

TRANSLATION
FROM FRENCH

COMMISSION ROYALE SUR
LES PEUPLES AUTOCHTONES

ROYAL COMMISSION ON
ABORIGINAL PEOPLES

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Montreal, Quebec

---The hearing opened at 9:05 am, Tuesday, May 25, 1993

CO-CHAIR RENÉ DUSSAULT: First of all, I would like to welcome you on behalf of the Royal Commission on Aboriginal Peoples.

We are today beginning a second week of hearings in Montreal. You will recall that in the week of May 3 to 7 the Commission visited Kahnawake and also held hearings here regarding the people in the surrounding areas who were involved in the events of summer 1990.

All of the commissioners were present during that week. Today, the Commission is sitting in three different formations across Canada. One group is in British Columbia, in Terrace and Prince Rupert, and another is in Calgary and Lethbridge for the week.

I am accompanied here today by Mary Sillett. Mary is an Inuk from Oakdale, Labrador.

Mary Sillett has been very involved in matters concerning the Inuit and

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also Inuit and Aboriginal women in general. Before joining the Commission upon its creation, Mary Sillett was president of the Pauktuutit Inuit Women's Association, and also vice-president of Inuit Tapirisat of Canada.

I am René Dussault, co-chair of the Commission with Georges Erasmus.

This third round of hearings, which we began early last May, marks in a way the high point of the Commission's public participation initiative, in that the first two rounds of public hearings were largely held in Aboriginal communities in the North, as requested by former Chief Justice of the Supreme Court of Canada Brian Dickson, in the report which served as the basis for the creation of the Commission.

It seemed to us essential to be aware of the degree of development and precise situation of each of the Indian Aboriginal nations of Canada, but also to be familiar with the Inuit and Métis communities.

For this third

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round of public hearings being held in May-June, which will be completed by a fourth round in the fall, we are essentially visiting the south, because we want to hear from a very broad spectrum of the dynamic forces in society, that is, of non-Aboriginal groups, so that we may come away from these hearings with a more balanced point of view regarding a possible consensus on which could be based certain elements of solution that we are going to recommend.

Also, in a week such as this one, we will be receiving five briefs which have been financed by the Intervenor Participation Program, which the Commission set up when it began. This program has been managed by David Crombie, former Minister of Indian and Northern Affairs, on behalf of the Commission.

On the one hand, we wished to ensure that, by financing research for the preparation of briefs to the Commission, we had maximum opportunity to obtain elements of solution from the various Aboriginal nations and the various groups involved in the distribution of services and economic development.

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At the same time, we met with the directors of a great many Quebec and Canadian organizations, non-Aboriginal organizations in every sector of society--finance, business, unions, universities as institutions, the arts, and so on, the social, educational and health sectors and so on--to obtain a point of view on a new social contract between Natives and non-Natives that is as clearly articulated as possible.

Particular emphasis has been placed on Quebec for this third and fourth round, to ensure that the distinctive realities of Quebec could be high-lighted in the hearings and to ensure that we will be able to produce recommendations that are adapted to every region of the country and in particular, of course, here in Montreal, to the reality of Quebec.

Unfortunately, in recent years the general public has been too much aware of the Aboriginal issue through certain events

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which were very significant, and also very hotly contested between the Cree and Hydro-Québec, as well as between the populations of Châteauguay and Oka and the Mohawk Nation, in Kahnawake, Kanasatake and also Akwesasne in St Regis.

Much more than these events is involved in the mandate and work of the Commission and in the day-to-day reality of Aboriginal peoples. We know that there are 11 Aboriginal nations in Quebec. Eight of them have kept their languages alive--a higher percentage than elsewhere in the country.

We also know that the Aboriginal reality in Quebec is situated largely in the North and on reserves that are near cities, such as Maliotenam near Sept-Îles, or the case of the Montagnais Attikameks in Upper Mauricie, or the Micmacs of Quebec in Restigouche, where we will be going in June, or the Huron Nation at Wendake in the Quebec City region.

For Lac St-Jean, we will be

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having a representative of the Montagnais community of Lac St-Jean this week. Apart from the Cree and Inuit, who are essentially to the north, the Aboriginal population of Quebec is located relatively near the cities, at least much closer to them than is the case in Northern Ontario, Manitoba, Saskatchewan, Alberta and British Columbia.

As a result, there is an Aboriginal urban problem in Montreal, which in terms of numbers, however, is certainly far less substantial and complex than what we find in the other cities of Canada, whether in Toronto or in the West, where there is a significant percentage of Natives who are very loudly criticizing the municipalities and the social, educational and justice services.

Here in Montreal there are various figures.

According to the 1991 census, there are about 10,000 Natives--many Inuit, a few Cree and other Algonquin nations--living in Montreal. This week we will be having a brief from the association of Aboriginal friendship centres

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which will very specifically address the social reception problems for Aboriginal people in a city like Montreal, but also the concept of self-government from the standpoint of an urban situation.

This week we will be releasing the report of the Round Table on Aboriginal Urban Issues, which we held in Edmonton at the end of June last year. It details a situation which is extremely difficult and quasi-explosive, especially in the West, on account of the ever-increasing migration to the south from Northern communities and reserves, as young people look for work or women seek shelter, escaping from difficult situations in their communities.

This report cites the urgent need for action and reflection on the position of Aboriginal people in the cities. Here in Quebec, and I stand to be corrected on this, the Aboriginal urban problem has received very little study and analysis in terms of solutions. It is clear that the Northeastern Quebec and James Bay agreements have enabled some members

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of the communities to stay in the North, the effect of which has doubtless been to reduce the migration to the cities.

The fact remains that this is a phenomenon, a deep trend, which will only be increasing. This is a major concern for the Royal Commission.

Often too there is a tendency to say that the Aboriginal issue has been studied, and now it is time for action. This is true. But allow me to emphasize that the urban reality, and this applies across the country, has been understudied, under-analysed, underexamined--in fact, ignored--even though over half of registered status Indians live off-reserve. And demographics will only accentuate this phenomenon. With the birth rate, young people are obliged to leave to find places for themselves.

There is a balance, but it is clear that what we have here is a deep-seated trend; this is a major concern for the Royal Commission as it looks to the future.

This week we will be meeting with Aboriginal organizations as well as

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organizations which affect or represent in some way various sectors of the general public.

We begin this morning with the Assembly of First Nations as second intervenor. We will have the Quebec Native Women's Association and the Association des centres d'amitié autochtones du Québec, both of whose briefs have been funded by the Commission's Intervenor Participation Program.

Friday morning we will have the Grand Council of the Crees. The Inunavik Constitutional Committee will be making a presentation. We are presently doing a case study--in fact, some fifteen case studies--with Inunavik on the issue of self-government.

We will be seeing the representative of the Wabanaki Grand Council, the Montagnais of Lac St-Jean, and the Conseil des Montagnais de Mingan with Chief Jean-Charles Piétacho, will be speaking to us about suicide.

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Mr Piétacho was with us on the occasion of a joint initiative with the Assembly of First Nations on the whole problem of suicide, particularly among young people, and I think he intends to report to us on the efforts made in Mingan, in his community.

Also, on the non-Aboriginal side, we will be having presentations by the Secrétariat aux Affaires autochtones, from the Government of Quebec; the Crown corporation of Hydro-Québec; and the Association provinciale des trappeurs indépendants.

Representatives from the University of Quebec at Abitibi-Témiscamingue will be reporting on a unique collaborative experiment in education with the Inuit.

We will be seeing the Mining Association of Canada, as well as the Falconbridge company. It is clear that forests and mines are very important points of territorial contact where relations between Natives and non-Natives need to be improved. We will have the opportunity to discuss this with the directors of these two associations.

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Also, the United Churches of Canada and the Secretariat of the Oblate Conference of Canada will be making presentations, and a number of women's issues, concerning the importance of non-violence, will be covered.

It is clear that the work of the Commission is intended both to gather technical information and to educate the public. As I said when that work began, we would like to see the general public's knowledge of Aboriginal issues extend beyond that which we often see conveyed, because these are controversial matters as regards development of Northern Quebec and relations with the Mohawks.

There is much more to the Aboriginal reality than this, and we think that solutions that can be supported by a broad consensus between the Natives and non-Natives of Quebec will be much more durable. This is achievable first of all by a certain openness to appreciation of the nature of other party.

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Often there is a mental block. There are preconceived ideas on both sides, which lead to impasses in relations.

In this regard, we want to see the Commission serve as the vehicle for a dialogue that is going to have to be ongoing. A commission of inquiry brings pressure at a certain point in time to try and establish a direction. It is clear that relations between Natives and non-Natives in Canada and in Quebec in particular require long-term work, work of reciprocal learning about the reality of the other, and also a basic realization that we are much stronger together than apart, that there is a rich element of Quebec society among us which is often misunderstood.

We hear that young people in the high schools are asked such simple questions as: what is the Aboriginal reality in Quebec, where is it located geographically, what is its significance in terms of numbers, in terms of language, and so forth. And the young people in the

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schools haven't the faintest idea. Not one hour in the curriculum is spent on this subject, unless a particular teacher has an interest in it.

There is a little brochure published by the Secrétariat aux Affaires autochtones here in Quebec.

In less than one hour's reading, with supporting maps, it basically provides a summary of the situation of the 11 Aboriginal nations in terms of geography, numbers, and diversity. In our opinion, this is surely a major shirking of obligations.

It is not just the issue of school books: that is a question that is being corrected. There are many other issues as well. There is the matter of affirmative education, in the form of programs to make known what is at bottom a very, very important reality, one from which many Quebecers derive their roots.

I would now like to welcome all of you and ask the first group that is making a presentation this morning, namely the Native Solidarity Committee

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of the Resource Centre for Non-Violence, to approach the table.

Mary Sillett will make some opening remarks, and then we will begin this week of public hearings.

Thank you.

COMMISSIONER MARY SILLETT: [ENGLISH:

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CO-CHAIR RENÉ DUSSAULT: [ENGLISH] Thank
you.

I would like to ask Charlotte Debbane and
Gerry Pascal to approach the table to make their
presentation on behalf of the Native Solidarity Committee
of the Montreal Resource Centre for Non-Violence.

[ENGLISH: pp 18-20]

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[ENGLISH]

CHARLOTTE DEBBANE, Author: Sovereignty:
in speaking of sovereignty in the context of the First Nations, we would like to emphasize that we regard sovereignty as an inherent right, an unquestionable fact. Sovereignty is never something that can be "granted" to another.

It is simply a matter of recognition, after which we must examine the means of acting accordingly. Are we to consider the First Nations as a single sovereign entity, encompassing all nations, or are we to regard a diversity of sovereign nations as interlocutors?

This matter suggests the possibility of considering more than one solution, among which the proper one may be found: bipartite accords with each nation; a general accord with all of the First Nations,

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including different clauses: this would require a preliminary conference of the First Nations among themselves, to formulate the text in accordance with their own thinking; or many other options which have still not been formulated or considered.

GERRY PASCAL: [ENGLISH, to p 23]

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[ENGLISH]

CHARLOTTE DEBBANE: The treaties: the foreigners arrived in ever-growing numbers. They regarded the situation as a colonization process. The Natives regarded the situation as the offering of refuge on an earth which had fostered their way of life for millennia. Treaties were signed.

Treaties are not signed with sectors of a single society. Treaties are instruments whereby sovereign peoples recognize each other as such, establishing agreements that are acceptable to both parties.

It is clear that when the Europeans were in the minority and needed the hospitality of the Aboriginal people, they

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recognized this sovereignty and negotiated. But this attitude was not to last. As immigration grew, the foreigners tried to establish their concept of private property.

The treaties were set aside, or eroded. The land base of the First Nations was reduced to the tiny enclaves we call reserves. The immigrants simply took possession: they believed and had the rest of the world believe that this was their land, to be owned and governed by them.

At the root of this is an approach that is fundamentally foreign to the Aboriginal vision of things. Whereas for the Aboriginal people, treaties are agreements that are tied to the concept of honour and that commit the generations to come just as strongly as the contracting parties, the European tradition is opportunistic. The treaty is seen as a short-term arrangement that is signed as a matter of necessity and is destined for abrogation as soon as a position of strength makes this possible.

So what we see here is an expression of bad faith and a concept of constantly changing relations, regardless of what may have been

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promised. It is these differing concepts that must be considered when the Aboriginal people of today refer to the Jay Treaty and the Royal Proclamation, signed generations ago. The issue in current relations is this: are agreements made to be kept, or violated?

There are also more recent examples.

In August 1991 the Algonquins of Barrière Lake, in La Vérendrye Park, signed a tripartite agreement on forest management with the federal and Quebec governments. At the beginning of this year, 1993, the Government of Quebec, through the Minister of Forests, gave a company permission to clear cut to the edge of a lake. This was done without the Algonquins' consent and in contravention of the agreement signed in 1991.

Another example of intrusion on Aboriginal land is Nitassinan, the Innu or Montagnais territory straddling Quebec and Labrador. The federal government has authorized NATO countries to engage in low-altitude flight training there, something that is banned in those same countries. Hydro-Québec and Newfoundland Hydro are both planning

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to build dams on the Churchill and Ste-Marguerite, as well as on Lac Robertson. In none of these cases were the Innu consulted, and there has been no signed agreement legitimizing these projects. In other words, what we are witnessing here is a *de facto* invasion.

GERRY PASCAL: [ENGLISH]

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CHARLOTTE DEBBANE: Conclusion: How can we resolve the immense problems in which our behaviour has plunged the First Nations of this part of the world? Certainly not by violence.

The inhabitants of this earth have profound need of mutual respect and trust. The predominant attitude of hostility and mistrust toward Aboriginal people stems from preconceived and false ideas, and a fear born of ignorance. As a rule, Canadians do not know Aboriginal people, any more than they know the truth about them or the history of this country.

We hear a lot of talk about money spent, but few arguments about a debt that is owed. The mere term "land claims" prompts visions of vengeful expulsions: people imagine themselves reduced to the status of refugees. Might this derive in part from an image of what we might be tempted to do in similar circumstances if the situation were reversed? Might we not be projecting that image into the minds of the Aboriginal people?

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True, there might be some justification for these fears if one thinks about those alienated elements who have learned too well the lessons of the violent thoughts and actions communicated by the dominant society.

However, as we said earlier, these elements constitute only a fraction of the whole. Most Aboriginal people have preserved the bulk of their traditions, which engender attitudes of indulgence, attitudes which make allowances for ignorance in the face of an honest desire to learn. The principle of non-violence, trusting in reasonable negotiation based on good faith: respect for others and for one's word when it is given.

Allow me to close as we began, with a quotation, this time from the presentation of Laurent Gagnon during the public hearing of May 7:

"If we are going to have three solitudes side by side, that does not constitute a true peace. We should invest instead in a dual or tripartite partnership for the common good."

[TRANSLATION]

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Let us hope therefore for the dawn of some new thinking and a better way of facing the facts.

Here are our brief recommendations.

That the public be familiarized with the details of the history of this country, the content and circumstances of the treaties, from both viewpoints, Aboriginal as well as white; that the public become more knowledgeable about the foundations of Aboriginal thought and the rules for living and attitudes of the First Nations; that the government take the time necessary to seek reliable and representative interlocutors; that the government take the time necessary to engage in dialogue with respect and good faith, and be disposed to listen carefully instead of adhering to a preconceived plan.

CO-CHAIR RENÉ DUSSAULT: Thank you.

[ENGLISH]

My first question is for Ms Charlotte Debbane.

Since the Centre is a centre for solidarity and research into non-violence, one of the questions we have been

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faced with in visiting the Aboriginal communities in the first two rounds of hearings has to do with the violent situation to be found in many communities.

Some have told us, somewhat as you do in your brief, that the problem of the status of the Aboriginal nations in relation to Canada and the provinces has to be resolved, that we have to address self-government, and the solution to a lot of these problems will follow from there.

Then many others have told us, Aboriginal women in particular: Be careful; before giving more management powers to the Aboriginal nations, you must be sure that principles of accountability are in place within the communities, and that we will not be left at the mercy of a governing authority that is often held by men and which leads to situations of violence.

In the end, in the document that we released on the consensus, we concluded that essentially people were telling us that it is necessary to work both on

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self-government and on the healing process; the social problems are substantial.

Basically, my question is the following.

What is your position as a Centre on all of this? Must we first resolve the social problems and then address self-government, or must we deal with self-government and assume that the social problems will be resolved because there will be a new situation, or can we work in what must be a relentless fashion simultaneously on healing, to afford economic self-sufficiency, and of course, on self-government?

How do you see this proceeding, since you at the Centre are concerned with non-violence and you have certainly thought about this? Your brief does not give us an indication of your point of view in this regard.

CHARLOTTE DEBBANE: The Centre has been involved for many years in fairly close relations with the Innu of Labrador and the Mohawks, mainly

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from Akwesasne and Kahnawake.

As an obvious consequence of our mission of non-violence, our contacts have been primarily with the traditionalist party, the party that has kept or has fought to keep its own traditions.

From the information we have received from the Cree and the Algonquins of Maniwaki, though without having frequented their communities, we have found that the problems are mainly the product of contact with the white lifestyle and of all of the points we raised in our brief--the problems, constraints and frustrations imposed on Aboriginal people.

Whatever laws we have in our own society to protect women and families, there is still enormous violence in this society, a violence transmitted by the media, by our whole lifestyle, by the competitive educational system starting in early childhood, and by the economic system, which is the source of either constant rivalry and competition or

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terrible frustration due to lack of jobs.

We know that there is enormous poverty and few opportunities for "modern" employment in Aboriginal communities. Their frustration is evident in the introduction of alcohol, drugs and other things, but these are not problems ... myself, I do not like this approach we have of always talking about the problems of Aboriginal people and Aboriginal society. They have exactly the same problems as we do, and if we haven't been able to resolve our own, what makes us think we are going to resolve theirs?

The Mohawks are a matrilineal people, in which women have a place in traditional life, a position of power which was removed from those who were converted to Christianity, for the Church said, no, it's the man who is the head of the family and who must be responsible for the family nucleus. So there has been an erosion of the traditions. A false concept of life or image of life has been established, which has led them into exactly the same mistakes as

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our own societal model has led us.

So it seems to me that if we let them live a life where they can develop, where they can have a territory on which to expand, on which they can organize their life so as to ... They have had enough experience to see that our way of life is a mistake. They may be able to return to many of their own relationships of mutual respect, in which case these problems will disappear to the extent possible. They will probably never disappear completely, because there has already been an infection, and total healing is never subject to a relapse.

I think we are in a very bad position to try to remedy a situation ... we can remedy a situation that we have created, but we cannot remedy a situation that is our own, one that we and our society are living, until we have demonstrated that we are capable of resolving our own situation.*

I have worked in social services

* The confused syntax (and logic) reflects the French - Tr.

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since I arrived in Canada in 1973 until I retired in 1985.

My office covered the southwest of Montreal, which is a rather disadvantaged area, and I can tell you that the level of violence against women and children is enormous, that in 80 per cent of cases alcohol was at the root of this violence, lack of work was at the root of this violence, and our society just keeps laying people off and creating situations in which this can be perpetuated.

