



Relocation of Aboriginal Communities

AS EUROPEANS ARRIVED on the shores of North America, one of the principal effects on Aboriginal peoples, almost from the beginning of contact, was physical displacement from their traditional hunting and fishing territories and residential locations.

Our overview of the history of Aboriginal/non-Aboriginal relations in Chapters 3 to 6 revealed that geographical displacement took many forms. While the Beothuk are believed to have resisted the earliest incursions on their lands, other Aboriginal peoples gave way and moved to locations more distant from the incoming Europeans. As we have seen, some nations were drawn into French/British, British/American and other conflicts of the 1600s and 1700s, and lost their traditional homelands as a direct or indirect result. As settlers replaced soldiers in their territories — often taking over choice coastal, riverfront and agricultural lands — Aboriginal people had to abandon their traditional hunting, fishing and residential lands. They also saw their homelands restricted and often changed as a result of land purchase agreements, the treaty-making process, and the establishment of reserves.

In more recent times, the displacement of Aboriginal people has often taken the form of deliberate initiatives by governments to move particular Aboriginal communities for administrative or development purposes. We use the term 'relocations' to describe these forms of displacement, which are the subject of this chapter. As illustrated by the dramatic relocation of Inuit from Inukjuak, Quebec and Pond Inlet on Baffin Island to the High Arctic in the 1950s, and by the current situation of the Mushuau Innu of Labrador in the province of Newfoundland, the relocation of Aboriginal communities

continues to be an issue.

Following special hearings on the High Arctic relocation and the release of our report on the matter in July 1994, we stated that the Royal Commission on Aboriginal Peoples would have more to say on the subject of relocation. This chapter continues our examination of how the issue has affected other Aboriginal peoples.¹

In our report on the High Arctic relocation, we called upon the federal government to recognize that moving 92 Inuit to Grise Fiord and Craig Harbour on Ellesmere Island and to Resolute Bay on Cornwallis Island was wrong. We heard testimony from people who endured hardships in an alien land far from their homes and families. Our research showed that the Inuit were not given enough information about the move or about the conditions they would face. We concluded that they could not be said to have given their informed consent to the move. Promises made by government officials were not kept, the relocation was poorly planned and executed, and there was little monitoring of its effects afterward. The report recommended that the government apologize to the relocatees and their descendants and negotiate compensation.

After weighing all the evidence, the High Arctic relocation seemed to us a prime example of how erroneous assumptions by administrators concerning Aboriginal people can lead to abuses of authority and power. We believe that a March 1995 statement about the High Arctic relocation by the Minister of Indian Affairs and Northern Development, Ron Irwin, is a good first step in a process of reconciliation. The minister said that, "no matter how well intentioned, such a major undertaking involving the movement of people would not be done in the same way today."²

In this chapter we examine other relocations to demonstrate that the High Arctic case was not unique. We believe that relocations must be seen as part of a broader process of dispossession and displacement, a process with lingering effects on the cultural, spiritual, social, economic and political aspects of people's lives. We are troubled by the way relocations may have contributed to the general malaise gripping so many Aboriginal communities and to the incidence of violence, directed outward and inward. As we noted in our report on suicide, the effects of past oppression live on in the feelings of anger and inadequacy from which Aboriginal people are struggling to free

themselves.³

Governments saw relocation as providing an apparent solution for a number of specific problems. As we show in this chapter, government administrators saw Aboriginal people as unsophisticated, poor, outside modern society and generally incapable of making the right choices. Confronted with the enormous task of adapting to 'modern' society, they faced numerous problems that government believed could be solved only with government assistance. If they appeared to be starving, they could be moved to where game was more plentiful. If they were sick, they could be placed in new communities where health services and amenities such as sewers, water and electricity were available. If they were thought to be 'indolent', the new communities would provide education and training facilities, which would lead to integration into the wage economy. If they were in the way of expanding agricultural frontiers or happened to occupy land needed for urban settlements, they could be moved 'for their own protection'. And if their traditional lands contained natural resources — minerals to be exploited, forests to be cut, rivers to be dammed — they could be relocated 'in the national interest'.

Justifying its actions by this attitude of paternalism, Canada used its power in an arbitrary manner. Decisions were made with little or no consultation. Communities were relocated on short notice. People's entire lives were disrupted if governments believed it was in their interests to do so. Few Canadians would tolerate the degree of interference in their lives that Aboriginal people have had to endure. In many cases, relocation separated Aboriginal people from their homelands and destroyed their ability to be economically self-sufficient. This loss of economic livelihood contributed to a decline in living standards, social and health problems, and a breakdown of political leadership. As we will see, these effects are evident in varying combinations in all the relocations discussed in this chapter.

There have been instances of non-Aboriginal relocations in Canada, but we are concentrating here on those that affected Aboriginal people because they illustrate so starkly the problems in the relationship between Aboriginal and non-Aboriginal societies. The three traditional goals of Canada's policy toward Aboriginal people — protection, civilization and assimilation⁴ — were all expressed through relocation at one time or another, reflecting attitudes as old as the relationship itself.

Our research indicates that the practice of relocation was widespread. There are dozens of examples, some of which are only touched on in this chapter, and they took place throughout Canada. Many Aboriginal communities are still feeling the emotional, social, economic, cultural and spiritual effects of being moved. Some are seeking recognition of their suffering, and redress. Others, anticipating future government-sponsored moves, want to ensure that these relocations are done properly.

The goal of this chapter is to increase awareness and understanding about the role relocation has played in the lives of Aboriginal people and the role it continues to play in communities such as Tsulquate and Burns Lake in British Columbia, Easterville and Tadoule Lake in Manitoba, and Makkovik and Davis Inlet, Labrador, in Newfoundland.

The chapter sheds light on relocation practices, their effects and their implications for Aboriginal communities today, providing a foundation for recommendations to resolve outstanding community claims involving relocation. The material in this chapter also offers guidelines to ensure that future relocations, such as that planned for the Innu of Davis Inlet, are carried out in accordance with standards that respect the human rights of Aboriginal people.

1. Why Relocations Took Place

Relocation was used to solve specific problems perceived by government or other agencies. In some cases, relocation was part of other changes in the lives of Aboriginal people — changes that were often the result of other government policies. Our analysis shows that although there have been many reasons for relocation, and these reasons cannot always be neatly separated, the moves can be grouped into two main categories: administrative relocation and development relocation.

1.1 Administrative Relocations

Administrative relocations are moves carried out to facilitate the operation of government or address the perceived needs of Aboriginal people.

Facilitating government operations was the rationale for many relocations in

the era following the Second World War. Aboriginal people were often moved to make it easier for government administrators to provide the growing number of services and programs becoming available through the burgeoning welfare state. We examined several moves of this type because they illustrate both the erroneous assumptions made about Aboriginal ways of life and the arbitrary use of power by government officials.

Relocation in this category often involved centralization and amalgamation — moving widely dispersed or different populations into a common community. The centralization of the Mi'kmaq of Nova Scotia in the 1940s was an example of a relocation carried out primarily to cut the administrative costs of government services to Aboriginal people. In 1964, the Gwa'Sala and 'Nakwaxda'xw of British Columbia were moved from their isolated communities and amalgamated on an established reserve to allow for easier delivery of government programs. Three years later the Mushuau Innu of Labrador were moved to Davis Inlet on Iluikoyak Island because government officials wanted a convenient location for service delivery. We also discuss relocations involving the Inuit of Hebron, Labrador, the Sayisi Dene in northern Manitoba, and the Yukon First Nations. All of these relocations were undertaken primarily for administrative reasons.

Addressing the perceived needs of Aboriginal peoples often involved moving them 'for their own good'. By removing people 'back to the land' from a more or less settled existence, administrators attempted to encourage them to resume or relearn what was considered the traditional way of life. This form of dispersal was also used when officials considered it necessary to alleviate perceived population pressures in a particular region. Dispersing populations was also an effective way to separate Aboriginal people from the corrupting influence of non-Aboriginal society. In short, these kinds of moves had as their aim the preservation and protection of Aboriginal people. The dispersal of Baffin Island Inuit to Devon Island, a project begun in the 1930s, is an example of this kind of relocation, as are several other instances involving Inuit communities in the 1950s and '60s.

1.2 Development Relocations

Development relocations have a long history and have been used frequently around the world as a rationale for population transfer. Development relocation is the consequence of national development policies whose

stated purpose is primarily to 'benefit' the relocatees or get them out of the way of proposed industrial projects.

In this chapter we look at development relocations related to agricultural expansion and land reclamation, urban development and hydroelectric projects.

Examples of agricultural relocation are the numerous removals and eventual amalgamation of the Ojibwa on the Saugeen Peninsula in Ontario, beginning in the 1830s. A similar event occurred in the 1930s when the Métis of Ste. Madeleine, Manitoba, were relocated under the authority of the *Prairie Farm Rehabilitation Act* (1935).

Also examined is the 1911 relocation of the Songhees reserve in Victoria. This move signalled a shift in government thinking when the *Indian Act* was amended to give administrators increased power to move reserves that were in the way of urban development.

Finally, we look at two examples of communities relocated to make way for hydroelectric developments. The Cheslatta Carrier Nation in northwestern British Columbia lost its communities when the Kemano dam was built on the Nechako River in the 1950s. The communities of the Chemawawin Cree were relocated because of construction of the Grand Rapids hydro dam in Manitoba a few years later.

Table 11.1 summarizes the types of relocations, the reasons for them, and the examples discussed in this chapter.

TABLE 11.1
Relocation Types, Reasons and Examples

Type of Relocation	Reasons	Examples from Chapter
Administrative	Carried out for the convenience of government and to make administration of services easier through centralization and/or amalgamation	- Mi'kmaq (Nova Scotia)
		- Hebronimiut (Labrador)
		- Sayisi Dene (Manitoba)

		- Yukon First Nations
		- Gwa'Sala and 'Nakwaxda'xw (British Columbia)
		- Mushuau Innu (Labrador)
	Addressing the perceived needs of Aboriginal people by moving them back to the land to encourage self-sufficiency or moving them away from negative influences of non-Aboriginal settlements	- Baffin Island Inuit to Devon Island
		- Keewatin Inuit: series of moves
Development	Land needed for agriculture	- Ojibwa (Ontario)
		- Métis of Ste. Madeleine (Manitoba)
	Land needed for urban growth	- Songhees (British Columbia)
	Land needed for hydro dam	- Cheslatta T'en construction (British Columbia)
- Chemawawin Cree (Manitoba)		

The studies we commissioned, as well as other sources, were chosen because they shed light on the different rationales given for moving Aboriginal people over the years. They illustrate both the erroneous assumptions and the arbitrary use of power behind these moves.⁵ Other relocation examples could well have been chosen.

Our review of the relocations described in this chapter enabled us to develop an understanding of what happens when communities are relocated. These effects are not unique to the Canadian situation; international research shows that many of the consequences of relocation are predictable.⁶ These include

- severing Aboriginal people's relationship to the land and environment and weakening cultural bonds;
- a loss of economic self-sufficiency, including in some cases increased dependence on government transfer payments;

- a decline in standards of health; and
- changes in social and political relations in the relocated population.

The results of more than 25 studies around the world indicate without exception that the relocation, without informed consent, of low-income rural populations with strong ties to their land and homes is a traumatic experience. For the majority of those who have been moved, the profound shock of compulsory relocation is much like the bereavement caused by the death of a parent, spouse or child.⁷ This trauma has been experienced, in one form or another, by all of the communities we will look at in this chapter.

2. Administrative Relocation

2.1 To Make Things Easier for Government

Racism is discrimination. Racism is assimilation. Racism is centralization. Racism is telling the person where to live, what language you have to speak, and this is how you're going to live.

