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TO THE SOURCE

Commissioners'  
Report

Assembly of First Nations





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## OFFICE OF THE NATIONAL CHIEF

OTTAWA OFFICE:

55 MURRAY STREET  
5th FLOOR  
OTTAWA, ONTARIO  
K1 N 5M3  
TEL.: (613) 236-0673  
FAX: (613) 238-5780

ASSEMBLY OF FIRST NATIONS/  
NATIONAL INDIAN BROTHERHOOD

April 13, 1992

FELLOW CHIEFS AND ALL OUR PEOPLE :

It **is with** pleasure and pride that I submit to you the words and wisdom of our **people** in this **report** of the First Nations Circle on the Constitute-on (FNCC) , **entitled "To The Source"**.

Our National Commissioners have in fact gone to the source, back to the people and to the cultural values.

The Commissioners have recorded faithfully the will and thinking of our people from ages 9 to 90, from the smallest reserve to the largest city.

It was not possible to go to every First Nations community in the country but the 80 hearings and 4 constituent assemblies are a good representation of our collective thoughts.

The Commissioners were told to remind us to uphold our values and the diverse customs, culture and languages. They heard stirring testimony about the importance of treaties and maintaining a nation to nation relationship.

This report is more than a reference document. It is a message and a mandate to us that must be strongly emphasized in shaping the position we will uphold in the constitutional discussion.

It is a good report - it is the voice of our people.

In Unity,

ASSEMBLY OF FIRST NATIONS

Ovide Mercredi  
National Chief

## To the Chiefs in Assembly:

In August 1991 the Assembly of First Nations authorized the formation of the First Nations Circle on the Constitution. This commission was directed to go **to the source** — the First Nations people of this country, from whom our leaders get their strength and power. The commissioners were told to hear and collect the people's views on constitutional reform. What did they want from a new Canadian constitution? What place do they see for First Nations in Canada? What were their feelings about self-government? What other issues concerned them? Should the AFN's constitutional position be changed, or did it reflect the will of the people? This process paralleled the constitutional hearings held by the Canadian government.

Originally, 60 meetings were scheduled; in fact, the commissioners held 80 hearings from coast to coast during the fall and winter (October 1991 to March 1992). To do so within the time limitations, we split up into two teams, one covering the East and one based in the West. The process was exhilarating, draining, frantic, fulfilling, frustrating, spiritually enriching, and altogether the most tremendous experience any of us has undergone. We survived — but only by drawing strength from the people. If the constant traveling was exhausting, meeting and hearing from our people charged up our batteries. For the most part, we were made very welcome by the communities we visited.

We also convened four constituent assemblies, to hear the voices of four groups who aren't always given a proper hearing: the Elders, the youth, the women, and the off-reserve Aboriginal people. We want to thank the people who attended these assemblies and the community meetings. We wish to commend all of our witnesses for their courage in coming forth and to assure them that we listened very carefully. Our report is, we hope, as clear and direct as your testimony was.

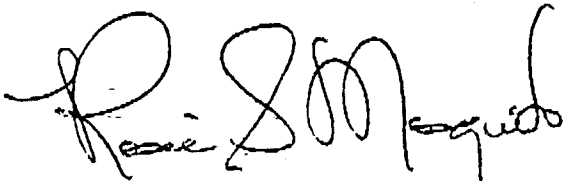
In addition, to help educate the Canadian government on Aboriginal history and aspirations, the AFN instructed the FNCC to hold a one-day orientation session for the Dobbie-Beaudoin Commission, televised across Canada so that the public could also learn our views.

We know that the chiefs have been waiting anxiously, since constitutional reform has been moving rapidly. But we had to wait for our Elders' Assembly (March 13-14), because without their advice, our report would have been incomplete. We needed time to assess what we had heard and to be sure that our report accurately reflected the testimony brought before us.

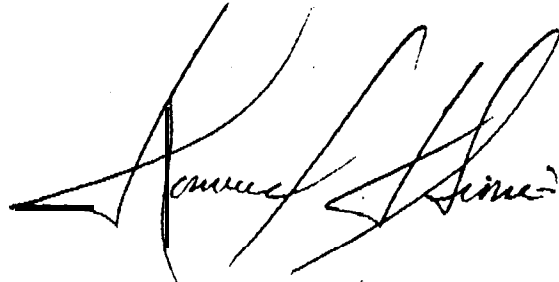
Our people told us to tell the leaders: go to the source — the Creator, the peoples, our land, our values, our traditions, our customs, our language, our treaties, the Earth herself. From these, we will draw our strength and renewal. This is the message of the report that follows.

On behalf of all the commissioners, we thank you for giving us this opportunity to provide this public service to the leadership of the Assembly of First Nations. We sincerely hope that we have done justice and honour to the people we heard in relaying this message to the leaders.

**The co-chairpersons,**



**Rosie Mosquito**



**Konrad Sioui**



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## Executive Summary

The First Nations Circle on the Constitution was a major undertaking by the Assembly of First Nations. In fact, it was historic. Some First Nations saw this process as the fulfillment of prophecy. Great expectations for definite positive change exist among the people. They spoke, loud and clear, from coast to coast, on the need for change. They are crying out for renewal — for the power to reinstitute and reimplement their self-government, for the casting off of the yoke of oppression, colonization, and assimilation.

The extent and impact of colonization on our peoples cannot be underestimated. Even some who presume to be “traditional people” have consciously or unconsciously adopted the oppressor’s values of individualization, materialism, sexism, authoritarianism — “isms” that have had destructive effects on the social and governing fabrics of First Nations communities. The Elders spoke of the importance of practicing and maintaining our languages and cultures. We must examine ourselves and know who we are. We must help ourselves break out of the dependency we’ve been coerced into accepting.

While all the people spoke of the need for change, many also said, almost in the same breath, that they are not ready for it. They are afraid, and their fears need to be addressed. First Nations across Canada resoundingly stated that they are and always have been Nations, based on treaties and Aboriginal title and rights. But in practice, what will this mean? We must, for a beginning, define what nationhood means for us. Our people must also go through healing processes, men and women alike, if we are to regain the balance and harmony of our circle. We lack human and economic resources — essential to living, breathing governing systems which are of the people and for the people. Education, therefore, should be paramount in the continuing development of our people. We must educate non-Natives, to help them to understand and support us.

We must also establish trust and communication between our leaders and the people. The Elders said: listen to your grassroots. The youth said: walk your talk. Leaders must assure the people that the grassroots will be involved in rebuilding and reimplementing self-government. The grassroots feel that their leaders have left them behind. The leaders must also be consistent: if they talk about self-government, they should act according to their own traditions and values, not the Indian Act. Again, education and communication are essential.

What we need is the simultaneous development of the peoples confidence and the economic, social, and political development of First Nations communities.

The people have said that two fundamental changes are required. First, AFN must take the position that the Canadian constitution should be rewritten to

reflect First Nations principles and values of respect, caring, sharing, and strength. Second, we need structural changes to First Nations communities to ensure that the rebuilding happens at the grassroots level, and we need reimplementation of self-government for our people.

This will be the test of today's leadership

After much discussion, the report of the commission is now ready and will be presented at the chiefs' meeting on April 21st. We will be examining the history of First Nations before and after Europeans arrived in North America; the current problems we face; the role of our languages, culture, and spirituality in healing, together with the relationship of self-government to these topics; the nature of self-government; the constitutional process; Quebec independence and the distinct society issue; our relationship with the federal and provincial governments; land and the environment; and treaty and aboriginal rights. Sections on the individual assemblies will highlight particular themes: sexism and family violence, the Charter of Rights and Freedoms, problems with existing First Nations governments; the plight of off-reserve Aboriginal people; and youth's desire for education. We will also hear from, and speak to, white society.

We hope that the report will be lively and interesting. As our people spoke simply and plainly to us, we have tried to speak simply and plainly to them, to our leadership, and to the government.







**Commissioners:** (left to right) *Standing* Frank T'Seleie, Rosie Mosquito (Co-Chair), Konrad Sioui (Co-Chair), Sam Bull, Sharon McIvor. *Seated:* Frank Calder, Loretta Koscis, Steve Augustine.



**Staff:** (left to right) *Back* Sheila Ransom, Moses Okimaw, Leroy Littlebear, Junior Campeau, Wendy Christian, *Front:* Becky Printup, Mary Ellen Turpel, Myrtle Bush, Tatawnyha Nicholas.

## Acknowledgements

The Assembly of First Nations wishes to thank all those who participated in the First Nations Circle on the Constitution.

First and foremost, we wish to recognize the dedication, patience, persistence, and sheer stamina of our commissioners, Sam Bull, Sharon McIvor, Rosie Mosquito, Steven Augustine, Frank T'Seleie, Frank Calder, Konrad Sioui, and Loretta Kocsis. They deserve our deepest gratitude and admiration.

Second, we thank those who participated in the process. Myrtle Bush coordinated the commission with her usual energy and commitment; Sheila Ransom assisted ably. Patricia Montour-Okanee had the task of organizing the four constituent assemblies. Becky Printup and her assistant, Tatawnyha - Nicholas, who handled the ever-chaotic travel changes with the best of grace. Wendy Christian, our secretary, kept the paperwork flying. Sandy Campeau and Dallas Morrison, our men-of-all-work, did whatever was needed whenever it needed to be done.

We had able specialist help as well. Special thanks to the following:

- InfoLink Consultants, especially Mitchell Beer and Susan O'Donnell, for their reporting
- Carmen Maracle, for "artwork, design, and video preparation, and Linda Sanborn for her work on our poster
- Karen Isaac and Bob Millings, for public relations
- Our legal team, Leroy Littlebear, Mary Ellen Turpel, and Moses Okimaw for the discussion paper and for their analysis of the federal proposals. Sharon Venn earns our gratitude for her work on the treaty section.
- To those who prepared the report: our writer Molly Wolf, who pulled it all together, and Oksana Shewchenko, who did page layout and design.

Above all, we thank all our people who came forward to give testimony. This report is yours.

## Preface

Commissions are formed for a variety of purposes. When established, these bodies are given specific mandates based on terms of reference. Some adhere strictly to the terms of reference; others use them as mere guidelines. The commissioners of the First Nations Circle on the Constitution chose to interpret our terms of reference in a way that would reflect the voices of First Nations citizens across the country, in accordance with National Chief Ovide Mercredi's explanation of the purpose of the commission:

*We committed ourselves to a process whereby we could hear the voices of individual First Nations citizens; Chiefs, off-reserve members of our communities, women, elders, our youth, and non-aboriginal people who are concerned about justice for the First Nations in Canada. Only after such consultations do we believe a constitutional position can be advanced to the Canadian public and government.*

— Quoted in *First Nations Circle on the Constitution Discussion Paper*, p. 2

As a result, the report contains a large sampling of direct quotes from First Nations citizens and a few from non-aboriginal people. Our implicit analysis runs throughout. We refrained from engaging in an in-depth analysis for a number of reasons. Our time and resources were, of course, limited, but we had far better reasons for not producing an Aboriginal Dobbie-Beaudoin report. First, we had promised our people at the meetings that we would listen and transmit; analysis — even the best analysis — “bends” the evidence to make a point. That would have been a violation of our word to our people. Second, who can speak better to the leaders than the people themselves? It is an Aboriginal tradition that leaders listen directly to the grassroots. And finally, we found that our people's voices were so clear that interpretation would have been redundant. We are confident that this report will provide a basis upon which a constitutional position can be established by the AFN.

Finally, perhaps this report and the evidence collected in the hearings and through written submissions can form the basis for a more comprehensive document, which could be used for educational purposes or for distribution to the Canadian public at large. We believe that many of the problems our people face — racism, the imposition of culturally inappropriate “solutions” to First Nations problems, many of our difficulties with the other peoples of Canada — stem from sheer lack of information about First Nations. Perhaps this report may help to bridge the gap.

# Return to the Circle: Past, Present and Future

## Voice in the Wilderness: The Parallel Process

*Yes, the work you are doing is very **important**; it will play a major role in the future of our people. But there is one component that always seems to be overlooked, one **that** can never be written in any documentation. When the Creator created all men equal, all human, he did not **refer** to the physical form. He referred to the oneness, the being, the kindness, the sacred, the love from the heart, the accepting of one's beliefs and one's wholeness. Have the Europeans done that over the years? If they can take one step back, they **can** understand the **other** side, our side. We must live in the white man's world. We can never go back and live "the way our ancestors lived. But the values and **beliefs** — we can hang on to them. Believe in that; practice that.*

- Wallace Fox, Onion Lake

They came in all sorts of weather, to community centres and schools across the country: proud people, mostly poor. Usually they were soft-spoken and deeply courteous; there was sadness in their voices, sometimes passion, rarely anger. We sat and listened and asked questions.

What did they tell us, these First Nations of Canada?

That they are the First Nations, the founding people, because their ancestors were living here on Turtle Island, with their own laws and institutions, before the Celts swarmed over Britain and the Gauls invaded what is now France. They had municipal government, international agreements, sophisticated community structures, and an established justice system when Champlain's men were toughing it out the St. Croix River.

*Before the arrival of Europeans, we had full Aboriginal rights. We had rights to lands and the sea, and these provided us with our homes, wealth, and identity. We had rights to use lands and resources and the plants for our medicines. We had ownership **collectively**, as nations, and individually in **traplines** and hunting grounds. We had rights to use the land for hunting, fishing, and gathering. Each valley, river, and mountaintop was part of the heritage and responsibility of a family or clan, We had rights to live as we always had, to our culture, language,*

*customs, values, and the traditions we hold dear — our spirituality and religion, the right to control education and to have our own child-rearing practices, the right to make our own decisions in laws required for our survival — in other words, we had self-government.*

— Rosalyn Ing, Vancouver hearing

They remember what their Elders told them — sometimes they remember for themselves — that the life they led before the Europeans arrived was orderly, satisfying, serene; that the people were healthy in body and mind; that they were in harmony within themselves, between themselves, and with nature itself.

*Our spirituality teaches us how to remain in balance with the land and all living things in it and the spiritual life of it. All of our practices and customs of being on the land and our relations to each other in our communities are connected to this spiritual reality. When an Anishinaabe government maintains faithfulness to our spiritual traditions, it is keeping a sustainable way of life in balance for generations yet to come. If we remain faithful to our spiritual traditions, we will demonstrate the value of the teachings and the knowledge of our way of life for non-Aboriginal people, so that they too can restore their balance with the land and with the Creator.*

— Chief Robin Greene, Grand Council Treaty #3, Kenora

They had institutions for governing their day-to-day lives — covenants such as the Peacemaker's Constitution for the Confederacy of the Mohawk People, which set out with great, fully formalized precision both the procedures and the philosophy of government. They had family, clan, and tribal systems that were in fact far more orderly — and more successful at justice and peacekeeping — than those of the incoming French, English, and Dutch. Some of those Native Americans who practiced agriculture did so with a sophistication that modern scientists are only beginning to understand. Those who relied on hunting knew exactly how to balance their taking of game with the population of the forests, how to respect the animals they hunted. Those who gathered knew precisely what to take from the plant world and what to do with it. Their medicine was, in fact, often considerably ahead of the Europeans' at the time of contact, relying on herbal extracts (some still very much in use in Western medicine today) instead of on such barbarous practices as bleeding.

In short, a people in balance with themselves, each other, nature, and the Creator. This is what our people have heard from those who went before them.

They remember that their ancestors looked after the helpless immigrants, showing them what to eat, curing their scurvy, teaching them how to survive.

*The first settlers in the New World were given, as a welcome, a piece of land that they could tie their children and crops upon. It was in the spirit of sharing. One of the first treaties that was recorded in the United States history was a speech in which an illustration was made: "the great ship that you have come in will be anchored to the shore, and the great rope will come from that ship and we will tie it around a great mountain, so that it will be firmly fastened. And we will put **this** rope under our feet, so that if any time the ship is **disturbed**, then we will come to your aid." That was the first **understanding** that was made.*

— Elder Ernie Benedict, Akw-akne

They remember that their ancestors agreed to share the land they occupied with the newcomers, with whom they negotiated agreements as one nation with another, and that the two peoples, Native and European, agreed to coexist as independent equals, going their separate ways and showing respect for and cooperation with each other.

But their ancestors never gave the land up — that **was** impossible, for to our people land, like air or water, cannot be bought or sold. They signed treaties with the incomers in a spirit of trust and honour, taking their responsibilities very seriously and expecting the Europeans to respect their own words. And what did the Europeans give in return? Small sums of money — tiny sums compared to the value of the land and its resources. Promises that haven't been kept. Patches of land too small to support traditional hunting, so isolated that almost no one has a job. "Education," which meant beating their language and religion out of whole generations of small children, or shipping them off to white schools full of racism, often miles from home and family. "Social services" that snatched thousands of children from their homes, but that can never be stretched far enough to help those who need it. Housing — often substandard houses, and nowhere near enough of them.

They also offered white culture and values, which our people did not want. The struggle for cultural supremacy started as soon as the Europeans landed. Since then, the federal and provincial governments, churches, social agencies — virtually every authority and institution in Canada — has done everything in its power to turn Aboriginal peoples into Eurocanadians. These institutions have used force, bribery, co-option, coercion, conversion, persuasion, persecution, trickery, neglect, forcible adoption, and sheer indifference. They have employed the courts, the schools, social services, the prisons, the churches, the police, even the army, and legions of federal and provincial bureaucrats. They have taken our land, our rights, and our children. They had, as natural allies, smallpox, measles, diphtheria, and influenza, which killed and demoralized our foreparents, and our vulnerability to alcohol, which is still killing and demoralizing our people.

They have left an ungodly mess, one that our people spoke about in pain and anger: the poorest, most traumatized, and most troubled single population in Canada, with rates of unemployment, welfare dependence, substance abuse, family violence, imprisonment, and suicide far beyond the levels in any other group. Too many of our people have drowned in self-hatred, or have victimized others because they were victims themselves.

But they didn't break us. We survived.

Our people, in talking to us, reflected on this history — where we were then, where we are now. If this is progress, the people said, maybe we're better off on our own, looking after ourselves. White values, white institutions half-killed us and are killing us now. We were a proud and independent people; we have been reduced, through Eurocanadian intervention, to poverty and massive social, familial, and personal distress. But our spirit is unbroken.

*We are people who don't easily give in. We've always managed to adapt to our situation. We've always tried to coexist with our neighbors, which hasn't been easy. When we've taken the peaceful approach, the conciliatory approach, it's been taken as a sign of weakness. That has led us to where we are this day. We can criticize our ancestors for what we may interpret as weakness; in reality, it was a method of survival. Kahnawake is still there. Confused at times, disorganized at times, but still intact.*

— Joe Norton, Grand Chief, Mohawk Nation, Kahnawake

*First Nations people are survivors. The attempt to destroy our traditions and culture have failed. The time has come for us to seize the initiative and ensure that never again will our people have to endure what we suffered in the past. As we once again live our lives by our traditional values, our social problems will begin to diminish.*

— Chief Wendy Grant, Women's Assembly

The time has come, they said, to set things right — for justice, for inclusion, for respect, for the acknowledgement of their rights. The circle has turned; the circle must be made complete.

*We have to return to fundamental spiritual values. We have to look at who we are. We have to start to heal from the dispossession inflicted on us by the Federal government. It is time to seek a vision for the future, for the generations of people who are coming, for our children and grandchildren and great-grandchildren, I have a five-year-old son who's not ashamed to say he's a Micmac, to feel pride in who he is.*

— Patti Doyle, Women's Assembly

## Remember Them: First Nations Social and Economic Problems

*I'd like to remind everyone of the little **one** who woke up hungry this morning, of the sisters who are on the street, of the **brothers** and sisters inside prisons. I recommend that a support system be implemented for **Aboriginal prisoners**; that **the healing process** be extended to **aboriginal prisoners**; that our **leaders** fight to preserve treaty rights within the prison system; that this **commission** acknowledge the brothers and sisters inside, **and** that **they** be given the support that they need to **change inside** and succeed in their chosen endeavors.*

— Don Morin, Urban Assembly

The pain and misery in which many First Nations individuals find themselves may not be of much interest to the Federal and provincial governments. But it **does matter** to us. Our people spoke of their poverty, their community problems, violence in families, substance abuse and its consequences. We would be dishonoring them if we did not include this material in our report. We cannot **not** tell these stories.

*In 1988, there was a fire [in my substandard home], and two of my children were caught. The house went down in about **fifteen** minutes. We **got** the boy out. **My** daughter was seven years old.*

— Richard Green, Urban Assembly

Listening to the presenters, we sometimes found it difficult to decide which group faces the worse problems: people on reserve, with high unemployment, substandard housing and services, and hopelessness for the young —

*Probably the most serious concern that we have in our community is the lack of a safe and healthy environment where we can be educated. The school is overcrowded and the water isn't safe to drink. Because of the substandard housing, **lack** of water and plumbing, lack of food, and lack of recreation, we are forced to turn to things that are unhealthy for us, to drugs and alcohol, to forget the social conditions that we have to grow up in.*

— Sarah and Lisa Harper, students, Red Sucker Lake First Nation

—or people in the cities, suffering from isolation and racism, poverty, and ways that are foreign to them.

*Over the years, I have seen a great deal of pain in the eyes of my brothers and sisters in the streets of Toronto. **There** are 10,000 homeless **Native people**, and the ages are getting younger and younger as the years go by. I've listened to story **after** story from the homeless, as they huddle around heating vents on the sidewalk.*



Many *each year* don't make it through to spring. I *plead* with you to remember these people in your submission.

— Bob Crawford, Native Liaison Officer,  
Toronto Police; President, Anishnaabe Health, Toronto

We remember them.

We heard how, in cities and on reserves, too many individuals lose their feet and sink into alcohol, drugs, violence, and crime.

*Don't forget the people in the alcohol and drug treatment centre I run. Don't forget the women in urban centres. Remember their strength. Don't forget our gay brothers and sisters. I don't want my sisters in jail forgotten; over the last year, six of them have committed suicide. While many of our children have come back from the States, there are still thousands out there who don't know where their home is.*

— Ivy Chaski, Urban Assembly

We heard of the psychological consequences of cultural dispossession:

*For the past three years, I've struggled for some kind of idea of who I am, and where I fit into society. It is very hard to exist when you come from two walks of life. Being raised in a predominantly non-aboriginal society, I learned a lot of their traditions and values, but along with that I've lost the essence of my heritage, my grassroots, so to speak. My mother will not teach me our language, because she is so hurt by all the suppression of the government, and other forces I don't understand yet. How can I help her to heal herself?*

— Michael Bird, Youth Assembly

We heard how substance abuse and its consequences go on ruining lives in cities and on reserves:

*I was three years old when my mother died. She died from alcohol. We were put into these foster homes and we prayed a lot, because we got put into a place with people we didn't know. The things they did — it hurt us. I grew up in an alcoholic home, My Dad tried to make a living but there wasn't enough jobs. People didn't like my Dad because he was an Indian, and because he was on welfare. He had his education but there wasn't enough jobs, My auntie had to take us out of the environment that we were in. When we'd come home after school, my Dad would be in the room crying and saying that he was sorry that he couldn't give us a better place to live in, and better food and that.*

— Eve Ironstar, Youth Assembly

The residential schools may be closed, but the aftershocks linger on, they said:

*Because of the treatment in the residential schools, I didn't understand how to raise my children. I didn't know how to love my children, how to hold my children. It's an awful feeling when you let children grow up in your midst and you cannot hold them in your arms, with the warm tender love that you are capable of. I lacked all that information, all those skills.*

— Chief Macwot, Elders' Assembly

*Many of our people are dropouts, victims of past systems of education that did not understand them, did not provide equal opportunities, and discouraged the building of self-esteem. These people represent a frustrated and often angry group who fill the welfare rolls; they also represent a dangerous breeding ground for discontent and activities that can lead to jail.*

— Chief Bernie Meenen, Tail Cree Band, High Level, Alberta

They said: an appallingly high proportion of federal prisoners are First Nations people. The Canadian justice system does not serve us well; look at Helen Betty Osborne, at Donald Marshall, at J.J. Harper. Canadian justice does not help our people. It only destroys lives.

*I have, during my past employment in policing, for fifteen years dealt with my people face to face, without a gun, and encountered and recognized the day-to-day hardships and struggles of my people. I've seen this also in my other employment within the walls of the penitentiaries, and also in working with the Elders and youth. I have seen the trying times of my people and the other First Nations. It is the God-given language that we base our way of life upon and use to understand our distinct processes. The English language changes our way of life.*

— Clarence Wolflegs, Siksika Nation, Morley hearing

*Who is the justice system for? We are the poorest people in this country. We have been used by both the federal and provincial governments. It is the non-Native people who look after us when they throw our people in jail.*

— Alvin Campeau, Winter Standing Band, Urban Assembly

We heard, also, of an ominous new danger, centred now in the cities but potentially devastating for First Nations people everywhere:

*I work with an AIDS prevention program, and I see a lot of First Nations people coming through my doors who are on intravenous drugs. I want AFN to recognize that there's a need for programs for our people, to stop the spread of HIV.*

— representative, Boyle Street Co-op Community Service, Edmonton, at Urban Assembly

The stories could go on and on. At every meeting across the country, without exception, people told us of their despair, their problems, their hopelessness.

*Without a healthy, educated, well-balanced **population**, the future for First Nations looks bleak. I know **that** all here **are** familiar with the high levels of suicide, mental-health problems, and substance abuse **faced** by our people. As well, the level of physical health is consistently poorer than other people in Canada. The constitutional **foundations** by which First Nations will be able address the health and social-sector **issues** must be considered if we are to hold true to the principle that, in our **decisions**, we must consider the impact on seven generations.*

— Richard Jock, First Nations Health Commission

We heard of the need for funding to lift our people out of poverty and despair:

*I find it totally unconscionable that in 1992 my people still live in hovels, at the mercy of that most gut-wrenching and **soul-destroying program** of all, the welfare state. I live in a country which prides itself on its human rights record. Canada is rich in natural, technological, and industrial resources, beyond what we can imagine, and yet we are beggars on its doorstep.*

— Chief Normal Linklater, Nelson House First Nation

But at the same time, they told us of a new determination — a sort of grim optimism. We almost let the system destroy us, they said, But we survived. And we think we know where the answer may be.

## **The Healing Process: Language, Culture and Spirituality**

*When I speak Cree, I know it's the language of survivors.*

— Brenda Small, Women's Assembly

*The well-being of our people is **dependent** on our right to govern our nation.*

— Shirley Adamson, Ta'an Kwach'an First Nation, Yukon

What we heard from the Elders was that in the past, our physical and mental health as individuals and communities depended on our cultural and spiritual well-being.

It is in the European tradition to put language, culture, and spirituality in different pigeonholes instead of seeing the three as aspects of a single unity. The same tradition also differentiates people from the land and its other inhabitants. as

—though Man and Nature were separated from each other; it sees Mother Earth and her creatures as things to be used, lacking a soul, not fully alive. This is contrary to Native tradition, in which all of these things — language, culture, spirituality, land, people, animals, plants, even the rocks themselves — form part of a seamless whole. It is this whole that our people drew, and draw, on, for their own health in body and mind. The fracture of the whole is what reduced many of our people to the state they are in today.

*I remember hearing an Elder who said: we've not lost our language, we've not lost our culture, we've not lost our identity as aboriginal people; we have fallen asleep and now we are waking up.*

— J'net August-Martin, Youth Assembly

It was the loss of that culture, the Elders say, the loss of the traditional ways of interacting with each other and the Earth our Mother that reduced us from being proud, independent, self-sufficient people to the state we are in today.

*[The residential school] is where I was taught hate. I was taught disrespect. I was taught to be ashamed of who I was, to be ashamed of my own mother and father, of the grandparents who raised me with love and respect — to be ashamed because they were "Indian", to be ashamed of the way they prayed because I was told they were praying to the devil. These things confused me later on, when I came out of the boarding school. Our traditions are sacred to us. Our languages are the basis of our identity as Native people. How far down the line have we gone, that there won't be any more Native people or culture, just the white man's tongue and the white man's culture? That's not for us. If you haven't got a culture, if you haven't got a language, you can't say "I am."*

— Pauline Pelley, Elder's Assembly

Too many of the young people can no longer say "I am":

*We continue to lose our culture and our languages. Once we lose the soul of our culture, we become like shadows of what our ancestors were.*

— Howard Hamilton, Miskoosepi School,  
BloodVein First Nation, Manitoba

How can one of our people keep in spiritual balance when he or she has no knowledge of the language, the culture, the traditions? That's like being a Christian who has never heard of Christ. Our values and traditions are carried by our Elders and are bound up in the languages of our ancestors. The Elders are dying; many of the languages are dead or dying.

*As we see, the threat of the winter of our languages is upon us. Therefore we must plan and we must be prepared if our languages are to survive. Our Elders are of*

*immense value to us. They are the repository of our culture, of our way of life, of our languages. No one has the knowledge they possess.*

— Chief Edward John, quoted in submission of  
Yinka Dane Language Institute, Fort St. James hearing

*Regardless of how self-government is to be understood or how it is to operate, the protection of our languages must be one of the priorities. We don't have ten years to do it. By then, a number of [languages] will have become extinct. Every time an Elder leaves this world, he takes with him not only how he speaks but also the wisdom he has spoken.*

— Pauline Decontie, Kitigan Zibi Anishnabeg

The residential schools literally pounded Aboriginal languages, values, and traditions out of several generations of helpless children, who came out of the system too traumatized to pass their inheritance on to their own children. More than more witness told this story; we choose one, almost at random:

*My mum went to the residential school and they weren't allowed to speak in their tongue, and they weren't allowed to celebrate their potlatches, and do their traditional things. So when they came home, they never talked to us in their native tongue. I myself hardly know any of my native tongue.*

— Lisa Samm, Youth Assembly

Whole communities are losing their languages, and school instruction is not always enough to turn the tide.

