
17 tribal councils and their First Nation governments.

18 I believe that is all; thank you. Like
19 I said, once we fix this up, it will be going forth in
20 the mail.

21 **KULA ELLISON, ABORIGINAL WOMEN'S**

22 **COUNCIL OF SASKATCHEWAN, SASKATOON ABORIGINAL WOMEN'S**

23 **LOCAL:** My name is Kula Ellison and I am speaking on behalf

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1 of the Saskatoon Aboriginal Women's Local. I extend
2 greetings to the honourable members of the Royal Commission
3 on Aboriginal Peoples.

4 We, the Aboriginal Women's Local of
5 Saskatoon, are a grassroots council of women struggling
6 to resolve the issues, concerns and needs of our sisters
7 in this community. Our council's philosophy is based on
8 the empowerment of women, our families and our communities.

9 The issues and concerns I refer to were
10 clearly articulated and identified by many of our people
11 during round one of the public consultations held by this
12 Commission. You, the members of this Commission, have
13 likely heard these issues and concerns reiterated again
14 and again during these past rounds of hearings.

15 Be that as it may, the voices of our women
16 still call out to you. Their spirits are oppressed by
17 systemic, gender and racial discrimination. Far too many
18 of our sisters' lives are impoverished by the continued
19 inequalities inherent in the economic and social
20 structures of this society.

21 Our women have been told that we should
22 be respected and honoured because we are the foundation
23 of our fire circles, the mothers, the givers of life.

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1 Yet for so many of our women family violence has devalued
2 and diminished that role and has dishonoured us all.

3 The Commission asked us to consider a
4 number of fundamental and specific questions, among them
5 several pertaining to Aboriginal self-government. We
6 would like to respond to that. However, it is no secret
7 that our women in this province and our sisters elsewhere
8 in this country are presently too busy fighting our own
9 leaders for the recognition of our rights to be included
10 in moulding and governing of first peoples communities
11 and nations.

12 In this province our very existence as
13 an organization representing Aboriginal women is being
14 threatened by such leadership.

15 The present Aboriginal leadership in
16 this province does not support us in our efforts to ensure
17 that the right and interest of our women will be
18 represented. Not too long ago the Federation of
19 Saskatchewan Indian Nations and Métis Society of
20 Saskatchewan entered into an agreement that would see those
21 two organizations solely responsible for the interests
22 of our respective peoples. As such, no other
23 group/organization can determine what services our people

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1 should receive. Our women were not consulted and
2 organizations such as ours not considered. Yet ironically
3 FSIN does not provide assistance and support to urban
4 Aboriginal women.

5 We do not accept this "protocol". Our
6 women have struggled too hard for recognition as equals
7 to be held back or to allow others to define our rights
8 and realities for us. Our women are determined to fully
9 participate in the formulation of the forms, structures
10 and powers of First Nations governments.

11 Aboriginal women in urban centres have
12 had to establish their own organization to obtain the kinds
13 of services particular to their needs. We do not envision
14 a change to this but do need to be supported particularly
15 in the area of concrete financial assistance to carry out
16 our mandates. FSIN refuses to provide funding for groups
17 like us despite the fact that many of our members and women
18 we serve are status Indians. When we leave the reserve
19 our treaty benefits and entitlements should be
20 transferrable and accessible to fund the services we
21 require.

22 Other sources of financial support for
23 urban first peoples has been fragmented particularly if

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1 the source is the federal government. We go to one
2 department for funds for this project and shuffle off to
3 another department for that project and so on. Worse yet,
4 we have to compete with our own people for the same funds.

5 So this year our project will be funded but maybe next
6 time probably not, despite the fact that the need for the
7 service or program still exists.

8 We are also dependent on what we see are
9 the whims of the governments of the day. Demoralizing
10 yet is "goodwill" financial support from those parties
11 that wish to adopt us as their "Indian project". We have
12 not been unaffected when our our people speak out against
13 the political governments in power. This happened in our
14 province not that long ago and one of the consequences
15 was that funding for our organization dried up. We were
16 told that budget cutbacks was the official reason.
17 However, this is difficult to believe.

18 In the last ten years many needs and
19 worthwhile Aboriginal agencies and service organizations
20 such as native court workers had to be shut down due to
21 lack of financial support. Grassroot organizations like
22 ours operate with little or non-existent funding. Today
23 in this city we can count practically on one hand the number

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1 of Aboriginal-managed organizations providing services
2 to our people.

3 We believe that it is just not the
4 responsibility of our Aboriginal leadership to concern
5 themselves with urban issues of first peoples but it is
6 also the responsibility of our provincial and leaders as
7 well since we are also resident of the cities, citizens
8 of the province and Canada. We, too, are consumers and
9 taxpayers thereby contributing to the economy and we, too,
10 are voters.

11 Our women are very much interested and
12 involved in making non-Aboriginal organizations that
13 deliver services to our people more responsible. It has
14 been thought that one of the keys is cross-cultural
15 awareness and training for those organizations.

16 For example, the Elizabeth Fry
17 organization sends one of their women to one of our meetings
18 to see what we needed so they can apply for funding for
19 another organization to take it away from us. And
20 Elizabeth Fry is a non-native organization yet they are
21 trying to steal the same funds we were applying for. That
22 is just an example.

23 Well, if it is being done, it is not

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1 working. Our people are still being alienated and
2 patronized and as a result refuse to utilize those agencies
3 and organizations. The worst offenders are those
4 provincial and federal government departments that
5 supposedly have mandatory anti-discrimination policies
6 and its staff supposedly trained to be sensitized to the
7 issues of its Aboriginal clientele.

8 Affirmative action initiatives have not
9 gone far enough. Many more of our women and people are
10 graduating from high school and university yet they are
11 unable to secure meaningful employment. Most affirmative
12 action programs establish ridiculously low target levels
13 and after hiring one or two Aboriginal people no further
14 efforts are made to increase the Aboriginal representation
15 among their staff. Nor do they expend much effort to
16 retain the staff they did hire. Many Aboriginal staff
17 leave in frustration, tired of often single-handedly
18 fighting ethnocentric attitudes on the part of their
19 employers and co-workers.

20 Why can't the business and service
21 sectors be strongly encouraged to hire our people in
22 visible positions in the banking, retail, and other
23 service-related fields.

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1 Those of our people who wish to secure
2 job-specific training or even upgrading are not being
3 supported in this regard.

4 We have observed over the years the
5 steadily disinvolvement of such government departments
6 as Employment and Immigration Canada, the Department of
7 Indian Affairs, et cetera, from the provision for
8 sponsorship for employment, retraining and education for
9 the employment disadvantaged. Yet our women and people
10 are the most employment and educationally disadvantaged
11 of all unemployed groups. What services and programs that
12 are available are so unuser friendly that many of our women
13 give up rather than be overwhelmed by the intense
14 bureaucratic processes that they have to negotiate.

15 There is little doubt in our minds that
16 the present non-Aboriginal educational systems should
17 change their curriculums to reflect a more accurate and
18 non-biased portrayal of First Nations peoples and their
19 histories, that they actively recruit and hire more
20 Aboriginal educators and administrators in more
21 proportionate and representative numbers.

22 Furthermore, Aboriginal languages
23 should be given the same status as English and French for

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1 instruction in educational facilities where they number
2 of Aboriginal students warrants such. Where possible,
3 elders, traditional teachers, be utilized as resource
4 people at all levels of the educational system. They
5 should act as advisers and consultants to faculty boards
6 to ensure curriculums, policies, et cetera, remain
7 culturally appropriate and relevant.

8 We would like to return to the issue of
9 family violence. Our women's hearts are breaking from
10 the pain this is causing. Family violence is not just
11 a woman`s issue. We are reminded that our men are victims
12 too. We believe that if healing of our families and
13 communities is to occur our men must be involved. We were
14 heartened when the first Men and Wellness Conference was
15 held in the city not long ago. It is a start.

16 We object to the current practice of
17 automatic removal of women and children from the homes
18 and sometimes even their communities. Incarceration is
19 not effective in stopping family violence. In order to
20 stop the immediate violence we do endorse the removal of
21 the man from the home as this is the least disruptive to
22 our women and children.

23 It is only through the provision of

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1 counselling, therapeutic programs, and if opportunities
2 to heal are offered can the roots of family violence be
3 addressed.

4 I would like also to give another
5 example. When our women go to Interval House in Saskatoon,
6 non-native workers try to take our children away. But
7 when a non-native woman goes in they don't even bother
8 to try to take her children away. They are there to comfort
9 her and give her counselling. When people like me or
10 someone else goes in, right away they take their children.
11 You really have to fight to hang on to them. You really
12 have to prove yourself as a mother, and the other non-native
13 women do not have to do so.

14 I will continue. We believe in a
15 community based response whereby victims, offenders and
16 our elders are active in the healing process, and where
17 community programs deal not just with healing but
18 prevention as well. The judiciary needs to be sensitized
19 to the fact that alternatives to incarceration better
20 eradicate family violence, that it leads not just to a
21 healthier family system but a healthier social system.
22 These alternatives would be mediation, family counselling,
23 education and awareness of the issue of family violence.

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1 Incarceration should be the last resort.

2 Should reality dictate that safe houses,
3 crisis centres and second stage housing are needed and
4 that those be operated by First Nations communities?
5 Funding for these facilities should not be an issue. All
6 levels of government including First Nations government
7 must continue to prioritize family violence as one of the
8 country`s foremost social problems and provide the
9 necessary legislation and financial means for the
10 solution of this problem.

11 First Nations and non-Aboriginal
12 societies are interconnected on the issue of family
13 violence. As such we must collectively confront and
14 eradicate those social attitudes and behaviours that
15 support violence in our educational systems, in the
16 judicial system, in our places of employment and in our
17 communities.

18 We recognize that we have barely
19 responded to the many questions and issues raised by this
20 Commission. In light of the limited time allocated we
21 struggled with ourselves on what it is we can say to you
22 that will begin the process of change for a better future
23 for first peoples.

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1 What we have shared with you comes from
2 our hearts and is only a fraction of what we feel and
3 believe. Despite this we have been appreciative of this
4 opportunity to share our experience and concerns with you.

5 Hi, Hi, Meegwetch.

6 **Co-Chairman GEORGES ERASMUS:** Thank you
7 for the presentations the two of you have made. Would
8 you mind if we asked you a few questions?

9 **VICKI WILSON:** Go ahead.

10 **Co-Chairman GEORGES ERASMUS:** Allan, do
11 you have any questions?

12 **Commissioner ALLAN BLAKENEY:** You have
13 raised a number of issues and I will a few questions; a
14 simple one first.

15 What was the previous name of your
16 organization?

17 **VICKI WILSON:** Saskatchewan Native
18 Women's Movement.

19 **Commissioner ALLAN BLAKENEY:** If you
20 have been around for 20 years I will have known you but
21 not under this name. I was just trying to reach the name
22 that you were using: Saskatchewan Native Women's.

23 **VICKI WILSON:** Movement.

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1 **Commissioner ALLAN BLAKENEY:** Yes, I
2 know the organization.

3 **VICKI WILSON:** I think you were still
4 in power.

5 **Commissioner ALLAN BLAKENEY:** Oh, yes.
6 If it is the same organization, I have spoken to the
7 Saskatchewan Native Women's Organization and I can't
8 remember whether it was Movement or not.

9 **VICKI WILSON:** We have had three name
10 changes in the last 20 years.

11 **Commissioner ALLAN BLAKENEY:** Three
12 name changes.

13 **VICKI WILSON:** Yes.

14 **Commissioner ALLAN BLAKENEY:** You were
15 Saskatchewan Native Women's Organization or Association
16 once.

17 **VICKI WILSON:** Saskatchewan Native
18 Women's Movement in 1971-72 was when we first organized
19 as Saskatchewan Native Women's Association. Then we went
20 into council concept, not the present kind of structure.

21 **Commissioner ALLAN BLAKENEY:** Let me
22 ask another question. You have suggested that you have
23 to deal with many problems, and I will refer particularly

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1 to urban centres, created by dysfunctional families and
2 the like. You have also suggested that the tribal councils
3 and First Nations aren't giving you enough support in
4 dealing with them.

5 How do you think support for aboriginal
6 dysfunctional families in Saskatoon or Prince Albert
7 should be organized? Who should be delivering services
8 in your opinion?

9 **VICKI WILSON:** I think it should be a
10 shared responsibility and I think it should begin at home,
11 the healing process and whatever it takes.

12 **Commissioner ALLAN BLAKENEY:** Shared
13 between whom?

14 **VICKI WILSON:** Between the urban people
15 who have the helpers, the people who deal with the different
16 problems that we encounter when they are dealing with
17 aboriginal people, men and women, you know.

18 **Commissioner ALLAN BLAKENEY:** I am just
19 not clear on who should be doing what to help a
20 dysfunctional family. Not so much the what, but the who.

21 **VICKI WILSON:** Okay, I will go back a
22 bit, I guess. Right now we are in a state of denial.
23 Our organizations are in a state of denial where they are

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1 saying it doesn't exist. It has been swept under the rug
2 much too long, that there are problems back home and that
3 is where they should start.

4 Do you know what I am saying?

5 **Commissioner ALLAN BLAKENEY:** Not
6 quite. I am just trying to deal with a family in Saskatoon.
7 When you say "our organizations" have swept it under the
8 rug, what organizations are you speaking of? Are these
9 native women's organizations?

10 **VICKI WILSON:** No, no. Like our male
11 aboriginal organizations. I guess governments, you know,
12 in a social service field.

13 **Commissioner ALLAN BLAKENEY:** If they
14 stop sweeping it under the rug then what should happen?

15 **VICKI WILSON:** Let us deal with our own
16 problems. This is what we are saying. Like you have
17 messed up our lives long enough. Governments and social
18 services to you name all agencies have screwed us up long
19 enough. Let us do our healing and our own programs.

20 **Commissioner ALLAN BLAKENEY:** This is
21 what I am reaching for. Who is "our own" here? Is it
22 the FSIN?

23 **VICKI WILSON:** The aboriginal people.

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1 **Commissioner ALLAN BLAKENEY:** FSIN?

2 **VICKI WILSON:** Yes, including them. I
3 am talking for Aboriginal people but we get the brunt of
4 the problems once Aboriginal people enter the city.

5 **Commissioner ALLAN BLAKENEY:** I am
6 admitting your problems. I am asking you how you deliver
7 the services. It is not good enough to say Aboriginal
8 people. You have to say who is going to do it.

9 **VICKI WILSON:** I guess my dream would
10 be to work out some sort of formula with the tribal councils
11 in different areas where we could work together. They
12 would do their share, as long as communication is left
13 open.

14 **Commissioner ALLAN BLAKENEY:** You don't
15 serve Métis people then, do you?

16 **VICKI WILSON:** Oh, yes, including Métis
17 people.

18 **Commissioner ALLAN BLAKENEY:** But the
19 tribal councils?

20 **VICKI WILSON:** The tribal councils and
21 the Métis. We also flock to the cities because there are
22 no jobs. There are a lot of noes out there.

23 **Commissioner ALLAN BLAKENEY:** I am

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1 trying to reach for it and I wasn't trying to put any words
2 in your mouth. In Winnipeg, for example, we heard that
3 there ought to be an organization run by Aboriginal people
4 which provided these services, let's say child welfare
5 services, to Aboriginal people by Aboriginal people, and
6 that is service status, non-status, Métis, whatever. They
7 weren't worried about the status. They just said it ought
8 to be an Aboriginal organization.

9 What do you say to that idea?

10 **KULA ELLISON:** Could I say something?

11 **Commissioner ALLAN BLAKENEY:** Yes.

12 **KULA ELLISON:** What we are trying to do
13 now is try to start up a program called Piaqua. It is
14 an extension of the Regina branch. It is a program that
15 intervenes before the children are taken away. If there
16 is a problem going on within the family, that is when Piaqua
17 intervenes. Aboriginal people, regardless of non-status,
18 Métis, whatever, we help them all.

19 Our problem is trying to set it up
20 because we need \$12,000 to set it up. Me and this other
21 guy who happens to be non-native are trying to put a letter
22 together for fund raising. Our main contracts are social
23 services. They are the ones who would be paying the

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1 workers.

2 Our barrier is trying to break through.

3 There is one in Regina that was set up. We are trying
4 to get help from them, but they really don't have much
5 say about what goes in Saskatoon. That is our barrier.

6 That is helping within the family. It is mainly contract
7 work.

8 If a family is in crisis the worker will
9 refer them to us. It will be native people helping native
10 people and Métis regardless. It would be more comfortable
11 if a native came into a native home who isn't threatened
12 by how the housekeeping is or how the house is. You have
13 to have that non-bias.

14 If a white middle class worker came in
15 and saw the house, he or she would say "oh, my", have a
16 heart attack, and all the stereotypes fit in without giving
17 the people a chance.

18 We are having a hard time trying to set
19 that program up in Saskatoon and it is very needed.

20 **Commissioner ALLAN BLAKENEY:** That
21 would be a non-government organization which would be set
22 up and get a grant from social services. That is how it
23 would work.

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1 **KULA ELLISON:** Yes. That is for paying
2 the employees. What we need is money to set up a house
3 that people can come to, so that they can come and talk
4 to us, or else we can go and talk to them. We need an
5 office and some office equipment like a typewriter or
6 something to start up and pay for heat, light bills and
7 stuff.

8 What we are trying to do is approach
9 social services because they are the ones who would pay
10 the workers. Then we would have to set up a board and
11 stuff like that. We are having problems with raising the
12 funds to prove to social services that we are willing to
13 go this far. They want us to have a house or some type
14 of office first to show that we are established and then
15 they will start.

16 **Commissioner ALLAN BLAKENEY:** You are
17 pulling that organization together or are trying to.

18 **KULA ELLISON:** We are trying to, yes.
19 We just need the money to start it up and then hopefully
20 everything will fall into place. We are applying for other
21 funds at other places and we haven't heard anything back
22 yet.

23 I think that is a start, but the hard

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1 part is getting these other organizations to listen to
2 us and say we need this.

3 For this organization we would hire
4 Métis and aboriginal people. We would start with the native
5 ancestry and stuff.

6 **Commissioner ALLAN BLAKENEY:** If I may
7 ask a different kind of question, you serve Métis people
8 and First Nations people and you have indicated that there
9 are some dysfunctional families. There are in the
10 non-Aboriginal side of things too.

11 Do you find that there are more
12 dysfunctional families among First Nations people than
13 among Métis people, or is about the same or more among
14 Métis?

15 **KULA ELLISON:** I can't give an answer
16 to that because this is a dysfunctional society to begin
17 with. There is dysfunction. I can't give numbers because
18 I don't know. I can't say that Métis people are more
19 dysfunctional because that is not fair to either of us.
20 Dysfunction happens regardless. If there is alcoholism
21 or religion that is dysfunction, you know. There are so
22 many varieties of situations and circumstances.

23 **Commissioner ALLAN BLAKENEY:** There are

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1 many sources then of dysfunction.

2 **KULA ELLISON:** Extremely, yes.

3 **Commissioner ALLAN BLAKENEY:** I have
4 one very different one. It was an attractive idea, but
5 I don't know how you are going to make it work.

6 How do you advocate removing a violent
7 male spouse from the family? Right now by and large the
8 abused woman takes the children and goes somewhere, goes
9 to a safe house or a transition house or the rest. You
10 were just suggesting that is not very fair, and you are
11 quite right. You say they should get the man out. Do
12 you have any idea as to how to do that?

13 **KULA ELLISON:** When we had this meeting
14 with Peyakowa, they are the ones who go in and talk to
15 the man first and convince him of why he should leave and
16 it would be better. It is not like he is going to lose
17 his family. You have to deal with the men, because men
18 who abuse have been abused themselves. You have to see
19 their points of view as well. You kind of have to talk
20 to them.

21 If push really comes to shove and they
22 get extremely violent, the last resort is to phone the
23 police. Nowadays some police are more educated and more

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1 sympathetic and have some empathy toward family violence;
2 they have some understanding. Some are willing to step
3 into the situation and they will remove him.

4 Before we get to that, that is the last
5 stage, we talk to him, give him some counselling and they
6 usually leave anyway, and the woman and child stay there.

7 It is just a process. Men need help too and we are helping
8 both sides: for his abuse and we are helping the victims
9 as well.

10 **Commissioner ALLAN BLAKENEY:** You are
11 able to persuade the man to leave, sometimes with a little
12 help from the police.

13 **KULA ELLISON:** Yes, if push comes to
14 shove. I am just going by the organization, when we had
15 the meeting in Regina, how Peyakowa did it. It made sense
16 because they had lots of ways of talking to them.

17 When we were at the meeting there was
18 this one husband who was very, very angry. He was phoning
19 there and he was mad. One of the counsellors was talking
20 to him and he calmed down. They said we understand they
21 are angry and frustrated; let it out and then come over
22 and have a coffee with us after you calm down. Once they
23 get it out of their system and think twice, instead of

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1 reacting on their anger and instead of saying things to
2 them to encourage it, it is like they will let it out and
3 then come and see us when they are okay.

4 Most of the time it does work, and if
5 push comes to shove the officers are there.

6 **Commissioner ALLAN BLAKENEY:** You are
7 to be commended even if you have partial success because
8 social workers used to report that they had all manner
9 of trouble with getting violent men out of the house.