Why do women ... Personally, I think that Aboriginal women have swallowed the concept of inferiority, the concept of colonization through which they perceive the dominant society, the colonizer--which is how that society sees itself, for that matter: as superior and as having the solutions.

I think that if we look at ourselves truthfully, the level of violence is at least the same and possibly higher among us than among Aboriginal people at the moment. These are international situations, global situations in which

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humanity has put itself by creating or accepting certain forms of societies which are at the origin of this.

I think that Aboriginal people have a better idea than we do about how to resolve this, and that when they have done so, we may be able to learn from them what has to be done.

GERRY PASCAL: If I might add something.

I would just like to present a few ideas about non-violence among Aboriginal people, as I see it.

I think that there are options in the world, whether among Aboriginal people or in the world in general: either we use violence or non-violence to solve problems. It is no different for Aboriginal people.

An example: in the Iroquois tradition, for those who want to take the time to reflect and read how to follow the sages, the elders of these nations, there is a tradition called the Great Law of Peace.

This is how I myself discovered very deep roots of non-violence and peace among the Iroquois, especially the Mohawks, as well as by

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working with the Innu against the low-altitude flights.

We have seen a good example of non-violence in the protests against low-level flying that have gone on for a good ten years, maybe more. Also, the Cree are protesting non-violently against the hydro-electric dam.

If one looks for roots of non-violence among the Aboriginal people, there are certain traces, certain tendencies in another direction.

I just wanted to point that out.

CHARLOTTE DEBBANE: If I may add something.

Even in nations that are not matriarchal or matrilineal, the traditional position of women is a very strong one, if you talk to people who know the traditions.

I arrived in this country at the age of fifty. By nature I am a very passionate, violent person.

Despite being a member of the Resource Centre, what I have learned of non-violence

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I have learned among my Aboriginal friends.

It is they who taught me that before all else one must respect the other person, and even if one wants to help that person, one must not impose things on him, but have respect, and try to understand even the aggressor, even the person who is violent, who denigrates you, who does you harm--not to appreciate him, but to understand the reasons why this element of society acts the way it does.

In general, if we look at traditional Aboriginal people of any nation, and it is the same in the other parts of the world, traditionally there is no concept of hate.

CO-CHAIR RENÉ DUSSAULT: Thank you.

Mary.

COMMISSIONER MARY SILLETT: [ENGLISH:
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[ENGLISH]

[CO-CHAIR RENÉ DUSSAULT:] My question is the following. We know that, even with self-government, we will not be going 200 years backward. We are living in the modern age, in the 1990s.

In 15 to 18 months, the Commission will have to make recommendations both on self-government, and hence increased powers, and at the same time on safeguards so that we can function in a way that will ensure the transition and not further deteriorate the situation of Aboriginal women.

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I for one am a little surprised that, coming from a centre such as yours, you approach the issue on the macroscopic level of relations between Natives and non-Natives. We would have hoped and we do hope to have your thoughts on mechanisms within the structuring of the Aboriginal governments, drawing upon the ancient traditions but also adaptable to the present situation, which could promote protection in situations of family violence. As I understand it, your brief does not discuss this matter.

In fact, my question to you would be whether it is possible to complete your more general considerations by focussing them more on these internal mechanisms. This would be very helpful to the Commission.

You have certainly initiated a particular line of thought. If you have any concrete solutions to suggest to us, we would certainly be open to them.

CHARLOTTE DEBBANE: I have a very personal reaction on this. I admit that I do not know what the Centre's general attitude is on this point.

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My personal attitude is that, yes, obviously this is a very serious problem, but as I said a few minutes ago, perhaps at too great length, I consider this to be problem that is not uniquely theirs, and I don't see what we could suggest, apart possibly from changes in education.

I think that all the erroneous notions that are circulating in the world, at every level, derive from an educational system that is mainly interested in training people who are only good for functioning in this society, that is, for earning a living or advancing their own personal well-being, even at the expense of a community.

When children are trained from childhood to the idea that only individual power and personal pleasure are important, and that you can find expedients, ways and means, of getting around everything else, then sometimes it's enough--obviously I am exaggerating a little here, I'm sketching a rough picture--to lay claim to rights with sufficient emphasis to get those rights

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universally recognized.

These attitudes are passed on in life. We live in a sick society that lacks basic values. Possibly at one time in history we had these values, but we have lost them, and we are in a hurry to see other people lose them all over the world.

I think that every society can correct its own problems. I don't see how we can dare say to people: you cannot have the sovereignty that is yours; we will not recognize it until you have taken steps in this direction, until you have resolved this problem. Even though the problem exists in the entirety of the surrounding society, pressure for a solution will be put on the Aboriginal people.

I think that if we treat each other with respect, nation to nation, if a climate of respect is created, then the women within the nation will have enough strength to do what they are in the process of doing in our society--that is, to try to get their rights recognized, to try, because they are still a long way from that objective.

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CO-CHAIR RENÉ DUSSAULT: Very well.

I think that your position is clear. Two small questions.

In one of your recommendations, the third in fact, you say that the government must take the time necessary to seek reliable and representative interlocutors. I think that here you touch on the core of one of the elements of frustration on the part of the larger society in its relations with the Aboriginal peoples, which is the difficulty of accepting that not all Aboriginal people are the same, that there are substantial variations, distinctions and differences between the Indian nations, and obviously between the Inuit and the Indians and the Métis, and so on.

This is still the case, as we saw when we were in Kahnawake barely two weeks ago. Chief Joe Norton, representing the elected Band Council, told us himself: "We are a society in transition". We had a presentation from three of the traditionalist longhouses, with various viewpoints.

This is one of the difficulties, even

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when one recognizes the distinctions and differences, of successfully dealing with a specific issue when there are interlocutors who cover the entire community.

CHARLOTTE DEBBANE: We do not have a lot of problems dealing with a nation that has a Catholic church, an Anglican Protestant church, a Baptist Protestant religion, a Muslim community and a Jewish community.

We find it normal that there should be people who have differences of opinion in the same society, but we are so shocked to find that there are segments of the Aboriginal population that have different ideas among themselves.

Everywhere we can find groups that are more observant of tradition, and other groups that are very opportunistic, and other groups that are more or less absorbed into society. As we know, the band chiefs in general are certainly not elected by the entire community.

The voting segment of the population is often tiny, as in our society.

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The government claims to represent all of us, when in reality it represents perhaps forty per cent of the population, the percentage that goes to the polls.

The band chief is a government official who receives a salary from Ottawa and who has his job and his monthly pay cheque at stake. Band chiefs are not necessarily reliable.

We had an example with the Innu in Ste-Marguerite, where on one side there was ...

CO-CHAIR RENÉ DUSSAULT: That is true, but I want ... essentially, the gist of your recommendation is that you say ...

CHARLOTTE DEBBANE: Our recommendation is that ... to avoid recognizing an existing, sovereign nation we have always avoided negotiating with people whose roots were deep enough not to be corruptible. We have always preferred to negotiate with people we could have in our pocket, so to speak, who could have some small interest in the matter, and that approach has never resulted in anything. It's inevitable: it cannot succeed. Perhaps we should ask ourselves whether we ought not to think about this.

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In short, all we are asking is that people think about things.

CO-CHAIR RENÉ DUSSAULT: I think that, in that sense, the message is clear. The difficulty is in deciding from the outside who is representative of a community to which one doesn't belong.

CHARLOTTE DEBBANE: It is only by visiting the people, by knowing the people, and not by watching them from afar from an office, that one finally comes to realize who is who.

CO-CHAIR RENÉ DUSSAULT: Once again, this will always be extremely difficult from the outside as long as the community does not arrive at a certain consensus; it is not easy because in our larger society there is an opposition party. There is an election, and at some point there is a representative, an interlocutor.

CHARLOTTE DEBBANE: But in the end, in the operation of our society we get a feeling for who is trustworthy and who is not, who is honest and who is not.

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In the end we realize these things, often at our cost.

CO-CHAIR RENÉ DUSSAULT: Once again I think you have put your finger here on a question that is very, very important for relations between Natives and non-Natives. Reflection on this matter must be pursued.

You are right when you say there is a diversity that must be appreciated. On the other hand, however, and this is a message we are taking to the communities, I think it is important that the communities be able at some point to send a fairly clear message, and it is our hope that self-government will enable them to do this.

With the band council system and the traditionalist system we are still caught between two fires, in a way.

CHARLOTTE DEBBANE: True.

CO-CHAIR RENÉ DUSSAULT: We hope that this can provide a solution.

One final point, because time is passing. Ethnic minorities.

You say in your brief

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that Aboriginal peoples must not be confused with ethnic minorities. I would like to know a little more about your justification for this idea, because this is a question that is very important for historical understanding.

CHARLOTTE DEBBANE: I come from a country and region in the Mediterranean that has over 7,000 years of written history. For us, 200, 300 or 500 years is not history. I believe that it is somewhat the same for the Aboriginal peoples, because evidence has been found--the figure that had always been cited was 7,000 years--evidence has been found that this country was occupied twenty-three, twenty-five, thirty thousand years ago, depending on the region.

When I am asked what I am, as frequently happens in conversation, my reply is that I am Canadian, like everyone else. They say, yes, but really, you are neither of Quebec stock nor of Scottish stock. I say, but what do you mean, of Quebec or Scottish stock?

I came here 20 years ago; you came here 200 years ago. That is

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longer than me, but not a very long time in historical terms. I say that we are all immigrants.

This is a perspective that the English-Canadian and Quebec (French-Canadian) population does not have. On account of these 300 or 200 or 250 years, they came to consider that they belong here, but this sense of belonging derived from peoples who originally came to look for a life somewhere else, who had no roots, and for whom--this is particularly evident in the United States, but also here--the real meaning of the concept was that they could pillage.

They had no roots in this land and everything was fine, everything was permissible in order to make money, to earn a living, to gain a situation.

The Aboriginal people have roots. That is why they have a different attitude to everything around them.

We newcomers have contracted the disease of a lot of immigrants, namely, wanting to identify ourselves with the winner. We live our lives in a position of weakness, and we strive to integrate ourselves

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with the winner. That is what happened with Quebecers, what often happens with Francophones elsewhere in the other provinces, and what happens with immigrants. They try to learn.

They are criticized for wanting to learn English. Wanting to speak English is not just a matter of improving language abilities: it is a tendency to want to rush into the arms of the strongest party.

Immigrants do this; like certain persons who speak in public, they identify with the other group, feeling the need to become more royalist than the King, more Catholic than the Pope, more Canadian than Canadians, more Quebecer than Quebecers.

But we are minorities who can choose or not choose to identify ourselves. Aboriginal people can choose or not choose. But they are not an ethnic minority like the others. They are the First Nations. And we owe them all respect. As we owe respect to our elders, we owe respect to the people who were here first, and whose land we are on.

CO-CHAIR RENÉ DUSSAULT: Thank you.

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In closing, I would just like to draw your attention to page 5 of the document that is at the back, "Au coeur du dialogue", or in English, "Focusing the Dialogue".

A number of distinctions are made which seem to us quite fundamental, and on which we will have to work as a Commission. This is in reference to what we have heard:

We have been urged to make clear that
neither the historical formation nor
the modern essence of Canada is
comprehensible without recognition
of the contributions of all its
peoples;

- those who were here first: the Naskapi,
Gitksan, Dene, Ojibway, Dakota,
Micmac, Huron, Inuit, Cree, Salish,
Innu, Mohawk,

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Tlingit, Maliseet, Gwich'in, Saulteux and all the others;

- those who came after, whether French-
or English-speaking, eventually to
form the new country of Canada in
1867, joined soon after by the Métis
Nation in 1870;
- those who followed them, from all over
the world, agreeing to live within
Canadian laws and institutions.

In closing, I submit for your attention
and reflection these three distinctions, because they may
be fairly important in the future work of the Commission.

If you have any other views to give us
further to what is written here, we would be interested
in receiving an additional communication from you.

I would like to thank you for

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your presentation.

We will take a brief break for coffee and resume with the Assembly of First Nations of Quebec and Labrador, with Grand Chief Ghislain Picard.

Thank you.

--- Hearing adjourned at 10:36 am.

--- Hearing resumed at 10:52 am.

CO-CHAIR RENÉ DUSSAULT: If you would kindly return to your chairs we will resume the hearing with Mr Ghislain Picard, who is vice-chief of the Assembly of First Nations of Quebec and Labrador.

Mr Picard, you may proceed when ready.

GHISLAIN PICARD, Vice-Chief, Assembly of First Nations of Quebec and Labrador: Thank you very much.

Ms Sillett, Mr Dussault, members of the Royal Commission, it gives me great pleasure to appear before you today to relate to you what I see as the problems facing the First Nations of Quebec.

There is no question that your

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work constitutes a crucial stage in the effort to bring the Canadian, Quebec and Aboriginal societies closer together.

Your initiative, and the recommendations you will be proposing upon the conclusion of your work, could very well--and I do not want to be too pessimistic here--could very well be one of the last opportunities, first of all to promote a coming together, and most importantly, to facilitate understanding of our aspirations, whose legitimacy, in our opinion, requires no further demonstration.

There is no doubt that since you began your mandate our brothers and sisters from all over have amply explained to you the importance and urgency of our being heard, but above all, of our being listened to and understood as well.

Here in the territory now called Quebec you have heard and will surely hear the various nations reporting on their respective situations. Obviously I would hold myself remiss if I did not mention that I fully support the representations that they have made to you.

In any case,

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it is in no way my intention to repeat the situations being experienced by our nations in Quebec; rather I will attempt to give a general view of our situation, a situation which is often called peculiar to the First Nations of Quebec.

The First Nations of Quebec find themselves at grips with specific problems in their relations with Quebec and Canada. We regard ourselves as part of the community of the First Nations of Canada and of the world community of Aboriginal peoples. However, our rights as members of these communities are often denied in Quebec, on the pretext that a different history and legal system apply.

The contemporary problems between Quebec and the First Nations of Quebec are often caused by the Province's refusal to recognize the historical and legal foundations of our rights. Furthermore, the aspirations of the First Nations of Quebec must be taken into account from the perspective of Quebec's possible accession to sovereignty.

The object of our presentation is to inform

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the Commission of our point of view and our conclusions on these matters. We also wish to propose solutions to the present impasse in relations between the First Nations of Quebec and the Government of Quebec.

The theory which holds that the First Nations of Quebec have different rights because the Province has a different history and a different system of private law is presented in the brief submitted to the Commission by the Bar of the City of Quebec on November 18, 1992.

The author of this brief claims that, as opposed to the British regime, the method applied under the French regime "always began from the point of view that all lands are in the public domain, free of all encumbrance, and must be the subject of an explicit concession to enter into the private domain"

[TRANSLATION].

This argument is based on the presumption that the representatives of the French regime did not recognize the first inhabitants of the North American continent as holding any rights, and that the signing of treaties with the Aboriginal peoples

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is a process which falls exclusively within the framework of the common law system.

This argument is also based on the presumption that the seigneurial system in New France denied or cancelled pre-existing Aboriginal rights to the land. According to the author of the brief, and again I quote:

However, considering that the Aboriginal people had no titles or lands, he [the King] explicitly ceded lands to the religious communities for the benefit of the "savages", so that the latter could be evangelized and civilized. He did so as a favour and not out of recognition of a right.

These conclusions are as erroneous as they are insulting. Our rights as First Nations of Quebec are legal rights. The conclusions of the brief by the Bar of the City of Quebec are contradicted by law, history, and contemporary events.

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Our rights derive from the fact that we were the first occupants of the territory, on which we exercised our sovereignty. The rights of all First Nations in the other provinces of Canada are similarly derived. The law that governs our rights is the public law, the same public law as that which governs the rights of the other First Nations of Canada.

The fiduciary relationship which we have with the federal government is of the same nature as for the other First Nations of Canada. The obligations and duties incumbent upon the federal government with regard to the First Nations of Canada are also incumbent upon it with regard to the First Nations of Quebec.

In June 1990 the Supreme Court of Canada, in its unanimous decision on the Sioui case, which originated in Quebec, defined the colonial relations between the First Nations, Great Britain and France in the following way:

I consider that, instead, we can conclude
from the historical
documents

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that both Great Britain and France felt that the Indian nations had sufficient independence and played a large enough role in North America for it to be good policy to maintain relations with them very close to those maintained between sovereign nations.

The mother countries did everything in their power to secure the alliance of each Indian nation and to encourage nations allied with the enemy to change sides. When these efforts met with success, they were incorporated in treaties of alliance or neutrality. This clearly indicates that

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the Indian nations were regarded in their relations with
the European nations which occupied
North America as independent nations.

The signing of treaties was an integral
part of relations between the First Nations and the French.

There exist numerous treaties, or articles of peace,
between France and the First Nations of Quebec. Through
these treaties France sought to extend its influence in
North America by concluding alliances with the First
Nations.

There also exist a great many official
documents dating from the French regime which recognize
the autonomy and sovereignty of the First Nations. In
1748, for example, French and Iroquois representatives
signed the "Acte authentique des Six Nations Iroquoises
sur Leur Indépendance", entrenching the independence of
the Six Nations and their rights to the territory. This
deed is notarized.

Rather than emphasize the acquisition of
land for colonization purposes,

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France extended its power in North America through alliances with certain First Nations, such as the Huron.

The method used by France to claim land and the attached rights through the First Nations was identical to that used by Great Britain and the other colonial powers. Chief Justice Marshall of the United States Supreme Court described this policy in his famous ruling of 1823 in *Johnson v M'Intosh*. He explicitly pointed out that the French claims to Canada and Acadia dated from a time when the French population was very small and the Indians occupied almost the entire territory.

There were no land transfer treaties between France and the First Nations primarily because the presence of Frenchmen in North America was minimal.

At the very least, this fact confirms that our title has survived the French regime in Canada.

One cannot say that the seigneurial concessions in themselves had

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repercussions on Aboriginal title. The introduction of the seigneurial system in New France was one aspect of an attempt to colonize part of the territory. The seigneurs of New France were considered the agents of this policy.

Under the policy in effect starting from 1711 at least, they did not receive seigneuries in full ownership, but rather held them on behalf of the Crown, for the express purpose of ceding portions of these lands to copyholders for cultivation. The extent of the seigneurial concessions in no way constitutes a reflection of French occupation of the territory.

The rights of the Aboriginal peoples of Canada are governed by public law: constitutional law and international law. The mere fact that the private law in Quebec is civil law does not have the least impact on our rights, since public law in Quebec is governed by common law.

Furthermore, other countries from the civil law tradition have concluded land transfer treaties

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with Indian nations, thus recognizing the territorial rights of the First Nations. In fact, the Dutch had employed this method long before the British began signing treaties with the First Nations in North America. It is clear that the civil law tradition does not deny the existence of the rights of the First Nations as regards territory and jurisdiction.

The British conquered the French and not the First Nations; therefore this conquest is without effect on the rights of the First Nations in Quebec. Furthermore, the rights of the First Nations that had been allies of the French are explicitly protected in article 40 of the Articles of Capitulation of Montreal, which reads:

The Savages or Indians Allied with His Most
Christian Majesty shall be Maintained
on the Lands which they inhabit,
should they wish to remain there; They
may not be disturbed on any

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pretext whatsoever, for having taken up Arms and Served
His Most Christian Majesty. -- Like
the French, They shall have Freedom
of Religion and shall Retain their
Missionaries. [TRANSLATION]

In the Sioui decision, the Supreme Court
of Canada clearly concluded that the First Nations had
been the allies of each of the two colonial powers and
not their subjects.

