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From: CARRIEREPARIS.D.AINA/POLICY.LEGISLATION/AINC/INAC  
TO: Grp.rc.hearing.aina  
Subject: RCAP Hearing - Gander, Newfoundland, November 5, 1992

UNEDITED SUMMARY REPORT ON ROYAL COMMISSION HEARINGS

PREPARED BY: Angela Slaughter  
DIAND  
DATE: November 5, 1992  
Starting Time: 9:15  
Adjournment Time: 17:30  
LOCATION: Gander Hotel,  
Gander, Newfoundland

WITNESS:

1. Tony John, Glenwood Indian Band
2. Calvin White, Flat Bay Indian Band
3. Calvin Francis, Gander Bay Indian Band
4. Chief Walter Barry, Benoit's Big Cove Indian Band
5. Ignatius Paul, Grand Falls Indian Band
6. Rosemary Francis-Williams, Grand Falls Indian Band
7. Chief Greg Lucas, Stephenville Crossing Indian Band
8. Rita Campbell, Stephenville Crossing Indian Band
9. Chief Geraldine Kelly, Miawpukek Indian Band
10. Michael Joe, Miawpukek Indian Band
11. Miss Wetsoll, Miawpukek Indian Band
12. Chief Shirley Prosper, Corner Brook Indian Band
13. Chief Victor Muise, St. Georges Indian Band
14. Nancy Gaudon, Port au Port Indian Band
15. A/Chief Elaine Myers, Bartlett's Harbour Indian Band
16. Conn River Youth Group, Conn River Indian Band
17. Gerard Webb, President, Federation of Newfoundland Indians

COMMISSIONERS PRESENT:

1. Co-Chair Erasmus
2. Commissioner Robinson
3. Commissioner of the Day - Chief Lawrence Jeddore

SUMMARY:

The media present were the Gander Beacon and CBC Radio.

The main theme of the day was the great desire of natives living in Newfoundland to be RECOGNISED AS STATUS INDIANS under the Indian Act. This crucial need was stressed as the first important step in beginning to solve their problems. One participant pointed out that frustrations have been mounting and if registration is not completed in the near future, activities in Newfoundland would make the OKA incident "look like a campfire".

SELF-GOVERNMENT was referred to several times as the inherent right of natives. In Newfoundland, the referendum vote was a strong YES and natives interpret this as support by the general population of the province for aboriginal self-government. Control of EDUCATION was a recurring theme throughout the day. A common recommendation was that there be more native teachers, councillors, etc. involved.

Commissioner Robinson stated that it was quite possible that preliminary recommendations could be released by the Commission on various topics. The negative stereotype of the native being taught in schools is an issue that must be dealt with soon and could be the subject of one of these reports. She felt that it was unacceptable that false native history remain in history books.

REPORT: (By Witness)

1. Tony John, Glenwood Indian Band (9:28 - 9:45)

The presenter stated that the main issue facing Micmacs of Newfoundland is the fact that after years of promises they are still not recognised by the federal government as status Indians under the INDIAN ACT. Because of this the federal government does not deliver services and programs that they feel they are entitled to.

2. Calvin White, Flat Bay Indian Band (9:45 - 10:25)

The presenter felt the climate for change is right because of the results of the referendum vote and that the onus is on natives to take responsibility to instigate changes before it is too late. A request was made for the RCAP to send a letter to DIAND and the Prime Minister urging them not to lose an opportunity to use Newfoundland as a pilot project for SELF-GOVERNMENT, which is viewed as an opportunity to integrate with Canadian society instead of being assimilated. Again, the importance of registering the natives of Newfoundland as status Indians under the Indian Act was stressed.

It was felt that there was abuse of the affirmative action program. In regards to the amount of dollars that the government says it spends on aboriginal issues, it is never clarified how much is spent on federal employees, government facilities and how little actually reaches the native people. It was recommended that they be given the responsibility to elect a native minister of DIAND and that the department be controlled by qualified natives.

It was suggested that an important step in conserving natural resources would be to invite natives as equal partners in resource management activities. Appropriate land bases must be allocated to the natives.

3. Calvin Francis, Gander Bay Indian Band (10:45 - 11:16)

Presenter gave a brief history of the band. The problems raised included lack of education, lack of access to natural resources, and not being recognised by DIAND as status Indians.

Mr. Francis demanded that the Commission push DIAND for recognition and for funding for social programs, education, and tourism initiatives. The actual amount could be negotiated. A tri-partite process between aboriginal, provincial and federal governments would be an acceptable alternative.

It was pointed out that although the Micmac language is not being used, youth are reviving it and culture is strong.

4. Chief Walter Barry, Benoit's Big Cove Indian Band (11:16 - 11:40)

Education is a great concern to this community. The high drop-out rate is often the result of aboriginal students being either harassed or ignored for their differences. It was recommended that cross-cultural awareness begin in the schools and that native school councillors be hired since non-natives cannot relate to the problems of the native child. An important concern was the false aboriginal history that was being taught in history books. It was

felt that the Micmac language be offered in the public schools to both natives and non-natives as an option. It should also be offered to the general public as a night course.

Other problems that were a concern to this community included FAMILY VIOLENCE, ALCOHOLISM, JOB CREATION, COMMUNITY INVOLVEMENT, and RESOURCE MANAGEMENT. Recognition of their status was also seen as a priority.

This communities idea of SELF-GOVERNMENT includes structures that are not yet defined that allow control over their own affairs, including education and resources. One recommendation for resource management was the development of a tree farming initiative. This would give something back to the land and also create employment.

5. Ignatius Paul

6. Rosemary Francis-Williams

Grand Falls Indian Band (11:40 - 12:12)

Outlined the problems of this reserve as being the lack of recognition of status, the LACK OF HUNTING AND FISHING RIGHTS, the JUSTICE SYSTEM, SELF-GOVERNMENT, and LAND CLAIMS. It was recommended that the RCAP seek resources for initiatives. Alternative Funding Arrangements would be preferred.

Mr. Paul related a personal experience of having trouble setting up a business. It was felt that recognition should be given to natives who have made contributions to trapping, hunting, fishing.

7. Chief Greg Lucas,

8. Rita Campbell

Stephenville Crossing Indian Band (12:12 - 12:25)

The presenter focused mainly on social problems including child abuse, not enough money for extra-curricular activities, poor housing and social assistance which all lead to low self-esteem and high drop-out rates.

It was recommended that seats be reserved for natives in Universities and also in the different bodies of government.

9. Chief Geraldine Kelly

10. Michael Joe

11. Miss Wetsoll

Miawpukek Indian Band (1:15 - 2:42)

The presenters gave a historical background of the first Micmacs in Newfoundland. There is a current attempt to develop a map of old Micmac hunting grounds and settlements which will be used in the upcoming land claims court cases. The court cases will revolve around a proposed hydro flooding of what the Micmacs consider to be traditional Micmac territory. The specific site chosen for flooding includes an area that is sacred to the Micmacs and is also a crossing site for caribou. An environmental study is now being done by the provincial government and the Micmacs are planning to conduct a study of their own.

Once again, there was concern over false information in the school systems history books regarding the native people of Newfoundland. The presenter went on to explain that they do have one of the biggest Micmac libraries and that the Micmac language is being taught in class. There is also a culture class and a crafts class taught by the elders. The elders also organize retreats for the students into the bush.

It was commented that the Micmac language is growing stronger. The language programs that are now available were outlined. The possibility of introducing an immersion program to two-year olds is being considered. This is already being done in northern B.C. and New Zealand who are both willing to share ideas with any community that is interested.

12. Chief Shirley Prosper, Corner Brook Indian Band (2:42 - 2:54)

The presenter expressed a need for the government to recognise the natives of Newfoundland as status Indians under the Indian Act. A need was voiced for improved educational opportunities, a revival of the Micmac language, more professional councillors, and day-care centres in schools.

13. Chief Victor Muise, St. Georges Indian Band (2:55 - 3:15)

The presenter felt that Newfoundland Micmacs are the most disadvantaged people. Education was stated as a top priority and it was felt that the school system should include native teachers. Other concerns included the high drop-out rate, drug and alcohol abuse, lack of infrastructure, lack of hunting and fishing territory, child care and elder support. It was important to them to revive the Micmac culture and language and to change the false native history currently found in history books.

14. Nancy Gaudon, Port au Port Indian Band (3:35 - 3:48)

Again, the issue of becoming recognised under the INDIAN ACT was stressed. Other issues included the need for a program to teach the Micmac language, housing programs that would help with unemployment and community involvement, and programs that would allow elders to remain in their homes.

Commissioner Robinson took special note of the issue of history books in schools that taught a false native history. She said that recommendations could be issued prior to the main report.

15. A/Chief Elaine Myers, Bartletts Harbour Indian Band (3:48 - 4:10)

The main concern of this band was to be officially recognised by the federal government as status Indians under the INDIAN ACT. Training and retraining was discussed in depth but there are no meetings set up with the province as of yet.

16. Conne River Youth Group, Conne River Indian Band (4:10 - 4:35)

The youth group presented a video to the Commission. The main point of the video and presentation was that alcohol and drugs were a big problem because of a lack of recreational facilities in the community.