10 **KULA ELLISON:** Yes, because they
11 usually deal with aggression, with aggression: like if
12 you don't leave, you know threats and stuff. You have
13 to remember that although these men are violent and abusive
14 they are also victims themselves and they need someone
15 to listen and to understand as well. Once you give them
16 that much string to play with and let them say what they
17 have to say and get it off their chests, generally most
18 of them calm down and phone back in 10 minutes and say:
19 "Well, I am sorry for that" and stuff like that.

20 There are different ways of approaching
21 a situation.

22 **Commissioner ALLAN BLAKENEY:** Thank
23 you.

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1 **Co-Chairman GEORGES ERASMUS:** I am very
2 impressed by that program you were just talking about.
3 It sounds like it is a very useful way of approaching
4 violence in the home. I certainly hope you can get your
5 program off the ground.

6 We are quite interested in information
7 in this area. You were saying when you made your
8 presentation to us that you felt you were cramped for time.

9 What I would like to encourage you to do is take all the
10 time necessary to explain to us at a later date in more
11 detail the kinds of work that you are talking about.

12 It was very useful to get the information
13 on the background of your organization, but our real keen
14 interest is in the area of solution. If you are starting
15 to work in that area we are very, very interested in it.

16 If you could find the time in the months
17 to come actually to write down in some detail some of your
18 ideas here, we would be very, very happy to receive them.

19 Either you can just send them to us or else find another
20 occasion to present them to us.

21 **Commissioner ALLAN BLAKENEY:** I was
22 just going to add: don't feel they have to be all typed
23 out or anything of that nature. If you just want to jot

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1 down some ideas, we have typists. You may not have that
2 amount of office staff. Don't worry about the form of
3 it. We are looking for the ideas.

4 **Co-Chairman GEORGES ERASMUS:** I will
5 just check to see if Joan has any comments or questions.

6 **Commissioner JOAN LAVALLEE:** Is it not
7 so, Vicki, that the organization, the Aboriginal Women's
8 Council of Saskatchewan, is looking for support from the
9 male dominated organizations so that we can get their
10 support and be considered by funding agencies, if we get
11 that support from the male dominated organizations?

12 I know that some of the issues that
13 native women have been working on are like social issues
14 in the home. A lot of times you don't have the support
15 of the other organizations because your organization
16 consists of women who fall between the cracks. You have
17 the Métis women, the non-status women and the treaty women
18 who are flocking to the cities. Your organization just
19 happens to be there, so a lot of times you have to give
20 your services on a voluntary basis.

21 **VICKI WILSON:** We have made numerous
22 attempts in the form of letters, mostly phone calls, to
23 both the Métis and the treaty male organizations, if you

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1 will. A lot of times they haven't responded to our letters
2 mainly asking for support.

3 It is true that we represent Aboriginal
4 women regardless of their status. That is how we form
5 our organization in the first place. We don't
6 discriminate. To us they are all women. They are all
7 Aboriginal women, whether they are treaty, non-status or
8 Métis.

9 Numerous attempts have been made to the
10 parent bodies, if you will.

11 **Co-Chairman GEORGES ERASMUS:** Thank you
12 again for your time and presentation.

13 We are going to take a lunch break now
14 and probably start at 1:40.

15 --- Luncheon adjournment at 12:40 p.m.

16 --- Upon resuming at 1:45 p.m.

17 **Co-Chairman GEORGES ERASMUS:** The next
18 presenters are the Saskatoon Urban Treaty Indians.

19 **MARGARET KING, SASKATOON URBAN TREATY**
20 **INDIANS:** My name is Margaret King. I have been asked
21 to be spokesperson for the Saskatoon Treaty and First
22 Nations Assembly.

23 We have been meeting as a group since

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1 February here in Saskatoon. Part of the reason we got
2 together is that as off-reserve people we have no access
3 to our political institutions. Forty to 50 per cent of
4 our people live off the reserve and the political
5 structures that are in place now do not represent 50 to
6 60 per cent of the people here in Saskatchewan, and that
7 government is not recognizing the rights of people who
8 live off the reserve to be represented through those
9 organizations.

10 We have tried in our structure to have
11 a liaison or linkage with our reserve communities because
12 those communities represent the culture and traditions
13 of our people and the lands that were given in treaties.
14 And we respect that those lands have to be protected
15 through our reserve-based organizations. However, we do
16 not accept that because we live off the reserve that we
17 cannot participate in those governing structures at our
18 reserve communities.

19 We were hoping that we could create some
20 kind of union with the political organizations, but they
21 have shut the door to us. We have tried to establish
22 communications with them earlier in our organizing efforts
23 but the person who was in charge of the urban portfolio

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1 refused to acknowledge our correspondence to his office
2 and assigned another person to handle his portfolio here
3 in Saskatoon. And that person was not accepting of us
4 in our role and our capacity to represent ourselves and
5 they have not come forward to take us into the structure
6 and accept us as representing ourselves. Rather, they
7 want us to go into the organization and they want to
8 represent on our behalf without allowing us any kind of
9 voice within the organization.

10 Since the failure of the Charlottetown
11 Accord, the question is what is next for our people. One
12 thing that is quite evident as a result of the failure
13 of the Charlottetown Accord -- well, not as a result of
14 the failure of the Accord, but the thing that is happening
15 in our Indian communities is that we are so divided and
16 that we have allowed arbitrary distinctions placed upon
17 us by a Canadian government to divide our people. Our
18 governing institutions readily accept the labels that are
19 put upon us as off-reserve and on-reserve people, treaty
20 and First Nations, Bill C-31, and now they are instituting
21 membership codes that further separate our children into
22 other categories of rights.

23 All for what purpose? So that we can

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1 say that we are exercising some measure of self-government?

2 This is not self-government but rather
3 self-administration of policies and programs that
4 originate from outside our communities.

5 The Indian Act has divided our
6 communities for too long and we must remove ourselves from
7 this oppressive legislation if we are to gain control over
8 our destiny and that of our children. The mechanism has
9 always been there in our communities to remedy this
10 situation, and that is our customary laws of our people.

11 Our leaders have relied on the Indian Act and its Band
12 election systems to give force and effect to their
13 governments. To me they have created a false sense of
14 security for themselves because the real power lies with
15 the people.

16 The people have to be actively involved
17 in community activities. The Indian Act has only served
18 to alienate our people from one another by creating these
19 arbitrary distinctions. If we are to survive as a nation
20 of people we must come together and forget our differences
21 and work toward providing a better future for our children
22 based on our own sense of who we are as a people with
23 distinct cultural values and a history different from other

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1 Canadians. This process must be inclusive of all our
2 people, not only the present leadership and those that
3 live on the reserves.

4 Our people have always been migratory
5 in nature, seeking out a means of survival by roaming the
6 plains to search for buffalo. In today's society it is
7 no different. We have to go to where the jobs are in order
8 to feed our families. For whatever reason a person leaves
9 their community it cannot be assumed that they are
10 rejecting their culture and customs. If we lose sight
11 of what it is to be human beings according to our own
12 culture, it is because we have no institutions outside
13 our reserve communities to help maintain and strengthen
14 our culture and languages. We are seeking ways of
15 establishing those types of institutions that will serve
16 to validate our own world view as human beings.

17 Our customs and traditions dictate that
18 a chief represents the views of the people and does not
19 exercise his or her own will upon the people. It is not
20 part of our custom to deny participation in the
21 decision-making process to certain segments within our
22 society. This is discriminatory and cannot be tolerated
23 any longer. The fulfilment of self-government requires

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1 a vibrant and active participation of the people in
2 determining their future. It cannot be a top-down driven
3 process but one that emanates from the community itself
4 and the community must be broadly defined to include those
5 whose rights will be affected by any definition of
6 self-government.

7 These principles must be adhered to,
8 otherwise we cannot claim to be a nation of people.

9 Part of our submission is that as treaty
10 people living in the urban setting we feel that our source
11 of strength and authority stems from the inherent treaty
12 rights negotiated by our forefathers to ensure that we
13 in future generations may prosper. Chief Mistawasis, one
14 of the leading chiefs who signed Treaty 6 stated:

15 "What we speak of and do now will last as long as the sun
16 shines and the rivers flow. We are
17 looking forward to our children's
18 children for we are old and but have
19 a few days to live."

20 Another chief, Man You Strike in the
21 Back, requested of Governor Morris:

22 "Have compassion on the manner in which I was brought up.

23 Let our children be clothed. Let

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1 us now stand in the light of day
2 to see our way on earth."

3 We feel that it was never intended for
4 our people to be denied our cultural heritage for this
5 formed the basic elements of individual empowerment, a
6 solid foundation of cultural values and the knowledge of
7 our history and traditions, our basic needs in the
8 development of any individual before he or she becomes
9 a productive member of society. As an assembly we believe
10 in the value of individual self-esteem and will strive
11 to empower our people through the development of culturally
12 appropriate programs and services for treaty people by
13 treaty people.

14 We feel that the responsibility to
15 ensure that future generations will benefit from our treaty
16 rights rests with the involvement of our people at all
17 levels of government, particularly in the policy and
18 decision-making processes. There has to be a process that
19 respects the aspirations of urban treaty peoples in the
20 full and free exercise of our inherent rights to
21 representation regardless of residency. Urban groups
22 such as ours need the flexibility to address concerns with
23 all levels of government. Therefore, we seek to dialogue

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1 with our First Nation governments to forge a relationship
2 that will mutually benefit our treaty peoples living in
3 the urban centres.

4 As responsibility rests with us to
5 ensure the future generations will benefit from our treaty
6 rights, we now take steps to fulfil our obligations to
7 those yet to come with the hope for a brighter future.
8 Chief Sweetgrass had hope for the future of his people
9 when he signed Treaty 6 on behalf of his people. He stated:
10 "I speak these in the presence of the divine being. It
11 is all for our good. I see nothing
12 to be afraid of. I therefore
13 accept of it gladly and take your
14 hand to my heart. May this
15 continue as long as this earth
16 stands and the rivers flow. The
17 great king, our Father, is now
18 looking upon us this day. He
19 regards all people equal with one
20 another. He has mercy on the whole
21 earth and he has opened a new world
22 to us. We have hope for the future
23 and our children can be proud of

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1 who they are as native people
2 through the expression of their
3 culture, language and history, and
4 we advocate the free exercise of
5 our treaty rights through the
6 spirit and intent of the treaties."

7 Part of our job, we think, is to create
8 linkages between different areas of government that do
9 exist in the community but do not have Aboriginal content
10 or Aboriginal representation in those governing
11 institutions. We want to participate in those levels so
12 that we can influence the policy-makers and gear those
13 programs to benefit our people, as we see ourselves as
14 people. In doing this we hope we will be able to maintain
15 and strengthen our cultures. We have lost quite a bit
16 and it is a real shame to see the extent that we have lost
17 our culture and traditions as a people. I think
18 governments have to take some of their responsibility in
19 putting us in this position that we are in, and they have
20 to come forward and offer assistance to people that want
21 to see the culture and language survive into another
22 generation and then allow that generation to further
23 strengthen themselves. We can't continue this cultural

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1 erosion that has been put upon our people.

2 Some of the recommendations that we
3 have, Donna has them and she will read them to you.

4 **DONNA RENNEBERG, SASKATOON URBAN TREATY**

5 **INDIANS:** My name is Donna Renneberg and I am a First Nation
6 from the Kinistin Band in Saskatchewan.

7 I have been involved in the Urban Women
8 for quite a number of years. Actually, the movement to
9 try and get people to pull together and address the
10 socio-economic needs of people living in a city had started
11 back in 1984. There have been ad hoc committees that were
12 set up to pursue these matters but never really got anywhere
13 for various reasons. There had never been the support
14 from governments for people to organize themselves and
15 there were other matters, like people in the last five
16 years have been concentrating on their efforts just to
17 live from day-to-day. So a lot of times they don't
18 necessarily care about what goes on outside of their
19 survival world.

20 I want to read out the recommendations
21 that the Saskatoon First Nations Assembly propose to the
22 Commissioners.

23 (1) that there is an off-reserve driven

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1 process recognized by all levels of government for full
2 and equal participation of all constituents regarding
3 matters that directly affect them;

4 (2) that this process develop options
5 of self-government for off-reserve people which can be
6 ratified by off-reserve treaty people;

7 (3) that once this process is complete
8 negotiations with First Nations governments, provincial,
9 federal governments, start to deal with the financing and
10 implementation of infrastructures in the urban centres;

11 (4) that off-reserve treaty First
12 Nations, based on their inherent and treaty rights, be
13 allowed full participation in choosing their political
14 representatives at the local, provincial and national
15 level; in other words, one man, one vote;

16 (5) that off-reserve treaty people be
17 provided with institutional vehicles and the necessary
18 resources that will facilitate achieving
19 self-determination;

20 (6) that separate institutions and the
21 distinction between Aboriginal groups remain,
22 particularly for off-reserve treaty people because of the
23 special relationship with the crown and cultural

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1 considerations.

2 **MARGARET KING:** There is one other
3 recommendation that I would like to add, and that is that
4 the Indian governments in setting up a structure have to
5 include the involvement of Indian women and I think they
6 have to create an Indian women's caucus or council within
7 the structure of the organization and that these women
8 will be the watchdog organization of the leadership,
9 because our leaders are not accountable to our people.

10 The area of self-government in the first
11 years is going to necessarily involve a lot of programs
12 and dollars that will be spent on family issues. Family
13 issues are women's issues and women's issues are society's
14 issues. So I think that women have to have a place within
15 the government structures of any Indian government that
16 is set up, whether it be at the Band level or the provincial
17 level or the national level.

18 This woman's council must have veto
19 powers to it. It cannot be an empty organization. It
20 has to have powers that will balance against any kind of
21 abuses that would come from a leadership that goes
22 unchecked.

23 So I think in order to provide

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1 accountability I think a woman's council could have that
2 job. When you look at the statistics the number of women
3 that are in universities, the number of women who are head
4 of households in our Indian communities far outnumber the
5 men in that position and there has to be some protection
6 as to the rights of children and elderly. And this
7 responsibility mainly falls on women. I think women have
8 to have some greater say in the development of programs
9 that are going to be designed to look after their needs
10 within our communities.

11 **Co-Chairman GEORGES ERASMUS:** Thank you
12 for your presentation. If you don't mind we would like
13 to ask you some questions.

14 **Commissioner ALLAN BLAKENEY:** In the
15 latter statement you were saying that Band leaders are
16 not accountable. You earlier explained that they may not
17 be accountable because they are not accountable to
18 off-reserve people. Did you mean anything more than that?
19 Do you feel they are accountable to people who live on
20 reserves?

21 **MARGARET KING:** No. I don't think that
22 the governing structure as it exists now under the Indian
23 Act has any emphasis on being accountable to people. To

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1 cast a vote once every two years is not a system of
2 accountability. They have to be accountable for their
3 actions while they are exercising their roles as leaders
4 in our communities. They are not accountable to people
5 for the money they spend. They are accountable to Indian
6 Affairs. And that system bypasses the people. So we have
7 to have some kind of a structure that makes them accountable
8 to people, where people can access information and their
9 governments. And the fact that they are not accountable
10 to off-reserve people is that there are many Bands here
11 in Saskatchewan who are under the Indian Act system and
12 they do not allow off-reserve people to vote.

13 There are 72 Bands in Saskatchewan and
14 I think there are 42 that are under the Indian Act and
15 30 Band that are on Band custom. But within that Band
16 custom they also have the right to not allow people off
17 the reserve to participate in the Band elections.

18 **Commissioner ALLAN BLAKENEY:** With
19 respect to the delivery of services to Aboriginal people
20 in a city like Saskatoon -- I think of child welfare
21 services or the like -- how would you think that might
22 be structured? Who do you think could best deliver that
23 type of service to the close to 50 per cent of the treaty

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1 Indians or status Indians who do not now live on reserves
2 and to another almost equivalent number of Métis or
3 non-status people?

4 **MARGARET KING:** I think we have to
5 acknowledge the development of our people and look at it
6 as an historical context because when we look at the
7 different Aboriginal groups in the cities we have to
8 understand that the treaty and First Nations people have
9 grown up under different circumstances as the Métis and
10 that we should recognize the differences. That does not
11 mean that we should come under one single organization just
12 because we are in the city and we share the same rights.

13 I think we have to respect our cultural differences too.

14 I would rather see a treaty and First
15 Nations organization handle those matters for our people
16 because of the cultural differences that we would have.

17 The other thing is I would like to see
18 a link between the people off reserve and the Indian
19 governments on reserve, whatever arrangement that will
20 take. But we have to be part of that process that is
21 developing that governing structure, whatever it is going
22 to be. That is part of our problem, that we cannot
23 influence that process right now because we don't have

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1 access to those chiefs once we leave the reserve and they
2 are not coming forward to ask us our opinion.

3 We hope to establish something but right
4 now the atmosphere is that they want to come in and provide
5 the services without our participation. So we feel that
6 there have to be some concrete measures taken so that our
7 opinion will not be just taken but that we can directly
8 influence that governing structure, whether it be through
9 elections of a person that represents urban issues or
10 whether it be through our own Chief and councils. We have
11 to have that access to our governments.

12 **Commissioner ALLAN BLAKENEY:** Do you
13 think someone might question whether there is very much
14 difference between the cultural background of a Métis
15 person who has lived in Regina or Saskatoon for three
16 generations and of a status Indian person who has lived
17 in Regina or Saskatoon for three generations as some of
18 them now are doing?

19 **MARGARET KING:** I think you can make
20 that distinction because we are not all three generations
21 who have lived off the reserve. Some of us are first
22 generations off the reserve. I came directly from a
23 reserve community into an urban setting and there are many

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1 people who still have those connections to their home
2 communities and they don't want to see those ties broken,
3 especially their cultural ties because those are the things
4 that make us distinct and distinguish us from all other
5 people. That's our God-given right that we want to
6 continue to exercise. I don't think any kind of structure
7 that is going to separate us in terms of whether we are
8 Métis, treaty or First Nations people can lump us all
9 together and say that we are all one and the same. No,
10 we are not one and the same. We are a distinct people,
11 each in our own right. And I think those differences can
12 be respected in any kind of government structures that
13 are put into place.

14 **Commissioner ALLAN BLAKENEY:** Thank
15 you.

16 **Co-Chairman GEORGES ERASMUS:** I would
17 like to get back to the accountability issue. In the
18 larger society they think they have perfected democracy
19 by having taken away power from the King or the Queen and
20 have created a democracy where there is a five-year mandate
21 given to an elected government. What accountability means
22 is you run the government and when you believe you can
23 win the election -- it might be 18 months, it might be

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1 two years, it might be three years, it might be the end
2 of the fifth year like we have had experiences recently
3 in Canada -- you have an election. If you win, obviously
4 you are doing something right. If you lose, you are being
5 held accountable.

6 Aboriginal governments, if they are
7 using the Indian Act, have to have elections every two
8 years. The majority of their funding is, as you say, from
9 the federal government. In the case of the larger society
10 they tax the population.

11 One of the things we are going to be
12 working on is forms of government, whether they should
13 be traditional in style, whether they should be this
14 Westminster model which we are primarily seeing in Canada,
15 whether they should be a mixture of both, or if it should
16 be something completely new. It looks very much like we
17 need a number of different models. And accountability
18 is one of the areas we want to work on.

19 I suspect for most Aboriginal people --
20 certainly from the Dené that I come from -- an election
21 once every few years is not enough. The system of
22 government I come from would have the people participating
23 with leaders very much and the leadership representing

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1 what the people want.

2 So if we were to develop either a model
3 of government that made sense for you in an urban area
4 or back home in your reserve communities, what would
5 accountability mean to you?

6 **MARGARET KING:** To me our traditions are
7 so important that when you are comparing the different
8 models of government, whether we should adopt the model
9 that Canadians are now under in an elected system, I think
10 we have to go back and look at our governing systems that
11 were here before. Part of the principles under our
12 traditional system of government was that the leader does
13 not have a voice in his own right. He has to respect the
14 wishes of the people. He cannot make statements that are
15 at odds with what the people believe. The only way that
16 you can reintroduce that system of government is to allow
17 people the chance to voice their opinions. And they have
18 to have regular meetings; they have to have regular
19 involvement. And they have to determine beforehand what
20 the situation is going to be so that they can empower that
21 leader with a sense of unity behind him and he speaks on
22 behalf of the people. He does not go out there, get a
23 mandate and then lead the people around without having

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1 any discussion with them as to what direction it is that
2 they want to go in. There has to be regular involvement
3 of people at the community-base level and what direction
4 they want to see. What are the things that are important
5 to them? The election system is not enough, in my terms.
6 It has to be something more.

7 I think that when you look at the
8 involvement of people, even in our traditional societies,
9 even children had the right to voice their opinion. And
10 I think that everybody in our society has that right.
11 Whatever we do on behalf of each other, we are affecting
12 each other in one way or another. So we have to respect
13 each other's rights. And the only way you can respect
14 each other's rights is to allow people to have a chance
15 to come forward and voice their opinions whenever the need
16 may be, whether it is 3:00 o'clock in the morning. The
17 chiefs have to make themselves available to people.

18 I spoke earlier about an accountability
19 system with women's involvement. I think in our
20 traditional systems of government there were always
21 women's councils and these women were asked to advise the
22 people. I think we have lost so much of our traditional
23 systems that we do not take into account other people's

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1 points of view and especially women, because women have
2 such a large role to play in shaping the future of our
3 children. And that role and responsibility is such a great
4 one that we have to provide within our governing systems
5 a role for those women to participate; not on an equal
6 basis but a basis which respect their essential role in
7 the development of our communities.