*Some of my own people, the people I talk to, can't even say "yes" in their own language. Not even a handful of the people where I come from know their culture and their language. I'm really concerned about this. We are losing our culture and our tradition. In Alert Bay, [the children are taught] an hour of language or an hour of dance a day. [In Fort Simpson] they get 15 minutes a day. The parents aren't using their language.*

— Henry Kelly, Prince Rupert

The loss of land, language, culture, spirituality led to the loss of identity, to self-hatred, low self-esteem, abuse . . . Our people made the connection very clear. To restore harmony and balance, to mend the Circle and allow our people to regain their well-being, they told us, we need to reestablish our link with the Creator and with the land, and rebuild our sense of connectedness with each other. This means that we must regain the values that our ancestors held. White values have brought us very low.

*We've still got unresolved business. We've got to look at each other. We've got to heal our nations; as First Nations people, we've got a lot of healing to do. We've been hurt for so many years, and that healing has got to take place.*

— Jimmy Dick, Sr., Women's Assembly

Our people feel that only by regaining their spiritual balance can they break the cycle of poverty, abuse, and despair.

*Our power has always been spiritual. That hasn't changed through the strokes of government pens. That is to where we must return; that is where our inherent right is.*

— Al Hunter, Rainy River First Nation

*Our spirituality teaches us how to remain in **balance** with the land and all living things in it. All of our **practices** and customs of being on **the land** and our relations to each other in our communities are **connected** to this spiritual reality. When an **Anishinaabe** government maintains **faithfulness** to our spiritual traditions, it is keeping a sustainable way of life in balance for **generations** yet to come. If we remain faithful to our spiritual traditions, we will **demonstrate** the value of the **teachings** and the knowledge of our way of life for non-Aboriginal people, so that they too can restore their **balance** with the land and with the Creator.*

— Chief Robin Greene, Grand Council Treaty #3, Kenora

But to do this, we must be able to apply traditional, culturally appropriate methods in order to heal individuals, families, and communities —

*First Nations families can only be **supported** if services are established in ways that are sensitive to, their needs.*

— Sandra Hill and Kim Coyle, Curve Lake First Nation

— **whether or not these methods are in keeping with federal or provincial laws and policies.**

*We must begin to document the unwritten ways of practice of our people. We need a culturally **appropriate** definition of abuse, and we need to define culturally acceptable methods of **discipline**. We also need to **examine** the concept of tribunal and family courts. It is becoming painfully obvious that the imposition of **child abuse guidelines** and the Young Offenders Act does nothing to help our people, but only further integrates them into a system **based** solely on non-Native methods of treatment and prevention.*

— June Gamble, Intertribal Child and Family Services, Winnipeg

We must conserve, preserve, and transmit our languages.

*We Cree people are in a position to hold on to our language. We speak the language, in our schools, at work, in meetings. If we maintain our language **and** use it, this is a form of **self-government**.*

— Daisy Herodier, Chisasibi

Take for example the issue of justice. We have seen how poorly Aboriginal people are served by the white justice system. We have our own traditional definition of justice:

*The purpose of justice in an Aboriginal society is to restore peace and equilibrium to the parties and to the community, and to reconcile the accused with his or her own conscience and with the individual or family who has been wronged.*

— Report of the Manitoba Aboriginal Justice Inquiry

The Criminal Code of Canada, which is punitive, fails our people; it does not reflect our tradition. The result is that the jails are full of Aboriginal people, whose lives are often destroyed. If we are to apply our standard of justice to our own people, bringing the offender back into harmony with him- or herself and the community, we must have control over our own justice system.

*I believe that Aboriginal rehabilitation must focus on our' reentry not into mainstream society, but into our respective First Nations community. This concept makes sense; if an Aboriginal offender is returned to his or her First Nations community as a productive member of that community, the whole of society would benefit.*

— Brian Thomas, Peguis, N. B., at Stoney Mountain Penitentiary

We must have recognition and support of our jurisdiction and the means to implement it.

*Our Aboriginal governments, as well as non-Native governments, have to recognize our languages and cultural traditions, not only through lip service but by actively supporting our aspirations and initiatives. We cannot totally assimilate ourselves into the dominant society. We can participate successfully in the dominant society and at the same time retain our language and traditional Aboriginal values.*

— Verna Perrault, Kenora

If we are to bring up our children to be proud of who they are, we must have control over education.

*For years we have been trying to pick up where we were stopped, and to learn and continue the Mohawk Way. Mohawks are starting to go back to the Longhouse and to learn what their parents knew, and their parents' parents: the language. The Mohawk language is important to us, because if we lose what we were given many years ago, then we won't be true Mohawks.*

— Arnold Jock (13), Akweaene

People with pride in themselves do not destroy themselves or abuse others. We had that pride, that control over our own destiny. We must restore that pride in the hearts of all our people.

*We have our clan system, our potlatches, our traditional leadership structures, and our customs and laws for regulating our activities. These form our way of governing ourselves and of protecting the land and future generations.*

— Carrier-Sekani Tribal Council

But to accomplish this mission, we will need to be free of the control of the dominant society. We heard of the need not only for funding but for control over funding for education, for culturally appropriate family services, for language preservation, for Native justice system. This control has a name.

It is called self-government.

### Consent of the People: Inherent Rights

*Our concern is not just constitutional change or new legislation; our goal is to deal on a government-to-government basis. In Whitefish Lake, we are sovereign and have always been sovereign people. We have never given up this right; nor has it been extinguished. We must choose our own form of government, one that will meet the needs of our people and reflect our traditions. As signatories to the Robinson-Huron Treaty, we negotiated on a government-to-government basis. The Indian Act took away this, and went against the spirit of our treaty. [It made us] wards of the state. Our rights are granted to us by the Creator and cannot be delegated. Clearly defined, our status and power as a First Nations government includes control of our own people, control of our own lands and resources, a full recognition by the governments of Ontario and Canada of our capacity and legal authority. This leads to our own social, economic, and political evolution for the development of the future.*

— Valerie Benson, Whitefish Lake

This is what we heard from the people:

The Canadian government may try to sidestep the question of nationhood for the First Peoples, but in the 17th and 18th centuries, its predecessors had no such doubts. Treaties weren't made between victor and defeated or between superior and inferior; they were made between equals, on the basis of mutual respect. Both sides initially seemed to have shared the same view: that the two cultures would coexist peacefully, each going its own way and maintaining its own language, culture, and institutions.



*The old chiefs said that we would **have** two **parallel** roads; one would be the First Nations' road, the First Nations' river; the other would be the newcomers' road, the newcomers' river, and no one would **try** to integrate, to simulate the other. We would live in parallel, in coexistence, in peace and harmony and respect for each others' differences and capacities to determine ourselves, **as** 'we are.*

— Unidentified speaker, Chisasibi

They said that treaty after treaty — not merely between the incomers and the First Nations, but among European powers themselves — recognized the First Nations as independent equals. The Royal Proclamation of 1763 explicitly acknowledged that First Nations were the rightful occupiers of the land and instructed colonial officials to respect their rights.

*It is just and reasonable, and **essential** to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live **under** Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or **purchased** by Us, are reserved to them, or any of them, as their Hunting Grounds.*

— Royal Proclamation of 1763

They remembered that in the 19th century, particularly after the passage of the BNA Act, the attitude shifted. Unilaterally, the Federal government assumed responsibility for "Indians" and passed the Indian Act through a Parliament for which "status Indians" were not even eligible to vote.

*When our treaty was signed in 1877, it was conducted on the basis of friendship, to ensure peace between our races. We respected each others' cultures, traditions, beliefs, and institutions. We agreed to share our land and to help each other. We confirmed the treaty promises through the peace pipe ceremony. The treaty marked the nation-to-nation relationship between the First Nations and the Queen's representatives. It was only **after the** treaty was signed that our people learned about the Indian Act and the white man's rules and regulations. The treaty confirmed our right to hunt, **fish**, and trap in our traditional territories. Only later did we learn that the legal wording said 'only upon unoccupied Crown land.' Today, those **lands** have been **designated** as **national** parks, provincial parks, campgrounds, and so on.*

— Chief John Snow, Elders' Assembly

But the people who came to join in the Circle were quite clear. At no point had they or their ancestors ever consented to be governed by the incomers. We govern ourselves; we have never given up that right, they told us. Self-

government exists. It has always existed; it will always exist. Recognition of this fundamental fact would be simple justice, but whatever happens, we are our own people, our own Nations, with our own culture and traditions to treasure.

*As a people the Mohawks and other nations of the Haudenosaunee or Six Nations Confederacy have no doubt that we are a sovereign nation. Our sovereignty is an inherent right which cannot be delegated or extinguished by Ottawa or anyone else. We do not advocate total separation from Canada. Rather, we believe it is our right and responsibility to strengthen our culture and traditions, define our governing institutions, and control and regulate activity on our territory.*

— Mohawk Council of Akweasne

The word "inherent" has caused considerable confusion. In fact, it's very simple. The people say that First Nations self-government exists; the question is one of recognition only. The Federal government cannot grant self-government to the First Nations any more than the mayor of Sudbury can declare war on Japan. A man cannot divorce a woman who never married him.

*Peguis, as well as other First Nations, are not asking for self-government from the provinces and the federal government. We already possess the right to self-government.*

— Chief Louis J. Stevenson,  
Peguis Cree/Ojibway First Nation, Winnipeg hearing

The people claim that this right stems from First Nations' occupation of the land from time immemorial, from Aboriginal title and rights recognized under international conventions, from elementary principles of democracy.

*Before there was a Canada, there was a Shuswap Nation. We had our own language, customs, communities, medicines, form of governance, and a clearly defined land bases. The current problems we are having with the government of Canada and the provinces arise from the racist and paternalistic attitudes of the individuals who made up the British North America Act. There was no recognition of the rights of First Nations relating to land or to self-governance. I believe many of the social and economic problems we live with today are related to the enforced dependency created by government policy, arising from the original constitution. The federal and provincial governments do not recognize any form of First Nations ownership of land, other than their own. For over a hundred years, we have been alienated from our traditional lands and forced to live on tiny reservations. Our traditional lands have been open to settlement and use and benefit by non-First Nations people and corporations.*

— Chief Nathan Matthew, Simpcw First Nation, B.C.

We heard that the federal and provincial governments cannot give the First Nations the right to self-government, because that right has been given them by an even more powerful governor. All the governments can do is to recognize the fact.

*Self-government means to me an inherent right, which I inherited from my ancestors who inherited it from our Creator. When all races of the world were created, He gave to us, the red men, our homeland which He called Turtle Island. Even if we wanted to change that, it would go against the wishes of our Creator. I would not like the government of Canada and the provinces to believe they have to give us something. You can't give us something we already have.*

— Wendell Sinclair, Brokenhead Ojibway

Underlying the testimony was a simple proposition. No people can be governed without their consent. Government must flow upward from the people to their leaders, as it did in our traditional societies, in which men were only the mouthpiece for all — women, elders, and young people most especially included. The Canadian governments would do well to take seriously, for their own people as well as for ours, the principle that Lincoln preached long after our people practiced it: government by the people, for the people.

The people said: this is what we had and never yielded. What we want is not the right, but the power and means to exercise it.

*[The new Constitution] must do more than refer to Indian people as having been historically self-governing. It must explicitly state that we have been and continue to be self-governing communities, with an inherent Aboriginal right flowing from our original occupation of the land. This right is not historic; it continues today, and will continue as long as we continue to be people. The suggestion that the courts be allowed to decide Aboriginal rights is ludicrous. As long as institutions are controlled by non-Native people, non-Native concepts and philosophies, we cannot expect any justice from them.*

— Rodney Bobowash, Women's Assembly

## Owning Our Lives: Self-government

*Many Canadians are frightened by the term "self-government." When we talk about self-government, it's simply reinstituting the essence of our culture, religion, languages, government, and heritage.*

— Eric Robinson, Tribal Chairman,  
Winnipeg First Nations Tribal Council

The people who talked to us made one thing clear: self-government is not merely taking over the functions of the Department of Indian Affairs. It is something far deeper and more fundamental.

*We are not interested in self-administration. Our vision of self-government is that we will govern ourselves according to our **traditional** values and structures. The recovery and exercise of our inherent right to govern ourselves must proceed with the full and equal **participation** of all constituent groups in our society.*

— Marilyn Fontaine-Brightstar, Aboriginal Women's Unity Coalition,  
Brokenhead Ojibway

Eurocanadians seem to expect the First Nations to come up with a simple, straightforward definition of what self-government means, something that would apply to First Nations from coast to coast. And in fact the people are in general agreement on a definition:

*What is self-government? It means that a group governs itself. It makes its own laws, based on its values, customs, and culture. And our cultures are diverse, our languages are diverse, and our values are diverse. There's diversity among First Nations people, but we stand for one thing: treaty rights.*

— Chief Maryanne Daywalker, Women's Assembly

This definition — laws, institutions, mechanisms for governing day-to-day life based on Aboriginal culture, values, and traditions — was repeated at meetings across the country.

*I like self-government because it gives us a chance to use our own ideals and our laws and language and culture. Under the Constitution, the First Nations have not been given a fair chance to speak for themselves.*

— Curtis White, 7th grade, Akwesasne

In fact, as our witnesses pointed out, self-government is nothing new. Aboriginal people governed themselves from time immemorial — governed themselves, in fact, rather better than the Europeans of the time of the invasion of Turtle Island, if we go by such principles as peace, toleration, the treatment of women and children, democracy, and respect for the earth. They claim that self-government in practice survives wherever it has not been systematically eradicated, and it survives in principle everywhere in the hearts of the people.

*[Our Elders maintain that] the Dene have always had a constitution in their culture, their tradition, their customs, their **belief** in the spiritual. Before the coming of the white man, the Dene people always had their own laws, their own language, their own traditional customs. They feel that being out there on the land, trapping **or** fishing or hunting — these are their culture and customs. They*

*feel that that is **their** constitution. They had their own government, long before the coming of the white man; they **had** their leaders, their Band Council and chiefs. They are still here today. I pass this message from the Elders: any constitutional development that's happened in the past is past, but from now on, in future, Natives will have to be involved.*

— Chief Eddie Erasmus, speaking for the Eiders, Fort Rae, NWT

No Eurocanadian community would tolerate for a moment the continual interference and rule-bound attitude of Indian Affairs, which constantly prevents First Nations from taking action to help their members.

*Why don't they recognize **that** we, **as** a people, have the right to take care of our own affairs? We don't need Indian **Affairs**. We don't need the **Indian Act**. We don't need other people telling us how we'll take care of our own **people**. We know who we are; we are distinct people. People in **Canada**, the politicians, should recognize that we did occupy this **land** before they came, and we should have some say in what happens to the **natural** resources, to the boundaries that **exist**, and to the people affected by the laws made in Ottawa.*

— Charles Bernard, Membertou

The question of self-government is not merely theoretical. Aboriginal communities face a dismaying heap of social problems, from substance abuse to family violence. Eurocanadian mores and methods have got us into this mess. To get out of it, we need to restore our traditional way, of balance, harmony and healing. But it is impossible to do this in the rigid confines of federal and provincial laws.

*Self-government will provide us with the ability to protect our inherent rights as Aboriginal peoples. Self-government will allow us to promote our traditional values and **re-establish** our link with the **land** and our brothers and sisters. We must be free to account to ourselves **rather** than to the federal government. We must be free to apply traditional principles and make decisions based on our cultural beliefs and values, which meet the specific **needs** of our own people. This is not to suggest that Aboriginal **self-government** will **have** the same meaning or take the same form for all Yukon First Nations. We have differing **cultures**, languages, and values. We are individual, with defined and distinct territories, and we must have the ability to **enforce** our own individual laws and **standards**.*

— Dawson First Nation, Yukon

As the Dawson First Nation points out, self-government cannot and will not be the same in each First Nation community. Historically, the Haida are no more like the Mohawk than the Irish are like the Poles. Communities vary a great deal

in their resources, self-confidence, and desires. What's good for Akwesasne isn't necessarily good for the Dene of Fort Rae. The essential point is that each community must have the freedom, power, and resources to draw on its own strengths and tradition, in order to heal the wounds that the past has left and get on with the great task of rebuilding.

*[Our] only recourse is to work against the perpetuation of the myth that institutions and values rooted in the history of Europe are better than the Aboriginal ways that sustained our peoples for thousands of years. We must be able to establish institutions and forms of government that draw on our own strengths as a people. We must have a justice system, for instance, that incorporates the concepts of reciprocity, consensus, and forgiveness, through which our communities maintained law and order in pre-European times. We must have the freedom to develop a social safety net that incorporates our own notions of family responsibility and interpersonal caring. What I am talking about here is, of course, self-government.*

— Sam Gargan, MLA, Deh Cho, Fort Simpson, NWT

The people see self-government as very much a practical, down-to-earth business. The child of addicted parents is being neglected and abused. A teenaged boy is getting into trouble. A marriage isn't working. Tradition tells us how to handle these situations, how to heal the individual and restore harmony. Self-government means applying our own methods instead of the CAS'S or the RCMP's. It means controlling our own resources — harvesting instead of plundering the land, using our own judgment and insight and forethought on our own behalf.

*We are talking about looking after our fish and wildlife, our water, our air, the forests, any of the resources we have. We're not talking about Indian Affairs controlling us; we're talking about making decisions for our own community, for our children. We are not children; we don't need someone to babysit us. The biggest concern in this band is our social problems; that's one of the things we're working on today. We need money for all our social problems. Healing within is what we're working on. We don't want this province dictating how we're going to heal ourselves. [Provincial programs] don't address the needs of the community.*

— Jerico Thomas, Neetahibuhn Wet'suwet'on Band

The idea is hardly radical. Several presenters spoke of examples of Aboriginal self-government already existing in the United States, New Zealand, and other countries; Canada is simply behind the times. Both the Canadian government and the First Nations themselves should examine what has been done elsewhere.

*I think that I would define self-government, simply as the power and control to exercise authority, and implement **programs** in social, cultural, health, educational and justice areas on our own reserves. Implementation of these systems and how they should **function** should be up to **every individual band**. To do this, we should look at **other** countries. I have had the opportunity to **travel** to Australia and studied a bit of what the Aborigines are doing down there, as well the **Maori** in New Zealand, and Ainu in Japan, and **several** other groups in the **islands** of Hawaii. We have to **learn** how **other** aboriginal people around **the** world, are handling their **situation**. We can't lose sight of our goal to become a **distinct** people within **Canada**.*

— Peter Snow, Youth Assembly

Does self-government frighten the federal and provincial governments? Why? They should see that First Nations bring afresh perspective, anew and exciting viewpoint. Our witnesses pointed out that traditional values and ways can, in fact, contribute greatly to the healing of Canadian society, to the mending of relations among Eurocanadians. The existing ideology of power-grabbing, money-grubbing, exploitation, and divisiveness is bankrupt. Who says we have nothing to contribute to this country's well-being?

*The fundamental differences between the **character** of First Nations government and the government of the non-Indian society of **Canada** must be recognized in the constitutional process. It is too bad that the value and **character** of our First Nation **societies** cannot "be officially recognized. We have much to offer this country. Without recognizing the **basic** Aboriginal I non-Aboriginal duality in this country and creating an **increased** capacity for Aboriginal cultures to flourish, Canada is destined to be unsuccessful in its efforts to keep this land in good health for future generations.*

— Chief Eli Mandamin, Shoal Lake First Nation

But to make this contribution, as our people realize, we must first get back on our own feet — which means healing our own people, our own communities. And to do this, we need the freedom to act in our own best interests.

*Natives must acquire all the powers **necessary** to control, preserve, **practice**, and further their lifestyle, culture, education, economics, justice, customs, arts, literature, social and community affairs. Their powers can be no less **than powers** recognized as belonging to the provinces in the current **constitution**.*

— Bob Abrahams, submission to Kenora meeting

They told us that First Nations will need their own institutions, ones which reflect our own needs and cultures. For example, the government's practice of

labelling Natives as status, non-status, on-reserve, off-reserve has got to go. These classifications are artificial and divisive. Our people said: we ourselves, only ourselves, can decide who is an Aboriginal person. We had institutions in the past, and they worked very well, because they suited us. Our new institutions must also suit us as we now are.

*We have to stop this **classification** system that the government has given us, and that has to be **reflected** in our Constitution and in our self-government. We **have** always been self-governing people, long before colonialism. Right now, with no reserves, the government doesn't recognize our Tribal Councils and our bands, as governing bodies. They **continue** to **bypass** these bodies when implementing their **programs** and services to our communities.*

— Shelley Berard, Youth Assembly

The people have the right to be represented by their own leaders, regardless of where they live—this point came out clearly at both individual meetings and the Urban Assembly. A First Nation is not a municipality, with geographic boundaries; it is a collective of **people**.

*It is now up to chiefs and councils of First Nations to shed the yoke of the Indian Act and **re-establish** their exclusive jurisdiction over, and responsibility for, all their First Nations citizens, regardless of where these citizens live. A birthright is jurisdiction enough. With that birthright comes the right to be represented by one's own First Nation government.*

— Tom Dockstader, N'Amerind Friendship Centre, London, Ont.

But many of our witnesses were also worried about self-government. They feared losing what few rights and benefits they have at the present. They worried that additional power could be abused by some of the leaders. These people, too, should be heard. They called for time, time enough to study the implications of self-government and to work out their own methods and mechanisms, which will not be uniform across the country. Self-government is not a machine to be turned on or off. It is an organic process, growing out of the people as a tree grows from the earth, shaped by their circumstances and responsive to their needs. Like a tree growing, it cannot be rushed or twisted to fit a particular mould.

*Our meaning of **self-government** cannot and should not be defined by the **federal** and provincial governments, because it is not theirs to define. We should not be forced to **define** it within a certain period of time because it has always been our right to govern ourselves.*

— Chief Leonard Paul, Eskasoni First Nation



These decisions are too important to be rushed into; we must plan not for the next seven years but for the next seven generations. And so self-government will have to vary from nation to nation, to suit each nation's present situation. Some nations are confident and eager to take control. Others need more time.

*Native people fight among themselves, even on the band council. I like the sound of self-government; it sounds really nice. But I ask myself if maybe we're kidding ourselves, thinking that this could work when we can't even straighten out problems with the chiefs and band council. There have always been problems with people on reserve and off reserve.*

— Patsy Barnard, Charlottetown

Above all, we need education. We need to reassure our own people, as well as Canadian society, that self-government will result in real improvement in our people's daily lives; that we can handle our own affairs responsibly, fairly, and well; that we have the confidence and capability to manage ourselves. We had self-government, and we have it still; we have the ability. What we need is the time, resources, and education to reimplement self-government properly, carefully, and wisely.

*We need to educate our people more about what self-government means. We have to come up with one definition of what self-government is. We have to go back to our tradition and grab those values that we lost along the way. We have to do a little soul-searching; then we can see the reality of self-government. Education is very, very important. We have our Elders to teach us our culture; what better teacher can we have than our Elder?*

— Louise Paul, Membertou

But our people know where the process should start.

*I feel self-government begins here, in your heart.*

— Mike McCarthy, Youth Assembly



## RECOMMENDATIONS

That the Constitution recognize First Nations' inherent right to self-government

That First Nations be recognized as separate and distinct societies

That First Nations self-government be implemented in a way and at a pace to be determined by each First Nation

That new fiscal relations between First Nations and the federal government will be necessary in order to answer the needs of First Nations governments, but that the fiduciary responsibility of the federal government must remain until such new arrangements have been satisfactorily completed

That these new fiscal arrangements should be built on the basis of resource sharing

That the Canada Clause acknowledge First Nations governments as a being on equal terms with the federal and provincial governments

That the Canada Clause should refer to our ongoing contribution to this country and our presence in this land before either of the "two founding peoples"

That past injustices to First Nations and their members be acknowledged and admitted

That First Nations languages be recognized as official languages of Canada, with the same status as French and English

That First Nations have exclusive jurisdiction for First Nations fortaxation, including tax immunity

That First Nations justice systems be established to apply Aboriginal principles and practices of justice to our own people, since the current application of Canadian justice to Aboriginal peoples has resulted in miscarriages of justice and the legal expression of racism

That federal and provincial governments take steps to appoint qualified First Nations lawyers to the Bench, up to and including the Supreme Court of Canada, in order to rectify bias against Native people in the courts of Canada

That First Nations language and culture be recognized, protected, and promoted throughout Canada

That the uniqueness of our cultures, traditions, and languages be specifically recognized in the Constitution and by the governments and people of Canada

That the Canadian Constitution be amended to reflect the original relationship of treaty federalism with First Nations

# Stepchild in My Mother's House: First Nations and Government

## Hear Me: The Constitutional Process

*We don't pretend to have all the answers; we don't. We simply want to add to the dialogue and the exchange of ideas.*

— Andrew Weber, Elder's Assembly

We heard two messages from the people. The first was to our own leadership, and it was a strong rebuke. Who said you should buy the government's plans? the people demanded. Who said that the governments of Canada and Quebec had the right to set the timetable and the agenda for constitutional change? They felt that French/English divisions are not their problem, and that they wanted no part of the dispute between the two groups.

*The French and English will continue to fight. If this is what this nation-building is all about, we don't want to be a part of it.*

- Chief Ed John

Some called for a boycott of the process.

*As women of the Mohawk nation and as Longhouse people, we have a duty to the Creator and to our children to uphold the Great Law of Peace. Our laws specifically state that we are not to participate in the formation of any government except our own, and that we are to uphold our government under the Great Law of Peace. When you have anything to do with a foreign government, you **alienate** yourself from the **Circle**. Being part of the Constitution is totally **contrary** to our laws. We never **tried** to change your government. You've tried to change ours in many, many ways.*

— Minnie Garrow, Akweasne

Others (like many white Canadians) see the constitutional debate as simply irrelevant — trivial, compared to the great truths.

*[They say] the Constitution is the most important law in Canada. I don't believe that's true. When our Elders say that there are spiritual laws that were made by*

*our Creator, the Great Spirit, they're telling us the truth. Manmade laws are not real. We all must live together — man, animals, plants, rocks. Man is not at the top. [Aboriginal people have] also been given a gift, which we must learn to use wisely: the gift of vision, how to see far into the future.*

— Antoine Mountain, Fort Rae, NWT

But many witnesses before the Circle felt differently. Theoretically, the First Nations have the right to ignore both the federal government and the provinces. But most Aboriginal peoples do want a voice in the process and a place at the table, to contribute their own perspective and to protect their interests.

*When push comes to shove, the final deals will be made, and we know the priorities in this round of constitutional negotiations: Quebec at the top, Native issues, as usual, at the bottom. This round of constitutional talks has one major objective: to get-Quebec into the fold and complete the unfinished business of the past. We face the prospect of the recognition of a distinct society in Quebec, without a reference to our status, and by implication, an assault on our rights. The trade-off of making Quebec happy in exchange for dropping Native self-government is not a hypothetical one. The government is trying to lump Indian people together as "mere minorities like other minorities in this province, without recognizing our status as a people, the unique and special rights that we have. We cannot let this happen; we will not allow this to happen.*

— Chief Billy Diamond, Montreal

*We see now that the sailing ship is having trouble holding its course because of internal difficulties. Our Nations have generally refrained from telling Canada or the provinces how to arrange relations between themselves. However, in this exceptional situation, we see a need to speak out. If the sailing ship is troubled, it may veer off course and injure our fragile canoe. We feel that Canada has much to learn from the ways of the people who have been here since the beginning. Our laws reflect the land and its values and spirit.*

— External Relations committee, Iroquois Confederacy

They remembered how the Canadian governments had tried ignoring Aboriginal interests before, only to be humbled by a single quiet man with an eagle feather, who said "no" in a voice almost too soft to hear. Expediency collided with principle, and principle won.

*[Meech Lake] was a humbling experience for the First Ministers and federal government. It created an acute awareness that First Nations' concerns in the constitutional process are serious and legitimate.*

— Chief Louis J. Stevenson, Peguis Cree/Ojibway First Nation, Winnipeg hearing

They see that Elijah Harper and the Oka crisis have brought Aboriginal concerns to the forefront of Canadian public opinion, which has swung around in our favour. Clearly the politicians need to do some serious listening, not merely to the First Nations but to their own constituents.

*If it were not for Mr. Harper stopping the **Meech Luke deal** and if it were not for the Oka **situation** that followed, I do not believe **that Canada** would now be looking at a new deal for First Nations. I believe that the government of Canada wanted to walk away from the Native constitutional **table** forever in 1987. But events have given us a new, last **chance** to have our **place in Canada** clearly set out in the constitution. We must turn this **last chance** into **the** greatest Native victory ever seen in North **America**. And we can do **that** through Native unity.*

— Chief Albert Levi, Big Cove

We heard also from politicians with a more realistic point of view of the importance of Aboriginal peoples.

*It is time for our country to do some soul-searching, to **re-examine** our political and legal systems, so that they **may** also **reflect** the realities of First Nations people. Clearly these systems have failed and continue to fail Aboriginal people, from the infamous Indian Act of 1867 to the **wrongful incarceration** of Donald Marshall, from **residential** schools to the standoff at Oka. How **can** we together make a more inclusive society that is based on mutual respect between equals, not on colonist and colonized? I believe **that** a partnership of **equals** will only be achieved when the inherent right of First Nations people to self-government is entrenched in the constitution, when Aboriginal leaders are full participants at all First Ministers constitutional meetings, and when centuries of wrongs are righted in comprehensive land **claims** settlements. The NDP has recognized this fundamental right of self-determination since 1979 and has called for the repeal of the Indian Act since 1963.*

— Hon. Audrey McLaughlin, NDP, Ottawa/Hull meeting

Since we must be involved in the constitutional process to protect our rights and interests, what should our role be? Again, the people had clear views.