The author of the brief from the Bar of
the City of Quebec maintains that the protection of the
Royal Proclamation did not extend to the former colony
of Quebec. He supports this claim by referring to the
absence of treaties concluded in Quebec between 1850 and
1923, whereas during the same period treaties had been
signed west of Ontario. However, land transfer treaties
had been signed in the portion of the former colony of
Quebec corresponding to Ontario.

We also note that no

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land transfer treaty was signed in the Maritime provinces during this period. As in Quebec, no land transfer treaty dating from before 1763 has been found in these provinces, yet this has not prevented the Supreme Court and various appeal courts from recognizing the existence of Aboriginal treaty rights in this region.

Finally, we wish to point out that our ancestral rights, including land rights and jurisdiction, do not depend on any official recognition by the colonial powers or the present Government of Quebec. The source of our rights does not lie in the royal edicts, or even in the Royal Proclamation of 1763. It in fact lies in our status as first occupants of the land and in our sovereignty over it.

The highest court in Australia recently overturned several centuries of jurisprudence denying the legal foundation of the rights of the Aborigines in Australia. In this decision, the court affirmed that, whatever the grounds invoked

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in the past to refuse to recognize the rights and titles of the Aboriginal inhabitants of settlement colonies on the land, so unjust and discriminatory a concept could no longer be accepted. The court went on to say that the Aboriginal title to a given territory, the attached rights and the persons who benefit from those rights are determined in accordance with the laws and customs of the Aboriginal people who have a connection with the territory in question, by virtue of the said laws and customs.

The flaws in colonial policy are evident in the absence of any official procedure governing matters relating to the land rights and jurisdiction of the First Nations in Quebec. These flaws in no way call our rights

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into question: those rights have a legal existence which is quite separate.

Quebec's claims to sovereignty are founded on the right to self-determination of peoples, as sanctioned in articles 1 (par. 2), 55 and 56 of the Charter of the United Nations, in the Declaration concerning Friendly Relations, and in article 1, par. 1 of both international covenants.

The Declaration concerning Friendly Relations provides for three means of exercising this right to self-determination: "the establishment of a sovereign and independent State, the free association or integration with an independent State, or the emergence into any other political status freely determined by a people". Contemporary international law in fact recognizes that the right to self-determination is a right which belongs to all peoples and not only colonial peoples, for whose benefit it had originally been recognized.

However, the Declaration limits exercise of the right to self-determination in affirming that it does not authorize:

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any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples.

In other words, the right to self-determination does not automatically include the right to secede. According to Quebec, the proclamation of the *Constitution Act, 1982*, in spite of the opposition of Quebec and the rejection of the Meech Lake Accord, and consequently of the five conditions set by Quebec for its constitutional support, constitutes a denial of the right of the people of Quebec to self-determination, and hence justifies their accession to independence.

However, the same reasoning applies to the First Nations. The First Nations constitute peoples within the meaning of international law.

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As peoples, the First Nations have the right to self-determination. According to the experts consulted by the Commission d'étude des questions afférentes à l'accession du Québec à la souveraineté, the Aboriginal peoples' right to self-determination does not include the right to secede. This is perhaps correct, but it is also the case for Quebec, which under international law does not have a recognized right to secede either. However, neither does international law prohibit secession.

As pointed out by the European arbitration commission on Yugoslavia, the existence of a state is a matter of fact. Moreover, the experts consulted by the Commission d'étude des questions afférentes à l'accession du Québec à la souveraineté agree that an Aboriginal people could establish its independence and that, as for Quebec, the existence of the new state would depend on its reality as an actual fact.

It is therefore clear that the First Nations have the same right to self-determination as Quebec and that the exercise of this right may extend to the point

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of declaring independence.

The principle of the stability of borders is firmly entrenched in international law. Furthermore, a new state may attain sovereignty with the borders that defined it prior to independence.

Even if Quebec became sovereign with the present provincial borders, the fact remains that sovereignty could not call into question the existence and status of the First Nations' lands and reserves. Contemporary international law is undergoing rapid change on the subject of the rights of Aboriginal peoples. The legal instruments now being developed recognize Aboriginal peoples' rights to their ancestral territories, including the right to recover land of which they have been dispossessed without their consent.

We must also define what would become of the federal Crown's fiduciary obligations in the event that Quebec becomes a sovereign state. According to the Commission d'étude des questions afférentes à l'accession du Québec à la souveraineté, these obligations

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would simply disappear, because they flow from interpretation of the Canadian constitution.

However, as the Supreme Court of Canada pointed out in the Guérin decision, "the fiduciary relationship between the Crown and the Indians has its roots in the concept of aboriginal, native or Indian title", as analysed in the Calder decision.

Continuing this reasoning in the Sparrow ruling, the Supreme Court similarly affirmed:

The relationship between the Government and aboriginals is trustlike, rather than adversarial, and contemporary recognition and affirmation of aboriginal rights must be defined in light of this historic relationship.

Furthermore, it has been established by the Privy Council that:

a change in sovereignty over a

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particular territory does not in general affect the
presumptive title of the inhabitants.

Since Indian title is a right that has an independent legal existence, cessation of the application of the Canadian constitution in a sovereign Quebec would not have the effect of removing the fiduciary obligation.

Certainly, under the *Constitution Act, 1867*, which assigns the federal Parliament jurisdiction over "Indians, and Lands reserved for the Indians", the fiduciary obligation lies primarily, though not exclusively, with the Government of Canada.

A sovereign Quebec would have the same fiduciary obligation toward the First Nations of Quebec.

In any case, Quebec, together with Canada, is already assuming a fiduciary obligation under certain legal instruments such as the James Bay and Northern Quebec Agreement, to which it is a party.

At present, treaties concluded with the First Nations enjoy the constitutional protection of section 35 of

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the *Constitution Act, 1982*.^{*} The cessation of application of the Canadian constitution in a sovereign Quebec would terminate application of its section 35, but Quebec's accession to sovereignty would not call into question the obligation for a sovereign Quebec to give constitutional protection to the rights flowing from these treaties.

International law recognizes the doctrine of respect for the rights acquired by private persons under a state's law, in the event of a change of sovereignty in the state in question.

This being said, international law also recognizes that the successor state cannot be bound by decisions it has not made, since this would be contrary to consensualism, a basic principle of international law.

For this reason, the International Law Commission has proposed that the successor state be bound by established rights only if it has freely accepted them.

In its resolution of March 20, 1985, Quebec affirmed:

its will to protect, in

* French reads "1882" - Tr.

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its fundamental laws, the rights included in the agreements concluded with the aboriginal nations of Québec.

The maintaining of constitutional protection for rights issuing from treaties concluded with the First Nations is therefore a right to which Quebec has freely consented.

The obligations of a sovereign Quebec with regard to the First Nations would be those which it already assumes under agreements with the First Nations to which it is a party, as well as those presently assumed by the federal government or which derive from the federal Parliament and would pass to Quebec. I now cite them:

Fiduciary obligation toward the First Nations; maintenance of treaties and of constitutional protection for rights issuing from treaties concluded with the First Nations; respect for Aboriginal rights; respect for the rights and freedoms of the persons on the territory, including, in particular, the right to self-determination of the First Nations.

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On this subject, it should be pointed out that if Quebec were to default on this obligation, the First Nations of Quebec would find themselves in the same position with regard to Quebec as that in which Quebec claims to find itself with regard to Canada--a position which it invokes to justify its secessionist aspirations.

It must not be forgotten that a new state requires the recognition of the international community, which accords great importance to the capacity of the new state to respect the fundamental rights of the people located on the territory claimed by that state.

In Quebec, the claims to self-determination of a number of peoples stand in confrontation, and we can expect the international community to demand guarantees that the right to self-determination of the Quebec people is not exercised in defiance of the right to self-determination of the First Nations on their territories.

As for Canada, as long as the present situation continues, that is, as long as Quebec is a Canadian province

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in which Canadian constitutional law applies, and the status of the First Nations of Quebec and Canada remains unchanged, the obligations now incumbent upon the federal government continue to be in force. The hypothesis of a sovereign Quebec does not terminate the obligations of the federal government.

Before Quebec becomes sovereign, the federal government is obliged to ensure that the First Nations' right to self-determination is respected. Obviously, the first condition for respect of this basic right is to ensure compliance with the will of the First Nations of Quebec as regards their political status. The freedom of choice of the First Nations of Quebec as regards their political status necessarily includes the freedom to choose between membership in a sovereign Quebec, sovereignty, and membership in Canada.

Second, if the First Nations of Quebec choose membership in Canada or Quebec, the exercise of their right to self-determination includes the right

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to determine their status within the state, either on the basis of presently existing rules or on the basis of new agreements with the competent authorities.

[ENGLISH: continues to p 94]

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[ENGLISH]

CO-CHAIR RENÉ DUSSAULT: First of all, I would like to thank you, Mr Picard, for presenting so substantial a brief to us. I think this is certainly a first step in a process of better

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understanding the issues and also the points of friction with the First Nations of Quebec. By that I mean the Amerindian nations and the Government of Quebec, and Quebecers themselves.

I think you are aware that the Aboriginal communities are in somewhat the same psychological situation as that which prevailed in Quebec in the early 1960s, when they attempted to secure recognition of their collective rights, rights which found support in a better understanding of their own identity.

Young Aboriginal people across the country have spoken to us of their pride in rediscovering a future, mixed with a certain fear, because this involves many challenges, in particular, that of adapting to modern life.

Aboriginal people want recognition of their distinctiveness, the distinct character of their culture and way of life; they want to protect their language; they want a society that is better adapted to what they are. In this sense, we are told that the *Indian Act* cannot and will never constitute a

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blueprint for a society for them as Indians: they want to establish their own priorities.

We are told that there are plans for the devolution of important administrative powers under the *Indian Act*. Aboriginal people have said that this, too, is somewhat like the shared-cost programs between the provinces and the federal government, where essentially standards are imposed upon them which prevent them from adopting their own internal priorities for their governments.

Basically, they are looking for a place within Quebec and Canada which is consistent with a new pride and identity that are now being developed. This is roughly what is being communicated to us. In this sense, it is always striking to see that dialogue between the First Nations of Quebec and the Government of Quebec often appears difficult, because at bottom, the basic reflexes, in a number of respects, are similar.

I think that your brief is a major step toward better understanding of the basic issues involved. Clearly you have presented, as

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you mentioned at the very beginning, a brief that is primarily legal in nature, as opposed to a socio-economic brief.

I think that the Commission is certainly sensitive to this legal debate that is going on in Quebec, to wit, what is the significance of the fact that the French Crown descended upon the territory before the English Crown, and possibly with approaches that were different--as remains to be seen; also, these arguments that on account of the civil law and the seigneurial system, there may be distinctions in Quebec with regard to Aboriginal rights which are not to be found in the other provinces of Canada.

This is an important legal debate which of course will eventually be settled by our courts, but all the same, it remains an issue which really lies at the heart of the problems of the First Nations in Quebec and their relations with Quebec, Quebec being perceived within the Canadian context.

When we turn to the situation of the Aboriginal peoples in Quebec in the event that Quebec decides to

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leave the Canadian Federation, we are dealing with a completely different matter, which is certainly legitimate for the Aboriginal peoples, but which calls upon other concepts and other types of concerns.

Basically, in your brief you have placed before us these two concerns. In some respects they link up together, but they are also distinct.

The first concern, as I indicated to you, is a key one. I think that this legal matter deserves to be cleared up. Again, it is only the Supreme Court of Canada that can do this with real authority. Yet it is important in that it colours all of the First Nations' relations with the Government of Quebec.

We as a Commission have undertaken a number of research projects. As you know, we intend to look at this question in particular, because not only does it appear fundamental to us, it is fundamental.

As for the other issue of the

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situation of the Aboriginal nations in the event of Quebec sovereignty, and this will be my first question, in the discussion that led to the Charlottetown accords, one of the things that struck us as a commission of inquiry is that there were two levels of debate: one discussed the situation of the First Nations in Quebec within the context of Quebec as part of Canada, and the other basically discussed their situation should Quebec leave the Canadian Federation.

Obviously, at that time there was Bill 150, further to the Bélanger-Campeau Commission. Possibly that issue was more immediate, but what struck the Commission is that the debate took the form of a discussion, certainly in public opinion but also in practice, of what would happen if Quebec separated from the Canadian Federation.

There was little debate on the first question you deal with, namely the situation of the First Nations in Quebec within the framework of Canada, where Quebec is within the

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framework of Canada. I think that in terms of priorities, certainly so far as the Commission is concerned in any case, this is the top priority, because it is fundamental and it possibly ties in with the second question.

The question I would like to ask you and the First Nations of Quebec--and if I understand your brief, the answer seems to be in the affirmative--is this:

for the Quebec section of the Assembly of First Nations, in terms of priorities, can you give us your point of view on whether there is a real desire to look at the legal issue of the First Nations in Quebec in a context where Quebec stays in Canada, as compared with engaging in debate on the possible situation, which is legitimate, of Quebec leaving Canada, when this latter option really means that one is avoiding a thorough investigation of the first, and fundamental, aspect.

I would like to ask you basically what your priorities are here, because the Commission will be continuing its work for the next year and a half, until the fall of 1994.

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In your brief you talk about both of these dimensions, in a way. Can you indicate to us a little more precisely the order of priorities for the Assembly of First Nations on these questions, and do you think it is possible to work on both dimensions at the same time in a practical and thorough manner without, in fact, dismissing one and focussing all attention on the question of the possible sovereignty that Quebec might decide upon through referendum or whatever.

GHISLAIN PICARD: I think it would not be wrong to say that as First Nations we had little influence on the passage of Bill 150, just as we could have little influence on the adoption of any future legislation which might concern the sovereignty or independence of Quebec.

Obviously, as you were saying, the brief that I am submitting today is very legalistic. I myself of course am far from being a legal expert, although I am conscious of the fact that certain opinions exist in Quebec which tend to promote the theory that the Aboriginal title in Quebec is one that is

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slightly or even very different from the Aboriginal title across Canada.

I think that in this regard, without being a jurist, I felt and still feel it to be important to raise this question. And I think that you are in agreement on this.

Naturally one might also be led to assume from the fact that my presentation has a fairly legal bent that little importance is being attached to the whole social issue, the economic issue; however I feel that the two are very directly linked.

First, if we make our peace with the doubts that appear to exist in history, which is ultimately our common history, I think this will be of benefit to our society, a more contemporary society, present-day society.

I believe that the Commission has raised this point several times. There is a need to promote better education on both sides regarding the realities of our respective societies.

In my introduction I mentioned that it was important for a certain understanding to be established.

I think that the historical aspect, if you will, of our relations

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will lead us inevitably to the more contemporary aspect.

I think there will be a link which would enable us, in fact, to promote this *rapprochement*.

Obviously, with all of this, I think that it is difficult to situate ourselves at present in the Quebec or Canadian context if we at the same time disregard the political context that governs our daily lives as a society. And that political context holds the possibility of the sovereignty or independence of Quebec.

I believe that the First Nations of Quebec have raised this matter on many occasions. It is important that answers ultimately be found to these questions we are asking, questions which have been asked in the past and will surely be asked in the future by the various First Nations.

To answer your question, then, it is often said among the Aboriginal peoples that there is not one priority which has precedence over another. This is the response that I give you here. I think that the two issues I raise are both

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equally important and that they deserve further investigation.

Clearly it will be difficult, as you were saying, to really complete the analysis of these issues, but all the same we would like to see the Commission look into them.

CO-CHAIR RENÉ DUSSAULT: Thank you,
Mr Picard.

What I can tell you for the moment is that the first issue, of whether Aboriginal title is different in Quebec from the other provinces of Canada, is something that the Commission has begun to examine and will be examining.

This is a fundamental, important issue for relations between programming, the government and the Quebec people, and falls clearly and centrally within the Commission's mandate.

The second issue is more hypothetical. It is legitimate, as I said, but more vague in legal terms, because there are a lot of unknowns which depend on the

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forms that the road to Quebec's sovereignty may take, but also because we want to ensure, in the order of things, that we will be giving close attention to the specific problems in Quebec within the context of Quebec as part of the Canadian Federation, and not veering off course as the constitutional debate did last year on the question of sovereignty, and so avoiding the first issue, which is fundamental.

Clearly the second issue, as I said, is legitimate. It is part of our considerations, but on the immediate horizon of things we have to do, the first issue seems to us a fundamental priority. This is not an absolute and definitive response; it is simply an initial orientation, because as soon as we met with the provincial Aboriginal organizations ... on tour in fall 1991, after the Commission was formed, we met with the premiers of every province, actually eight of the ten, and the territorial leaders.

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At the time, this was in December in Quebec, the Aboriginal organizations asked us whether the Commission would be considering the issue of Quebec sovereignty. We were just starting up at the time, and we replied that our first priority was to get the Commission under way, and so on.

Today, obviously, we have arrived at a completely different stage. However, we are very conscious that there are very important realities that have to be examined within the context of Quebec remaining within Canada, and we do not wish to take a route that might detain us or distract us from this first priority.

This is not a definitive response, but it is certainly an orientation--the one we are presently working under. We are looking at the other issue. We understand why the Aboriginal peoples of Quebec are raising it, and on our side we have to consider the scope of the Commission's mandate and its duration, and see what can be accomplished that will be most effective.

This being said, I would still like to ask you something. As you know,

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we are longing to receive solutions from the national and provincial organizations, among others, on self-government, economic development and so on. I know that the Assembly of First Nations is going to be presenting us its brief, which is being prepared under the Commission's Intervenor Participation Program, in the early fall.

We know that this will be a substantial brief. I do not want to distract you from the approach you have taken in your brief, but once again, if the Assembly of First Nations in Quebec could inform us of how it sees self-government, how it sees economic development, as well as the solution to the social problems confronting many of your communities ... as you know, the sooner the better, because we have important research to do on these subjects which will have to be incorporated with the result of our public participation process in the fall, to try to arrive at recommendations that are acceptable to both Natives and non-

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Natives, the general public, and the governments.

I don't know if you could share with us, in a rather provisional fashion, your viewpoint on these matters, whether this morning or in the weeks to come. I understand that it will not be easy to do this in detail this morning, but I would like to know whether we can expect some elements of solution, drafts, models, before the week of October 11, I believe it is, when we will be hearing the Assembly of First Nations, along with the other national organizations; because once again, some people are telling us that the Commission did not present any solutions in its publication of the document "Focusing the Dialogue".

Of course this is a public participation document, not a research paper. Basically, it is a report of what we found out in the communities, but as we approach rounds 3 and 4, we really want to get to the true purpose of these documents, which is to collect the maximum number of ideas, in very concrete form, on how to reconstruct the future, because this is the main purpose of the Commission and the reason why it was created.

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Could you say a few words on what we can expect from the Quebec section of the Assembly of First Nations in this regard?

GHISLAIN PICARD: As I said at the beginning of my presentation, and as I have said in the past, I think that the Royal Commission on Aboriginal Peoples represents one of the last great opportunities we have to ... not to rewrite the past, but at least to correct the present and future courses of our respective societies.