Co-Chair Erasmus advised the group to take matters into their own hands and organize themselves. They should not wait for someone else to do it for them.

17. Gerard Webb, President, Federation of Newfoundland Indians (4:35 - 5:30)

The presenter began with an overview of the Federation of Newfoundland Indians. Mr. Webb expressed his hope that SELF-GOVERNMENT would occur on a province-wide basis and not a band-to-band basis although that is their option.

He also felt that it was imperative that the natives of Newfoundland be recognised as status Indians under the INDIAN ACT.

LIST OF DOCUMENTS TABLED: None.

Names & addresses of presenters at the Royal Commission on  
Aboriginal Peoples conference Gander, NF - November 5, 1992.

Tony John  
Glenwood Indian Band Council  
P.O. Box 149  
Glenwood, NF  
A0G 2K0

Acting Chief Elaine Myers  
Castor River Indian Band  
Castor River North, NF  
A0K 1W0

Calvin White  
General Delivery  
Flat Bay, NF  
A0N 1Z0

Edwina Wetzel  
Aboriginal Youth Group  
Miawpukik Indian Band  
Conne River, NF  
A0H 1J0

Chief Calvin Francis  
Clarke's Head Indian Band Council  
Clarke's Head, NF  
A0G 2G0

Chief Greg Lucas  
Stephenville Indian Band  
P.O. Box 149  
Stephenville Crossing, NF  
A2N 2C0

Chief Walter Barry  
Benoit's Cove Indian Band Council  
General Delivery  
Benoit's Cove, NF  
A0L 1A0

Gerard Webb  
Federation of NFLD Indians  
General Delivery  
Benoit's Cove, NF  
A0L 1A0

Ignatius Paul  
Exploit's Valley Indian Band Council  
82 Main Street  
Windsor, NF  
A0H 2H0

Chief Geraldine Kelly  
Council of the Conne River Micmacs  
Government of the Conne River Micmacs  
Conne River, Micmac Territory, NF  
A0H 1J0

Chief Shirley Prosper  
Bay of Islands Indian Band Council  
Corner Brook, NF  
A2H 6H6

Chief Victor Muiise  
St. George's Indian Band Council  
P.O. Box 361  
St. George's, NF  
A0N 1Z0

Nancy Gaudon  
Port au Port Indian Band Council  
P.O. Box 119  
Port au Port, (East), NF  
A0N 1T0

"THE ENDLESS STORY"

by

Tony John

A presentation at the Hearings of the Royal Commission on  
Aboriginal Peoples at Gander, Newfoundland.

November 5, 1992

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I extend to the Commissioners a warm welcome to Central Newfoundland, and bring you greetings from Chief Lawrence Jeddore, and Councillors of the Glenwood Indian Band Council.

Before I begin to make my presentation to you, the Commissioners, I would like to bring to your attention, that this Public Hearing process will not be totally solution oriented. The reason for this, is because it is the first time for us to meet with the Royal Commission, and you have to first hear what our concerns and needs are before we develop solutions for those needs.

Today, I wish to express the concerns, confusions, and aspirations which the 250 members of the Glenwood Indian Band have felt for a very long time. I want the Commissioners to understand that I also speak for the young, the old, and for those now departed, who were never given the opportunity to express their feelings.

This presentation does not try to provide all the background information as to why the Micmac people of Glenwood have been deprived of aboriginal status for the past 43 years since Newfoundland joined Canada. Most of this information is to be found in the reference documents tabled, and presentations made at Commission Hearings at St. John's in June this year.

There are also many national issues, which are of concern to all aboriginal people, but I want to focus on our situation here in Central Newfoundland. I do, however, wish to emphasize that these hearings are occurring at a time in our history (the 500th anniversary of European discovery) when the European majority is in a reflective and repentive mood. We have worked and waited for many years, and we have to seize this moment. I feel that the Commissioners have to be always aware of the critical timing of their report. Produce your report as soon as possible.

As far as I am aware, this is the first time since Confederation that any Government Agency has seen fit to consult the Micmac of Newfoundland. The last instance may have been Governor William MacGregor's visit to Conne River in 1908. At that time, he recorded that my grandparents, Jim and Helen (Benoit) John, had left for Glenwood. The good Governor gave no explanation for their departure, but it may well be that they could not take the growing religious domination of the Catholic Church in Bay d'Espoir.

At Glenwood they raised their 5 sons and 5 daughters. One son, Gregory, my father, married Mary Francis, the daughter of Eliza and Jessie Francis of Gander Bay. I could search the archives, and other places to find more distant ancestors, but there is no need.



I am the son of Indians, and I am an Indian. Now why is it so hard to convince the Federal Government that I, my family, and other Glenwood band members are aboriginal, and entitled to the recognition, registration and services provided under the constitution of this land!

The title of my presentation, "**The Endless Story**", refers to the endless process of registration. We are never provided with a time frame. When will there be enough information gathered? The research game always seems to be on-going, but we never see the researchers, and they never consult with us. When will we cease to be pawns for the politicians and bureaucrats? Will we have to cease to exist, as our brothers, the Beothuks, in order to gain our rightful place in Canadian society? How convenient would it have been for the myth of no aboriginal people in Newfoundland if we, who have been so wrongly accused of killing the Beothuks had also been wiped out. The presence of this Royal Commission here at Gander, is recognition of our rights as aboriginal peoples.

Since 1969, I have been involved with the Federation of Newfoundland Indians, serving as Vice-President during the period from 1973-76, and President from 1976-80.

In the early 1980's after the Miawpukek Band at Conne River decided to do it their own way, in seeking registration and re-instatement of their colonial reserve, the native movement at Glenwood, for all practical purposes, ceased to exist. There was the occasional dribble of funding from the Secretary of State, but nothing of substance, until the Pathways Program of CEIC a couple of years ago. Here I must give that department a plug, for without that program, we, at Glenwood would not be in a position to host this Public Forum. Meanwhile, there are programs and services of other Federal Government Departments, such as ISTC's Aboriginal Economic Programs, and Indian & Northern Affairs Canada which are never delivered.

If the Department of Indian Affairs thought that by recognizing our brothers, and sisters at Conne River they would absolve themselves of responsibility for other Newfoundland Aboriginal, then they are sadly mistaken. That department to this very day, continues a policy of denying that there are aboriginal people on the Island. In this regard they have allies, if not leaders, in the successive Provincial Governments who have, and still continue, to deny the presence of aboriginal people here. The fact that there were aboriginal people on the Island, was known to the Federal Authorities at the time of Confederation.

A report by the Dominion Bureau of Statistics prepared in 1945, calculated the number of Eskimo, Indian, and half breeds (sic) both on the Island and in Labrador. I am fairly sure that there are family names and communities associated with this information.

In closing, this is an Historical day for aboriginal people on the Island of Newfoundland, and I want to leave the Honourable Commissioners with this report and message: **We are here, we will remain here, we will not fade away, and we demand our true rights as aboriginal people of Canada.**

Thank You!

**ROYAL COMMISSION ON ABORIGINAL PEOPLES**

**Presented by: Flat Bay Indian Band Council**

**November 5, 1992**

**COMMUNITY PROFILE**

Flat Bay is a small rural community located on the southwest coast of Newfoundland, near Stephenville. The total population is 640 with 90% being of Micmac decent.

The Flat Bay Indian Band Council was established in 1972. It is a non-profit aboriginal organization governed by a Chief and a board of directors. These positions are for a two year period at which time an election and general meeting is held. This band council is the only form of government in this community.

The mandate of the Flat Bay Indian Band Council is to promote the economic and social development of the Micmac people within the boundaries of Journois to Flat Bay Brook including all areas between.

RATIONALE

The Aboriginal people of this community have undergone a series of blows that have been detrimental to our survival. Over the course of this report you will see how government dominance, relocation programs, and myths have all but destroyed the Micmac people of Flat Bay.

Although we have encountered numerous obstacles, we will have not abandoned our ideals. We strive for recognition and equality in our own land. The Micmac people have been given the gifts of tolerance, of patience, and perseverance. Let there be no doubt of our determination to survive.

The Royal Commission on Aboriginal Peoples has been set up to recommend solutions. You intend to make recommendations that will bring our people together.

The rift is great; the hardships endured by these people are plenty. The path of reconciliation will be a journey of history. How can governments compensate for an act of genocide? Our culture is lost! our language gone! our traditional values are stripped!

There will be no going back. We are a realistic people. We have to maintain the few fragmented pieces of our heritage and move

forward. Although it is impossible to place a monetary figure on the irreparable damage inflicted on this community, we believe compensation will come in the form of conscious raising, awareness of our history, and the willingness of the dominant governments to help settle long time grievances.

This community already has their own government, we already have an identity, we even have a history. Now we need recognition for the distinct race we are!

#### **HISTORY OF ABORIGINAL/GOVERNMENT RELATIONS IN NEWFOUNDLAND**

Newfoundland joined Confederation in 1949 and although discussions leading up to the Newfoundland entry included the recognition of Federal responsibility for aboriginal people, there was no implementation of that responsibility. It was not until 1950 through a special Federal/Provincial Native Peoples Agreement that any recognition of native peoples existed.