Blair Paul
Eskasoni, Nova Scotia, 6 May 1992⁸

The Mi'kmaq of Nova Scotia

In Chapter 4, we described the Mi'kmaq as the People of the Dawn. They were among the first peoples to discover Europeans on their shores, and for centuries the Mi'kmaq have been forced to adapt to changes brought by the newcomers. Like other Aboriginal peoples, their land was taken, first for lumbering, then for settlement. Disease drastically reduced their population. The expansion of European settlements reduced their territory.

By the early part of this century, the Mi'kmaq of Nova Scotia lived on 40 small reserves scattered around the province. Much of the income earned by Mi'kmaq families came from work in industry or agriculture. Some Mi'kmaq operated their own farms and sold their surplus, while others hired themselves out as labourers on non-Aboriginal farms. Many others went annually to harvest blueberries in Maine, a migration pattern that still exists

to a limited extent. As the wage economy became more important, the amount of time spent hunting, trapping, fishing and making handicrafts declined.

The seasonal variation in Micmac work continued, however, and there was little year-round stable employment in evidence. A typical pattern involved trapping, fishing through the ice, logging, and handicraft production in the winter months. In the spring, fishing, planting crops, participating in river drives of logs, and loading ships was common, and many of these activities, plus the tending of crops or construction work, would carry over into the summer.⁹

The depression of the 1930s accelerated the trend of Mi'kmaq losing "their rather tenuous foothold in the industrial economy."¹⁰ Large numbers of Aboriginal people, already at the bottom of the social and economic heap, had to turn to the government for help. As the cost of supporting the Mi'kmaq began to rise, Indian affairs looked for ways to reduce expenditures. It found the answer in a report from the local Indian agent in 1941. The report stated that the annual cost of Indian administration had risen from \$16,533 in 1910-11 to \$168,878 in 1940-41.¹¹ The agent recommended centralizing the Mi'kmaq on two reserves — Eskasoni on Cape Breton Island and Shubenacadie on the Nova Scotia mainland. Such a move would reduce costs and improve services, it was reasoned, by achieving economies of scale.

Although the idea of centralization had existed since the end of the First World War,¹² it took a perceived financial crisis at the end of the depression, combined with changing attitudes toward government intervention in the lives of Aboriginal people everywhere, to bring it about. When centralization began to be implemented in 1942, intervention was becoming an increasingly common policy.

Between 1942 and 1949, 2,100 Mi'kmaq living in some 20 locations — reserves scattered in rural areas and urban peripheries — were pressured to relocate to Eskasoni or to Shubenacadie. The size of each reserve doubled.

Relocation affected the life of the Mi'kmaq in Nova Scotia more than any other post-Confederation event, and its social, economic and political effects

are still felt today.

Beginning in the 1940s we became the targets of a number of ill-fated social engineering experiments initiated by officials from the Indian affairs branch. One such experiment was "centralization" whereby Mi'kmaq were forced to leave their communities and their farms to take up residence at one of two reserves designated by Indian affairs....The stated purpose of this exercise was to make it easier for bureaucrats to administer our people at two central locations. But the effect was to take more of our people off the land, deny them their livelihood and force them to live on two overcrowded containment centres.

Alex Christmas,
President Union of Nova Scotia Indians
Eskasoni, Nova Scotia, 6 May 1992

Getting agreement proved difficult. Many people on smaller reserves didn't want to move, since they were employed near their homes.

However there were more Indian people that were unemployed and were living in poor conditions. So the [Indian affairs branch] took advantage of the poor conditions and promised a lot of the people that if they would either move to Shubenacadie or Eskasoni they would get the following benefits: they would get jobs, new homes, schooling for their children, medical services on the reserves, churches with priests living on the reserves, farms with livestock of their choice. Also, the homes will be so complete that all you'll have to do is turn the key and move in.¹³

Officials visited the Mi'kmaq grand chief twice, intent on convincing him that the new policy was in the best interests of his people. The grand chief signed a letter outlining the benefits of centralization; to the government, this represented Indian consent to the relocation plan. Interviews conducted during the 1970s and 1980s, however, indicate that many Mi'kmaq failed to see how the grand chief could have made such a decision without consulting the rest of the people. Many Mi'kmaq did not read or speak English, making it difficult for them to understand what was about to occur. The government also enlisted the support of the church, and the devoutly Catholic Mi'kmaq found it hard to reject the instructions of their priests, who told them they must move.

The original residents of Shubenacadie and Eskasoni were not consulted about the centralization scheme, and there was strong resentment toward the newcomers encroaching on what was perceived as meagre territory. Through the 1940s, many of the Mi'kmaq who were to be relocated opposed the amalgamation through letters and petitions, often accompanied by names of non-Aboriginal supporters. However, Indian affairs policy discouraged Aboriginal people from direct communication with Ottawa, and letters were returned to field agents. Opponents argued that relocation would mean moving away from established homes close to medical services, stores and employment in urban areas to places where none of these would be available. The Eskasoni reserve, for example, lacked fuel wood, adequate timber supplies, sufficient hunting, fishing, and agricultural resources, and dependable roads. In general, Shubenacadie and Eskasoni were incapable of supporting expanded populations.

Coercion was used in several ways against those reluctant to move. While some were lured by offers of jobs and improved housing, others were coerced by threats and the actual termination of educational, medical and general welfare services on their reserves. Patterson writes that during centralization "the Department refused to recommend Veteran's Land Act grants to Indian veterans who wanted to live outside of Shubenacadie or Eskasoni."¹⁴

Little planning by Indian affairs, coupled with numerous bureaucratic blunders by field agents, helped make the project a failure. For example, flawed construction plans, incompetent supervision and delayed supplies of materials resulted in only ten houses being built on each reserve by 1944. Meanwhile, Aboriginal labour was used to construct new homes for non-Aboriginal teachers and RCMP, and community infrastructure such as offices and a school (although schooling was not available for up to three years after the first relocations).

Marie Battiste describes living conditions at Eskasoni after her parents left the Chapel Island reserve in 1946:

Some people moved with just tents, and lived through the winter. But my parents moved in with my mother's cousin, which at least gave far more protection than a tent. My mother had three children, her cousin five.

Living two or three families to a house was not uncommon, and the quality of the houses left much to be desired, because

...the government built only the shells of the houses, but not the interiors, and there was no insulation. It was a very cold house, heated by a wood stove. People put mattresses on the floor. My aunt did not have any finished flooring, and from upstairs you could look down to the kitchen between the boards. For many years the house never got fixed up; her husband became so angry about it all that he would never fix it, and eventually when his son was grown, he finished it.¹⁵

The government saw agriculture as the panacea for "the Indian Problem".¹⁶ However, agricultural projects at the expanded reserves collapsed when an Indian agent replaced cows with goats, which ate newly planted fruit trees, and when seed potatoes were ruined after they were sprinkled with kerosene to keep people from eating them. All wells at Eskasoni were contaminated and water was unfit for drinking. Malnutrition and hunger prompted a general strike by Mi'kmaq labourers, who were working for half the prevailing standard wage. Some Mi'kmaq families who had moved to Eskasoni returned to their former homes.

Meanwhile, there were tensions between Indian affairs field staff and Ottawa headquarters. In January 1945 the director of Indian affairs criticized the actions of the local Indian agent. The Indian agent accused the department of failing to recognize that Eskasoni was an unsuitable site for centralization.

Not only did it lack timber resources to support the immediate building program, but insufficient stands of timber in the vicinity of the reserve would make it impossible to operate small-scale wood-related industry there or to meet longterm fuel and winter employment needs. [The agent] felt farming, fishing, trapping and hunting had to be eliminated from consideration as significant sources of food or revenue.¹⁷

He also accused Ottawa of having no clear cut policy on centralization and of failing to provide necessary resources to make the project feasible. Frustrated and disillusioned, he resigned from the department in 1945. By this time, Indian affairs officials were privately acknowledging the possible failure of the centralization scheme. Nevertheless, in 1947 Indian affairs

endorsed a plan to secure the co-operation of the local press in an attempt to create a positive image of Eskasoni as a "model community".¹⁸

The centralization was called the "first social experiment of its kind in Canada" and was heralded as something that other parts of the country were watching with great interest.

However, this designation "completely obscured the fact that it was really an attempt to bring the Nova Scotia administration more in line with the type of administration that prevailed on the larger reserves further west."¹⁹

By the end of 1948, 100 houses had been built at Eskasoni and 80 at Shubenacadie, but these fell short of what was needed for complete centralization. After seven years of implementing the centralization policy, half the Mi'kmaq population had not moved to either of the two reserves. Only one reserve — Malagawatch — was completely vacated. Meanwhile, welfare costs had risen among the Aboriginal populations living in the two central reserves, dependency on government services increased, schooling was not always available, and most houses were overcrowded. Eskasoni and Shubenacadie were communities of almost complete unemployment and almost total welfare dependence. They had become places that could support only "the old, the sick and the families who constantly require assistance".²⁰

Centralization resulted in a loss of isolation and autonomy, and the Mi'kmaq saw community control shift even more into the hands of outsiders. For example, the RCMP took the place of community-based discipline, and health authorities began interfering with the way infants were nursed and children were raised. Traditional community leadership was displaced by the Indian agent and other government officials. The resident priest now looked after all religious matters, and nuns and priests were put in charge of education.²¹

There were also economic consequences:

Those Indians who moved were not only those receiving welfare, as [Indian Agent W.S.] Arneil had intended, and the result was that a substantial number who had made successful economic adaptations at their small reserves through small-scale farming and the like had to give up these

activities.²²

Although the government's public position was that the policy was in the best interests of the Mi'kmaq, "the general consensus among Indians and whites familiar with the scheme is that the Indians became more dependent on the government as a result of centralization". Interviews with relocatees in the 1970s and '80s indicate that the Mi'kmaq suspected that centralization was "simply a way of moving Indians out of public view".²³ Others regarded the relocation scheme as a failed experiment:

We were the guinea pigs. If centralization had succeeded for us then I suppose it would have been implemented for all the Indians in Canada. But centralization didn't work for us. Because most of us didn't like it and we fought against it.²⁴

Relocation succeeded only in removing many Mi'kmaq from their land, eroding whatever economic self-sufficiency they had. This policy facilitated other assimilation efforts and made it easier to ensure that children were sent to residential schools.²⁵

Centralization was doomed to failure and it took a heavy toll before finally being abandoned....Over 1,000 Mi'kmaq were forcibly removed from their communities, losing farms, homes, schools and churches in the process. During the post-war period we also saw the introduction of residential school systems, which was intended to take away our youth and make them non-Mi'kmaq. As in other areas of Canada, this approach did not succeed, but it did serve to disorient and demoralize three generations of our people.