As you say, the national level of the Assembly of First Nations will submit its brief this fall.

I am convinced that it will present the Commission with possible solutions which may help us to arrive more quickly and at the same time more harmoniously at self-government, that is, solutions that will give it the most concrete form possible.

As far as I am concerned, on the more regional level, perhaps, I think that efforts have to be concentrated on all fronts at the same time. We cannot try to correct the

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social situation of our communities without offering them real prospects for the future, such as a more stable economy and ultimately self-government, an independent government, just as we cannot give self-government its fullest possible meaning without thinking about consolidating the bases of our communities.

The economic issue is perhaps a point where the link between the two is established: I think that, in the end, it makes possible a prospect that has a little more hope for the people.

At the same time, I think ... obviously I referred in the brief to the 1985 resolution of the National Assembly which, unfortunately, remains a resolution, without force of law. In this connection, I think--and this is part of the suggestions and proposals--that we now have to define the platform for future discussions with Quebec and Canada.

In the case of Quebec, since it is the region that perhaps concerns me more today, I think we have to give ourselves new guidelines, both Quebec and the Government of Quebec, and the First Nations.

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I think that there is a possibility of our starting to think along the same lines.

Obviously, with all of this, there is major work to do at the community level, a major challenge to correct the situation in our communities. To a point, it may be utopian to think that only we can contribute to correcting this situation. I think that the governments in place could certainly collaborate on this, and improve the prospects of our communities a little, and those of the people in them.

To give some response to your question, then, I see this as possibly the greatest challenge of both the Commission and the First Nations, and of the governments as well: all of the problems have to be tackled head-on at the same time.

To take the example of my community, I would have difficulty asking my community to define its government, knowing very well that its physical and spiritual capacity may not be equal to the task. I think that this is going to require efforts at every

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level.

CO-CHAIR RENÉ DUSSAULT: Thank you. If I understand correctly, we are trying to see if the four key elements that seemed to arise from the consensus of the first two rounds of public hearings, namely the need to work simultaneously on internal healing, on social problems in the communities, on greater economic self-sufficiency of the Aboriginal communities, and on self-government, if all of this would make it possible to have a new relationship.

Are you in agreement with this diagnosis?

As I understand from what you are telling us, you are, since you not able to establish a priority or an order of business: it is necessary to work simultaneously on each of these four key elements. That is essentially what we have been told in the communities.

There were two arguments. In one argument, we were told that everything has to be staked on self-government, and the rest will follow. Don't bother about the rest. If

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we have self-government the socio-economic problems will be resolved. The other argument was to not make any move on self-government until the healing process has been completed and the social problems have been very largely resolved.

The discussion oscillated for a long time, in the first round of public hearings, between these two poles, among others, but in the end people came to the conclusion that it is necessary to work on all levels at once, that they would not be able to proceed in reverse order because they would not have sufficient psychological security to say they were working within a framework that provided them with a blueprint for a society. This is more or less what was reported in that document.

If I understand properly, this is essentially what you are telling us has to be done.

GHISLAIN PICARD: I think that perhaps the best way of meeting the objectives is to group them together, rather than multiply them. I am convinced that in spite of what people try to reflect as their aspirations, in spite of what they express to you as the situation of our communities, the

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reality is that there are communities which are at different levels geographically, and to a certain point economically, perhaps.

It is quite normal that, on account of these different realities, tendencies should differ as well. On the one hand you will have communities that would be ready to take full charge of their affairs tomorrow, and on the other communities which may favour the devolution you were referring to earlier, which is now going on, has been going on for the past 20 years, and most certainly will continue.

You will also have communities which, as you said, will prefer instead to take their time and begin this process of collective healing, communities which I think will inevitably see the realization of self-government in their future.

So the simple response to your question is that I think the effort must be made at all levels at the same time.

CO-CHAIR RENÉ DUSSAULT: Your brief compares the more recent initiative taken by Ontario in 1991 and that taken by Quebec in 1983 and

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1985; in Ontario there was a political agreement that was signed on both sides, and in Quebec there was a statement of principles and a motion of the National Assembly, which remained simply a gesture of the National Assembly. You say that a good first step would be to negotiate these major operating principles jointly with the Government of Quebec. I think that this is certainly an interesting proposal, an interesting approach.

As you know, a little later this week we will be having a presentation from Quebec's Secrétariat aux Affaires autochtones by Ghislain Maltais, who is Deputy Minister for the Minister responsible for Aboriginal Affairs, Christos Sirros. This is certainly a question that we will be discussing with him at that time.

However, could you elaborate a little on how you see this process being accomplished, because there was a whole process which began in 1991, before the constitutional debate, on a new Quebec policy concerning Aboriginal people.

Is this something that

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you have already discussed with the government party, or are you presenting it here officially for the first time this morning?

GHISLAIN PICARD: It has not been officially discussed with the government party. Obviously, the problem that I personally have with the 1985 resolution is that, as I was saying earlier, I think it is difficult to implement. It is the Government of Quebec that is holding the line.

I think there is a need to establish new foundations; with the end of the constitutional debate in 1991, 1992, in particular, I think that now we need to really give ourselves a new start, if you wish, with Quebec and Canada.

What is noteworthy about the initiative between the First Nations of Ontario and the Government of Ontario is that, as you say, this was a joint initiative which was accepted by both parties. I think that this may be the solution that could be considered for Quebec.

It need not take the

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same form as in Ontario.

There is also the other initiative in British Columbia, which I think is important and should not be overlooked. In a certain case, the situation there might approximate the current situation in Quebec.

I think that the 1991 initiative whereby the Government of Quebec, through its Minister of Aboriginal Affairs Mr Sirros, established an Aboriginal policy in Quebec, may have been a victim of the context that prevailed at that time.

On the one hand, we can say that political and social peace were not achieved, and perhaps have still not been achieved to a certain degree in Quebec, and on the other, we were entering into a constitutional context which could have resulted in the definition of other terms and conditions: this explains why things have stayed at their present level.

In my opinion, there is a desire, hopefully on both sides--I think that the desire exists on the part of the First Nations--to truly define how and in what context

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future relations should be established. Not that I think it will be easy, but the terms and conditions of how this will take effect are still to be found.

CO-CHAIR RENÉ DUSSAULT: Thank you.

I think that this expression of the desire of the First Nations of Quebec to try to come to a kind of framework agreement, even if at the level of major principles, is certainly of interest.

I would like to emphasize, however, that the process in Ontario is also full of stumbling blocks.

When we hold public hearings, the Aboriginal organizations tell us that there has been a great gap between the hopes kindled by the joint Statement of Political Relationship of August 6, 1991 and actual experience, and that in many respects this Statement is not working as was hoped at the time.

The fact remains that it is there and that it constitutes the framework. What I mean is that there are stumbling blocks, as we see in our public hearings in Ontario: between the signing of a statement of principle and seeing it take actual effect

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in the resolution of problems and situations, there is a gap which is not easily bridged.

Could you comment on this?

GHISLAIN PICARD: Yes.

I think that, in spite of all that, the intentions behind the agreement now in effect in Ontario are very legitimate and valid. This is possibly an aspect which I overlooked earlier.

Obviously the whole political process that we could jointly adopt, for example between Quebec and the First Nations, I think that this process would inevitably have to be combined with another process involving all of Quebec society. I think that this is an important dimension.

Again, in my opinion, there is a desire on the part of all First Nations to find ways of establishing this social peace, except--and I would like to emphasize this--that there are positions now being argued by the First Nations, aspirations which have been submitted to the authorities

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competent to hear them. And I think that these are aspirations which are very legitimate for all of the First Nations.

So at that level, legitimacy no longer has to be proven, and I think that the attempt at *rapprochement*, in the end, also has to be intermingled with a desire for understanding on both sides.

When I look at the history of Quebec, I see that in many respects ours is ultimately a common history. There are often accounts of how we as First Nations have turned to Quebec society in a search for lifestyles, but few examples of the opposite exercise. Yet Quebecers have come to draw deeply from the realities and experience of the First Nations.

It was not uncommon in the past for the *coureurs de bois* to be able to speak some Aboriginal language that was used at the time. I consider this coming together to be a natural phenomenon.

Clearly, as the years passed and the political contexts changed from then to now, so too have these relations

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changed. I do not think it is impossible to return to that way of thinking, but I do think it will require a great will on both sides.

CO-CHAIR RENÉ DUSSAULT: Thank you.

I note and believe it to be true that the Assembly of First Nations recognizes negotiations not only with the federal government but also with the provinces on a framework for establishing more sustained relations, and I think that it is certainly realistic to do this as it has been done in Ontario and as it is being done in British Columbia.

I think that what you have told us about the will to try to come together is extremely important.

I think that everyone in Quebec feels that this is necessary. We focussed on relations with the Mohawks the other week.

Our hearings in Quebec, and that is why* we have put the emphasis on many non-Aboriginal organizations who are to come and give the Commission their point of view if we want to indeed arrive at

* English here copies the French, which is disjointed in logic and syntax - Tr.

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an acceptable and positive *modus vivendi* which leads us to consider the Aboriginal question not just in terms of problems, but in terms of development and benefits for everyone.

At this time I would like to ask my colleague Mary if she has any comments or remarks on this presentation.

COMMISSIONER MARY SILLETT: [ENGLISH]

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[ENGLISH]

CO-CHAIR RENÉ DUSSAULT: Mr Picard,

I reiterate my hope that you will forward to us additional concrete viewpoints on governmental structures and economic development as soon as possible. As you know, this is important not just for the First Nations, but so that we may arrive at solutions that will be part of the public education process during the life of the Commission.

It is our desire that when the

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Commission makes its recommendations, not only in the interim reports but in its final report, they will not come as a complete surprise to most people, but people will have some idea of the issues underlying those recommendations, will have thought about them and begun to implement them: this will certainly secure a more successful reception for the Commission's recommendations.

I thank you again for your participation on behalf of the Assembly of First Nations of Quebec and Labrador. We plan to keep in close touch. Thank you.

The hearings of the Commission will be adjourned until 1:30 pm.

Thank you.

--- Hearing adjourned at 12:21 pm.

--- Hearing resumed at 1:35 pm.

CO-CHAIR RENÉ DUSSAULT: If you will kindly take your seats. We will resume the hearing with Mr Pierre Minville, who is a resident of the town of Oka.

Mr Minville.

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PIERRE MINVILLE, resident of the Town of

Oka: Thank you, Mr Chairman.

Allow me to wish you a pleasant stay in the most populous suburb of the loveliest village in Quebec. While we make up the 3,500 residents of Greater Oka Kanesatake, there are three and a half million citizens of Greater Montreal, a population reserve which is amply sufficient to fuel the tourist potential of our region, located 45 minutes from here. Its forests and farmlands make it the lungs of the region, at the border of the metropolitan area. The seasonally adjusted tourist potential of our region is overlooked by the authorities, who ignore the presence of the Mohawks. Let us first look at this tourism industry.

The tourism industry, like other industries, is governed by fundamental laws, basic principles which cannot be infringed without committing costly mistakes.

In all of its activities, the industry depends upon human relations. Those who prefer to remain alone or in small groups, those who do not like to meet and talk with strangers, those who prefer

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a life of seclusion, should never get involved in this industry.

Every individual, company, community or region in the country that wants to get involved in tourism must take stock of its particular resources ...

CO-CHAIR RENÉ DUSSAULT: If you don't mind, Mr Minville, for purposes of the translation, could you go a little slower, please.

PIERRE MINVILLE: I do not wish to impose myself on you for too long.

... of the personal or group resources that make it different from the rest. It is these differences that attract people to us, and attract us to them.

I leave my village for a meal, a trip, so that I may do something different from what I do every day, even to have a change of scenery for an hour or two.

We go to the restaurant to get out of the house. Same thing for sports. We go elsewhere to do something different from what we do at home. Same thing for climate and the seasons, recreation, geographic or cultural change.

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And those who wish to welcome us do everything they can to emphasize their own differences, their collective assets. That is tourism.

Following these basic principles, a few years ago the southeastern US states produced a report on the industry entitled, "The 3 S's: Sea, Sun, Sex." That is how they identified their tourist potential.

What are the tourist resources of a region like Oka Kanesatake, presently torn between land disputes and unrestrained development at any price?

Since we will never have the Rocky Mountains, Niagara Falls or even Mont Tremblant, what kind of tourism personality can we give ourselves?

Our tourism assets are:

1) Lac des Deux Montagnes, and in particular its year-round resources: beaches, water sports, fishing, hunting, and above all an original and historic communication route, an access route to the rest of our potential;

2) the coniferous and

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hardwood forests. The greenbelt of pine and hemlock spruce surrounding the village is one of the first forests planted by man to protect the village from the unstable sand dunes that were pushing it slowly into the lake. Over a hundred years old and superb to visit and simply breathe in, it would be called the Bois de Boulogne if it were in Paris, or the Black Forest if it were in Germany.

In the United States it would be a national reserve, supervised day and night. It is unique in the Montreal region, and we must care for it and conserve it, while at the same time exploiting it by bringing back the equestrian activities that made it productive for so long, before a private golf club is set up in the middle of it by two special Quebec statutes which are still in force;

3) the Amerindian presence, which is evident everywhere in the region, even on the beaches, which every spring yield up artifacts that are over 2,000 years old.

Is it within our capacity to imagine that the forces which came into confrontation in the summer of 1990 might begin to work together, complementing each other in caring for these forests;

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can these different forces, which have influenced each other for over 300 years, bring new life to this region?

What could be more exotic, 45 minutes from Montreal, than a walk, drive or horseback ride in the forest, guided by a young white or Amerindian who, proud of their differences, demonstrate them in the ways they tell stories, dress, eat, and so on.

Rodeos or races, dressage or discovery tours, the original potential is still there, and remember that horses are natural spreaders of natural fertilizer which the forests greatly need, especially the pine forest.

After these all-season activities, tourists can visit the region's restaurants and the crafts boutiques which development of such a specialty brings in its wake, before returning to Montreal and their everyday problems.

What a return to basics! What an exotic holiday, what an extraordinary break 45 minutes from Montreal, in a so beautiful a setting that we have no right to keep it to ourselves, when one thinks of our rampant unemployment and welfare (inappropriate term!) suffocating so many families.

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So these are our tourism resources. Not one, but three major assets, complementary and practicable 12 months a year, accessible to every pocketbook, unlike the deluxe private seasonal activities which create as many unemployed as they do jobs, and above all easy to access for the three million inhabitants of Greater Montreal who had the bright idea of setting up house on our immediate outskirts.

Are we capable of seeing our surroundings as assets to be developed, so that we can bring in people from the outside--of developing for everyone the assets that were first worked on by those here before us? Can we view the Amerindians as tourism, cultural and economic partners of the first order, essential to the personalized tourist development of our region? Are we capable of creating a joint structure in which Natives and non-Natives, men and women, are equally represented, and not the old game of council representation where Aboriginal people find themselves outnumbered two to one and women are absent altogether?

When we respect the lake enough

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to connect everything around it and on top of it to a sewage system, it is the collective good that we are protecting.

Our families and companies draw the benefit by attracting the cream of the pleasure boaters here.

When we bring horses back into the forest with tourists on them or around them, it is the pine forest that we are protecting and fostering, and clients for our businesses that we are attracting. When we ask the Amerindians to create with us a co-management company for this forest which they planted with our ancestors, we are proposing the joint development of our collective future.

We are reassuring the village residents regarding use of this woodland asset, and we are reassuring the Mohawks regarding management of a unique resource which they respect and wish to preserve. We are seeing that people work together, people whose differences in fact constitute the exoticism that is sought by our visitors.

These are our assets.

But the desire to exploit public property for private purposes to the benefit of a tiny minority is a major obstacle to

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tourism development. And promoting seasonal activities that create as many unemployed as they do jobs is another.

An original tourist activity, easy to control, increases housing values and increases business clientele. All this without cutting down one tree.

But between everyday reality and this potential of ours there is a point of contact which is not being made. Nineteen-ninety and the actions that paved the way for it are now part of our history, like the events of 1858, which are curiously similar. Those who suggest that we forget about them, ignore them, are now preparing for the third instalment, and the fourth attempt to expand the private golf club.

Let us speak frankly and openly. For all of us, racism is like AIDS: we can choose to ignore it and suffer the consequences, or we can change our behaviour.

Perhaps I should rather say that our society is afflicted with a skin cancer, and that this society, of which we as individuals are the cells, has chosen to put a thick

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layer of make-up on its problem instead of treating itself with Interleukin 2.

When a society, all races included, uses its tactical squad to expand a private sports ground onto public land, or land that would have become public, when a society, all races included, produces individuals so filled with hate and violence that they rub excrement inside refrigerators before replacing food there in ransacked houses, this society, our society, all races included, of which we are all cells --Natives, non-Natives, journalists--must decode these messages of despair, even as it must find the culprits, wherever they may be. We are collectively responsible for this despair, because we live together.

When our society, all races included, allows such contexts of confrontation to develop, or worse, contributes to them by the actions of our elected officials, we are all responsible for these acts and their consequences. Not guilty, but responsible.

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When our society, following a major crisis causing a man's death, installs its police in the town hall of the village that is a party to the conflict, our society is standing up for one of the opposing parties--as it happened, the largest one. While this act may be politically understandable, it is still socially unacceptable.

When the minister responsible for the region goes parading at the barricades wearing a bullet-proof vest, he is making himself some political capital. His dress exceeds what his clients ask of him.

When our society assigns this man responsibility for the only two departments that can shed some light on the reason for this crisis, and when this newly posted minister refuses the public inquiry necessary to understand the situation, thereby forestalling the solutions that are sought, when this minister has a special law passed which will pay interest on the capital provided to the municipality for the purchase of disputed land, depositing it to that municipality's only general fund, our society is first of all favouring landowners to the detriment of

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tenants, and second, it is ensuring that our Mohawk neighbours who lived through this crisis with us will never receive a penny in compensation. Statute of Quebec No. 288, 1991, tabled by an MNA member of the private golf club.

When this minister neglects to make public a report by his own officials detailing the mismanagement of public funds by this municipal council which he is protecting;

when this minister places himself above the law by refusing, along with the municipality, to communicate documents whose public release has been ordered by the Access to Information commission;

when this minister refuses to provide the current band council with a copy of the claim for financial compensation which its predecessors had filed;

when this minister refuses to pay this compensation for reasons that are questionable to say the least, even turning to a private consultant to identify the said reasons;

when this minister, in his order, assigns responsibility for the crisis of 1990 to the

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Mohawk land claims alone;

when this minister neglects or omits for almost three years to pay a single courtesy visit to the Mohawk community, in a simple gesture of peace and reconciliation, while assiduously frequenting elected municipal officials;

we must then acknowledge that our society is structurally afflicted with a state racism whose malignancy extends even to the open lines of the media, which have also understood that fanning the flames pays more than appeasement.

It is the entire society that suffers when individuals keep themselves in power, get rich, or take vengeance for a constitutional failure by striking out at those who are fewer in number. Is this democracy? As you can see, Aboriginal people are not the only ones who need a holistic process of collective healing. We should all remember that our ears are also instruments of communication.