The agreement was flawed and abused by the Province, without question from the Federal government. Only some of the aboriginal people were beneficiaries of that agreement. The province designated whole communities for native peoples which did not have aboriginal populations. Project funding from the agreement was determined by the province and not specifically

addressing aboriginal needs. And although the province negotiated these agreements, they continued to deny publicly the existence of aboriginal peoples on the Island.

A strong aboriginal peoples organization was instrumental in bringing about some change. Non-native communities were then excluded from the agreement and aboriginal people set the priorities for project funding. However, more than 50% of the aboriginal population were ignored and are still ignored to this date.

**INTRODUCTION:**

It is with the utmost sincerity and gratitude that I speak before you today.

As an aboriginal elder, someone who has strived for recognition and awareness, I feel encouraged that our own people have been mandated to listen to our concerns as it relates to our survival.

Who better can understand our frustration, our fears of assimilation, other than you who have no doubt undergone the same struggle. The struggle has been long and hard, but rest assured, we are a determined people who will survive.

**GEOGRAPHIC LOCATION**

Flat Bay is a small rural community located on the southwest coast of Newfoundland (near Stephenville)



The total population is 650 with 90% being Micmacs.

#### **GOVERNMENTS**

The Flat Bay Indian Band Council was established in 1972. It is a non-profit organization governed by an elected Chief and a board of directors. All positions are voluntary. It is the only form of government in this community. The Band administers such services as community water, outreach services of the Canada Employment Center, and a public health nurse.

#### **SOCIAL PROBLEMS**

As an aboriginal community, history of our presence has been recorded by historians from the commencing of the writing of Newfoundland history.

Historians have documented there was once autonomy. This autonomy was lost only in the past seventy years. It has been replaced by dependency. Dependency has taken away our initiative and stripped us of our dignity. This dependency has created unsurmountable social problems.

Unemployment is high, the abuse of alcohol and drugs is increasing almost daily; drop-outs are the majority of our population, teenage pregnancy is condoned and thus the welfare system is a way of life. We cannot ignore these problems, and as a community leader i am extremely frustrated because we don't have the resources to address the needs. We ask why?

**EDUCATION**

In Flat Bay, our children are educated in the community until they complete a grade five level. At that time they are bused some 20 km to a larger community. That neighbouring community boasts a larger school, better facilities, and ample opportunities, but yet the fact remains our children are still outsiders. They are often targets of ridicule and mockery by both their peers and instructors.

For a young child to achieve academic success in this environment, requires an untold amount of determination and dedication; something which is not prevalent among our children today. Due to the forced assimilation on our young adolescents, the inevitable occurs. The drop out rate is high and literacy is prominent.

In Flat Bay, we need control of our educational system; we need to build new schools to accommodate our children. We have to present to our children a comfortable learning environment so to enhance their personal abilities. We have to teach our children that being an Indian is not bad, it is something to be proud of. Our children are our future, and our very survival depends on them and thus on us.

**ELDERS AND EDUCATION**

The values and beliefs of elders are the teachings we are most lacking today. Without their involvement in our education system, our children are lost. Our children will be people without an identity, without history and dignity. Our children are unable to compete in a society which concurs that to be different is wrong. Our elders must be consulted when devising a curriculum that educates aboriginal and non-aboriginal people alike. We, our history, our very existence, and language must be part of the school system. A curriculum that teaches each other about each others values, culture and language is important to all society.

**TRAPPING**

The abundance of fur bearing animals in this area combined with the demand for craft, nationwide, cannot be ignored. Trapping should be developed as a supplementary industry. Trapping is a viable program in addressing social problems. We must not lose sight of this.

Aboriginal peoples social development have strong ties to hunting, fishing and trapping. Trapping programs can be used for many other reasons than monetary value. Such as a deterrent from drug and alcohol, vandalism, family violence.

A place for reaching values from old to young is for Indian people, the land (trapping) respect for nature and the environment comes from complete knowledge of being there.

### **FISHING**

Fishing has always been part of Micmac economy. Fishing was done mainly as a gathering of food. Micmac people in Flat Bay speared salmon, eels, and lobster for as long as we believed in the area. This right, given by the Creator has been eroded by government policies that has allowed the commercial fishing to all but completely destroy these species. Today, Micmac people still gather these species for food. However, we are now criminals in doing so. We need a policy that will allow Micmac people to become involved in enhancement programs and management of a harvest for food. The longer we are treated as criminals for doing what has been a way of life for hundreds of years, the more we lose control over conservation policies and abuse cannot be prevented.

### **CRAFTS**

The traditional skills are here. We have only to pass them on, inspire the use by our young and most energetic. Craft is a development that comes from within as do the arts. We must concentrate on providing opportunities for our artists.

### AGRICULTURE

We are not as disadvantaged as the third world countries, however we continue to purchase from grocery stores, who in turn rely on the import of their product. If our only achievement is to grow enough vegetables to meet the needs of our community with no surplus for market, this would be a super accomplishment. We have the land and the people. It is the philosophy, we must change. We must change the philosophy from a get rich farming attitude to self-sufficiency and home gardening. Potential for market comes after people have developed a marketable produce for their own needs.

### TOURISM

To build a tourist industry one must use imagination. It is the creation of opportunity to explore and experience the most enjoyable unexplored environment and acquire the most memorable experiences while doing so which attract clients.

Aboriginal skills and knowledge of the animal, plant and other nature creations are marketable. It is the confidence we need developed, management skills, safety standards, first aid, quality control, marketing and access to resources to build facilities to attract people in today's market place.

### CONCLUSION

It may appear our ambitions are mighty. We suggest they are a minimum. Based on the past history of our people and this area we are only reactivating a form **Self** autonomy that has been lost.

lost because of the dominant society, the super governments who fifty years ago said "To hell with the Indian people and their governments. We can do it our way".

Well, let me tell you their way has caused mayhem; the wilful crippling of our people. This destruction caused the Indian population of Flat Bay to pick up our fragmented pieces of courage and dignity and lash out to defend ourselves from extinction.

Extinction but not in the physical sense. Our genes are too strong and are prominent in our community. Our physical appearance cannot be lost for many generations, with the strong possibilities of serving forever.

From 1972 to this day, our people have risen and already our growth is visible. we are on a come home trail to the revival of our heritage. Assimilation and extinction will not enthrall us. we are a proud people with a distinct past and a promising future. Let there be no doubt of our determination to survive!

Living in a society which forces people to be on the defence for their survival leaves no opportunity for equality or partnership.

PRESENTATION TO THE ROYAL COMMISSION ON ABORIGINAL PEOPLES

by

GANDER BAY INDIAN BAND COUNCIL  
Chief Calvin Francis

Presentation to the Royal Commission on Aboriginal Peoples

The Gander Bay Indian Band Council was formed in 1974, and incorporated in 1980. The council represents approximately 320 members who are of Micmac Ancestry. Gander Bay is located at the mouth of Gander River, 30 miles North of Gander.

The Band Council's boundaries extend to Carmanville on the South side of Gander Bay and to Victoria Cove on the North side a total distance of a 20 mile radius.

Some of the problems encountered by Band Members Socially and Economically are:

- (1) Lack of adequate education and training, approximately 75% of our members have below average reading and writing skills.
- (2) High Unemployment: During peak periods, between 80% - 90% of our members are unemployed. The band lacks the financial resources to improve the economic and social conditions in the community. Hunting and Fishing is a source of employment, although due to poor fish stock, the existing jobs are being eroded. As an Aboriginal Group we have not to date exercised our right to Hunt or Fish for food. If we were to do so our members fear prosecution by the courts, we also want to point out that before taking Wildlife or Fish for food, conservation is first and foremost once stocks have been rebuilt, we will then decide if we will or will not exercise our rights, keeping in mind any action that could be brought against us.

Our council who has not been recognized by the



Department of Indian Affairs has obtained recognition, and respect from all other Departments of Government both Federally and Provincially; we have helped our community grow by providing jobs and some education to our people, however this could be much better.

Our council and it's members work in harmony with our brothers and sisters in the community. We have provided jobs and other assistance to both Native and Non-Native peoples in the community, with recognition , and or registration our peoples lives would be improved both socially and economically.

I hereby demand the Commission to recommend to Government not to delay the recognition of our people any longer. Furthermore, the Commission seeks financial resources in the amount of 2.5 million to elevate the social and economic demand of our members.

Thank you for your time in listing to our concerns.

Yours in Brotherhood,

Calvin Francis  
Chief

ROYAL COMMISSION

ON ABORIGINAL

PEOPLES

Report by

Chief Walter Barry

Benoit's Cove Indian Band Council

BACKGROUND

The Benoit's Cove Indian Band formed in 1976 because of the Aboriginal population in the area. The Board is a non-profit Aboriginal organization governed by an elected Band Council consisting of a chief, vice chief, secretary, a treasurer and up to six board of directors who are elected or appointed. The Band represents 407 non-status Aboriginal people.

BOUNDARIES

The boundaries of the Benoit's Cove Indian Band takes in the south shore of the Bay of Islands from Cooks Brook to Lark Harbour. Although Benoit's Cove is a rural area it is close to the city of Corner Brook.