Alex Christmas
Eskasoni, Nova Scotia, 6 May 1992

Questions about the way the centralization policy was being administered ended the practice in 1949. The policy had failed on a number of fronts: it did not save the department any money; it did not further the stated cause of self-sufficiency; and it eventually became an embarrassment to the government. Ironically, while it caused hardship and suffering, it also contributed to a resurgence of Mi'kmaq identity and paved the way for the further politicization of the 1960s and '70s.²⁶

The Inuit of Hebron, Labrador²⁷

The Inuit of Hebron and Nutak, Labrador, were relocated in the 1950s for reasons similar to those that led to the attempted centralization of the Mi'kmaq. In Labrador this process of centralization was viewed by officials as a form of good administration in order to rationalize the provision of services to remote groups of people. When governments realized the social and political necessity of providing housing, schools, health care, and other services to aboriginal peoples, the most cost-effective solution was to gather people together and concentrate their populations, either in new communities in the north, or by resettling them to established southern towns.²⁸

Hebron was founded as a Moravian mission station in 1830. By the early 1920s, most of the Inuit families in the region from Napaktok Bay to the Torngat Mountains, north of Hebron, continued to live in seasonal camps but made frequent trips to Hebron to trade and to celebrate Christian events and holidays such as Easter and Christmas. As well, Inuit congregated near the Hebron mission because it provided education and medical services. Nutak, however, did not develop as a small village until the Spanish flu epidemic of late 1918 had decimated the community of Okak. The Inuit families remaining in the Okak region after the epidemic congregated around Nutak, where a store was established by 1919-1920, and they were visited by missionaries from either Hebron or Nain. These communities gave the Inuit a base from which to hunt, trap and fish:

We had lots of meat, seal meat. They used to go caribou hunting on dog team. Like if they're coming in at night, you could hear a shot; that means they got caribou. They fire a shot. And my grandmother would say "nekiksitavogut" — we got food.²⁹

I remember that I had a good family. The kids were happy and my father and mother. We used to have seal meat, deer meat, birds, fish and trout — whatever they had there.³⁰

Hebron relocatees remember life in their community with fondness, as a time when it was less complicated, less painful.

And when we were in Hebron, we held community dances at our house. We

weren't rich moneywise but we were rich in other ways. We had a really big house there and because it was a big house the whole community used to come to have their dances in our house...Everyone was happy....³¹

The former manager of the Newfoundland government store in the community supports the Inuit assessment of the quality of life in the community. "They were as good [seal hunters] as there was in northern Labrador....There was a sense of community and self-reliance."³²

There was considerable discussion during the 1950s about the viability of northern Labrador communities. These discussions were between the provincial government's department of public welfare, division of northern Labrador affairs (DNLA), the Moravian mission, and the International Grenfell Association, which provided medical services in the region. Very little of the discussion about the viability of Nutak and Hebron involved the Inuit.

During this time, major changes were taking place in the coastal economy. Construction at Goose Bay and radar stations along the coast were drawing people away from trapping and fishing into better paying wage labour jobs. This trend led to major shifts in population from "isolated homesteads into Goose Bay and into Hopedale and Makkovik". However, most of the Inuit of Hebron continued to rely on hunting and fishing for their income.

The availability of employment and the relative ease with which families of Inuit and mixed Inuit-European ancestry were adapting to steady jobs in growing communities presented a dilemma to officials familiar with the Labrador region. The question they pondered was whether the traditional harvesting economy based on fishing, sealing, hunting and trapping should be promoted or whether community amenities should be developed to improve health and educational standards so that people would have a better opportunity to gain employment. Implied in this proposition was that a harvesting economy was incompatible with the functions of a stable community because resource activities were conducted at remote seasonal camps.³³

The assumption that the subsistence lifestyle of Inuit was untenable was common and was part of the outlook of administrators of the era, as the following quotation illustrates:

Civilization is on the northward march, and for the Eskimo and Indian there is no escape. The last bridges of isolation were destroyed with the coming of the airplane and the radio. The only course now open, for there can be no turning back, is to fit him as soon as may be to take his full place as a citizen in our society. There is no time to lose. No effort must be spared in the fields of Health, Education, Welfare and Economics. If industrial development comes first to South and Central Labrador, the North will provide some shelter to the people concerned, but if it should break in full fury into their immediate environment effective steps will have to be taken to protect them during the next two or three decades of the transition period....³⁴

The fact that their lifestyle was devalued by administrators had particular relevance for the future of the Hebronmiut ('people of Hebron'), whose dependence on hunting and fishing had produced a highly dispersed population. It was felt that the way to ensure Aboriginal people's survival was to incorporate them into industrial society. Gathering their dispersed members together in one or a few places was key to this plan.

The government, the Moravians and the International Grenfell Association had their own interests to pursue. The Moravian church, for example, had long proposed amalgamating the entire northern population at Okak Bay. The Grenfell Association attributed the region's high rate of tuberculosis infection to poor housing standards in Nutak and Hebron. "Thus health, housing and community structure offset the advantages of the local resource economy" and led to the relocations of the Inuit of Nutak in 1956 and Hebron in 1959.

In the mid-1950s the people of Newfoundland were going through throes of resettlement, abandoning a way of life, as they were led to believe, for a better life with easier access to education, health services and employment opportunities. It was about this time that the call came down to move a small number of Inuit, no more than a couple of hundred, scattered along the coast of Labrador from the most northerly settlements and outlying areas of Hebron and Nutak.

They were told that the government store would be pulling out within the year and that the church would follow. They were promised, like others,

better things, including housing, which was very late in the end in coming. They were given the choice of three settlements to which they could move, actually four. All of this was done with no consultation, with no preplanning whatsoever, neither for the movers nor the receiving settlements.

Beatrice Watts

Happy Valley

Goose Bay Newfoundland and Labrador, 16 June 1992

Relocating the Inuit fit in well with the Newfoundland government's resettlement policy. After joining Confederation in 1949, the province encouraged modernization based on large-scale industrial development and population centralization. In 1953 it introduced a program to encourage outport residents to move to larger centres:

The program was administered by the Provincial Department of Public Welfare and the amount of money given under it was small. The maximum allowance available was \$600 per family and in most cases the assistance given was under \$300. To obtain this money the whole community had to certify its willingness to move, though no restriction was placed on where the people might move.³⁵

Between 1953 and 1965, 115 communities were closed under the provincial program and 7,500 people were relocated.³⁶ While not part of the outport resettlement program, the closure of Nutak and Hebron took place during a time when relocation was seen as part of the solution to a series of problems, including the perceived need to industrialize a resource-based economy.

As we have seen, Inuit of the region considered their land rich in game and their life good. Others saw it differently, however. Carol Brice-Bennett describes the views of officials who recommended relocation of the community:

Dr. Paddon [of the International Grenfell Association] had the opinion that the traditional Inuit harvesting economy was not viable and the culture of living off the land was 'irretrievably lost'. The same view was expressed by Reverend Peacock, the Superintendent of the Moravian Mission, who considered that Inuit were hindered in their social and economic

development by being dispersed and isolated due to their fishing and hunting activities. He advised integrating Inuit in a permanent community not only so that they could benefit from medical and educational services but also to introduce people to the economic alternative of employment.³⁷

Views contrary to these were dismissed as old-fashioned.

Following an exchange of letters among the International Grenfell Association, the Moravian church and the government, a decision was made in April 1955 to abandon the northern communities. In September of that year, the head of the Moravian church recommended that plans not be made public. He pointed out that many Inuit were moving north, not south, during the summer fishing season. He emphasized the importance of centralizing the Inuit in order to "civilize" them.³⁸ The letter writer did not, however, refer to the fact that the church had long been looking for ways to cut the cost of operations in northern Labrador and that centralization fit this plan.

In an internal memorandum dated 29 September 1955, W. Rockwood, a provincial official, warned that the department "is not at present organized, staffed or equipped to undertake a program of this magnitude [that is, the relocation of two communities]."³⁹ Nevertheless, the following April, Nutak was ordered closed. Hebron received a short reprieve.

Records show there were immediate concerns about whether proper planning could be done for the Nutak relocation before the fall freeze-up. Despite misgivings, Mr. Rockwood later reported that enough houses had been built for the Nutak people in Nain, Northwest River and Makkovik and that "[t]he people who were transferred from the Nutak district were, by the end of the season, better housed than they had ever been in their lives before."⁴⁰

When they heard that the closure of Hebron would follow after Nutak, the community elders responded with a handwritten letter (in Inuktitut) to the provincial minister of public welfare. The letter stated clearly that they did not want to leave their homeland, but also suggested that people would comply if they were assured "steady work with good wages" and "good houses". The elders requested that they be better informed about their future and emphasized the desire of the Inuit of Hebron to remain in their

community. In the Moravian minister's English translation of the letter, however, the content was altered to emphasize an Inuit willingness to exchange their community for jobs, high wages and new houses in the south.⁴¹ The people were assured that there were no plans to move them and that they would be given advance notice of any change in policy.

In 1958, the Moravian church decided to close its mission at Hebron the following year to save money. Then the provincial government ordered its supply depot at Hebron closed in August 1959. It was determined that the relocation would take place between July 1959 and the following August to allow sufficient time to construct homes in Makkovik and other, more southern, communities.

Government officials and representatives of the International Grenfell Association and other agencies flew to Hebron to inform people of the decision. Although 'consultation' took place during a church meeting, the gathering was more to inform the people of the demise of the community than to discuss or negotiate a relocation. The Hebronimiut responded to the news with silence, which the non-Inuit assumed was assent to the plan. During later interviews, however, Hebronimiut explained their silence by stating that this meeting should never have taken place in the church:

We were told that the meeting will be held in the church and nothing about the relocation beforehand. Not one person said "you are going to be relocated" until we were in the church. When it was said, no one said anything because to us the church is not the place for anything controversial. We were really shocked.⁴²

Brice-Bennett suggests that the reluctance to speak related not only to respect for the sanctity of the church but also to the fact that the announcement was made by a group of officials who represented institutions on which Hebronimiut depended for services to maintain the community. Their leaders and methods of dealing with serious subjects through discussion in the elders council were ignored.⁴³

Killiniq (Port Burwell)

Although the Inuit of Killiniq were recognized as a signatory to the James Bay and Northern Quebec Agreement in November 1975, this did not prevent a gradual deterioration in government services and programs at Killiniq. This decline created an insecure environment and gave rise to a slow outmigration of families in search of settlements with assured access to essential services, especially medical and air transport. Between November 1975 and February 1978, a total of 50 Inuit left Killiniq in search of a more secure environment. On February 8, 1978, the 47 people that remained were notified by radio that the Federal government was sending planes to take them from the community and that Killiniq would be closed.

All of the former residents are now scattered in five host communities. They arrived with housing, without income, and without many of their personal effects. Family groups were broken up and the people separated from their seasonal hunting territory. The "host communities" were neither advised nor prepared for this influx of people and there have been no follow up programs or special funds to help with their resettlement.

Source: Makivik Corporation, "Taqpangajuk Relocation: A Feasibility Study, Phase II", Final Report, volume ii (1987), p. i.

To this day, the relocatees express different views about the reasons they were given for the move. Sabina Nochasak of Hopedale says they were told that the "mountains were too high for planes and it was too far for the ships." Another reason is cited by Raymond Semigak of Hopedale: "They told us that we wouldn't be able to go to the hospital if we got sick." Lizzie Semigak and Mark Nochasak of Nain say they heard that government officials felt there were too many people in the houses in Hebron.⁴⁴

Following this meeting, Hebronimiut were told they would be dispersed among three communities. Five families would be moved to Nain, 10 families would go to Hopedale, and 43 families would go to Makkovik. Their only choice in the matter was to decide how relatives and families would be separated according to these quotas. This separation of family members — some of whom did not see each other again for long periods of time —

caused considerable grief among Hebronimiut after the relocation.