Faced with this crisis, not having succeeded in preventing it but remaining a son of the village who was interested in rebuilding the social fabric of our region, I have organized in my

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studio since 1991 a summer exhibition which uses documents, photographs and maps to recount how this geographically and financially blessed village, provided with two cultures and three languages, decided on the course of withdrawal and mere personal comfort, instead of that of development of this extraordinary potential of which you Mohawks are the primary element, by virtue of your culture, your traditions and your spiritual values.

All political, social and media organizations and all elected officials were invited to take part in this exhibition, this effort at reconciliation. All of them refused, except for the traditionalists, who lent me support and information.

There will be no reconciliation until all the elements of this crisis have been made public; all of us realize this, deep down. EXPOKA, as the exhibition is called, tells the story without judgment or condemnation; the facts speak for themselves.

Although even the local chamber of commerce ignored these invitations, EXPOKA attracted over 1,500 people to the village

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without advertising support. These people spent over two hours in the studio, and often over three hours on the tourist trails suggested in a hastily printed little guide.

These people who wanted to find out about us thus spent over five hours in our village; they had needs to fill, and that brought them in contact with the services we have to offer. This too is tourism.

They also went home equipped with a volume of Mohawk recipes, which is making a great impression. As some of these visitors came from 14 countries on five continents, it is particularly amusing to see and hear them talking about wall-eyed pike, root beer, maple syrup, or catfish cooked in clay under charcoal.

This exhibition also relates how other communities, confronted with similar problems, found and applied solutions, and what the results were. When the third season begins, still without financial support from the three governments, we will continue distributing the report of the

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Human Rights Commission as well as documents that you have provided to us.

However, the most important element is still what the Aboriginal communities or other organizations want to leave with us, on politically neutral ground. If your Commission would like me to prepare, with the help of my Mohawk neighbours, a human relations laboratory project focussing on our region, our problem and our potential, let me know. We could propose to you a practical agenda for reconciliation, based on mutual respect and the creation of good full-time jobs.

But please begin, honourable commissioners, with a visit to EXPOKA. This invitation is also extended to the media. If only the media devoted ten per cent of their efforts toward peace and reconstruction.

We are currently witnessing a land negotiation which is designed so that local elected officials may choose the lands that will eventually be purchased for reconveyance to the Mohawks. These officials may also retain within

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their jurisdiction the finest sites in the region. This is contempt in action, with the consent of the higher levels of government.

This is costing the federal government a fortune, and it bears within it the seed of another crisis. Here again is state racism, whether we want it or not.

But then, when I am going through the village and I am called "FSW: Fucking Stupid White" by signs on embankments, I realize that there is racism on both sides, and work to be done everywhere.

Your commission is asking for original, viable and durable solutions that will contribute to reconciliation and partnership between Natives and non-Natives. A solution will come with a change in the non-Native mentality and acceptance of our Mohawk neighbours as equal, valuable and attractive partners in the development of joint ventures for occupying a plot of land that is coveted by promoters and mayors interested in development at any price.

The only way of protecting our forests from these people is to occupy them in a

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profitable way, and a way that is in keeping with the recreational character that the region wants to adopt.

It is also necessary to get the population involved, by putting pressure on the elected officials as the next step.

The solution to racism is a personal one: that alone will lead to lasting solutions. Our Interleukin 2 is complete information for everybody.

Deeply convinced of the truth of this, convinced as well that all Quebecers and Canadians, who are paying the costs of the 1990 crisis, have the right to know, convinced that all of the residents of Greater Oka-Kanesatake must understand how we got to this point, I prepared a manuscript in the wake of EXPOKA which retells, with supporting documents, the modern history of my village and the extraordinary plots that were laid against me to stop me from completing this work.

The manuscript has been submitted to certain French-language publishers in Quebec. All of them have thus far turned it down.

Last week my

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agent found out that, in the current political context in Quebec, there is no question of publishing such a document, since it might assist "the Indians" in exposing the whites.

I therefore invite any publishing house, wherever it might be, to contact me, and I submit that your commission will be unable to do valid work until it has conducted similar research or made use of my own.

Thank you for having heard me.

CO-CHAIR RENÉ DUSSAULT: Thank you first of all, Mr Minville, for coming to express your point of view to the Commission.

As you know, last May 7 we had the opportunity to receive a number of intervenors, persons from the communities of both Châteauguay and Oka. At the time, we had hoped that you might be able to make your presentation within that context. You preferred to do so in a more individual context, and we granted your request. We are certainly happy that you have been able to appear before us.

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However, we thought that it might have been helpful in terms of the discussion and dialogue if you had appeared within the context of last May 7.

That being said, I think that the first part of your presentation, on the tourist potential, is certainly very interesting. Again, this is a local issue here. I think that you have had a number of opportunities to express your ideas to the municipal officials.

Essentially, I think that what we find most interesting as a Commission is the initiative to set up a human relations laboratory. Obviously, this is not as easy in the field of human relations as it often is in the applied or exact sciences.

My question is as follows. When you say that you have had 1,500 visitors from 14 different countries, and so on, at this exhibition of yours, EXPOKA, and that you mounted this exhibition with the collaboration of the Kanesatake Mohawks ...

PIERRE MINVILLE: The

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traditionalists gave me their moral support and provided me with certain documents. I had to use the Access to Information commission to forcefully retrieve this document from both the municipality and the Department of Public Security; this resulted in decisions in my favour, with which both the municipalities and the Department did not wish to comply. That is our situation in Oka.

I don't see how, in a context such as this, when the municipality, the MNAs, everybody was constantly invited to appear on neutral ground to personally explain why they took certain decisions, I don't see why these people refused to engage in dialogue. It's difficult for me to go any further.

CO-CHAIR RENÉ DUSSAULT: Is this exhibition presently on display?

PIERRE MINVILLE: It opens on the weekend. Everyone can come, everyone is welcome.

CO-CHAIR RENÉ DUSSAULT: The advertising that you did ...

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can you give us some idea of the 1,500 people who came?

PIERRE MINVILLE: Some of the 1,500 people came after visiting the information centre of Oka park, the provincial park. A few also came from the tourist bureau, but most of our publicity was word-of-mouth among residents of the village and visitors encountered on the street.

They come to us on foot, on bicycle and in cars. A lot of them come from Quebec. Of the 1,500, barely 100 are locals. It's people from the outside who are interested in my village. That is interesting.

In Oka people don't really want to know, for reasons I still cannot explain. My fellow citizens prefer to forget what has happened. During this time I have received documents indicating, according to the golf club lawyers, that something else is being prepared. That is annoying.

CO-CHAIR RENÉ DUSSAULT: This

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manuscript of yours that you speak of, it is something that was produced in the course of this exhibition. Are we talking about different documents here?

PIERRE MINVILLE: It is more complete than the exhibition. In some thirty exhibits, the exhibition recounts the contemporary history of the village, particularly the crisis; it tells who my Mohawk neighbours are. My Mohawk neighbours have nothing to do with what we saw during the crisis of 1990.

It's not as complete as the manuscript, which has reached over 700 pages; the manuscript describes in detail, based on what I can recall from my childhood and my life in the village, the social climate that was created by certain official actions. You might say that the crisis of 1990 was really prepared from a long way back.

CO-CHAIR RENÉ DUSSAULT: You know that it is not easy to bring people together. There is a lot of sensitivity that can be easily touched off.

I think it is helpful to know of the existence of your project, but it is essential to effect some kind of reconciliation not

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just with the population, but also between the elected representatives on both sides. In this context, if you have any other ideas, because you are somewhat in an antagonistic situation, where there have been legal disputes over access to documents, and so on.

What I am trying to see ...

PIERRE MINVILLE: Mr Dussault, it's obvious that there is antagonism here, but we must establish on what side.

Is it possible to rebuild a social climate of friendship and respect if we insist on covering over 1990? Basically, we have to start by understanding what happened to us, if we want to avoid it happening again.

In 1858 there were the same problems between the Mohawks and the authorities of the time. That led to 1868 and 1870. The Mohawks were attacked, and accused of all kinds of things. They were taken to court, and acquitted.

Are we going to start the same story over again, or

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are we going to behave like responsible adults, understand what happened to us, and take steps so that it doesn't happen again?

CO-CHAIR RENÉ DUSSAULT: Is your exhibition your own individual work?

PIERRE MINVILLE: Yes.

CO-CHAIR RENÉ DUSSAULT: Did other persons associate with you in this project?

PIERRE MINVILLE: No one was associated with it. I have a lot of friends and neighbours who come. The work is my own creation. It is my response as the head of a family to a crisis that I am only beginning to understand.

Something of major importance happened at Oka for all the families of the village, more importantly, for all citizens of Quebec and Canada, and most importantly of all, for my Mohawk neighbours.

I repeat: until you have put the cards on the table, all of the cards, do not seek reconciliation.

This is where we must begin, by understanding and by stating the truth

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at least once, and then we will be able to build. But as long as the authorities, whether municipal or provincial, refuse to do this, it will be difficult to reconcile with people who do not want to talk to us.

CO-CHAIR RENÉ DUSSAULT: I think that you have expressed your point of view to us. Obviously, your approach is a demanding one, as you know.

PIERRE MINVILLE: Demanding for me as well.

CO-CHAIR RENÉ DUSSAULT: I understand that.

What we in the Commission are trying to do, as I have had occasion to say, is to resume minimum relations, to ensure that everyday life is more livable and that we do not have to endure certain of the things you have mentioned.

PIERRE MINVILLE: By definition, the positions of elected officials are temporary, and the work of reconciliation will be long. So we shall see many municipal councillors, many mayors and possibly many chiefs and grand

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chiefs before the climate is restored and everything has been done.

CO-CHAIR RENÉ DUSSAULT: Meanwhile we must manage our daily affairs.

PIERRE MINVILLE: Yes. The solutions will come from individuals who are not politicized. They will make suggestions to you. They will organize. They will discover their potential. It is the task of the Mohawks to rediscover their personality. It's not for me to do this for them; it is their task. And when they are ready, they can tell their band councils what they want, as we can tell our mayors and councillors what we want.

At present, EXPOKA is the only activity of reconciliation that exists.

CO-CHAIR RENÉ DUSSAULT: Essentially, your challenge is the community's challenge: to see that a snowball effect gets started.

PIERRE MINVILLE: I hope that my meeting with you today will create some discussion of the situation there and that this will awaken some of my fellow citizens.

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In Oka we are surrounded by orchards. We know that there is more juice in two apples than in one.

So we will quietly regroup. It won't happen overnight, and it won't happen as long as we try to ignore 1990.

Let's take another example. In the thirties there was a whole group of bricklayers that went up on Mount Royal, and one day one of them set the first little yellow brick. He wasn't concerned about whether one day he would finish building the university. He lay one brick and then another, and his neighbours, his fellows, his companions, lay others, and together, in the end, they successfully completed the University of Montreal.

It is one brick that I have laid.
Don't ask me what that will do.

CO-CHAIR RENÉ DUSSAULT: Thank you for having presented your point of view. Your brief and the conversation we have had will certainly be placed in the file.

I would like to ask my colleague if she has any additional questions or

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clarifications or remarks.

Mary?

COMMISSIONER MARY SILLETT: I don't have any questions. Thank you.

CO-CHAIR RENÉ DUSSAULT: Thanks very much.

PIERRE MINVILLE: Good afternoon.

CO-CHAIR RENÉ DUSSAULT: And to you.

I would like to ask the representatives of the Quebec Forest Industries Association, Mr André Duchesne and Mr Yves Lachapelle, to approach the table.

ANDRÉ DUCHESNE, President and executive director, Quebec Forest Industries Association: Good day, Mr Chairman.

CO-CHAIR RENÉ DUSSAULT: Good day.

We have received your brief in French and English. We thank you for it. You may proceed with the presentation when you are ready.

ANDRÉ DUCHESNE: Thank you, Mr Chairman.

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I want to mention that the English version is a translation that was done by the Canadian Pulp and Paper Association. The French version is the official version.

I thank you for providing us the opportunity to present the point of view of the Quebec forest industry on this difficult issue.

The Forest Industries Association comprises almost all of the pulp and paper processing in Quebec, and represents two thirds of the lumber processing capacity. So these companies have been involved in our Quebec woodlands for a long time, and hopefully will remain there.

The members of the Association have looked into this matter on the request of the Government of Quebec, which wanted the industry's point of view. The brief that we have submitted to you is the result of this reflection by the industry. It reports on what we see as the problem areas and some avenues of solution that seem to us wise.

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I would indicate to you that not all of these solutions are within the industry's power--far from it. The industry wishes to point out that it expects to be able to continue normal operations, and for that there will be an urgent need for the democratically elected governments to find solutions.

This study was done at QFIA under the supervision of a full-time Association official, Mr Yves Lachapelle who is accompanying me, and under the direction of a vice-president from a member company, who unfortunately could not be with us today.

Since the constitutional agreement of 1867, Mr Chairman, forests, like natural resources, have been within provincial jurisdiction. The industry's activities are regulated by nearly 20 statutes and over 30 regulations, which are consequently of mainly provincial origin.

With the *Act respecting Land Use Planning and Development*, forest activities are also

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subject to the development plans of the RCMs.

In Quebec, it is the *Forest Act* which constitutes the framework governing relations between the Crown and timber users and which stipulates the rights and obligations of the parties.

This Act contains two major principles: respect for sustained yield forest potential, and multiple use of forests.

In the course of these activities, as you can imagine, the forest industry has contact and relations with a good many Aboriginal communities. We have counted 27 of them. These relations vary considerably from one case to another. Some are harmonious, and some are characterized by misunderstanding on both sides.

In some cases, the industry finds itself confronted with decision-making structures that are beyond its comprehension and with external intervention which interferes in people's relations at the local level.

The issue here is not simply the attitudes of the companies and the Aboriginal communities.

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There is also constant intervention by the Canadian and Quebec governments, which makes us wonder sometimes if this is not concerted action, with a long-range plan.

I was saying that relations are very variable from one region to another. They do in fact vary according to the regions, communities and band councils.

It is therefore very difficult to generalize about the quality of the relations between the forest industry and the Aboriginal communities.

I know of a good many lumber company officials who boast of the quality of the work done by Aboriginal people or by Aboriginal enterprises. I also know of others who have had experiences which one can only describe as disconcerting.

Clearly, it is not for us to identify all the grievances that the Aboriginal communities may have with respect to our activities, but we see these grievances, Mr Chairman, and I would just like to take a few minutes to tell you how we perceive them, and I stand to be

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corrected here if there has been any misunderstanding.

We do not like to clear cut. It must be understood that these days we operate mainly via what we call felling with protection for advance regeneration; this has replaced the great majority of traditional clear cutting. The harvesting area has been limited. We use directional felling. We space out the skid paths, and confine the machinery to these paths, with the obvious result that there is improved protection of the soil and of regeneration--a better replenished stand, if you will.

Furthermore, we limit this type of felling to certain types of forest whose ecological dynamic corresponds to the mode of regeneration we are trying to establish. So we think we have made enormous progress in this regard.

We are criticized for our forest road system and road construction. There are two possible impacts on roads: the actual construction of roads in natural areas, and increased accessibility of the territory.

With respect to

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construction, you will not be surprised to learn that the *Regulations respecting Standards of Forest Management* devote four parts and over 30 sections to protection of the aquatic environment, and that all this is closely related to how one builds and maintains forest roads. So I think that the actual impact of construction is covered.

As for increased access to the territory, there are pluses and minuses for everyone. We are clearly beginning to more effectively manage all of the resources within a given territory.

You will understand that this lies beyond the strict responsibility and control of the forest industry. We are talking about something more global, which is the responsibility of the Government of Quebec, among others.

We are criticized for not taking trapping units and wildlife protection into consideration. Once again, this is a problem that varies a great deal from region to region.

I emphasize that

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sustained-yield forest management involves harvesting and silviculture which are practised so as to create over time, because it takes time to do this, a forest mosaic that will contain a balanced distribution of stages of forest development.

Certainly, this is an area that is in a process of evolution; its impact on changes in methods will become evident only with time.

Enormous progress has been made in this area. On the other hand, if we planned our operations around each trapping unit, this would mean a significant decline in the potential of forest land in almost all cases, and hence an increase in timber costs that would be unacceptable to the industry, simply because we would have to very quickly increase the number of access roads.

To return to what I was saying earlier, experience shows that on this issue there are often ways of finding adjustments, compromises, that are acceptable

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to both parties.

In the matter of harvesting along the edges of waterways, here too there are strict and specific regulations in the standards of forest management. In the industry's opinion, since the standards are general and universal at the present time, there is plenty of room for them to be refined, in order both to improve their positive impact on habitat quality and to reduce costs.

We have also asked that some degree of flexibility be introduced in the application of these standards; this seems to us a logical approach toward improving forest development activities along waterways.

There have been complaints that we are insufficiently involved in land use planning. Representatives of the Aboriginal communities have on many occasions indicated their desire to participate in land management and socio-economic development.

In a moment I will speak of how the industry wants to do its share in this regard, but one thing is certain: it is not the industry

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that has the power over management of the forest environment--that lies with the Government of Quebec. The industry has power only within the context of its forest management agreements, and that is very different.

At this level, it will be necessary for the Government of Quebec and the other governments to show evidence of imagination, I think, to develop new approaches in terms of sharing responsibilities, objectives and costs. The industry will take part in this, but cannot bring it about on its own.

You have certainly heard of the term "integrated resource management". This is certainly an excellent approach for taking into account the concerns of all users of the forest. This is sure to increasingly become the way to proceed, but it is not a panacea, because the needs and demands of every user will continue to be different. There is no doubt that the industry is open to greater consultation, greater participation by all Aboriginal communities prior to government approval of the management plans. There is

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no doubt about this.

Once we have agreed about plans, we will have to be in a position to implement them within the established framework, without constantly calling that framework into question.

On our side, we are getting there, Mr Chairman, but we also have some complaints. We have been operating in the Quebec forests for over two centuries now, and I will tell you that since the signing of the James Bay and Northern Quebec Agreement we have seen the claims of the Aboriginal communities become increasingly intensified, increasingly politicized, and increasingly media-covered.

As a result, we find more and more situations in which companies are involved in controversies which, more often than not, are totally beyond their control. This serves to fuel the uneasiness of manufacturers and workers alike.

I think that we will have to find ways of developing compromises that can stabilize this situation.

Our objectives here are simple, Mr Chairman. We want to be in

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a position to continue the operations of our industry.

It is essential that our timber supply conditions be such that timber can still be harvested and produced in an economic fashion which will ensure the existence and continuity of the plants and jobs that go along with it. This does not mean that we refuse to make any changes in the way we do things. It means that we are under a constraint, which is that of competition.

The forestry industry firmly believes that the forest must continue to be a source of socio-economic development that is accessible to all citizens, and that the Aboriginal communities can and must have a fair share of it, like all Quebecers.

At bottom, what we are looking for, Mr Chairman, is a harmony that we call "socio-territorial". This harmony can only result from the satisfaction of the forest-related needs, real and perceived, of the various groups within society. Therefore those needs have to

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be identified, weighted and integrated, both in management of the sector and later in development activities.

The challenge is to do all of this in the context of the economy and of international competition; from our point of view, this is where our struggle lies, and this is what we must continue to face.

We do not pretend to have all the answers, but we do have an opinion, and since you have heard the opinions of many people thus far, we would like to present to you our own.