GOALS (1) OBJECTIVES

The unemployment rate among the Aboriginal people in the area is very high and in the winter time it is much higher. Over the years the Benoit's Cove Band has been active in addressing the concerns of the Aboriginal People in the area as it relates to social, culture and economic development of our band members. We have been active over the years in job creation, education and culture awareness. We have representation on the communities futures, local, regional and national aboriginal management boards.

We are an affiliate of the Federation of Newfoundland Indians and our national organization in the Native Council of Canada, which represents two thirds of the Aboriginal population in Canada. We have recently been incorporated as a non-profit organization.

We have, through programs trained people in crafts, hunting and fishing guide, business management, mechanic, home support workers, forestry and computers. We have sponsored A.B.E. experience worker re-orientation programs, career exploration for youth and knitting and sewing programs. The Bank is continuing to be a active in lobbying for dollars for education and economic development. The Band council has a good working relationship with the community. We hop to have ea few businesses started in the next year or two that will create twenty (20) fulltime jobs.

The Benoit's Cove Indian Band are recognized by the people in the area and will continue to be active in lobbying for our people so they can become self-sufficient and contributors to the economy. We have also formed a non-profit housing corporation and will be supplying subsidized housing for Aboriginal people in our area. This will also create jobs in the area and put a much needed service in the area.

#### CONSULTATION

The Intervenor Program was carried out in three steps as was directed by the Band council. The first step was a public meeting. At the meeting the concerns that were brought forward were:

**Recognition-** A number of people felt that with recognition, would come better accessibility to programs that would assist them in becoming self-sufficient.

They said that as off reserve non-status aboriginal people, they have difficulty accessing the same programs that first nations can. This is frustrating to them, and as a result they feel second class.

**Education** - It was expressed that the only education classes were basic education and post secondary. They felt that university should also be included for non-status aboriginal people.

Native women would like to see more evening courses taught. This they felt would give women who work by day in nowhere jobs a better chance to better themselves.

It was expressed very strongly that the present counselling services in the schools and at CEC was inappropriate. It was said that the people doing the counselling have no ideas of the problem faced by the Aboriginal people. They don't understand their background and as a result they are not accepted by most Aboriginal people. Parents at the meeting have expressed their concerns with counsellors in the regular school system. They feel their children are being discriminated. One woman said that there should be more cross-cultural awareness programs in the schools. Some people felt, that just because we were forced to live in this society does not mean we still don't have our desire to keep our identity. Most people would like to see a better effort put into a Stay In School Awareness Program. It was felt that today's teachers are just there to do what they have to do and collect a pay cheque.

They say that teachers lost their values. They should be role models and mentors for students. One woman expressed that if they disliked a student, then that student is ignored, and more often ~~than not~~ they feel that teachers should take a more active role in encouraging children to stay in school and put their personal feelings aside. Another concern was the lack of infrastructure for aboriginal people to do some of their own training. It was felt that we are passing our money over the training instructors when we could hire qualified aboriginal people to train our people.. It was felt that the schools and CEC should have counsellors in places who are aboriginal and can relate to aboriginal children and adults. We hear about employment equity, now let's practice it. The second method of the Intervenor Program was a phone survey. The majority of response from this survey was recognition. A number of the people surveyed by the phone were elders. They expressed their desire to be recognized as aboriginal people before they die. They feel they were born as aboriginal people and they should not be denied the right to be recognized as such. They would like to see more aboriginal people with meaningful jobs and more aboriginal people with their own business. They feel that children should be taught their own language before it is lost completely. They feel that children should learn about their own history, culture and values.

It was said that we as aboriginal people should be taking a more active role in the management of our resources such as the fisheries and forestry. People feel that we have a responsibility to protect what mother earth has given us.

The final step of the process was house visits. Some people expressed their concerns about recognition. They expressed that they were not optimistic about being registered but they said they will still be around and are not going to go away no matter what the government decided. Other people said their greatest concern is **jobs**. They said they don't know what is in the future of r our children. There were concerns expressed about the state of the fisheries and our forestry. Other people were concerned about the education level of our aboriginal people. They thought there should be more effort put into Stay in School Programs. There were some who didn't have any concerns and said they didn't care one way or the other.

### **CONCLUSION**

The aboriginal people in this area have real concerns. The one that comes to the front in the consultation process was recognition. Most aboriginal people feel that with recognition will come more opportunity to become self-sufficient and contributors to our economy. Contrary to popular belief most of our people want to work. They realized that they need an education and training to get good paying jobs and raise their standard of living.

Also they want aboriginal counsellors for their children so they can realize the importance of a good education at an early age and what is possible to achieve with an education.

this is not the first time concerns have been brought forward.

I only hope that they will be acted upon rather than talked about again. I hope this report is helpful to the Commission and we look forward to positive things to come from it.

Thank You!



ROYAL COMMISSION ON ABORIGINAL PEOPLES

Presented by: Stephenville Crossing  
Band Council

The Stephenville/Stephenville Crossing Band Council has approximately 650 members, which takes in the areas of Stephenville, Stephenville Crossing, Black Duck, Cold Brook and Gallants.

Mr. Commissioner, we feel that we have to be recognized as Indians by the Federal Government of Canada in order to be accessible to all programs that other Aboriginal areas of Canada are. Some of the problems are as follows:

This being such a large area, it is difficult to deal with the many problems, with no funding coming from the Federal Government.

With the high unemployment rate and the outlook of work being very bleak, the only thing our members have to look forward to is the welfare system and moving out of the Province to find employment. This problem should be dealt with as soon as possible. Job creation for our youth is another concern. Our young people see only hopelessness in this area when it comes to finding employment.

The lack of counselling for Aboriginal children and adults, especially in the field of sexual abuse is very weak and should be looked into immediately and given high priority.

There is definite need for adequate housing in this area. There are people living in deplorable conditions.

Some are living in apartments turned down by the Board of Health, because they have nowhere else to go and no one to turn to for help. They are forced to live in these conditions. With the Newfoundland and Labrador Housing in this area, some priority should be given to the Aboriginal clients when applying for rental homes. More monies should be allotted for the RAP Program.

People who apply for the RAP, have to wait a very long time, sometimes as long as 2-3 years and by the time money comes through for their RAP Program the conditions have deteriorated even further and then more monies are need for further repairs.

Some of the conditions in need of the RAP Program are no running water, no bathrooms, no windows and other major repairs which the people have further hardships to endure during the harsh winter months.

Mr. Commissioner, there should be a system in place so members of the Micmac bands in Newfoundland have access to monies to be able to afford to build better homes and to stay in their own areas of residence.

At the present time there is no such system in Newfoundland.

Education is the number one priority in the world today. It is very hard for our members to get a good education. Although the government pays for most of the educational materials in our school system, parents find it hard, if not impossible to pay for extra curriculum activities such as field trips, after school sport and school lunches, which seems to be a big concern with our children. Social services doesn't allot money for growing families. This all leads to school drop outs, lack of self esteem, illiteracy and greater social problems.

With the economic slump, there is little or no funding available. We should be training our youth and adult alike in careers that will be beneficial to our Aboriginal people, so they can look forward to a better, stay in their own native land and not have to move around looking for employment.

There is only one university in Newfoundland, which does not give preference to Aboriginal people. The same courses are being taught in other Newfoundland Institutions, this is the reason why our Aboriginal youth are entitled to a partial loan and not entitled to a full government loan and leave the province for higher quality of education.

We the aboriginal people of Stephenville/Stephenville Crossing Indian Band Council would like the right to hunt for moose and caribou. This Province has a draw system for big game hunting. Because of this system some of the Aboriginal people are unable to get a license. This can happen three years or more in a row, which can impose an added hardship to supply food for their families. As an aboriginal, the right to hunt for food for survival as in other parts of Canada, is the same rights the aboriginal people of Newfoundland should have.

There is also fishing rights for Aboriginal people in other parts of Canada that we would like to have in our Province as well. This will give the Aboriginal a chance to steer away from the social services system and to have them feel good about their rights they know they are entitled to as a part of their heritage.

When the Micmac Indians were integrated into the non aboriginal communities, the Micmac language slowly disappeared. It would be a great historical event in Newfoundland if the Micmac people could learn their native tongue. This could be done through educational programs.

At the present time in Newfoundland, we have an MCP system which takes care of drugs and hospital stay.

After being released from the hospital, all drugs and health items such as orthopaedics have to be paid for by the families unless they are a social services recipient, or have a low income. This can become quite costly and brings further financial hardship on the families.

Another added financial burden on a non social services recipient is the added cost of dental work and eye glasses. At times this becomes impossible. Many families are faced with a money shortage and do without.

Our band council would like to see the right to self-government for all Aboriginal across this great country we call Canada. In our particular case where our territory takes in so many different communities, we would like to have the right to elect an aboriginal person to the town councils of those communities, to elect one provincial member, a federal member and one senator to all parts of government in Canada.

In summary, some of the most important issues to be dealt with immediately to be recognized by the Federal Government, counselling for all types of abuse in the aboriginal environment, the right to self-government and most important of all, the right to have access to quality education.

**STATEMENT FROM THE MIAWPUKEK BAND**

by

Chief Geraldine Kelly

A presentation at the hearings of The Royal Commission Aboriginal Peoples at Gander, Newfoundland November 5, 1992.