Housing construction in the receiving communities got off to a slow start, and there was some discussion of delaying the move. However, things had gone too far to turn back:

[E]verybody was very confused about whether in fact they were going to move or not. Word had filtered down that in fact the government would not have the houses done in time and that maybe they would delay the move. But what was quite obvious already by then was that many of the people had cannibalized their houses, literally used them for fuel and were living in tents in expectation of moving. So, it became more and more obvious to the government that they really had burnt their bridges and that they couldn't delay it for a year.⁴⁵

At one point the move was postponed but the Inuit said they did not want to wait until the following year. Just as quickly, the move was on again, and the people boarded a boat at the beginning of October for the trip south. Andrew Piercey of Hopedale remembers the scene:

I was the very last one to leave Hebron [along] with Benjamin Jararuse and Ted Baird...We were the last ones to leave our home. The *Trepassey* was there waiting for us while we were shooting at the dogs in the evening. That same night we left for Nain. What dogs were left were put aboard the *Trepassey* the last time.⁴⁶

Beatrice Watts describes the nature of the transition that had to be made:

The Inuit from Hebron and Nutak had been accustomed to living in small family hunting camps, living a more or less seasonal nomadic lifestyle. They were transplanted into settlements of 100 to 300 people who barely had enough housing for themselves and who were already accustomed to being ruled by a combination of church elders, missionaries, store manager, welfare officer and some form of law enforcement.

Beatrice Watts
Happy Valley
Goose Bay Labrador and Newfoundland, 16 June 1992

Many of the Inuit went initially to Hopedale because it was the only community that came close to being able to accommodate a rapid increase in population. Besides the five houses constructed by the government that summer for relocatees, ten temporary structures were erected and two empty houses rented. Thirty-seven families — 148 people — were jammed in for the winter.

When they arrived, the Hebron Inuit discovered they were to be segregated into little 'Hebron' villages away from the core of the southern towns. Being strangers in these new towns, and having no knowledge of the lands surrounding them, intensified the difficult adjustment period. Nor did the host communities have any choice in this relocation process; they were simply expected to accommodate the influx of new people.

Sufficient houses to accommodate the Hebron population were not completed until 1962. At this time, 30 Hebron families were moved again, this time from Hopedale to the new houses built in Makkovik, a town populated predominantly by people of European or European-Inuit ancestry who spoke mainly English. This meant that, within a period of three years, Hebronimiut had to reorient themselves a second time to a strange social, cultural and geographic environment.

Although Inuit from Hebron were given new houses at Makkovik, a house was not sufficient compensation for the economic and social losses that families experienced in the alien environment. Hebronimiut grieved not only for their former community but also for summer camps along the northern Labrador coast, accessible from Hebron. Insult was added to injury as Hebronimiut watched non-Inuit using their homeland for recreational purposes.

The officials who planned the move assumed that the transition to new locations would be "effortless...because they believed that Inuit hunters and fishers could transfer their activities to any environment so long as they had wild game." This mistake was also made by the proponents of the High Arctic and other Inuit relocations. Those implementing the relocation also operated on the erroneous assumption that all Inuit were alike and that they would be able to get along when thrown together in southern communities. This ignored the cultural differences between the people of Hebron, Nain, Makkovik and Hopedale.

As newcomers at Hopedale and Makkovik, Hebronimiut were interjected in communities with established social and economic patterns, leadership and norms of behaviour. Each community had its own particular features, just as had existed at Hebron, and Labrador coastal inhabitants recognized and respected the privileges that were rooted in being members of a community. Hopedale and Makkovik residents had already arranged a system of land use regarding harvests of resources which had commercial value and they had vested claims to the best fishing, sealing and trapping areas.⁴⁷

As in the case of the High Arctic relocation, officials failed to consider the vital link between Inuit and their land. "It's not the same, not even near the same," Hebron relocatee Sem Kajuatsiak said in describing the difference between his former home and Nain, where he now lives. Paulus Nochasak put it simply: "We had to move to a place that's not our land."⁴⁸

Relocation affected all aspects of the relocatees' lives. In Hebron, they had a distinct identity; they lived off the land, and their society was held together by close bonds of kinship, marriage and friendship. These bonds were severed as families and friends were separated and moved. In the new communities, they had no claim on resources and they lacked the knowledge needed to live off the land in a new region. Population increase put a strain on resources along the southern coast. Since fewer hunters could hunt, dependence on welfare increased. Even the very young became conscious of their newly acquired low status.

Their poverty, unfamiliarity with the English language, particular dialect of Inuktitut, unusual family names, inexperience with the landscape, cultural preference for seal and other customs — combined with their residence in isolated enclaves — set them definitely apart from other community members.⁴⁹

With the focus gone from their lives, many Hebronimiut turned to alcohol. Social problems increased, as did rates of illness and death.

During the 1960s and 1970s, individuals and families left Makkovik for Nain, where they had better access to northern fishing and hunting areas. They also moved to reconnect with close relatives, to marry local residents or to live in a place where Inuit formed the majority of the population and shared a common language and way of life.

The 1974 Royal Commission on Labrador concluded that the northern resettlement program was an ill-advised and futile operation that had caused injustice and hardship, both to northern Inuit and to residents of host communities. It concluded that government-sponsored relocation schemes in Labrador have

been looked upon by Government as an end in themselves, and not as a part of a developmental process. Other basic flaws have been created by ignoring or not ascertaining the wishes and aspirations of all those who would be affected by resettlement, and by extremely poor planning.⁵⁰

Over time, most Inuit from Hebron and their descendants have become resigned to the communities where they now live. The children and grandchildren of people who were moved from Hebron now identify themselves with the place of their birth. While many Hebronimiut still mourn for their lost homes and lives, they do not wish to inflict the experience of relocation on their children.

***The Sayisi Dene (Manitoba)*⁵¹**

We are changed forever because of the living hell we experienced in Churchill. We have been demanding an apology from Indian affairs or the government of Canada for 20 years. But they are still denying that they did something terribly wrong to us.⁵²

...who are we to judge where men should live and how they should be happy.⁵³

The story of the 1956 relocation of the Sayisi Dene of northern Manitoba is both tragic and complex. It is another example of government officials operating with no specific relocation policy, attempting to find solutions to a number of perceived problems. Their actions were taken, however, with little understanding of the effects they might have. There was some consultation with the Sayisi Dene *after* the decision to relocate had been made, but whether the people can be said to have had an opportunity to give their free and informed consent is questionable. In testimony in Thompson, Manitoba, and at a special consultation on the relocation, the Commission was told

that the people did not consent to the relocation and that, because it was carried out with undue haste, serious mistakes were made that increased the difficulties faced by the Sayisi Dene.⁵⁴ However, once the decision was made, there was little time to plan or to determine potential consequences. We heard many stories about the destructive effects of this relocation, about the suffering of people torn from their homeland, and about their feeling of powerlessness to stop what was happening to them.

The relocation and its aftermath appear to have been the result of an arbitrary use of power by the government, an assessment supported by the fact that nearly 15 years after the relocation, a new generation of government officials classified the move as a serious mistake.⁵⁵

In the mid-1950s, the Sayisi Dene lived in several places in northern Manitoba. Some were at Little Duck Lake, the site of a Hudson's Bay trading post. Called Caribou Post, it was close to the migration path of the caribou on which the people depended. Other Sayisi Dene had migrated over the years to the port of Churchill, on the shore of Hudson Bay, to look for wage employment. Still others made their home at North Knife River, a small village north of Churchill. Our examination looks at the relocation experience of the group at Little Duck Lake, which was moved to North Knife River and eventually ended up in Churchill. Visits to Churchill had long been part of the lives of the Sayisi Dene, and it was an important centre for acquiring trade goods and implements, but their previous movements in and out of Churchill had been a function of choice, not coercion.

The Sayisi Dene are members of the Fort Churchill Dene Chipewyan Band. They are Athapaskan speakers whose traditional lands cover parts of northern Manitoba and southern portions of what will be the new territory of Nunavut. Their most important source of food was always the caribou which migrate through this region.

When the Sayisi Dene entered into a treaty with the Dominion of Canada in 1910, under an adhesion to Treaty 5, they were promised land and the right to continue to hunt, trap and fish in their traditional territory. However, despite promises of 160 acres for each family of five, no reserve was created. A 1914 letter from the surveyor general to the deputy superintendent of Indian affairs "reports that the Indians wanted to be inland (away from Churchill) and 'such a trip would be extremely hazardous, as it

would probably take a month to go in and do the work and come out."⁵⁶

The Sayisi Dene maintained their independence and continued to follow the caribou. For the most part, their lives were relatively untouched by the influx of non-Aboriginal people into the region, who congregated mostly at Churchill.

From the beginning of the First World War, there were internal government discussions about moving some of the Sayisi Dene to different locations, and in several instances small numbers of people were relocated.⁵⁷ In 1925, the Indian affairs department considered a specific proposal to relocate the Sayisi Dene to Reindeer Lake, a location thought suitable because the Sayisi Dene continued to hunt on both sides of the Manitoba-Northwest Territories border. As well, members of a related band had been converted to Catholicism by a missionary based at the lake. Petch writes that the department may have seen this as an opportunity for mass conversion and assimilation. However, the Anglican bishop of the diocese of Keewatin intervened, and the plan was dropped.⁵⁸

The idea of relocation remained alive, however, and more fateful discussions resumed in the 1950s. From 1953 to 1956, the Hudson's Bay Company, the Manitoba government's game branch, and the federal Indian affairs department talked about the need to move the Sayisi Dene, seeing relocation as the solution to perceived problems of the Dene at Little Duck Lake.

While discussion occurred in July 1956 between Indian affairs and the Little Duck Lake Band, the documents do not make clear how 'consent' was arrived at. They do show, however, that the meeting occurred *after* the department had made the decision. One of the inducements to move was the promise of material to build new houses at North Knife River.

The move proceeded in two stages. The first took place in August 1956, when most of the Duck Lake group was transported to Churchill by air. The move was carried out quickly, and there was little room on the plane for supplies and personal property. A few other Sayisi Dene made the trip overland and were able to bring hunting and trapping supplies with them. With winter fast approaching, the second stage involved the Little Duck Lake people canoeing from Churchill to North Knife River. The idea was that

the Sayisi Dene could winter at North Knife River and migrate to Churchill for employment during the summer.

The promised houses at North Knife Lake never materialized. Instead, the Sayisi Dene lived in repaired cabins. Forty-five tons of building supplies, and several canoes promised to the people, were never delivered.⁵⁹ Lack of prior investigation of conditions at the new location can be inferred from a comment by the regional supervisor of Indian agencies, who wondered "whether or not they were able to make a Caribou kill."⁶⁰ As it turned out, the caribou did not migrate through the region, and this spelled the demise of the North Knife River settlement; the residents moved to Churchill to join the already overpopulated and makeshift settlement there, after a winter of living on a diet of macaroni and having to do without caribou clothing.⁶¹

The available evidence suggests three possible reasons for the relocation, although records are incomplete and it is often difficult to discern how decisions were made. Petch speculates that some decisions may have been made without written documentation. In a report on the relocation for the department of Indian affairs and northern development, Skoog and Macmillan suggest that

An indication of the inability of the federal government to adequately deal with the relocation process, is indicated by the absence of any clear policy document on the process. We have been unable to locate any document that indicates explicit policies were in place with respect to relocations during this period.⁶²

The first and most immediate reason behind the evacuation of the Duck Lake group was the 1956 closure of the Hudson's Bay post following the collapse of the fur market in the area. In early July 1956, the Hudson's Bay Company (HBC) advised the Manitoba region of the department of Indian affairs that it was closing the post by the end of September. The acting regional supervisor of Indian agencies met with the Sayisi Dene at Little Duck Lake to discuss their 'plight' and the fact that the government intended to move them to North River, north of Churchill.