*First, I believe that we should entrench **the** right to self-government and **self-determination** in the constitution, and **that** we should also **amend** the Charter of Rights and Freedoms, accommodating any **changes** made in the constitution. Second, a national policy of recognition for a code of ethics **and policies** regarding conflicts of interests **relating** to band governments, whereby all representatives of the people are held truly responsible and accountable for every **decision** they make. Third, in **relation** of **Crown** Lands, we as First Nations be reaffirmed, as*

*being joint custodians or keepers of all lands. All future royalties, resulting from development, should be equally distributed to the people. As well, any decision regarding lands would have to be approved by the particular First Nation involved. Last, I feel that education is an inherent right for First Nations, and should be recognized as such.*

— Troy Paul, Youth Assembly

*We suggest considering a three-step approach to constitutional change. The first step is that a general, enforceable right to Aboriginal self-government be included in the constitution of Canada. Second, a statement of principles, guidelines, and/or goals and objectives should be developed and included to guide future discussions and, if necessary, the courts. Third, the specific subject matters over which Aboriginal self-government will have jurisdiction would be enumerated in the form of an open-ended list that can be added to from time to time.*

— Daniel Christmas, Bruce Wildsmith,  
Union of Nova Scotian Indians

*Constitutional discussions should be on a nation-to-nation basis. We should have representatives in Cabinet. We should have our own teams to argue for us. We should have all our land claims settled. All of our religious objects that were taken away should be given back. We have the right to say that we are sovereign. We are the First People of Canada, We were the first people here for 10,000 years. Our sovereignty goes far beyond their constitution.*

— Unidentified presenter, Elders' Assembly

They feel that any new constitution should take into account a basic historical reality:"

*The principle of two founding nations is one of the biggest fallacies in this century. Time did not start ticking on this continent when the European people arrived. The constitution must recognize and give due regard to the special status the First Nations have in Canada.*

— Russell Roundpoint, Akwesasne

We heard that the constitutional process, like Native self-government, should be an evolutionary one, an organic growth, not a series of arbitrary decisions imposed from above. It will take time. It should not be rushed.

*Lheit-Lit'en Nation recommends that the constitutional process continue until such time as Native government is entrenched in the Canadian constitution, recognizing our right to self-determination at the Native Nation / community level.*

— Deputy Chief Dominic Frederick, Melt-Lit'en Nation, Prince George, B.C.

*Our law requires our Chiefs in their deliberations and decisions to cast their thoughts seven generations ahead. Their thinking [should not] be affected by the timing of elections. Our law tells us that we must always take the time to do things properly. We must not be hurried into decision that maybe wrong, shortsighted, or narrow.*

— External Relations committee, Iroquois Confederacy

Above all, the people say, the constitutional process should be inclusive, not exclusive. The present political system sets too many artificial boundaries, even among Eurocanadians. Not only has it excluded First Nations themselves; it has doubly excluded thousands of Natives by cutting them off from their own people. Non-status and off-reserve people must also be part of the process. Their rights have been ignored in the past; this must change.

*It is our belief that any collective decisions reached from these [constitutional] proceedings should include without prejudice all members of our nations, - regardless of residence. We further urge the Assembly of First Nations to call upon the government of Canada to honour and facilitate their treaty and legislative obligations to all Treaty and status Indians, regardless of residence.*

— Treaty and Status Indians of Regina

No group's needs should be allowed to dominate the process.

*If we are to build Canada together, we must ensure that all national communities have the space they need to grow and progress. Constitutional reform must not [set] one group's rights against another's. This is not a chess game; we are not pawns in a constitutional game. There must be no loser in this round of debate.*

— Florine Leblanc-Hutchinson, l'Association Franco-Yukonnaise

First Nations will need to act in unity:

*Unity is the key, and the answer to our problems. If there are any difference among our people, I think we should put them aside forever. All Native nations should band together, unite as one whole nation. By learning to share with one another and working hand in hand, we can't lose the way.*

— A. Bighetty, Stoney Mountain Penitentiary

It would be good for all the people of Canada, not just the First Nations, if governments adopted the principles by which our people historically governed ourselves: consensus, not conflict; inclusion, not exclusion; holism, not divisiveness; honour and trust, not politicking; generosity, not selfishness.

We need a new covenant, an agreement between ourselves and the governments, one including, not replacing, existing treaties. And it must be a

covenant, not merely an agreement: made between equals, held sacred by all parties to it, and unbreakable. Treaty federalism is one possibility, brought up at the Elders' Assembly, but the precise relationship will need more study.

*First, they told us that we no longer **needed** a canoe. Then, they **told** us that we no longer know how to build a canoe anyway. They will offer a new, shiny, better canoe, but it comes with one of their navigators and **they** will own the canoe — maybe it will be a motorboat. All we have to do is step ashore, return to the land, pick a **fine cedar** tree, trim the bark from a tall-standing birch, gather the sap from spruce, and build a **new** canoe — carve new paddles, our own paddles. If we don't know how, we can **ask** our Elders.*

— Al Hunter, Rainy River First Nation

'Principle against expediency. They know which of the two must win.

## Sacred Trust? First Nations and Government

*First Nations people are getting frustrated being shuffled from one government to another.*

— Abraham Mason, Stoney Mountain Penitentiary

*I don't think we can ever trust the federal or provincial governments, not from the experience we have had with the treaties.*

— George Visitor, Chisasibi

"We heard this mistrust voiced at hearings across the country. The First Nations' relationships with the federal and provincial governments have been deeply disillusioning, our people say. They are sick of being treated like children under the Indian Act. They have watched as the federal government and the provincial governments took turns trying to evade their responsibilities.

*Our relations with the provinces **are practically** nonexistent. The premiers avoid meeting with us. We cannot support a distribution of powers which would force us to negotiate with them.*

— Kingsclear First Nation, New Brunswick

Reserves have been frustrated in their attempts to provide for their own people by shortage of funds and by the bureaucracies:



*My experience with the Cree Board of Health and Social Services in northern Quebec has shown me that **often**, even if a **provision** can be constitutionally **enshrined**, it **can** be rendered meaningless if government does not provide the resources and does not have the will to enforce it. **We** have the right to a proper **health** system and proper **social welfare**, but **this right is effectively stolen** because no resources are available to implement it. The health and welfare of our people are essential responsibilities and cannot be forgotten.*

— Steven Bearskin, Cree Board of Health and Social Services of James Bay (presented at Chisasibi)

Leaders expressed their sense of anger and helplessness.

*I've seen a lot of frustrations. I've seen a lot of people being **treated** as less **than** human. **We** have seen our authority run over by federal bureaucrats because they seem to think they know what's best for us. Under the present system, you are **always a loser**, because they have the authority to stop you from going **ahead** with programs that are going to help your people. What we've got to look at, **very seriously**, is that we should have complete authority over things that affect our **day-to-day** life.*

— Chief Jack Sark of Lennox Island, Charlottetown

As long as reserves are funded only on the basis of on-reserve membership, they cannot deliver services to off-reserve members without shortchanging their on-reserve community — already underfunded.

*The bands are bound by a governing document, the Indian Act, that not only discriminates against the women but against the non-resident Natives. INAC says that they're bound by policy not to fund off-reserve development, So there are going to be problems for bands wanting to deliver services to their members living off-reserve.*

— Chief Eugene Arcand, Muskeg First Nation

Government interference, they told us, operated from at every level of community activity, from choosing leaders to allocating funds. Witnesses, especially those involved in social services, spoke of the continual problems they encountered in dealing with provincial governments whose notions of "service" are culturally inappropriate.

*It is not possible to tear an Anishinaabe child from its culture and community and say that you are recognizing its right to protection, defined according to non-Indian provincial laws, **These** are not rights at all. This system only results in the **further** oppression of our children and our families. Our children and*

*families must be provided support in accordance with our cultural practices and traditions.*

— Josephine Sandy, Ojibway Tribal Family Services, Kenora

They called for the federal government to maintain its trust responsibility — a responsibility it claimed under the BNA Act and has been trying to evade or unload on the provinces, in an effort to cut costs. The federal government should transfer financial resources to First Nations and allow them to make the own decisions. One possibility might be a form of equalization payment.

*Don't compromise the fiduciary responsibility of the federal government; always maintain that connection with the federal government, even if we have to rewrite the Indian Act. Always keep that link. I don't want to be part of the services or programs of the provincial government. I feel that we can come up with a structure or mechanism whereby we could effect a parallel third level of government. Once we establish parallel government, we could negotiation a division of powers and responsibilities that would enable us to develop institutions to protect our political structures, to develop our education systems, to develop our economic systems, to improve our cultural structures. I don't believe that we should leave it up to the white man's whims and wishes. Aboriginal communities could carry out the programs and administer programs in conjunction with a sort of parallel province-level structure along Aboriginal lines.*

— Peter Christmas, Membertou

## **Divide and Conquer: Akwesasne**

It was at the Akwesasne hearing that the problems caused by federal and provincial jurisdiction were articulated with the most detail and force, for the simple reason that Akwesasne has more jurisdictions to deal with than any other First Nation in Canada. It is, therefore, the best example of the impact of white government on Native communities.

What ought to be a healthy, united community has been split into factions by artificial boundaries.

*You are in Akwesasne. We area community of close to 10,000 Mohawks. We are split by an international boundary; we are split by state and provincial boundaries. We have five outside government jurisdictions to deal with on a daily basis. It is no small wonder that from time to time we experience great difficulties in trying to maintain peace and unity among ourselves. those difficulties come from the outside.*

— Mike Mitchell, Akwesasne

The community has been trying to take control of its own social and family services, but workers run up continually against the brick wall of provincial regulation. They spoke of their sense of frustration:

*Akwesasne may administer a child welfare program, but the basic procedures and legal principles are set by the provinces. For example, it is virtually impossible for us to place a child on the American side, even though for all the cultural, family, and social reasons, this would be best. Any disputes are resolved in provincial courts. This is intimidating and culturally alien to us. Akwesasne has established a Conservation Department, with officers to enforce the Mohawk conservation laws. There are constant difficulties with provincial and city officials challenging our officers' authority. Our [Mohawk] court has little scope for creativity, no powers to cite for contempt, no authority to establish an appeal procedure. Limited resources only add to the frustrations. These are only a few examples of the frustrations we have. As you can see, they go to the core of our existence.*

— Joyce King-Mitchell and Louise Thompson, Akwesasne

*Our Akwesasne Child and Family Services program must follow the Ontario Child and Family Services Act and the Quebec Youth Protection Act. Each act delegates different degrees of authority. In addition, the program must apply two provincial court systems and New York State laws, when applicable. It is extremely difficult when outside authorities continually view Akwesasne from their jurisdictional and geographical boundaries and not as one community of Mohawk people.*

— Gail McDonald, Social Development and Health Program, Akwesasne

Attempts to setup a culturally appropriate justice system are underway, but the process is anything but easy.

*We have to have control of our own justice system. We're going to have a justice code, [one that] encompasses the Mohawk thinking and what our values are. When this goes before the people, it will be put into place based on a consensus. That's the most optimal way to have a code for Akwesasne. When we brought this justice code before provincial and federal governments, they didn't really like the idea, because it didn't revolve around their colonial laws. They don't understand our values. It was totally over their heads..*

— Joyce King-Mitchell, J. P., Akwesasne

Akwesasne is, in some respects, an unusual case. But it exemplifies the problems that First Nations speak of all across the country: the difficulties of dealing with governments which take a colonial, paternalistic approach towards

Native communities; the artificial divisions imposed on once unified peoples; the failure to understand or respect Native traditions and customs; the need of First Nations to control what happens to their own people. An unusual case — but also a representative one.

## The Indian Act

Our people spoke of the Indian Act in terms that were nearly apoplectic:

*The Indian Act insults the First Nations. It threatens our survival as a people and subordinates us to the status of wards of the federal government. It does not respect our place as the First Peoples of Canada. It treats us as inferiors, as people in need of supervision and control. Because of it, many of our people have lost control over their lives, and First Nations communities cannot determine their own destiny. If the government can make an act which does those things, it should make an act to reverse the process.*

— Peter Morley, Elders' Assembly

They are determined to end its interference in their lives and the divisions it has caused.

*It seems that the Indian Act was created for the purpose of assimilating the Aboriginal people of this land. We must first of all abolish the Indian Act in its entirety. We can work on developing a national treaty which will involve all Aboriginal people. We can no longer refer to ourselves as on-reserve or off-reserve. We must truly stand in unity. Irresponsible acts taken by government have left us with enormous problems. Self-government means having the authority to control our own lives and manage our day-to-day affairs without having to ask permission to do so.*

— Native Alliance of Quebec, Montreal

*What is real is the strength that First Nations people have for Mother Earth and for each other. The conquer-and-divide policy and the Indian Act are only games if we decide to play.*

— Don Morin, Urban Assembly

Racist, paternalistic, colonialist, insulting, divisive — the Indian Act is widely seen as the source of many of the problems afflicting First Nations communities, from disputes over First Nation membership to the problem of sexism.

*The Indian Act imposed upon us a patriarchal system and laws which favoured men. By 1971, this patriarchal system was so ingrained that "patriarchy" was*

seen as a “**traditional trait.**” Even the **memory** of our matriarchal forms of government and descent was forgotten or unacknowledged. How can **our** Aboriginal leaders argue a case for traditional laws and customs when they continue to exclude their women? Recognizing the inherent right to self-government does not mean recognizing and blessing the patriarchy created in our communities by foreign governments.

— Mary Staalcia, Indigenous Women’s Collective of Manitoba, Winnipeg

They see the Indian Act as a tool used by the federal government to end its obligations to First Nations by eliminating Aboriginal people as a group.

*The Indian Act was put **there**, by **guns**. Why? To **dominate**, to get rid of the Indians. Take a look at what it’s done to us. All the schools they built pounded your language out of you. The Confederacy [of **Six Nations**] does **have treaties**, but **they don’t recognize them**. That’s what the Indian Act is there for; to get rid of the **treaties**. They want the land; they don’t want to pay for the land.*

— Unidentified speaker 3, Six Nations

The act does nothing for Native people; it is unsuited to their needs. It should be replaced by legislation drafted with the consent of the people it affects.

*We’re not farmers. [The Indian Act] doesn’t address our interests, **trapping**, fishing, hunting there’s no base for the Dene people here. The government should **extinguish** the Indian Act. It’s time we developed our own Act up here, one that will reflect our needs, give us a land base. I’ve never been able to access anything through the Indian Act; **I know the bands have a difficult time**. The government only uses [Section 36] of this Act to suit themselves, Abolish the **Indian Act**, particularly for north of 60.*

— Alex Beaulieu, Fort Rae, NWT

We also heard of the divisions caused by the Indian Act’s provisions for electing leaders.

***Contrary to our traditional systems**, the Indian Act system provides a political voice only to elected chiefs and **councillors**, normally resident on reserve and usually male. The **Indian Act** system silences the voice of Elders, women, and youth. We believe that true Aboriginal government must reflect the values which our traditional governments were based upon.*

— Aboriginal Women’s Unity Coalition,  
submission to Brokenhead Ojibway meeting

Some leaders themselves call for the system to be reformed:

*I was elected through procedures derived from the authority of the Indian Act, by people approved as eligible under the Indian Act, and for a term determined by the Indian Act. Council meetings, which I chair, are run in accordance with the regulations derived from the Indian Act. Five hundred and one years ago, our leaders were chosen by the community, defined by the community; and decisions taken by each nation were based on the principles established by the people of the community. The process of choosing our leaders must be established by our people. They may want to run elections. I don't know; we must find out.*

— Chief Mel Jacobs, Curve Lake First Nation

A good many speakers preferred traditional leadership and called for leaders to be chosen by Elders and women, in the customary way. Elections under the Indian Act have sometimes resulted in inadequate or dishonest leadership.

*The Elders would choose a leader, their chief — someone capable, honest. They elected him to be their leader until the day he did something wrong or he died. In 1969, [the government] said, 'change your leadership rules by electing chiefs.' Some of the people followed [the 1969 White Paper] and had elections every two years. That's when people started fighting.*

— Elder George Bain, Elders' Assembly

*On our reserve, we would like to bring back our traditional right of governing ourselves. We used to have one chief over seven nations and all of the reserves had councillors, and everyone got along in harmony. Now we have a chief and council that Indian Affairs imposes on our reserve, so that they can buy off these people in order to destroy us.*

— Millie Jack, Elders' Assembly

Even when rights exist under the Indian Act, federal policy undermines them. For example, the Department of Indian Affairs refuses to recognize the formation of new bands; these groups may then meet with discrimination from their fellow Nations.

*First Nations must be equal. We can't have band organizations saying "you're not an Indian." We must be treated equally, whether we belong to a band or not. New bands must have a place in the AFN and the right to land and self-determination, economic development, education, housing.*

— Alvin Campeau, Winter Standing Band, Urban Assembly

Our people spoke of the artificiality of "status" and rejected the federal government's control over who can or cannot be an Aboriginal person.

*I don't want us to be recognized as being status Indians or whatever. We're Native people. We belong to this country, this was our **country** and it was taken away. It was taken away **from** us because the white people were greedy, they wanted us not to exist. They wanted to **destroy** us. And **I** think that we're here just to tell the government that you're not. We're going to be stronger **than** anything else in this century. We're the **generation** that's going to make a **difference**, for our people and for my children.*

— Neibi Klugee, Youth Assembly

*Who am I? **I** can't depend on the **federal** government to tell me who I am. **I** am **Micmac**, with or without a band number, with or without Section **12(1)B**, with or without Bill C-31, and the **reason** I know that **is** because my mother **told** me that I am. We have to look at who we are; we have to start to heal **from** the dispossession inflicted on us by the **federal** government.*

— Patti Doyle, Women's Assembly

The aftermath of the Bill C-31 fiasco still haunts communities and individuals.

*Bill C-31 — **I** was most concerned since the bill came out about the exclusion of our **grandchildren** from Native status. **I** feel this is **detrimental** to the First Nations. Within a few generations, people who are now Natives will **no** longer exist; we'll be extinct, like the dinosaurs, across Canada. My own grandchildren aren't eligible **for** **status**. But a non-Native married to a Native keeps status, even if they're separated or divorced or widowed. They can have children with no Indian blood in them whatsoever and yet they carry status and have full Indian rights, whereas my children, who are full-blooded **Indians**, are denied those rights,*

— Ken Harris, WW II veteran, Prince Rupert

*I have recently become a Bill C-31 Indian. Before that, I was an Indian. Now I'm an Indian Act Indian. **Other** Native people aren't recognized **under** the **Indian** Act. This should never have happened, that **our** people become refugees in our own country, our own **homeland**. We are Native by birth; we'll die as Natives.*

— Alvin Campeau, Winter Standing Band, Urban Assembly

*Regarding **Bill** C-31, Indians are Indians regardless of what the federal government has classed them as. The **federal** government **has** no business telling any Indians that they are or aren't status. This **is** a totally **racist** policy and promotes racism among band members. This is just another effort by the **federal** government to get out of funding Native programs and living up to their responsibilities under federal law.*

— Deanna Leon, Armstrong, B.C.

Our people call for four fundamental things: for the federal government to recognize its constitutional and fiduciary obligations to First Nations people; for the provincial governments to end their interference into First Nations affairs, to recognize our jurisdiction, and to respect the will and abilities of First Nations; for both levels of government to deal with First Nations in an honorable, equitable way, on the basis of equality; and for an end to legislation, policies, and practices that have victimized, divided, and oppressed our people in the past.

## Original Peoples: Quebec Separation and Distinct Society

*Yukon First Nations, like other Aboriginal peoples of Canada, understand and appreciate better than most the desire of Quebec to secure constitutional protection for its distinct society and culture. We, too, enjoy distinct cultures and societies, and we understand all too well the need for special measures to protect our cultural distinctiveness and collective rights in the face of a vastly larger non-native society. Provided that the rights of the Aboriginal peoples of Quebec are respected and fully protected, including their right to constitutionally protected self-government, the Yukon First Nations would endorse a clear constitutional recognition of Quebec as a distinct society.*

— Council for Yukon Indians

The people who spoke to us said this: of course Quebec is distinct from English Canada; it has a different language, different legal system. The cultures are not the same, northtwo societies' way of looking at the world. We sympathize with Quebec's desire to preserve and transmit what is uniquely Québécois. All we askisthattheygive us the same right thattheyclaim for themselves. Turnabout is fair play. Aboriginal peoples are not merely another ethnic group like the Ukrainians or the Dutch. We too are a distinct society. We are the original society.

*I think that native people far exceed [Quebec's] requirements to be recognized as a distinct society.*

— Barry Montour, Youth Assembly

How does one define "distinctness"? Linguistic differences? As one white contributor pointed out, French and English belong to the same family of languages and share similar grammar and an overlapping vocabulary. Our languages belong to an entirely different group. Legal systems? The Common Law of English Canada and the Napoleonic Code may differ, but they share the



same approach to crime and punishment, an approach totally unlike traditional Aboriginal justice. Cultural differences? Consider Aboriginal attitudes towards land ownership, which are radically different from whites'. The list could go on indefinitely.

This presenter noted that aboriginal peoples are so distinct that even their biochemistry, their blood types and metabolism, are not quite the same from Eurocanadians'. We are so different that we had no immunity to their diseases when they first arrived and died in our millions from smallpox. If there is to be a competition for Most Distinct Society in Canada, the French would not be winners.

The competition matters only because Quebec, in demanding its rights, risks trampling on ours. Fear for the future of First Nations in Quebec was voiced not only at the Quebec hearings but all across the country.

It is not in Quebec's interests to respect First Nations' rights.

*It is revealing to see what [the Allaire and Belanger-Campeau] reports do not say about Aboriginal peoples. They do not recognize the Aboriginal right to self-determination. They do not recognize Native rights over land and resources. It appears that Aboriginal rights will be limited to certain cultural and linguistic rights within Native territories. Quebec clearly wants to take control of Indians and, more importantly, of traditional lands. The complete control of all lands and resources within Quebec is the key to Quebec's future. The Liberal Party and the Parti Quebecois constantly refer to the importance of maintaining the territorial integrity of Quebec. Will Aboriginal rights be recognized in Quebec or deemed to be non-existent? What will happen to outstanding land claims? Will they simply be ignored?*

— Tony Dedam, Restigouche

*The First Nations of Canada, along with the rest of Canada, should not be held for ransom by the province of Quebec. Neither should our quest for the entrenchment of our rights take a back seat to the rights of Quebecers. Quebec may at some point attempt to carry out its threat of separation, but it would do so without First Nations' land.*

— John Beaucage, Wasauksing First Nation

But these rights do exist; they flow not only from treaty but from international law.

*[In] international law, there is a consistent and determined move to have the rights of aboriginal and indigenous peoples to self-determination recognized as a universal and global principle affecting domestic, national, and international*

law. Indigenous peoples have all **the** attributes of **peoples**; they have land, culture, language, population, society, common values, which allow **them** to insert claims of self-determination. **This is the right** to be able to control one's **territory**, organize the **wealth** of the territory and its political **structure**, and to set **social** and **community values**. **Northern Quebec is the land** of my people, not of **the** politicians in **the** south, nor of those **official** political creatures called provinces, nor of **Hydro Quebec**. The land is **Iyou** territory. It is there for **the Cree** people of yesterday; it is there for the **Cree people** of today and tomorrow. My people and the land are the same.

— Chief Billy Diamond, Montreal

Aboriginal people both within the province and elsewhere in Canada worry about what will happen to First Nations inside Quebec if the province separates. Neither the federal government nor the province has shown itself willing in the "past to regard Aboriginal rights as being of much importance.

*The federal government seems to be playing a strange game. While it is reserving the possibility of intervening on our behalf if Quebec separates, it is doing absolutely nothing on our behalf right now, especially as regards the negotiations that have been ongoing with it and the Quebec government for years. What is the federal government's logic or strategy here? Will it be just as passive the day after Quebec's declaration of sovereignty?*

— Atikamekw and Montagnais Council, presentation at Sept-Îles

Previous Quebec-First Nations dealings have left a residue of mistrust. In the past, the province has shown itself ready to do almost anything in pursuit of the almighty megawatt.

*Separation — there are a lot of questions today that still need to be answered. It's just like walking into a darkness. Native people don't know what kind of future they'll have; they see a darker future than what we had in the past. In the [1975] James Bay negotiations, we had hoped to solve many of our problems. Sixteen years later, those problems still exist, especially with the government of Quebec.*

— Thomas Coon-Mistissini, Chisasibi

*We are the first peoples of this province. But they don't respect our rights; they don't respect our point of view. The people of Quebec are on the verge of deciding to break away from the country. Some people in this community, in this province, are asking themselves, 'what's going to happen to us? Where do we stand if Quebec separates?' Our land is getting destroyed, our water is being destroyed. They don't even tell us what they're going to do.*

- Helen Atkinson, Chisasibi

First Nations, they feel, would be the province's stepchildren, subordinate to the Francophone population and last in line for program funding.

*It is evident that Quebec's determination to have culture, communications, and broadcasting transferred to its jurisdiction will have a detrimental effect on what has been achieved [in Native communications]. We are not prepared to accept the meagre breadcrumbs that Quebec has to offer Native culture and communication programs.*

— James Bay Cree communications Society, presentation at Chleasibi

If First Nations in Quebec are worried for their future, First Nations elsewhere in Canada worry on their behalf as well.

*What about the Aboriginal people in Quebec — what do they have to say about Quebec separating from Canada? We have to make it clear to the public that these discussions between the French and English about separation should not even occur until Native people have been consulted. Aboriginal people in Quebec need our support for their position. I'm certain that they aren't in agreement with separation. Whether or not Quebec separates, our people will continue to look at ourselves as one group. Until there's recognition of other peoples' cultures, whether you're French Canadian or Haida or Niska or Mohawk, [Canada] will not flourish.*

— Frank Parnell, Prince Rupert

*We have never opposed the self-determination objectives of the Quebec majority, but they must not be achieved in a way that tramples on the sovereign rights of Aboriginal peoples in Quebec or elsewhere in Canada. And they must not be achieved in a way that reinforces or legitimizes the historical lie that the French and the English were the two founding nations of Canada.*

— Chief Rod Bushle, Southeast Assembly of First Nations,  
at Brokenhead Ojibway meeting

Our people point out that the boundaries of the province, which the separatists see as permanent and irrevocable, are in fact artificial. The land itself flows on and knows nothing about borders.

*Quebec is talking about separation. We Aboriginal people did not put in those boundaries. We used to roam this country with no boundaries, and we still do. So if Quebec were ever to separate, we Aboriginal people who happen to live in the province will need to assert our jurisdiction. We will not be hindered from living in the way we've always lived. -*

-Chief Violet Pachano, Women's Assembly

Above all, First Nations told us, if Quebec has the right to go its own way, to exercise self-determination and become an independent nation, the First Nations within the province do not want to go with it.

*In the eventuality of a **separation**, the First Nations in Quebec will remain in **full solidarity** with **all the other First Nations in Canada**.*

— Simon Awashish, President of the Attikamek Nation

They have little reason to trust the provincial government, especially after Oka. If Quebec has the right to separate from Canada, First Nations have the right to make their own decisions. And if that means separation from Quebec, so be it.

*As First Nations, living on a land **called Quebec**, we talk about some of the issues concerning **the sovereignty of Quebec**, and our position about it is that the land has no border and nobody has the right to separate us **from our**” brothers and sisters of the First Nations of Canada. Every Nation in Quebec has the right to choose, without any political interference from any government, if they want to go with Quebec, or stay with **Canada**, or even claim their sovereignty.*

— Nadir Andrea, Innu, Youth Assembly

*If the government of Quebec is to justify a move toward independence on the basis of a referendum, surely Aboriginal societies within the province of Quebec cannot be denied access to the same **self-determination**.*

— London Native Rights Support Group, London, Ont.

*We have the right to govern ourselves, which is the right of **self** -determination, and to live on this land. We don't think that Quebec **has** proved that it was ready to give us what we asked for. Every Nation in Quebec has a right to choose without any political interference from any government, if **they** want to go with Quebec or stay with **Canada**, or to even claim their own sovereignty. Quebec cannot prevent First Nations of Quebec **from** keeping their historical **and** political relationship with the **federal** government. First Nations were all together with the Chiefs in Manitoba stopped the **Meech** Luke Accord. **We** think that together we can keep the land together without a border.*

— Armand Mackenzie, Youth Assembly

*Why does the **federal government** not recognize us as a distinct society and enable us to have full **jurisdiction** over our land, resources, and people, while they will grant Quebec and her people that recognition that we seek?*

— Rosalind Johnston, Serpent River First Nation, Garden River hearing

## The Great Grab, the Long Violation: Land and the Environment

We *inherited* this land from our fathers, but we are only borrowing it from our children.

— Isabelle Visitor, Moose Factory

We are the *Anishinaabe* and *this* is our land. Our mothers' *mothers* and our fathers' fathers have lived on *Turtle Island* since time immemorial.

— Howard Hamilton, Miskoosepi School, Bloodvein First Nation, Manitoba

We heard the poignant sense of loss whenever our people talked about the loss of their land. They talked of their spiritual connection to Mother Earth, of the damage caused to their people by the loss of that connection.

*We Dene have never owned the land; we have been part of it. And it has been part of us. We look after it, and it sustains us. We have never believed in boundaries; we have believed in the power of community and in the wisdom of our Elders. In Denendeh, the Great Spirit holds the deed to our territory.*

— Sam Gargan, MLA, Deh Cho, Fort Simpson, NWT

They remembered what their Elders had taught them: that Earth's bounty was to be used properly and carefully, with love and respect, not exploited or damaged.

We are the *caretakers* of the earth. We respect the earth as our Mother; it gives us life.