I extend to the commissioners a warm welcome to Newfoundland and bring you greetings from the Miawpukek Band at Conne River. I am pleased to be here today to tell the story of the Newfoundland Mikmaq who, for generations, have been the objects of lies, accusations and denial.

This type of gathering is a first in this province where little attention is paid to native people or to issues of concern to them. These hearings are occurring at a time in our history (the 500th anniversary of European discovery) when the European majority is in a reflective and conscious-stricken mood. We have worked and waited for many years and now have to seize this moment. Commissioners have to be aware of the important timing of their report especially in light of the recent referendum result.

#### **Confederation and the Terms of Union**

Confederation and its terms of union is the first issue I wish to raise. For here we have a perfect example of the vast gap between constitutional obligation and policy. Under the British North America Act, extended to the new province, the federal government was obligated to extend to our people certain rights and privileges as well as our protection. So what happened? We know that the federal government departments responsible for natives, their names have changed over the years, have twice sought legal clarification from their own solicitors on the situation of Newfoundland's aboriginal peoples. In March 1950, F.P. Varcoe, Deputy Minister of Justice, advised the cabinet



secretary that

The federal Parliament has exclusive legislative authority in relation to 'Indians, and Lands reserved for the Indians' under head 24 of Section 91 of the British North America Act which, of course, means that the provincial legislature has no authority to enact legislation dealing with or 'in relation to' Indians. Legislative authority in relation to Indians carries with it for the federal government the executive authority in relation to Indians.

In 1964 civil servants were again concerned about the situation of natives in Newfoundland and sought legal advice their Deputy Attorney General, Mr. Drieger. His letter of November 23rd, contains the following:

...there is no provision in the Indian Act excluding any portion of Canada from its application.

Mr. Varcoe's opinion as to the constitutional position is, in my opinion, correct. The fact that there is no mention of Eskimos or Indians in the Terms of Union means only that the constitutional position with respect thereto was not changed with regard to Newfoundland.

Given these legal opinions what were the actions of the federal government? In a nutshell they completely neglected the native people of this province. There was no allowance for the Mikmaq until 1972 when we finally managed to be included under the third federal-provincial agreement for native people. Let me tell this

commission that these agreements, which are still in effect for native people in Labrador, are shameful attempts at discharging the federal responsible for aboriginal people.

I could go much further and tell of the personal side of this neglect within my community and elsewhere on the Island, however, I charge this Commission to report on this situation so that all Canadians can hear and read of it!

#### **MIKMAQ SELF GOVERNMENT**

Aboriginal self-government is an issue of much attention to today's society and it is so in Conne River. With the defeat of the Charlottetown accord, many natives and non-natives feel that self-government was rejected by Canadian society. This is far from the truth. Self-government is not a right that can be conferred on first nations by constitutional acts or by any external institution. The aboriginal right of self-government is inherent, originating within the aboriginal nation. Therefore the defeat of the accord does not defeat the aboriginal and treaty rights of first nations to self-government. The constitutional accord would have recognized the inherent right to self-government, not create it.

Our aspirations may have been too high in thinking that a society which has sought to subjugate aboriginal people since 1497 is now prepared to take a small step in rectifying past wrongs. Despite the referendum aboriginal communities, including Conne River, continue to assert their right to self-government and cannot sit

idle awaiting its confirmation. Mikmaq society was, and remains, a federated nation with a clear existence and having a continuity of institutions. Our traditional government system, the Sante Mawiomi, governed our members with our own constitution and laws. The Sante Mawiomi, or Grand Council, provides an organized structure which maintains customs of land tenure, order between our members, and relations between neighbouring nations and tribes. Although the Indian Act has eroded our traditional form of government, it still exists. The Miawpukek Band historically, and at present, is a member of the Sante Mawiomi which is headed by our Grand Chief who continues to protect our aboriginal, treaty and land rights. To this end I want to make it clear that under Section 35 of The Constitutional Act, 1982 that any future amendments can only serve to recognize, not create, our right to self-government.

As the Miawpukek Band approaches its eight year under the Indian Act, we realize the great extent of its inadequacy. We, like other members of the Mikmaq Nationmau, feel it is time to further affirm our traditional institutions. This will involve greater exercise of our inherent right to self-government, recognition either through constitutional amendment or by the Supreme Court will only be co-incidental.

#### **Land Claims**

Land, and its use, continues to be a major part of the life and culture of the Newfoundland Mikmaq and we know that our existence

as a band depends on the continuation of our institutions. The Mikmaq of Newfoundland have witnessed the continued encroachment and deterioration of our traditional land. European settlement, hydro development, pulp and paper operations, mineral development, as well as wilderness reserves have the cumulative effect of decreasing our land base. Although not in its past size and condition our land base when compared with other areas of Canada has survived the onslaught of European expansion. Newfoundland's poor economy and lack of major industry has meant that the land has not been developed (destroyed) at a pace and degree as evidence else where in North America.

The Miawpukek Band Council is of the view that our remaining land base must be secured in the very near future if it is to remain intact and available for future generations. As Newfoundland seeks solutions to relieve its economic plight there may well be more destruction and exploitation of our lands.

A recent example is the proposed D'Espoir and Bottom Brook hydro development. This project will see a private Ontario corporation develop a hydro station on our traditional land with the view of selling electricity to Newfoundland Hydro. This project is small compared with past mega projects in our homeland which have destroyed and fragmented our land but it will have the same adverse effects. The project will mean flooding and road construction in an untouched and pristine wilderness area. This area is used by Conne River Mikmaq to hunt and trap and we know that caribou and salmon will suffer. Furthermore the project

area encroaches the site of the Mikmaq Holy Cross, a spiritual site for the Mikmaq of Newfoundland. The Miawpukek Band is adamant that this project will not go ahead and will do whatever is necessary to ensure that our land base is not further encroached and destroyed. In securing a traditional land base the Miawpukek Band have two options, negotiation and litigation. The band from 1974 to 1986 attempted to settle a land claim through negotiation.

In June 1982 the federal government represented by the Office of Native Claims and Justice informed the Miawpukek Band that its analysis of our documentation submitted since 1974 failed to substantiate a prima facie comprehensive claim for parts of Newfoundland. The federal government's opinion was that the Mikmaq could not demonstrate aboriginal occupancy in Newfoundland since "time immemorial". After notification the band submitted further research results.

In 1986 our claim was again rejected on the grounds that the claimant group did not enjoy exclusive use and occupancy of the territory under claim since time immemorial. We assume that this means prior to British sovereignty. The band has major concerns with the rejection; (1) the legitimacy of the actual test applied and (2) the adversarial role of the province in the process.

Our oral history affirms that our ancestors were living in Newfoundland long before European contact. Whether or not this can be proved the federal rejection means that a test has been

applied to the Newfoundland Mikmaq that was not previously used in the settling of claims and land cession treaties elsewhere in Canada. In Ontario, and in the west, it was well known at the time of the treaties that substantial aboriginal population movement has just recently occurred. In these situations it was assumed that a group could surrender title of the area of land it was actually suing and occupying at the time of treaty signing. No attempt was made to form treaty settlements on the basis of the actual locations of the groups in question at the specific time of British sovereignty.

Recent land settlements with the Inuvialuit of the eastern Arctic do not define the beneficiaries as only those whose forbearers had occupied the area in question since time immemorial nor is the aboriginal area defined. More recent agreements even have immigrants as beneficiaries and the federal politicians have made proud public announcements on the success of negotiations as opposed to the courts.

Even though the test of proof of exclusive use and occupancy of an area has been applied in a narrower and more arbitrary way than to other Canadian treaties and claims it is a test we feel we can meet. We received no analysis for the rejection of our 1986 submission and are not sure on what basis it was rejected. We have further refined and developed our historical research and are prepared to make a undeniable claim if necessary.

The federal rejection was supplemented by a public (television and other news mediums) provincial rejection of our claim! Can

you imagine why? All the old bug bears including the Beothuk were raised to show that our claim was unwarranted.

The Province's report is based on the requirements for proof of aboriginal title as defined by Justice Mahoney in the Baker Lake case. It ignores Mahoney's conclusion that discontinuous use of an area by nomadic hunters, as the Cape Breton Mikmaq were before permanently settling here, does not in itself diminish aboriginal title to the area in question. We feel that we were wrongly discriminated in the comprehensive claims process. It is hoped that the negotiation process can commence again with an eventual favourable outcome. Needless to say the claims policy is in need of a thorough review and revision. Failing negotiation we will be taking the land issue to the courts.

The Miawpukek Band calls upon this Royal Commission to review the federal claims policy and the specific claims process and feel confident that it will bring to the fore the inconsistency and unfairness of the claims policy.

There are many other topics of concern but I make this recommendation to the Commission: Make Newfoundland a case study for the treatment of Canada's native people. There has been a systematic conspiracy of discrimination occurring here since we became a part of Canada. There are many in this province who are afraid of the liability which the recognition of native people will create!

Thank you.

**ROYAL COMMISSION ON ABORIGINAL PEOPLES**

Submitted By: Corner Brook Indian Band Council

November 5, 1992



The Corner Brook Native Band Council has registered 400 members with the band council.