After a very full discussion it was unanimously and amicably agreed by the Duck Lake Band still at this post that they would move to the mouth of the North River. A part of their Band live at this point in hovels during the winter

and it is the only logical place for those remaining at Caribou to move to. This spot is located some 45 miles north, up the coast from Churchill and has fish, fur and caribou for their livelihood. From this point they can secure supplies from Churchill by canoe in summer and dog team in winter. All heads of families promised the writer during our meetings that immediately on landing at North River they would construct log houses, and I, in return, promised to provide the necessary roofs, floors, doors and windows for these homes. This part of the problem however will be the subject of another letter.⁶³

A second possible reason for the relocation was the belief that Manitoba's game branch wanted the Aboriginal people out of the area in the name of caribou conservation. As we were told during our special consultation in Tadoule Lake, the Sayisi Dene feel strongly that game officials wanted the people moved to a place where they wouldn't be able to hunt caribou. By the mid-1950s, scientists were worried that the population of barren ground caribou was in steep decline, a trend Petch attributes to two factors: part of the caribou's winter range had been destroyed by forest fires, and the Sayisi Dene were killing too many animals.⁶⁴

York Factory Relocation

I would just like to go a little bit into the relocation of the York Factory First Nation in the summer of '57...At the time of the relocation, the Hudson Bay Company was also located in York Factory, which provided store goods to the York Factory Band at that time. And they had heard stories that the Hudson Bay Store would be closing. As a result, the agency at that time had informed these council members and the Band that they would be moving the people that year, in 1957...

The elders have told me stories, the hardships they went through coming down the Nelson River by boats. Some came through by dog team. At that time, there were children involved. At that time, too, the river was at higher levels in its natural form. There were times when the women and children had to get out of the boats so they could travel lightly to get around the rapids and then in that spring, with the breakup of the river, the Nelson River, still had ice hanging around on the banks, and the women had to climb up these banks to get around

the rapids, while the men got the boats across on the shore. It was also very dangerous...

It took them a long time to find that place that was to be their new home. When they arrived, they still were living in tents. Then they moved to down the Nelson River which is located in the Split Lake area.

Source: Donald Saunders, transcripts of the hearings of the Royal Commission on Aboriginal Peoples, Thompson, Manitoba, 1 June 1993.

The notion that Aboriginal people were killing too many caribou came from photographs, taken by the game branch and published in newspapers, showing "wanton and unnecessary destruction" to outsiders who did not understand the Sayisi Dene's hunting practices. But what appeared to officials as slaughter had another explanation.

It was customary for large numbers of animals to be killed at the onset of the cold season. Winter snows would cover the carcasses, acting as a natural freezer. The animals would then be used throughout the winter for dog feed and emergency food. It was a type of reassurance that there would be something to eat in a pinch.⁶⁵

Nevertheless, these photographs were used for the next several years to justify the relocation of the Sayisi Dene out of the region.

The Sayisi Dene assert that the provincial conservation officer in the region did not understand, or care about, their needs. What the government saw as over-hunting was in fact a traditional Dene practice to ensure the people had sufficient food for the long winter. "The white people have no right to come and tell us that we are killing too many caribou."⁶⁶ Skoog and Macmillan state that there is "little argument" that the government wanted to restrict the Dene's caribou hunt.⁶⁷

The third possible reason for the relocation was the long-term goal of integrating the Sayisi Dene into the broader society. The goal of Indian affairs was to "centralize the Indians near a town, where they would no longer depend upon the land for their sustenance, but be provided with housing, schooling, and social services".⁶⁸ North Knife River was a lot

closer to Churchill, and the services offered by the welfare state, than Little Duck Lake had been. Consistent with these objectives was the hope that eventually the Aboriginal people would find seasonal or permanent wage employment in Churchill. This represented a significant change in approach for the department of Indian affairs. Since the turn of the century, it had tried to keep northern Aboriginal people away from

...the questionable benefits of civilization. A letter to the Secretary, Department of the Interior in 1912, stated that action should be taken to remove Indians from towns "before these poor people get debauched and demoralized."⁶⁹

Many of the people flown from Little Duck Lake and later moved to North Knife soon made their way back to Churchill when they discovered that the land around their new home would not support the increased population and when new houses promised by the department were not built.

In 1957, Camp 10, as it came to be known, was set up on a parcel of land measuring 300 by 600 feet, next to the Churchill cemetery. Many of the people from Little Duck Lake wound up at this new location because the North Knife region could not support the increased population. Elders recount the experience of living next to the cemetery as a "horror".

Sayisi Dene ideology included a fear and respect for the dead. When a person died on the land, they were buried almost immediately with their possessions and the area was not occupied again and no hunting took place. To live beside the dead was to tempt the spirits.⁷⁰

This fear is captured in a letter to the department of Indian affairs from Chief John Clipping. The letter was written for the chief by 16-year-old Peter Thorassie. In it, the chief asks whether his people are ever going to be moved away from the cemetery. "The Chipewyan people do not want to live next to the dead people. Many of our people think that the dead people get up at 12 o'clock midnight and walk around our camp".⁷¹

Apart from its location next to the cemetery, an additional problem was the bleakness of the site chosen as a temporary home. Camp 10 was located on a rocky, windswept, treeless area that was almost inaccessible except by foot. There was no fresh water, and water was trucked in on an irregular

basis. Sanitation was also a problem. Furthermore, the camp sat along the main polar bear migration path, a fact that meant constant danger to the residents during migration seasons.

By 1960, Camp 10 was a settlement made up of hastily constructed, poorly insulated shacks on skids and had become a symbol "of the Department of Indian affairs' band-aid approach".⁷²

By this time, our people were in total cultural shock. Alcohol slowly crept into a once proud people's lives and took control of them. Death and destruction followed almost immediately, all under the wary eyes of an uncaring town of white, Cree, Métis and Inuit residents. Many of my people died violently, all of alcohol-related deaths, from small babies to young people to elders. Can you imagine...how in twenty short years, a band of people were just about wiped out. In this period, there were very few births, and many people died every year.

Ila Bussidor
Thompson, Manitoba, 1 June 1993

A number of factors contributed to a decline in the quality of life in Camp 10. Alcohol became readily available. The provincial game branch insisted that smaller amounts of ammunition be issued to hunters to prevent further 'overkill' of caribou, although no restrictions were placed on other (non-Aboriginal) hunters. The sale and trade of country food between households was also discouraged. Caribou hides could be used for handcrafts but not for clothing or dog food. The RCMP shot many of the Sayisi Dene's dogs, claiming they were a nuisance, but in the process they robbed the people of an important asset in the procurement of country food. The dogs were also useful as alarms when polar bears were near, especially since guns were not allowed in Camp 10 because it was within town limits.

Where was our monies from Indian affairs? I mean, we had no food, no furniture, no running water, and the list could go on. We ate from the dump for God sakes. And they wanted us to become assimilated to the white man's way without consulting our ways.

Nancy Powderhorn
Tadoule Lake, Manitoba, 4 October 1993

In the classrooms of the schools, we faced unimaginable racism and discrimination, in our tattered clothes, dirty faces and unkempt hair. No one saw the terror in our eyes, or knew of the horrors we experienced at home, after school, the abuse, physical, mental, emotional and sexual. Many of us relied on the trash cans behind the stores and hotels for food. The dropout rate was extremely high among Dene students, even in elementary school, and there was no wonder why. Every member of my generation has a personal account of brutal hardship and despair. We came to believe as children that we were the last Dene people in the world, since our parents could not talk anymore. We were the object of discrimination from every direction. We came to believe at an early age that we weren't Indians, we were lower than that.

Ila Bussidor
Thompson, Manitoba, 1 June 1993

In 1966-68, 'Dene Village' was established a few kilometres southeast of Churchill. However, the new location did not solve the deep social and economic problems facing the people.

This situation was becoming embarrassing to the department of Indian affairs, so they decided to move us once again, in 1966, to an area where we would be less conspicuous, to 'Dene Village', three and a half miles out of town behind the Inuit hamlet of Akudlik. By this time, there was very little hope left in the people, and all their aspirations were gone. Our parents continued to die off. We found many adults frozen beside the long cold road to Dene Village, drunk and unable to make it home. During the cold winter blizzards, many houses burned to the ground with those inside. My Mom and Dad perished this way.

Ila Bussidor
Thompson, Manitoba, 1 June 1993

In 1969, encouraged by a 'back to the bush' movement among Aboriginal people across Canada, experimental villages were set up at North and South Knife lakes in response to social and economic problems in Dene Village. By 1973, Indian affairs proposed a land settlement for a reserve at South Knife Lake, but the Dene refused to negotiate on the grounds that resources there were inadequate to support a large, stable community. When Indian affairs refused to pay for any further moves, several Dene

decided to move themselves to Tadoule Lake, an area known for its varied and abundant resources. Soon after, government planes followed with supplies and family members. The new community got reserve status in the mid-1970s — decades after the Dene signed a treaty that promised reserve land.

The community now has a number of locally owned small businesses, and the caribou hunt remains central to community life. However, the Commission's interviews with residents of Tadoule Lake reveal that social and economic problems have not disappeared, dependence on transfer payments continues, and allegations of injustice remain unresolved. One resident, for example, told the Commission that her husband was apparently run over by a public works truck at Churchill in 1975, but she was not notified by public authorities, nor was she given information about the circumstances of the event. Nor was she given information about insurance or compensation to provide a means of support after the death of her husband.⁷³

In the view of the Sayisi Dene, the arbitrary use of government power that marked the relocation of their community continues to find expression in contemporary policies. The fact that their traditional lands have been included within the boundaries of Nunavut adds to the Sayisi Dene's sense of grievance and, they believe, is another example of how their interests have been ignored by the federal government. The people of Tadoule Lake, along with the Oteinadi Dene of Lac Brochet, claim that they

have traditionally used and occupied approximately 73,000 km² of lands and resources which are north of the 60th parallel, and therefore within the Nunavut Settlement Area. By virtue of outstanding treaty land entitlements, Manitoba Denesuline have specific claims to the area.⁷⁴

Petch states that the Sayisi Dene had "no input" into the Nunavut negotiations and, once again, "feel cheated and spurned" by the federal government.⁷⁵ In March 1993, the Dene sued the government of Canada and the Tungavik Federation of Nunavut (now Nunavut Tungavik Incorporated), which was negotiating on behalf of Inuit in the region, in the Federal Court. They asserted that they have treaty rights north of the 60th parallel (the southern boundary of Nunavut). The following month, they tried to get an injunction to stop ratification of the Nunavut land claim settlement,

a request that was withdrawn during the Federal Court hearing after the Inuit agreed to 'freeze' 42,930 hectares (106,000 acres) of land within Nunavut pending the trial — the amount of unfulfilled treaty land entitlement claimed by the Sayisi Dene.⁷⁶

In summary, the story of the Sayisi Dene is one of constant struggle to have their rights to their homeland recognized. From the mid-1950s to the mid-1970s, it was also a story of numerous physical dislocations — relocations that for the most part had disastrous consequences for the community. A former community development worker, Ravindra Lal, writing shortly after the relocations, stated that "Thoughts should have been *exchanged* on what the alternatives to the move were, or what alternative sites were possible."⁷⁷ Lal says the Sayisi Dene were "hopelessly ill-equipped to function in an urbanized environment": few had attended school or had more than a smattering of English; only about a dozen adults had been employed in casual labour before the move; and band members "solidly believed" that the government would look after them. He also says Indian affairs officials responsible for the move "obviously had little perception, insight, or sympathy or understanding of life at Duck Lake and the possible problems associated with a move." In 1969, Lal wrote,

The changes experienced by this Chipewyan band in the last ten years gives us some insight into the magnitude with which relocation can affect a group of people; how lives can be wasted through the decisions of an outside few.⁷⁸

The Yukon First Nations⁷⁹

The economic boom associated with the Klondike Gold Rush lasted only a few years following the discovery of gold in 1896. By the turn of the century, the Yukon's population was dropping as the territory's economy went into a long period of decline. From about 1912 to 1942 there was only the "barest administration", as a small public sector struggled to meet public needs.⁸⁰

During this period, most Aboriginal people in the Yukon continued to live as they had for centuries. While the Gold Rush exposed Aboriginal people to new and virulent diseases, it did not alter their economy in any significant way.⁸¹ Gold seekers built towns such as Dawson City and Whitehorse and used major rivers like the Yukon and Teslin as transportation routes, but

generally their activities were confined to these relatively small areas. For their part, the Aboriginal peoples of the area were already active in a trading network that ran up the coast of British Columbia into Alaska and the Mackenzie Valley. This subsistence pattern of life was well suited to the fur trade economy, which had been introduced into the region in the nineteenth century. Nor was it significantly altered by the mining economy, since many Aboriginal people continued to make their living from the land, away from the narrow belts of industrial activity. However, an important shift in the economy occurred as Aboriginal labourers were drawn toward the rivers, where they cut wood for fuel for river boats. It was this activity, rather than mining itself, that began to disrupt Aboriginal social patterns in the Yukon.