8 **Co-Chairman GEORGES ERASMUS:** That
9 statement you just made, I think a lot of women in a larger
10 society wouldn't understand: not on an equal basis. We
11 heard a lot of criticism about the Charlottetown agreement
12 and others because there was not enough sexual equality.
13 And you seem to be saying something slightly different.

14 **MARGARET KING:** I view the role of
15 Indian women in our communities as so essential in the
16 development of children to be strong human beings, to be
17 balanced human beings, and that traditional role of women
18 has been weakened and undermined in our communities by
19 the influence of other societies. I think we have to
20 respect our own culture and tradition in the development
21 of our future leaders, because it is the women who will
22 be the influence. The men grow up to be a strong
23 individuals because of the attention given to them when

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1 they are small. Their influences begin at the time they
2 begin to walk and the influences that are going to develop
3 that child have to be well meaning and well intentioned.

4 So the protection and the role that women have in providing
5 that comfort to children have to be strengthened and I
6 think there is not enough emphasis given in strengthening
7 the role of women in our societies.

8 **Co-Chairman GEORGES ERASMUS:** Thank
9 you. Joan, did you have any questions or comments?

10 **Commissioner JOAN LAVALLEE:** I listened
11 to your comment about we are not asking to be equal but
12 we are asking to still hold our rightful place in our
13 communities and that was a very important part of our
14 communities a long time ago. Thank you.

15 **Co-Chairman GEORGES ERASMUS:** Thank
16 you. Our next presenters are the Métis Family and
17 Community Justice Services, Noble Shanks.

18 **NOBLE SHANKS, MÉTIS FAMILY AND COMMUNITY**
19 **JUSTICE SERVICES:** My name is Noble Shanks. I am
20 presently the director for a newly established affiliate
21 of the Métis Society of Saskatchewan which we have called
22 the Métis Family and Community Justice Services of
23 Saskatchewan. I am here today, though, to present

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1 primarily on some of the Métis Society's aspirations and
2 views on the development of justice services for Métis
3 people in the province of Saskatchewan.

4 We began our initiatives in the areas
5 of justice -- that is, our active initiatives -- some two
6 years ago at the time when in Manitoba there was the
7 Manitoba Justice Inquiry and in Alberta there was a similar
8 task force set up to explore issues of justice relating
9 to Aboriginal people in that province. We had pushed for
10 the province to establish a similar process for the Métis
11 in Saskatchewan because we in Saskatchewan -- that is,
12 the Métis people -- had never had an opportunity to go
13 to our communities and to canvass from our communities
14 what are their concern in relation to justice. We felt
15 that was very much needed. We felt that the community
16 had a number of concerns and felt that they were being
17 unfairly treated in the justice system.

18 After much negotiation, almost a year
19 later in June of 1991 we had convened, in co-operation
20 with the Saskatchewan government a justice review
21 committee, and for the following eight months we conducted
22 consultations and public hearings throughout the province.
23 Through that process we were able to canvass a number

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1 of areas of concerns of Métis people relating to justice.

2 However, we felt that that process was not as complete
3 as we had hoped that it would be. There were only a limited
4 number of communities and limited time period when we were
5 able to go out and speak with people and hear from people.

6 We felt also that there were certain
7 terms of reference placed on the committee initially that
8 did not allow us to get into a full explanation of the
9 issues facing people in Saskatchewan. In particular, it
10 was not to be a public process and we were not to delve
11 into specific cases. In a lot of instances you cannot
12 get to the root problems facing Métis people, Indian
13 people, unless you talk about specific cases. And I think
14 that became very clear with the Manitoba justice inquiry
15 and their need to investigate two very specific cases in
16 that province to shed light on what was the situation for
17 the Aboriginal people when it came to justice.

18 As well, there was the Marshall Inquiry
19 which again involved investigation into a particular case,
20 which investigation provided some very useful information
21 regarding how it is that the justice system discriminates
22 against Aboriginal people.

23 We in Saskatchewan consented to this

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1 committee process because we needed to have some type of
2 process to discover some of the concerns in our
3 communities.

4 Without going into too much detail
5 regarding the findings of that report -- I don't believe
6 I need to; that report is a public document and would be
7 available to your Commission -- I will just highlight a
8 few areas.

9 It became apparent to the committee that
10 there were a number of areas of extreme importance in the
11 areas of justice to the Métis people and some of these
12 areas were, for example, legal representation. We heard
13 over and over again that Aboriginal people and Métis people
14 in particular were not fairly represented under the present
15 judicial system when they entered into the court process,
16 that they did not understand what the process was that
17 they were involved in and they could not effectively
18 communicate their own situation when the court came to
19 having to make a decision regarding what to do with the
20 individuals who came before them.

21 There were a number of calls for the
22 re-establishment of a court worker program in
23 Saskatchewan. Saskatchewan was one of the only provinces

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1 in Canada that did not have such a program. There were
2 also a number of comments in the communities regarding
3 the services provided by the Legal Aid Commission. There
4 were complaints about Legal Aid services, particularly
5 that the lawyers could not or would not adequately
6 represent Aboriginal people in Saskatchewan courts.
7 There was an apprehension of bias on the Legal Aid
8 Commission lawyers. We as a committee in our findings
9 certainly did not take the position that these lawyers
10 were in any way acting improperly. However, we certainly
11 acknowledged that the system as it was was inadequate.
12 We were not nearly as strong in our report as were the
13 comments that came out in the communities regarding the
14 type of representation that they felt they received.

15 We believe as a result of the review
16 committee report the Department of Social Services which
17 administers the Legal Aid Commission has now undertaken
18 a review of the Legal Aid Commission's services in
19 Saskatchewan. That is presently ongoing and we are
20 looking forward to seeing the results of that process.
21 However, we are not fully pleased with the manner in which
22 the process was put in place, being that we were not asked
23 to have a representative to sit on that committee that

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1 was conducting the review. We are hoping that the
2 committee's findings will reflect some of our concerns.
3 They did visit us and speak with us and canvassed our
4 concerns.

5 Another area that I wish to comment on
6 is the area of police services.

7 In a number of communities that we
8 visited we had heard numerous complaints regarding the
9 services provided by the RCMP and as well the treatment
10 received by Aboriginal people in urban communities. We
11 had heard that Métis people were discriminated against
12 by members of the force and at times when they had sought
13 to seek some kind of recourse or complaint they felt that
14 they received very little assistance in their endeavours
15 to try to have that system of police enforcement
16 investigated in Saskatchewan. There was especially in
17 northern Saskatchewan in certain communities a great deal
18 of animosity between the communities and the police force,
19 animosity which looked like it had been there in that
20 community for a long period of time and may continue to
21 exist unless there are drastic changes put in place.

22 We have had involvement with the
23 Aboriginal Policing Services Section of the RCMP Division

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1 of Saskatchewan and our involvement with that section has
2 been positive for the most part. We believe the director
3 of that section is genuinely interested in promoting police
4 services that are more culturally sensitive to Aboriginal
5 people in Saskatchewan. However, there appears to be some
6 difficulty in the effectiveness of that unit to communicate
7 or to direct specific detachments to adjust their method
8 of dealing with Aboriginal people. I think that is
9 something that needs to be worked on.

10 We don't believe the issue of how the
11 police deal with Aboriginal people has been fully explored.

12 As I mentioned, we were not allowed, because of our terms
13 of reference, to explore into specific cases and a number
14 of specific cases were brought to our attention, cases
15 of harassment and abuse, complaints which we were not
16 allowed to bring forward in the report because of our terms
17 of reference, cases which we believe may require further
18 investigation in perhaps a public forum to be adequately
19 addressed. However, we were not able to do that.

20 To go on to another area, we looked at
21 the system of corrections for Saskatchewan. And again
22 there we found that there were numerous complaints
23 regarding racism existing amongst the employees of the

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1 correctional service of not only the province but of
2 Canada. We were not able to substantiate the allegations
3 that were made by inmates that we talked to. Again we
4 were not able to comment on any specific cases that were
5 put forward to us.

6 However, there were some instances,
7 particularly there were specific complaints made regarding
8 the Pinegrove Institution for Women and there were
9 individuals that had come forward. They were actually
10 staff members that came forward with allegations of racism
11 in that institution. There was an investigation done in
12 Saskatchewan that Saskatchewan Justice had initiated I
13 believe upon receiving these reports. There was a further
14 investigation done I believe with respect to the Regina
15 correctional centre. These reports, I understand, are
16 due to be made public tomorrow.

17 One of the members of our justice
18 committee actually sat on one of the committees struck
19 to investigate the allegations at the Pinegrove
20 Institution for Women. We found in that circumstance that
21 we were not pleased at all with what we viewed to be efforts
22 to block that process made by the Saskatchewan Government
23 Employees Union. It is our understanding that they had

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1 issued to their employees a directive not to co-operate
2 with the committee that was investigating those complaints
3 and further, in particular with the Pinegrove
4 investigation, the STU demanded that an individual be
5 present during all hearings. That individual has been
6 associated with a member of a white supremacist
7 organization.

8 So we have had quite a struggle in our
9 attempts to investigate a system of justice which many
10 of our people believe to be racist. We have had some
11 co-operation by Saskatchewan Justice. However, there are
12 numerous organizations that appear to have a vested
13 interest in not having those types of allegations
14 substantiated.

15 With respect, I may go on to speak of
16 another area, being court services. That was an area of
17 particular concern. Attention was drawn to that concern
18 in the report. I have already mentioned the calls in the
19 communities for re-establishment of the court worker
20 system. I believe I mentioned that we were presently
21 involved in a feasibility study to establish a court worker
22 program once again in Saskatchewan.

23 I would like to comment on the perception

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1 in northern communities of the fly-in court process.

2 There were numerous concerns raised in
3 relation to a process where justice only comes to your
4 community once a month and all the justice officials fly
5 in on the same plane and are largely not representative
6 of the Métis people that happen to live in that community;
7 that is, they are usually non-Aboriginal people. There
8 is a perception in the communities that this form of justice
9 is very much a process that is imposed upon them, one which
10 they have no part in, no understanding of, one which they
11 believe is totally one sided. They view all of the justice
12 officials as being on the same side and it is them coming
13 in to declare upon them what is to happen because of things
14 that they have committed in their own communities.

15 As a result of this there are efforts
16 presently being made to make northern dispensing of justice
17 more appropriate to Aboriginal communities. There is a
18 project which we are presently involved in promoting, which
19 is a project which was initially started by some of the
20 judges on the northern court circuit, being one of northern
21 peace-making circles which would involve allowing the
22 community to establish their own judicial or semi-judicial
23 bodies to deal with disputes in their own communities.

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1 I suppose it is an alternative dispute resolution
2 mechanism. We are hoping as a result of the putting in
3 place of these types of systems that that situation in
4 the north will be somewhat alleviated. However, the
5 perception of a court that flies in to your community once
6 a month that is not part of your community I don't think
7 will ever be changed. I think that that whole system has
8 to be reworked.

9 Speaking generally, we in the Métis
10 society are very much at the ground level in developing
11 justice services and justice programming and responses
12 to the justice system. We have never before had an
13 opportunity even to look at what are the concerns of the
14 people in our communities.

15 We have a number of frustrations in our
16 efforts to become involved in justice. One of them is
17 that we have absolutely no resources to be involved in
18 this area. The Saskatchewan government has indicated its
19 willingness to promote Aboriginal involvement in the area
20 of justice. However, in terms of funding it has taken
21 us a long time to negotiate anything at all in the way
22 of direct funding to the Métis organization in this
23 province, that is, the Métis Society, to begin searching

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1 for alternative ways of dispensing justice in Métis
2 communities.

3 We also are running into something which
4 is not an overt stance on behalf of the government but
5 we seem to feel that the government -- being the provincial
6 government and the federal government -- is very unsure
7 or disbelieving of the abilities of the Métis people to
8 dispense justice or to become involved in the
9 administration of justice or to administer programming.

10 For example, with the northern peace-making circles
11 proposal that I made reference to earlier we had wanted
12 to put a project in place that would service all Métis
13 communities in northern Saskatchewan. We envisioned
14 hiring at least two fulltime workers to work in northern
15 communities and we had also seen the possibility of
16 establishing similar types of services in southern
17 communities and urban communities. However, the
18 governments are telling us that -- they are saying to us:
19 "Just hold on. What we will do here is we will start a
20 small pilot project in one particular area of northern
21 Saskatchewan and you can work on that for now and if that
22 is successful we will consider maybe implementing that
23 across Saskatchewan."

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1 We believe that Métis communities are
2 prepared presently to undertake immediate initiatives not
3 only in northern Saskatchewan but in southern Saskatchewan
4 that are going to alleviate the situation of conflict that
5 they find themselves in in the justice system. It may
6 be that at the beginning we will stumble and fall, scramble
7 around, and so forth. But we need to take immediate
8 action. It is not enough to be involved in one token pilot
9 project in Saskatchewan. The need is much larger than
10 that. We need money to have workers working in communities
11 in Saskatchewan, helping them to develop justice
12 programming. It is very difficult for a community to on
13 their own develop programming that is going to address
14 the issues facing the people in that community without
15 any assistance from anybody.

16 We have asked a number of times to have
17 community development workers, justice workers, to be
18 deployed throughout Saskatchewan to work with communities
19 to begin developing models of alternative community
20 justice systems, Métis justice systems, and in each case
21 the funding agencies of the provincial and federal
22 government are reluctant to provide those types of dollars.
23 We receive answers back from them -- from the province

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1 we are told that the province does not have developmental
2 dollars. They have project dollars. When it comes to
3 the federal government they have some project dollars but
4 it is only test dollars, pilot dollars, pilot project
5 dollars. And they just want to test small projects.
6 There is no real comprehensive scheme available to be
7 involved in the development of initiatives on a large
8 scale. We find it a frustrating experience.

9 Having said that, though, we are very
10 hopeful that we can work with the administrations of
11 government of the province and the federal government
12 toward continued development of justice programming for
13 Métis people. It is not an easy road but it is one that
14 we are certainly willing to embark on.

15 Those are my comments, if you wish to
16 ask some questions.

17 **Co-Chairman GEORGES ERASMUS:** Do you
18 mind if we ask you a few questions?

19 **NOBLE SHANKS:** No, not at all.

20 **Commissioner ALLAN BLAKENEY:** I was
21 really interested in your presentation. I am wanting to
22 ask a little bit about what we can conceive here with
23 respect to an Aboriginal justice system -- and now I am

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1 speaking of criminal justice system; it could be civil
2 as well, but I am dealing in my remarks with the criminal
3 justice system -- for a place like Pine House, a largely
4 Métis community.

5 Do you envisage that there would be an
6 Aboriginal policeman in that community, or serving that
7 community and perhaps one other or two, and I will use
8 the word judge in that community, an Aboriginal -- I will
9 call him a judge -- who would either live there or come
10 in from outside and -- I would hardly call them prosecutor
11 and defence but for the dispute resolution, the
12 councillors, if I might call them that, of the offender
13 or alleged offender and the people who were wronged.

14 Are you thinking along that model, which
15 one can see in the United States? One can see those sorts
16 of models operating in the United States. Is that the
17 sort of thing you are thinking of?

18 **NOBLE SHANKS:** I believe that
19 ultimately that is a direction that we want to go in, or
20 at least that is a level that we want to achieve. It would
21 be good to have Métis communities be autonomous in the
22 sense that they could administrate entirely the keeping
23 of peace in their own communities. That may extend from

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1 the initial level of enforcement of community laws that
2 have been developed to the manner of ensuring that those
3 laws are followed and dealing with those individuals who
4 are not able to follow those laws.

5 In the interim we can only proceed as
6 quickly as the communities are willing to undertake. It
7 does not appear, in respect to policing, that there are
8 presently a lot of communities that are prepared to
9 undertake their own policing at this time although that
10 is something that is only now being considered. There
11 is some possibility under the Police Act of Saskatchewan,
12 I believe, for communities with a certain level of
13 population to have their own police forces. There are
14 a number of small communities in souther Saskatchewan that
15 do have their own police forces.

16 But there is a lot of development work
17 that needs to take place, I believe, before communities
18 would be prepared to put in place their own police forces.

19 What needs to be done now and what is being undertaken
20 in co-operation with the RCMP is to try to move the present
21 police force, which is the RCMP, to a stage where they
22 are involved in more community-type policing, what they
23 call community policing. That effort has had some success

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1 in some northern Métis communities. However, in other
2 communities it has not had a lot of success. And it seems
3 to be that it has a lot to do with the detachment commander
4 and his preparedness to entertain alternative forms of
5 policing. I believe this is where immediate change may
6 need to take place, in the authority structures of the
7 RCMP to ensure that their aspirations for alternative
8 policing services are put in place.

9 **Commissioner ALLAN BLAKENEY:** I will
10 use some names. They may not be the right names but some
11 of them are out of the past and some of them may not have
12 an relevance today. I think of a place like La Loche which
13 at one time there was considerable tension between the
14 RCMP and the general community. I don't know whether that
15 is true today and I am not asking.

16 I think it is going to be pretty tough
17 to depend upon getting a series of detachment commanders,
18 heads of detachments, who are going to be culturally
19 sensitive. You may get one or two but it will fall off,
20 I think. Therefore, I think the idea of getting Aboriginal
21 policing is crucial to making these things work.

22 With respect to the judge I think there
23 may well be a possibility of using the judges which we

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1 have now that go in there, but having Aboriginal people
2 work with them on sentencing and generally advising them,
3 as happens in some other places. In Teslin in the Yukon
4 that works and apparently works well, according to the
5 Band there.

6 You have probably been thinking a little
7 bit about that model of still having the same judge but
8 have him operate with elders in the community. They don't
9 have to be elders in a formal sense but people who are
10 recognized in the community as community leaders.

11 What are you thinking along those lines?

12 **NOBLE SHANKS:** The model that you refer
13 to from the Yukon Territory is presently being employed
14 in Saskatchewan and has been used already, I think, on
15 three or four or five instances, specific cases in the
16 north. What we are proposing as a model is a peace-making
17 circle, community, tribunal, if you would, which would
18 work in conjunction with that in the sense that instead
19 of the matter having to be overseen by a circuit court
20 judge in the north the individuals can on their own deal
21 with cases on a diversion-type basis so that they would
22 not have to be initially charged and processed through
23 the court. If there was an understanding with the RCMP

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1 and Saskatchewan Justice's prosecution unit, matters could
2 be diverted directly to these community bodies and they
3 could adjudicate and hand out a disposition which, if
4 followed through with, the matter would not have to then
5 proceed to court.

6 If there was a case that was so serious
7 that it would have to proceed to court or for other various
8 reasons could not be adjudicated in that community
9 tribunal, the matter may have to proceed to court, in which
10 case the judge would still have available to him, if it
11 were appropriate, the use of that same body then to advise
12 him on sentencing of that individual. That is what we
13 are proposing.

14 **Commissioner ALLAN BLAKENEY:** I will
15 just close with a final comment and not a question.

16 I had a friend in Toronto once who used
17 to say that the first court is the police because they
18 are going to make the decision as to whether to charge.

19 That is the first time you get into court. The second
20 time you get into court is when the police talk to the
21 prosecutor and they decide whether to go along with it.

22 And the third time you get into court is when you see
23 somebody called a judge after that. But the first and

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1 second steps were key to making a system fair because it
2 doesn't matter how good the judge is, if the process of
3 deciding whether to charge by the police and whether to
4 go ahead with the charge by the prosecutor is unfair, the
5 judge is helpless to make the system fair.

6 That's why I think the police end is
7 very, very important. This is not to suggest that the
8 RCMP can't be fair. There have been a whole lot of
9 improvements there and many of them do their best. But
10 many of them are not culturally sensitive. How can they
11 be? They come in from a different environment to a
12 community like Pine House. I therefore think we are going
13 to continue to have difficulties with the justice system
14 until we can address ourselves to that particular problem.

15 That is just my speech. Thank you very
16 much.

17 **Co-Chairman GEORGES ERASMUS:** You were
18 talking about the lack of developmental dollars to develop
19 models. You had some other ones involved besides the
20 peace-maker court?

21 **NOBLE SHANKS:** There are other models
22 that we would wish to -- there are a number of areas that
23 we would like to be involved in. We would like to be

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1 involved in developing policing services different than
2 what they are now for Métis people. We would like to be
3 involved in correction services for adult and young
4 offenders and we would like to be most involved in the
5 development of diversion programs that can maybe deal with
6 offenders at the front end of the system before they are
7 sentenced to custody.

8 There are programs where you have
9 community people either involved in the level of sentencing
10 or in the level of handing out dispositions as a mediation
11 diversion program in communities other than rural Indian
12 or Métis communities. The Legal Services of Toronto I
13 think has such a program that they operate in downtown
14 Toronto where you have individuals referred by court
15 workers, prosecutors, police, to community committees or
16 tribunals or commissions -- I am not sure what they are
17 called -- that do a similar type of thing to what we envision
18 communities in the north doing. We would like to be
19 involved in the development of those types of programs
20 in urban and southern and rural communities as well.

21 **Co-Chairman GEORGES ERASMUS:** Your
22 developmental money you were looking for, that was to
23 develop the models, not to put them into practice. You

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1 were not talking about pilot projects. You were talking
2 about either doing research or else working out with
3 communities some ideas before you put them into a pilot
4 project.