Certain of these elements of solution fall within our scope, while others are plainly the responsibility of the democratically elected government authorities.

Among the things within our scope is the preliminary dialogue of which I was speaking earlier. The members of the Association have developed a mechanism for consulting the population which aims to encourage dialogue with local players, even before the formulation and filing of forest management plans with the

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government, as part of the timber supply and forest management agreements. This is one of the obligations of agreement holders.

Our process is based on the formation of local round tables, which are called upon to identify the issues within the territory to be placed under management.

Clearly, this is an opportunity for mutual dialogue and understanding that has been created for all of those interested in a forest plot.

The members of the Association are now testing this approach in a number of common areas, through the preparation of plans which we will have to begin submitting to the government in about one year.

Obviously, the Aboriginal communities of the territories concerned are an important component of the round tables. An opportunity for concrete dialogue in the field is what we are able to provide.

What the industry has also done, and will continue to do, is to involve the Aboriginal populations in the implementation of forest management activities, and indeed of processing activities. Such involvement

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is growing on a regular basis.

The industry is prepared to offer business opportunities in harvesting and development to Aboriginal entrepreneurs, within the context of economic realities.

In other words, Mr Chairman, within the context of performance criteria and prices, which are governed by the market.

We believe that the entrepreneurial spirit of the Aboriginal communities is developing apace, and that business partnerships are increasingly possible. We are open to this.

The main stumbling block that we perceive in this type of partnership is acceptance of the market rules as established in the North American economic system.

But to the extent that Aboriginal people are investing ever more in economic development, they are in a position to take an increasing share of the risks and benefits of these companies. So this is a matter which is progressing positively at this time.

With regard to the training of Aboriginal forestry workers, it is clear

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that adequate training is required to perform the work that is presently required under increasingly intensive silviculture. This work is becoming ever more complex.

Therefore educational institutions and the industry have developed training courses, and access programs exist.

The feeling is that special attention will have to be paid to the training of Aboriginal workers to assist them in entering this labour market and the plants located in their region. According to the information we have, Mr Chairman, there are at present only one Aboriginal forest engineer and barely a dozen Aboriginal forestry technicians in Quebec.

The industry considers that special efforts should be made to train technicians and engineers.

We would even be prepared to take part in and facilitate such training. There must be a corresponding desire in the communities to play a greater role in the economic development of their area, to diversify the training of their elite, and

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obviously, to invest the necessary effort in this training.

There are also other solutions which seem to us wholly beyond our scope as a forest industry. There is the *Indian Act*. In our opinion, this is a statute which is at present discriminatory, and which marginalizes the Aboriginal communities. One can argue for a long time about whether it has been beneficial or harmful--the same sort of discussion one might have on the subject of technology.

What is certain is that it is high time to identify a new *modus vivendi* for relations between the Aboriginal peoples and the citizens of Quebec and Canada generally.

Once again, the recognition of land rights is not within our province. It seems to us essential that land agreements be concluded. On the other hand, it seems to us exceedingly important that recognition of Aboriginal lands by the government be accompanied by terms of recognition of the lands released, as well. We have to agree on how to simplify and clarify the

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situation, and in future we have to know who is doing what, and where.

This type of decision, Mr Chairman, has to be made by the government that has been democratically elected by all the people concerned. In our opinion, these agreements should not be delegated to a court, whether national or international. This is a political problem and it should be settled in a political fashion.

In such a decision, we would like to see the notion of Aboriginal lands take into account not only previous occupancy but also modern demographic realities.

But it is clear that the concept covers lands that will permit the development of Aboriginal populations in such a way that they can be independent of all forms of special assistance program, that is, anything that is not a universal program. We believe that the horizon, the objective for this, should be ten years.

With regard to recognition of the appropriate Aboriginal jurisdiction over these lands, we think that consideration must be given to

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recognition of an original new power-sharing structure which is in keeping with the aspirations of the Aboriginal communities.

We insist, Mr Chairman, that the new formula have a certain respect for the established order, for the fundamental values of our civilizations. All of us have the right to be different, but there must still be some degree of order in the matter.

In our opinion, this will require certain transitional mechanisms. A transitional framework will first have to be defined, with stages, timetables and guidelines. Again, it is essential that the duration of a transition be brief, that the duration of these transitional programs be limited.

In fact, I think we must get to the point of abolishing the special programs. We must avoid recreating at this time, as we attempt to resolve today's problem, a situation which certainly was not desired in the past. So we must take care not to resolve the present situation to the detriment of a situation that is still to come. No one can

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foresee the future, so we must organize ourselves to be as provident and as equitable as possible.

In conclusion, Mr Chairman, the current absence of apparently durable solutions to the land claims and self-government claims is only perpetuating a situation of confusion which has been detrimental to the normal operation of the forest industry, among others, for a quarter of a century. It is high time that we tried to find agreement on these points.

The members of QFIA believe that the solution is of a political nature, that it is for the democratically elected representatives of the people to propose a resolution that is at once lasting and respectful of both history and present-day realities.

If the industry can do anything to advance this process, Mr Chairman, we are here to tell you that it is ready to lend its assistance.

Thank you for your attention.

CO-CHAIR RENÉ DUSSAULT:

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Mr Duchesne, thank you for your presentation, which is supported by a substantial brief.

As you know, forest management as it relates to Aboriginal people raises a lot of questions, not only in Quebec but across Canada.

In 1987 in Quebec there was a change, somewhat the same as the change made just about everywhere in Canada, from the former system in which there were timber limits for 25-year supply agreements with obligations to reforest.

However, even though the *Lands and Forests Act* ushered in multiple use of the resource in Quebec in 1987, the consultation methods for arriving at this goal have not always been in place. When one looks six years later, one realizes the following problem: when the system was changed, room was not necessarily made for a system in which the concerns of multiple use of the forest were taken into account. So this has to be done after the fact in documents that are issued prior to application of the supply agreements.

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One of the things that struck me ... You wrote a leading article in the newspaper *Le Soleil*, I believe, on December 18, 1991. In that article you said that the forest industry was going to see a major metamorphosis by the year 2000, and I think that you are completely correct. Between 1987 and 1993 there has already been a difference. We see the problems differently from the way we saw them in 1987.

My first question is whether, as part of this metamorphosis, you then perceived the Aboriginal relationship with the forest as you perceive it today. Is what has to be done clearer now than it was at the time?

Today, the message we have is not one of obstruction by the Natives. It is one of partnership, of being involved in development of the resource and also of protecting a number of uses, of sensitive areas of the forest, and so on.

In a way, I am asking this question ... I am trying to summarize the gist of a 40-page brief. You say, I believe

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it is at page 22 of your brief, that the difficulty of understanding the Aboriginal reality, you return to that a few times ... basically, you say that the forest industry has been doing business for 200 years in Quebec, but it still has difficulties in exactly understanding ...

On page 25, you say:

The Aboriginal problem seems to be more
or less elusive to the forest
industry. [TRANSLATION]

And on page 22:

... the differences in operation and
conceptualization between the
realities of the industry and of the
Aboriginal peoples do nothing to
facilitate understanding of
Aboriginal issues. [TRANSLATION]

Basically, my question is this. Has the forest
industry in Quebec put in place

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cross-cultural training programs in order to acquire a better understanding? Because it is my impression that this is at the root of a lot of difficulties. This is not peculiar to the forest industry: it is true throughout society in general. There is a problem of cross-cultural communication. People say there has to be understanding on both sides.

This is rather striking. In fact, you are telling us that you have been doing business in the area for 200 years and you cannot grasp the Aboriginal reality. That is the situation of Quebec in general. It's no different. It's not a matter of singling out the industry.

My question is, realizing this, is the industry making use of programs or measures to familiarize itself with Aboriginal issues, in particular as they relate to the forest, apart from being forced to familiarize itself in the event of a crisis?

We are living through a series of convulsions. Barrière Lake, for example, with the trilateral agreement. For some months, obviously, this has compelled an intensive effort to precisely identify

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the points of obstruction and collision, and the reasons for them.

In the slightly longer term, if we look from here to the year 2000 and see the transformation that you mention [in] the forest industry, is it one of your Association's concerns to bring about a better understanding, to try ... and I understand that this is not one-directional.

There will be similar discussion in the other direction, but have any initiatives been taken in this regard?

ANDRÉ DUCHESNE: For a fair amount of time, Mr Chairman, I believe there has been a feeling that the matter was so much within the province of the government authorities that we contented ourselves with the immediate situation and daily or seasonal contacts in the field.

Time has shown us that this is not bad, but perhaps it is not sufficient, for as you mention, we end up with a series of hot spots where someone has certainly taken a wrong turn at some point, but it becomes very difficult, once the hot spot has developed, to find solutions that are equitable and

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satisfactory to everyone.

What we have decided to do is to try to take action before all of this. Development of the consultation mechanism, of which I was speaking earlier--which is still in its infancy, I won't conceal the fact, there have been no great accomplishments here yet--is the result of certain experiments that have taken place just about everywhere in Canada and the US and Quebec, because this is certainly not the first time that the forest company operators in the field have talked to a trapper or a vacationer, whether Aboriginal or white.

It was felt essential to get involved in some way, but it is clear that the industry will be in no position to resolve all of the disputes that have arisen over the years. As I think I mentioned in the brief, what we can do is get involved in employment in the field, co-ordination of land use, and training. Our openness in these regards is clear and unequivocal.

We have done these things, and we are prepared to do more. Even here we have sometimes had

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rather disconcerting results. Possibly we were clumsy, I don't know, but there is certainly a lot of good will at this moment on the part of the industry which, as you say, is in the process of making some drastic adjustments to the changes required in its forestry operations and in its activity on the international markets.

Certainly, in the very short term, all this is part and parcel of the change. Consequently, we have not developed any specific training programs--I think this was the drift of your question--in the short term, right now. But we are certainly open to participation in efforts such as this.

The only reason that the industry is not automatically taking such action at this time is the reason that you reminded me of, incidentally, the reason I mentioned in the article of December 1991.

The international markets have changed remarkably. It is not just a recession, it is a structural readjustment that we are going through, and

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industry is simply trying to survive it.

The future as such does not worry me. In the medium and long terms, I think that the Quebec forest industry will have the wind in its sails, but a present there is a lull, and we will have to get through this lull to take advantage of the coming breeze.

As a result of this lull, many plants have had to close, many machines have had to shut down. Thousands of workers have lost their jobs.

This morning I was talking about energy efficiency, and I was told that only \$27 million in investment has been planned in this field. The criterion is how fast the money can be recovered; these days, if an investment cannot be recovered within a year, it is not treated as a priority.

This applies to all possible efforts toward improvement of harvesting methods and training. Things have to

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come to a swift conclusion so that at least the budget is balanced.

CO-CHAIR RENÉ DUSSAULT: I am sure you understand that no one doubts the necessity of being competitive, and hence of taking the appropriate steps. However, I think that there is a very significant link-up between public opinion and the Aboriginal people's concern for multiple use of the forest, which is an environmental concern. This is part of the reality of the future.

What we are trying to see ... because the message we are receiving, once again, is not one of obstruction, but one of taking into consideration certain other uses of the forest, and of partnership in that regard, as well as in development.

For this, it seems to us essential that these worlds not continue to be completely disjointed or parallel. Industry has to talk more with the Aboriginal peoples and vice versa, because that is part of the reality of the future.

In that sense, I would like

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to return to the issue of training. You say that there is only one Aboriginal forest engineer in Quebec, and 12 technicians. This is a complex situation.

The question I would like to ask you here is: what does the industry plan to do to change this situation, because it's one thing to have one-time workers to build a road on the land, but another to get involved in development of the Aboriginal resource-- rather like the hydro-electricity resource. We will be talking about this later this week.

If we do not manage to train Aboriginal workers as forestry technicians and engineers, we are still operating on a level of expediency. It is not easy to get young people into postsecondary training, but they have to be able to see some kind of employment opportunity.

Do you have any scholarship or grant programs, for example? Have you considered setting up, apart ... you say you are open to training, but

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are there any concrete measures you are planning, to try to motivate and incite Aboriginal youngsters to take this technical forestry training and so be fully qualified to work with the industries?

ANDRÉ DUCHESNE: On the specific point of grant programs, Mr Chairman, I am not familiar with the companies' program list. I know that many companies offer training scholarships.

In my humble point of view, if we had training requests from an Aboriginal student who was eligible for the companies' grant programs, he would have an advantage at the outset so far as receiving a scholarship.

The industry believes that this is a sector of economic activity in which the Natives could, in fact, help us to understand and make the link that we have so much trouble making between development objectives and the objectives of the communities. I am convinced that if the opportunities are there, there will be takers; but the reality is this: you

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can lead a horse to water, but you can't make him drink.

In this case, we are not seeing any students who seem to be able to specialize in forest management and biology. We see more of them going into law, for example. For us at least, this is not the direction that we would like to see.

In this sense, I think that I can truly say to you that if there were students interested in forestry training, we would do everything possible to find support for them.

CO-CHAIR RENÉ DUSSAULT: Actually, my question is more the reverse. I asked whether you have a program to send this message to young Aboriginal people--that is, not just being in a situation of saying we will be open if we receive any applications, but trying to encourage applications.

ANDRÉ DUCHESNE: If this comment is made in our brief it is precisely because, with the field contacts that we have, it is a matter that has already come up

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a number of times, and for which we must not have been using the proper technique, because the message does not seem to be getting across. So we are expressing it differently.

CO-CHAIR RENÉ DUSSAULT: I think that, in cross-cultural communication, you must not be discouraged with the first attempts. If the objective is valid, it seems to us, for one, that associating Aboriginal people with the forest industry, with development of the resource, would certainly be a plus for everyone.

ANDRÉ DUCHESNE: Mr Lachapelle may be able to add something on this topic.

YVES LACHAPELLE, Quebec Forest Industries Association: There is much talk of mutual understanding, and I think this is an extremely important point.

Certainly the consultation process that we are trying to set up with the population, which is now on a trial basis, was designed with that objective, among others, that is, to enable the other players in the area to be on the same level of understanding.

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When one speaks of mutual understanding it is certain that, on the other hand, as Mr Duchesne was just saying, we have always been able to function in the past. In many cases the problem did not arise, except that now on occasion someone will call me and say: "I have to work in area X, in community Y. Who could I talk to first to get some background?"

But then, understanding is also difficult because if this person is told to go see trapper Z, he does not understand about going to see a trapper or a band chief to become familiar with the realities of these communities. So in terms of ... you might call this training, but mainly it's helping people to an improved level of understanding, say, a mutual understanding ... possibly the process of bringing the forestry companies into the local communities or among the local players, because in certain cases it's simply the trappers, putting them in contact so that they can talk might be a means toward developing better collaboration over the long term.

As Mr Duchesne indicated to you

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earlier, there are Aboriginal companies that are increasingly recognized for the quality of their work. They are becoming extremely efficient. They have approaches that could be called peculiar, but in many cases, when agreement is reached on objectives, we are very satisfied.

So from that basis we can maybe develop an interest in going further with training as a technician or engineer; possibly that can arouse some interest in these communities.

CO-CHAIR RENÉ DUSSAULT: That was the gist of my question. I think that there should be more structured programs in order to reach that goal, because if we just let time do its work there is the danger of having to engage in regular crisis management and missing the boat.

You say in your brief that there are presently 85,000 direct jobs and 170,000 indirect jobs in the forest.

For the direct jobs, for example, do you have a breakdown

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for jobs that are currently held by Natives? Does your Association have this, or are these jobs too seasonal or ...

YVES LACHAPELLE: We wouldn't be able to give you the breakdown on that ...

CO-CHAIR RENÉ DUSSAULT: You don't have any figures.

YVES LACHAPELLE: ... to know the number of direct or indirect jobs that are currently held by Natives. The situation seems fairly good for the engineers and technicians, but for plant jobs, seasonal project jobs, whether cone harvesting or reforestation, we do not at present have the statistics for such a breakdown.

CO-CHAIR RENÉ DUSSAULT: Once again, here is the main comment we are hearing from the Aboriginal people: "They come here, on our land, they don't worry about how they use it, and they don't involve us in any significant way in forest development as such."

This is the comment

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that is made to us all across Canada: it's not a situation that is peculiar to Quebec. The message is not one of obstruction, but of participation.

Perhaps one last question. You mention a ten-year horizon for self-government with economic self-sufficiency, where there would be no programs other than general ones.

I think you are aware, of course, that the level of economic development is not the same from one community to the next.

This is a more fundamental question, and one of the key elements in our document "Focusing the Dialogue": self-sufficiency.

How are we going to succeed in giving the Aboriginal peoples an economic self-sufficiency that will essentially turn federal funding, which is largely in the nature of social assistance, into much more productive funding, so that they can make the transition to assuming control? This involves larger areas of land, royalties on resources--a multitude of things.

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Has the forest industry looked into the possibility, of lands, certainly, but also of resource royalties, when operating in a territory covered by Aboriginal rights?

In other words, instead of purchasing a release of title with a sum of money, as was done in the past, attempting to associate the Aboriginal communities in a more permanent fashion with development of the resource.

Has your Association begun to consider this matter?

ANDRÉ DUCHESNE: On this point, Mr Chairman, Quebec is a little peculiar with respect to the forest resource, because the royalties the industry pays for harvested timber are established according to the market value per board foot of the wood, with all of its qualities and flaws. I certainly do not wish to get into this subject today.

The fact is that the value of this wood is determined by the mechanism

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that has been set up.

How are these royalties distributed? As far as the industry is concerned, this is a matter that is a prerequisite for payment, and once again I refer you back to the basic issue. These are decisions of a societal and political nature; they are not operational decisions, such as those in which the industry can participate.

Present practice here is that we assume, under the *Forest Act*, all costs for the protection, and in certain cases I would even say the management, of wildlife, water and so on, through the terms and conditions of operation. So the industry has now been asked, as part of its forestry responsibilities, to do certain things which contribute to the management or multiple use of the land. And it is the industry that pays, in the form of royalties which correspond to the market value of the wood in question.

The market value could not be raised at this point in time. It can be distributed in the manner that the governments,

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which again are democratically elected, decide to distribute it. That is completely clear to us. But there should not be a surtax on forestry royalties. That would be very difficult.

CO-CHAIR RENÉ DUSSAULT: I understand what you are telling me. However, I would point out that the way in which the money might be redistributed is not necessarily something that is of no interest to you.

ANDRÉ DUCHESNE: Agreed.

CO-CHAIR RENÉ DUSSAULT: In other words, it's fine to say the government controls the whole "macro" aspect of society, while we look after our industry, but if ... you may have some good ideas on how your industry can function better that you can transmit to the government, including on this subject.

ANDRÉ DUCHESNE: I am not saying it is of no interest to us; I am saying it is beyond our authority.

CO-CHAIR RENÉ DUSSAULT: Agreed, but there is a margin of influence.

ANDRÉ DUCHESNE: Yes.

CO-CHAIR RENÉ DUSSAULT: Very well.

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A word on the Barrière Lake agreement and the situation at Barrière Lake. Has your Association been involved in ... we have been told in recent days, recent weeks, that the people working the forest may have ... there was a complaint to the effect that this was worked out between the government and the Aboriginal people, and the industry wasn't involved. Can you give us your point of view on this?