In 1942, construction of the Alaska Highway by the U.S. army triggered permanent changes in the territorial economy and society. To many Aboriginal people, highway construction is *the* key event in their recent history. In 1992, a resident of the Southern Yukon told us,

From April 1942 to December 1943 the Alaska Highway came in. This is the fiftieth year celebration of the Alaska Highway. It has brought good things, but it has brought a lot of bad. There were 34,000 construction workers who came into the Yukon to build the Alaska Highway. The lifestyle was changing very rapidly for native people. There was more alcohol; more racial discrimination. Our people started working for money, guiding them. There was more family breakdown. There were more diseases: dysentery, hepatitis, mumps, measles, polio. So, the highway brought a lot of grief to our people.

Ann Bayne
Watson Lake, Yukon, 28 May 1992

Construction of the highway coincided, and in many ways precipitated, another invasion. The military project might have ended the territory's relative isolation from the rest of the country, but it was the introduction of government programs and services that produced the most sweeping changes:

[T]he highway was the instrument rather than the cause of the social changes that overtook the First Nations people of the Yukon in the post-war period. The family allowance plan, the necessity of attending school, and the rest of the government programs contributed greatly to the changes; the

highway simply made it easier for the government agents to reach the people.⁸²

Whether or not construction of the Alaska Highway was the root cause of the changes that altered Indian life in the southern Yukon in the 1940s, it is certain that it had an important effect. New rounds of epidemics resulted in the death-rate doubling in spite of increased medical attention...⁸³

Many Aboriginal people felt the allure of this "gravel magnet" and moved to new highway communities to find work, establishing a pattern of migration that continues to this day. When the jobs ended, many were forced to turn to the government for the subsidies that were becoming increasingly available with expansion of the welfare state.⁸⁴ Government-sponsored education was another factor tying people to the communities for most of the year.

After the Alaska Highway came, everything stopped — kids go to school...they don't talk Indian anymore.⁸⁵

The federal government set about providing services to Aboriginal people in the Yukon with the best of intentions. These included health care, education and benefits such as the family allowance. The underlying assumption was that Aboriginal peoples deserved the chance to "live like other Canadians". But these policies had implications for the way Aboriginal people lived.

To provide modern services to the Aboriginal people of the north, it was best if they were all in one place instead of scattered in the bush. The logic is fairly straightforward. In order that people not 'waste' the benefits of the welfare state by doing what they thought best with them, it was essential for the government to regulate their lives to an unprecedented degree — if the government provided housing for Indians, officials had the right to decide where to build it; if the government provided food, it would attempt to tell them what to eat; if the government provided education, it would set the curriculum and decide the language of instruction. This...was a logical and all but inevitable part of social engineering.⁸⁶

In contrast to the Eastern Arctic centralization policy, discussed later, the policy of village development in the Yukon was piecemeal and episodic. Relocations varied according to the Indian agent in charge and government

priorities of the period. Government policy was to set up small "residential reserves" near non-Aboriginal communities where Aboriginal people could live. In the words of one official of the day:

The establishment of these Reserves will assist us to improve the living conditions of the Yukon Indians and will also improve our supervision and administration which will undoubtedly be in the interests of all concerned.⁸⁷

According to another former government official involved in the centralization planning,

Some of the [reserve] sites date from use in earlier days but many came about as Indian people, by choice, began to camp in proximity to latter day highway settlements. As the camps became somewhat permanent, land was set aside where houses could be built. Encouraging further people to move to these sites, or to relocate to those which seemed to offer better economic opportunity, may have been misguided but it was hardly a grand design by government to force people off the land.⁸⁸

Historian Ken Coates says that

no single policy initiative...charted a general policy by which Yukon Native people were forced to leave their traditional lands and move to a central village. Government did become more interested in specific groups of Native people when their lifestyles came up against broader economic developments, but only rarely was there a broad sweeping plan for action. Instead, in an inconsistent and uneven fashion, through numerous small decisions and administrative actions, the federal government moved along a general if ill-defined line.⁸⁹

Some of these decisions were taken deliberately, others as a consequence of applying regulations for distributing family allowance payments, in the form of foodstuffs and other benefits. However, Coates adds, "the general thrust of government policy, combined with non-governmental forces, had sweeping implications and substantially recast Aboriginal life in the territory."

Kwanlin Dun (Yukon)

The following excerpt is from a 1971 study on relocating the Whitehorse Indian band. At the time it was written, band members were living on the edge of an industrial area, having been evicted in 1950 from their previous village site on the edge of the Yukon River in the middle of town.

There are now some 56 families or a total of 300 residents of the Whitehorse village and who live in 46 homes (two welfare homes presently unoccupied). A recent population and housing survey by the Department describes the living conditions. The average dwelling within the village accommodates about 7 persons (6.7) on a floor space of 525 square feet which contains only two bedrooms. The averages hide some cases such as two houses with 16 and 20 occupants respectively. No house has running water or an operative indoor toilet or bath (one welfare house has the toilet and bath — without running water).

The principal problems of the present village since it started has been the lack of space between houses (families). This problem is felt by all and is blamed for many of the minor social problems.

There are many other problems in the village and include location, social equipment, public health and servicing, breathing space, expansion, cultural and recreational program opportunities, and on-site jobs....As one Councillor asked a team of three visiting psychiatrists who were doing a survey of mental health needs in the north — "If you had to live in this village, wouldn't you spend most of your time in the Whitehorse Inn Tavern?"

The matter was examined and dropped repeatedly before the community was relocated in the late 1980s.

Source: Yukon Native Brotherhood, A Report Prepared by the Whitehorse Indian Village Relocation Steering Committee for the Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development, on the Proposed Relocation of the Whitehorse Indian Village (Whitehorse, Yukon: 1971), pp. 2-3.

To keep administrative costs low in the era before the war, federal

government policies had been directed at keeping people on the land. By the end of the 1940s, the policy was to encourage them to settle in communities. A central feature of this policy was the creation of residential reserves; before this, there had never been a formal reserve system in the Yukon. Although lands were set aside for Aboriginal use as early as the late nineteenth century, they did not constitute reserves within the meaning of the *Indian Act* but rather were land allocations that were "merely reserved in the records of the department of Northern Affairs and National Resources for the use of the Indians for so long as required for that purpose."⁹⁰ The reserved areas were small, and many were not used. After the Second World War, the Yukon Indian agent received authorization to set up a number of residential reserves, "generally near the Alaska Highway and branch highways."⁹¹ Officials also requested more formal recognition of the sites in the face of increasing non-Aboriginal pressures on the land along the highway route. As the Aboriginal population grew, so did the need for better housing and improved services. Improvements were long in coming.

As the reserve network expanded and as the range of government programs grew, administrative requirements led officials to 'encourage' Aboriginal people to relocate to the more accessible sites. For example, the following relocations occurred in the late 1950s: the Aishihik people and the young people from Champagne were urged to relocate to Haines Junction; White River people were urged to shift closer to the highway and services; Ross River people were encouraged to move to Upper Liard Bridge permanently and to amalgamate with that band; and the Pelly River Band moved to Pelly Crossing on the Mayo Road, a more accessible location.

Coates questions the distinction between what he calls major relocations and the smaller government-influenced shifts in Aboriginal settlement. Government initiatives (the welfare state, schooling), as well as changing economic conditions (collapse of the fur trade, renewable resource development, Alaska highway construction), led to relocations that were on a small scale but nevertheless dramatic in scope and completeness. At the end of the Second World War, for example, the majority of Aboriginal people in the Yukon spent most of the year out on the land in camps. Within two or three decades, a good part of the year was spent in government-constructed villages used as a base for continued but declining harvesting activities.

In most of the North, there were no dramatic, wholesale relocations of communities or peoples. Instead, a series of relatively minor, rarely interconnected government policies created an administrative context in which it became increasingly important for Aboriginal peoples to live in the new communities year-round.⁹²

The Gwa'Sala and 'Nakwaxda'xw (British Columbia)⁹³

As far as I know they never needed help from the government financially, they were quite independent, they did everything for themselves, they fished, hunted, trapped — they had everything there....now they're living over here they lost everything, they all had their own boats, now they've lost them. They lost their initiative, they seem to depend on the government too much for everything now.⁹⁴

In this account, we focus on the relocation of the Gwa'Sala from Takush, a traditional village on Smiths Inlet on the coast of Vancouver Island, and the 'Nakwaxda'xw from Bahas, at Blunden Harbour. Both groups are part of the Kwakwa ka'wakw nation, which ethnographers have referred to by many names, but most commonly Kwakiutl. The traditional territory of the Kwakwa ka'wakw nation includes land in and around Seymour Inlet, Belize Inlet and Smiths Inlet, Rivers Inlet, Knight Inlet and Kingcome Inlet, as well as Queen Charlotte Strait and Johnstone Strait on the northwest coast of British Columbia. Like other peoples of the region, the Gwa'Sala and 'Nakwaxda'xw lived by harvesting sea and land resources and were part of an active regional trade network. They also worked as trappers before and after the commercial fur trade began in earnest in the region during the mid-nineteenth century.⁹⁵

In 1912, the main economic activity of the communities was fishing. People lived in log houses and cooked over open fires. A report by an Indian affairs agent that year says much about the perception of administrators. The Gwa'Sala, he reported, were "fairly industrious and law-abiding, but are at a standstill as far as progress is concerned." As for the "Nakwakto Band",

The members of this band are probably the least civilized of any in the agency, and they do not bear a very enviable reputation. However, during the past year there has been considerable improvement.⁹⁶

The relative isolation of their communities meant the Gwa'Sala and 'Nakwaxda'xw were able to retain their religious beliefs, art and ritual, and social organization. However, it also meant "less access to what few educational and employment opportunities existed and to medical care and treatment"⁹⁷ and, indeed, correcting this was part of the motivation for the relocation.

As in the other relocation cases we have examined, federal officials of the time considered the people of these communities backward and impoverished. Moving them, it was thought, would enable government to provide services and bring the people closer to education and employment opportunities.⁹⁸ As well, "the relocation would also be a very advanced step toward integration. The new location is adjacent to the non-Indian settlement of Port Hardy."⁹⁹

That their communities were poor was recognized by both government and the people themselves. According to one researcher, many people

...were beginning to feel that their remoteness was no longer the source of strength it had once been. In fact, some of them were reluctantly admitting that a move closer to education and health services, and to a community that had sewer, water and electricity, might be best for their children.¹⁰⁰

In the early 1950s the department of Indian affairs and the Gwa'Sala were able to agree that a move was desirable, but they could not agree on a location. The Gwa'Sala wanted to go to Ethel Cove, which was also in Smiths Inlet, near their traditional hunting, trapping and fishing areas; the department wanted them to go to Port Hardy. In the words of the chief at the time,

The members of our band have gathered together and have discussed plans on the new village. They are very anxious to talk over plans with the [Indian] agent...¹⁰¹

The department rejected the idea. It wanted the people to move out of their "isolated" location.