5 Is that the kind of money you can't find?

6 **NOBLE SHANKS:** There are some of those
7 moneys available. The Department of Justice has a
8 discretionary justice fund. I am aware of that. You can
9 apply to them for dollars to conduct research to develop
10 models for implementation in communities. But you also
11 need money to go into the communities and begin working
12 with people and finding out who is prepared to do this.
13 Once you have decided on a model, there is a lot of
14 developmental work that has to be done in relation to just
15 setting it up.

16 We found with the Department of Justice
17 federally that with their discretionary fund they are a
18 bit cautious. We have proposed something to them and we
19 have received money from them already. We have operated
20 a project over the summer, which our funds have run out.

21 We presently have a proposal for them for the peace-making
22 circles I have referred to, but the Department of Justice
23 is cautious in wanting to take one specific project in

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1 Saskatchewan and let's work on that for the Métis.

2 But we believe we can do more than that.

3 We believe we are prepared, if we had the money, to proceed
4 a lot quicker than what we are being held to right now
5 because of the lack of those types of developmental
6 dollars, especially from the province. The province to
7 this date, other than funds they have committed toward
8 funding the review committee process, has not given us
9 -- and I am speaking of the Métis Society -- any money
10 whatsoever in our efforts to develop alternative justice
11 models for Saskatchewan and implement those models.

12 We are presently negotiating with the
13 Saskatchewan Department of Justice and the federal
14 Department of Justice regarding this project that I have
15 been referring to up north but outside of that we have
16 had no favourable response on proposals that we have made
17 to allocate resources to us so that we could do the work
18 that is necessary to prepare the communities to be
19 involved.

20 **Co-Chairman GEORGES ERASMUS:** Thank
21 you. Those are all of our questions.

22 Next we are going to have the Métis
23 Society of Saskatchewan and the Education and Employment

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1 Women's Working Agenda.

2 **GERALD MORIN, MÉTIS SOCIETY OF**

3 **SASKATCHEWAN:** What we are thinking of doing is having
4 the three of us make a presentation at the same time.
5 Michele would like to say something after I am done and
6 as well Clem Chartier, all under the heading of the Métis
7 Society of Saskatchewan.

8 Basically the remarks that I have to
9 make, as president of the Métis Society of Saskatchewan,
10 are connected to the response and the results of the
11 referendum vote the other night. I think a lot of people
12 are asking a lot of questions now, Canadians, governments,
13 Aboriginal people. What is the next step and where do
14 we go from here? I think people are looking for direction
15 in terms of where we can go or how we can proceed to deal
16 with the outstanding aboriginal issues in the country.

17 I think it is fairly unanimous
18 throughout the country that the Aboriginal agenda cannot
19 be put on the side burner for two years or three years
20 or five years, that it has to be addressed. We have made
21 it very clear as far as the results of the referendum vote
22 were concerned the other night that it was not a rejection
23 of the Aboriginal peoples; it was not a rejection of

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1 Aboriginal rights or aspirations. There were many
2 components to the Charlottetown Accord and there were many
3 other factors besides the contents of the Charlottetown
4 Accord which had a bearing on how Canadians voted on
5 referendum day.

6 So we don't interpret the results as a
7 rejection of Aboriginal people, and it is our view that
8 the vast majority of Canadians feel that the outstanding
9 grievances of the Aboriginal people throughout the country
10 should be addressed and should be addressed soon. As far
11 as we are concerned, now that the Charlottetown Accord
12 at least in the foreseeable future is not an alternative,
13 as Aboriginal leaders we will feel increasing pressure
14 to have our issues addressed and have them addressed
15 quickly. And if governments don't respond then the only
16 way we can have our issues addressed quickly without some
17 kind of appropriate government response is to resort to
18 confrontational tactics and tactics which will gain the
19 attention of governments and Canadians. That is something
20 that we don't look forward to and we prefer not to resolve
21 our issues under those kinds of circumstances.

22 Given all of that, my purpose here today
23 is to make some suggestions to the Royal Commission in

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1 terms of the role that it can play in this
2 post-Charlottetown period. What we would suggest is that
3 the Royal Commission seriously consider making some sort
4 of a statement to governments about what should be
5 happening in terms of Aboriginal peoples now that the
6 Charlottetown Accord has gone down, some sort of statement
7 in terms of giving governments direction of what they can
8 be doing and some of the options that they should be looking
9 at.

10 For us as Métis people one of the things
11 that we had gained in the Charlottetown Accord was the
12 amendment to section 91(24). Métis leaders for many years
13 now have consistently raised that issue. It is a
14 tremendous obstacle for us because we go to both levels
15 of government and in both instances we are rejected and
16 we are told to go to the other level of government. It
17 is an obstacle for us in making progress in terms of Métis
18 rights, land claims, programs, resources, and so on.

19 It was agreed by the ten provincial
20 governments and the federal government and the Aboriginal
21 leaders as part of the Charlottetown Accord to amend 91(24)
22 to clarify it, to clarify that it covers all Aboriginal
23 people including the Métis.

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1 So one of the things that I think should
2 be seriously considered is that the five western provinces,
3 Ontario and west, and the federal government and
4 representatives of the Métis nation, perhaps even at the
5 officials level initially which would lead up to meetings
6 with the politicians, should seriously get together and
7 consider some kind of option where they can amend section
8 91(24). The Métis nation resides in the five western
9 provinces and in the Northwest Territories and if the
10 federal government and those five western provinces agree
11 that there ought to be an amendment to 91(24) to clarify
12 it, then I don't see how there would be any difficulty
13 in amending the constitution through the 7/50 formula.

14 I know that Canadians are
15 constitutionally fatigued and they don't want to hear about
16 the constitution any more and government leaders are saying
17 that the focus now has to be on the economy. If it is
18 agreed involving meetings with the five western provinces,
19 the Métis leadership and the federal government, this is
20 something that could happen quickly. It could be simple
21 and very fast. They would not even have to have a special
22 constitutional conference to consider this. Some of the
23 First Ministers are talking about getting together to have

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1 an FMC on the state of the economy. This could be
2 considered as an agenda item at such an FMC if there is
3 unanimous support for it, which we think there is.

4 This is something that we would like to
5 urge the Royal Commission to seriously consider and also
6 to consider putting such alternatives in front of
7 governments so that they can give them direction in terms
8 of where they can go in the next few weeks and months to
9 come.

10 The other thing is a companion document
11 which had been negotiated as part of the Charlottetown
12 Accord was the Métis Nation Accord. We are suggesting
13 that the five western provinces get together fairly quickly
14 with the federal government to look at an amendment to
15 91(24) but to also renegotiating the Métis Nation Accord,
16 making adjustments if necessary, and getting agreement
17 amongst the five western provinces, the federal government
18 and the representatives of the Métis Nation to go ahead
19 and agree and sign the Métis Nation Accord.

20 The 91(24) thing is a constitutional
21 thing but the Métis Nation Accord, all of the things
22 contained in there can be accomplished in a
23 non-constitutional way: to negotiate non-constitutional

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1 self-government arrangements; negotiations on lands and
2 resources; enumeration of the Métis Nation.

3 Some of the provinces, like in
4 Saskatchewan, for example, are going to move ahead -- the
5 federal government, the province and the Métis Society
6 of Saskatchewan are going to move ahead on enumeration
7 in any event, but it should be streamlined and this approach
8 should take place with the whole Métis Nation.

9 So they could look at the Métis Nation
10 Accord, renegotiate it and sign it at some point in the
11 future. But this would move ahead as an entire package,
12 including the 91(24) amendment.

13 In terms of the implementation of the
14 contents of the Métis Nation Accord and the implementation
15 of 91(24), Manitoba and Alberta currently have tripartite
16 discussions under way. They have signed formal tripartite
17 framework agreements and they are having discussions
18 between themselves, the respective provinces and the
19 federal government. And in Saskatchewan probably within
20 the next month or so we will probably sign a Métis
21 tripartite framework agreement between the Métis Society
22 of Saskatchewan, the provincial government and the federal
23 government. So formally we will have tripartite talks

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1 in at least the three Prairie provinces under way fairly
2 quickly.

3 Assuming we go in this direction,
4 assuming there is an amendment to 91(24), or even before
5 there is an amendment to 91(24), we can negotiate the Métis
6 Nation Accord and we can implement all of the provisions
7 of the Accord through tripartite arrangements. The
8 mechanisms and processes are already in place or will be
9 in place fairly quickly in any event.

10 So I think in many cases it is a matter
11 of formalizing this whole arrangement and streamlining
12 it to ensure that all of the people from the Métis Nation
13 benefit.

14 We ask you to seriously consider that.

15 There is another thing that I would like
16 to throw out in terms of alternatives to the Charlottetown
17 Accord. Currently in section 35 the existing Aboriginal
18 and treaty rights of the Aboriginal peoples of Canada are
19 recognized and affirmed and it also says that land claims
20 agreements that are negotiated shall be deemed to be
21 treaties. So land claims and agreements and treaties that
22 are negotiated in the future will automatically receive
23 the protection of the constitution and be more or less

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1 constitutionalized. One option we can consider when the
2 circumstances are right and before we go back to the
3 bargaining table with all of the different players -- the
4 premier, the Prime Minister -- is a treaty making process.

5 I know Ron George on television the other
6 night mentioned that and so did Ovide Mercredi, that this
7 is an option that can be pursued between governments and
8 Aboriginal peoples, a treaty making process. That is
9 something that I think the Métis Nation would be very
10 interested in looking at; for the federal government and
11 the five western provinces again where the Métis nation
12 resides to sit down to negotiate and negotiate Métis Nation
13 treaties, which would, once they are negotiated, receive
14 the automatic protection of th constitution.

15 I think this is a feasible alternative
16 for our people.

17 And as well the same considerations
18 apply with land claims agreements. One of the problems
19 in the past is that we have not had access to the federal
20 government's comprehensive and specific land claims policy
21 because they have told us that we are not a federal
22 jurisdiction under 91(24) and therefore do not have access
23 to the federal comprehensive and specific land claims

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1 policy. If that issue can be addressed, then we can move
2 forward as soon as possible on negotiations on land claims
3 for our people in the west.

4 I think the current federal government
5 and many of the current provincial governments are
6 receptive to sitting down with the Métis leadership to
7 negotiate land claims agreements. I think the
8 receptiveness is there. So if we negotiate treaties or
9 land claims agreements in the future, and land claims
10 agreements being deemed treaties. then I think this is
11 a direction that is very feasible. This is something we
12 are very interested in doing. There has to be something
13 in place. Something has to happen. I don't think the
14 old ad hoc approach from the past where we are tinkering
15 with certain Aboriginal programs, making little changes
16 in here, core funding arrangements, contribution
17 agreements with Aboriginal organizations, those were the
18 problems which led up to the negotiations on the
19 Charlottetown Accord. Those are some of the things we
20 were trying to remedy. So I don't think that old approach
21 is going to work. We have to be creative. We have to
22 look at feasible, viable alternatives which will allow
23 us to accomplish many of the same objectives that we are

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1 promoting in the Charlottetown Accord.

2 I think a possible amendment to 91(24)
3 to clarify it -- it has been agreed upon already -- the
4 Métis Nation Accord, the treaty making process, I think
5 these are viable alternatives. The tripartite forums that
6 are required in our province in order to implement the
7 treaties or the Métis Nation Accord are already in place
8 or will be in place fairly quickly in any event.

9 This is basically the presentation that
10 I wanted to make to the Royal Commission. I ask you to
11 very seriously consider that.

12 **MICHELE HARDING, EDUCATION AND**
13 **EMPLOYMENT WOMEN'S WORKING AGENDA:** I am Michele Harding
14 and I sit on the provincial Métis Women's Council.

15 I would first like to make a brief
16 comment on the document that states that Métis women in
17 Saskatchewan and Alberta "express concerns at being
18 excluded from the constitutional discussions and becoming
19 increasingly disempowered by Métis men." They ask for
20 equal representation for Métis governments to be
21 democratically elected.

22 I think that our Métis governments are
23 democratically elected and Métis women have a large part

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1 in electing them. We go to the annual assemblies. We
2 have the same rights as the men do. I won't disagree with
3 this statement but I will say that a lot of Métis women
4 do feel that they have equality within the Métis nation.

5 We have a Métis women's organization and
6 we will continue to work closely with the Métis Society
7 of Saskatchewan. We are also represented at the national
8 level with the Métis National Council of Women. We have
9 had a large part in the constitutional talks and in a lot
10 of other areas as well. Sheila Genaille has travelled
11 all over with the Métis National Council and has been very
12 involved in the Métis Accord as well as one of the lawyers
13 that works with MMC is Cindy Desmeiles and I am sure she
14 throws her opinions in there.

15 I would just like to say that I would
16 like to see that that statement is in some way balanced,
17 stating that a lot of Métis women in Saskatchewan and
18 Alberta do feel that we are treated fairly and do feel
19 that we have a voice.

20 I would also like to speak a little bit
21 on northern education. I am from La Ronge. I think that
22 the Saskatchewan Education is currently developing a
23 committee to do a review on Saskatchewan education and

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1 I think they have to definitely work with the north. I
2 work with Pathways to Success and you see so many young
3 people, grade 12 students, especially in the far north
4 coming out of grade 12 with a grade 2 level of reading.

5 And I think this is attributed to the way they are taught.

6 They need to have English as a second language teachers
7 in the north and I think we really have to concentrate
8 on that. We keep hearing that there should be more
9 cultural input into our education and I believe that that
10 is true but you also have to look at the flip side and
11 you see that these kids have to learn to read English and
12 learn to learn their history as well, everything that is
13 involved in their education, so that they can succeed in
14 a post-secondary education or in the universities. We
15 are taught in English and I think they have to learn that.

16 I think that probably attributes to a lot of the drop-out
17 rate.

18 We have a very high drop-out rate and
19 very low education in northern Saskatchewan. I don't know
20 how many Aboriginal people are going to be sitting on that
21 review committee but we have to make sure there are
22 Aboriginal people, whether they have a university degree
23 or not. They have to have the grassroots input as to what
the education system is doing for their children or doing

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1 for them. And I don't believe that we need all of these
2 non-native people sitting on these committees, and very
3 educated people, saying: "Well, this is what the Métis
4 or this is what the Indian people need in the north."
5 We need to have grassroots input on what education our
6 children are going to received because obviously the system
7 has not worked so far. Working with Pathways you see so
8 many people and so many statistics.

9 If you want to look at adult basic
10 education in the north, last year there was 156 people
11 enter adult basic education through the college. Ten
12 succeeded. How much money have we spent on adult basic
13 education? And these people are not becoming educated.
14 They are dropping out. We have to seriously look at what
15 the college's curriculum is. We have to have the mandatory
16 curriculum but I think we need to add to it. We have to
17 do something with it because it is not working and we are
18 wasting a lot of training dollars on that. I am not saying
19 that adult basic education is not important because it
20 is, but we have to seriously look at those things.

21 With that, I am done. Thank you.

22 **CLEM CHARTIER, MÉTIS SOCIETY OF**

23 **SASKATCHEWAN:** Good afternoon, Commissioners. You have

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1 heard some positive statements. I am going to make what
2 I believe are positive statements but might be viewed as
3 negative statements by the Commission before I make what
4 I hope is a contribution to your work.

5 First of all, my name is Clem Chartier.

6 I have known all of you for quite a while. I have just
7 finished a brief period of time with the Métis National
8 Council as one of the three Métis lawyers working on the
9 constitution, which included Marc Leclair, Cindy
10 Desmeiles. We put a lot of effort into that and at least
11 myself did not put as much effort into this process because
12 we just have so many people to go around.

13 Let me give you an example, and I am not
14 trying to cry in my milk or anything.

15 At one meeting in Vancouver on the
16 constitution, at a minister's meeting, the working group
17 on Aboriginal issues, I was the sole person at the table
18 for the Métis National Council and with the Assembly of
19 First Nations were 19 lawyers. That sort of tells the
20 disparity that we find ourselves in in being spread so
21 thin trying to work not even within that process alone
22 but trying to address some of these other processes.

23 In any event, when we had an opportunity

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1 to look at the documentations that have flowed from your
2 first round, we are quite disconcerted that with respect
3 to the Métis again we seem to be marginalized, and that
4 causes great concern.

5 With respect to your Overview, Chapter
6 6 does deal with some Métis issues but by and large Métis
7 interventions have basically received scant or in fact
8 footnoted references in the body of the Summary Report.

9 Michele has already mentioned that
10 references to Métis women in Alberta, Saskatchewan and
11 Manitoba are very negative and are a deep slight and slap
12 in the face to the Métis nation and to myself as a male
13 person because it seems that we are there basically
14 oppressing Métis women, which is far from the truth. It
15 is very inaccurate for the Commission to put out that kind
16 of a public report.

17 Another thing that causes us great
18 distress is that we have been for a long time pushing
19 forward the notion of our people as a nation of people
20 with a geographic homeland in this country and this report
21 does not bring out that fact. It does not treat us as
22 a nation of people. It does not address that fact at all.

23 When it talks about Métis, it talks about the Métis Nation

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1 and the people in Labrador who characterize themselves
2 are Métis. They probably are mixed-blood people but they
3 are not the same as the people of the historic Métis Nation
4 and the Commission is going to have to look at distinctions
5 that do exist, the same as if we want to use the generic
6 term "Indian". There is more than one Indian people.
7 There is the Dené nation, the Cree nation, the other
8 nations. And in fact if there are more than solely the
9 historic Métis nation in Canada, then we have to at least
10 acknowledge the fact that generically there may be but
11 specifically there is the historic Métis Nation and we
12 want to be addressed, as a people, as to who we are and
13 not in any other manner.

14 In terms of the discussion paper Framing
15 the Issues, your part 1 sort of summarizes the hearings.

16 And there again we detect that several quotes -- at least
17 one in particular -- speak against Métis self-government.

18 It does say that the majority of Métis support
19 self-government but the only sort of direct reference to
20 anybody making a statement is where there is a direct
21 statement that states that the Métis should not have
22 self-government, and this by the Cultural Métis
23 Association -- it is a Métis organization in Winnipeg.

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1 That is highlighted. And as you know, most times when
2 you highlight something people tend to gravitate in that
3 direction.

4 As well, as I mentioned, the same with
5 this document as the other, this summary again pays scant
6 attention to the Métis within the first part. There is
7 no specific Métis section and our concerns are not dealt
8 with in several of the sections.

9 For example, there is no mention of Métis
10 concerns in the sections dealing with culture, identity
11 and language, justice, residential schools, land and
12 resources and land claims. So that basically puts us out
13 of a large sector of the areas that you are addressing
14 and areas that are very important to us. It almost seems
15 that because of that, our issues as a Métis Nation have
16 practically been dealt out of this second round.

17 In terms of questions for Round 2, again
18 there is some problem with the way the questions have been
19 characterized. None of these questions address our
20 concerns, our priority issues, such as enumeration and
21 identity, the establishment of a Métis land base or in
22 fact the uneven playing field resulting from the failure
23 of the federal government to accept responsibility for

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1 Métis.

2 I know Gerald has raised these and has
3 suggested solutions but we want to ensure that in fact
4 those are acted upon.

5 Of the questions that are asked, the 47
6 questions, only one specifically refers to the Métis,
7 Question 19. And that question in fact is one as to whether
8 the Indian, Inuit and First Nations peoples living in urban
9 centres should be treated in a status blind sort of
10 self-governing situation.

11 It is not even a positive question. For
12 us it is a negative question because we have been all along
13 stating that we as a nation of people must emerge and
14 continue to build as a nation of people, and we have always
15 been opposed to this pan-Canadian or pan-Aboriginal
16 approach to our people. So that one particular question
17 is a negative one.

18 While that is so with the Métis, we find
19 that there are special -- I don't know if it is special
20 treatment for the Indian and Inuit issues, but for example
21 Questions 4, 5, 9, 13, 20, 21, 22 and 34 make specific
22 reference to Indian and Inuit. So again there is a
23 disparity in approach.

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1 We have some other concerns, things like
2 location of hearings. We have not had the good fortune
3 of having hearings in our Métis communities and it does
4 not appear that we will in the short term, unless we are
5 mistaken. And we definitely want the Commission to go
6 to Métis communities to hear from Métis people directly
7 at that level.

8 We also have some concern about the
9 funding and research, but we will leave the Métis National
10 Council and ourselves to discuss that at some later time.

11 While that is the case in terms of this
12 round and Round 1, Gerald, the president of the Métis
13 Society, has made some good suggestions and Michele has
14 explained some of the concerns. So we are hoping that
15 we can salvage something out of Round 2 and we hope that
16 in Rounds 3 and 4 we are going to in fact find a proper
17 niche for ourselves in these hearings and that our
18 concerns, our aspirations, our future, are going to be
19 adequately represented and reflected.

20 I suppose on a more positive note,
21 besides what has already been presented, I want to
22 re-affirm and add my voice to what we could possibly look
23 at in the short term. Again in the summary document

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1 Framing the Issues, on page 3 we talk about rebuilding
2 the relationship and it talks about principles. It states
3 four: autonomy, self-sufficiency, cultural development
4 and reciprocity. Those are very important.

5 But one of the things that our people
6 have always been stating I think revolves around land and
7 resource base. One of the principles we have to look at
8 is the right of all peoples, including the Métis, to a
9 land and resource base. That is something that Gerald
10 has mentioned and it is something that is very important
11 to us.

12 Another important principle that I think
13 we have to look at is equity or parity as among the
14 Aboriginal peoples. Again, this is what Gerald has
15 referred to in terms of addressing the issue of 91(24)
16 and addressing this issue of a level playing field. It
17 is very critical for us, particularly because of the recent
18 history of Monday.