— Francis Doucette, Youth Assembly

All people and nations must share *all* resources and not destroy or abuse the land. All nations should live peacefully. Forests and lands are God-given for the use of mankind. We should continue to ask God *for His* support and *guidance*. We must *also* be right with God to grant us our prayers as a nation.

— Elder John Bighead, Wunnumin Lake, Ont.

But land is much more than a resource, they said; it is our mother, the source of our strength and well-being. In Greek mythology, the giant Antaeus drew his strength from Mother Earth and regained it whenever he touched her. Our people are like him.

*Elders loved the land and never wanted to give it up. Our forefathers said that animals and fowls were given to us to eat. All creation is good for us. We cannot give up the land; we still depend on it. Our children should live off the land, as*

*we did; we made use of every **natural** resource available to us. We still depend on these things.*

— **Juliet Duncan, Muskrat Dam, Ont**

We knew her face, they said, as a child knows its mother's.

*Every part of this soil is sacred in **the** estimation of my people; every **hillside**, every valley, every **plain** and grove has been hallowed by some sad or **happy** event, long vanished. When your children's children think **themselves** alone in the **field**, the store, the shop, upon the highway, or in the silence of the pathless woods, they will not be alone. At night, when the streets of your **cities** and **villages** are **silent** and you think them deserted, they will throng with **the** returning hosts **that** once loved and still love this beautiful land.*

— **Chief Seattle, quoted by Chief Eugene Arcand**

*The mountain, the river— that was our farm. That's where we got our vegetables. At home, we took the **salmonberry** shoots, broke them, peeled **them**, ate them just like rhubarb, When the elder sap mn, we'd take the peel off and scrape it and eat it. We can't do that any more.*

— **Elder Bill Ear, Elders' Assembly**

Incoming Europeans took an entirely different position. For them, land was a commodity, a lifeless thing to be exploited for gain.

*The white man says "my land" as soon as he gets here. They created the reservation — that means Crown land. But where we live, the Six Nations, is not Crown land, has never been Crown land.*

— **Unidentified Elder, Six Nations**

*For the whites, land was nothing but a commodity, to be acquired and used, a resource to be exploited for private gain, to be kept for one's own use, to **the** exclusion of others. Throughout all of North and South America, Aboriginal people believed that land is to be respected, as a **gift** from the Creator for us to use. It is a sacred mother and **grandmother** of all life.*

— **John Joe Sark, Charlottetown**

Neither Native nor European could understand the other's perspective on land. Witnesses remember what they heard from their grandfathers or sometimes what they saw for themselves: in signing the numbered treaties, First Nations were agreeing to share the land on a nation-to-nation basis, to allow settlers to use it with care. But the land itself **was** inalienable. This was true then; it is true now.

*How can land that comes from the Creator be **transferred** through another? How is one man **empowered** to **transfer** land to another owner? It is not **possible**. How can even one generation transfer a piece of property to another government? That generation does not own the land. How could they consult with their children and **grandchildren** to allow such a **transfer**? Property could not be wholly **transferred**; Native Nations still **have an interest** in all of the land that Canada now **occupies**. It is a part still of our **original** responsibility.*

— Elder Ernie Benedict, Akwesasne

*I was present during the **first** signing of **treaty** in Big Trout Lake, Ont. Our people never gave up our land. **The** understanding behind treaty signing was for the two nations to share land and resources.*

— Elder Gilbert Thunder, Sachigo Lake, Ont.

A huge proportion of Canada — probably more than half — was never covered by treaty at all; Europeans had no right to settle in most of British Columbia, most of the Atlantic provinces, the Territories, and a large part of Quebec. What's done cannot be undone, but there must be some recompense.

Land, as an issue, came up constantly at meetings across the country. The people expressed anger and distress over the federal government's extreme slowness in settling land claims and the continual legal battles and rear-guard actions to avoid giving First Nations access to what they need for their health and survival.

*I would like that all levels of government act in good faith and resolve the land question throughout **Canada**. In British Columbia alone, over 80% of the land is in question. Across **Canada**, at least **half of the land** is in question. In areas where treaties were not signed, **international** law confirms that sovereign Nations still exist. Canada cannot claim title to these **lands** because the Indian **Nations** were never **conquered**. And Canada cannot have sovereignty over these lands, unless they **have** conquered our Nations in a belligerent way, or **bilateral** treaties were signed.*

— Karen Snowshoe, Youth Assembly

If the province of Quebec chooses to separate, they said firmly, it has to recognize fully the territorial integrity of each First Nation within its boundaries. The province's title to much of the land it claims is shakier than it wants to acknowledge.

*Before Quebec **separates**, **the** province and **federal** government should deal with the land question up front.*

— Carrier-Sekani Tribal Council

*We are people of this land. We still live off this land. We have survived on this land, and this is one thing which will never be taken away from us. We were free to choose whereto hunt; we shared what was killed and had a clear understanding of what was ours.*

— Chief Kenneth Gilpin, First Nation of Eastmain, Chisasibi

First Nations' right to their homelands should, some think, be entrenched in any new constitution.

*Of the many rights to land recognized by Canadian law, none has been more frequently ignored, evaded, or breached, and none is more deserving of protection, than the rights of the Aboriginal peoples of Canada to our respective homelands. Accordingly, it is the position of the Yukon First Nations that if the federal government proposes to amend the Charter to include guaranteed protection for real property rights, such amendment must include explicit protection for Aboriginal title.*

— Council for Yukon Indians

One submission made a simple, sensible, radical proposal to undo a great wrong with a single piece of legislation.

*The federal government must find the courage to reverse the effects of the St. Catherines Milling case. It can pass a statute saying expressly that Canada can appropriate provincial crown land and resources for the use and benefit of Indians and to honour promises made to aboriginal people by the Crown. The only losers would be the provinces, but one must ask what they would actually lose. For example, in Ontario, if large areas of forest land were turned over to Native control, what would be the effect? Most of the province's revenues are from its share of taxes, not from direct royalties. This wouldn't take resources out of the province. MNR's monopoly would be broken, and there would be the opportunity to apply varied resource management techniques. Both these effects are desirable. Bureaucratic empires would be shaken, but not the provincial economy.*

— written submission from Grand Council, Treaty 3

The federal government seems to feel that land claims, treaty rights, and self-government are all separate issues, to be dealt with one by one. This is like claiming that the heart, brain, and stomach have nothing to do with each other. The three issues are inextricably linked.

*Regardless of what happens in the ongoing national constitutional debate, the government of Canada must abandon its policy of excluding self-government agreements from land claims settlements.*

— Kluane First Nation, Yukon



In dealing with land and land claims, the government must go back to first principles. How did it acquire title to Crown lands? Did First Nations consent to the transfer? How did Europeans acquire the right to buy and sell our mother?

*The Indian treaties united all lands under the term “Canada”. Canada’s only obligation is to unite the people who are living on those Indian lands. You cannot separate lands that the Indian treaties gave to Canada. This includes Quebec. Canada is composed of Indian territories.*

— Ray Cutknife, Samson Band, Hobbema

We are prepared to be realists; we have always been ready to share this land and its resources:

*-- We’re not going to take those white people away. They’re going to be in there, and they’re still going to work. When are we going to get the benefit from our land? That’s what we’re trying to get.*

— Elder Pat Namox, Neetahlbuhn Wet’suwet’on Band

Sorrow for the loss of their land was one theme throughout the consultation process. Sorrow over what white men have done to the land, and fear for their mother’s health and future, was another.

## Our Mother’s Health

*I was taught how to hunt for food. The hunting is still good in our area, but the white man wants to change all that. God gave us land and animals. The proposed river dams will **destroy** us; the land will be no more, and the hunting will be gone. We cannot give this up.*

— Alex Fox, Bearskin Lake, Ont

First Nations see themselves as caretakers of the earth. They remembered that traditional people took what she had to give with thanks, respecting the limitations of her bounty, taking no more than she could easily afford to give.

*When the **white** man **first** came to North America and saw people living on this land, I think **he** didn’t understand how people **lived**. When we listen to **the Elders**, we **hear** about how they lived and about **their values**. They speak of respect for the earth and how they tried to take care of it. They developed knowledge and wisdom and values for everyday life. Many in **Canada** have similar values. If **the** government would only listen to us, it would learn how to take care of the land.*

— Daisy Herodler, Chisasibi

They pointed out that the track record of Eurocanadians has been very different.

*Slug heaps and 'tailings litter the landscape. Lands which once supported the nation have been ravaged. Salmon runs are all but extinguished. The land which we respected and with which we coexisted in harmony has been abused and, in many instances, made unsuitable for human habitation. That this should be true in the Yukon, where fewer than 30,000 inhabit over 200,000 square miles, is incredible. The fish in Lake Laberge aren't fit to eat. The livers of caribou in the High Arctic are contaminated with dangerously high levels of radiation. The ability of Aboriginal people in the Yukon to practice their traditional pursuits is vanishing. Among the inalienable rights of Aboriginal peoples and Canadian citizens is the right to inhabit and inherit a Canada that is fit to sustain human existence. The Canadian constitution has done nothing to protect this right.*

— Dawson First Nation, Yukon

First Nations people have been poisoned — literally— by mercury pollution and terrorized by low-level training flights. They have lost their homelands, lands that their ancestors roamed and hunted for millennia, to oil development, clear-cut timbering, and hydroelectric megaprojects.

*The Cree shed a lot of tears because of the loss of wildlife habitat [after mass flooding by Hydro Quebec]. Where our elders and parents brought us up — a lot of it has been destroyed. We tried to continue to live off the land as we had for many years, and many of the people have survived. All that has been destroyed by mass flooding. It's no wonder why the Crees in Northern Quebec have shed a lot of tears.*

— Elder Juliet Iserhoff, Chisasibi

They have watched, appalled, what goes on in the forests:

*Now they're talking about bringing in a pulp mill, talking about black spruce, swamp spruce. If they take that out, where are the animals going to live? They tell people on their traplines that they have to move; what little I tmp, I had to move twice this winter because of the logging.*

— Elder George Bain, Elders' Assembly

*The main problems in British Columbia are forestry and the salmon-producing rivers. When I came out of residential school, I didn't believe it was possible to fell all those trees. Some of those trees were 24 feet in diameter. You can imagine how many houses you could build out of one of those trees. Today, the biggest trees coming down are only about five feet, maybe six if you get a big one.*

— Elder Tom Green, Elders' Assembly

They see the animals and fish who are both their livelihood and their neighbors threatened by development.

*Our greatest concern is that oil companies want to start exploration and drilling in the Arctic National Wildlife Refuge. Environmentalists claim that there is enough oil in the Refuge to supply the U.S. for six months. Over 180,000 Porcupine caribou [have their] calving ground in the Refuge. If the caribou are threatened, the people are threatened. The Buntut Gwich'in lived in harmony with this herd for more than 20,000 years. What is six months of oil? Nothing!*

— presentation on behalf of the Spirit of Native Youth Council of Whitehorse, Youth Conference

Young First Nations people, like young Eurocanadians, are particularly worried by the state of the world they will inherit. They face the prospect of cleaning up after centuries of white irresponsibility.

*In the future, I want my children and their children to be able to catch, fillet, and eat the fish that they catch in the rivers of Akwesasne, that they may be able to swim, hunt, and enjoy the environment as we do now. In the future, will Mohawks still be able to give thanks for clean water and for the animals that help us to survive?*

— Penny Peters, Grade 8, Akwesasne

Aboriginal peoples point out that they are the original environmentalists, and that they have much to teach white society about environmental practices.

*In recent decades, modern ecology is finally beginning to recognize and catch up with ancient but still relevant Aboriginal ways of living, with respect for the inviolable laws of ecology. Both Aboriginal principles and ecological laws show the way toward a sustainable future.*

— Wait Taylor, Seneca First Nation, Smithers, B.C.

And they see clearly something that more and more Canadians of all backgrounds and races are beginning to see: that if we destroy Mother Earth, we destroy ourselves.

*The one thing all indigenous people have in common is their knowledge of and respect for Mother Earth, provider for all. Clean water, clean air — this is not a Native/non-Native issue; it is what all humanity needs.*

— Merritt Taylor, Curve Lake First Nation

## Promises, Promises: Treaty and Aboriginal Rights

*[In making our Treaty,] we had to come up with an unbreakable agreement, an agreement that could not be altered; that it would be a sin if we were even to attempt to alter or erode or misguide, because future generations would pay for this. Our Elders in council sat together and swore by sacred objects to the ultimate truth that [the Treaty] would be carried out without disruption. A representative of the Crown came and sat with our people. [The commissioner] was asked if he understood that this pact is with life, with the Spirit, to take care of our future needs, because there is no way that they could replace what the Creator had placed here for us, that we had and enjoyed since time immemorial. He said that We don't come hereto take your way of life; everything will be parallel. The land that you allow us to use — no way will we take away your lakes, waters, rivers, animals, fish, mountains, forests; they are still yours, and you will always have them." Again and again, four times, this person was asked: what are you pledging, what are you promising? My father passed this on to me.*

— Elder Jim Cannepotatoe, Onion Lake hearing; interpreter: Eric Tootoosis

That was the First Nations perspective on treaties. The witnesses remembered that their ancestors' trust, their honesty and honour, their commitment to keeping their promise, met with a very different response from the Federal government in the years that followed. Even the Canadian churches agreed.

*Initially believed by Aboriginal peoples to be instruments of friendship and peace, the treaties were often misused and broken, without consent, by the newcomers who wanted this land for their own. Dispossessed of their lands, relegated to reserves or marginalized in urban centres, Aboriginal peoples soon experienced the highest rates of unemployment, poverty, alcoholism, suicide, imprisonment, and infant mortality in Canada.*

— A New Covenant: statement by the leaders of Canadian Christian churches

Our people remember that certain benefits were quietly dropped over time.

*"I will look after you if you allow me to use the land. I will ration the old people. I will provide clothes. I will give \$25 per head to all of the people forever." The rations were cut off, but the treaty was not.*

— Unidentified speaker, Elders' Assembly

Others were fulfilled grudgingly and as little as possible. At the Brokenhead school, 'treaty right to education' has been reduced to classes doubled up in the school gym or put out in a trailer.

*It seems because we're Native, we can sit on the back burner and simmer. Education is a Treaty **right**. I don't see why my students, white **students**, any students in **Canada**, should have to sit on the back burner. The **DIA** has conditioned us to **accept** what **they** say as the gospel truth. But we've **had** enough. We want our rights.*

— Nelson Mason, Brokenhead Ojibway

The non-fulfilment of the promises made to the First Nations by the Crown in treaties was brought up time and time again.

*A treaty is made between **two** nations, and it is the responsibility of each nation to uphold the promises made. **The government of Canada** has not fulfilled treaty **annuities** in accordance with the 1850 Robinson Huron Treaty.*

— Dr. Dan Pine, Sr., Garden River

The failure to fulfil even the letter of the treaties, much less their spirit, while denying people access to their traditional life **or** an opportunity in white Canadian society, has left First Nations people in desperate economic straits.

*We, as First Nations people, **abided** by the treaties to live in peace and **harmony** with our new brothers and sisters. In turn, the Queen's messengers promised us many things. As history progressed, some promises were fulfilled; some were ignored; some were forgotten. We must have those promises and commitments addressed. When **I** hear **statistics** that **Canadian** unemployment is **11%** or **12%**, **I** feel **I** must be living in a different country. Our unemployment rate is **80%** to **90%**.*

— Chief Johnny Ear, Bearspaw Band, Stoney Nation

Presenters had no trouble melding the issues of treaty rights, self-determination, land, and the constitution into a single, coherent whole.

*[We recommend] recognition and protection of the inherent rights and titles of First Nations to self-determination, **lands**, and resources; recognition and protection of First Nations' treaty rights and renovation of **treaties**, including a process for negotiating **new treaties**; and that **further** changes affecting our rights in the constitution shall only be **made** with our **free** and informed consent.*

— Grand Chief Harry Doxtator, Oneida First Nation

Part of the blame rests on the provinces, they said. The application of provincial legislation over hunting and fishing is in violation of treaty — a point that white hunters and fishermen fail to understand, and this misunderstanding has in turn led to some racist outbreaks, particularly in Ontario.

*We believe that our treaty rights must take precedence **over** provincial laws and*

*regulations, and that jurisdiction over our traditional homelands should be part of our right to self-government.*

— Chief John Snow, Goodstoney Band, Stoney Nation

But they see that the issues go beyond hunting, fishing, and trapping. First Nations were instructed by the Creator to look after the land. No treaty in the world can supersede that instruction.

*Our rights under Treaty No. 6 include property rights. These property rights include far more than the right to hunt and fish, far more than the right to occupy and to farm lands. These rights include the right to the bounties of the land for the benefit of the Cree people, the rights to the mineral and other resources the Creator has provided for us. But these rights also include the duty to manage these lands, to sustain the riches of the land. We had these duties prior to Treaty No 6, and we will continue to have these obligations to the land and to the Creator. The proposals of the government of Canada do not recognize or acknowledge this fundamental truth.*

— Samson Cree Nation

Instead, the government's policy has been to interpret the treaties in the most narrow-minded and adversarial way. Winning back rights is a long, slow, and ruinously expensive process of continual court battles.

*In 1985, the Supreme Court held our Treaty valid. What it gives us is the right to hunt and fish and sell our produce. Instead of the federal government using our 1752 Treaty, they use the Sparrow case, which says that we can only fish and hunt for our own food. But the 1752 Treaty gives us the right to trade and barter. It also reiterates all the treaties made before, the covenant chain often treaties from 1725 on. These treaties also say that the government had to buy the land from the Indians – I don't like that word, but that's what it says – before they can allot it to the settlers.*

— John Joe Sark, Charlottetown

Our people say that the First Nations signed treaties in a generous, serious, honorable spirit. The government's interpretation is anything but generous, serious, or honorable.

## Rights in My Pocket: Off-reserve Treaty Rights

*Our Aboriginal and treaty rights do not apply only to Treaty people living on reserves but to all Treaty people. Yet the federal government caps its limited funding to on-reserve Treaty Indians. This leaves us with a double standard and discriminates against our people, who must sometimes live off reserve because of*

*lack of housing, jobs, or educational opportunities on reserve. If anyone should claim a special status in this country, it is the First Peoples.*

— **Rene E. Toupin, Interlake Reserves Tribal Council, Winnipeg hearing**

We heard that one of the most bitterly harmful and divisive tactics that the Federal government employed in its efforts to turn Aborigines into whites was the system of classification introduced under the Indian Act. Status Natives had rights that non-status Natives did not. Off-reserve people lost rights that on-reserve people retained.

It should be pointed out that these divisions had nothing whatsoever to do with Aboriginal ethnicity. A person could be Cree to the fifteenth generation, brought up in the Cree tradition, believing in Cree beliefs, speaking only his or her native language, and still have no rights under the Indian Act, while a white woman who married a status Native gained Native status.

First Nation leaders told us that this system is coupled with underfunding, so “ that even if a reserve wants to provide services to off-reserve and non-status members — and many do want to — it can do so only by shortchanging the people in the community. Not surprisingly, the result has been division, misunderstanding, bitterness, and hurt.

Time and again during the hearings, First Nations people stated that treaty and Aboriginal rights are not dependent on a card from the government or a postal address. Their ancestors, in signing treaty, made no mention of residence or status; nor did the Crown. These changes were modifications of the treaty, made without the consent of the First Nations, for the simple purpose of saving the government money.

*As the transition to reserves by our forefathers did not erode our collective sense of nationhood, so neither should the transition from reserves to cities be allowed to do so. The understanding and intentions of our forefathers who negotiated treaties was that the treaty rights possessed by our nations were enforceable against the Crown regardless of domicile or condition.*

— **Vice-Chief Eugene Arcand, Federation of Saskatchewan Indian Nations**

First Nations people, on-reserve and off-reserve, believe that treaty rights are inalienable and should apply equally regardless of residence.

*Our treaty rights are portable. The government must fulfil its trust and fiduciary responsibilities regardless of residence. It is essential that we do not bow to pressure to surrender our rights. We must be strong, clear-headed, and committed to our people as our forefathers were; to do any less is to break the circle of life.*

— **Eric Robinson, Tribal Chairman, Winnipeg First Nations Tribal Council**

Witnesses pointed out that First Nations people do not move off reserve for

frivolous reasons; they do so because job and educational opportunities on the reserve are usually dismal. People who want to better their lot in life rarely have any choice but to leave the reserve, and are penalized for their ambition by the loss of their treaty rights — a classic Catch-22 which the government justifies on the basis that their departure is “voluntary”.

This, too, must change.

*Even though we live in the cities and off the reserve, we still feel strongly that the government of Canada is obligated to us. We are descendants of people who entered into treaties with the British Crown and the successor nation of Canada.*

— Lea Goforth, Urban Assembly

*Changes in policy must take place within the federal government concerning off-reserve Treaty and status people. They have ignored us for too long. It is time they recognize that our Treaty rights are portable. We have been relegated to being third-class citizens. I urge our leadership at the provincial and national level to start organizing their people in urban centres across Canada to address the issue of policy change with the federal government, so that we can receive adequate and culturally appropriate services for our people.*

— Eric Robinson, Tribal Chairman, Winnipeg First Nations Tribal Council

## Aboriginal Rights “

We heard over and over that Aboriginal people were here first, millennia before the “discovery of North America. They owned the house and took the newcomers in as guests. A guest has no right to run the household, to dictate how things will be done — much less the right to take the house away, insist that the host speak a different language, prevent the host from worshipping as he or she pleases, and convert the back garden into a cesspit.

*An inherent right takes in many things. The right to prey, to educate, to heal, to speak our language, to hunt, to fish, to roam; to gather herbal medicine in traditional areas, to gather soapstone, natural paints for ceremonies, berries, edible plants; the right to education, preschool to post-graduate — a lifetime opportunity to education; the right to health, social enhancement, community development, community services, services for the elderly, services for the handicapped, services for the gifted. We have an inherent right to worship and visit sacred areas. We want our traditional sacred areas respected. We want the freedom, as promised at the treaty negotiations, to practice our religious ceremonies, to gather sacred herbs, to collect the pipe stone, and to build our sundance lodges and sacred fires.*

— Chief John Snow, Goodstoney Band, Stoney Nations



## RECOMMENDATIONS

That the Canadian Constitution be amended to reflect the original relationship of treaty federalism with First Nations

That Premier Joseph Ghiz's proposal for a National Treaty of Reconciliation be further studied and developed, in order to deal with the unfinished business of Aboriginal rights and title, and in order to clarify, renew, and **re-establish** relationships between First Nations and the governments of Canada

That Quebec and other provinces recognize the territorial integrity of First Nations

That the French language and culture be recognized, protected, and promoted throughout Canada

That no megaprojects be constructed in Northern Quebec without the full consent of First Nations

That Quebec approach the business of nation-building in a spirit of cooperation with other provinces, the federal government, and First Nations

That First Nations be compensated for the loss of rights such as hunting and fishing as a result of the establishment of parks, game reserves, wildlife areas, and private leases of Crown lands

That First Nations' relationship with federal and provincial governments be on a nation-to-nation basis, founded on equality and mutual respect.

That treaties cease to be interpreted unilaterally, and that oral traditions be included as part of the treaties for purposes of interpretation

That the word "existing" be removed from s. 35 of the Constitution **Act, 1982**, as the word is not in keeping with the partnership nature of treaties and does not address the absence of formal agreements when no treaties have been signed

That a moratorium be placed on laws, policies, and practices that have been detrimental to a good relationship between First Nations and the federal and provincial government, including the Indian Act, all policies aimed at **a s s i m i l a t i o n**

That any future treaties be written in the pertinent Aboriginal language, to prevent misunderstandings arising from linguistic differences

That there be a moratorium on provincial laws of general application, with the inclusion of "savings" clauses in order to prevent the development of legal vacuums

That First Nations, federal, provincial, territorial, and municipal jurisdictions be reexamined

That First Nations reclaim full jurisdiction over resources on reserves and shared jurisdiction on resources off reserves, not excluding the option for full jurisdiction over off-reserve resources, and that First Nations consent is required for any and all resource development

That an immediate moratoria be placed on provincial laws and policies that violate or impede the full exercise of treaty rights

## Mending the Circle: Reconciliation and Respect

For those who attended the four special assemblies called for Elders, women, off-reserve and urban First Nations people, and youth, the following explanation is in order. When we came to write this report, we decided to include *your* testimony with everyone else's. If you spoke on the subject of land, your thoughts and comments belong in the "Land" section. If you spoke on self-government, your contribution belongs with the others on self-government. To do otherwise would be to segregate you from the hearings process.

But certain issues emerged with particular force at each assembly, and we have chosen to focus on those issues in reporting on the assemblies, particularly since they were brought out so clearly and well. The Elders spoke on many subjects, but they delivered an honest appraisal of current leadership — a subject that others had brought up at community hearings. It seems right and fitting that the Elders report on this issue, since traditionally their role is to warn and advise the leaders. The off-reserve First Nations people spoke of their right to and need for services like those available to their brothers and sisters on reserve. The youth brought education and identity to the fore. And the women raised serious concerns about sexism and discrimination — a topic so significant that we have reported and discussed it at some length.

And finally there are our brothers and sisters of non-Aboriginal descent, ordinary Canadians. There was no assembly for them. But they too came to some of the meetings and had their say. It's not in the tradition of the Circle to exclude anyone. Our three peoples have done too little talking in the past; perhaps this is the time to start.



## Listen and Learn: The Elders' Assembly

*There are lots of times that **people have** things to say that hurt us, but that's what life is all about: a lot of frank statements that must be made. We must be strong enough to be honest.*

— Joyce Leask, Elders' Conference

At the Elders' Assembly, a good many issues were discussed — language, culture, spirituality; land and treaty rights; bitter memories of the past and concerns for the future. They are proud of, and worry for, the young people. They expressed alarm about the loss of their traditions. They displayed, in their witness, the beauty and power of their spirituality.

They brought up individual concerns that, in many cases, had been stated in the community hearings elsewhere. One such was the plight of Native war veterans who, like so many other Native groups, have fallen between the cracks. This point had previously been raised:

*I've been wandering around for so many years now, since I got out of the Armed Forces, looking for **housing**. I fought to get back with my relatives and people; I was working in different places and I had no way to get back on the reserve where I was born. I'm still **wandering** around; I got my rights back [under Bill C-311, I've got about 17 acres on the reserve. I tried to get my housing solved — no. There's nothing they can do. The funding is there, but they won't do anything for me. I'm still fighting over that. I think Native **veterans** should be looked **after**. After all, it's the government's fault — they took them off the reserve, I think they shouldn't just throw them back on the reserve and say "Look after yourselves from here on,"*

— Jeffrey Robinson, WW II veteran, Prince Rupert

A documentary on Native veterans has never been publicly released, because it criticized the government's breach of faith with the First Nations people who fought for it. Native veterans have been given neither respect nor support; this, the Elders felt, was an injustice that should be righted.

Another concern expressed at the Assembly, which we have not yet looked at, is the question of the existing Aboriginal leadership. At more than one community hearing, we heard criticism about the fairness and integrity of chiefs and councils. People spoke of their dissatisfaction with the way their administrations, programs, and reserves are now run. They see favoritism, patronage, discrimination, and poor administration. The Elders raised this topic at their Assembly.

*Some of the bad things that are happening to our Nation are through our own people. As soon as they get into office, they sell us out.*

— Millie Jack, Elders' Assembly

*In the past, the youngsters listened to the Elders; they respected the Elders. But not now. You select a good person [to be leader], an honest person, but then what happens? Every one of the reserves makes the same observation: their council is not working right because they're so concerned for their own families, relatives, and so on. They forget about the rest.*

- Lazarus Wesley, Elders' Assembly

Traditionally, it is the Elders' job to keep younger people on the straight and narrow path, to correct them honestly when they seem to be going wrong. The Elders spoke to the question of existing Native leadership; we advise chiefs and councils to listen very carefully. If the criticism fits, accept it.

*Our young people — maybe because they have lost touch with the Elders, lost touch with their culture — glory in being called 'Chief' and selling us to the white people, the government. They are not listening to the Elders. They are telling the Elders, Tour day is over. We are the educated ones; we know what is good for you." Are we Elders just trotted out when we are necessary and colourful, for dancing and performing the ancient rites of the people?*

— Ethel Wilson Pearson, Elders' Assembly

Elders are concerned that leaders pay more attention to government policies than they do to the advice their Elders have to give them.

*I heard one Elder say yesterday, When Indian Affairs says 'jump,' our leader says, 'ho w high?'" The young people get to be leaders; Indian Affairs says "jump," and they jump right over the Elders.*

— George Bain, Elders' Assembly

They tell their leaders to pay serious attention to the community, to involve their own people in the decision-making process.

*The whole flavour of self-government is that the community is involved in all aspects of lawmaking and the day-to-day activities of the band, That just hasn't happened. For our chief to be so intent on self-government, someone who overlooks the Elders — that's pretty cold-hearted. The grassroots people are not involved enough, and the direction is not taken from the Elders or the community. It's time we got back to listening to our Elders.*

— Tom Lindley, Elders' Assembly

If leaders' power has been abused in the past, will more power lead to more abuse?

*One of the main purposes of [self-government] is to increase and enhance the power of our local governments. **There** have to be assumptions that that power is not abused. That is one of our **deepest** concerns.*

— Unidentified Elder, Elders' Assembly (West Bank First Nation, B.C.)

Elders have wisdom and experience; educated young people have knowledge and skills, and both groups are being neglected.

*We have lots of **people**, youngsters, who **can** do the work. **They** have diplomas and certificates so that they can bridle the job. Those are the kinds of people that are forgotten.*

— Lazarus Wesley, Elders' Assembly -

This is wrong. This is entirely contrary to Aboriginal tradition, in which Elders advised and leaders acted on their advice. Elders are the repository for language, tradition, culture, values; if young people do not listen to them, of course they will lose their way.