ANDRÉ DUCHESNE: Perhaps not on this particular case, Mr Chairman, but ...

CO-CHAIR RENÉ DUSSAULT: In general.

ANDRÉ DUCHESNE: In general, I think that indeed ... I said to you earlier that we decided to get involved in certain aspects of the matter. I won't conceal the fact that this was simply because we felt left out of the discussions, which in most cases do not come to very swift conclusions.

It was our clear impression that many of the problems could be settled in the field in the first place, before they in fact become real problems,

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simply by entering into honourable compromises, on both sides, with the people involved.

In that sense, the industry has definitely taken the bull by the horns, before the governments say to us, "here is what we have managed to negotiate for you".

CO-CHAIR RENÉ DUSSAULT: Thank you.

Mary.

COMMISSIONER MARY SILLETT: [ENGLISH:

continues to p 202]

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CO-CHAIR RENÉ DUSSAULT: [ENGLISH] Thank you for coming to meet with us, and do not hesitate to keep in touch with us if any other ideas occur to you, because forestry is a very important and vital field in the context of Aboriginal affairs.

We did not have access to this brief, which is already three, four months old, dated 1992, and which was provided by the government. I do not mean that as a criticism: on the contrary.

Do not hesitate to keep us informed of the progress of your thinking.

ANDRÉ DUCHESNE: This presentation has been another instance of that progress, Mr Chairman. Thank you for your attention.

CO-CHAIR RENÉ DUSSAULT: Thank you.

I would now like to ask the Conseil des Montagnais de Mingan, Jean-Charles Piétacho and Sylvie Basile, to approach and make their presentation.

--- Pause

CO-CHAIR RENÉ DUSSAULT: Good day. You may proceed when you are

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ready.

JEAN-CHARLES PIÉTACHO, Mingan Band

Council: [Aboriginal language - no translation]

As I say quite often, I would have preferred to express myself in my own language, but out of respect for the other languages, our brief will be read in French.

I also excuse myself to the other commissioner, for I have no English copies.

There may be typing errors, but that is not important. I think it is the message, the content, that is important.

We would like to submit these views very humbly to the Royal Commission on Aboriginal Peoples.

My name is Jean-Charles Piétacho. As I often say in my letters, Chief according to the *Indian Act*, Wichimaouo (PH) according to the Innu. I am accompanied by Sylvie Basile, a young Montagnais Innu from Mingan.

We have entitled our brief, "Learning to Sail in Troubled Waters".

I got on a man's back,

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squashing him. I asked him to carry me and, without letting go, told him that I greatly pitied him and that I had but one desire--to improve his situation by every possible means. And yet, I did not get down from on top of him.

-- Paraphrase of Leo Tolstoy, quoted by the Aboriginal community of Mayo, the Yukon, before the Special Committee on Indian Self-Government.

The day we came to consider the work of the Royal Commission on Aboriginal Peoples, we told ourselves that it would not be worth our while to participate, because dozens of Aboriginal and non-Aboriginal organizations had certainly said everything there was to say about the political and social problems of the Aboriginal communities and the solutions that might resolve these problems. This was in the fall of 1992. We also told ourselves that the hearings to come would surely complete the analyses of these questions.

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However, something was to lead us to reconsider our initial reaction and to present to the Commission a message of a different nature from a constitutional, legal or technical message. We had a human message which could have an impact on the other messages, particularly on the political one in its broadest sense, that is, the manner of conducting and organizing relations within a society.

We were afraid that no one would offer your Commission this message, which has been dictated to us by our conscience and our hearts. So we have come to deliver it ourselves.

We shall describe to you our way of seeing the problems that beset us and the solutions that inspire us, which are based upon our reality. The thoughts we will be reciting to you are those of a young Montagnais woman from Mingan, Rita Mestokosho.

In spring 1993, a 14-year-old Montagnais boy committed suicide in Mingan. He was not the first.

For some years, there have been others--a nephew, an adopted brother, a friend, a brother from a neighbouring community,

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all of them young. This is too much. We have already waited too long.

The loss of another of our children has become intolerable. We cannot declare ourselves powerless if we have not tried anything. We know there is a message in the despair of our young people. We have come together as a community and we have reflected.

SYLVIE BASILE, Mingan Band Council: Do you not hear your sister the river, calling you? She flows like the blood in your veins. Do you not hear your brother the wind, speaking to you? He says:
Give me a little of your pain.

JEAN-CHARLES PIÉTACHO: Within our context as a community society we cannot acknowledge suicide as a "normal act", a strictly private act, and do nothing. Beyond the private universe which conditions the life or death of the individual and concerns him before all else, there is his public universe, his social environment, his future in our incipient society: all of this also conditions to the highest degree the hope or despair of individuals.

SYLVIE BASILE: The despair of a

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people lives in the eyes of a child, and in each of us lives the child who is afraid of saying yes to the truth.

JEAN-CHARLES PIÉTACHO: We have little control over people's private lives, and this privacy must be respected, but we have a collective responsibility toward our life in society.

We the Montagnais of Mingan have this responsibility; we the Montagnais nation also have this responsibility; all of us, Natives and non-Natives, also have this responsibility, because we all have an influence on the decisions that are made or not made concerning our destiny. We must all of us share in this pain before the future, and seek solutions.

SYLVIE BASILE: Where did the time go, when we used to fly our kites together to see who would reach highest in the sky? Why have you hidden yourself, my sun, who used to make my days of sleep to shine?

JEAN-CHARLES PIÉTACHO: We feel

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ourselves to be deprived, as friend, as sister, as leader and as parents, but we do not want to feel ourselves to be cowardly. We cannot sink into affliction or anguish.

SYLVIE BASILE: Don't tell me you want to die, don't tell me you want to leave, when everything around you breathes with life, when the earth, your mother, nourishes you.

JEAN-CHARLES PIÉTACHO: Suicide is the most radical act of despair and denunciation of life that anyone can commit. It is an act to put an end to inner suffering.

The phenomenon of despair, like gangrene, has spread to many Indian communities in Quebec and Canada.

It is expressed in violence against others or oneself.

We must stop putting our heads in the sand; we must react before the sickness is irreversible, before other limbs are afflicted, before our society is afflicted as well.

Collective despair, or collective lack of hope, will lead us to collective suicide. This type of suicide can

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take many forms, and there are many possible foreshadowing signs: identity crisis, loss of pride, every kind of dependence, denial of our customs and traditions, degradation of our environment, weakening of our language, desertion of our struggle for our Aboriginal rights, our autonomy and our culture, thoughtless acceptance of violence, passive acknowledgment of lack of work and unemployment, corruption of our morals, tolerance of drugs and idleness, parental surrendering of responsibilities, non-respect of elders, envy of those who try to keep their heads up and who might succeed, and so on.

SYLVIE BASILE: In my heart there is a sun that no longer shines, for the clouds are too many, and they torture me always. The sun's rays do not pass through the rift I have made with my complaints and my laughter.

JEAN-CHARLES PIÉTACHO: We wanted to reflect upon these matters, and to make a simple humanitarian appeal to your Commission, for if

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the human element does not occupy the most important place in what we do, we are condemned to make structural changes that will be empty, for our brothers and sisters will not be happy within them.

We will then have put in place for them, by virtue of our desire to resolve our structural problems, an approach that is just as paternalistic as that of the *Indian Act* or the bureaucracies created because of it.

SYLVIE BASILE: And from the well of my silence I have drawn up the truth, which in reality I had always hidden.

JEAN-CHARLES PIÉTACHO: One day, some big deep-sea fishing vessels were made available to us so that we could stock "our" fish plant. This must have been very expensive, but the intention was to create jobs for us and to make the plant profitable, which was run by a company from downriver.

They had forgotten that the management company was mainly concerned to make all of its plants and production cost-effective--not necessarily the production in our own community. They had also forgotten that

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the Montagnais are primarily hunters and inshore fishermen, not open-sea sailors.

No one wanted to work on these boats. No one wanted to leave his family for long periods, especially when our activities during those periods are directed toward our ancestral territory. And then there was the fear of the open sea. The plant closed.

One day in the 1960s, the federal government forcefully displaced, Roman-style, the members of the Montagnais community of Saint-Augustin or Pakuashipi to the Lower North Shore. It was for their own good, they said.

Poor in material things, but rich in their culture, their territory and what remained of their autonomy, most of these Montagnais returned to Saint-Augustin the following winter, travelling nearly 200 kilometres on foot. Two persons died during this hard journey.

The decisions had been made by others, by people in power who live far from our social, cultural and physical environment. They spoke a different language from

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us. They did not know our values and our attachment to Mother Earth. They did not respect the life values of the people concerned, or above all, their integrity.

The point of this is to demonstrate to you the importance of directing our own destinies.

One of the most important themes that was dealt with in the public hearings of the Royal Commission on Aboriginal Peoples pertains to the desire of the Aboriginal peoples to remedy the personal and collective consequences of their dispossession and of the marginalization that their cultures and lifestyles have suffered for decades.

In the 20th century we are still peoples under trusteeship, with no recognized constitutional, political, social, cultural, economic or educational place. Our spirituality has been ridiculed. All decisions regarding development of our ancestral land are taken without our opinion and to the constant detriment of our rights.

Less and less are we able to plant our tents on our traditional campgrounds and thrill to our own values, for

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they are now occupied by "civilization". How can we show our respect for our land and our visceral love for Mother Earth if all the authorities and all the managers ignore us?

All the decisions that concern the various facets of our life are made outside our communities, according to norms and viewpoints that are foreign to us.

The transition between our fathers' way of life and that of today has been exceedingly swift.

This process is not without its aftermaths. Comprehension of this world is all the more difficult for us, as is organization of our rightful place. The structures which make up the social fabric of our people have been shaken, challenged, transformed. Who is really concerned about this?

SYLVIE BASILE: I have walked through the door that has destroyed my universe, but no one saw me do so, for I was like the river water that freezes in winter.

JEAN-CHARLES PIÉTACHO: We are painfully enduring the consequences,

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the most obvious of which, for a small community of 394, are social violence, three suicides by young people in five years--not to mention attempted suicides, alcoholism and drug addiction, general unemployment, lack of motivation to work, the lowest standard of living, negative records for indicators of the health of a community.

As we speak, there is nothing comforting about the economic and social situation on the "Indian reserves". For cultural and social reasons, our young people are confronted from early childhood with failure at school, followed by the economic stagnation of life on a reserve that doesn't even belong to us, and which is usually too tiny to permit the slightest economic undertaking.

Even today, the Government of Quebec's policy of expanding the "Indian reserves" is stifling our economic efforts on our territory in a cynical and cruel manner, by forbidding all land expansion for commercial or industrial purposes. In addition, management of public affairs is wholly conditioned

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by the trusteeship of the *Indian Act* and all of the federal and provincial laws generally.

But why consider our social destitution in the midst of all this?

Suicide is the ultimate denunciation of the lack of alternatives for an individual or a community.

Therefore we have to organize ourselves so that these alternatives exist, both for the individual and for the community.

Some tell us that these are universal social problems, and that there is no relation between these specific problems and the condition of our people.

To them I say that they are making the same mistake as all those who have always made decisions for us on issues of concern to us, by underestimating and ignoring our cultural and community values and by marginalizing us ever more in terms of use of our ancestral land and decision-making powers over our collective life.

And yet, one way or another, we have survived the marginalization, ignorance

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and intolerance shown us by the majority society, thanks to our spirituality, our traditions, our joy of living, our solidarity and our conception of life and the universe.

Our culture and language are still vigorous.

Our struggle for the recognition of our right to self-determination and our right to our ancestral lands is on the verge of success. We must fight just as hard to regain the values characteristic of our culture and the necessary balance between these values and those of the majority society around us. We are condemned to regular and ongoing relations as neighbours of that society, and we will be able to assume them the better if we first have the strength to feel at ease and comfortable with ourselves, with our society, and with our universe.

Recovering our collective pride and achieving a balance in our physical, psychological, intellectual, mental and spiritual health are pre-requisites for our liberation and our development. Without inner

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personal and collective freedom, what good are external freedom and wealth?

It is essential that we win back this inner freedom; otherwise there is a great danger of our squandering for the present generation the collective assets and richness that we will one day regain, which must work to the benefit of our children and grandchildren.

It is our first and foremost obligation to take charge of the process of social healing that is necessary.

SYLVIE BASILE: When will this struggle end? Probably never ...

Now we address ourselves to the one who has guided us for centuries, for it is he who has enabled us to survive. For our cry is no longer heard, our tears no longer reach you.

But as long as the steps of our children and grandchildren are guided by the eternal spirit of respect for our fellow man and for our Mother Earth, we will survive, with an ever-growing strength of spirit.

We will do our duty among ourselves, starting with

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respect for our fellows and respect for our Mother Earth, Nature. It is for us to define our own healing process, based on our traditional, spiritual values of respect, pride, dignity, sharing, hospitality and mutual assistance.

The Crown must also conduct a fundamental revision of its methods of intervention in Aboriginal communities. The Crown is responsible for providing us, as long as we ourselves do not have the means, with the resources that are appropriate to our own needs, characteristics and aspirations.

We are governed by a set of laws that are external to our ways of thinking, acting, and correcting our societal defects. We do not receive much information about these laws. Most of the members of our community do not understand their implications. These laws were adopted without our consent, and they are foreign to our culture and our mentality.

These laws have completely stripped parents of their parental authority, for outside officials have more power over the behaviour of children than the parents

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themselves. The meaning of these laws is not understood by our people, for they call upon concepts and standards that are foreign to our traditions and our mode of rehabilitation and reparation, where criminal litigation is involved. We have been consulted as a matter of form (when we were consulted at all) on certain of these policies, but our opinion has had very little weight, being swamped as a minority by another culture, in a situation where sheer numbers prevail.

Federal policies should be revised accordingly. Despite certain consultations that have taken place on the maintaining of order on the reserves, housing, health, economic development and so on, the important decisions have been made in accordance with the administrative logic of the State apparatus, which protects itself, and in accordance with short-term political interests.

On many occasions, the First Nations have publicly declared that the most responsible solution lies in self-government, pursuant to our right to self-determination as a people. We do not want an autonomy that is delegated and supervised as the suppliers of funding dictate. In any case, we

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consider the funding that we use to derive largely from the resources of our territory, Nitassinan.

We have appeared many times before review commissions, working groups and committees. We have filed numerous briefs with provincial and federal government bodies. We have had ongoing correspondence with the many departments and agencies of the two governments.

Rarely have we succeeded in directing decisions in our favour, for the political and legal system is not one which serves our values, our rights and our interests. As a result, problems and solutions will for a long time yet be understood from the perspective of this system which protects itself, until the legal and political order changes radically in our favour. This is the where we stand today, and it is in this direction that we are working with our brothers and sisters of the other First Nations.

These policies are imposed upon us within a context of budget restrictions and according to priorities decided in Ottawa, not according to our

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priorities and our way of seeing things. The federal government is increasingly casting off its fiduciary responsibility in all issues of concern to us. It is tempted to transfer this responsibility to the provinces, which will in turn become our trustees and wardens. This is the intrigue of thieves. Certain Aboriginal leaders have said it, and we repeat it here: We are not interested in donning the boots of the federal government or the shoes of the province, but our own Indian moccasins.

The best example of this attitude is surely the recent federal policy on policing services on the reserves, which transfers administration of this sector to the Ministry of the Solicitor General, whose employees have probably never heard of Aboriginal people in their entire life and who must now learn the ABCs of Aboriginal realities. We will probably have to give them an introductory course on Aboriginal issues.

Worse still, this policy refers us to tripartite agreements with the province for half of the funding necessary

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to operate our policing services. Quebec is taking advantage of this to interfere in our internal affairs, deprive us of even more of our social responsibility, and make an attempt on one of the few typically Aboriginal and Aboriginal-controlled organizations we have been able to safeguard in Quebec, the Police Amérindienne du Québec.

Here they are tampering with what remains of our collective rights, in this society which continues, despite its fine words about rights to self-government, to try to impose upon us its model of social operation and to make us citizens like everybody else, with individual rights that serve to reduce our rights as a community.

The federal housing policy is no better, for the standards and budget priorities are decided elsewhere, and they are simply trying to tax the poverty that afflicts the majority of our families, on the pretext of empowering us.

The government's attitude to education fares about the same, despite the fact that we have taken over some

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responsibilities with respect to available budgets and management of human and physical resources.

Next to no resources are actually available to seriously develop an Innu concept of education or to complement the training of our young people with inculcation of our own cultural values. This is an essential condition for the protection of the Innu language. How many fine opportunities have been lost to establish a link between our knowledge and our Aboriginal origins and the knowledge of the predominant majority society.

SYLVIE BASILE: When you build your future between four walls and let your destiny fly away like a leaf in the wind ...

JEAN-CHARLES PIÉTACHO: The education, health and social services systems seem to be there primarily to impose a foreign value system upon us, probably as a result of the historical good intentions of those who wanted to civilize and Christianize us with one hand while they stripped us of our physical, social, mental and spiritual resources with the other.

Under these circumstances, there are many avenues

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for action. They must be based, as they have been in the past and still are now, on respect for others and for nature.

We have to assume our own responsibilities, independently of the bureaucratic compartmentalization of every service that operates in our communities. We have to develop what we call an original organizational culture that is specific to our own values, with common and concerted social objectives.

The governments have to be attentive to our demands and our needs, and not to their own standards and constraints. The governments must not impose upon us resources that have been planned from their offices in Quebec City or Ottawa, but place at our disposal the resources that we really need to complete our process of social healing. Give us a real chance to determine our needs and to act upon them.

We can and must promote alternative intervention of a traditional kind to restore balance to our values, rediscover our roots, evolve culturally, and

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progress toward a genuine mutual integration between our societies and not toward assimilation, cultural ethnocide or structural "genocide". All the constraints which now prevent us from practising our traditions and resolving in our own way the problems that afflict us must be removed.

We must rediscover and assume our autonomy and our individual, parental, familial, political and spiritual authority. This is the only way to put our society on the right path.

As demonstrated in Leo Tolstoy's sad caricature which was cited at the beginning of our presentation, the time has come for our guardians of all kinds to get down off our backs and leave us free at last of the burden of their paternalistic and dominating approach, free to apply the remedies that correspond to our own values and to develop according to our own models.

Autonomy begins with the individual, and is then built by the family, then the community, and finally by our relations with other nations. Openness,

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honesty and transparency are the virtues of this process.

The communication between us is the cement.

Our collective suicide is of as much concern as the suicide of our young people. The only way to build an alternative to despair is to develop a blueprint for a society in which the elders will feel loved and useful, the parents will feel competent to counsel and guide their children, and the young people will want to ground their future.

A social blueprint affects the basic components of collective life. It inspires, it creates a desire to learn, to work, to sing, to love and to hope.

We must be able to make our own choices about the society we want, and not have those of others imposed upon us.

It is particularly necessary for our young people to rediscover their vital inner strengths, so that the feeling of discouragement and tragic failure that they are now experiencing may be overcome. The next life that is lost will be too much. It will become intolerable if we are not sufficiently quick and effective in stopping the implacable clockwork

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of this social time bomb.

We would all share responsibility for this social bankruptcy. Our people must rehabilitate themselves, and they alone must be the directors of this process. It will then be easier for them to welcome the other party and to think about mutual integration. Freedom that is instituted in love is much more appealing than dependence.