19 The Métis Nation Accord can still be
20 salvaged and we have to seriously look at bringing it back
21 and in fact maybe elevating it to the status of a treaty.

22 With that, you ask the question: What institutions and
23 structures might be adapted or created to put this new

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1 relationship in place? The Métis Nation Treaty, which
2 we formerly presented, would be a good vehicle at this
3 time, short of direct constitutional amendment, to in fact
4 set in place the institutions and structures that are
5 needed for the Métis people and Métis Nation to move ahead
6 in the areas that you are looking at.

7 As well on pages 3 and 6 you make
8 reference to government policy and its effects on people.

9 In this case you talk about the High Arctic Exiles and
10 I believe it is very important that that be addressed.
11 But I think we also want the Royal Commission to take a
12 specific look at the Métis Nation, the historic Métis
13 Nation, and look at how we have been dispossessed and
14 displaced from our lands and resources, stripped of our
15 self-government and cast into a jurisdictional limbo which
16 we are trying to address.

17 I believe that the Royal Commission, if
18 it wants to take a serious look at the Métis Nation and
19 where we are going to be when this ends, or what will be
20 recommended, should set up a special task force that deals
21 specifically with the Métis Nation, look at how we have
22 been dispossessed of our lands, or our rights, and in that
23 way we won't have to come back and say well, when you are

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1 addressing Aboriginal peoples we may be in there or we
2 may not. Our issues have to be dealt with head-on and
3 in that way it will look at us specifically.

4 Again on page 6 it says treaties, land
5 and resources, economy. The operative paragraph, the
6 first one, addresses treaties under some sub-heading so
7 it almost looks like what you are concentrating on are
8 treaties. What about us? When treaties were made in
9 1906, Treaty 10 in northwestern Saskatchewan, the same
10 commissioner dealt with both of our people. Some people
11 entered treaty; other Aboriginal people took SCRIP. And
12 because of that governments say we have been totally
13 divested of our rights. Why is there not a specific look
14 at our dispossession by land and money SCRIP, by that
15 process?

16 I guess in conclusion, while we feel that
17 we may not have brought ourselves into prominence as of
18 yet with the Royal Commission, we don't feel that it is
19 probably any deliberate attempt. It is just, I suppose,
20 the way things go. We have some catching up to do and
21 we hope that the Commission will enable us to have that
22 catch-up and take some of our comments seriously. Thank
23 you.

StenoTran

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1 **Co-Chairman GEORGES ERASMUS:** I am
2 going to refer to some of Clem's comments first.

3 The document that you are referring to
4 here, Framing the Issues, and the other document and then
5 the little one, made no attempt to try and single out
6 individual Aboriginal peoples. This was a document that
7 dealt generically with everyone. The two major documents,
8 the background document and this one, dealt with some of
9 the comments we heard both for and against issues.

10 If you want to get into the particulars
11 of when Métis women were critical, we can give you the
12 names and places and precisely what they said. The same
13 thing was said about other Aboriginal governments. In
14 fact, in the seat you are sitting we heard complaints today.

15 So all we were doing was reflecting the
16 fact that we hear both the support for inherent right plus
17 some concerns about how it is going to be implemented.
18 We were not trying to pick on the Métis, any more than
19 we were trying to pick on Indian chiefs when we outlined
20 the kinds of concerns that women have presented to us.

21 Obviously it is not all women, for sure.
22 There is no question about that. We were just trying
23 to present the kinds of things that people have told us.

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1 The way that we try to deal with that
2 is that we have now a section here that deals with
3 accountability. So we are asking people: In the future,
4 when Aboriginal governments are going to be put in place,
5 what kind of accountability do they want? In fact, we
6 had a discussion on accountability here in this very room
7 a few hours ago, because we are trying to deal with that.

8 It is not enough for us to be told that Aboriginal people
9 are going to be accountable to Aboriginal people. How?

10 We want to look at some models, not because they are going
11 to be imposed on people; in fact, we are hoping that in
12 numerous situations across the country in research
13 projects that we are going to be setting up with people,
14 including Métis communities, we will work out a number
15 of ways it could be done, which can be used as examples
16 to the Canadian people and to Aboriginal people.

17 So it was certainly not an attempt to
18 picture Métis men any different. You did not complain
19 about the sections in here that criticized chiefs. All
20 we were doing was showing the kinds of concerns that people
21 have come up with.

22 The questions again were generic
23 questions. We did not try to single out, have a

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1 self-government question on treaty Indians, have a
2 self-government question on status, on non-status, on
3 Inuit. We tried to create questions which would be useful
4 in a number of situations. It certainly had nothing to
5 do with whether or not the Métis are a nation and whether
6 or not we will be making recommendations in that area.
7 We hear you very loud and clear. The concept of Aboriginal
8 nationhood is alive and well and we are working on the
9 basis that Aboriginal people are nations. That is not
10 a problem. So you don't need to convince us of that.

11 If there is not enough mention of Métis
12 in certain parts of our document, it certainly was not
13 in an attempt to try and marginalize. What we tried to
14 do was we had a number of different themes that we were
15 working on and we tried to highlight what we thought were
16 the points that we heard. It may well be that in our
17 hearings this time we did not hear some of the things you
18 think we may have in relation to Métis people. It may
19 have been done at other times.

20 The problem with these documents is that
21 what we were trying to do was we had 37 hearings and then
22 what we said was: Well, that was our opening shot. What
23 are we going to do in the second round? We want to get

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1 away from the problems and we want to start dealing with
2 some of the solutions, but we have to reflect where we
3 have come from. Our documents have to show what we heard.
4 So that is what we have tried to do.

5 The first one, the one that Michael
6 Cassidy did, was more just an outline of the many different
7 points that were brought up, far larger than this Framing
8 the Issues document. In this one we put a slight bit of
9 analysis in the first part and kind of led into the
10 questions because that is what we were hoping. And again
11 we pointed in here that the questions may be off the mark;
12 they were examples. It was simply to get people in the
13 mood of giving us solutions. That was the primary reason.

14 It was just a tool to get people thinking about: Okay,
15 we have a land problem; here is how we want to solve it.

16 We have a self-government problem; here is how we want
17 to solve it. We have an accountability problem; here is
18 how we want to solve it.

19 What we want to hear are the solutions.

20 It is not good enough for us to hear the problems because
21 that is only the beginning, opening a problem. And we
22 don't want as a Commission to be going in a corner over
23 there and solving all of the problems by ourselves;

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1 otherwise there would not be much use in holding hearings.

2 We want to give an opportunity to people to actually tell
3 us what the solutions are.

4 And then later on we will be testing out
5 those ideas that are coming forth. We are thinking of
6 the next document coming out of this round of hearings
7 to be a document that will show some of the solutions that
8 are coming forth. And again it would simply be a
9 discussion document. It would go either way.

10 So fine, I am glad that women are coming
11 forth and telling us: Look, sure some women are saying
12 that but it doesn't represent everybody. That's what we
13 were hoping. There was a time last time around when we
14 were hearing nothing but women coming forth and complaining
15 and complaining and complaining. There was one hearing
16 where we finally heard one women come forth and I being
17 the man sitting here hearing all of that, I felt exactly
18 the same way you were feeling. But it would have been
19 dishonest for us not to put it in the document.

20 But we are certainly not trying to put
21 a face on Aboriginal people as if we are either all sexist
22 or we are all wife beaters because we certainly heard a
23 lot about that too. But we had to be somewhat accurate

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1 in relation to some of the things we were hearing.

2 When we were coming up with these
3 questions we were not trying to break out Métis, treaty
4 Indians. The urban issues, for instance, we know there
5 are hard-felt positions on whether there should be status
6 blind, Métis-specific, treaty Indians. In fact, we heard
7 from the treaty people earlier today that they want to
8 deliver services in the urban situation for treaty Indians.

9 We also heard yesterday again that the Métis have to
10 deliver their own services.

11 The reason we brought that forth is
12 because we heard a very strong presentation in Winnipeg
13 for status-blind. There were many organizations,
14 something like 86 Aboriginal organizations in the city
15 of Winnipeg, and many of them work together and have been
16 there for two, three decades, and have a delivery system
17 that is status-blind. In Winnipeg they have a network
18 of all of the organizations -- I can't say all, I guess.

19 They have a large network of urban organizations,
20 Aboriginal organizations, delivering services to
21 Aboriginal people. They are working in a status blind.

22 They are working in an umbrella kind of organization.

23 We know it is different in different

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1 places and we need to know where that is. We need to know
2 how hard the difference is. Is it going to stay there?
3 Is it because people have not tried it? We have to work
4 that out.

5 It is not an attempt in any way to stomp
6 over people's concerns or feelings in this area. We need
7 to have a dialogue on that because we have to get to the
8 point where if we are going to recommend in cities that
9 there are going to be three or four different types of
10 Aboriginal services by three or four different types of
11 Aboriginal organizations, we need to have good arguments
12 for that.

13 Those were the opening things. If you
14 don't mind, we might want to ask you some questions.

15 **Commissioner ALLAN BLAKENEY:** I would
16 like to make one comment along the line that Georges Erasmus
17 was talking about.

18 We were out at public hearings and people
19 were reacting, as they always do at public hearings. They
20 hardly had a kind word to say about the federal government;
21 they hardly had a kind word to say about provincial
22 governments -- now and then a kind word; they did have
23 some kind words but a lot of unkind words to say about

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1 status governments, about chiefs and councils; and they
2 had some unkind words to say about Métis National Councils
3 and the like. And not surprisingly we heard fewer kind
4 words about any existing organization than unkind words,
5 because that is the people who come to hearings. They
6 are the ones who say that they are not satisfied with the
7 status quo.

8 The fact that we may have reported some
9 unkind words about the Métis National Council or any other
10 organization does not mean that they were alone. Indeed,
11 the Métis National Council, compared with the unkind words
12 said about other quasi governmental organizations, were
13 away down on the list. You are not even in the same class
14 as Indian Affairs, I will tell you that.

15 I want to turn to this issue that Mr.
16 Morin raised of: What do we do now? And more particularly
17 what do we do now with 91(24)?

18 Obviously one could start some sort of
19 a legal action to see whether 91(24) now covers Métis.
20 And that is an option. Somehow it could be set up. You
21 could probably get a government to set it up and you have
22 a half decent chance of winning that if you can believe
23 the Canadian bar and all the other material you have seen.

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1 However, it builds in a three-year delay, I would think.
2 Maybe not but two at the minimum before you get a decision
3 out of the Supreme Court. And meanwhile things would be
4 slowed down perhaps.

5 I want to ask you if steps were taken
6 to see whether provinces could be mobilized to support
7 a constitutional amendment to clarify 91(24) -- just that
8 narrow amendment -- could it be done without raising the
9 argument that the amendment should also include the
10 inherent right to self-government?

11 I say that because my own judgment on
12 this is that governments will be enormously skittish about
13 getting into this constitutional business. Too many
14 people have been burned. And I think you are not going
15 to see a great deal of rushing to the barricades to salvage
16 very much out of the accord. And 91(24) is such a narrow,
17 discrete thing, one with comparatively few unknown
18 ramifications. And the known ramifications are almost
19 all ones that the provinces would welcome since the federal
20 government is going to assume a responsibility which is
21 a pricey responsibility. That is a possibility of getting
22 the provinces and the federal government organized,
23 depending on the federal government's willingness.

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1 When we went across Canada last December
2 every single attorney general or minister in charge of
3 Aboriginal issues raised as one of the key issues the
4 clarification of jurisdiction with respect to Métis and
5 non-status. It was just ritual. So they are all
6 concerned about it. And this would help.

7 I ask you as a matter of your judgment
8 -- I will say one further thing. In my opinion, things
9 are not nearly as simple with respect to the issue of the
10 inherent right to self-government. I think there is
11 public opposition out there. I don't say it is
12 overwhelming. I can't read the results nor can you, I
13 suspect, but my reading would be that in some of the
14 provinces that probably did attract some "no" votes. I
15 don't think 91(24) attracted a single "no" vote because
16 people simply did not regard it as an issue.

17 My question to you is: Do you think as
18 a matter of political tactics it would be possible to pursue
19 an amendment on 91(24) without others suggesting that the
20 inherent right to Aboriginal self-government should be
21 part of the package? If the package gets that big, I think
22 it is trouble. If it is 91(24), it may be doable.

23 **GERALD MORIN:** One of the other things

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1 that could be suggested is that the particular wording
2 that was agreed to in the Charlottetown Accord could be
3 the exact wording that we could look at in a 91(24)
4 amendment because that wording in the multilateral
5 process, in the meetings with the technicians, which
6 involved people from the AFN, the provinces, the federal
7 government, the MNC, that's the particular wording that
8 was agreed to and that's what everybody was comfortable
9 with.

10 If we are going to go that route --and
11 that's what we are recommending -- then we can look at
12 that exact wording which had the consent of all of the
13 different parties around the table. I think that is
14 something that could be done short, simply and very quickly
15 without raising all these inherent right of
16 self-government arguments. Essentially, the inherent
17 right of self-government was basically striving to
18 accomplish a third order of Aboriginal government in
19 Canada, a new third order of government. And all we are
20 doing in this instance is not trying to develop a new third
21 order of Aboriginal government in the constitution but
22 simply clarifying a particular matter as between the two
23 existing jurisdictions.

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1 **Commissioner ALLAN BLAKENEY:** Reducing
2 duplication and all those arguments which were used.

3 **GERALD MORIN:** Absolutely. We think it
4 is something that can be accomplished. And I think we
5 might have to look very seriously at 91(24) if we are going
6 to seriously pursue the Métis Nation Accord anyway, because
7 you have to remember what brought about the Métis Nation
8 Accord was this issue of 91(24). Joe Clark at one of the
9 meetings in Edmonton said: Well, the federal government
10 -- and this is after we had raised this after many, many
11 meetings. Finally, Joe Clark relinquished and he said:
12 "Okay. Maybe we will look at 91(24). Maybe we are
13 prepared to go to Cabinet and get approval to amend 91(24)
14 but we are not prepared to just do that without getting
15 some kind of assurance that the provinces are going to
16 accept some role and some responsibilities with regard
17 to the Métis Nation." In other words, if we do it in the
18 absence of an accord or some other instrument, then the
19 provinces are going to offload on the federal government
20 and they are going to say: "Well, they are your
21 responsibility. Look after them."

22 So Joe Clark basically said on the basis
23 of some instrument in which the provinces commit themselves

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1 to some role and responsibility with regard to the Métis
2 Nation, then we are prepared to look at a 91(24) amendment.

3 So our technicians got to work on the Métis Nation Accord
4 which arrived at the legal text in Ottawa a few weeks ago.

5 On the basis of that Métis Nation Accord and the five
6 western provinces signing it, that gave enough comfort
7 to Joe Clark to say: "Okay. We are prepared to go to
8 the federal cabinet and recommend a change to 91(24) to
9 clarify that the Métis are also covered by that section.

10 These two matters are inter-related.

11 So we may have difficulty signing a Métis
12 Nation Accord in the absence of a 91(24) and we certainly
13 won't get a 91(24) in the absence of a Métis Nation Accord
14 or some other similar document which has the signatures
15 of the provinces.

16 This is something that we have to look
17 at very seriously. If we are going to pursue this treaty
18 making process then I think 91(24) is also connected with
19 that as well.

20 But to answer your question, we think
21 we can go for a clean and a short and sweet amendment to
22 91(24) without raising all these inherent right or third
23 order of Aboriginal government arguments.

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1 **Commissioner ALLAN BLAKENEY:** As you
2 are fully aware, formally it can start anywhere. It can
3 start in the Saskatchewan Legislature or the Alberta
4 Legislature or anywhere else to get the ball rolling.
5 It doesn't have to start with the a federal-provincial
6 conference. We have tended to do it that way.

7 **CLEM CHARTIER:** For your benefit, let
8 me just add that -- you raise Alberta. It is not a simple
9 amendment to 91(24). There was a proposed 91(a) that said
10 for greater certainty except for 95(e). And 95(e) states
11 that within Alberta the Alberta government would have the
12 competence to pass legislation. That is needed because
13 of the land regime in Alberta. So those two would have
14 to be companion documents.

15 The other condition that Mr. Clark had
16 in terms of the Métis Nation Accord, one was that the
17 provinces would not offload to the feds or send the bill
18 to the feds later for Métis services. The second one was
19 that the provinces would be willing to put crown lands
20 on the table for Métis land claims. Those were two
21 conditions on the part of Mr. Clark.

22 Mr. Rae of Ontario also said that the
23 opposite was true, that the feds would have to commit

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1 themselves that they would not reduce levels of services
2 and funding to Indian peoples. That was captured in that
3 accord. It is not clear. It has nothing to do with the
4 bigger picture of self-government but it does have a little
5 bit more added to it. But those two things, except for
6 the land issue, would make it easy to deal with.

7 **Commissioner ALLAN BLAKENEY:** I think
8 everybody agrees on the Alberta-Métis settlements. I
9 think there wasn't any argument. Everybody seemed to
10 agree, the Government of Alberta, the Government of Canada
11 and the Métis people in Alberta, and I am sure the Métis
12 National Council as well. So that didn't look like there
13 was any question of principle.

14 The other issues in the accord about
15 offloading of expenses one way or another, this is
16 something that federal and provincial governments are
17 fairly skilled at dealing with. They spend half their
18 lives doing it so I think that ought to be able to be
19 navigated.

20 I want to ask another question, quite
21 a different one. Incidentally in this round in a couple
22 of weeks some people will be at La Loche and Isle La Crosse,
23 so those will pass as Métis settlements, I think.

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1 I want to deal with the education matter.

2 I was a little upset to hear you report -- not surprised
3 but a little upset to hear you report that the level of
4 educational attainment was not what you would like it to
5 be. These are basically Aboriginal-controlled school
6 boards, basically Métis-controlled school boards, the
7 Northern Light school district and the Isle La Crosse one.

8 This is not blaming the school boards at all. It is just
9 a fact. Administration does not solve all the problems
10 then.

11 What do you think we should do in order
12 to bring a level of education which gives the students,
13 the graduates, a better chance to compete in getting jobs
14 in whatever industries there may be in northern
15 Saskatchewan or elsewhere where they may seek employment?

16 **MICHELE HARDING:** I would have to
17 question whether the Northern Light school division is
18 -- I am sure there are quite a few Aboriginal people on
19 the board. We definitely have to put some of the onus
20 on them, whether it be Aboriginal run or non-native run
21 school boards. There has to be a review and seriously
22 looked at. What is happening in the educational system
23 that so many kids, Aboriginal kids and Métis kids are

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1 dropping out?

2 From what I can see, I don't think there
3 is enough cultural identity in the school system. I also
4 feel that, as I said before, you go up to Stanley Mission,
5 Saskatchewan, and they are predominantly speaking Cree.
6 As well as the children, they speak Cree at home and at
7 school. So when they go to an English class they have a
8 hard time understanding and trying to learn English,
9 written English. So they have to have an implementation
10 of English as a second language teacher, which means they
11 are taught in the Cree language English skills. They don't
12 have that.

13 I went to Stanley Mission and did a
14 survey and I thought I will do the school. So I went to
15 the grade 12 class -- and this is in June. This brings
16 in another area that they need to have. The kids in grade
17 12 -- I don't know if you know but in Stanley Mission they
18 had nine teen suicides last year. So these kids have
19 fought darn hard to get to grade 12. They have had a lot
20 of pressure, a lot of alcoholism, a lot of drugs, family
21 abuse, things that most kids don't have to deal with. They
22 have fought to get there and they want to go to university
23 and they want to go to college. They did not know how

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1 to apply to a university or a college. It is too late.
2 They are going to end up staying a year after school and
3 then end up on social assistance or dead. They don't have
4 that support in the school systems.

5 This is a Band-run school. So we can't
6 just blame it on non-native people either, and I am not
7 trying to do that. I just think there has to be a major
8 review of our educational system in the north. It has
9 improved but it needs to improve more to give these kids
10 a chance in life.

11 **Commissioner ALLAN BLAKENEY:** I
12 certainly agree with that. I think those points are well
13 taken.

14 **Co-Chairman GEORGES ERASMUS:** I am
15 trying to get a handle on how the tripartite agreements
16 you have negotiated tie in to the things that you were
17 bringing in. Are the tripartite agreements equal? It
18 depends what you are going to put into it? I have not
19 seen a tripartite agreement so I am not sure what is in
20 it.

21 **GERALD MORIN:** Alberta and Manitoba
22 have negotiated a tripartite agreement and we pretty well
23 have the final wording on our draft tripartite agreement.

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1 Basically, it lists some of the agenda items that we are
2 going to be tackling. There is a whole series of agenda
3 items in that tripartite framework agreement that we are
4 going to be tackling. Some of them are mentioned for this
5 current fiscal year, the ones that we want to deal with
6 in this current fiscal year and then the other ones are
7 sort of put off for the next fiscal year. It talks about
8 that. It basically talks about the different parties that
9 are going to be involved in the tripartite process. It
10 is a broad framework agreement which allows us to put this
11 forum in place which would involve the federal government,
12 the province and the Métis Society of Saskatchewan and
13 basically talk about a whole series and a whole variety
14 of issues.

15 **Co-Chairman GEORGES ERASMUS:** How does
16 the accord link to that?

17 **GERALD MORIN:** The Métis Nation Accord?

18 **Co-Chairman GEORGES ERASMUS:** Yes.
19 How does that tie in?