*I went to a conference in Ottawa where they said, "Let's go to our **Elders**, let's talk to our **Elders**." And I said, 'My God, it's about time.' It's about time **someone** started thinking like that, because we are the grassroots of your **generation**. We are where you come from. A lot of you have lost your **language**, lost your culture, because you didn't respect your Elders; you didn't talk to them or go **visit** them.*

— Simon Baker, Elders' Conference

Young people themselves say that they want to learn from the Elders, that they value the Elders' priceless store of knowledge and experience, that only the Elders can tell them who they are.

*Young people must learn from **the** Elders, learn their wisdom, language, culture, customs, **traditions**, heritage, guidance. We can get **family** health from the **Elders**. We can get our **identities** from **the** Elders, the do's and don'ts of **self-government**, and of life **itself**.*

— Peter Wesley, Elders' conference

The Elders, in short, called for far more than lip service to the traditional way of decision-making. It is not enough to invite an Elder to open a meeting with prayer and then ignore what he or she has to say. They advise the leaders to consult them, to consult **all** the people of the community, to listen and to learn, before reaching their decisions. They also advise the leaders to act justly and honorably, without self-interest or favoritism, if they are to **earn** the trust of the people and lead them into self-government.

## Honour Your Mother: The Women's Assembly

*My mother taught me, 'Just as I am your physical mother who brought forth life, our spiritual mother, who we call **Mother Earth**, provides for our sustenance and survival.' I look **today** at the abuse and the violence and the incest and the abuse of women and **children in communities** and it's no wonder what's happening to the men. [They commit] wife **battering**, child abuse, **sexual** abuse, because they don't know **what that connection** with the spiritual mother is. They've lost that.*

— Ann Brascoupe, Women's Assembly

In traditional Aboriginal culture, it was not so. Women and men may have played different roles and had different responsibilities, as has been true in virtually all societies in human history, but unlike European women, Aboriginal women were viewed as equals, not inferiors.

*In Iroquois society, women are not merely treated with respect; they raise up the men as the leaders and they can just as easily take **that** power away. In the southwestern United States, they say that a woman must walk three steps behind a man, not because she's subservient to the man, but because she's telling the man where to go.*

— Barry Montour, Youth Assembly

They were no man's chattels. They were strong, proud, respected and self-respecting. They were seen as the repository of life, the "doorway by which life comes into the world," as caretakers of the children's future.

*The pipe I carry is a woman's pipe. It's not my pipe; I'm just its **caretaker**. That pipe is our strength. We have to pick up our sacred objects; we have to start teaching our children, especially our young girls. We give life, and we are the caretakers of the water.*

— Elder Pauline Tobacco, Women's Assembly

What changed? Very simply, the European view of women as subordinate to and owned by their menfolk infected the First Nations of Canada. It did so directly through the Indian Act, which tied women's identity and rights as Aboriginal people to those of their husbands, through government policies that reinforced women's status as dependents, and through its deliberate disruption of traditional life.

*Family violence and child **abuse** are simply not acceptable under any circumstances. However, we must be **careful** to solve the problems and not be distracted by the symptoms, Most of the **problems** in our communities, including those involving the relationships between men and women, can be **traced** to the*

*deliberate attempts to destroy our spirit, our traditions, our respect, dignity, and caring for ourselves, our families and communities. In other words, the disruption of our traditional culture is reflected in our contemporary social problems.*

— Chief Wendy Grant, Women's Assembly

The AFN has already reported on the aftermath of Bill C-31 — on the tensions and conflict brought about by that well-intentioned but disastrously inadequate piece of legislation. Numerous presenters, both at the Women's Assembly and at community meetings, spoke of the divisions between the reinstated and those who never lost status. They spoke of the struggle of reinstated people to regain their rights and a place in their communities.

*Many of our provincial and national First Nations political organizations fought Bill C-31 all the way. Many of our communities are, in effect, still refusing to implement the conditions stipulated under Bill C-31.*

— Jeannette Cormier Lavelle, Woman's Assembly

Section 12(1 )b of the Indian Act and Bill C-31 continue to cause dissension, discrimination, and hurt among First Nations. We suggest that education is probably the only way to deal with this problem. If on-reserve people understand the perspective of reinstated people and vice versa, if we can approach the aftermath of Bill C-31 in a traditional way, looking for inclusion, understanding, and compromise, perhaps the healing can begin.

But sexism is not merely imposed on First Nations from outside; it has entered our soul. To be blunt, a great many First Nations males need to have their consciousnesses raised. The women see leaders in particular as being sexist and discriminatory:

*Given the history of discrimination that Aboriginal women have faced and do faced, and given that they are few among the leadership and that they exercise very few of their traditional powers within their communities, they must seek entrenched guarantees of equality.*

— presentation of the National Action committee on the Status of Women, Montreal

They worry, with good reason, for their daughters' future:

*I worry about my daughter's place in society, as a woman in this world today. I do not want her to lose the strength and power of our traditions, that will protect her from a larger culture that is going to continue to victimize her.*

— Carole Corcoran, Woman's Assembly

The male Elder (we won't specify who it was) who, with the greatest goodwill in the world, urged the young men to become air pilots and the girls to become air hostesses has clearly forgotten something of his own traditions.

*We're not only marginalized by Canadian society as a whole; we are also marginalized in our own communities. I think it would be unfortunate not only for Aboriginal women and children but also for Aboriginal men to consistently deny our voice and not to make room for us unpolitical organizations [and] status groups.*

- Brenda Small, Women's Assembly

Women who have been raped, beaten, sexually harassed, overlooked, excluded, ignored, or otherwise oppressed by Aboriginal men are hardly eager to trust the men to look after their interests.

*Some Aboriginal women have said "no" to self-government. Some of our women do not want more power, money, and control in the hands of the men in our communities. It is asking a great deal of us as women to have confidence in some of the men in power.*

— Nora Rhineland, Women's Assembly

From this comes perhaps the single most contentious issue among Aboriginal people concerning self-government: the role of the Canadian Charter of Rights and Freedoms in Aboriginal government.

### Charter of Rights and Freedoms

*If, when the Europeans came to this country, they had learned from our people and taken some of our values, maybe it would not have been necessary to have a Charter at all.*

— Chief Violet Pachano, Women's Assembly

The Native Women's Association of Canada (NWAC) and several other women's organization believe that the Charter's provisions should be able to override First Nations laws.

*There is a club between collective rights of sovereign Aboriginal governments and the individual rights of women, stripped of equality by patriarchal laws which created male privilege as the norm on reserve lands. Aboriginal women have had a tremendous struggle to regain their social position. We want the Canadian Charter of Rights and Freedoms to apply to Aboriginal governments.*

— Charlotte Ross, Women's Assembly

Other women pointed out that the Charter may have been instrumental in forcing the federal government to pass Bill C-31, and that similar agreements had been passed by international bodies. The point, they said, was that there



must be legal guarantees of gender equality so that women who have been discriminated against would have legal recourse against their oppressors.

Still other women felt differently. Sections 25 and 35 of the Charter itself, which protect treaty and Aboriginal rights, are an argument that treaty rights are stronger than the provisions of the Charter, one representative of the Saskatchewan Treaty Indians Women's Council stated. Women from the Alberta and Saskatchewan women's organization expressed support for their chiefs and their treaty rights, not for the Charter.

If we may step outside the circle for a moment and present our own opinions, the Charter is a well-intentioned document. And there is absolutely no doubt that Aboriginal women have suffered from appalling treatment, in the past at the hands of the Federal government, in the present as the victims of rapes, domestic violence, and discrimination.

But the Charter is no answer to women's problems, for three reasons.

First, in most of the problems that Aboriginal women face, the Charter is no use at all. True, a woman can go to court to force her council to award her membership, a house on reserve, and similar rights. But the Charter cannot protect a woman from violence; it cannot force her leaders to listen to her problems or help her; it cannot get her a job. The problems that the Charter is designed to overcome are not, on the whole, the day-to-day problems that Aboriginal women confront. Job discrimination and pay inequity are low priority when there are no jobs at all.

Second, traditional Aboriginal society has no need of feminism, for the simple reason that women held the real power in it.

*[In the] Iroquois Hodinishonee Nation, at that time and now, the women put up the leaders. If the man was not a good leader, the women took him out. In our communities, In Kahnawake, Oka, Akwasasne, Tyendinaga, Gibson, Six Nations, Gmnd River, there is a discussion now going on between our elected and our traditional leaders. We're now beginning to analyze how to get back to our traditional roots and rebuild.*

— Mike Mitchell, Women's Assembly

Grandmother makes the rules; Grandfather enforces them. If traditional values are re-established, Aboriginal women will have more power, more status, more respect than their feminist white sisters — who, since the passage of Bill C-31, have shown little interest in boriginal women's problems. But the Charter could easily stand in the way of, or even prevent, the re-establishment of traditional values. Fundamentally, Eurocanadian culture values individualism; Aboriginal

culture values the collective. Certainly individual rights must be protected, and past injustice must be ended. But if the right of the individual conflicts with the right of the group, our tradition is clear. The Charter is not an Aboriginal document.

Third, applying the Charter means, in effect, that women would be asking the Canadian government to look after their interests, probably through litigation. The Canadian government's record of looking after the interests of First Nations women is frankly deplorable. Not only is litigation a non-Aboriginal way of solving disputes, but Canadian courts may or may not give these women what they want. In any event, real membership in the community cannot be litigated; it can only be earned, and insisting on "my rights" is neither an Aboriginal custom nor a good way of winning a welcome from the community. "Rightness" and "wisdom" are two different words.

That being said, there is no doubt that women need guarantees of equality.

*The concept of gender equality **should** be accepted. There **should** be no doubt about the importance of Aboriginal women in self-government. However, the Canadian Charter of Rights and Freedoms is based on a liberal European value system that stresses individual rather than community values. Rather than impose all of these provisions wholesale without examination of them and their underlying assumptions, it might be better to examine the Charter clause by clause or, better still, to develop an Aboriginal Charter of Rights.*

— Daniel Christmas, Bruce Wildsmith, Union of Nova Scotian Indians

Several presenters called for a parallel Aboriginal Charter of Rights, which could guarantee women's rights in a proper, traditional way, a view shared by some First Nations:

*We expect that many First Nations will **develop** codes or charters of rights of their own, which will supplement or supplant the Charter of Rights and Freedoms. We consider that the **development** of such First Nation codes or charters forms an integral part of the First Nations' right of self-governance.*

— Carrier-sekani Tribal Council

On a practical level, the day-to-day discrimination that women face at the hands of male chiefs and councils must be addressed immediately. There is no excuse for sexual assault or wife-battering, but women must (and do) understand that this sickness in the men comes from the men's own wounds and the damage that our cultures have sustained.

But if the men must mend their ways, the women have work to do as well. Forgiveness and reconciliation are Aboriginal ways. Banding together, sup-

porting each other, offering support to women in trouble, looking after each other and each other's children — simply listening to each other: these are ways in which women excel, not only in our society but all over the world. No, this isn't the answer; but it could be a start.

*It is up to the women living on our reserve to organize themselves and say, "This is what we want."*

— Dr. Eleanore Sioul, Huron-Wyandot Nation

In the long term, the answer to Aboriginal women's problems is not a document which is foreign to our people. The answer is threefold: to return to our tradition of respect for women, to heal the sources of the violence, and to educate the men who have adopted white attitudes towards women. In the past we knew more about women's wisdom, strength, and power than white society did. If we can regain that knowledge, Aboriginal women have everything to gain.

We have a long history of consensus, cooperation, and settling disputes peaceably. If we rebuild the women's trust in First Nations organizations, the question of rights will be settled as it should be.

*We came here with our view, which is in opposition to the male-dominated organizations. We presented our position; they presented their position. We're willing to talk.*

— Marlene Pierre, Ontario Native Women's Association

## Out of the Circle

*It's a complex issue, A lot of women in my community don't understand what's happening with the Constitution. How is it going to affect them? Self-government, to them, is alien; they don't understand really what's going to happen. Some people are scared that if we attain self-government, the government will not hold their fiduciary responsibility. They feel that in the long run, we're going to lose out. They feel very insecure. I'd like to see the inclusion of the children of reinstated women; I'd like to see them be acknowledged, treated equally. We're not asking for very much; we just want to live in our culture. Women must play a crucial role in the process. We're always the last to be heard.*

— Mary Hanneburg, Kahnasetake

We called our commission "The First Nations Circle on the Constitution" for a particular reason. The circle is a core concept in traditional Aboriginal society, signifying unity, oneness, kinship, mutual acceptance and respect, as well as harmony, balance, serenity, and spiritual health. To be in the circle was to be in the middle of light and life. To be out of the circle meant darkness and loneliness.

What we heard at the Women's Assembly is that our women feel strongly that there is no place in the circle for them.

*I very strongly believe that Aboriginal women should be part of the [constitutional] process and be consulted. Obviously, Aboriginal women include Elders as well.*

— Cathy Gnishe, Women's Assembly

*Will the First Nations women of Canada, will our wishes and our aims and our goals and our objectives — will these actually get on the constitutional table? Ask yourselves, commissioners. Ask yourselves. I can't be the only one asking these questions; I can't be the only one feeling the way I do.*

— Diane Patrick, Women's Assembly

“Urban women are particularly excluded, lacking even basic treaty rights, much less a voice in the counsels of their Nations:

*Urban First Nations women and children have the right to a happy, productive life and the realization of their goals. Women and children, as First Nations citizens, have the right to all our treaty rights, regardless of residence. Original treaty women and their descendants must have equal treaty status. . . . We believe that urban First Nations women must have equal rights and representation at all levels of government. We believe that urban First Nations women have a right to self-determination and access to financial resources to meet their needs. First Nations women played a strong and specific role traditionally, and that role should be continued.*

— Elsie Whutnee, Assembly of First Nations Women's Association of Alberta, Urban Assembly

The circle was whole when the Europeans came. Now, who feels excluded? The off-reserve people, the non-status people, the women, the newly reinstated, the Elders, the young. Is our circle to be exactly like the Canadian political system, composed of narrowly qualified males between the ages of (say) thirty and sixty, with a sprinkling of women and no room for anyone else? We have been victimized. That is no reason for copying the victimizers. We had a better way once.

*I am the doorway through which all life comes into this world, For this reason as a woman, I am an artist, I am a Creator. I pray that all women, and all people, come to understand the beauty of those gifts. Let us walk out of this room together as one people, strong, free and proud, and understand in our hearts that we're not victims, we're survivors, we're free.*

— Trish, Youth Assembly

## Out of the Frying Pan: Urban First Nations

We have chosen to make our homes away from the reserve not to deny our heritage; we have no **desire** to extinguish our aboriginal rights. We have **done** so to improve our economic situation, to **further** our education, or to capitalize on opportunities that do not exist on reserve. We continue to struggle for our rightful recognition as members of the **aboriginal** community of **Canada**.

— **Roney Bobbiwash**, Urban Self-government coordinator,  
Native Canadian Centre, Toronto, at Urban Assembly

Why are they there? Maybe some First Nations people leave their reserves for the cities because they like the bright lights, but for most (we heard) the decision is purely practical.

*While there are some very good enterprises going on in some reserves, they are in a tiny minority. There's no employment for people on the reserves, no pride in the community, no pride in self. People when they reach a certain age go to the city.*

— Unidentified speaker, Urban Assembly

With unemployment running at or near 90% on many reserves, housing scarce and poor, few chances to improve their skills or education, and a lifetime of welfare dependency to face, it is anything but surprising that First Nations people try their luck in white Canadian cities. The reserve-to-city flow is rapidly turning into a flood. The largest single concentration of Aboriginal people in Canada — 65,000 people — now lives in Toronto.

*Canada's aboriginal population is estimated at around 800,000. About 113,000 aboriginal people live in Alberta. Of this figure, approximately 75% do not live on reserves or in **Metis** settlements. The population of aboriginal people now living in Calgary is growing rapidly — 7,320 in 1981, 14,350 in 1986. The unemployment rate among this group is nearly double that for non-aboriginal **Calgarians**. At present, 37.8% of the treaty Native population in Alberta is already resident in urban areas. By the year 2000, 75% of the treaty population will be in urban centres.*

— **Laverna McMaster**, Calgary Indian Friendship Centre, Urban Assembly

*There are about 5,000 of us in the **Nishga** tribe and about 53% of us are urbanized. We have close to 400 **Nishgas** living in Vancouver, almost twice that many in Prince **Rupert**, maybe another 300 in **Terrace**. We created the districts of Prince **Rupert**, Vancouver, Terrace, and Port Edward. This is the way we keep track of our people.*

— **Frank Calder**, Urban Assembly

Some — those with education and skills, especially those working for governments or Aboriginal organizations — do well. But for far too many First Nations people, the move from reserve to city is out of the frying pan into the fire. Too many lack formal education, work experience, or saleable skills, and they face an environment for which they are not well-equipped and which has too few support systems for them.

*The majority of Indian people relocating to urban centres are uneducated, unskilled, and likely candidates for social assistance programs. Cultural development and retention of Native culture, language, and traditions are not available in urban settings. Off-reserve rental housing programs exist only for modest and low-income families; there are no [house] purchase programs available for urban Indians.*

— Chief Eugene Arcand, Muskeg First Nation

They face a reality as bad as, or worse than, the one they left behind.

*Any First Nation or aboriginal person who lives in an urban area and says that racism does not exist is a blind fool. We continue to fill employment offices, looking for minimum-wage jobs, being dishwashers at the back of restaurants. All our people live in slum housing.*

— Brian Ratt, Urban Assembly

One presenter was in tears as she told her story.

*I have four kids. I don't want to go back to the reserve because there are more opportunities for us in town. [My children] are losing their native language; I can understand it, but I can't speak it. I can't help them. I'm also concerned about day care. We need a day care centre here for Native people to go back to school. I tried to go back, but I had to quit because I couldn't do it — I couldn't pay for a babysitter. I worry about my kids, what's going to become of them; it's really hard. I want the best for my kids, I want the best for me. My husband and I are fighting because he can't do anything, he has to stay home and watch the kids; he can't go out to look for a job because we can't afford to pay a babysitter.*

— Frančne Gurney, Prince Rupert

They should be able to get help from their home communities. But federal policy has caught the reserves where it hurts: funding is available only for on-reserve members. Anyone who moves off reserve becomes a provincial responsibility.

*The federal government has maintained a policy of offloading its responsibilities on the provinces. Eventually the province is going to wake up and realize that this*

*is not their responsibility. It is a **federal** responsibility to ensure that these programs are met,*

— **Dennis O'Soup Crane, Urban Assembly**

To help their members in the City, reserve administrators will have to stint people in their home communities, when funds are already stretched to the limits. Most simply cannot help. Some do their best:

*My urban **people** from **the** reserve are not included as part of my **database** for funding. Some **700** of my band's members are not included. We **try to resist them**. The Department of **Indian Affairs** says "we can't reimburse you; these expenditures are not legal." But we do it anyway. We'd **rather** accept the loss than see our people suffer out there.*

— **Chief Wesley Daniels, Sturgeon Lake Band**

And of course, the reserves can do nothing for non-status First Nations people or ones who belong to no reserve.

Moreover, treaty rights such as tax exemptions, medical benefits, and housing are only available on reserve. Our witnesses feel certain that in signing the treaties, their ancestors did not expect, and would vehemently have disagreed with, these restrictions.

*Even though we live in the cities and off the reserve, we still feel strongly that the government of Canada is obligated to us. We are descendants of people who entered into treaties with the British Crown and the successor nation of Canada. We did not enter into treaty with Quebec. Why should our future be **dependent** on the whims of Quebec?*

— **Lea Goforth, Urban Assembly**

*Our treaty rights **are portable**. The government must **fulfil** its trust **and** **fiduciary** responsibilities regardless of **residence**. It is **essential** that we do not bow to pressure to surrender our rights. We must be strong, **clearly-headed**, and committed to **our people** as our **forefathers** were; to do any less is to break the circle of life.*

— **Eric Robinson, Tribal Chairman, Winnipeg First Nations Tribal Council**

In the cities, Aboriginal organizations have been trying for years to bridge the gap —to provide support, personal and cultural, for their people. Large centres may have some culturally appropriate services — daycare centres and counselling services, for example. But not nearly enough of them, and too many programs have been cut. One presenter summed up the near-total lack of culturally appropriate services for urban Aboriginal people:

*The number of Treaty Indians in city schools as doubled, but these figures do not reflect Native student-teacher ratios, school board representation, and student services. Cultural development and retention of Native culture, language, and tradition are not available in urban settings. Sports and recreation programs are nonexistent for urban Natives as a group. Lack of community development in urban settings prevents bands from including off-reserve members in program development. Off-reserve rental housing programs exist only for low-income families, and there are no purchase programs available for urban Natives. Employment centres to serve the needs unique to Native people are no longer available in urban centres. Outreach programs have been eliminated. Personal skill development is crucial but unavailable or too intimidating.*

— Earl Magnuson, Urban Assembly

“- The Friendship Centres, who turned out in force for the Urban Assembly, have done invaluable work, counterbalancing the isolation and sense of aloneness that life in the city often brings, especially to those who have grown up in small, close communities. They do the best they can with limited resources, too few staff, and no authority. But they are often swamped by the demand and powerless in the face of municipal and provincial authorities.

*Our funding is about \$18 million a year, That's not nearly enough to meet aboriginal needs in urban areas. We need resources to address the whole range of issues that we are facing now — racism, justice issues. We also want to go after the social issues, such as child welfare, from a holistic perspective.*

— Terry Doxtator, President, National Association of Friendship Centres, Urban Assembly

*A lot of people in Rankin Inlet rely on the Friendship Centre, and there are only three full-time employees looking after 1500 to 1600 people. That's not sufficient for my people.*

— John Iowalk, Urban Assembly

*[The Friendship Centre] in Vancouver have tried to provide services for their base population of 60,000 urban Natives. But they can't, because funding is always a problem. The centre does try to provide some education, some courses, as well as the Aries project, which deals with street kids, and the Wall program, which deals with kids who drop out.*

— Unidentified speaker, Youth Assembly

Organizations such as the Urban Native Alliance have formed, or are forming, to look after their people's interests, to represent them at the national level, to speak up on their behalf, and to mediate between them and government agencies. Urban Native organizations deserve all the support they can get.



But our own Nations and the federal and provincial governments, need to remember one thing—to get it fixed firmly in their consciousness. First Nations consist of **people**, not of categories. “Once a Nishga, always a Nishga,” as one of our commissioners put it. Change in residence does not entail a change in heritage or rights. The boundary between urban and on-reserve, like so many other boundaries in Canada, is artificial and contrary to our heritage.

*The false wall **that has** been placed between our urban populations and their communities and treaty rights must be torn down. Our urban population [must] retain their sense of nationhood and assert **full** entitlement to the privilege of treaty. Once this **barrier is dismantled**, the nation shall once again become whole. The streets of our **cities must** not be viewed **as** places of **alienation**. Beneath this concrete lie the **territories** of our **nation** and the home of our ancestors.*

— Chief Eugene Arcand, Muskeg First Nation

## Seven Generations: The Youth Assembly

Young people spoke to a variety of issues: self-government, land, treaty rights, unity, and (with particular strength and concern) the environment. Young people across Canada, regardless of their origins, worry about the environment—they feel that previous generations have left an unholy mess, which they will have to deal with. Native young people, with their special relationship with the land and its creatures, feel particularly strongly on this subject; even very young students spoke up about it at community meetings.

Three themes emerged with particular strength from the Youth Assembly: education, identity, and the future. Native youth, like young people everywhere, want the best of both worlds: the formal training to succeed in the white world, and education in their own language, culture, and traditions. And they want control over the way education funding is spent.

*Not only has the government **started** cutting back, and capping the funding for education for the Native peoples, but they have also cut back funding for all **post-secondary students**, all across the **country**. We need control of our own education, our own curriculum programming, and our own funding. We can't keep expecting the **government** to keep funding our **education** and controlling where our funds are spent.*

— Fred MacDonald, Youth Assembly

They favour proper immersion programs in their own languages, especially since their parents, traumatized by the residential schools, cannot or will not teach them the language at home.

Why can't we have **Micmac** immersion? Why can't we have **Ojibway** immersion? Why can't we have **Cree** immersion? Because French and English are the only recognized languages in this **country**, it will continue to be **difficult** for our youth to retain **their** heritage and their culture, because the basis of that is the language. I tried, in our community to get a **Micmac** program, so **that** we could learn what we've **lost**. The government wouldn't assist us because French and **English** is **all** they pay for as far as programs.

— Anita Rain, Youth Assembly

I **believe** our culture should be brought into the school system and it should be right in a curriculum. I go to school **five** days a week and study **six** to seven days a week, I'm studying all the time subjects. But where does that leave my culture? Where? I have Saturday and Sunday to **learn** my culture. Our culture should be lived-every day, and it should be in our school where we can learn it every day.

— Jeff Ward, Youth Assembly

The existing educational system is defeating its own purpose.. Aboriginal control over education could make a real difference.

The education system is failing the young people. Five Percent — **only** five percent — make it to grade twelve, The system doesn't work. The curriculum is the pits. Instead of the government giving money to the public and separate school systems, it should **give** it to Native people to open their own urban schools — schools run in an holistic fashion, where culture and language could be taught, with immersion **programs**. Maybe **then** these people could get back to their roots and make the founding people stronger.

— Deborah Murray, Youth Assembly

When such control has been established, they see promising results

The Dogrib division controls their own education. **The** government **has** **nothing** to say. We're teaching **our** youth **the** skills that they need for the **future**, so that their culture will survive. That's what we're working **towards**.

— Tony Rabiskau, Youth Assembly

Above all, their identity as Aboriginal people, as citizens of their own Nations, their pride in their people, all critical to their self-vision

I see myself as a Native person. I like going to powwows **and** watching **people** dance. I like our language **because** I like to speak **Cree** and pray in **Cree**. I see the strong belief of our Indian values. **Believing** in my Indian-values helps me to love and respect others.

— Vercal Omeasoo, Grade 7, Erminekin Junior High School, Hobbema First Nation

They see, very clearly, the connection between language and spiritual health:

*The **Micmaq** language is the key to our soul, a tool to **mould** body, mind, and spirit as one. God gave us this sacred **language** to pass on to our children. I believe if we lose it, we lose our communication with God.*

— **Gaetanne Stevens**, youth delegate, **Eskasoni First Nation**

They told us of their determination not to be defeated by the system imposed on First Nations by the federal government.

*I have not been involved in Native issues except when Bill C-31 came into effect. I applied for Bill C-31 and found that, because I am a third generation, I do not **qualify**. My mother is a Bill C-31. She belongs to the Pine Creek reserve, but because of the rules and regulations that the government has imposed on us, I cannot be a part of her life **as** a Status Indian, and that hurts. But it is not going to deter me as an individual, because I believe I have the ability, the God-given ability, to create a life for myself*

— **Ken Patenteau**, Youth Assembly

They see, very clearly, the problems that afflicted their parents and that still drive too many of their friends to self-destruction. Their answer is simple:

*I believe in being strong for me; I want to be as strong as I can.*

— **Niella Klugie**, Youth Assembly

*I'm **Gwitchen**, from the Dene Nation. Our people are survivors. We're going to keep on fighting.*

— **Karen Snowshoe**, Youth Assembly

*We have to **out out** and speak our own mind, from our hearts. We should go to the [AFN and NCC] hearings and express our concerns. When you go back to your communities, when you go back to school, express and share what you would **like** to see for the future, for our **children**.*

— **Sam Gull**, Youth Assembly

Above all, they look forward, not back.

*We're saying, We care." It's our future, and we want part of it. We want to shape it ourselves. We look to our **Elders for guidance**, and **they're giving us the guidance** we need, But we're the leaders of tomorrow; we have to **take** over when they finish. We are the caretakers of **this** earth.*

— **Francis Doucette**, Youth Assembly

## Puzzlement and Polarity: White Society and First Nations

In the course of our travels, we heard from a number of non-Aboriginal people — people like Aaron Sutton, a student at Churchill School, who told the meeting at La Ronge, Saskatchewan, “I am ashamed of my ancestors; what they did cannot be erased, but it can be changed.” At the meeting in Montreal, we heard support for our cause from the Canadian Human Rights Commission and other predominantly white groups.

*The fact is that Aboriginal peoples were fundamentally self-governing before the establishment of Europeans on the North American continent, and that they did not relinquish that right. We would recommend that the right to Aboriginal self-government be entrenched in the constitution as an inherent right and that the time-frame envisaged for this right be condensed or done away with altogether, and that [the implementation of self-government] incorporate a mechanism for resolving any differences between the parties.*

— Max Yalden, Canadian Human Rights Commission, Montreal

*It is for the people of the First Nations, and for them alone, to decide if they wish to be part of the Canadian constitution and, if this is the case, to negotiate as equal partners with the central government and the provinces.*

— Regroupement en solidarité avec les Autochtones, Montreal

This support was expressed at other meetings as well.

*In recent years, we have observed the Mohawk people surge ahead in an attempt to make themselves and their territory competitive with their neighbors. We believe this to be the result of the Mohawk People taking direct control of their own destiny. For this reason, we support the idea of self-government for not only the Mohawk people of Akwesasne but for all Native people of Canada.*

— Mayor Ron Martelle, Cornwall, Ont.

The Christian churches, once agents of our victimization, have long since apologized for their errors and are now our firm allies. At the Montreal meeting, the Anglican Church of Canada presented a resolution passed by its General Synod in June 1992, recognizing Aboriginal people as distinct societies with the inherent right to self-determination, and calling upon the federal government to follow its lead.

We must step outside the Circle for a moment and look at what has been happening in Canadian society for the last two years or so.