It was clear that the DIA wasn't anxious to promote the notion of the people staying in their isolated locations, or to give them any help in order to do so.

This can be seen to be true because the DIA actually had on their files engineering plans to make both Takush and Blunden more liveable and yet they declined to do so.¹⁰²

The engineering plans on file at the DIA office "would have addressed some of the problems that were later cited as reasons for the relocation."¹⁰³ However, in the early 1960s, the department began making plans to move the two communities and amalgamate them on the Kwakewlth's Tsulquate reserve, near Port Hardy. The order came down from the top to the Indian agent, who in turn pressured the bands to move.

Over the years, government agents had attempted to get the bands to agree to relocate, but in 1962 the government threatened to cut off benefits and the two villages voted in favour of the move. Thus, coercion — in the form of withheld or eliminated funding for housing, schools and services — coupled with promises of improved housing, health and education facilities, and economic opportunities, ensured Aboriginal 'consent'. The bands 'agreed' on the condition that adequate housing would be built so everyone could move at the same time. The actual relocation took place in 1964.

The department appears to have taken two divergent approaches with the Gwa'Sala and 'Nakwaxda'xw. When the first relocation discussions took place in the early 1950s, the department put a stop to the process when the two sides could not agree on a location. A decade later, officials acted in a much more arbitrary fashion, deciding that the community was to be moved to Port Hardy, which was where they had wanted the people to go the first time.

Not unlike the experience of the Mi'kmaq in Nova Scotia, promises of housing and other amenities were not fulfilled. When 100 people arrived in Tsulquate in 1964, only three houses were ready to be occupied, and 20 to 30 people were forced to cram into a single dwelling. Some families resorted to living on their boats. However, safe anchorage had not been provided, and many boats were soon damaged or destroyed. Furthermore, discrimination from surrounding non-Aboriginal communities was severe, limiting employment and other economic opportunities and counteracting the twin goals of assimilation and integration. As well, the original Kwakewlth residents resented the newcomers and the problems relocation was causing in their community. To keep people from leaving the depressed

and unhealthy conditions and moving back to Smiths Inlet and Blunden Harbour, the government ordered the two abandoned communities burned down.

Robert Walkus, Sr. says the effect on people's health was immediate: "Right away people started drinking." Community cohesion was also affected. No longer did people work together in times of crisis, such as when someone's house caught fire. Tsulquate was not like Takush. "Today you have friends but the contact is not as close. You ride cars and pass by each other. You don't stop and talk for a long time."¹⁰⁴

Over the following 10 years in Tsulquate, community social problems festered, manifested most poignantly in the welfare of its children. Some died, several spent years in and out of foster and group homes, and some were adopted by non-Aboriginal families and simply disappeared. Provincial child welfare workers essentially controlled the fate of children in Tsulquate. Evidence suggests that child abuse and neglect may well have continued to be a legacy of the relocation fully two decades after the move.

Shortly after the relocation, mortality rates increased, a phenomenon also recorded with the people of Hebron. Culhane found that 1964 and 1965 "were years of unusually high mortality". These figures "stand out in the data as having different characteristics than the years preceding 1964 or those following 1965". Infant mortality also remained high during the following decade. "Of the 111 births recorded, 20 or 18% died in infancy".¹⁰⁵ During the 1964-67 period, the 60-plus age group had the highest mortality rate, more than double that for the rest of the community, suggesting that neither the community itself nor the government services in the area were capable of providing adequate care for the elderly. Between 1975 and 1983, however, infant mortality declined to the Canadian average.

In summary, the main demographic trends since relocation have been continued population growth due primarily to increasing numbers of women entering child-bearing age and a still high, though declining, birth rate...Overall, mortality, and particularly infant mortality, has declined significantly in numbers but the causes of death reflect both poor living conditions and a high degree of social stress.¹⁰⁶

The relocation of the Gwa'Sala and 'Nakwaxda'xw has had effects noticeable to outsiders working with the communities:

The community's desire for their own education system was significantly impacted by the racist response of many in the local white community to the relocated band members. This response is well documented and was overwhelming for the bands.

The white community could easily see and focus on the many social problems in the Native community and so justify their racist attitudes without making any attempt to look at why this community was suffering from such problems.

The band's school-age children suffered from these negative attitudes in many ways. Their treatment by non-Native classmates, the lack of understanding or caring from some school staff, the frustration of the school staff that did care but felt overwhelmed by a problem created by the government and requiring remedies far beyond what the school could offer, resulted in failure....One very significant effect on the children was an almost total loss of self esteem. Their own community and culture were devastated. They had been thrust into an alien environment with which they had almost no previous contact, while simultaneously their family and community support systems had been removed.

The response of several families in the Native community and the band council was to begin working on establishing their own band-operated school. This began as a pre-school for four-year-old children. It started in 1969 and focused on better preparing the young children to succeed in the public schools.

Source: Eric Gilman, Mennonite Central Committee, RCAP transcripts, Vancouver, B.C., 2 June 1993.

Besides higher mortality, the move increased unemployment and the requirement for social assistance.

The relocatees had previously lived in culturally coherent communities. In Port Hardy, they became the minority and targets of racism.

When I first moved here, I had a hard time working. We spoke our own language. We spoke Kwakwala. Our kids couldn't speak English. They spoke our own language. They had a hard time with these children from here at Port Hardy. Oh, we had quite a time. Every night I had to go through that...It was scary there. Kids were just doing things...I tried to stop them and they got angry, kids from Port Hardy. They set fire to my house because I tried to stop them. We took driftwood and blocked the bridge one time to try to keep them from coming over there. Port Hardy people would even come down here with guns and fire shots over top of the village from the other side of the river. We couldn't stop them.¹⁰⁷

Robert Walkus, Sr. says roving white gangs used to try to fight the newcomers. And racism was not limited to the streets. He says a doctor attributed a gash on his knee to drinking and refused to treat it, saying, "If I fix your knee, you're just going to hurt it again."¹⁰⁸

In 1983, in response to the high number of children removed from the communities by welfare authorities, the band council submitted a funding proposal entitled "Our Children's Rights: A Time for Action" to Indian affairs. The proposal called for a five-year plan for the delivery of community-based child welfare services. The submission demonstrated a commitment by the community to change. Nevertheless, despite several other band initiatives to develop the local economy, the success of such programs has been limited by continued problems of overcrowded housing and other social ills stemming from the relocation.

There have also been attempts by community members to reclaim their former communities, including the construction of a cabin at the 'Nakwaxda'xw village site at Blunden Harbour in 1991.

In summary, available research indicates that the people affected were not properly consulted about the move or given any indication of the kinds of problems they might encounter after moving from an isolated location to a more urban setting. "Granting the people some degree of decision-making power and collaborative input would have helped preserve their sense of self-esteem and lessened the degree of helplessness that they felt at having so much power taken out of their hands."¹⁰⁹

The Mushuau Innu (Davis Inlet, Labrador)

When we were first told we would be moved to the island, I didn't like the idea. I always thought we should have been settled on the mainland. But no one said anything. We just moved.¹¹⁰

The Innu (or Montagnais and Naskapi) live in several villages along the north shore of the St. Lawrence and in the interior of Quebec and in two communities in Labrador, Sheshatshiu and Utshimasits (Davis Inlet). For thousands of years, the Innu followed the caribou throughout the Ungava peninsula and moved to the coast to fish during the summer. The Mushuau Innu have one of the longest, albeit sporadic, records of contact with non-Aboriginal newcomers to North America¹¹¹ but managed to retain their independence because the interior of the region was relatively free from European influence. As the fur trade developed in their homeland, however, the Innu entered into an interdependent relationship with the traders, a relationship in which traders held the balance of power by virtue of the commodities (guns, ammunition, etc.) they controlled.¹¹² While the Innu were incorporated in the fur trade, they continued to spend most of their time in the interior and came to the posts only to trade and visit. By the 1920s and '30s, however, the Mushuau Innu had come to rely on store-bought food from the coastal trading posts, where they spent an increasing amount of time. They were often in dire circumstances. The diversion of their traditional hunting efforts into fur-trapping for profit had made them particularly vulnerable to seasonal changes in the abundance of wildlife and in the 1920s government relief began to be provided. From time to time a shortage of caribou led to starvation among the Mushuau Innu who were equally vulnerable to disease. Reports also indicate that social problems existed amongst the Innu at that time, often resulting from the use of alcohol.¹¹³

A Hudson's Bay Company post was established at Old Davis Inlet in 1869. In 1927 it became the site of annual visits from a Catholic missionary, who handed out relief that people could obtain only during the short time he was in Davis Inlet. "The priest began to tell us when to come to Davis Inlet and where to go into the country."¹¹⁴ The Innu came to be tied to the site by their annual trips to the mission and, in 1952, the mission became permanent. The priest organized construction of a sawmill and school, and the provincial government dropped off plywood for the Innu to build shacks.¹¹⁵ Thus the development of an Innu community was gradual —

from temporary mission to permanent mission and gradually to a ramshackle community with limited services.

Discussions about relocating the Innu appear in the records in the early 1930s and continue for a number of years.¹¹⁶ We examine here two distinct relocations involving the Mushuau Innu. The first occurred in 1948, when Newfoundland authorities moved them from Old Davis Inlet, where they were more or less permanently settled, to Nutak, about 400 kilometres north on the Labrador coast. This relocation failed because the Innu simply walked back to Old Davis Inlet. The second relocation took place in the 1960s when the government was building houses for the Innu who had settled at Sheshatshiu. It was decided that houses would be constructed for the Mushuau Innu as well, but first they had to be moved from Old Davis Inlet, on the mainland, to a new community, Utshimasits — or New Davis Inlet — on Iluikoyak Island, about four kilometres away.¹¹⁷

From Old Davis Inlet to Nutak (1948)

In 1942, the Newfoundland authorities took over the money-losing Hudson's Bay Company trading post in Davis Inlet. The revenues of the post improved for a time; three years later Northern Labrador Trading Operations, which ran the post, reportedly brought in \$45,000 from the fur trade. By 1948, however, revenues had plunged to \$3,000, and the Newfoundland government made plans to close the store and move the Innu north to Nutak.¹¹⁸

The Innu were taken to Nutak in the cargo hold of a boat; they were given tents, clothing and food at the new location. The surrounding area was devoid of trees, and conditions made hunting difficult, and although they had some success fishing for trout and cod, in general the Innu did not like the new location.¹¹⁹ By the end of their second winter, the Innu decided to return to Davis Inlet by foot.

The Innu were not consulted about the move to Nutak. "I don't know what the government was up to moving us there," says Meneskuesh, an Utshimasits elder.¹²⁰ McRae says the Innu were moved so they would have employment, fishing and cutting wood. He says government officials were concerned that the caribou were disappearing. While the winter of 1948 had been hard and there had been some starvation, "the Innu do not recall that

there was a particular shortage of animals in their hunting grounds near Davis Inlet or that the situation was dramatically different from previous years." Another reason, McRae says, is that officials at the time felt the Innu were becoming too dependent on relief. As well, if the idea had been to make fishers out of Aboriginal hunters, there was no need to relocate: that activity could have been carried out at Davis Inlet. According to McRae,

the decision to relocate the Innu to Nutak was a consequence of the decision to close the government depot at Davis Inlet. It was a decision guided by a belief that the Innu should become economically productive and based on the administrative convenience of the location of the government depot.¹²¹

Thus, the reasons for this relocation resemble the reasons for the other relocations examined here: it was easier for government to have a group of Aboriginal people in another location. In the case of the Mushuau Innu, the situation in 1948 resembled what the Sayisi Dene would face a decade later: the closing of a trading post coinciding with concerns about a declining caribou population.