20 **GERALD MORIN:** In the past what has
21 happened is we have under the federal-provincial office,
22 I think federally, there is a policy in place that allows
23 tripartites to take place with off-reserve Aboriginal

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1 peoples, which includes the Métis. And in Alberta and
2 Manitoba they have entered into such agreements.

3 Basically these tripartites are
4 non-constitutional. They are not constitutional
5 arrangements. They are a way to try to, in a formal
6 comprehensive fashion, resolve some of the outstanding
7 Aboriginal issues in our communities short of
8 constitutional self-government. This is the alternative.

9 So now that the Charlottetown Accord is down the drain
10 this is what we have to fall back on here in Saskatchewan
11 as Métis people is the tripartite arrangements which we
12 are trying to negotiate. We used to have these tripartite
13 discussions in place here in Saskatchewan between 1985
14 and 1987 and Grant Devine cut them off course shortly after
15 the 1987 FMC.

16 What we are suggesting -- and I guess
17 we are trying to be creative -- is in the future to develop
18 a link between the tripartites that we have in place here
19 under the federal government's tripartite policy and
20 negotiate the Métis Nation Accord and simply implement
21 the contents or the non-constitutional self-government
22 agreements that we would contemplate in the Métis Nation
23 Accord, implement and negotiate those in a tripartite

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1 setting. That is what we would be trying to do.

2 The Métis Nation Accord contemplated
3 tripartites, constitutional tripartites, but that is down
4 the drain now. So we will simply work on our
5 non-constitutional Métis Nation Accord and implement the
6 contents of that accord in non-constitutional tripartite
7 arrangements in each of our provinces, say Saskatchewan
8 for example.

9 **CLEM CHARTIER:** Just some history to
10 this. With the failure of the FMC in 1985 and with Mr.
11 Devine stating "well, what is self-government in
12 Saskatoon; is that the native people on 20th Street setting
13 up their government?", what was agreed in Toronto was that
14 for Métis and I guess for non-status Indians -- well, for
15 everyone -- it was open to enter into tripartites to give
16 examples of what it is we are talking about when we talk
17 about self-government. So those were meant to deal with
18 some kinds of models so premiers when it came to the 1987
19 conference could have a look and say: "I see, this is
20 what you are talking about."

21 In Manitoba it has continued. I am not
22 sure what progress they have had, nothing phenomenal.
23 Here they were cut off after the 1987 conference and we

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1 are just restarting them. We are more dealing with
2 programs and services more than self-government as we would
3 like to characterize it. And Gerald has explained the
4 Métis Nation Accord and how it would fit in at this time.

5 **GERALD MORIN:** If I could just follow
6 up, one of the things we have to keep in mind here is if
7 governments want to follow the spirit of the agreements
8 we negotiated in the Charlottetown Accord, if they want
9 to be honourable, there is nothing in this world that is
10 preventing us from negotiating arrangements with
11 Aboriginal people which are essentially
12 non-constitutional. There is nothing preventing us from
13 negotiating what we had contemplated in the Charlottetown
14 Accord in a non-constitutional way. Part of the
15 rationale of the tripartites is to prepare our communities
16 for self-government, to put in place self-government
17 models in our communities so that we simply start
18 negotiating those kinds of arrangements with a
19 non-constitutional Métis Nation Accord, with our existing
20 tripartites, with the existing criteria. And at some
21 point in time when we resume discussions and when Canadians
22 are in a position to hear more constitutional talks, then
23 we simply constitutionalize whatever arrangements we have

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1 put in place.

2 One of the problems here, and as I said
3 is part of the rationale for the tripartites, is that we
4 don't want a situation where we enter into self-government
5 negotiations and we achieve self-government and people
6 are running around all over the place saying "what is
7 self-government?" That is the question that Grant Devine
8 asked. We want to gradually move in that direction and
9 put our self-government models and institutions in place
10 so that when we do arrive at that point in history when
11 we arrive at a constitutional agreement, the starting base
12 would be our existing arrangements. We simply
13 constitutionalize those and move from there.

14 That is what we would like to do.

15 **Co-Chairman GEORGES ERASMUS:** That is
16 very informative. I have a much better appreciation of
17 what you were saying earlier.

18 I would like to thank the three of you.
19 If you have any final comments, go ahead.

20 **GERALD MORIN:** I have one request.
21 Clem mentioned that we have a lot of catching up to do
22 with the Royal Commission. It is not that we deliberately
23 ignored it in the past; it is just that we only have so

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1 many resources and so many resource people to go around
2 and in the past few months all of that has been directed
3 toward the negotiations in the Canada Round. We feel that
4 we have a lot of catching up to do.

5 What I would like to request is if at
6 some point in the future we could have one day set aside
7 with the Royal Commission and the Métis Society of
8 Saskatchewan, have a couple of commissioners come to
9 Saskatchewan with some of your staff and spend one day
10 with our politicians. We could bring our provincial Métis
11 council in, even our senators, our Métis women, and just
12 spend one day hashing over many of these issues so that
13 you guys can get a better understanding of where we are
14 coming from and have more dialogue between ourselves.
15 Getting this small time slot between the Métis Society
16 of Saskatchewan and the Royal Commission is just not
17 sufficient, I think, to establish a proper dialogue between
18 the Métis in our province and the Royal Commission.

19 I would make that suggestion to you.

20 **Co-Chairman GEORGES ERASMUS:** Thank you
21 again.

22 We will take a short break and come back
23 and hear from the Congress of Black Women.

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1 --- Short recess at 4:10 p.m.

2 --- Upon resuming at 4:25 p.m.

3 **Co-Chairman GEORGES ERASMUS:** Our next
4 presentation is by the Congress of Black Women.

5 **GEORGETTE DJAN-DRAPPER, CONGRESS OF**
6 **BLACK WOMEN:** Good afternoon. The Congress of Black Women
7 is a non-profit national organization with chapters and
8 provinces across Canada. Each province that has a chapter
9 or chapters has a provincial representative. Each
10 provincial representative makes up national body of the
11 Congress of Black Women of Canada. The congress is led
12 by a constitution and a national executive body. The
13 philosophy is to enhance and to improve the status of black
14 women in our country as it is today. The executive body
15 is composed of a national president, vice-president,
16 secretary and treasurer.

17 As the provincial rep for the Congress
18 of Black Women of Saskatchewan, I am pleased to accept
19 the invitation to speak at this panel hearing.

20 After reviewing the literature on
21 Framing the Issues, several issues came to mind. I am
22 not speaking just for myself but for my colleague,
23 Christina Lawanga who is our alternate rep, as well as

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1 other congress members.

2 As black women we would like to have
3 better programs for our governments, as is outlined in
4 Framing the Issues. What do we mean by programs?
5 Programs such as educational programs. Schools are
6 recognizing significant contributions black people, black
7 women especially, have made to our community. For
8 example, the concept of the traffic light was first
9 developed by a black man. A lot of children don't know
10 that. When we look in our textbooks how many references
11 are made to significant people in our province? When we
12 look at who was the first black woman in our province,
13 there is very little significance to that.

14 We are just coming to the close of
15 Women's History Month and in this month, because it is
16 new, we are not sure but women have to be recognized from
17 all walks of life, from all different backgrounds, from
18 all cultures. We need to educate our young people so they
19 have good role models and they know that they can carry
20 through with their dreams.

21 When we look at programs we are talking
22 about funding programs as well through Secretary of State,
23 access that is user-friendly. Yes, there has to be

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1 criteria in order to get funding for programs, but the
2 criteria must be realistic criteria to meet.

3 We need to promote education and strive
4 to eliminate racism through public education, eliminate
5 the myths, eliminate the fear, work toward that. It is
6 not something that is going to go away over night. It
7 did not happen over night, but we have to work toward that.

8 Local or community governments, city
9 governments, must take a proactive rather than reactive
10 role in dealing with racism. We have March 21st as
11 Elimination of Racism Day and that is good. We recognize
12 that day but we must do more. It is not a one-day thing;
13 it is an ongoing thing. It is 365 days of the year that
14 we work toward it. One day out of the year is not enough.

15 And I am sure in talking to other women's groups they
16 share the same feeling.

17 We have to also look at lobbying with
18 our local governments, whether it is a local, provincial
19 or federal level, issues of poverty, poor housing, violence
20 against women, health issues, physical and mental health,
21 to name but a few.

22 We would also like to be able to retain
23 our identity, language and culture as mentioned in Framing

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1 the Issues. For example, February has been dedicated as
2 Black History Month. Across Canada black communities
3 celebrate that month. What we do during that month is
4 look at events that are significant, people that have made
5 strides, our culture, as well as bonding with other groups.

6 We have to work together in order to make change.
7 Separating groups one from the other does not work. We
8 work stronger in numbers.

9 We also want to create and maintain a
10 positive relationship, again mentioned in Framing the
11 Issues, between all Canadians. The key is respect for
12 differences. Just because somebody is different than you
13 does not make them less than you. We all have something
14 to learn from differences.

15 Part of the problem, we feel, is the
16 systemic racism that is built into our society. You can
17 see this through the tools of our society, as I mentioned
18 earlier, the educational programs that are promoting one
19 group against another. We look at the laws, the beliefs,
20 the practices, the ideologies and the institutions.

21 Another area that we are concerned about
22 is the justice system. Particularly to our organization
23 is federally sentenced women. Times are changing. There

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1 are more single-headed families that are women. There
2 are more women that are incarcerated that have children.
3 It is time to stop. And the first significant stop was
4 closure to P4W. We must meet the needs of federally
5 sentenced women so we can hopefully reduce the recidivism
6 rate. We must look at their families. We must look at
7 the mental health issues. We must look at their physical
8 issues. We must look at significant job training. Gone
9 are the days when hairdressing is going to cut it alone.
10 Women have to enter the field that is going to be a
11 bread-winning field for families. You cannot assume that
12 a women is married to a man and that she does not need
13 to bring home a pay cheque. That is insulting.

14 The issue of colonization: We as black
15 people are a form of Aboriginal people with respect to
16 our homeland. We have experienced colonization. I have
17 to be honest with you at this point. I was born in
18 Saskatoon and I have lived in Canada all my life. I have
19 never experienced colonization but my father has. My
20 father is a medical doctor and my mother is a registered
21 nurse. My father has experienced colonization. He can
22 empathize. But when we look at our situation in Canada,
23 it is not the same because we have changed countries so

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1 we are no longer colonized. But we can understand from
2 where we come from.

3 The effect of colonization is very
4 similar.

5 Along with colonization and in terms of
6 the effect we are looking at the scarring, the oppression,
7 the effects of oppression that can act as a deterrent for
8 advancement for self-esteem. We are trying to empathize
9 with Aboriginal people when we look at our own experiences.
10 We look at segregation of schools. In Africa that was
11 true. Look at the case of South Africa. I have never
12 lived there. I have lived in Africa for a very short period
13 of time when I was small and again I was a young child;
14 I cannot remember a lot. But from what I was told, there
15 was segregation in schools. There was break-up of
16 families.

17 The legal system: Even today people
18 will comment: "Oh, well things just happen in the States.
19 You don't have to worry about them." But I have been
20 told time and time again and I have done a lot of reading
21 and I find when I talked to different people, especially
22 people from the states, is what is happening in Canada
23 is the reverse to what is happening in the States. The

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1 blacks in the States are treated very similar to the
2 Aboriginal people in Canada.

3 Racism is racism is racism.

4 Racism affects both Aboriginal people
5 and black people. Racism affects both women of various
6 cultural backgrounds. What we are talking about and what
7 we want to share with you today is our empathy, not
8 sympathy, because they are too different things. We
9 empathize with the Aboriginal women because what happens
10 to our sisters affects us deeply. We want to join with
11 them to advocate for change.

12 We have things in common and we have
13 things that are not similar to us, true enough. But there
14 is a connection between all minority groups.

15 In closing, we need to support each other
16 in our struggles for equality in our society. In order
17 to know in which direction to go in the future, we must
18 be aware of where we have come from and the obstacles we
19 have had to overcome in order to be present here today.

20 Thank you.

21 **Co-Chairman GEORGES ERASMUS:** Thank
22 you. Do you mind if we ask you a few questions?

23 **GEORGETTE DJAN-DRAPPER:** No.

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1 **Commissioner ALLAN BLAKENEY:** I was
2 interested in your presentation. Have you had any
3 opportunity to look at any of the material produced by
4 the Nova Scotia royal commission, the Donald Marshall Royal
5 Commission? That was a royal commission that inquired
6 into the wrongful conviction of an Aboriginal person, a
7 Micmac. But in the course of inquiring they found that
8 the justice system, which was clearly unfair to Aboriginal
9 people, was apparently similarly unfair to the black people
10 of Nova Scotia who had been there for 200 years. They
11 turned out some material identifying the manner in which
12 at least the justice system in Nova Scotia was riddled
13 with racism, not only with respect to Aboriginal people
14 but with respect to black people.

15 There is an interesting little block of
16 material. I say this because I attended a two or three
17 day symposium, one day of which was devoted to the manner
18 in which the justice system dealt unfairly with blacks
19 in Nova Scotia who, as I say, have been there for 200 years.

20 So, racism in Canada is alive and well,
21 at least in Nova Scotia with respect to black people and
22 it is alive and well in Saskatchewan with respect to
23 Aboriginal people. I was heartened to hear you say that

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1 your congress was attempting to empathize with the problems
2 of Aboriginal people and particularly Aboriginal women,
3 who I think in this society are the most discriminated
4 against for all the combined reasons that women of all
5 backgrounds are discriminated against to some extent and
6 Aboriginal women particularly so.

7 Do you have any advice you would care
8 to offer to Aboriginal women?

9 **GEORGETTE DJAN-DRAPPER:** I don't think
10 it is an issue of advice. I think it is an issue of
11 conversation and listening to what they have to say and
12 then listening to what we have to say and getting together
13 on some common ground to form a united front. Your point
14 is very well taken in terms of the Nova Scotia case. My
15 learned friends in Nova Scotia who I am going to be meeting
16 in Winnipeg on Friday, keep the rest of us in the west
17 end quite informed in terms of what is happening.

18 Yes indeed, because of the higher black
19 population in Nova Scotia, there are more racial issues.
20 With Saskatchewan the population is that much smaller.
21 But let's not get ourselves caught with the myth that
22 it is not an issue here. It very well is.

23 Coming from sociological/psychology

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1 point of view the whole concept of racism is to maintain
2 the status quo. That is a concept that has been around
3 for a long time. So when people say "well, we are just
4 going to get rid of racism", that is quite a lark because
5 you just don't do it over night. You work toward it and
6 you hopefully try and eliminate it. But whether or not
7 it will be eliminated 100 per cent is yet to be found.

8 In terms of advising one group over
9 another as to what to do, I think is not the task at hand.

10 It is to learn and to work together and look at the
11 obstacles that exist and try and deal with those obstacles:

12 Public education, getting rid of the myths is one step
13 but we have a long way to go.

14 **Commissioner ALLAN BLAKENEY:** Thank
15 you.

16 **Co-Chairman GEORGES ERASMUS:** One of
17 the things we wanted to find out from non-Aboriginal
18 Canadians was whether or not there was support out there
19 for the protection and the enhancement of Aboriginal
20 languages. Do you have an opinion on that?

21 **GEORGETTE DJAN-DRAPPER:** That is an
22 issue that has come up in discussion in the past. I think
23 what we have been hearing is why should certain groups

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1 be treated differently than other groups. What we feel
2 again is we are coming from a point of view that we want
3 to be recognized for our cultural differences too and have
4 them preserved too. And we don't have a problem with that
5 at all. So we support your concerns in terms of being
6 sensitive and trying to preserve the specific things that
7 belong to the culture. We don't have a problem with that
8 because these are things that we feel strongly about in
9 terms of preserving the black culture in Canadian society.

10 **Co-Chairman GEORGES ERASMUS:** What
11 about the idea of Aboriginal self-government? What are
12 your views on that?

13 **GEORGETTE DJAN-DRAPPER:** That, I am
14 afraid to say, I really feel uncomfortable commenting on
15 right now because we are still talking about that and I
16 cannot speak to that right now.

17 **Co-Chairman GEORGES ERASMUS:** Do you
18 have any views on land issues?

19 **GEORGETTE DJAN-DRAPPER:** Again, I would
20 prefer not to comment on that.

21 **Co-Chairman GEORGES ERASMUS:** Treaty
22 rights?

23 **GEORGETTE DJAN-DRAPPER:** I think what

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1 is happening right here, because we are having a national
2 conference on Friday, you are asking me questions -- if
3 you ask me Monday, I could tell you lots. But I really
4 can't tell you anything now. I would prefer not to speak
5 until I have all the information.

6 **Co-Chairman GEORGES ERASMUS:** Very
7 good. Joan, is there anything you would like to say?

8 **Commissioner JOAN LAVALLEE:** I
9 appreciate your comments and your support for Aboriginal
10 women and their issues and hopefully everything is going
11 to work for the better for all of us.

12 **Co-Chairman GEORGES ERASMUS:** Thank you
13 for coming forward.

14 Our next presenter is from the City of
15 Saskatoon Leisure Services, Kim Beaudin.

16 **KIM BEAUDIN, CITY OF SASKATOON LEISURE**

17 **SERVICES:** My name is Kim Beaudin and I am currently
18 employed with the City of Saskatoon Leisure Service
19 Department. My job title basically is Native Program
20 Consultant, and I have been employed there for going on
21 eight years now. My role with the City of Saskatoon is
22 to develop Aboriginal programs and services, also to get
23 the Aboriginal population in an urban setting involved

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1 in the facilities, involved in programs.

2 Right now we have been working on a
3 number of initiatives and I have been quite busy on these.

4 Presently what we are doing is working on a five or
5 ten-year management strategy to find out what direction
6 our program will be going within the next ten years.

7 I believe that the position I am involved
8 in is probably the only one in Canada. I have tried to
9 find out if there are any other civic movements per se,
10 and I guess there aren't.

11 One of the things I also found out is
12 that when I started the program in this position it was
13 called a pilot project. When I talked to a number of
14 organizations in Saskatchewan usually when Aboriginal
15 people are employed within a non-government setting it
16 usually is a pilot project. That's why I consider myself
17 a pilot and we all fly, I guess you could say. I notice
18 Aboriginal people always get their wings, anyways.

19 I want to start off with a little bit
20 of background on the program.

21 It was approximately ten years ago that
22 the Métis Society -- and I have to tip my hat to the Métis
23 Society local here in the city, the Native Alcohol Centre,

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1 and another organization that was involved. What they
2 did was approach the civic government of the city of
3 Saskatoon and ask them for some program money for
4 Aboriginal people in the city. There was somewhat of a
5 struggle there because the city did not want to really
6 do anything. And at that point they weren't really doing
7 a lot. So in a nutshell they kind of forced their hand.

8 They basically said they would hold back their tax dollars
9 unless something was done.

10 The city did agree and based on that it
11 came down to involving all the Aboriginal people in the
12 city, not just the Métis people, which was a good idea.

13 They did not have any problem with that. They just wanted
14 something to happen for Aboriginal people.

15 When I started my concentration was on
16 children. Of course, it has grown probably tenfold to
17 that. I will give you an example.

18 I had put together a little package here
19 highlighting some of the areas. Of course my position
20 after a couple of years I became permanent. The role of
21 the position is to consult with Aboriginal and
22 non-Aboriginal organizations and agencies. This would
23 include getting Aboriginal people involved in

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1 decision-making process, sharing of the information with
2 organizations, being responsible to various requests for
3 assistance and/or direction from Aboriginal organizations
4 and agencies, as well as as identification and resolution
5 of issues which affect their ability to be self-sufficient
6 in providing leisure programs and services.

7 Furthermore, the position, which is the
8 only one in Canada, helps the leisure service department's
9 non-Aboriginal staff to become more culturally sensitive
10 in working with Aboriginal people in Saskatoon. We also
11 have an office at the Indian and Métis Friendship Centre.

12 This is the first time the civic government has ever tried
13 this. We recognize that the Aboriginal population in
14 Saskatoon is growing so we placed a staff member and office
15 location in the inner city suburban area which encompasses
16 the largest Aboriginal populated area of Saskatoon.

17 Our objective is to provide outreach
18 programming to residents where they live, work, go to
19 school and spend their leisure time. This is to
20 familiarize them with new experiences and surroundings
21 and get them participating in leisure activities.

22 As our program began to grow we developed
23 an Aboriginal program development model. And as a result,

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1 from public input from Aboriginal organizations and
2 community leaders, educational institutes, the Leisure
3 Service Department prepared an Aboriginal program
4 development model which identifies objectives to be
5 achieved in recreation programming. This ensures that
6 program planning works toward integrating Aboriginal
7 residents in recreation and leisure programs. We believe
8 that this model is a blueprint to Aboriginal community
9 building and could be adapted to fit any municipality or
10 Indian reserve in Canada.

11 Another area we are concentrating on is
12 Aboriginal youth leadership. The Leisure Services
13 Department believes that lack of leadership skills amongst
14 Aboriginal youth must be addressed if the Aboriginal
15 population is to live, work and be part of the community.

16 This program is geared toward Aboriginal youth between
17 12 and 25 years. Our role is to facilitate various
18 workshops and conferences on an annual basis. Our program
19 content includes values of Aboriginal cultures, which
20 would be spiritual growth, effective positive attitudes
21 in daily living, recreation, positive use of leisure time,
22 building leadership skills through the utilization of
23 Aboriginal role models, part-time job opportunities

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1 available in the Saskatoon community, and the expectations
2 of employees in a recreation program setting.