We all have a responsibility to make our message known in a fair and objective way to the public of Canada and Quebec.

It is now time to listen to us;
the time for action presses upon us.

SYLVIE BASILE: All of this to say to you that men have become vultures, and children will become vultures in turn if we do not ensure that the fundamental values survive this upheaval that has hold of our everyday lives.

The struggle we wage today is not being waged against another people, but against ourselves: that is why it is difficult.

We have to learn to live

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with what is alive inside of us; that is where the obstruction is.

The children will have to do battle against a system in which individuality is king. It is our task to provide them with a true identity, so that they can be proud to call themselves Amerindian, today and tomorrow.

For the road is long and perilous ... But we must always go on and never be discouraged, so that the others who see us may say: Behind you, there is a people.

Thank you for having listened to us.

CO-CHAIR RENÉ DUSSAULT: I would like to thank you for coming and presenting this message to the Commission. As you say in your introduction, this is a human message which you want to see extend beyond the bounds of the usual political messages.

Mr Piétacho, we had occasion to work together for two days at the session held in Aylmer, Quebec in April, in conjunction with the Assembly of First Nations, regarding the problem of suicide.

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You are reporting on an issue in your own community, and I would like to take this opportunity to see if there has been any follow-up to the reflection that was begun on those two days of discussion.

As you know, we in the Commission hope to be able to produce as quickly as possible an interim report on the issue of suicide. It is almost impossible to avoid this issue every time we visit the communities. It is an endemic and ongoing situation.

Early in June, on June 7 and 8 in Ottawa, we will be pursuing the consultation that you began with the First Nations, regarding the Inuit and the Métis, and subsequently we hope to be able to put together a document that will contain a number of reflections as well as some concrete recommendations.

This is not an easy subject; basically I am just giving something of a report on what we have been doing on our side since we last met.

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On your side, has there been any change in your thinking, or any follow-up in your community?

JEAN-CHARLES PIÉTACHO: Yes, indeed.

I think, as I told the Commission in Ottawa, that in the course of this reflection, these discussions, we are simply spokespersons. The words we bring are those of the elders, of the young women in the general assemblies.

We are simply the bearers of messages. The process continues in our community. Incidentally, we enjoy excellent collaboration from our people, from the leaders and especially from the missionaries in our community.

The process continues in both directions: at the community level, and also in the information that we provide to the governments. On May 3, 1993 we had a visit from Pierre Vincent, the Minister of State for Indian Affairs. On that occasion we delivered a brief of some forty pages.

Fortunately for us, the brief was

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in written form; unfortunately for him, I think he was in the midst of an election campaign. But I think that the important thing was to have been able to provide him with a written brief, simply to remind him that in 1985 a minister of Indian Affairs came to visit us.

All we did was to repeat in this brief the whole problem that had been explained in 1985, and even in previous briefs. I think that it is important to resume the dialogue. I think that dialogue is a priority in our community, because we talk a lot about autonomy, development, government compensation.

I think that the approach we are taking is more or less one of individual, familial and collective autonomy in the Innu community of Mingan.

So the process is well under way in our community. Certainly, as the people have said, it won't happen tomorrow morning, or maybe not in five years, ten years, but the process is established. It will be

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decisive for the future of the young people of Mingan, who are also leaving all of the Aboriginal communities around us, and above all, I think, the non-Aboriginal communities that are close to us.

I may have a comment here. What I was saying to the minister when I said we should ... there is a responsibility to inform the public, this responsibility via the federal government's fiduciary responsibility concerning the famous five billion reported in the media. I simply said to him, when I say that congestive [?] and transparent information must be given, in our community we receive from one to two million annually, but about 5 per cent is left for the community--95 per cent goes to the regions, in services.

Employment is created in the neighbouring communities of Havre St-Pierre and Longue Pointe. About \$400,000 is committed for teachers at Havre St-Pierre and Longue Pointe. We saw a plant where there were 50 per cent non-Aboriginal and Aboriginal jobs, in transport. I think that people are the important thing.

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What I very much like about the Commission is this need to inform the public. This kind of information must be available. We were told five billion, but that five billion, as a certain mayor said to me, returns to the taxpayers.

I don't want to get into polemics, but the type of speech that I give when I meet with mayors and the media is the type of speech that ought to be heard.

I think that your Commission is a striking example of this. As I said to you before, I had a lot of difficulty with the Commission.

As many others have said: another commission, more reports for the shelf. But we have twice appeared before this Commission to talk about responsibilities. And we will continue to do so on other occasions.

I think that the autonomy we are trying to define begins with ourselves, our families, our community: that is how we attain it. And afterward I think we will be able to talk comfortably with other Canadian,

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Quebec, European nations. I think that the core of the message lies within that context.

CO-CHAIR RENÉ DUSSAULT: Thank you. I think that the message you have just transmitted, that the money received from the federal government moves very quickly through your community and outside, to purchase services of all sorts, is a message that we are getting in a very, very universal fashion; as a result, it is clear that these funds are to some degree wasted, in the sense that they do not provide a means of constructing anything in the communities, but simply enable them to survive year after year.

I think that both the Aboriginal communities and the general public have some major questions about this. They would like to see this money spent to build something directed toward self-sufficiency, self-government, and assumption of control.

JEAN-CHARLES PIÉTACHO: Possibly one final comment.

I think that these public funds are audited and reaudited I don't know

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how many times in one month, one year. I think that the information on these funds, when projects are implemented ... there is one example I would give: we had a community store built, and there was an outcry from other surrounding merchants to the MNAs.

I think that it is also important to express this. All we wanted was a community store where we could buy what we needed. It was an essential base for us.

The example I want to make is that sometimes, with the policies being decided in Ottawa or Quebec City, the person would come from Montreal to audit our financial statements and correspondence, he would come to Mingan to audit all our invoices from A to Z, and then go back to Montreal without visiting the store. We almost forced him to go into the store so we could show him what we had accomplished.

I could give you all kinds of examples of cases in which these policies very often ... I think that the public should

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be aware of these ... again, not necessarily get into a war of numbers, but be aware of what we are going through.

In that particular case, the last payment was made two and a half years after the project was completed.

Discouragement and social problems in the community very often arise because there are "instant" promoters who want to be successful, but because of standards and regulations, they get discouraged, and so on. Life goes on, as they say.

I think that our title says it well: "Learning to Sail in Troubled Waters". We are accustomed to this. In that sense ... I think that the message is that there is no miracle policy here: things begin with oneself. That is the very basis of a new relationship.

CO-CHAIR RENÉ DUSSAULT: Thank you.

Mary. [ENGLISH]

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[ENGLISH]

JEAN-CHARLES PIÉTACHO: (Native language). Our sincere thanks, and till the next time, as they say.

CO-CHAIR RENÉ DUSSAULT: Thank you, Mr Piétacho, Ms Basile.

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We will adjourn for ten minutes and resume with two briefs, one from the Conseil des jeunes de la Nation Crie du Québec, and one from the Secretariat of the Oblate Conference of Canada.

Thank you.

--- Hearing adjourned at 4:15 pm.

--- Hearing resumed at 4:34 pm.

CO-CHAIR RENÉ DUSSAULT: If you would kindly return to your seats.

I will ask the representatives of the Secretariat of the Oblate Conference of Canada to approach the presentation table.

--- (Pause)

CO-CHAIR RENÉ DUSSAULT: [ENGLISH]

Good afternoon.

For the purposes of the transcripts, I would like you to first identify yourselves and then proceed with your presentation when you are ready. Thank you.

REVEREND DOUGLAS CROSBY, OMI: My name is Doug Crosby. I am the provincial of St Peter's Province of the Oblates of Mary Immaculate. I come from Ottawa.

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REVEREND MARC LORTIE, OMI: My name is Marc Lortie. I am the provincial of the Province of Notre-Dame-du-Rosaire, whose headquarters is in Quebec City. Our province covers eastern Quebec.

REVEREND ACHIEL PEELMAN, OMI: My name is Achiel Peelman. I am a professor of theology at St Paul's University in Ottawa.

REVEREND DOUGLAS CROSBY, OMI: The Oblate Missionaries of Mary Immaculate (OMI) are the largest male religious community in Canada. There are a little over 1,100 priests and brothers in every region of Canada, from Labrador to Vancouver Island, in the large urban centres as well as in Inuit villages above the Arctic Circle.

In Canada, the Oblate missionaries are grouped into eight administrative divisions which are known as provinces. Each province is autonomous and directed by a superior known as a provincial. The eight provincials gather several times a year to form the Oblate Conference of Canada. This brief is presented on behalf of the Oblate Conference of Canada.

First of all, I would like to thank you for allowing us to present our

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brief today. Most of this introduction will be in English, but be assured that we are prepared to respond to your questions in both French and English.

Second, I would like to tell you that we have found an error in the French text which we sent through the mail. This is a draft translation and not the official text. We are in the process of correcting this mistake, and will be sending you the official French text as soon as possible for your files.

For our work today, we are considering the English text as our official text. I deeply regret this error, and ask for your understanding.

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[ENGLISH]

This project we are involved in with the Aboriginal peoples is not just a political or an economic or a cultural project. At bottom, we see that it is a profoundly spiritual project. That is why we want to walk with our brothers and sisters to learn, and to construct with them the future which we share together.

Father Marc Lortie, Father

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Achiel Peelman and myself are ready to respond to your questions, in English and French. Thank you.

CO-CHAIR RENÉ DUSSAULT: Thank you.

[ENGLISH]

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[ENGLISH]

REVEREND ACHIEL PEELMAN, OMI: That is correct, but when you talk to these students, very often they will tell you that if they don't get the money from the federal government they apply to the province, and often it is too late, because there are all

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sorts of deadlines to be met.

The case of these people, in a way, is an illustration of what you said: very often the Aboriginal peoples are the first victims of a kind of power struggle between the federal and provincial levels. This is clear; we have examples of this in the field of education, and I think also in many other fields. Basically, are they not the first victims of this ongoing jurisdictional battle between the two types of government?

CO-CHAIR RENÉ DUSSAULT: I think that is a good example, because one's first reaction is that, since one has to apply to two places at the same time, the provincial side considers the responsibility to be federal, and that is true, but because of the cap it may become a provincial responsibility again, by which time it is too late.

Can you explain this? It is a question of time: it is too late, basically, because the provincial program has been applied and there is no more money for that year.

REVEREND ACHIEL PEELMAN, OMI:

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This is certainly a real factor, that our students must meet certain deadlines to be able to apply for grants. For example, at the graduate studies level in the province of Ontario, the criteria are too strict, and often Aboriginal students are sort of trapped in this type of system, which was really created for the general population.

Since they cannot get what they are entitled to from the federal government, I think they also want to try to get money from the province, and very often this doesn't work.

In my opinion, the problem is ... I was there when this crisis erupted in Ottawa. Some people came; they even went on a hunger strike. These people complained of being constantly accused of dropping out, when those of them who want to carry through right to the end do not have the means. Isn't this a kind of vicious circle that we are trapped in?

For the moment, the solution is surely not to cut funding in places where Aboriginal people are demonstrating genuine

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creativity and are in the process of assuming responsibility for their future and their destiny.

We are finding the same problem with regard to the Aboriginal media. In many Northern communities where there are local radio stations that really allow people to talk to each other, we are hearing that there is no more money available in this sector either.

Personally, I don't know how to react to this. It seems that where things seem to be making headway is where the budget cuts are.

CO-CHAIR RENÉ DUSSAULT: I think you are right to say that the budget cuts are very harmful in the field of communications and also in postsecondary education, and are coming at a time when there are more and more young people seeking admission to post-secondary educational institutions; this makes us think about the future. The Commission itself must reflect upon the cost of the recommendations it will be making.

We are very aware that a substantial amount of money is already being spent by the Department of Indian and Northern Affairs

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on registered Indians, but with limitations, such as those which increasingly apply to postsecondary education.

On page 16 of your English brief, you recommend that the Government of Canada recognize its fiduciary responsibility not only to registered Indians but also to all those who live off-reserve. This is a constant demand: basically, the Treaty Indians, as you know, would like to see this responsibility attached to the person and not to the reserve.

My question is this. You say:

We strongly encourage the federal and provincial governments of Canada to enter into discussions with urban and other ...

Have you looked at the impact in terms of costs, since this is one of the most critical questions facing us? Indian Affairs spends maybe

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five billion on status Indians: in that particular situation, if you are registered, you're alright if you live on a reserve, but if you are Métis or leave the reserve and go to the city, you don't have anything.

This is an extremely difficult situation, because it creates tension between the various Aboriginal groups, in view of the financial constraint.

But to simply say that financial responsibility ought to be increased, as we have already had occasion to mention ... it is quite inconceivable that this amount of money will be doubled in the short term to cover the Métis and off-reserve Indians.

Basically my question is, when you make a recommendation like that, because we in the Commission have to live with this, have you looked at all at the costs, at how this could be done? It could mean divisions between the Aboriginal peoples themselves, between the various situations in which they find themselves.

Have you thought about this

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in terms of cost?

REVEREND DOUGLAS CROSBY, OMI: It is not easy to find the answers. It's easier to ask the questions.

We know that our men who work with the Natives, in the cities especially, understand suffering, but the Natives experience suffering themselves. So they have talked to us about it.

I think that what I said about their culture, the challenges they are facing in ...

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[ENGLISH]

CO-CHAIR RENÉ DUSSAULT: Mr Lortie?

REVEREND MARC LORTIE: You see that with statements such as those we make in our text, questions are raised, and we have no answers; sometimes we tell ourselves that it is not our business to provide these answers, such as the financial cost and so forth.

But neither do we want to be idealists, asking for impossible things. But beneath all this, you get the sense that our Oblate brothers, all the missionaries who are working at the grass roots with these people, have adopted their cause. It has been said that since the arrival of the Oblates in Canada 150 years ago, we have been on the side of these people. We try to highlight their concerns, their sufferings and so on, and

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we are in solidarity with them.

In the matter of education, I would like to raise ... at one point in our text there is a little sentence explaining that this is why the Oblate missionaries continue their tradition of studying the Aboriginal languages, cultures and spirit of solidarity.

In view of the fact that my Oblate brothers have published 144 dictionaries in 27 different Indian languages, 74 grammars in 19 different Indian languages, and 300 original Indian and Inuktitut manuscripts, I allowed myself to bring only what the missionaries have produced this year to assist the Aboriginal people in being proud of their culture and in developing their culture.

We know full well that language is a primary tool. The last book, published only this year ... I brought seven of them, but the last one is the written French dictionary translated by Father Vaillancourt to help us whites to learn their language. We find that tools such as these are the best way of

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making them proud of their culture, of their spirituality, of what they are, their own identity.

CO-CHAIR RENÉ DUSSAULT: I think that, as is often pointed out to us, it is quite clear that the missionaries in general and the Oblates in particular have made a major contribution to making Aboriginal languages known to non-Aboriginal society through tools such as these, as well as to rendering in written form languages that were often oral.

I think that this contribution too often goes unrecognized; for example, the statistics you give on the dictionaries and books that have been prepared and produced are impressive.

Here I must tell you that in our contacts with the Aboriginal communities, despite, obviously, the whole debate there has been on the residential schools policy, this work that has been done by the religious communities, especially the Oblates, is recognized and appreciated. I think that we can testify to this from the Aboriginal side, because we have

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heard it a great deal. So the impact is not all in one direction.

We have heard points of view, an expression of recognition, I think, of very clear appreciation of the role that has been played by the religious communities, and the missionaries in particular, in the area of the Aboriginal languages of Canada.

Perhaps a final question before yielding the floor to my colleague. On page 15 of the brief you refer to a model which ... where essentially you say that the Government of Canada should be encouraged to adopt a joint resource management approach.

To quote from your brief:

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[ENGLISH]

Can you elaborate on this? [ENGLISH]

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[ENGLISH]

REVEREND MARC LORTIE: One element which is also taking the form of an elevation of the grass roots is that there is a great distinction which you must have encountered between the reserves near the cities, such as here in Montreal--in Quebec City, one thinks of the Huron Village--and the more remote reserves. For example, there is Mingan, whose presentation you just heard, where the territory has been expanded, and where there have been joint salmon management agreements on the Mingan islands.

I think that our

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statement pertains mainly to situations like that; consider a reserve such as Matioténesh (PH), in Schefferville, where the reserve is confined even though there is land, and the Aboriginal people are frustrated because, from the centre of the city, I think, you can see the Newfoundland border about a kilometre away. If a caribou has the misfortune to be on the other side and is killed there, they are obliged to go out at night so as not to be arrested. There should be agreements for larger territories.

So I think this is intended more for remote Aboriginal communities, not those that are near the urban centres. It is a complex issue.

CO-CHAIR RENÉ DUSSAULT: Thank you.

Mary.

COMMISSIONER MARY SILLETT: [ENGLISH:
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REVEREND MARC LORTIE: I would like to add something on this very complex problem.

You have to remember that we are going fifty years back. There were some very strong statements by the Canadian government

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on the desire to assimilate the Aboriginal peoples. It was almost taken for granted then that if the Aboriginal people wanted to survive, they would have to assimilate.

This was clearly affirmed in those terms by our political leaders of the time.

In the midst of all this, we may not have seen too clearly, we missionaries, with the residential schools situation--in any case, not as clearly. Certainly with the present resurgence of Aboriginal identity we are saying no: those experiences cannot be repeated.

COMMISSIONER MARY SILLETT:

[ENGLISH]

CO-CHAIR RENÉ DUSSAULT: I think that the discussion provoked by your brief demonstrates the importance of your having presented it. As is often said,

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there is nothing like writing down what you think to get a clearer idea of what you think. This is a first step which we enormously appreciate.

In closing, I would like to say that we are attempting, with and at the request of a number of religious denominations, to set up what might be called a summit of Churches this fall--you may have heard of this--which would assemble for two or three days, under the auspices of the Commission, with the Aboriginal peoples, in keeping somewhat with the 1993 UN International Year, to see if it is possible to arrive at an ecumenical declaration on the Aboriginal reality in Canada that transcends denominational boundaries.

I mention this because you will surely be contacted about it. For us this is a project, I think, which to some degree addresses the concerns that you have manifested since 1991 and earlier.

I think that what is essential in this matter is that we be able to take

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stock of the past, and afterward look to the future in a positive manner, to try to see how all the elements of our society can move ahead in a concrete fashion and ensure that the future is in many respects better than the past has been--for various reasons, particularly on account of the policy that was applied within the framework of the residential schools.

I wanted to mention this because I think this is an important initiative which may be rich in promise, in terms of results which might cross some lines, as when you talk of spirituality and the juncture between Aboriginal spirituality in the broad sense and the spirituality of the various religious denominations. I think that there is work to be done in this regard.

Once again, [ENGLISH]

Thank you.

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[ENGLISH]

CO-CHAIR RENÉ DUSSAULT: We will adjourn the hearings of the Commission, to resume tomorrow morning at 8:30 with an agenda which I believe is available for those in the room, if you wish to obtain a copy of tomorrow's agenda from the Commission staff.

Thank you.

--- Hearing adjourned at 5:37 pm, to resume at 8:30 am, Wednesday, May 26, 1993.