However hideous the Oka confrontation was, it could hardly have done a better job of changing Canadian opinion, as white Canadians watched the QPP charge Mohawk barricades in order to preserve the Mayor of Oka's self-assumed right to expand the municipal golf course. The ugliness at the Mercier Bridge brought racism out into the open, to be confronted. The Donald Marshall case, the investigation into the **coverup** of Helen Betty Osborne's murder, task forces on Aboriginal justice in various provinces — **all** of these have opened white Canadians' eyes, as never before, to Native issues and concerns.

And then there was Meech Lake. In the **brangling** and hysteria of the last weeks of the Meech Lake fiasco, Elijah Harper's quiet dignity — his combination of modesty and principle — deeply impressed many white Canadians. He, not the Prime Minister or the premiers, came across as a statesman.

Two particular issues have helped to change white opinion. First, the environment: Natives are rightly regarded as being closer to nature, more careful of the Earth, than white society has been. And second, whites see the simple logic of the position of First Nations in Quebec: if Quebec is a distinct society, so are First Nations. If Quebec has the right to leave Canada, First Nations have the right to determine their own future too. First Nations are, therefore, allies in the fight to preserve Canadian unity. They may be the glue that holds this country together.

There is widespread and growing support for the position that First Nations are one of Canada's three founding peoples, for their right to language and cultural protection, for justice and the settlement of land claims, for the restitution of past wrongs, for giving Natives a fair shake. Uneasiness persists about two matters: the nature of Aboriginal **self-government** ("Under self-government, if someone breaks into my car while I'm visiting Eskasoni, what happens?") and the cost of providing services over the long run, especially given the federal deficit. These are areas in which education, good communication, and goodwill will be important.

In short, First Nations have probably never enjoyed more support and sympathy from white people than they do at this moment — a fact that the federal government must take into account. Whites who sense the moral bankruptcy and spiritual vacancy of materialism, who were a little sickened by the excesses of the '80s, now find Native spirituality and traditional values are deeply appealing.

*I think we have [white **Canadians**] support. They're looking to us because they identify us as keepers of the earth. They are becoming interested for the first time. People are changing their **attitude**. And maybe **if we can become unified and develop a constitution, find that identity, find that First Nation nationalism,***

*then maybe everybody else in Canada will change too. And maybe they'll slow down, instead of progressing, and tearing, and ripping apart, and using the land for all these other means. I think we can make a difference.*

— Deborah Murray, Youth Assembly

But problems still exist. While many whites have changed their attitudes, racism remains and is as ugly as ever —

*There is an outstanding amount of racism. Everywhere I go, there's always a person around who's racist. What's the matter with them? It's like they've never seen an Indian before.*

— Colette Buffalo, Grade 6, Ermlineskin Junior High School, Hobbema First Nation

— with the inevitable tragic results:

*We were called "dirty Indians." Maybe it was true; in my community, there was no running water. We had to haul water in buckets from a mile away. Do you know what happens to shame-based people? Alcohol, drugs, suicide, early pregnancies, all the social problems we see today.*

— Calvin Morisseau, Whitefish Lake

First Nations people in the cities are often in poverty and trouble, and this reinforces the old stereotypes. Moreover, particularly in Quebec, many whites find the notion of First Nations self-government frightening because they see it as threatening their economic self-interest. White hunters, too, don't understand treaty rights to hunting and fishing and fear that they may lose their sport. When people feel threatened — and change itself is a threat to many — they find it easy to hate.

Even Eurocanadians who sympathize with Native people are— perhaps "a little nervous" is the best way to put it. They rarely see Natives in their day-to-day life and know little about them. They may be inhibited from trying to help us by the fear of being ridiculed by other whites or by Natives; they know nothing of Aboriginal customs. Will their gestures of friendship be met with charges of paternalism or oppression? If they tell a joke, will it be met with a stony silence?

*An important issue that needs to be addressed is that of non-Native awareness of Native issues. The general public must be educated in Native history, in terms of pre-contact Native nations that existed, the disruption of Native life with the influx of Europeans, post-contact relationships, right up to the present. They must be made aware of the assimilation tactics and policies that were used by their government,*

— Fran Tabobondung, Wasauksing First Nation

What our people want to say to white people is something like this:

We too are people of goodwill. We want, and have always wanted, to coexist with you, to live peaceably side-by-side as the best of neighbors and (we hope) as good friends. We're not going to discuss blame. You aren't individually at fault for what befell our people. It was your ancestors, not you, who took our land and gave us death and disease.

But we need reciprocity. Our ancestors gave and yours took— your people are still taking, even today. We were generous, and we were exploited. We live now in conditions that would make you sick if you saw them. Our young people stare hopelessness in the face, day by day by day; is it so surprising that they drink and die, in body or spirit?

What you must do is to look outside yourselves — that's always good for the spirit anyway. See us: not as the drunk on the corner, not as the mysterious - strangers in feathers beating drums and making strange mouth-music, not as demagogues or radicals, and certainly not as people only out for a free ride. That's not our way. We hate welfare just as much as you do; we want to be self-supporting. Instead, see us as people, very different from you in some ways, but as human as you are. When a Native mother has nothing to feed her children, it hurts her as it would hurt you. When she has to bring them up in a tarpaper shack with no toilet and no running water, it shames her as it would shame you. When we're forbidden to worship at our holy places, because they're in some national park, it's as though your church or temple or synagogue had been locked in **your face**, **When we** aren't allowed to hunt, it's as though you'd taken away our food and our jobs and our sports and — in a way — our religion.

When we talk about our rights, we talk about contracts that our ancestors made with the government that the government has not fulfilled. Would you be happy if you weren't paid money that you had been promised as part of a contract? Particularly if your children were hungry and your house was falling down about your ears and you — and everyone else in town — had no job? Think of it this way: if, almost four hundred years ago, our ancestors had said "no" when the Europeans asked for a share in the land, if we hadn't looked after those first settlers during the hard winters, would Canada exist as it is today?

We don't want to hurt you. We don't want to put more of you out of work, but if your logging ruins the land we love, your job is a bad one. If your hydroelectricity project or oil exploration damages the environment, you should be doing something else. We want you to care for our Mother Earth as much as we do, and to put her needs 'where they belong — first.

You don't know much about us, about our history, culture and traditions? Some of our own people don't either. Let's learn together. We learned much from you, much of it good, some of it bad. We respect you; respect us.

It's time you got to know us better. We have much to teach you.





## RECOMMENDATIONS

That Elders take a greater and increasing role in all major decisions involving First Nations

That First Nations governments and leaders carry out their duties honestly, fairly, and responsibly, keeping in mind the principles and values inherited from our ancestors

That Elders' wisdom and experience be fully applied, especially in environmental, educational, and healing activities

That First Nations governments ensure that their decisions follow the will of their people, in the spirit of equality and consensus

That affirmative action be taken to meet Elders' special needs

That Elders' knowledge be recorded, to preserve their wisdom for time to come

That women be equally represented in all decision-making processes

That a national day be established to honour the role and contribution of women in First Nations

That the Canadian Charter of Rights and Freedoms shall not override First Nations law, but that gender equality be formally established in formal Aboriginal Charters of Rights and Freedoms

That First Nations recognize their women's strength and spiritual beauty and that steps be taken to heal both men and women and to restore harmony and respect to the relationships between them

That First Nations governments recognize and rectify discrimination against women, both in decision-making and in day-to-day operations

That support services and affirmative action programs be put in place to counter such problems as physical and sexual abuse of women and children, lack of employment opportunities, and the problems of single parenthood

That social, medical, and educational programs delivered to First Nations communities be carried out in accordance with our traditions and culture

That treaty rights apply without regard to residence

That culturally appropriate services and programs for urban Natives be established, with adequate funding

That off- and on-reserve Aboriginal people receive the same services, without regard to residence

That better teacher education programs be instituted to prepare teachers for instruction in multicultural settings, and that school textbooks be rewritten to reflect the true role of First Nations and their full contribution to the development of Canada

That institutes of higher learning establish curricula in Aboriginal studies

That Aboriginal students have the right to be educated in their own language, and that schools with a sufficient number of Aboriginal students be required to provide education in the pertinent languages

That First Nations culture and history be included in all school curricula

That treaties be included in school curricula and law school courses, and that they be displayed in public places and on national holidays

That English, French, and First Nations live and work together in a spirit of cooperation, mutual respect, and harmony, accepting our differences, acknowledging our similarities, and acting in a spirit of tolerance and goodwill.

That better communication be established among First Nations societies and groups and between First Nations and Canadian society

That the support of non-Aboriginal groups and individuals, such as the churches of Canada and other groups, be accepted with gratitude and respect

That stricter human rights legislation be passed to end discrimination and racism against First Nations people in the short term, and that education programs be established to eliminate racism in the long term



## Postscript: What Defines a Circle?

What defines a circle?

Two things: first, all the points in it are the same distance from the **centre** — that is, all the people in our great Circle are of equal value in the eyes of our Creator. And second, all the points are of equal size, and so we should respect each other as equals.

But a circle is more. It enfolds and encloses; it welcomes. “To be drawn into the circle” is to be included. And a circle can turn. Those of us watching Canada at this moment can almost feel the circle turning under our hand. We feel that the First Nations, having hit bottom, may be meting up again — certainly we are doing so in Canadian public opinion.

In Chinese and Japanese, the character for “crisis” is composed of **two** characters meaning “danger” and “opportunity”. In that sense, both the First Nations and Canada are in crisis. Our danger is in the day-to-day **poverty** and powerlessness of our people — a theme we heard time and again in our travels across the country. Our opportunity is the turn of the wheel. Even during the lifetime of the Commission, we have witnessed a radical transformation of the Federal-First Nations relationship. We are sitting at the same table for the first time in the constitutional process. This is an unprecedented opportunity.

As for Canada, the danger is that the country could disintegrate. The opportunity is to create an entirely new relationship, a sound and healthy partnership, among the **three** peoples of this country. We pray that our leaders and the leaders of Canada and Quebec have the wisdom, courage, and strength to make the right decisions — not the expedient choices, but the wise ones.

As for us, the First Peoples of Canada, we have much to do. Too many of our own people are still outside the Circle and suffering; it is our job as Nations to ensure that those people who have been **marginalized** are brought back into the Circle, that we respect our women and Elders, that we care for our young people, that we administer the affairs of our people justly and honorably. It’s up to us to reach out to our brothers and sisters in the cities, to those who have been deprived of their Aboriginal heritage, to those who are suffering from the aftershocks of oppression. Yes, we need funding, but healing is only partly a matter of money. We can use the resources we possess to help heal our people — our store of wisdom, care, and spirituality. We have lost much; we

still retain much. The pain that our people expressed moved us deeply. The hope and the dawning pride and confidence that we also heard lifted our hearts.

To those people who joined our Circle: we heard you all; each and every one of you deserves to be heard in this report, even if time and space don't allow us to quote as many of you as we would like to. To do justice to all that you said would take years; we had less than a month. If your name does not appear in these pages, it says nothing about your importance to us. We honour all our brothers and sisters — youth and Elder, man and woman, urban and on-reserve, from the students at Ermineskin School to the grandmothers of the Grand Chiefs of the First Nations. Accept our thanks, our respect, our best wishes, and our hope that your future will be bright.

To the Canadian governments: we listened. It's your turn.

*Deliver us from our bondage, give us hope for the future, safeguard our culture, language, and what few rights we have, provide us with the means to achieve our true potential as human beings, and treat us as equals.*

— Chief Richard Kahgee, Chippewas of Saugeen and Cape Croker

Let us travel together in harmony down the paths the Creator has set for us.



## Appendix 1. List of Community Hearings and Speakers

Because of the speed with which the report had to be prepared and issued, it was not possible to draw up a list of those who submitted written material. Nor were speakers' lists for the four constituent assemblies available at the time of printing. We apologize for any misspellings or omissions in the lists of speakers given below.

### October 21, 1991

Maniwaki  
Kitiganzibi School  
River Desert Community  
Maniwaki, Quebec

- **Speakers: Rene Tenasco, Ovide Mercredi, four Kitigan students, Gilbert Whiteduck, Pauline Decontie, William Commanda, Gina Mcdougall, Celine " Whiteduck, Judy Cooko, Mike Chabot, Frank Decontie**

### October 24, 1991

Six Nations  
Ohsweken Community Hall  
Oshweken, Ontario

**Speakers:** No official speakers list. Eighteen speakers, none named

### October 28, 1991

Rodd Royalty Inn  
Charlottetown, Prince Edward Island

**Speakers: Jack Sark, John Joe Sark, Gilles Michaud, George Steiger, Mary Boyd, Mary Moore, Alex Bernard, Earl Affleck, Leo Cheverie, Patsy Bernard, Eugene Peters, Joe Labobe**

### October 30, 1991

Membertou  
Membertou Communtiy Hall  
Sydney, Nova Scotia

**Speakers: Troy Paul, Terry Paul, Dan Christmas, Duncan Gould, Conrad Paul, Lawrence Paul, Charles Junior Bernard, John Paul, Eleanor Kabatay, Elizabeth Paul, Stephen Marshall, Louise Paul, Peter Christmas**

### October 31, 1991

Ottawa/Hull  
Grand Hall, Museum of Civilization  
Hull, Quebec

**Speakers: Jim Eagle, Andrew Cardozo, Art Miki, Julie Mitchell, Ethel Blondin, Audrey McLaughlin, Judy Rebick, Marion Mathieson, Theodore Garaets, Julia Langer, Radha Jhappan, Stephen Hazell, Joe Clark, Tina Deweche, Doris Ahenakew**

**November 12, 1991**

Neetahibuhn Watsutea  
Burns Lake, British Columbia

Speakers: Jericho Thomas, Mary Jane Morris, Pius Jack, Shirley Wilson,  
Frank Skin, Francis Skin, Mary Brown, Hector Augusta, Alan Morris, Virgil  
Thomas, Carla Morris, Pat Namox

**November 13, 1991**

Lake Babine  
Burns Lake, British Columbia

Speakers: Wilfred Adam, Justa Monk, Alfie McBaine, Myrtle Joseph, Emma  
Williams, Leonard Dolha, Betty Patrick, Peter John, Antonie Tom, Vivian Tom,  
Kevin Jules, Michael Bartacco, John Hughes Wilson, Harper Montgomery,

**November 14, 1991**

Nak'azdli Nation  
Kwah Hall  
Fort St. James, British Columbia

Speakers: Leonard Thomas, Nick Prince, Ken Sam, Edward John, Duncan  
Joseph, Bernie McQuarry, Archie Patrick, Dominic Frederick, Sarah Sam,  
John Prince, Andrew Joseph, Leonie Spurr, Martin Louie, Benny Duncan

**November 18, 1991**

Williams Lake  
Caribou Tribal Council  
Williams Lake, British Columbia

Speakers: Beverly Sellers, Margaret Gunn, David Dorsey, Rick Gilbert, William  
Harry, Ken McDonald, Arthur Dick, Bruce Mack; group of 14 at community  
discussion

**November 20, 1991**

Brokenhead Ojibway Nation  
Scanterbury, Manitoba

Speakers: Wendell Sinclair, Rod Bushie, Howard Hamilton, Jane Tuesday,  
Nelson Mason, Ralph Paul, Elijha Harper, Oscar Lathlin, Bill Ballantyne,  
Marilyn Fontaine-Brightstar, Lawrence Smith, Helen Olson, Little Buffalo  
(Ralph Kent)

**November 21, 1991**

Chisasibi  
Court Room  
Chisasibi, Quebec

Speakers: Kenneth Gilpin, Robert Kanatewat, Christopher Herodier, Joseph  
Pepobano, Helen Atkinson, Thomas Coon-Mistissini, George Visitor, Stephen  
Bearskin, William Chiskanish, Daisy Herodier, Roderick Pachano

**November 21, 1991**

Fort Rae  
Dogrib Band Sportsplex  
Fort Rae, Northwest Territory

Speakers: Eddie Erasmus, Bill Erasmus, Antoine Mountain, Alexei Arrowmaker,  
Jim Antoine, Alex Beaulieu, Isadore Zoe, Gerry Antione, Henry Beaver, Betty  
Hardisty, Irvin Nom,

**November 29, 1991**

Onion Lake  
Eagle View Comprehensive High School  
Onion Lake, Saskatchewan

Speakers: Jim Cannepotatoc, Morris Lewis, Antoine Littlewolfe, Gus Waskewitch, Lloyd Chief, Mary Whitstone, Ron Harper, Marty Carter, Raylene Pahtayken, Joe Carter, Brian Tootoosis, Jim Montgrand, Eric Tootoosis

**December 3, 1991**

Prince Rupert  
Highliner Inn  
Prince Rupert, British Columbia

Speakers: Bill Langthorne, Henry Kelly, Joanne Finley, Len Alexee, Jeffrey Robinson, Ken Harris, Edward Allen, Christine Smith, Teresa Moore, Francine Gurney, Elmer Azak, Frank Parnell, Clarence Martin, Tommy Dennis, Isabell-Hill

**December 4, 1991**

Terrace  
Inn of the West  
Terrace, British Columbia

Speakers: Heber Maitland, Ernie Morgan, Charles McKay, Pete Dennis, Louise Barbetti, Carrie McCallum, Alvin McKay, Rod Robinson, Jim Aldridge, Joe Gosnell, Nelson Leeson, Herb Mervin, Art Collins

**December 5, 1991**

Goose Bay  
North West River, Labrador

Speakers: Peter Penashue, Daniel Ashini, Ben Michel, Tom Green, Kathleen Nuna, Seymour Michel, Fr. Roche

**December 5, 1991**

Hazelton, British Columbia

Speakers: Walter Taylor, Don Ryan, Herb George, James Angers, Peter Martin, Abel Campbell, Gary Patsly, Mary McRae, Martha Ridadale

**December 11-12, 1991**

R.B. Russell School  
Winnipeg, Manitoba

Speakers: Eric Robinson, Marie Gilbeaux, Phil Fontaine, Gary Doer, Marilyn Fontaine, Mary Stanischia, Jamie Fontaine, Caroline Anderson, Virgil Moar, Dorothy Betts, Mr. Abraham, Jackie Hart, David Blacksmith, Marvin Smoker, Myra Leramy, Frank Hart

**December 11, 1991**

Restigouche Community Hall  
Restigouche, Quebec

Speakers: Roderick Wysote, David Isaac, Donna Isaac, Micheal Martin, Brenda Gideon Miller, Robert Brisk, Emmanuel Metallic, Frank Martin, Anthony Dedam, Ronald Jacques, Rita Degenais, Patrick Wilmot, Susan Metallic, Tim Dedam, Brian Isaac

**December 13, 1991**

Kingsclear, New Brunswick

Speakers: Charles Solomon, Sr., Darrell Paul, Herman Seulis, Richard Francis, Nelson Solomon, Sarah Jacobie

**December 19, 1991**

Whitehorse

Yukon Indian Centre

Whitehorse, Yukon

Speakers: Albert James, Shirley Adamson, Mike Smith, Stanley James, Calvin Lindstrom, Mark Eckland, representative of Dawson First Nation

**December 19, 1991**

Sept Illes

Maliotenam Gymnasium

Sept Illes, Quebec

Speakers: Denis Gil, Pauline Fontaine, Stephane Regis, Edmond Malec, Daniel Vachon, Jean-Charles Pietacho, Georges Bacon, Joseph Tettaut, Gerald. Tattaut, Lise Michele Ambroise, Jean-Guy Pinette, Yves Michel, Zaccarie Mullen, Jules Bacon, Mme Hervieux

**December 20, 1991**

Quebec City

Hotel des Gouverneurs

Quebec City, Quebec

Speakers: M. Fournier, Mr. Ottawa, Mr. Pichachi, Simon Washish, Jean Bilodeau, Louis Houdet, Stephane Bacon, Rejean Sioui, Bernard Hervieux, Mme Sioui

**January 7, 1992**

Yellow knife

Dettah Gymnasium

Dettah, Northwest Territories

Speakers: Jonas Sangris, Bill Erasmus, Alex Beaulieu, Joe Martin, Eddie Erasmus, Reanna Erasmus, Muriel Betsina, Cindy Gilday, Isadore Tsetta

**January 7, 1992**

Dettah Gymnasium

Dettah, Northwest Territories

Speakers: Jonas Sangris, Bill Erasmus, Alex Beaulieu, Joe Martin, Eddie Erasmus, Reanna Erasmus, Muriel Betsina, Cindy Gilday, Isadore Tsetta,

**January 7, 1992**

Garden River Community Hall

Garden River, Ont.

Speakers: Morley Pine, Bernard Nadjiwon, Darrell Boissoneau, Earl Commanda, Marlene Thunderchild, Elizebeth Ann Jones, Marlene Pine, Marie Pine, Mike Cachage, Wallace Belleau, Howard Stevens, Rosealyn Johnson, Harvey Bell

**January 8, 1992**

Whitefish Lake Community Hall

Whitefish Lake, Ontario

Speakers: Larry Naponse, Robert Debassige, Carol Nootchtai, Nelson Toulouse, Harvey Trudeau, Art Petahtegoose, Calvin Morisseau, Valérie Benson



**January 8, 1992**

Liard First Nation  
Two Mile Community Hall  
Watson Lake, Yukon

Speakers: Dixon Lutz, Hammond Dick, Jean Gleason, Phoebe Lewis

**January 9, 1992**

Yukon Government  
Main Government Building  
Whitehorse, Yukon

Speakers: Tony Penikett, Harry Allen

**January 9, 1992**

Parry Sound  
Wasauksing First Nation  
Wasauksing Community Hall  
Parry Sound, Ontario

Speakers: Audrey Pawis, Fran Tabobondong, Duncan **Pegahmagabow**, -  
Conrad King, John Beaucage, Howard Pamajewan, Pat **Madahbee**, Max  
**Assinewi**, Terri Pegahmagabow, Anne Solomon, Hiram Partridge, John Rice

**January 10, 1992**

Akwesasne  
Akwesasne Mohawk School  
Cornwall Island, Ontario

Speakers: Mike Mitchell, Ernie Benedict, Arnold Jock, Jason Lazore, Curtis  
White, Penny Peters, Brian David, Louise Thompson, Joyce King-Mitchell,  
Loran Thompson, Minnie Garrow, Cheryl Jacobs, Wendal Nicholas, Ginger  
Gray, Joanne Francis, Don Boudria, Ron Martelle, Bob Kilgour, Denis Thibeaut,  
Norm Warner, Jollene Jackson, Henry Lickers, Clifford Sunday, Ann Marie  
McDonald, Francis Jock, Thomas Forson, Dr. 1. Gambhir, Richard Jock, Gail  
McDonald, Helen Niven, Peter Benedict, Sadie Thompson, Lois Terrance,  
Sheila King, Monica Jacobs, Vaughn Sunday, Katena Swamp, Eugene Seymour

**January 10, 1992**

Deh Cho Tribal Council  
Community Hall  
Fort Simpson, Northwest Territories

Speakers: Johnny Providence, Edward Jumbo, Pat Buggins, Wilson Pellisey,  
Gabe Sanguetz, Albert Bonnetrouge, Etona Hardisty, Steve Kotchea, Lloyd  
Chicot, Pat Martel, Joachim Bonnetrouge, Andy Norwegian, Alma Ekenale,  
Stanley Sanguetz, Dennis Deneron, Gerald Antoine, Sam Gargan, Denia  
Lamothe, Jim Antoine, Betty Hardisty, Raymond Michaud, Baptiste Cazon

**January 13, 1992**

Shubenacadie First Nation  
Multi Purpose Centre, Indian Brook  
Shubenacadie, Nova Scotia

Speakers: Clara Gload, Brian Knockwood, Scott Taylor, Doug Knockwood,  
Reg Maloney, Dan Paul, Anthony Ross, Alan KnockWood, Jean KnockWood,  
Kevin Christmas, Jennifer Cox, Nora Bernard, Frank Nevins, Sally Gehue,  
Vera Marr

**January 13-14, 1992**

Fort Smith First Nation  
McDogal Centre  
Fort Smith, Northwest Territories

**Speakers:** Francois Paulette, Dean Hollman, Alister Castleway, Henry Beaver, Jeannie Marie Jewell, Frank Laviolette, Stephen Beaver, Nora Beaver, Patricia Hodgson, Frank Laviolette

**January 14, 1992**

Eskasoni Band Council  
Gymnasium  
Eskasoni, Nova Scotia

**Speakers:** Sarah Denny, John James, Albert Marshall, Charlie Francis, Julian Herney, Bill Herney, Leonard Paul, Charles J. Bernard, Will Basque, Gail Stevens

**-January 15, 1992**

Big Cove First Nation  
Council Chambers  
Big Cove, New Brunswick

**Speakers:** Mildred Melliea, Vernon Francis, Stephen Leonard Francis, Anthony Francis, Hubert Clair, Elizabeth Levi, Mona Francis, Bruce Simon, Francis Simon, Jeannie Ann Clements, Brenda Miller, Albert Levi

**January 15, 1992**

Shuswap First Nation  
Chief Louie Centre Assembly Room  
Kamloops, BC

**Speakers:** Mary Thomas, Ron Ignace, Nathan Matthew, Louie Matthew, Lori Eustache, Christina Casimir, Ian Cameron, Ron Thompson, Terry Porter, Glen Deneault, Joe Hunter, Shirley Horn, Burt Snow, Yvonne Shutter, Gerald Etienne, Paul Michel, Raymond Hammond, Charlene Deneault, Barbara Thiessan, Ethel Walitza, Gerald (no last name given), Nina Reuthermin, Rose Finney, Lisa McGommery, Arnie Narcisse, Marcus Louis, Patrick Lewa, William Sandy, Charlene Belleau, George Adolph, Robert Manvel, Bud Jack, Deanna Leon, Barnet Hal, Darryl Eustache, Eliza Montgomery, Dianne Cameron, Arnold Baptiste

**January 16, 1992**

First Nations of South Island Tribal Council  
Songees Longhouse  
Victoria, British Columbia

**Speakers:** Rose James, Samuel Sam, David Paul, Brian Thorn, Geraldine Shirley, Rob Daniels, Alex Jameson, Delvie Brebber, Skip Dick, Greg Sam, Ray Harris, Laura Sylvester, Evelyn Webber, Cyril Livingston, Wilbert Jack, Anita House, Joan Grickson, Russ Chipps, Audrey Sampson, Larry George

**January 16, 1992**

Eel Ground Band  
Band Hall  
Newcastle, New Brunswick

**Speakers:** Margaret Labillois, Marilyn Augustine, Kathy Ginnish, Joyce Paul, Timothy Simon, Cindy Ginnish, six students, Mic Mahaung, Claire Larry, Lillian Pavin, Ron Sanipass, Eugene Augustine, Jr.