3 Another area that we have concentrated
4 on is the enhancement of Aboriginal culture. The Leisure
5 Services Department believes that the enhancement of
6 Aboriginal culture is very important in our overall program
7 design. The Leisure Services Department is aware that
8 the development of these programs ties into many objectives
9 such as increasing pride, enhanced sense of belonging,
10 improved self-esteem, improved self-worth and
11 strengthened family ties.

12 Some of the programs the Leisure
13 Services Department offers include hoop dancing, drumming,
14 pow-wow dancing, specialized Aboriginal youth centres,
15 story-telling and Aboriginal arts and crafts.

16 In the last couple of years our
17 department undertook a major needs assessment. The
18 Leisure Services Department developed and surveyed city
19 residents which it used to record the opinions of residents
20 living in each suburban area. In designing the questions
21 special attention was given to ensure that the views of
22 Aboriginal residents were obtained. Of the 2,063
23 responses Aboriginal people make up 14 per cent of the

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1 overall response in the two areas that were surveyed.

2 Through these door-to-door surveys the
3 documentary results show Aboriginal people's present
4 participation, their leisure time preferences, their
5 barriers to participation in leisure activities.

6 The Leisure Services Department is proud
7 and committed to the continued development of programs
8 and special initiatives designed to increase participation
9 in leisure activities. We are of the opinion that the
10 initiatives and leadership opportunities provided by the
11 city may apply to other municipalities who are looking
12 for solutions with respect to the Aboriginal population.

13 In terms of barriers that I had
14 mentioned, our organization is status blind. And that
15 is quite important. We hear that a number of times. There
16 are areas that we haven't even begun to concentrate on.
17 For example, sport development would probably be one area
18 that we have not even begun to look at yet.

19 In terms of barriers, there is funding,
20 of course. There is discrimination and racism when it
21 comes to sports development and recreation opportunities.

22 Even the area of the city could be a problem for people
23 to participate with transportation. The leadership of

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1 Aboriginal organizations in the city is another one.
2 Also, the structure of a non-native organization who offer
3 Aboriginal programs where native people are supposed to
4 fit into that structure. A lot of times Aboriginal people
5 get intimidated. For example, if you take a look at our
6 facilities in the city, which would probably be no
7 different across Canada, there are a number of barriers
8 where people come in and it is not necessarily barriers
9 that you could measure. They are barriers of not feeling
10 comfortable in a facility. Maybe it is because there is
11 not Aboriginal staff working there, for example.

12 Another thing is that the structure of
13 a non-native organization -- I will use Sask Sport for
14 an example. They have been in business for quite a few
15 years. What happens now that Aboriginal people are
16 becoming more organized and structured, they try to fit
17 in within their structure and they need seed money to start
18 out. It just doesn't happen. Everything is so different.

19 And by the time they jump through hoops and whatnot,
20 barriers, then they get frustrated and some of them just
21 basically pack it in.

22 One of the problems we found is that if
23 you are in an organization that has Métis people or treaty

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1 people within your organization, you will not have very
2 much luck getting funding for your organization or
3 recreation or leisure programs or anything because both
4 FSIN and the Métis Society will use those two reasons why
5 you won't qualify. And that is a problem within an urban
6 structure.

7 Also, I listed cultural awareness as a
8 barrier in the sense of funding for pow-wows and things
9 like that. There is no real cultural type of facility
10 available. I am not sure how it would be across Canada.

11
12 That probably covers about everything
13 in that because I would be repeating myself.

14 I mentioned that I was doing a survey.
15 It is a 15-point survey of questions. I have interviewed
16 approximately 20 Aboriginal organizations and agencies
17 in the city so far. Based on those 20 organizations two
18 major things have come out quite strongly, two major items.
19 We have asked one question in terms of future trends,
20 what they feel will face the Saskatoon community in the
21 next ten years. The two are employment equity and race
22 relations. Incidentally, out of the 20 it was 20 out of
23 20 that mentioned these two items.

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1 The other one is having a networking type
2 of organization that works together in the city, and they
3 are referring that this organization be status blind and
4 that they would know all the networking services that are
5 happening within the city so that you could just make one
6 phone call and not necessarily have to phone 20 people.

7 What we are finding too is that the
8 Aboriginal community in Saskatoon is ready to move into
9 the community development model. They are ready to work
10 together and in a sense they are not concerned whether
11 you are Métis or treaty or non-status. People just don't
12 want to deal with that at this point, especially in
13 Saskatoon. They want to move on. They feel that
14 everybody can benefit in terms of these programs.

15 That probably basically about covers it
16 so far.

17 **Co-Chairman GEORGES ERASMUS:** Can we
18 ask you a few questions?

19 **KIM BEAUDIN:** Sure.

20 **Commissioner ALLAN BLAKENEY:** I am not
21 sure I fully understood your role. That is perhaps not
22 surprising since it covers a fair bit of ground. You
23 indicated that you have not yet got into the business of

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1 let's say organizing an Aboriginal hockey league or, in
2 the alternative, organizing a couple of Aboriginal hockey
3 teams to participate in a league which is already there.

4 Have you done any of that type of thing,
5 working with the Aboriginal community in order to get their
6 participation in existing leagues or in new leagues to
7 use existing facilities?

8 **KIM BEAUDIN:** Actually, in terms of
9 existing facilities we have worked on that area. But since
10 I have been employed with the city, they don't see my
11 position of getting people involved in the sport
12 development area as a priority. Plus the manpower I am
13 sure would be part of it. But they would not instruct
14 me to say we want you to do these things, unless of course
15 this survey might even say that this is a direction that
16 I should be going in and they could live with that. But
17 at this point they would not say to me to go ahead and
18 get Aboriginal people involved in teams or whatnot. They
19 are just not interested in that area.

20 I hope that answers your question.

21 **Commissioner ALLAN BLAKENEY:** You are,
22 however, working with hoop dancing, pow-wows, things which
23 are specific to Aboriginal culture and I suppose down at

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1 the Friendship Centre. And that I can understand. I am
2 a little surprised that there would not be a bit of an
3 effort -- perhaps it wouldn't require all that much effort
4 -- to get Aboriginal people using the existing recreational
5 facilities which I see around the city and making the
6 Aboriginal people feel that those are their facilities
7 as well. They are very much community facilities because
8 they are all dotted around the city.

9 Up to now that has not come to the top
10 of the agenda, let's put it that way.

11 **KIM BEAUDIN:** That is an interesting
12 comment. If I were to use the Cosmo Civic Centre as an
13 example, that is probably the second highest Aboriginal
14 area in the city. Most of the structure that the city
15 has and over the number of years it has been set up with
16 middle income people, middle class, high income people
17 who are in management, senior management. They are the
18 ones involved in the development of these programs and
19 facilities.

20 Unfortunately, based on what I have seen
21 so far we have a long way to go to change attitudes of
22 management so that we can gear some of the programs and
23 services. To me, for example, it would only make sense

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1 to have an Aboriginal person employed at the Cosmo Civic
2 Centre. It has not happened and we have been working on
3 that for five years. And due to funding and due to the
4 fact that civic governments are always cutting, I don't
5 see it really happening.

6 **Commissioner ALLAN BLAKENEY:** That is
7 down at 20th and NUB, or whatever it is?

8 **KIM BEAUDIN:** No. Cosmo Civic Centre
9 is over in the Confederation Park area and that is the
10 second highest area in the city.

11 When you take a look at other facilities
12 like Lakewood, Lawson, Field House, they are all basically
13 middle income. Even an Aboriginal person who has -- I
14 would not use the term assimilated; that is not a very
15 good word for Aboriginal people to use -- has integrated
16 into the community don't exactly feel comfortable walking
17 into facilities such as that. It is actually a barrier
18 when you think about it.

19 Even when we did our response that was
20 the no. 4 barrier that was listed on the needs assessment
21 in both those areas that we had interviewed, that they
22 did not feel comfortable going into the facilities. When
23 you ask people why, it comes down to the fact that they

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1 say when you walk in it is like they ask you a hundred
2 million questions: What are you doing here?

3 I guess basically it is no different than
4 when Aboriginal people go to cash a cheque at a bank and
5 they are asked for eight million tons of ID. They just
6 get tired of it basically. And it is the same thing.
7 You walk into the Cosmo Civic Centre and they are asking
8 -- they may not even know why you are there. We have looked
9 at things such as offering a program there but if I look
10 at offering a good program at the Cosmo I don't know if
11 it would be too successful. I would like to give it a
12 shot but there are so many barriers I am not sure if I
13 could break them all down.

14 Another thing that we have found over
15 the years is that I am not totally responsible for the
16 whole department in the sense that I shouldn't be and that
17 each and every employee in our corporation should take
18 some responsibility in terms of breaking these barriers
19 down. It is very difficult. I like working with
20 Aboriginal people per se in organizations. It is a lot
21 easier than to work with other people.

22 Myself, I see the WY and WMCA taking a
23 role. That could be years down the road. I don't know

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1 if it would happen.

2 **Commissioner ALLAN BLAKENEY:** The
3 alternative is to build separate facilities for Aboriginal
4 people one way or another, and I speak now from Regina
5 experience. This proposal has been around Regina from
6 time to time. That has a lot of built in problems because
7 there will only be one rink for the city and transportation
8 is almost always a problem for Aboriginal people. And
9 to use the local facility is much better.

10 It always was puzzling to me why we --
11 and I speak of we as non-Aboriginal society -- had never
12 been able to devise a way of getting the kids in there
13 playing hockey when they are eight or nine and then this
14 facility becomes theirs and the barriers -- it may reoccur
15 but if they play hockey there for a couple of three years,
16 they get to think that it is theirs as well as anybody
17 else's.

18 **KIM BEAUDIN:** Actually, we have tried
19 to sell that concept and it is quite difficult to Aboriginal
20 people, that the facility is theirs. When we did our
21 survey, I believe it is around 17 respondents indicated
22 that if you were to hire somebody at the Cosmo that would
23 go a long way. It would not be the answer but it would

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1 go a long way in helping people be familiarized with the
2 facility, coming in to the facility, knowing what is
3 happening in terms of programming. And also too that
4 person could act as a hub in that area to get people involved
5 in community associations that are in that area. The list
6 goes on and on.

7 Actually, it is quite similar in terms
8 of my position itself, some of the things that I could
9 do and some of the things that this person could do in
10 that particular area of the city. But based on hiring
11 and what not, I believe that management just has not taken
12 it seriously. I am talking through the whole corporation.

13 There is no commitment toward hiring more Aboriginal
14 people. There are two of us employed and we have been
15 the only two since 1985. There should be more. I know
16 Aboriginal people are getting educated. I know there are
17 people who have taken recreation programs, have diplomas
18 in recreation. I just don't understand it.

19 Anyway, that's where I am at there. I
20 know there are people who would probably agree with me.

21 **Commissioner ALLAN BLAKENEY:**

22 Historically, the cities have got into recreation by the
23 instalment plan and really always thinking that they are

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1 just helping other community groups to run recreation
2 programs. Once you build in that philosophy then you will
3 be helping the most able, the ones who can put it together
4 themselves. People do not fully appreciate just how
5 scarce management skills are. You get people who are
6 business executives. It won't take them long to organize
7 a league. They just get on the phone and tell their
8 secretaries to line up eight calls and dictate this and
9 type that out, fax this. Those skills and facilities are
10 available to one class in society, one group in society,
11 and not available to others. If we just help those who
12 help themselves, we then will be confining our recreation
13 dollar to those who need it least, almost by definition.

14 I think that this does nothing but create trouble for
15 a society, for urban society. That's why I think our
16 cities would be well advised to find some ways of involving
17 almost all their citizenry in using the facilities, because
18 there will be a level of commitment there which is not
19 there now with a fair number of people.

20 I will stop talking.

21 **Co-Chairman GEORGES ERASMUS:** I have
22 just a few background questions. Did you say this program
23 has been around for eight years?

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1 **KIM BEAUDIN:** Actually, just under
2 eight years. It started in June of 1985.

3 **Co-Chairman GEORGES ERASMUS:** This
4 survey that you have been quoting from, do you think that
5 is going to have any impact on the city? Is it going to
6 change anything? Is it going to implement any new
7 programs?

8 **KIM BEAUDIN:** Actually, I had a meeting
9 with my supervisor this morning and after the article that
10 was in the paper regarding the race relations position
11 I was quite concerned because when race relations was
12 brought up in the survey 20 times -- and I get a feeling
13 it will be brought up each and every time that we do this
14 survey -- and then we have somebody who does not believe
15 in it.

16 Also, the other thing that was brought
17 up in the survey was cultural awareness, cultural
18 sensitization of staff. And to read that it is going to
19 cost \$660,000 for the city, which was quite surprising
20 to me, I thought: "Boy, I've got a long ways to go and
21 I am going to have to sell what I am doing to the Aboriginal
22 organizations, as I do this survey, that we are not just
23 talking for nothing." Again, they have all stressed that

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1 to me: "Are you here for nothing? What is the document
2 going to do? Is it going to sit and collect dust?"

3 My management told me that they will
4 follow up with this, that we are not talking for nothing.

5 I basically told them that my name is on the line here
6 in terms of following up with this thing and it is important
7 to me.

8 When I look at the job description and
9 it says to recommend policies and development with respect
10 to the city, that's what I do. It is just how far it will
11 go. I am not sure. I am hoping it does; I really am.

12 **Commissioner JOAN LAVALLEE:** I know it
13 must be a very trying position to be in because we do have
14 so many of our youth that need this kind of leadership
15 or facility. I sure hope that the city is going to be
16 able to do something or at least help in getting even
17 another person.

18 **KIM BEAUDIN:** One of the things that I
19 had thought about in terms of recommendations is I am not
20 sure what type of role the federal government could play
21 in -- I am not sure if you could use the term directing,
22 ordering -- in terms of the civic administration or civic
23 governments to say that this is what is going on.

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1 My understanding is that the federal
2 government was concerned about Aboriginal issues, so this
3 is why the Commission was set up for urban Aboriginal
4 people. I am hoping, based on some of the things that
5 come out of it, that it will go somewhere. I sat there
6 thinking how can we convince our city forefathers or the
7 city people involved to actually take this seriously to
8 realize that the population is getting bigger; there are
9 issues, youth issues, a number of issues that are coming
10 up where we could do something. I am not sure what role
11 the Commission could play in that.

12 I am hoping it does go a long way. This
13 is actually a first step. And based on the last time I
14 had seen documentation on the Commission, I am hoping also
15 recreation and sport development and leisure do come into
16 play when you are looking at recommendations.

17 Thank you.

18 **Co-Chairman GEORGES ERASMUS:** They do,
19 and we would like to thank you for your presentation.

20 Our next presenter is Bill Hanson.

21 **BILL HANSON:** Members of the Royal
22 Commission and ladies and gentlemen, my name is Bill Hanson
23 and I am one of the old veterans of this ongoing conflict

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1 and the problems we have had over the years. I was born
2 and raised in northern Manitoba. I am part Cree. And
3 for a great number of years, almost more than I want to
4 admit, I was in the public service. Since my retirement
5 I have given pretty well all my time to the Interprovincial
6 Association of Native Employment. And it is coming along
7 very well. Being an old programmer, I guess I started
8 thinking about what went wrong because to my mind the
9 Canadian society itself is a very benevolent society and
10 certainly it does not like the criticism that is being
11 given to it, both nationally and internationally. In my
12 own time and under various governments we had the money,
13 we had the desire, we had the political will and certainly
14 we had the dedicated staff in most cases.

15 So I kept asking myself I suppose because
16 the closer you come to meeting St. Peter you start having
17 some insights that maybe you wouldn't have otherwise.
18 I started wondering what went wrong, and I think it is
19 our strategy. If we have a problem, it is that we don't
20 know what to do with a race of people. We know how to
21 deal with immigrant ethnic groups from all over the world
22 with their different cultures but we don't know what to
23 do with a race of people that is spread across the microcosm

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1 of lifestyles right from basic hunting and gathering right
2 through to modern industrial technological society.

3 There are Aboriginal people in each one of those societies.

4 So what happens is that often when we
5 tend to use the term in the white society and say "well,
6 this is white society and this is Aboriginal society" and
7 the two are solitudes almost. Well, it is not true. If
8 there is a cultural clash now, the cultural clash -- and
9 you saw it come out in the referendum is the idea that
10 we have two cultures in the Aboriginal people. One is
11 a people who fit into the industrial society and succeed
12 in the industrial society. We have taken on all their
13 values; we have met their norms. And a lot of us have
14 succeeded. On the other hand some of our kinsfolk actually
15 are still bonded to a historical way of life which is
16 holistic, and they can't break that down and say I am going
17 to move ahead on the economic front but not on the political
18 front or not on the spirituality or some other aspects
19 of life. They can't break that down. So the cultural
20 clashes you have now is a highly structured industrial
21 culture largely driven by the market-oriented society it
22 serves and then you almost have a pre-machine culture that
23 does not fit.

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1 And right in Saskatoon you have a good
2 example of that. We have many boys and girls going through
3 university and becoming doctors and lawyers and all that.
4 On the other hand, not too far from here we have the other
5 people that the majority of agencies don't know what to
6 do despite their good intentions. It doesn't fit. None
7 of our programs fit.

8 And why we have trouble with programming
9 is the idea that up to now the idea was to move into the
10 industrial technological society and we put in place this
11 process to bring them all along. In here are your
12 residential schools; in here is your Indian Act; in here
13 are all the kinds of programming we do to push or pull
14 native people into the industrial socio-economic arena.
15 We are not concerned with other parts of society, but
16 the socio-economic arena.

17 We have done this and for the longest
18 time, and I was one of the culprits. I was a programmer
19 and I designed things like the Western Northlands
20 Agreements. I worked on the special Arctic programs.
21 I was in Nustart. I worked on the Hawthorne Report many,
22 many years ago. And while we were getting some percentage
23 of people going through here and succeeding in an

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1 industrial society, we never realized that the more
2 traditionally culture people were withdrawing, pulling
3 back. And most of our development programs have never
4 ever got to that.

5 So because we don't know what to do with
6 them, we haven't really defined what their reality is,
7 we parachute in the welfare cheque. And in a lot of cases
8 we stand back and criticize them for not handling it
9 properly.

10 That is what I call the single reality
11 concept of development. And what is interesting is that
12 it is happening throughout the world with no better
13 results. I think if I was on the Commission listening
14 to what was being said, I would have to look at something
15 like this, two realities. This reality is a subsistence,
16 I suppose, or traditional. And then this is the industrial
17 technological. This reality here has been here for 70,000
18 years. This served their people for thousands and
19 thousands of years. There is nothing wrong with it. They
20 made progress, they invented or designed, or whatever,
21 everything that they needed to survive. So that is not
22 going to go away just because a new group of people came
23 in, pre-adapted to the society they brought in.

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1 What you have is these are what I call
2 the immigrant ethnic groups for the sake of identifying
3 them because these are all pre-adapted people; they are
4 not a race of people. They represent a race of people.
5 This is a race. These are groups, any place in the world.
6 And you must remember they are pre-adapted to every
7 institution we have in Canada.

8 So an Aboriginal child coming to school,
9 at seven years old this is what he is confronted with.
10 Children pre-adapted to the society. They fit the
11 society. And their roots here as a race of people totally
12 different. So in the process of this acculturation we
13 ended up with something like this. This is an
14 acculturation process.

15 Many Aboriginal people have been pushed
16 or pulled across that acculturation process and many have
17 failed. If you look at suicides, it is not suicides here;
18 it is suicides in this process. It is not over here either;
19 it is right here.

20 What happens when you listen to people
21 talk about what Indian people or Aboriginal people require,
22 who are you talking about? There is at least 25 per cent
23 of the Aboriginal population already here. Their culture

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1 in the sense of daily living is basically that. It is
2 an industrial culture. So it is very difficult for them
3 to listen to traditional people, particularly on the
4 reserves when they come back with these ideas structured
5 in the way that industrial society structures our thinking
6 in how we think and what we think. It is like an FM station.
7 It is an AM station here and an FM station here right
8 within the Aboriginal population. Then we wonder why you
9 get people saying there is so much dissention. There
10 isn't. It is just two realities and the two realities
11 don't come along together. Anywhere in the world it
12 doesn't.

13 I looked at Framing the Issues, and
14 Framing the Issues is almost impossible under the present
15 paradigm, this format; impossible. You get caught up in
16 what happened in the Hawthorne Report. A wonderful
17 recommendation but it didn't work. It is still on the
18 shelf and it cost us a million and a half dollars.

19 Everything we have done -- and I have
20 been part of it; I can take the blame for some of it --
21 is because we never knew. You would go out and this kind
22 of message, you are not getting the message. Even when
23 Judge Berger did his Alaska thing, he brought out some

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1 of these things. But again, because the bureaucratic
2 system is structured in such a way, they responded to this
3 one and they put everything these people needed in these
4 terms and these people have nothing now. They are poorer
5 now than they have ever been.

6 I just want to talk about when you look
7 at these two realities and realize that they are not coming
8 together. My pencil doesn't spell right.

9 Land issues: Right away because we are
10 looking again between the non-Aboriginal society and the
11 Aboriginal society and said land. Once we get land,
12 everything is finished. We have done it. Life will
13 change. That is a false hope. We have many reserves in
14 Canada that are relatively rich in resource development.

15 And in one in particular in Alberta in 1985-86 there was
16 something like 17 times the national average of young women
17 committing suicide. Very rich. Has been for years.
18 Every symptom you can look at on one reserve you will find
19 on the other reserve. Economics doesn't really make that
20 much difference.