Geographic location for the Corner Brook band in the Bay of Islands. It takes in Cook's Brook to Corner Brook and from River Side Drive to Cox's Cove on the North shore of the B.O.I. On the highway it takes in up to Pasadena and the Pinch Gut Lake.

In the past 17 years the off reserve Indians in Newfoundland were looking to be registered with the Government. We are still fighting to be registered and recognized in today's society as status Indians. This could open new doors to the economic growing economy for Aboriginal people, like self employment and employing more Aboriginal people in today's economic environment for we were the first people on these lands.

### **Fishing and Hunting Rights**

We feel that we are being denied our natural ancestry rights and treated like outcasts by the Government because we do not live on a reserve. For those that do live on a reserve, they have all the rights of their forefathers, such as their hunting and fishing rights. We feel that the Government should consider giving all native people the right to exercise their hunting and fishing rights the way their ancestors did, without a license, whether we live on or off the reserve for native people were

the first people on these lands.

### **Better Education Opportunities**

The rate for single families headed by women in this area is high as much as 80-90%. This forces many women and their families on welfare. The chances to upgrade is very difficult when a woman has to be both mother and father, the sole provider. In many cases due to family and financial commitments, women cannot go back to day school. We need to put into place more night classes giving women a chance to obtain a degree yet provide a more stable home life for their children.

### **Counselling Services**

We need more counsellors made available to all, however, we need more counselling for our youths. Stress on young people is especially great. Some factors are family break-ups, alcohol, drugs, and lack of employment opportunities. We feel this could be some factors in young women having children at an early age. There should be more counsellors made available to mothers because they are abused by their husbands and counselling for their children that are doing drugs and alcohol. They need to know how to handle situations like these as they arrive.

### Cultural

We need greater access to material on the history of our Micmac people.

We need to set up cultural centres in and out of schools so our people can learn and be proud of their roots. We need to learn our language. We also need to teach it to our children or we will become lost people with no knowledge or pride of who we are.

ST. GEORGE'S INDIAN BAND COUNCIL  
FOR  
ROYAL COMMISSION ON ABORIGINAL PEOPLES

Prepared by: Victor Muise, Jr.  
Facilitator

## INTRODUCTION

Hello, I'm Victor Muise representing the St. George's Indian Band Council in the Bay St. George area on the southwest coast of Newfoundland.

Bay St. George is an area rich with Micmac History. Micmac occupancy of the area has been documented as early as 1538; and Micmac oral tradition maintains that the Indian occupation of the area is "Ancient".

## BACKGROUND INFORMATION

The St. George's Indian Band Council was established in 1972. It represents approximately 550 non-status, off-reserve Micmac people in the communities of St. George's, Mattis Point, Shallop Cove, Seal Rock Cove and Barachois Brook on the southwest Coast of Newfoundland.

These communities have an extremely high unemployment rate and a high level of illiteracy particularly among the aboriginal population. (As high as 90% unemployment and 60% illiteracy rate in the Micmac population.

**OBJECTIVES**

Priorities for the local band include:

1) **Education**

Micmac people desperately need basic literacy; adult basic education; skills training; and business management training which should be available at a community level.

2) **Social Concerns:**

- A) High unemployment and high school drop-out rates among the youth.
- B) Alcohol and drug abuse services.
- C) Counselling for victims of physical and sexual abuse.
- D) Child care and other social conditions which affect aboriginal women.
- E) Care and support for the elders.

3) **Revitalization of Micmac Culture and Language:**

Programs are needed to revitalize the Micmac language and culture, to provide the opportunity to promote and preserve Micmac traditions particularly among the youth.

4) **Infrastructure:**

In order to meet the educational, social, economic and cultural objectives, infrastructure must be established at a community level. Local Band Councils would then have the facilities and resources available to develop Micmac communities.

5) **Self Determination/Self Government:**

As non status, off-reserve aboriginal people, the Micmac Indians in St. George's have little input or contact over determining their own destiny.

A form of self-government is required for off-reserve aboriginal people which would provide the following:

- Access to funding
- Adequate infrastructure at a community level
- Training programs and counselling services available in  
aboriginal communities.
- Programs for youth
- Preservation of culture and language
- Resource management which involves the aboriginal people

- A land base which allows for more flexible hunting and fishing rights for aboriginal people

The off-reserve, non-status Micmac people represented by the St. George's Indian Band Council are in the process of establishing their own identity and setting priorities for the future.

Priorities which include educational, social, economic and cultural development.

We must be granted the right and the means to determine our own destiny, through a form of self-government which gives the Micmac people their inherent right to self-determination, which at the same time fostering good working relationships with our non-aboriginal partners.

Our goal is to live in harmony with the land "**CANADA**" and its many peoples.



## **ABORIGINAL SELF-GOVERNMENT**

Since time immemorial Aboriginal Peoples from across Canada have operated by self-government. The Micmac people of Newfoundland are no exception and have been self-governed by its chief and council of elders. Due to white domination of past of past centuries, we have been forced to conform to the laws of the white government and as a result have lost self-government through the use of force. As a result of the efforts of the Indian Nation over the past ten years reinstatement of self-government has been foremost of the struggle of all Aboriginal Peoples.

Due to changing technology, Aboriginal self-government as it applies today has many facets: Native Housing, economic development, education and training, language, land claims, and registration.

### **The Port-au-Port Indian Band**

The Port-au-Port Indian Band consists of 52 households, 42 men, 38 women, and 70 children. The band was founded in 1979 with a total membership of 250. The Band consists of Port-Au-Port, Kippens, Felix Cove, Boswarlos, and Fox Island River. While the Band has taken on many successful endeavours, much needs to be done. In order to achieve our self-sufficiency it will be necessary to avail of Aboriginal self-government in order to meet our goals.

### **Housing**

While some of the Band's people have been placed in the mainstream of various housing programs, much needs to be done in accommodating single mothers and the elders. Existing programs have not yet met the needs. The native allocations for various programs have been greatly reduced due to inefficient government bureaucracy. It will be necessary for us to take complete control of housing programs to meet the needs of the future. This can be accomplished through efficient utilization of human resources of the Band council and its members working in harmony for the benefit of its members.

### **Language**

There are yet only a few Micmac elders on the Island who can speak the language. The Port-au-Port Indian Band communicates in the white man's tongue, but 90 percent of the members have an earnest desire to revive the Micmac language. In the past years the Band has had a high success rate with people attending language courses. As money becomes tighter through the Department of the Secretary of state, funding is not readily available to conduct any serious ongoing language programs. While teachers of linguistics are qualified to teach the language, we approach elders to seek pronunciation and meaning of various words. This surely tells us that a serious effort must be made to reintroduce the Micmac language while the elders remain to assist.

### **Economic Development**

The Port-Au-Port Band at present has no economic base. Its mainstay up to about ten years ago was the inshore fishery. As a result of its failure many people were forced to move away.

The Port-Au-Port Band has been reduced from a 250 to 150 Band membership. This indicates that we have lost many of our neighbours and much of our valuable youth. The area has a 90 percent unemployment rate, once you remove the bureaucratic juggling of figures and seasonal adjusted rates that are released from time to time. The economic problems in the area are severe and many exist from day to day without hope.

The Port-Au-Port Band feels that it can reach up from our dilemma and through Aboriginal self-government, become workers of society and make a contribution to the area as a whole. The resources of the area like many others have been raped by the large logging operations, offshore fleets, and factory trawlers. The only hope is to avail of the manufacturing sector. Through Aboriginal self-government, utilization of the many dollars that are wasted each year in the various work programs could be used to build a manufacturing infrastructure in the community. The cleaning up of roadsides and the painting of graveyard fences and the like cannot be supported as a reasonable goal for the future. A strong stand must be taken in opposing any form of ungainful employment.

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### **Education and Training**

When the white man first came to our land it was the Indian who

taught them how to survive. It was the Indian who befriended them, brought them to their huts, and taught them the way of the land. As the white man grew in numbers and learned to survive on their own, they became our masters and our downfall.

It is now time that they educate us and teach us to thrive in their world. In the past, Indians could not avail of the white man's system of education, it was foreign and did not serve a need. Today we must change and become the business people, teachers, doctors, and lawyers of the future, while still holding to our culture and the values of our ancestry. For many years we have been trained for the sake of training, this allowed the various governments to please our need for short-term employment and little else. If we are now going to be trained and we must be trained it must be for long-term employment, for to do anything else would be to follow in the footsteps of the many failures that have so often shaded the past. Strategic plans must be put in place to compliment any type of economic development.

### **Recognition**

Micmac people of Newfoundland have fought many years with the Government for the recognition of its people, and to date we are no further ahead in this quest.

### **Page 5**

It is ironic that our children go through the school system in their own land and learn about all of the Earth's cultures except their own. To add insult to injury, the aboriginal children of

Newfoundland are denied even their very basic right of recognition from the government.

The Newfoundland government's position on the matter of recognition is indefensible, but Aboriginal People have a history of perseverance. We have overcome many indignities, we most assuredly will overcome this one.