**January 16, 1992**

First Nations of South Island Tribal Council

Songees Longhouse

Victoria, British Columbia

Speakers: Rose James, Samuel Sam, David Paul, Brian Thorn, Geraldine Shirley, Robert Daniels, Alex Jameson, Belvie Brebber, Laura Sylvester, Evelyn Webber, Cyril Livingston, Wilbert Jack, Anita House, Joan Grickson, Russ Chipps, Audrey Sampson, Larry George

**January 17, 1992**

Uchucklesaht Tribal Council

Opetchesaht Hall

Port Alberni, British Columbia

Speakers: Harry Watts, Danny Watts, Barry Gus, Monique Knighton, Hugh Watts, Willard Gallic, Judy Sayers, Isabel Petch, Willford Petch, Ben Martin, Susan Cootes, Molly Watts-Mack, Irene Tatoosh,

**January 20, 1992**

Oneida of the Thames Indian Band

Standing Stone School

Southwold, Ontario

Speakers: Al Day, Art Honyust, Chris George, Bob Bressette, Harry Doxtator, Terry Doxtator, Vernon Roote, Joe Miskokomon, Philip Maness, Tom Dockstader, Del Riley, Tim Schoula, Robert George, Bruce Elijah,

**January 21-22, 1992**

Haida Gwaii

Queen Charlotte islands, British Columbia

Speakers: Miles Richardson, Cycil Brown, Alex Jones, Ernie Collison, Gary Russ, Lily Bell, Woodrow Morrison, Thomas Adams, Frank Collison, Alex Jones, Robin Brown, Ron Wilson, Ernie Collison

**January 22, 1992**

Curve Lake First Nations

Curve Lake Community Centre

Curve Lake, Ontario

Speakers: Mel Jacobs, Brent Whetung, Dave Ankney, Rick Morgan, Gladys McCue Taylor, Joe Miskokomon, Doug Williams, Alice Williams, Sandra Hill, Brydon Hill, Genevieve Fournier, Loretta Pelletier, Merritt Taylor, Sherman Butler, James Whetung, David Jacobs, Richard Kahgee, Arnold Ingersol, Phyllis Williams, Eric Knott

**January 23, 1992**

Couchiching First Nation

Couchiching Administration Building

Fort Francis, Ontario

Speakers: Peter Kelly, Brian Perrault, Willie Wilson, Gemilda Mainville, Sonny McInnis, Bud Friday, George Simard, Moses Tom, Joe Cupp, Albert Hunter, Wayne Yerxa, Sarah Mainville, Robin Greene, Garnet Comegan, Don Jones, Brian Tuesday, Ted Ann Wilson, Junior Johnson

**January 23, 1992**

Peguis  
Peguis Community Hall  
Hodgson, Manitoba

Speakers: Louis J. Stevenson, Lloyd Stevenson, Rene Toupin, June Spence, Georgina Crate, Arnold Sinclair, Lorne Cochrane, Marlene Pierre, Amanda Pierre, Hector King, Joe Miskokomon, Bernadette Cook, Dennis Cromarty, Mike Belliveau, George Tenasco, Geraldine John, Dolores Morriseau

**January 24, 1992**

Kenora  
Travel Lodge  
Kenora, Ontario

Speakers: Peter Kelly, Robin" Greene, Colin Wasacase, Josephine Sandy, George Boyd, Arnold Gardner, Richard Greene, Rene Downwind, Candice Jourdain, Geoff Pranteau, Richard Kelly, Eli Mandamin, Bob Major, Verna Perrault, Ron McDonald, Kinew Kelly, Kathleen Greene

**January 27, 1992**

Thunder Bay  
Fort William Ski Club  
Thunder Bay, Ontario

Speakers: Marlene Pierre, Amanda Pierre, Hector King, Mike McGuire, Joe Miskokomon, Bernadette Cook, Dennis Cromarty, Mike Belliveau, George Tenasco, Geraldine John, Dolores Morriseau

**January 27, 1992**

Vancouver  
Vancouver Indian Centre  
Vancouver, British Columbia

Speakers: Ken Hughes, Ethel Blondin, Russell MacLellan, Ian Waddell, Dan Oliver, Willie Littlechild, Brian Chromko, John Paul Jones, Bill Lightbaum, Lavina White, Stuart Phillip, Joan Phillips, RosalynIng, Theresa Tate, Art Paul, Cleo Reece, Martin Hall

**January 28, 1992**

Sioux Lookout  
Sunset Inn  
Sioux Lookout, Ontario

Speakers: Lawrence Martin, Lorraine Kenny, Roy Skunk, Laura Calmwind, Bev Koski, Frank McKay, Gilbert Thunder, Johnny McKay, John Bighead, Tom Fiddler, Julia Duncan, Alec Fox, Irene Semple

**January 29, 1992**

Stoney Mountain Institution  
Winnipeg, Manitoba

Speakers: Brian Thomas, George Ross, Paul Standingready, Pat Freeland, Abraham Mason, Gordon Delorme, Dion Redwood, Stewart Cook, J.S. Saran, Yarn Willis, Myrtle Thomas, Charlie Ross, Horace Massan, Emil Bear, Barry Baker, Pat Edward, Alan Linkluth, Victor Pale, Wyne Windcup, Arthur Bighetty, Anthony Nebis, Cal Gilbert, Joseph Delorme, Lawrence Spence, Alvin Swan, Ricky Chartrand, Robert Durocher, Claire Woodhouse

**January 29-30, 1992**

Saddie Lake  
Blue Quills First Nation College  
Saddle Lake, Alberta

Speakers: Al Lameman, Ron Lameman, Eugene Steinhauer, Eugene Monias, Margaret Quinney, Carl Quinn, Edward Cardinal, Randy Whiteford, Andrea Memnook, Jarrod Bull, Joe Cardinal, Joe Large, Flora Cardinal, **Simon Sparkingeyes, Marcus Sparkingeyes, Paul Memnook, Ron Lameman, Tom Cardinal, Bernice Whiskeyjack, Fred Cardinal, Linda Bull**

**January 31, 1992**

Big Trout Lake  
Big Trout Lake Community Hall  
Big Trout Lake, Ontario

Speakers: **Allan Hartley, Tonena McKay, Daniel Outfeet, Mike Anderson, Joseph Morris, Alex Fox, Abel Johnup, Alex Kenequanash, Agrippa Benson, Saggius Winter, Joshua Frogg, Tom Morris, Richard Morris, Marianne Anderson**

**January 31,-1992**

Frog Lake  
Frog Lake Band Hall  
Frog Lake, Alberta

Speakers: **J.B. Stanley, Edward Fryingpan, Pete Waskahat, Margaret Quinney, Al Lamemen, William Singer, Lawrence Quinney, Tracey Fryingpan, Rhonda Waskahat, Jim Cannepotatoe, Baptiste Blackman, Eric Tootosis, Larry Quinney, Ted Quinney, Mary Francois, Joe Moyah**

**February 3, 1992**

Yellowhead Tribal Council  
Alexis Community Centre  
Alexis, Alberta

Speakers: **Alice Alexis, Edward Alexis, Veronica Alexis, Nancy Potts, Mary Ann Mustus, Howard Mustus, Stanley Arcand, Justice Abel, James Arcand, Amos Paul, Alec A., Howard Peacock, Laura Morin, Chi-Chi Yellowface, Cathy Joe Strawberry, Caroline Beaverbone, Ruby Runner, Robert Strawberry, Walter Rain**

**February 4, 1992**

Ktunaxa/Kinbasket Tribal Council  
Town and Country Motor Inn  
Cranbrook, British Columbia

Speakers: **Agnes McCoy, Marianne Michel, Leo Williams, Josephine Shottaman, Wayne Louie, Paul Sam, Margaret Teneese, Sophie Pierre, Denise Birdstone, William Big Bull, Edwin Yellow Horn, Charlie North, Wilfred Mcdougall**

**February 5,1992**

Peigan Band  
Peigan Community Hall  
Brocket, Alberta

Speakers: **William Big Bull, Edwin Yellow Horn, Charlie North Peigan, Wilfred Mcdougall**

**February 6, 1992**

**Morley  
Nakoda Lodge  
Morley, Alberta**

**Speakers:** Rod Hunter, Ian Getty, Bill Ear, John Two Young Man, Peter Wesley, Yvonne Depollo, Eddie Taylor, Johnny Ear, Sykes Powderface, Clarence Wolf Leg, Fred Breaker, Rod Powderface, Peter Hewens, Mark Belmont

**February 6, 1992**

**Montreal  
Delta Hotel  
Montreal, Quebec**

**Speakers:** Rheal Boudrias, Joseph Norton, Arnold Goodleaf, Anita Pratt, Ida Williams, Mary Hannaburg, Michele Rouleau, Stuart Myiow, Gerald McKenzie, Marianne Roy, Madeleine Parent, Mary Two-Axe Early, Max Yalden, Billy Diamond, Francois Saillant, Denis Tougas, Dermod Travis, Andrew Hutchinson, Philip Bristow

**February 7-8, 1992**

**Ermineskin  
Panee Memorial Multiplex  
Hobbema, Alberta**

**Speakers:** John Ermineskin, Pete Waskahat, Joe Tootoosis, Rick Lighting, Ray Tootoosis, Harvey Buffalo, John Samson, Helen Gladue, Theresa Wildcat, Ernest Omeasoo, Bernard Buffalo, Gordon Lee, Jim Minde, Randy Lawrence, James Small, Marie Smallboy, Lena Small

**February 10, 1992**

**Nelson House  
Duncan Wood Memorial Hall  
Nelson House, Manitoba**

**Speakers:** Norman Linklater, John Ross, Joe Moose, James Nicolas, Jim D. Spence, Shannon Spence, Leona Linklater, Douglas Bear, Marcel Moody, Isabel Hart, D'Arty Linklater, Matilda Gibb, Sam Prince, Lou Moody, Sandy Beardy

**February 11, 1992**

**Lesser Slave Lake District  
Sawridge Hotel  
Slave Lake, Alberta**

**Speakers:** Henry Lubacan, Jim Rurbenson, Dan McClain, representative for J.R. Grouix, Walter Twinn

**February 12, 1992**

**St. Theresa Point First Nation  
St. Theresa Band Hall  
St. Theresa Point, Manitoba**

**Speakers:** Gary McDougall, MaryJane Harper, Isabel Beardy, Florence Little, Joe Guy Wood, Sarah Harper, Lisa Harper, Eileen McDougall, Linda Harper, Elijah Harper, Allen B. Harper, Geordie Flett, Melody Harper, Lance Harper, Hubert McDougall, Martha Mason, Theresa Harper, Robert Wood, Clyde Flett, John G. McDougall, Bernard Wood, Clifford Flett, Ella Harper, Jack Flett

**February 14, 1992**

**Fort McMurray  
Nistawoyou Friendship Centre  
Fort McMurray, Alberta**

**Speakers:** Gordon Benoit, Tony Mercredi, Roland Woodward, Dorothy McDonald, Lawrence Courtorielle, Jim Rogers, Duane Desjarlais, Roger Derange, Lorraine Alook, Dale Awasis, Nancy Scanie, Robert Cree

**February 17, 1992**

**La Ronge  
La Ronge Motor Inn  
La Ronge, Saskatchewan**

**Speakers:** Edward Henderson, A.J. Felix, George Morin, Philip Ratt, Myles Venne, Gilbert Bird, Harry Cook, Lilian Sanderson, Ina Fietz-Ray, Beverly Ratt, Aaron Sutton, Hillary Cook, Louisa Ratt, Jonas Bird

**February 18, 1992**

**Moose Factory  
Community Hall  
Moose Factory, Ontario**

**Speakers:** Andrew Rickard, Tom Archibald, Ernest Richard, Randy Kapashesit, Bently Cheechoo, Reginald Belair, Dan Koosees, James Cheechoo, Gilbert Cheechoo, Munroe Linklater, Charlotte Koosees, Sinclair Cheechoo, Isabelle Vistor, Edmund Metatawabin, Emile Sutherland, Alex Spence, Emile Nakogee, Wilbert Wesley, Vern Cheechoo, Ron Spencer, Derek McLeod, Peter Nakogee

**February 18, 1992**

**Prince Albert Tribal Council  
Prince Albert Indian Education Centre  
Prince Albert, Saskatchewan**

**Speakers:** Allen Joe Felix, Gordon Kirkby, Eugene Arcand, Alphone Bird, Raymond Head, Pierre Settee, Wesley Daniels, George Ratt, Dennis Whitecap, Lorne Waditika, George Morin, Charles Whitecap, Hilliard Merasty, Beverly Wadikia, Terry Snaderson, Gilbert Bird, Dutch Lerat, Carole Sanderson, Angus McLean, Florence Bird, Janice Morin, Linda Maytowhow, Hector Gaudry

**February 19, 1992**

**Wollaston Lake, Saskatchewan**

**Speakers:** Frank McIntyre, Isidore Campbell, A.J. Felix, Pierre Robillard, Alfred Denechezhe, Paul Hogarth, Eli Adam, Alfred Billette, John (last name unknown), Thomas Duck, Louis Chicken, Steven Thorassie, Joe Tsannie, Simon Samuel, Dan Robillard, Napoleon Mercredi, Gordon Billette, Louie George, Lawrence McIntyre, Lambert Sylvestre, Antoine Michel, George Marloe, Anel Hanson, Paul Sylvestre, Daniel Alphonse, Simon Robillard, Ernie Bessidor, Peter Catarat, Bart Dzelion, Jimmy Laban, Melanie St. Pierre, Mary Ann Kailthen, Ed Bonsonie

**February 20, 1992**

**Saskatoon  
Saskatoon Travelodge  
Saskatoon, Saskatchewan**

**Speakers:** Roy Bird, Gilbert Bird, Tom Iron, Harry Cook, Ernest Mike, Pauline Pelly, Albert Scott, Gordon Ahenakew, Harry Bill, Norm Henderson

**February 20, 1992**

**Tall Cree Band  
High Level Friendship Centre  
High Level, Alberta**

**Speakers:** Bernie Meenen, Adolf us Laboucan, Steven Dizzena, Jim Metchooyea, William Auger, Warren Danais, Victor Chonkolay, Harry Chonkolay

**February 21, 1992**

**Fort Qu'Appelle  
Country Squire Hotel  
Fort Qu'Appelle, Saskatchewan**

**Speakers:** Perry Bellegarde, Eber Hampton, Lindsay Cyr, Dan Bellegarde, Lloyd Brass, Gordon Oakes, Tony Kineguon, Verne Bellegarde, Louis Taypotat, Wendall Starr, James Ironeagle, Barry Ahenakew, Danette Spath, Ken Goodwill, Mary Pitawanadwat, Richard Kaye, Lawrence Tobacco, Isabel McNab

**February 23, 1992**

**Iroquois Confederacy  
Six Nations-Onendaga Longhouse  
Oshweken, Ontario**

**Speakers:** Harvey Longboat, eight Confederacy Chiefs, Larry" Green, Arnie General

**February 24, 1992**

**Beardy's and Okemasis Band  
Beardy's Recreation Centre  
Duck Lake, Saskatchewan**

**Speakers:** Ernie Cameron, Albert Scott, Margaret Gamble, Austin Bear, Rick Gamble, Dave Seesequasis, Howard Cameron, Dutch Lerat, Linda Pelly Landrie, Shawn Leoppky, Francis Nippi, Hubert Sand, Del Anaquod

**February 27, 1992**

**Poundmaker  
Chief Poundmaker School  
Poundmaker, Saskatchewan**

**Speakers:** Joseph Tootoosis, Agnes Semaganis, Lawrence Weenie, Johnny Paul, Wilfrid Tootoosis, Gerald Kisyewakup, Garnet Tootoosis, Michelle Weenie, Sharon Baptiste, Edwin Tootoosis, Cecilia Fiddler, Leon Iron, Bryan Tootoosis, Josephine Frank, Bernice Semaganis, Isadore Campbell, Art Ledoux, Jonas Semaganis, Vernon Fiddler, Dixie Kasokeo, Joe Iron, Linda Tootoosis, Lena Tootoosis, Dave Arnot, Eric Tootoosis





TO THE READERS:

THE FOLLOWING PAGES ARE FROM THE **NATIONAL** TREATY CONFERENCE HELD IN EDMONTON 6 - 9 1992. IT REFLECTS THE **POSITION OF 'THE TREATY PEOPLES ON CONSTITUTIONAL REFORM** AND THEREFORE SHOULD BE CONSIDERED AS PART OF THE **F.N.C.C.** REPORT.

HOWEVER AS THE TREATY CONFERENCE WAS HELD AFTER THE REPORT WAS SENT TO THE PRINTERS WE ARE INCLUDING IT AS AN **ADDENDUM.**

ADDENDUM TO THE PARALLEL PROCESS REPORT

NATIONAL TREATY MEETING

APRIL 6 - 9, 1992

EDMONTON, ALBERTA

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## INTRODUCTION

THE SWEET SMELL OF SWEETGRASS AND SAGE SATURATED THE AIR AS THE SONGS OF THE GRANDFATHERS PERMEATED OUR EARS AND MINDS. THE DRUM BEAT OF THE SINGERS ECHOED THROUGH THE ROOM. THE DRUM BEATS REVERBERATES THE HEARTBEAT OF OUR MOTHER THE EARTH FOR IT IS HER THAT WILL GIVE US STRENGTH AND DIGNITY. THE WOMAN SPIRIT WHO GIVES US LIFE ENTERS THE ROOM. THE EAGLE WHISTLE IS CALLING THE EAGLE SPIRIT TO BRING US VISION, WISDOM, COURAGE AND STRENGTH TO THE FIRST NATIONAL TREATY CHIEFS MEETING.

THE EAGLE STAFFS - THE FLAG OF OUR INDIGENOUS NATIONS - LEAD THE CHIEFS AND ELDERS INTO THE ROOM. THE PIPE PRESENT AT THE TREATIES AND THE COMMUNICATOR WITH THE CREATOR CAME INTO THE ROOM CARRIED IN A SACRED BUNDLE BY THE CHAIRMAN OF THE MEETING. THE PIPE REMAINED DURING THE DAY IN THE HONOURED PLACE NEAR THE EAGLE STAFFS AND SWEETGRASS. IN THE PRESENCE OF THE PIPE AS INDIGENOUS PEOPLES, WE ARE BOUND TO TELL THE TRUTH. WHAT IS THE TRUTH? TREATIES ARE SACRED. TREATIES ARE THE LIFE OF OUR CHILDREN YET UNBORN. ANY MEANINGFUL DISCUSSION ON THE SPIRIT AND INTENT TREATIES MUST INVOLVE OUR CREATOR AND THE CEREMONIES IDENTIFIED WITH TREATY SIGNING.

RICH WITH OUR SPIRITUAL BELIEFS AND UNDERSTANDING AS TAUGHT US BY OUR ELDERS, THE DELIBERATIONS BEGAN ON THE FIRST TREATY CHIEFS MEETING, HELD IN EDMONTON, ALBERTA ON APRIL 6 - 9, 1992. THE FOLLOWING IS AN IMPRESSION OF THE DISCUSSIONS WHICH TOOK PLACE.

THE LAND AND TREATIES :

PRIOR TO THE ARRIVAL OF THE NON-INDIGENOUS PEOPLES TO OUR LAND , THE INDIGENOUS NATIONS TRAVELLED OVER THEIR TERRITORIES DURING THE VARIOUS SEASONS OF THE YEAR USING THE RICH RESOURCES PROVIDED BY THE CREATOR. CHILDREN WERE BORN, ELDERS PASSED TO THE OTHER WORLD. LIFE WAS A CYCLE. INDIGENOUS PEOPLES EXISTED ON OUR MOTHER THE EARTH SINCE THE CREATOR PLACED US HERE.

IN THE PRESENTATION BY THE UNION OF NOVA SCOTIA INDIANS ON THE MI'KMAQ IN THE EASTERN ATLANTIC AREA:

THE MI'KMAW ARE A PEOPLES WHO HAVE HAD A NATIONAL GOVERNMENT, THE SANTE'MAWI'OMI (GRAND COUNCIL) FOR OVER A 1000 YEARS. OUR TERRITORY COVERS MOST OF THE ATLANTIC PROVINCES, AS WELL AS THE GASPE PENINSULA IN QUEBEC AND MANY OFFSHORE ISLANDS . WE EXERCISED FULL AUTHORITY OVER OUR INTERNAL AFFAIRS AND FOREIGN RELATIONS, ENTERING INTO TREATY RELATIONSHIPS WITH OTHER INDIGENOUS NATIONS AND LATER WITH THE EUROPEANS . THESE TREATIES DEFINE OUR RELATIONSHIP WITH THE CROWN AND RECOGNIZE OUR RIGHT OF SELF-DETERMINATION. A MAJOR DIFFERENCE BETWEEN THE MI'KMAQ AND THE IMMIGRANTS WAS THAT WE WERE RECOGNIZED AS BEING FULLY SELF-GOVERNING, WHILE THE LOCAL SETTLERS HAD NO RECOGNIZED AUTHORITY TO MANAGE EVEN THEIR INTERNAL AFFAIRS. SO, AS A NATION, IT WAS LOGICAL THAT OUR RELATIONS WOULD BE WITH THE CROWN, SINCE ONLY THE CROWN HAD AUTHORITY TO DEAL WITH FOREIGN RELATIONS. THERE ARE TWO KINDS OF POLITICAL RELATIONS IN CANADA.

THE FIRST IS TREATY FEDERALISM BETWEEN THE INDIAN NATIONS AND THE CROWN.

THE SECOND IS THE RELATIONSHIP BETWEEN THE IMMIGRANTS AND THE CROWN - WHICH HAS EVOLVED FROM "COLONIAL" GOVERNMENT TO "SELF-GOVERNMENT" THROUGH CONFEDERATION AND PATRIATION. THESE EVENTS HAVE DONE NOTHING TO CHANGE THE DISTINCT CONSTITUTIONAL NATURE OF OUR RELATIONSHIP WITH THE CROWN.

THE RIGHT OF SELF GOVERNMENT AND SELF DETERMINATION DOES NOT ORIGINATE IN THE TREATIES IT COMES FROM THE MI'KMAQ PEOPLE . THE TREATIES REFLECT THE CROWN'S RECOGNITION THAT WE WERE, AND WOULD REMAIN, SELF-GOVERNING.

CHIEF ROY FOX OF THE BLOOD TRIBE, THE KEYNOTE SPEAKER FOR THE CONFERENCE , BEGAN HIS PRESENTATION BY REMINDING US OF OUR RELATIONSHIP TO THE EARTH:

MEDICINE CALF - (A MINOR CHIEF OF THE BLOODS) GAVE A PRESENTATION AT THE SIGNING OF TREATY NUMBER SEVEN ON SEPTEMBER 27, 1877: THE GREAT SPIRIT, NOT THE GREAT MOTHER GAVE US THIS LAND. WE WANT TO BE PAID FOR THE TIMBER THE POLICE AND WHITES HAVE USED SINCE THEY FIRST CAME TO OUR COUNTRY . OUR FUNDAMENTAL POLITICAL POSITION HAS NOT CHANGED SINCE MEDICINE CALF SPOKE THOSE WORDS. THE CHIEFS WHO ON BEHALF OUR NATIONS SIGNED THE TREATIES UNDERSTOOD THEMSELVES TO BE SPEAKING FOR A PEOPLES WITH SPECIFIC RIGHTS AND RESPONSIBILITIES TO THE LAND, THE RESOURCES AND POSSESSING AN INDEPENDENT AUTHORITY.

THESE WORDS FORM THE HEART OF THE DISCUSSIONS ON TREATIES. TREATIES DEAL WITH RIGHTS. TREATIES DEAL WITH THE FUTURE GENERATIONS . TREATIES FORM THE BASIS OF THE LIVES OF THE INDIGENOUS NATIONS WHICH SIGNED THE TREATIES. AS GRAND CHIEF MATTHEW COON-COME OF THE GRAND COUNCIL OF THE CREES OF QUEBEC STATED IN HIS ADDRESS:

WHAT IS SO SIGNIFICANT ABOUT OUR TREATIES? A TREATY CAN ONLY BE MADE BETWEEN SOVEREIGNS. THE TREATIES ARE THE FORMAL RECOGNITION OF INDIAN SOVEREIGNTY. OUR RELATIONSHIP IS NATION TO NATION. WE ARE NOT ANOTHER SPECIAL INTEREST GROUP. WE ARE NOT A MINORITY. WE ARE A NATION.

TREATIES WERE ENTERED INTO BY NATIONS. MAX GROS-LOUIS, GRAND CHIEF OF THE HURON, SPOKE OF THEIR SIGNING WITH THE BRITISH CROWN TWO HUNDRED AND THIRTY YEARS AGO IN THESE TERMS.

I AM NOT A CANADIAN. I WOULD ALSO LIKE TO TELL YOU, I AM NOT A QUEBECER. I AM A HURON. I HAVE BEEN GRAND CHIEF OF THE HURON FOR TWENTY-SIX YEARS, AND I WOULD LIKE TO KNOW WHEN I BECAME A CANADIAN AND WHO ASKED ME? I AM NOT A CANADIAN AND THAT I AM NOT QUEBECER, I DO NOT WANT TO WALK IN THE BOOTS OF A CANADIAN, IN THE SHOES OF THE QUEBECER. I WANT TO WALK IN THE MOCCASINS OF THE HURON.

WHEN WE AS HURON NATION SAY THAT WE ARE A NATION, WE DO NOT GO TO VOTE IN THE IMMIGRANT GOVERNMENT'S SYSTEMS, NEITHER IN THE CANADIAN ELECTIONS NOR IN THE QUEBECER'S ELECTIONS. WE DO NOT VOTE FOR THEM. BY THE SAME TOKEN, WE DO NOT VOTE FOR THEM. BY THE SAME TOKEN, NEITHER THE CANADIAN GOVERNMENT NOR THE QUEBEC GOVERNMENT ARE ALLOWED TO MAKE ANY LAWS ON THE HURON PEOPLE. IF THEY WANT TO MAKE LAWS THEIR LAWS ARE BINDING ONLY ON THEIR OWN PEOPLE NOT ON US.

BECAUSE IF WE ARE TAKING NATIONHOOD AND SOVEREIGNTY, WE ARE STILL A NATION. WE ARE STILL SOVEREIGN. WE WANT THEM TO RECOGNIZE THAT... WE WANT TO BE RESPECTED AS WANT? A NATION. . . WE WANT OUR TREATY TO BE RESPECTED. . . LET US GET TOGETHER TO FIGHT FOR OUR RIGHTS, FIGHT FOR OUR TREATY RIGHTS.

WHEN THE NATIONS WERE ENTERING INTO TREATIES, THEY NEVER RELINQUISHED THEIR IDENTITY. THE SINGING OF TREATIES DID NOT DESTROY THEIR NATIONS. THE SIGNING OF TREATIES RECOGNIZED THE EXISTENCE OF THE NATION. WITHIN THAT NATION, THERE WERE IN EXISTENCE GOVERNMENTS WHICH GOVERNED. THESE INDIGENOUS GOVERNMENTS DID NOT RESEMBLE ANY OF THE EXISTING MEDIEVAL DICTATORIAL STYLES OF THE EUROPEAN GOVERNMENTS. IT IS INTERESTING TO NOTE THAT THE INDIGENOUS NATIONS NEVER TOLD THE NON-INDIGENOUS GOVERNMENTS HOW TO EXIST AND OPERATE.

GRAND CHIEF MIKE MITCHELL OF AKWESASNE MOHAWK SPOKE OF THE TWO-ROW WAMPUM TREATY SIGNED IN 1610.

IN 1610 WHEN EUROPEANS CAME TO EASTERN UNITED STATES AND CANADA, A GREAT CONFERENCE WAS CALLED AT THAT TIME. GERMANS WERE THERE. THE PORTUGUESE, DUTCH AND THE ENGLISH. THE THOSE NATIONS GOT TOGETHER AT A BIG CONFERENCE WITH THE IROQUOIS CONFEDERACY. THE USUAL WORDS YOU HEAR IN YOUR TREATIES WERE THE SAME WORDS YOU HEAR IN YOUR TREATIES WERE THE SAME WORDS WE HEARD AT THOSE EARLIER TIMES.

WHEN THEY SAID MY KING, WILL BE YOUR FATHER AND HE WILL LOOK AFTER YOU, AT THAT TIME, OUR LEADERS AND OUR CHIEFS SAID: "THAT CANNOT BE FOREVER WORDS YOU WILL PUT ON THAT PIECE OF PAPER, WE WILL PUT OUR OWN WORDS ON OUR SACRED WAMPUM, AND WE

WILL PUT IN TWO ROWS, (ON THE WAMPUM) TO ALLOW FOR YOUR PEOPLE TO LIVE AMONG us. THIS ROW WILL BE YOUR SHIP AND IN THAT SHIP WILL BE YOUR LAW, YOUR RELIGION, YOUR GOVERNMENT, YOUR CULTURE, AND YOUR SOCIETY. WE WILL GIVE YOU THE FREEDOM WHICH YOU CAME TO THIS LAND FOR.

IN THIS ROW, WILL BE OUR CANOE AND IN IT WILL BE OUR GOVERNMENT, OUR LAW, OUR CULTURE, OUR OWN LANGUAGE AND WHAT WE HAVE AS A PEOPLE, OUR SPIRITUALITY. YOU WILL NEVER MAKE LAWS FOR US, NOR WILL YOU INTERFERE WITH THE INTERNAL AFFAIRS OF OUR NATIONS.

OUR TREATIES WILL ONLY BE IN EFFECT, WILL HAVE LIFE AND WILL PROTECT US WHEN WE STAND BEHIND IT. WE MUST NEVER BE AFRAID TO GO FORWARD TO GIVE THE TREATIES THE LIFE AND THE PROTECTION IT NEEDS...CANADA SHOULD RECOGNIZE THE TREATIES AS THE SUPREME LAW OF THE LAND.

WE MUST RETURN TO THE RELATIONSHIP WHICH WAS INTENDED BY THE TREATY SIGNING. THERE WERE TWO PATHS. ONE FOR THE NON-INDIGENOUS AND ONE FOR THE INDIGENOUS PEOPLES. WHEN THE ELDERS SPEAK ABOUT RETURNING TO THE SPIRIT AND INTENT OF THE TREATIES, THEY ARE NOT ADVOCATING RETURNING TO THE TEEPEE OR THE WIGWAM. THEY ARE TALKING ABOUT THE LEGAL RELATIONSHIP ENTERED INTO BY TREATY. OUR GOVERNMENTS WERE TO EXIST SIDE BY SIDE WITH NON-INDIGENOUS GOVERNMENTS WITHOUT INTERFERENCE.

IT WAS A SOLEMN TREATY COMMITMENT NOT TO INTERFERE IN THE GOVERNMENTS OF THE NON-INDIGENOUS PEOPLES. IN MODERN TERMINOLOGY, INDIGENOUS GOVERNMENTS FUNCTIONED AS CLOSE TO A REAL DEMOCRACY AS DREAMED OF BY THE NON-INDIGENOUS. PERHAPS, THAT IS THE REASON WHICH THE NON-INDIGENOUS PEOPLES TRIED TO ELIMINATE OUR GOVERNMENTS. THE NON-INDIGENOUS PEOPLES WERE JEALOUS OF OUR PEOPLES. AS GRAND CHIEF MAX GROS-LOUIS STATED IN HIS PRESENTATION: THE CANADIAN INDIAN ACT IS A WELL-PLANNED ACT OF GENOCIDE. IT IS



THE SYSTEMIC **DÉS** TRUCTION OF OUR GOVERNMENTS WHICH LAYS AT THE HEART OF THE **CANADIAN** GOVERNMENT POLICY TOWARDS INDIGENOUS PEOPLES .

THE MESSAGE WHICH CAME CLEARLY FROM THE FIRST NATIONAL TREATY CHIEFS CONFERENCE IS: THE NON-INDIGENOUS PEOPLES ARE HERE UNDER OUR LAWS AS PUT IN PLACE BY THE TREATIES. IT WAS DUE TO THE **TREATIES** THAT THE NON-INDIGENOUS PEOPLES GAINED ACCESS TO **OUR LANDS**. OUR-NATIONS WERE **NEVER CONQUERED, OUR PEOPLES WERE NEVER ENSLAVED**. WE ENTERED INTO TREATY IN GOOD FAITH WITH THE NON-INDIGENOUS PEOPLES. THE ONLY WAY TO SURVIVE AS INDIGENOUS PEOPLES IN OUR LAND IS TO LOOK TO THE TREATIES. THE TREATIES **MUST** BE RECOGNIZED AND RESPECTED.