21 I was down -- and again being a westerner
22 I very rarely ever get invited to the west. I did a
23 cross-culture training workshop -- and I hope this is not

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1 one of them -- at the Mohawk College in Brantford. And
2 the reaction you get after you look at this and you
3 understand it and you get the dialogue of the people
4 concerned, they said: "Our leaders need that." One of
5 the difficult things for the leaders is that normally to
6 fit the modern society and be listened to, you are trained
7 in this society. And this society relates to you. It
8 gives you prestige. It gives you prominence. It gives
9 you all the things that happen. And anybody who has ever
10 been to Ottawa, once you are there a year you have to go
11 back to your roots some place because you get lost. I
12 was a bureaucrat and I say that.

13 What we have to look at is -- land here
14 says yes. Land gives us all the things we need. This
15 person said: "What part of mother earth are you going
16 to sell first?" This is sanctuary, food, larder and
17 spiritual cathedral, all combined. Once you shift over
18 here to this other industrial society they build a church
19 on the corner and say "that's where you go on Sunday".
20 Never mind your spirituality the rest of the time. We
21 set up the Safeway grocery store. That's where you get
22 your food. The sanctuary is some sort of a house. It
23 isn't. This one says no. My sanctuary, my food larder,

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1 my spiritual cathedral. The land belongs to all Indians,
2 all the dead ones, all the live ones, and all future ones.
3 And that relation is sacred.

4 What happens is that we talk about land
5 and yet we don't voice this person. Economic development:
6 we talk about economic development because we have trained
7 the people to do economic development, these people.
8 People come up to me and say: "Well, my father is
9 traditional." I used to trap too. And I say: "Because
10 he traps all the time." "Yes, he traps here and under
11 special Arctic programs and other programs what happens
12 in economic development, he makes \$30,000 a year and he
13 approaches trapping the same as a businessman runs a
14 grocery store or a hotel or something else. This person
15 lives with the land -- again sanctuary, food, larder and
16 spiritual cathedral -- and he comes back in the spring
17 after living on the land renewed, culturally and
18 psychologically probably, and he has \$200 in the bank.
19 He is the true trapper. He is the harvester.

20 But what happens in our economic
21 development criteria, we say no. If you can't run it like
22 a business, you have no right to it. So in a sense what
23 happens is you are going to have one person in the

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1 community, granny, because she is traditional, she is
2 trying to understand what has happened when she can't share
3 the sense of spirituality with all the animals and all
4 the fish and all the fowl because all the land around her
5 community now belongs to a businessman trapper.

6 These are the kinds of things we are
7 doing because we can't get in our head that there are two
8 realities and they don't fit.

9 The characteristics: Right in the city
10 of Saskatoon Aboriginal people, status Indians, Métis,
11 non-status, and most others, they have a set of
12 characteristics, future oriented, market oriented skills,
13 urban life adjustments. They have all these
14 characteristics. They come from the same reserve. This
15 person's are daily goals. That is what they respond to.

16 And once you put in a person's mind that tomorrow is
17 promised, wait until tomorrow.

18 When you think of those daily goals what
19 does it mean in terms of education? This person here says:

20 "Why should I accumulate knowledge over 20 years? So
21 I can manipulate myself, or society, or mother nature?"

22 Is that the reason why the spirits give me knowledge?

23 Obviously not.

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1 This is why right here in the core area,
2 like Kim was saying -- and I belong to the Race Relations
3 Committee -- that only 10 per cent of the kids that start
4 in a particular school in Saskatoon in the core area stay
5 there for the full term. Ninety per cent change and go
6 to different schools. They are not getting an education.

7 Just to relate to daily goals again, what
8 do we do? We set up a welfare system. That is basically
9 their income. And if the goals are daily, you are trying
10 to say -- as they always tell me: "Hanson, you have to
11 learn." That's what Columbus probably said when he
12 stepped off the boat. And they haven't. And they won't.

13 What happens here is they get a welfare
14 cheque at the end of the month. I am also on the Police
15 Commission, or the police service station down at 20th
16 Street -- and this really frightens you. I do some
17 cross-culture with the police department.

18 If you take pay day here and pay day here,
19 this shows you with the traditional people again, daily
20 goals. If you look at their disposable income -- look
21 at their life first. Crime is very high on pay day.
22 Drunkenness, fighting, family abuse, all of that on pay
23 day. And it tapers off and then on Family Allowance day

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1 you get another little glimps like that and away it goes
2 down like that. And other kinds of crime are down here:
3 petty theft, shop lifting, all those little petty things
4 are very low and then it goes up like this and then there
5 is blip of some kind, including prostitution. And that's
6 how it shows up in a month.

7 I asked the police: "What do you do?
8 How do you change it?" Well, the most logical thing
9 instead of trying to change the people, again because we
10 don't realize that these are Aboriginal people; they are
11 the roots of the Aboriginal people and they have a totally
12 different way of life. They are no different, no stranger
13 than the people in the jungles of Africa or in the Amazon.
14 They do what they know best and they will take their time
15 to come out of that. You can't just put them in residential
16 school and change them. We will learn that. But we are
17 still trying to do that. Even our Aboriginal institutions
18 tend to do the same thing. They are still trying to push
19 them through that process and then wondering why they don't
20 get the results they want.

21 So it happens. Why can't we allow these
22 people to draw their disposable income 1/30th a day. Let
23 them go to -- I don't know what the Cree word is -- to

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1 Granny's Credit Union. But where you use the social
2 culture dynamics of the people -- because granny right
3 now is running some sort of a bank anyway. She is taking
4 her old age pension cheque and metering that out to try
5 and keep the family surviving. Right now she is doing
6 that. So let's give her something to work with. No cost
7 to society. We don't have to set up a bureaucracy. And
8 immediately this should more or less level off.

9 Think of the misery. Just one program,
10 insensitive, not recognizing what the Aboriginal people
11 need, the traditional people, and look at the misery you
12 are causing just by our programming. And I point to myself
13 because I am an old programmer. What happens is we want
14 to change some of these things, and again until we realize
15 this we go to people within the industrial society,
16 Aboriginal people, and say: "What do you think you need?"

17 As soon as I started talking about this, people said:
18 "That is very paternalistic." I said: "It is not." What
19 is happening is that they earn at 1/30th every day. Give
20 them the option to draw it out. And if you give them the
21 option, mom and dad and the kids are going to be there
22 say at 5:00 o'clock. The bank opens from 5:30 to 6:30
23 or 5:30 to 6:00, whatever it is. The children are going

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1 to be with mom and dad. There is a better chance those
2 children are going to get the odd dollar that they can
3 go down and get a pizza or something. And if they maybe
4 get fed every day a little better, they are going to do
5 better in school, if they can see some sort of a family
6 process of picking up their money that is rightfully
7 theirs.

8 All these things can happen. But you
9 can't do it within the present single-reality programming.
10 The single reality programming has destroyed almost every
11 program I have ever worked with. This thing came to mind
12 only when I realized that I had done a lot of harm. I
13 had raised false hopes, expectations. They were all
14 there. And I was part of it. And yet this tells you.
15 It is simple. This one offends no one.

16 I have done workshops working off the
17 model on Indian reserves, Métis communities, the
18 Development Corporation of Alberta based on this model.
19 But this is what we have to do.

20 A good example. Right now we are saying
21 that on a lot of the Indian reserves, the
22 industrial-oriented people who are going through the
23 educational system are coming back home to help their

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1 people. And they really mean to do that. Their hearts
2 are in the right place. But they come back with a framework
3 within their mind of saying: I am going to take what is
4 in the industrial society and impose that on my reserve.
5 And as soon as that happens, if the chief happens to be
6 in that group, he brings it in. And the only people that
7 can really handle that kind of thing are people like
8 himself. They are trained to do this, compete in the
9 industrial society. The traditional people look at that
10 and the minute the next election comes up, the chief has
11 flipped out, a traditional chief takes over and for the
12 right reasons in the world, because it doesn't benefit
13 him, he kills the project.

14 All you have to do is look at the reserves
15 across Canada. How many of them have empty buildings for
16 a good reason? It is not their fault. It is our fault;
17 we did it. And we still will not listen. The hardest
18 thing in a democratic process, these people are not there
19 to conflict, to antagonize. If they walk away from the
20 process, that is a no vote. But in democracy, as we think
21 of it, it means that if you didn't show up at the meeting
22 and you didn't vote in opposition, it doesn't count. So
23 again, we just don't know what to do with a race of people.

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1 And it is sad.

2 I think Kim was alluding to the idea that
3 we need something to go back to the people in the core
4 area particularly and on the Indian reserves, the
5 traditional people, and say: Look, you represent our
6 roots. You have values and you have aspirations. You
7 have hopes that we have been so callous that we have hidden
8 away. We have hidden those dreams, those visions. Our
9 sense of spirituality, we have lost that too.

10 And so we come back to them and we say:

11 Now, look, if we allow you to die any more, because you
12 are our roots we die too. We are not going to run away.

13 And as far as the Canadian society, the Indian Act --
14 I think it is 1854 -- said the process of assimilation
15 and acculturation will continue until there is no such
16 thing as an Indian in Canada. That is still the law.
17 It has never been taken off the books. It is hard to
18 believe. Nobody uses it but it is the idea that under
19 the single reality concept where we are going to bring
20 everybody in, if that process works it means that the roots
21 of the Aboriginal people, instead of being recognized as
22 being the foundation of Canada, will exist no more in a
23 few hundred years.

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1 So no matter who you are around the
2 world, if you are Chinese or Japanese or Norwegian, or
3 whatever it is, you will always have some place over there
4 where your roots are sacred and safe, except right here,
5 and we are going to plow them over. These are things that
6 must when you think of if you are economically poor because
7 of inappropriate programming. The money is there and the
8 desire is there. But if you feel economically poor, then
9 surely that condition which is facing you every day is
10 compounded by your social, cultural, psychological sense
11 of destitution where you are not being recognized by the
12 society as a distinct and different people with roots here
13 that go back thousands of years.

14 The biggest joke around the system is
15 that I am very optimistic and they said how in the hell
16 can you be after all your failures in programming? Because
17 I know that in the heart of society, the industrial society,
18 they want a difference. They want improvements. They
19 want to see something change because we can't continue
20 to be apartheid. We are. But our apartheid is not for
21 any other reason that just failing to recognize the true
22 reality. The big thing with it is to recognize that, as
23 I said, 20 per cent of the Aboriginal people are already

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1 here. They are part of the system. There is a number
2 in here and there is probably a number here and across
3 the regions of the country it changes. On one reserve
4 you may have 30 per cent; in another place you may have
5 60 per cent. But think of these two realities on one
6 reserve now. It used to be in the city, the industrial
7 reality, and back home it is safe in a different traditional
8 reality. But now we say 80 per cent unemployment. Where
9 does that unemployment happen? Not with these people who
10 have marketable job skills in the industrial society.
11 They have the urban life skills. They know how to relate
12 to other people. Over here, 100 per cent, a whole life
13 time and beyond.

14 So don't get caught with figures. We
15 say more Aboriginal people are going through the education
16 system, right from here. We say we ought to put more money
17 into the education of the Aboriginal people. Where is
18 it flowing? Where do you get results? Where can you
19 measure results from here?

20 To my mind, if we were sensitive about
21 education to the other sectors, whether community
22 development or anything else, we have to recognize that
23 those people who aspire -- the leaders. I had better say

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1 it this way. The Aboriginal leaders have to be able to
2 say of these two realities: Yes, those of my people who
3 want to enjoy the fruits in all that of the industrial
4 reality, I will make damn sure that there is not one door
5 closed on them. I will make damn sure that there are no
6 impediments there, whereby they can learn the skills and
7 succeed in that society. I will make damn sure of that.

8 At the same time I will make sure that our traditional
9 people rather than having to climb the hierarchial mountain
10 of the industrial society will find a path around it and
11 they will go there at their own speed and they will do
12 so with their capabilities that they already have and they
13 don't have to be acculturated. They will do it as
14 Aboriginal people.

15 You say fine, Aboriginal government, how
16 does it apply? What government are you going to have?
17 Are you going to have government just merely an extension
18 of what we have here and it is going to be over there?
19 Are these people going to be served? No. If you went to
20 this one here, one of the main characteristics is
21 power-down. You set up your system so you have an
22 executive director and all that. Here this is
23 plenaristic. Nobody has control over someone else, not

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1 even the chief. the chief has responsibility and
2 accountability but he has no power, because the spirits
3 tell you that nobody has power over someone else.

4 So how are those going to conflict? Are
5 we going to wipe this out as we have ignored this here
6 for years? Probably.

7 There are many aspects of it but I see
8 my time is running short. Maybe I will leave it, if anybody
9 has any questions.

10 **Co-Chairman GEORGES ERASMUS:** Thank
11 you. Do you have any questions, Allan?

12 **Commissioner ALLAN BLAKENEY:** I think
13 I follow your analysis and there is probably a good deal
14 of merit in it. If you agree, as I think you do, that
15 the industrial Aboriginal as I have called him as opposed
16 to the traditional Aboriginal -- if the industrial
17 Aboriginal is the one who will have the easiest time to
18 operate in our society, then those who want to cross over
19 should be helped to cross over and adopt our long-term
20 goals, our taking thought for the morrow when we are urged
21 not to by the Biblical instruction, or adopting our
22 acquisitive values, saving, becoming part of the
23 industrial society based upon deferred consumption, and

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1 all the sorts of things that make up the industrial society
2 we live in. If that is so -- and obviously one could think
3 of a good number of arguments moral and perhaps practical
4 why this should not be. But if you adopt that, then the
5 question is: Who decides who is a traditional Aboriginal
6 and who is an industrial Aboriginal? Is it solely a matter
7 of selection on the part of the traditional Aboriginal?

8 I am not deciding which are the sheep
9 and which are the goats, but we are obviously deciding
10 that some are sheep and some are goats. To one, one model
11 will be applied and to the sheep another model will be
12 applied. Who decides who are the sheep and the goats?
13 How is this going to work?

14 **BILL HANSON:** Mr. Blakeney, I think many
15 times people ask that because it tends to be sort of the
16 norm on most of the reserves. Whether they class that
17 by family, it is hard to say. But if you check through
18 and you look at the marriage patterns -- that is what
19 happens when you are retired and you have nothing else
20 to do. If you look at marriage patterns, it stays pretty
21 solid to the kinship group. The people that are going
22 one way tend to marry within that group even though on
23 that reserve or on some other reserve.

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1 All I am saying is that if you take the
2 two realities and recognizing the two different paths and
3 making sure that the opportunity is there, really what
4 we are saying is that the programmer right now -- we are
5 programming basically here. That is the target area.
6 But we are not doing anything here. So if you are going
7 to have a circle development we have to now tell the
8 programmer: This is FM; listen carefully and start to
9 develop that process. If you don't do that, then what
10 we are telling them is we are going to starve you out here
11 and you are not going to do very much for you or your
12 children until you take this path.

13 All I am saying is that this is what we
14 have to do. As soon as you do that -- it was in Alberta
15 where I was at a conference and we had one day to do it.
16 We sat down and said it seems that we are getting different
17 messages so those who want to talk about the industrial
18 reality go in that room with a flip chart and give us the
19 lifestyle characteristics you see there and give us the
20 strategy development and the programs and service that
21 you think you need or are available. And do the same thing
22 with traditional society. And you bring the two charts
23 back together again from the same community and same area

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1 and there are two totally different things. And that's
2 when they said: "My God, that's right. We never knew
3 that before." But as soon as we opened the door, then
4 these people instead of having to go through this process
5 and qualify to go in that process -- you have to qualify
6 every step of the way before you are accepted. So I am
7 saying to go this way.

8 That's what we have to do. It is not
9 a question of saying I know who is and who isn't.

10 I was working on a power line from
11 Winnipeg to Gillam and basically this is where the concept
12 came from. There seemed to be three different -- because
13 of this acculturation process, I call them change marginal
14 and traditional. And because their goals are different,
15 this person's goal is here and this one is seasonal and
16 this one is today. Obviously if you are going to go into
17 a long-term program like that you go into this social
18 culture group here and transfer that into work fraternity
19 and they will fit. They are allowed to select and deselect
20 their own group. And to throw Indian Affairs off base,
21 we said no transportation. They will be responsible for
22 selecting and deselecting their own people.

23 After it was all over we found out that

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1 the productivity from that power line -- it was a great
2 big power line from Winnipeg to Gillam. Some of these
3 people were moving in 30 below zero weather, 250 miles
4 away from home, sometimes six days a week. Productivity
5 was higher on that project than any project Dominion Bridge
6 had ever had. Absenteeism was less than the white labour
7 force and noticeably non drinking on and off the job as
8 soon as you do that. But what happened is we had to avoid
9 -- Travis his name is. He was a traditional chief. So
10 we couldn't go to Manpower, who would go to Indian Affairs,
11 and Indian Affairs would go to the chief and get 20 men
12 for -- it was 70 people in the end. He would send people
13 like this from his own group, and rightfully so. But who
14 would not respond to the long-term aspects of the program.

15 I would never want to be able to say there
16 are 30 per cent or 40 per cent. I think this is where
17 they should say: "Do you want to walk around this?" In
18 my mind it is sort of a graphic thing that comes to mind.

19 The Aboriginal people were moving across this way for
20 thousands of years and suddenly we put in this hierarchial
21 structured industrial society. And this is where they
22 are piling up. Some of them are making it and going into
23 the industrial society but others are not.

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1 I am saying let's build a road around
2 it. They will meet their goal over here, the same as us.
3 But give them time to walk that path so they are more
4 in terms with nature, of seeing the animals, living with
5 the land, and being part of the land; their sense of
6 spirituality; their language. All these things would be
7 protected at no cost. Just accept an admittance on the
8 part of us who set policies and programs that by God,
9 despite our good intentions, we were wrong.

10 If we could design something that is more
11 sensitive, just think what it tells the world. It tells
12 the general public a great message but it tells the world
13 that people who have roots in a hunting and gathering way
14 of life can survive, can progress without fear within the
15 shadow of this thing. And if this message was across the
16 world, we would have enough people coming here that would
17 pay for the program to do it.

18 I'm sorry I went the wrong way there.

19 **Commissioner ALLAN BLAKENEY:** One other
20 question I want to ask you. The division between the
21 traditional and the industrial, to use my terminology,
22 is partly one of geography but partly one of individual
23 or family psychology. Some of the self-selection has been

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1 going on by people moving off reserves into the cities.

2 But that is not an infallible test, by any means. There
3 are still a fair number of traditional people in urban
4 settings. You are suggesting that.

5 **BILL HANSON:** Yes.

6 **Commissioner ALLAN BLAKENEY:** What sort
7 of a program do you think would respond to a traditional
8 person in an urban setting? You have suggested a short
9 period payout of welfare but that is obviously one tiny
10 part of a larger program. What sort of ideas do you have
11 in order to deal with traditional people in urban settings?

12 **BILL HANSON:** I think one of the sad
13 things is that because of the hostile kind of environments
14 they are forced to live in, low cost housing and all that,
15 there is a different mix of people down there who are
16 looking for somebody to sort of put down a bit. But I
17 think what you do is work again through like a Granny's
18 Credit Union kind of thing because it is important in terms
19 of education that this child be educated in his or her
20 own language for the first two or three years. And then
21 given the second language, being the technical language.

22 And that way you would have something. Right now the
23 child walks in and the child is forced to admit between

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1 the teacher being right or Granny being right. and one
2 of the great things that face them is if this room was
3 a cultural room and across the room here was hanging all
4 the cultural blankets of all the ethnic groups up on the
5 wall, beautiful, and then you see this massive thing with
6 blood, sweat and tears on it and you say: what is that
7 and they say that is the Aboriginal culture. A little
8 kid five or six or seven years old looking at that -- and
9 that is what we are broadcasting in our school systems
10 -- will say: "I can sure see who is superior here." And
11 that is wrong.

12 Like I said, not only do people come here
13 pre-adapted from other lands but they came here with the
14 distillation, the blood, sweat and tears of their past
15 is hidden away at home some place. They come here
16 pre-adapted. They bring distillation, which they give
17 to their children and the child can face a positive future.

18 But this can never happen to an Aboriginal child. With
19 their culture, what has happened is they struggle for
20 thousands of years -- is the foundation of Canada. We
21 cannot bring this culture blanket out and tied wash it.

22 We as a people and the Aboriginal people have to learn
23 to live with that. But that is the best foundation Canada

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1 could ever have.

2 I think that is what we have to do. Go
3 to them. What is interesting is the expert here, you can
4 hire him in university. This one is granny probably,
5 sitting down and listening to her in her own language say
6 what she wants. But the experts are here. They are not
7 brought in. I say that because I was trying to do both
8 and I failed this one. So I went with the winners, as
9 I call them.

10 **Co-Chairman GEORGES ERASMUS:** I would
11 like to thank you for your presentation. If you have not
12 written your book yet, I would suggest you do it. I think
13 it is a very interesting idea you have.

14 Joan, do you have any comments or
15 questions?

16 **Commissioner JOAN LAVALLEE:** I don't
17 have any comments. I really enjoyed your presentation
18 and the ideas that you put forth. Thank you.

19 **Co-Chairman GEORGES ERASMUS:** We are
20 going to close now with a closing prayer from Joan.

21 **(Closing Prayer)**

22 --- Whereupon the Commission adjourned at

23 6:00 p.m.