### **Aboriginal Women's Rights**

Aboriginal women's issues should be a major concern to everyone because the strength of aboriginal women is a mirror into which we can judge our overall health as a people. Women must be sought to be represented on all levels of aboriginal self-government. Sincere efforts must be made to accommodate women entrepreneurs. Counselling services and shelters must be made available to aid those who have been demoralized by emotional and physical battery. Day Care Centers must be created to compliment training and educational programs, so that we all have equal access to power.

### **Elders**

Some concerns have been raised in our community for the care of elders. While there are facilities in the area for the care of seniors, programs need to be implemented to assist our elders who choose to remain in their own homes but have physical and financial difficulties coping.

We must ensure that the needs of elders are met for our mutual benefit. The wisdom of their experience is of more value to us

than anything we can do for them.

### **CONCLUSION**

The Port-Au-Port Indian Band has many concerns of an economic and social nature which it is poised to deal with in as effective a manner as possible given the realities that it faces such as the economic devastation of its area, the ever tightening of available funding, and the lack of any infrastructure to facilitate its planning strategies. Despite these problems, it is the issue of recognition that most arouses the indignation of the people of the Band.

Together with all of the aboriginal people of Newfoundland, they are determined to succeed in their quest to attain recognition. It is an obligation that they must fulfil for themselves and for their children. The present Government cannot erase the wrongs perpetrated against Aboriginal throughout history, but it is morally obligated to not repeat them. Aboriginal people must be able to enjoy their birthright, wherever they live.

### **PORT-AU-PORT INDIAN BAND COUNCIL**

The Port-Au-Port Indian Band Council, over the years, has conducted a Skills Inventory survey to determine the needs of the aboriginal people in the area. It has assessed the social and educational needs and has been involved in Native Housing Programs, Educational Programs, such as Guide training **Page 5**

Business Management training, and Upholstery training. Currently they are looking into setting up a local upholstery business, as well as an environmental improvement program.

Some of the difficulties faced are the lack of any infrastructure

or land base to facilitate any manufacturing concern, which as they see it, is the only economic direction that would be viable in the area. Lack of funding for economic planning, language programs, or counselling programs, is always a concern.

The Aboriginal people of the Port-Au-Port Indian Band, along with all of Newfoundland's aboriginal people have become increasingly frustrated at the lack of progress in their quest for recognition by the Provincial Government. This is a priority issue, which the band is determined to see resolved.

Thank You!

ROYAL COMMISSION ON ABORIGINAL PEOPLES

REPORT BY: The Bartlett's Harbour Indian Band Council  
November 5, 1992



This report entails an overview of the social and economic problems, including hunting and fishing rights, educational, language problems, and the geographical location of the non-status Micmac Indians of The Bartlett's Harbour Indian Band Council established in 1974. It is a non profit organization governed by an elected volunteer Board of directors. It represents approximately 550 non status aboriginal people in Bartlett's Harbour, New Ferrolle, castor River North, and castor River South. It is a remote rural area of the west side of the Great Northern Peninsula. The geographical location in relation to major centres is approximately 250 km north of Deer Lake, and 150 km south of St. Anthony, the tip of the Northern Peninsula facing the Gulf of St. Lawrence. It's main source of employment the fishing industry, has been drastically affected in recent years. As many rural communities in Newfoundland, unemployment rates are high, educational levels are low, partially among the aboriginal populations.

The Bartlett's Indian Band Council is affiliated with the Federation of NFLD Indians (FNI), a provincial organization established in 1974 to assist with the social, economic and cultural development of aboriginal communities. The Band council also has representation on the Western local aboriginal management board. After all these years we do not have a band office or any operating funds. Everything is taken care of by the volunteers from their residence which becomes very difficult. An office and some operating funds would make things

much easier. We feel with our own office and someone there to assist our members our band would grow strong and more effective. Social problems in the aboriginal communities are on the uprise. There seems to be a lot of alcohol and drug abuse. Alcohol and drugs flow freely around our communities. It is constantly being abused by adults and teenagers who have access to home brewed liquor and beer. Drugs are being pushed on our streets to our kids, due to lack of literature available and knowledge of the dangers of alcohol and drug abuse, people think it is ok. There is not a lot of emphasis put on the dangers and troubles it may cause. Our educational system should be more geared up in this area, have more literature and lectures on these subjects available to students, as there are no alcohol or drug dependency centres available to our people. Due to the frequent use of alcohol and drugs, more vandalism is being reported to our Police force, and our communities are becoming more run down each day. There have been very few cases of child abuse or bettered women cases reported, but it happen as in the rest of society. There is no recreation available to us here. Our elementary kids do not even have a gymnasium at their schools and not even as much as a playground at their schools that they attend everyday. Our kids go to school in their own community until grade 3, then are taken by bus to another community which is a 30 minute bus ride one way, they go to this school until they graduate.

The aboriginal people think that this contributes to the high percentage of kids dropping out of school in our area, most people feel they are living back in the dark ages. What most people of Newfoundland and Canada take for granted, we do not even have access to.

Employment and economic conditions are very devastating in our area. The Bartlett's Harbour Indian Band Council members are very dependant on the cod fishery. According to recent information, the cod stocks have reached extinction and a partial moratorium has been put into place for displaced fishermen and fish plant workers.

However being in the Gulf Region, very few of our people qualify, only a few boat owners who harvested northern cod on the coast of Labrador. The fish plants backed a few years ago employed a big portion of people now lay idle. There was logging going on in our area which employed 75 to 100 people until back a few months ago that was taken away from them by the government. Revenue Canada came in and did an investigation and ruled that the people employed by this company were not entitled to UIC benefits. All UIC benefits were discontinued and they were ordered to repay all monies received through UIC benefits back to the government. People have bills from the UIC ranging from \$5,000.00 to \$20,000.00. Some families have 3 or 4 in the same house with these high bills, with no money coming in and no where to turn for employment.

They are becoming very desperate. They are losing all their self esteem, self confidence and their dignity. A recent survey done in our community which makes up our Indian Band Council show that some 275 people needing 2,175 work weeks and 1.5 million will be needed to satisfy the demand to just qualify them for UIC.

A recent write up in the Northern Pen, the newspaper serving the Northern Peninsula and Southern Labrador say it doesn't look too promising for the prospect of accessing funding to meet those peoples needs. The article said that co-ordinators at the development associations have proposals for special response funding, but they admit they are getting uneasy about the prospect of acquiring funding. Unlike other parts of the Peninsula, Gulf based fishermen and plant workers do not have a compensation package to fall back on. They have talked to the Provincial government, but it is very doubtful a special response program will be put in place said the co-ordinator of the Development Association.

We the aboriginal people of this community, every year find ourselves in the same situation. People need work, they do not want to scrape around each year to get enough weeks to qualify for UIC. We need to be looking at long term developments. There is great potential in this area for economic development, long term development to ensure the survival of our people.

Given the critical role that education plays in today's job market, our area lacks the accessibility and opportunity to take

● advantage of training for a secure future. We do not have available to us adequate training to have a better chance of achieving goals we have set for ourselves.

The problems of illiteracy are well known in today's technologically advanced society. It is difficult to cope with day to day living and working requirements without a reasonable level of academic and technical skills. To find and retain employment, one must be highly skilled in trades that require complex training programs. Without at least the equivalent of a high school academic education it is impossible to enter the training programs that are an absolute necessity if a person is to have a reasonable opportunity for employment. For those who do not possess even the basic literacy skills, the road to productive employment, and a comfortable standard of living must appear impassable. Everyone should have the opportunity to improve their lifestyle and employment opportunities and most people would like to pursue that goal.

A review of the backbone of our economy - the fishery, places the greatest importance for literacy development on the individual. No other resource faces such extreme changes as will this industry. Certain critical points need to be highlighted here to the severity of the need for literacy before it can truly be understood. It is projected that within the next two or three years over twenty thousand people from each of harvesting and processing sector will be displaced from the industry.

Research carried out by the Marine Institute and Regional

Colleges indicates that 54% of the human resources in this industry lack appropriate literacy skills in reading, writing and numeracy. The reality of literacy development it is clearly shown in those percentages. We need trained people to reach our aboriginal illiterate and functionally illiterate. In this rural area the percentage of illiterate and functional illiterate is very high. It is the responsibility of society to ensure to the greatest degree possible, that those we do not possess the adequate literary skills be given a reasonable chance to obtain them.

Yet society demands that those people "go to work" and stop being a "drain on the taxpayer". But without the necessary literacy skills those people don't have a chance to "go to work". So unless society is willing to invest in the required literacy upgrading, the people who need it will be caught in the same situation permanently. We the aboriginal people of our area feel there is great need for the training and retraining of our people. We need trained tutors to teach our illiterate, we need training for our adults who are not illiterate, who have dropped out of school or whatever reasons, and training institutes closer to our communities, for those people who do graduate from high school, but because of the distance to centres, and the unavailability of funds do not continue their education. We feel the most effective way of administering training to our people would be community based, thus ensuring relevance.

Native people feel they should have their hunting and fishing rights. They should not have to purchase licenses to hunt and fish off their land. They don't want to abuse it, just take what they need. They apply to the government for a license for moose, or caribou, etc and they don't always get one. If one is issued to them they may have to travel hundreds of miles to fill it, if they go out and get meat or fished they need to feed their families without a license, they may end up in court, possibly even in jail or charged a big fine. They feel their hunting and fishing rights were taken away from them, they want it back. They want the rights their native ancestors had.