THE ONLY WAY THAT WE ARE GOING TO SURVIVE IS IF **TREATIES** ARE FIRST AND FOREMOST RECOGNIZED. THEN EVERYTHING ELSE WILL FOLLOW **AND** FALL INTO PLACE. THIS CONCEPT OF **GOVERNMENT** TO GOVERNMENT, NATION TO NATION, FALLS ON YOUR SHOULDERS AND ON MINE BECAUSE TO BE A NATION IN OUR **CANOE**, WE HAVE TO **FOLLOW** OUR OWN LAWS, OUR OWN SPIRITUALITY, LIVE ON OWN **LANDS**, USE OUR RIGHTS IN OUR **OWN** SOCIETY. IF WE LOSE THESE THINGS, WE HAVE ONLY OURSELVES TO BLAME. WE HAVE THE RESPONSIBILITY TO CARRY THEM. NEVER MIND 124-81-35 AND ALL THOSE OTHER NUMBERS BECAUSE IN OUR ROW AS FIRST NATIONS, WE HAVE THE OBLIGATIONS TO ENSURE THAT WE SURVIVE AS NATIONS.

BILL ERASMUS, **DENENDEH** NATIONAL CHIEF SPOKE TO THE CONFERENCE ABOUT THE **UNDERSTANDING** OF THE NATION TO NATION RELATIONSHIP AS EXISTED BETWEEN THE **DENENDEH** AND THE NEWCOMERS - THE **CROWN**. THE **DENENDEH** HAVE THE, FORTUNATE POSITION AMONGST THE FIRST NATIONS OF CANADA AS HAVING SIGNED THE LAST **NUMBERED** TREATIES WITHIN THE LAST SEVENTY YEARS. TREATY ELEVEN WAS SIGNED IN 1921. THERE ARE **MANY** ELDERS **WHO** WERE AT THE TREATY SIGNING WHO CAN GIVE FIRST HAND ACCOUNTS OF THE TRANSACTIONS .

**ELDER JOE NAEDZO** TOLD THE **BERGER** INQUIRY AT FORT **FRANKLIN** THAT : **ACCORDING** TO THE **NATIVE** PEOPLE'S INTERPRETATION OF THE TREATY, **THE** GOVERNMENT **MADE** A LAW FOR THEMSELVES THAT AS LONG AS THE MACKENZIE RIVER FLOWS IN ONE DIRECTION, THAT THE **SUN** RISES AND SET, WE WILL NOT BOTHER YOU ABOUT YOUR LAND OR THE **ANIMALS** .

THE DENENDEH NEVER ACCEPTED RESERVES, BECAUSE THE DENE USED ALL OF OUR TRADITIONAL LANDS FOR HUNTING, **TRAPPING**, FISHING AND GATHERING. OUR PEOPLE REFUSED TO BE PLACED ON RESERVES. WE **WANTED** TO USE ALL OF OUR **LANDS**. WE MADE EXPLICIT THAT WE WERE NOT GIVING UP OUR LANDS. **AFTER** WE PARTICIPATED IN THE TREATY, WE CONTINUED LIVING ON OUR LANDS, AND WE ORGANIZED OURSELVES THE WAY WE ALWAYS DID.

ONLY IN THE 1960'S THAT WE BECAME AWARE OF THE WRITTEN -VERSION OF THE TREATY AND THIS VERSION **VIOLATED** OUR "UNDERSTANDINGS . WE HAD INTERPRETERS WHO WERE STILL ALIVE, AND WE **HAD GOVERNMENT OFFICIALS WHO WERE STILL ALIVE**. AND THEY BROUGHT THEIR EVIDENCE FORWARD. IN 1976 WE **SAID**: IN 1899 AND 1921, **OUR** NATIONS MADE TWO TREATIES WITH THE **NON-DENE**. FOR OUR FOREFATHERS, THE **TREATIES** WERE AN AGREEMENT WITH THE **NON-DENE** WHEREBY WE WOULD LIVE IN PEACE AND MUTUAL RESPECT, WHEREBY **OUR** RIGHT TO CONTINUE SELF-DETERMINATION WOULD BE GUMTEED. . .**BY** FRAUD THE WRITTEN VERSIONS CONTAINED CONDITIONS NEVER AGREED TO BY OUR FOREFATHERS:

THE SAID INDIANS DO HEREBY CEDE, RELEASE, **SURRENDER** AND YIELD **UP TO** THE GOVERNMENT OF THE DOMINION OF CANADA, FOR HIS MAJESTY THE KING AND HIS SUCCESSORS FOR EVER, ALL THEIR RIGHTS, TITLE AND PRIVILEGES WHATSOEVER TO THE LANDS INCLUDED WITHIN THE FOLLOWING LIMITS.

OUR POSITION ON TREATIES HAS NOT CHANGED. TREATIES ARE THE FUNDAMENTAL DOCUMENTS THAT PROVIDE LEGITIMACY FOR CANADA TO PROVIDE GOVERNANCE FOR NEWCOMERS TO **DENENDEH AND GUARANTEES** OUR SELF-GOVERNMENT AND SELF-DETERMINATION WITHIN DENENDEH. THIS IS WHAT IS MEANT BY OUR HAVING **AN** INHERENT RIGHT TO SELF-GOVERNMENT. ANY CONSTITUTIONAL ARRANGEMENT TO BE **WORKED** OUT WITH OTHERS IN DENENDEH MUST REFLECT THAT **REALITY** AND INCLUDE OUR INHERENT RIGHT TO **SELF-GOVERNMENT**.

THE DENE **CHIEFS** GAVE A VIVID EXAMPLE OF THEIR EXPERIENCE OF LIVING WITHIN THE NORTHWEST TERRITORIES WHERE CHIEFS ARE NOT RECOGNIZED. **CHIEF** HENRY BEAVER OF TREATY EIGHT SPOKE ABOUT THE ROLE OF THE CHIEFS IN THE NORTHWEST TERRITORIES:

THE **NORTHWEST TERRITORIES** IS NOT RECOGNIZED IN THE CONSTITUTION ACT OF 1982 **BUT** YET, **OUR** TREATIES ARE RECOGNIZED IN THE CONSTITUTION, SECTION 35. AND YET, THE GOVERNMENT OF THE NORTH WEST TERRITORIES DOES NOT RECOGNIZE OUR TREATIES AND OUR TREATY CHIEFS. . .WE DO NOT HAVE THE RECOGNITION (ENJOYED BY THE CHIEFS IN THE SOUTH) BY THEIR OWN PROVINCIAL GOVERNMENTS. WE HAVE SAT IN ON MANY OCCASIONS **WITH** THE GOVERNMENT OF THE NORTHWEST T TERRITORIES Concerning **OUR** COMMUNITIES **AND** YET THEY DO NOT RECOGNIZE OUR AUTHORITY. THE **MUNICIPALITIES** THAT WE LIVE IN HAVE MORE POWER THAN WE DO. WE HAVE NO RIGHTS IN OUR OWN HOMELANDS AND IN OUR OWN BACKYARDS. THEY [THE **GOVERNMENT** OF CANADA] **MOVES** MUNICIPAL BOUNDARIES WITHOUT THE -AUTHORITY OF THE DENE. WHEN THE CHIEFS OF THE SOUTH **TALK** -ABOUT SOCIAL PROGRAMS, SERVICES AND PROGRAMS, THAT MANY OF THE CHIEFS ACROSS THE COUNTRY ENJOY, WE DO NOT HAVE **THAT**. **WE** CANNOT CONTROL OUR OWN PROGRAMS AND SERVICES. THE **GOVERNMENT** OF CANADA HAS GIVEN THOSE TO THE GOVERNMENT OF THE NORTHWEST TERRITORIES. . .THESE ARE SOME OF THE **REASONS** WHY WE HAVE COME HERE TO THIS NATIONAL TREATY MEETING: TO SEE WHAT IS REALLY HAPPENING ACROSS THIS LAND. SO, THAT WE CAN GET YOUR **SUPPORT** IN SOLIDARITY TO BE ABLE TO TELL THE GOVERNMENT OF CANADA THAT OUR TREATY IS NO DIFFERENT FROM THOSE TREATIES ACROSS THAT IMAGINARY LINE DRAWN UP BY THE ALIEN GOVERNMENT.

NOW IS THE TIME TO STAND UP TO THE **GOVERNMENT** OF CANADA. WHEN OUR PEOPLE CAME TO SIGN TREATY IN 1921, THEY WERE NOT ABLE TO DANCE AND FEAST FOR THE DAY WITH OTHER PEOPLE IN FORT RESOLUTION. [ PLEASE NOTE THAT THE INDIAN ACT PROHIBITED CEREMONIES OF THE INDIGENOUS PEOPLES **UNTIL** 1951]. OUR **PEOPLE** HAD TO **DANCE** SOMEWHERE ELSE WHERE THEY GOVERNMENT OFFICIALS WERE NOT ABLE TO SEE THEM, WHERE THEY COULD **CELEBRATE** AND GIVE **HONOUR** TO THEIR CREATOR.

WE BELIEVE THAT THE DENE PEOPLE HAD GUIDANCE FROM THE CREATOR EVERYDAY, AND EVERY TIME WE MEET WE BELIEVE THAT THE CREATOR GUIDES US. WE SAY A **PRAYER** IN THE MORNING WHEN THE MEETING STARTS AND WE SAY A PRAYER AFTER. AND WE ALL HAVE THIS IN COMMON AS PEOPLES ACROSS THIS LAND. WE **KNOW** THAT THE CREATOR GUIDES US AND MAYBE THAT IS WHY WE ARE TIED AS ONE **LINK**. WE **UNDERSTAND**. WE DO NOT FEEL THAT WE ARE SUPREME BEINGS **OVER** **AND** ABOVE THE CREATOR. WE ARE THE **CREATOR'S** CHILDREN. =

THROUGHOUT THE FOUR DAYS, THE CHIEFS AND ELDERS CONTINUALLY REFERRED TO THE SPIRITUALITY OF THE-TREATIES. CHIEF ELI **MANDAMIN** OF THE SHOAL LAKE FIRST NATION PART OF THE TREATY THREE TERRITORY GAVE US THIS" PERSPECTIVE OF THE TREATY **RELATIONSHIP**:

IN 1873, OUR **ANISHINAABE** ANCESTORS ENTERED INTO A TREATY RELATIONSHIP. . .THE SPIRIT AND INTENT OF THIS TREATY WAS TO ESTABLISH A RELATIONSHIP WITH THE CROWN ON THE BASIS OF RESPECT AND **CO-OPERATION**. OUR WAY OF LIFE, OF WHICH **OUR**

SPIRITUALITY IS SUCH AN IMPORTANT ASPECT, WAS TO BE RESPECTED. OUR **RELATIONSHIP** TO OUR LANDS AND OUR AUTHORITY IN OUR LANDS ALSO WAS **TO** BE RESPECTED AS PART OF THIS RELATIONSHIP. NO ONE SHOULD EVER THINK THAT WE WERE SELLING OUR SPIRITUAL **AND** CULTURAL HERITAGE IN ORDER TO **ASSIMILATE** INTO NON-ABORIGINAL SOCIETIES IN CANADA. AS LONG AS THE RIVERS **OF OUR LANDS** FLOW, OUR CULTURE, OUR SPIRITUALITY AND OUR **RELATIONSHIP** TO OUR LANDS WILL CONTINUE.

WE KNOW HOW THE GOVERNMENT **OF CANADA HAS** TRAMPLED ON **OUR** TREATY RELATIONSHIP. WE, AS **ABORIGINAL** PEOPLES, ARE THE ONES WHO HAVE SUFFERED FROM THIS. WE KNOW WHAT THIS MEANS BECAUSE WE HAVE HAD TO CONSTANTLY BEAR THE BURDEN OF THE BREACH OF THE SPIRIT AND INTENT OF OUR TREATY BY CANADA. THIS TREATY **RELATIONSHIP** IS A SACRED TRUST. THIS IS THE COMMITMENT WE **MADE** TO THE CROWN IN ACCORDANCE WITH **OUR** CULTURE **AND** SPIRITUALITY. JUST BECAUSE CANADA HAS NOT **HONOURED** OUR TREATY RELATIONSHIP DOES NOT MEAN THAT IT DOES NOT EXIST. OUR CALL TO THE GOVERNMENT OF CANADA IS TO LIVE UP TO THE SPIRIT AND INTENT OF THE TREATY RELATIONSHIP WHICH WILL **REMAIN** AS LONG AS **THE RIVER FLOW** IN OUR LANDS. . . I LOOK AT THE CONSTITUTIONAL **PROCESS**, FROM THE POINT OF **VIEW OF MY EFFORTS** IN IT, AS A **PART** OF LONG-TERM EFFORTS OF MY PEOPLE TO SEE THAT THE SPIRIT AND INTENT OF THE TREATY RELATIONSHIP IS RESPECTED. . . THE CONSTITUTIONAL PROCESS WILL NOT REMAKE OUR TREATY. IT CANNOT DESTROY THE TREATIES. IT WILL ONLY HEAD TO A **FRAMEWORK** WHICH EITHER DOES OR DOES NOT MOVE TO A GREATER RESPECT **OF OUR** TREATY RELATIONSHIP. . .

**I SAY TO THE NATIONAL CHIEF AND OTHER LEADERS:**

1. DO NOT BE AFRAID TO STAND FIRM IN YOUR REPRESENTATIONS ABOUT HOW THE TREATIES ARE CENTRAL TO THE TREATY FIRST NATIONS.
2. DO NOT BE AFRAID TO TELL THE GOVERNMENT OF **CANADA** AND PROVINCIAL LEADERS ABOUT THE SPIRIT AND INTENT OF THE TREATY **RELATIONSHIP AND** THE INHERENT FIRST NATIONS RIGHTS THAT OUR ANCESTORS CONFIRMED IN THE TREATY **RELATIONSHIP**.
3. DO **NOT BE** AFRAID TO TELL THE GOVERNMENT OF CANADA OF ITS **HISTORICAL** BREACHES OF THE SPIRIT AND INTENT OF THE TREATY RELATIONSHIPS.
4. DO NOT **BE** AFRAID TO TELL ALL THE PARTICIPANTS IN THE CONSTITUTIONAL PROCESS THAT THE PROCESS MUST LEAD TO GREATER RESPECT OF THE **SPIRIT AND INTENT OF THE TREATY RELATIONSHIP** BY NON-ABORIGINAL GOVERNMENTS OF CANADA.
- 5 . DO NOT BE AFRAID TO TELL THE NON-ABORIGINAL PARTICIPANTS IN THE CONSTITUTIONAL PROCESS THAT IF RESPECT **OF THE TREATY RELATIONSHIP** IS NOT FORTHCOMING WE WILL CONTINUE TO SEEK RECOGNITION OF IT AS **LONG** AS THE RIVER FLOW.

6. BE SURE IN YOUR DETERMINATION TO TELL THE GOVERNMENT OF CANADA AND THE PROVINCES OVER AND OVER AGAIN THAT ANY CONSTITUTIONAL ARRANGEMENT WE WILL ACCEPT MUST BE BASED ON OUR INHERENT RIGHTS THAT ARE CENTRAL TO OUR TREATIES.
7. THAT OUR CONSENT TO AGREE TO A NEW CONSTITUTIONAL FRAMEWORK IS CONDITIONAL ON OUR BEING RECOGNIZED AS AN ORDER OF FIRST NATION PARTICIPATE AS EQUALS IN THE CONSTITUTIONAL FRAMEWORK OF CANADA. THIS PARTICIPATION CANNOT TAKE AWAY FROM THE SPIRIT AND INTENT OF OUR TREATIES.

MANY OF THE TREATY CHIEFS SPOKE ABOUT THE DEADLINE OF THE END OF MAY. CHIEF AL LAMEMAN SPEAKING ON BEHALF OF THE TREATY SIX CHIEFS DELIVERED THIS MESSAGE:

WE WOULD CAUTION THE TREATY FIRST NATIONS OF THIS COUNTRY NOT TO BE BLACKMAILED INTO CHANGING THE NATION-TO-NATION TREATY RELATIONSHIP THAT WAS ESTABLISHED BY OUR FOREFATHERS. LET US NOT BE COERCED INTO THINKING THAT ANY DEAL IS BETTER THAN NO DEAL AT ALL. WE OWE TOO MUCH TO OUR FATHERS AND GRANDFATHERS TO ACCEPT ANYTHING LESS THAN A TRUE BILATERAL PROCESS WITH THE CROWN IN RIGHT OF CANADA WHO IS NOW OBLIGED TO RESPECT THAT NATION-TO-NATION TREATY RELATIONSHIP. WE, AS THE FIRST NATIONS OF THIS COUNTRY HAVE THE MOST TO LOSE BY TREATY FIRST LATERAL PROCESS. THE MESSAGE THAT MUST COME OUT OF OUR DELIBERATIONS SHOULD BE LOUD AND CLEAR TO THE NATIONAL CHIEF AND THE GOVERNMENT OF CANADA. THIS COUNTRY DEMANDS NOTHING LESS THAN THE FIRST NATIONS OF TREATY RELATIONSHIP THAT WAS ESTABLISHED BY OUR FOREFATHERS.

THIS MESSAGE WAS DELIVERED IN MANY WAYS BUT ALWAYS THE SAME MESSAGE. THE TREATIES SET IN PLACE A BI-LATERAL RELATIONSHIP WHICH NEEDS TO BE RESPECTED.

## APPENDIX I

**GOVERNOR GENERAL CONFERENCE STATEMENT**

ON BEHALF OF THE CHIEFS, HEADMEN, ELDERS, AND CITIZENS OF THE TREATY FIRST NATIONS, I WELCOME THE QUEEN'S REPRESENTATIVE TO **THIS** HISTORIC FIRST GATHERING OF ALL THE TREATY NATIONS. **MANY OF OUR** TREATIES WERE ENTERED INTO WITH THE BRITISH CROWN. THE **GOVERNOR-GENERAL** IS A REPRESENTATIVE OF THE CROWN WHICH ENTERED INTO THE SACRED TREATIES. WE **HONOUR** THE PRESENCE OF THE CROWN AT OUR GATHERING.

WE AGREE IN GOOD FAITH THROUGH THE TREATY PROCESS TO CO-EXIST IN OUR LANDS.

**OUR** ANCESTORS HAVE TAUGHT US THE TERMS, THE SPIRIT AND INTENT, WHICH WERE AGREED TO UNDER THE TREATIES. I WOULD BRIEFLY LIKE TO GIVE THE QUEEN'S REPRESENTATIVE OUR UNDERSTANDING **OF** THE TREATIES AND THE TREATY **MAKING** PROCESS.

OUR VISITORS, THE **QUEEN'S** COMMISSIONERS, CAME TO US IN PEACE REQUESTING THAT OUR ELDERS ALLOW THE SETTLERS TO USE SOME OF OUR **LANDS** . WE AGREED **UNDER** OUR INDIGENOUS LAWS TO SHARE SOME OF OUR LANDS WITH THE SETTLERS. THIS WAS THE REQUEST OF THE **QUEEN'S** REPRESENTATIVE. **WE** DID NOT GO TO EUROPE TO ENTER INTO TREATY. THE COMMISSIONERS CAME TO US. IT IS GOOD THAT YOU HAVE **HONOURED** THIS **TRADITION** BY COMING TO OUR CONFERENCE.

WE ENTERED **INTO** TREATIES AS FREE AND INDEPENDENT NATIONS WITH OUR OWN TERRITORIES, OUR OWN LAWS, OUR OWN GOVERNMENTS, OUR OWN LANGUAGES, OUR SPIRITUAL BELIEFS, AND OUR OWN TRADITIONS. AS INDIGENOUS PEOPLES, WE HAVE BEEN TAUGHT TO TREAT ALL VISITORS WITH KINDNESS AND RESPECT. WHEN THEY BECAME SICK, WE SHARED **OUR** TRADITIONAL MEDICINES WITH THEM AND MADE THEM WELL; WHEN THEY WERE HUNGRY, WE SHARED OUR FOODS TO NOURISH THEM. WE TAUGHT THEM HOW TO USE THOSE GIFTS GIVEN TO US BY OUR CREATOR SO THEY COULD SURVIVE ON

OUR LANDS . WE-LENT THEM OUR WARRIORS TO GUIDE THEM TO HUNT FOR THEM, AND HELP **THEM**, AND HELP THEM BUILD THEIR HOMES.

WHEN WE MADE TREATIES, IT WAS ON A NATION-TO-NATION BASIS. WE WERE ALLIES WITH THE CROWN. WE HAVE A SHARED MILITARY HISTORY. IN 1812, AND OTHER **PRE-CONFEDERATION** CONFLICTS, **OUR** PEOPLES WERE ALLIED WITH THE FRENCH OR THE ENGLISH. IN WORLD WAR I AND WORLD WAR II, KOREA AND OTHER CONFLICTS, **OUR GRANDFATHER**, FATHERS, UNCLER, **AND** AUNTS ANSWERED THE CALL AS A MATTER **OF** HONOUR TO SERVE WITHOUR ALLIES. MANY OF THESE PEOPLE NEVER RETURNED. IT IS THE SUPREME SACRIFICE. THIS WAS ONE OF OUR CONTRIBUTIONS. THIS CONTRIBUTION BY THE FIRST NATIONS MILITARY PERSONNEL, SERVING ON FOREIGN SOIL WAS FOR THE SECURITY OF OUR LANDS AND THE **PROTECTION** OF OUR TREATIES. THIS MEANS THAT WE HAVE ALWAYS BEEN AND **ARE STILL** ALLIED TO THE CROWN. WE HAVE MANY **VETERANS** PRESENT AT THIS CONFERENCE AND WE **HONOUR** THEIR CONTRIBUTION FOR THEIR EFFORTS TO PROTECT OUR LANDS AND OUR TREATIES.

IN SPITE OF OUR SHARING **OF OUR** LANDS IN BROTHERHOOD, TOO SOON, MORE VISITORS ARRIVED ON OUR CONTINENT FROM ACROSS THE SEAS, AND OUR KINDNESS AND HOSPITALITY WERE TURNED AGAINST US. WE BEGAN TO SUFFER. WE WERE OVER-RUN BY THEIR GREED. WE HAD NO DEFENSES AGAINST THE **STRANGE** AND HORRIBLE DISEASES, THEY CARRIED WITH THEM FROM ACROSS THE WATERS.

EVERYONE IN THIS ROOM KNOWS THE HISTORY OF THIS SAD **CHAPTER** IN THE HISTORY OF **NORTH** AMERICA.

WHEN THE QUEEN'S REPRESENTATIVES ARRIVED IN OUR TERRITORIES **WITH** PROMISES OF' PEACE TREATIES, WE CHOSE TO DEAL WITH **OUR** NEW VISITORS IN THE WAY WE ALWAYS HAVE - AS BRETHREN: AS CHILDREN OF THE GREAT SPIRIT, OUR CREATOR.

FROM ~~THOSE~~ HISTORIC MOMENTS UNTIL TODAY - NO INDIAN NATIONS HAS YET **RENEGED** ON A SINGLE TREATY OBLIGATION. OUR DIFFICULTY HAS BEEN WITH **GOVERNMENT** OF CANADA. WHEN GREAT BRITAIN SIGNED THE TREATIES, CANADA WAS **HONOUR** BOUND TO IMPLEMENT THE OBLIGATIONS MADE BY THE CROWN. HOWEVER, THE GOVERNMENT OF CANADA HAS CHOSEN TO IGNORE MOST OF ITS OBLIGATIONS, WHICH IT HAS INHERITED BY TREATY SUCCESSION. IN THE YEARS, SINCE THE SIGNING OF THE TREATIES, THE **GOVERNMENT** OF CANADA HAS UNDERTAKEN A SYSTEMIC **PROGRAM** TO DESTROY THE SPIRIT AND INTENT OF OUR TREATIES.

**AT THIS HISTORIC** FIRST NATIONS TREATY conference, WE HAVE AGREED :

THAT OUR INDIGENOUS NATIONS ENTERED INTO THESE INTERNATIONAL TREATIES ON A NATION-TO-NATION BASIS, RECOGNIZED BY THE CROWN OF GREAT BRITAIN;

THAT **OUR** INHERENT RIGHTS, AS NATIONS, WERE GIVEN US, SINCE TIME IMMEMORIAL, BY THE GREAT SPIRIT, OUR CREATOR;

THAT, AT NO TIME DID WE RELINQUISH OUR RIGHTS OF NATIONHOOD, OUR INHERENT RIGHT TO DETERMINE OUR OWN DESTINIES NOR DID WE ALLOW **ANY** FOREIGN **GOVERNMENT** TO GOVERN US;

OUR **TREATY** NATIONS **HEADMAN** AND DELEGATES TO THIS NATIONAL TREATY CONFERENCE HAVE BROUGHT WITH THEM THE TEACHINGS **OF** THEIR **ELDERS**, HANDED **DOWN** FROM GENERATION TO **GENERATION** CONCERNING **THE** SPIRIT AND INTENT, **TERMS**, AND CONDITIONS OF THE TREATIES.

THAT THESE LANDS WERE GIVEN TO OUR ORIGINAL PEOPLES BY THE GREAT SPIRIT;



THAT WE **WERE** THE CARETAKERS AND PROTECTORS OF THIS **LAND** WITH<sup>14</sup>  
THE POWER-TO **SHARE**, BUT AT NO TIME DID WE HAVE THE POWER TO  
SELL THIS LAND. WE HAVE ALWAYS ABIDED BY OUR SPIRITUAL  
BELIEFS AND WHEN OUR FOREFATHERS SIGNED THE TREATIES THEY  
AGREED TO CO-EXIST WITH **OUR EUROPEAN** VISITORS.  
SELL THE LAND. THEY DID NOT

**UNDER** THE TERMS OF THE TREATIES WE DID NOT RELINQUISH:

- OUR SOVEREIGNTY;

OUR GOVERNMENTS AND **LAWS**;

SUB SURFACE RIGHTS;

ALL OF THE LAKES, RIVERS AND SUB-SURFACE WATERS;

ALL OF THE MOUNTAINS, AND ALL OTHER ROCK FORMATIONS;

ALL OF THE NATURAL CREATURES OF THE PLAINS, FORESTS, WATERS  
**AND** THE FOWL OF THE AIR;

ALL OF THOSE TERRITORIES NOT YET BOUND BY TREATIES.

WHEN THE CROWN ENTERED INTO TREATY, **THE QUEEN'S** REPRESENTATIVE  
CAME IN GOOD FAITH. WE BELIEVED AND TRUSTED THE **QUEEN'S**  
REPRESENTATIVE. THE GOVERNMENT OF CANADA BY THE NOTION OF TREATY  
SUCCESSION **HAS** TRIED TO **UNDERMINE** AND DESTROY THE SOLEMN  
UNDERTAKINGS OF THE **CROWN**. WE LOOK TO THE CROWN'S REPRESENTATIVE  
TO HELP US PUT IN PLACE THE PROCESS WHICH WILL SEE THAT THE  
TREATIES **ARE HONOURED** AS WAS INTENDED **BY** THE **QUEEN'S**  
REPRESENTATIVE .

## APPENDIX II

RESOLUTION TO ESTABLISH A SOVEREIGN TREATY FIRST NATIONS COUNCIL  
WITHIN THE **ASSEMBLY** OF FIRST NATIONS

WHEREAS : Resolution # 6/87 passed at the Eighth Annual **General** Assembly of the Assembly of First Nations was ratified by Chiefs in Assembly on March 10, 1987 to establish a Treaty unit for purposes of developing an Assembly of First Nations position on Treaties; and,

**WHEREAS:** the Assembly endorsed the fundamental Principles on Treaties as an integral part of the Assembly of First Nation's constitutional amendment proposal or position; and,

**WHEREAS :** Resolution #10/89 passed at the Tenth Annual **General** Assembly of the Assembly of First Nations was ratified by the Chiefs in Assembly on July 10, 1989 to establish a Bilateral Treaty Process which is consistent with the Fundamental Principles on Treaties; and,

WHEREAS : the Chiefs in Assembly at the National Treaty Conference, April 6 - 9, 1992, have indicated their concern that the implementation of Resolutions #6/87 and #10/89 is still outstanding business, and in particular a **Treaty** Unit and a Bilateral Treaty Process have yet to be established; and,

WHEREAS : the Assembly of First Nations must deal with a full review of Resolutions #6/87 and #10/89 in developing a National Treaty position; and,

WHEREAS : any amendments to Resolutions #6/87 and #10/89 must be ratified by the Chiefs of the Assembly of **First** Nations in General Assembly: and,

THEREFORE **BE IT RESOLVED** THAT resolution #6/87 and #10/89 must be fully reviewed **by** the Assembly of First Nations.

**FURTHER BE** IT RESOLVED THAT a Sovereign Treaty First Nations Council be established immediately to develop Assembly of First Nations positions and processes-on treaties.

FURTHER **BE** IT RESOLVED THAT the Sovereign Treaty First Nations Council will consist of official representatives from each of the Treaty areas.

FURTHER BE IT **RESOLVED** THAT the Sovereign Treaty First Nations Council will be guided by but not , limited to the following principles.

1. That we are Sovereign Nations under our sacred laws as given to us by the Creator.
2. That the Nation to Nation status of the Treaties is protected and guaranteed and that the Constitution of Canada respect the Sovereign Treaty First Nations.
3. That the Crown in the right of Canada recognize, guarantee, and honour our inherent and Treaty rights.
4. That the Constitution of Canada recognize and respect **all** differences between Treaty Sovereign First Nations, and Sovereign First Nations **which** do not **at** present have rights under Treaty.
5. That a complete review of all non-Indigenous **laws** and agreements which affect the Treaty relationship be undertaken.
6. That a complete review of Section 91 (24) of the Constitution Act of 1867 to deal specifically with the fiscal relationship between the Crown in the right of Canada and the Sovereign Treaty First Nations.
7. That any Constitutional amendment can *only* occur with the consent of the Sovereign Treaty First nations.

MOVED BY: CHIEF **GERALD** ANTOINE  
FORT SIMPSON FIRST NATIONS/TREATY 11

SECONDED BY: CHIEF PETER YELLOWQUILL  
LONG PLAIN FIRST **NATION**/TREATY 1