The revival of the Micmac language and culture is also very important. Since the arrival of colonists, our culture was taken away from us. Their views and ideas were forced upon us, most of our culture was lost years ago, but we need to bring it back. We lost our native language, we would like to bring it back and have programs put in place in our schools to teach our people the Micmac language. The revival of our language and culture is so important to let our people practice their aboriginal customs and beliefs. The information in this report gives an overview of the current conditions of our local band council area. The report will give the reader an insight of the desperate situation of the non-registered Micmac Indians in Newfoundland and hopefully it is to this end that a means can be developed and put into place to

alleviate the negative social-economic conditions, and other problems faced by the non registered Micmac Indians.

In conclusion, I would like to say that we need to be recognized and we need the resources that go with the recognition, to ensure a reasonable standard of living, full employment and development for our Micmac people.

Thank You!



FEDERATION OF NEWFOUNDLAND INDIANS

PRESENTATION

President: Gerard Webb

On behalf of the Federation of Newfoundland Indians, I extend a warm welcome to the Royal Commission to our traditional Micmac territory the Island of Newfoundland, and in general the Gander Area.

The concerns of Band Councils affiliated with the Federation of Newfoundland Indians as they relate to studies by both the Government of Canada and F.N.I.

Some Issues Arising Are:

1. Deplorable housing conditions in all areas of Newfoundland in respect to the Native population.
2. Education level of Native members of respective band councils being found to be much lower than the surrounding population, non-native.
3. The alcohol and drug abuse within the band boundaries has yet to be addressed by government departments (ie) health and welfare Canada, Indian and Northern Affairs .
4. The traditional Micmac language has all but disappeared within our band councils and are only now beginning to be addressed by the Department of secretary of State.

5. Aboriginal hunting and fishing rights issues again are beginning to be addressed by Department of Fisheries and Oceans through negotiated agreements jointly with the Federation of Newfoundland Indians.

6. Mr. Commissioner in respect to our culture and our language, first you have to understand why except for one who is sitting at the head table with you Chief Lawrence Jeddore today can speak in traditional Micmac tongue. In the case of Newfoundland you have to understand after much influence the Missionaries and the Roman Catholic Church had on our culture, plus being blamed for the slaughter of our brothers the Beothuks. Forced assimilation has forced some of us to hide our identity in fear of repetition.

7. Post Referendum initiatives as they relate to the Charlottetown Accord.

As we the Aboriginal people of the Island of Newfoundland see it, the Provincial Government has been mandated through this Referendum to attempt to implement self-government for all Aboriginal people within Newfoundland.

We have hopes and to some extent a commitment by Premier Wells to work towards this initiative of which will include economic development within our Bands.

Today is an historical day for the members of the Federation of Newfoundland Indians, it is the first time in our history, that a Royal Commission, such as this one, has seen fit to meet with the aboriginal peoples of Newfoundland.

Today Mr. Commissioner, you have heard from the Indian Band Councils, that live throughout the Island of Newfoundland. You have heard the concerns and frustrations of my people, as every presenters here today have told you, the recognition of aboriginal people on the island of Newfoundland is a major priority.

In 1984, when an order in Council was granted to Conne River, giving them the recognition as Status Indians, and the creation of a reserve was established.

At that time, we were assured that the process of registration would continue, so that all aboriginal people of Newfoundland would eventually be recognized as Status Indians.

Mr. Commissioner, it has been 9 years since Conne River was granted it's Status, and we are still being denied our right to recognition.

We are presently being researched to death, by both our own researchers, as well as researchers employed by the Department of Indian Affairs, (when will this research end?), we have enough documented information now to register our entire membership, so why is the Government of Canada still insisting on

more research? Surely enough information has been gathered to validate our claim, sure we have other important issues such as, Land Claims, Self-Government, and Social & Economic Development, but how can we proceed with these issues without first being recognized as a people. Nowhere else in Canada to my knowledge, has a group of aboriginal people have to prove themselves beyond a shadow of a doubt, that they are indeed aboriginal, than right here in Newfoundland.

Mr. Commissioner, we have had broken promises from the following Ministers of Indian Affairs. They are: Warren Allmond, Jake Epp, David Crombie, Bill McKnight, Hugh Faulkener, and now Mr. Tom Siddon who is presently the Minister of Indian Affairs.

How many more Ministers of Indian Affairs will the Federation of Newfoundland Indians have to go through before somebody listens.

Mr. Commissioner, I stress the need of your intervention into this matter of recognition of Newfoundland Aboriginal People.

Since, the collapse of the Charlottetown Accord, on October 26, 1992 our hopes of being recognized in our own land as aboriginal people have somewhat diminished, then again this "too" is no surprise to the aboriginal people of Newfoundland, who have been left out before, during and after Newfoundland joined the Dominion of Canada.

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Today Mr. Commissioner, you and the Royal Commission on

Aboriginal Peoples have been given the responsibility to assure, to these aboriginal people that are attending these public hearings today, that you will report to the Government of Canada as soon as possible, about the injustice that has been endured by aboriginal people of the province, and further that you, the Royal Commission, immediately intervene, and assist the Federation of Newfoundland Indians, and it's membership in its right to be recognized as aboriginal people of Newfoundland.

The Federation of Newfoundland Indians further request that the Royal Commission seek and secure the financial resources required to investigate why it is taking the Government of Canada so long to recognize the aboriginal people of Newfoundland.

EXPLOIT'S INDIAN BAND

On behalf of myself.....and the Exploit's Native Band Council I would like to extend a warm welcome to the members of the Royal Commission to Newfoundland and in particular to the Gander region.

Today I wish to express the concerns and aspirations which the 450 members of the Exploit's Indian Band Council have felt for a very long time.

This is the first time that the Micmac people of Newfoundland have been afforded the opportunity to speak with a Royal Commission such as this one. No such opportunity was provided to us before or after the terms of Union between Canada and Newfoundland, therefore, this is a critical and important meeting for this Commission and the Micmac People of the Exploit's Indian Band.

Turning to the specific problems of my Band. As a group we are concerned about a number of issues; for example, we feel that we should have the same rights as other Native people on reserves have and we should be given status recognition as Aboriginal peoples of this Province. We as Aboriginal people of Newfoundland have been denied our traditional right to hunt and fish for food and substance, (this has to be corrected).

## **Exploit's Indian Band**

Another area for which there is great concern is that of the Justice system.

For too long there has been discrimination against our people and many opportunities have been denied them because they are Aboriginal . We deserve the right to have more Aboriginal representation in the Justice System ( ie. judges, magistrates, lawyers, and policing) and in the political decision making body of our Country. This would include self-government in areas which affect our culture and language as well as economic and social well being.

Although our concern is with the Federal Government, we are especially concerned with the way in which Aboriginal people in our own Province have been treated. We are being denied our inherent right because we do not live on the only Indian reservation in this Province. We should not have to live in one area in order to gain the rights which should be ours as a matter of principal and birthright.

Our forefathers were denied what we are now seeking. Though we cannot turn back time we can redress the grievances which exist at the present time.

**Exploit's Indian Band**

While many of these issues can be traced to problems with the lack of Government resources, it is more directly associated with the lack of recognition that has been given to the Micmac People in Newfoundland. In preference for the perpetuation of Government policies which renounced that the Micmac culture really does not exist in Newfoundland. Newfoundland Micmac People see themselves as a peaceful society committed to resolution of differences through dialogue, negotiations and accommodations. Our History is part of Canada's history, the history, language and culture of the Micmac people of Newfoundland is an important part of Canadian identity in ways's that we are only now beginning to understand.

In order to promote reconciliation and rehabilitation between Canada, the Government of Newfoundland and the Micmac People in Newfoundland, we request the Commission recommend to the Government of Canada that they immediately recognize the Aboriginal People of Newfoundland, by first registering our people as Status Indians and furthermore, to seek an order in Council from the Government of Canada to create a new bands as per the existing Indian Act.



**Exploit's Indian Band**

To do this the Exploit's Indian Band are requesting that the Royal Commission seek the resources from the Government of Canada in the amount of \$4 million dollars. Starting in the 1993-94 fiscal year, to the Commission for administration, rehabilitative programs and services for those Aboriginal Peoples who the Federal Government has politically and economically discriminated against. This funding will cease when a comprehensive agreement is reached on the terms of union between the Exploit's Indian Band and Canada.

I thank the Commission for taking the time to listen!

As Chief of the Glenwood Band, I would like to extend a warm Micmac welcome to the Royal Commission on Aboriginal Peoples, as well as to our Micmac brothers and sisters from across this Province. These public Hearings come at a time when self government, constitutional development and economic development are all at the forefront of the public's awareness.

Today you the Commission, will hear the cries of my people about the wrong they have endured before and after Newfoundland joined Canada. You will have to be our "Voice" when you return to Ottawa. You the Royal Commission on Aboriginal Peoples have the power to make change if it so desires. Only through your listening may the Aboriginal Peoples of Newfoundland gain the recognition they are entitled to.

Thank You

Chief Lawrence Jeddore