From Old Davis Inlet to New Davis Inlet (Utshimasits) on Iluikoyak Island (1967)

Throughout the 1950s government officials continued to discuss the possibility of resettling and amalgamating the Innu.¹²² For example, around 1959, there was interest in combining the group at Old Davis Inlet with the Innu who had settled at Sheshatshiu, across the river from the community of North West River to the south. However, the move was opposed by the Catholic priest at Old Davis Inlet and by the people themselves, and the plan was eventually dropped.

Although the government had reopened its store at Old Davis Inlet in 1952, by the mid-1960s there was once again concern about its viability and there was discussion about moving to another location about 35 kilometres away. In the mid-1960s, the provincial government began a housing program for the Innu, "but it was concluded by government officials that the existing townsite was unsatisfactory".¹²³ Once more there was talk about moving the Innu to Sheshatshiu, but the local priest urged a move just a few kilometres away from the existing mission and community. Once the

government learned that the church supported moving to a new site near the original settlement, Newfoundland officials committed themselves to the idea. Davis Inlet Elder Pinip describes what happened:

The government officials called a meeting. They told us that very soon the Innu should move to a new location. This place (Old Davis) was too rocky, and there was no space for new houses, although there was plenty of water. But to hook up water from one house to another was very difficult. Besides, this place was too small for a new community. The government people told us that they were looking at different places for a new site. The chief and council (also appointed by the priest) were involved in looking for this site. The officials told us if the Innu thought it was a good idea, then they would go meet with the government in St. John's. They also said they were pretty sure the government would support the idea because none of the Innu had the houses yet. They said another meeting would be called for the Innu. The officials told us we needed a new community, and the store would be close by. The store was on the island. We needed a new wharf and school. They said the present school was too small and the population was growing. A few months later, the government agencies visited the community again. This time, it was agreed to move.¹²⁴

Many Innu say they did not consent to the move and that the decision was made by the priest, government officials and the chief at the time. "There was no consultation and the question of approval or disapproval by them did not arise."¹²⁵ In a submission to the Canadian Human Rights Commission, the Assembly of First Nations argues that records show the decision to relocate the Innu "was made *prior* to any alleged 'vote' and that, if a vote did take place, it was not on whether the Innu should specifically move to their present location".¹²⁶

Some people say we just said yes to the white people about the move because we saw the houses that were built in old Davis Inlet, and we liked the house that was built for [Chief] Joe Rich. Some people thought the houses should be built at Sandy Brook where there was a river and fresh water, but others wouldn't listen. People were suffering. They didn't have enough food. Others didn't know what was happening.¹²⁷

McRae says the Innu elders are "virtually unanimous" in their recollection that they received promises of new houses, running water, sewage,

furnaces and some furniture.

No one was really opposed to the move, and as they point out, in the light of what they were led to believe they were going to get at the new site, who could have disagreed with such a move?...The fact is that this was the uniform understanding of the Innu at that time, and for that reason they considered that they had no choice but to make the move.¹²⁸

Housing construction was slow, however, and within a year many of the homes leaked. The houses had other problems as well:

When Joachim Nui was working with the contractors building the houses, he realized that no basements were being constructed. He drew this to the attention of the foreman who told him that basements were to come later. Philip Rich also asked why basements were not being constructed and was told by the carpenters that water and sewage were going to come later.¹²⁹

Moving the Innu to an island cut them off from their hunting grounds for part of the year. However, this was not an issue for the move planners.

[B]ut even if the freeze-up and break-up issue had been considered, it would probably have been discarded, because the notion that the Innu would be encouraged to engage in fishing as an economic activity was very much alive. An attribute of the new site was seen to be that it was "not too far from fishing grounds."¹³⁰

Following relocation the Innu were afflicted with a series of problems: poor health, chronic alcoholism, gas sniffing, domestic violence, terrible living conditions and high suicide rates. These problems, similar to those faced by the Sayisi Dene in Camp 10, continue to this day. Chief Katie Rich told this Commission:

Last Friday, a few of the girls started sniffing gas, and during the early morning of Saturday, they broke every single window in the school. When they were asked why they were doing this, they said they just want to get out of the Davis. They wanted to go somewhere where they can live with water, with sewer, with better conditions.

In the population of 168 adults, 123 are chronic alcoholics or abusers of

alcohol. Ninety percent of all court cases in Davis Inlet are the result of alcohol abuse. We looked at how we ended up in Utshimasits, and what we had lost by settling there. What we lost mostly was control over our lives.

Chief Katie Rich
Mushuau Innu Band Council
Sheshatshiu, Newfoundland and Labrador, 17 June 1992

For years, the Mushuau Innu have been trying to get the federal and provincial governments to realize that they made a mistake moving them to the island, where the social problems of the community have made international news. The Innu want to be relocated to a site at Sango Bay on the coast. The people's complaints have received considerable support, and McRae found their rights were infringed in the relocation to Nutak and to Iluikoyak Island.¹³¹

The Innu see relocation — this time as a community-planned and -directed initiative — as the only solution to these problems.

It was the view of all people that in order to achieve a new and healthy life, we must relocate, to move away from this island to a place where there can be better health and living conditions, a place where we can deal with the problems facing us. Relocation is the first priority for us, and this time, it will be an Innu decision, not the decision of the government or the church.

Chief Katie Rich
Mushuau Innu Band Council
Sheshatshiu, Newfoundland and Labrador, 17 June 1992

For the Innu, relocation is linked with other important aspects of cultural survival and self-determination. They have worked hard to get governments to listen and act. In February 1994, the federal government released a Statement of Political Commitments to the Mushuau Innu. The statement, signed by the federal ministers of Indian affairs, health, and justice and the solicitor general, recognizes that a comprehensive approach is needed to resolve the people's problems.

The Statement commits the Government of Canada to both immediate action in the existing community and long term economic development plans for a relocated community. The Statement commits the government to

focus relocation planning on the Innu's preferred site of Sango Bay...¹³²

It also commits the government to provide emergency funding, negotiate self-government and a comprehensive land claim, fund development of more culturally sensitive police and justice systems, and give control over existing federal programs and funding to the Innu. The Innu accepted the government's proposal two months later. Since then the community has begun a series of studies of all aspects of the new village site. At the time of writing the studies were not yet complete. While technical and planning studies are carried out, the federal government and the Innu are working to upgrade existing houses and buildings in Utshimasits. By March 1995, 11 new houses had been constructed and another 60 renovated. Sewer and water had been hooked up at three band facilities, and a women's centre and youth drop-in centre had been built.¹³³

Conclusion

While the reasons for relocations are multifaceted and sometimes difficult to determine, an important element in those discussed so far was the desire to make the administrative operations of government easier. The six Aboriginal groups we looked at were relocated because, ultimately, governments had the desire and the power to move them. The official rationale was that relocation was in the best interests of the people themselves, but what lay behind these words was an overriding concern about the cost of administering programs — a long-time concern of officials dealing with Aboriginal people. Thus it was easier to provide services if Aboriginal people were centralized in one location. In some cases, centralization would have the additional benefit of exposing previously scattered, nomadic groups of people outside the mainstream economy to the discipline of wage labour and 'regular' employment. In this way officials who planned the relocations were part of a long line of administrators and others whose policies were designed to assimilate Aboriginal people for their own good. However, the assumptions behind these policies and practices led to numerous abuses of power.

In the next section we look at several relocations in which Aboriginal people were moved primarily because administrators sought to improve their lives in some way. This was often articulated as moving people for their own protection, as in the case of real or apprehended hunger or starvation. The

assumptions, attitudes and practices behind these kinds of relocations were similar to those just examined.

2.2 To Improve the Lives of Aboriginal People

Encouraging self-sufficiency: dispersing the Baffin Island Inuit

Before the Second World War, northern administrators tried to ensure the Inuit remained on the land as self-sufficient hunters. In the 1920s, for example,

The concern that Inuit policy not follow the same path as Indian policy, and that a reserve and dependency regime not be established, would influence Inuit affairs for more than three decades. The consequences would ultimately be disastrous, for not only was government prepared to ensure that Inuit policy not develop in the same way as Indian policy, it was also unwilling, for decades, to accept any active responsibility for Inuit welfare.¹³⁴

Although the Supreme Court ruled in 1939 that the federal government had constitutional responsibility for Inuit, the federal government remained unwilling to accept active responsibility for Inuit welfare. By the end of the Second World War, however, "the government was torn between those who continued to advocate minimalist or residual approaches to dealing with welfare concerns and others who actively sought to intervene in the growing social and economic problems faced by Inuit."¹³⁵

During the 1930s, policy toward Inuit remained concerned primarily with promoting 'self-sufficiency'. This was an administrative goal designed to keep Aboriginal people on the land as much as possible and thus off the relief rolls, since cutting costs was an important concern for a cash-strapped federal government during the Great depression. This history is discussed at some length in our report on the High Arctic relocation.¹³⁶

The collapse of fur prices and the need to cut relief expenses led to what has been referred to as the "first official Eskimo relocation project" — the dispersal of Baffin Island Inuit to Devon Island, which took place over a period of 13 years between 1934 and 1947. This was a 'colonization

project', implemented jointly by the Hudson's Bay Company (HBC) and the department of the interior (DI). The official reason for the relocation was to remove families from 'overpopulated' areas, where they were apparently experiencing hardship, to a 'virgin land' potentially rich in game.¹³⁷ The Inuit were told they could return home in two years if the project did not succeed.

Administrative and possibly sovereignty objectives also motivated the move, however: "[I]t was found desirable, in the interests of good administration, to transfer several Eskimo families to more congenial localities."¹³⁸ When the HBC asked to re-open posts at Arctic Bay and on Somerset Island in 1934, the government replied that a permit would be approved if it also agreed to open a post on Devon Island (at Dundas Harbour) and to relocate Inuit there. Thus Devon Island became a commercial resource experiment that provided a possible source of game for a small group of Inuit and furs for the HBC. For the government, sovereignty would be enhanced by 'effective occupation'.

In addition to the placing of the Eskimos in new regions where game is more abundant and work more regular, there is the angle of occupation of the country, now that aerial routes, mineral developments, and other reasons make possible the claims of other countries to part of Canada's Arctic, which now reaches to the North Pole. To forestall any such future claims, the Dominion is occupying the Arctic islands to within nearly 700 miles of the North Pole.¹³⁹

Fifty-three Inuit men, women and children and their possessions, including 109 dogs, sledges, kayaks, and boats, were picked up from the Pangnirtung, Pond Inlet, and Cape Dorset areas.¹⁴⁰ These 'volunteers' were to trap on Devon Island for two years. Game resources on the island were excellent, and the hope was that a permanent settlement would be established.

Owing to bad weather, however, including hurricane-force winds, poor ice conditions, and difficulties adjusting to the High Arctic environment, all Inuit opted to return to their homelands at the end of the two-year period. "The so-called 'experiment' to see whether the Inuit could make a living at this location was a disaster."¹⁴¹

Thus, in 1936, the Pangnirtung families were apparently moved home. The

Cape Dorset and Pond Inlet families, however, were dismayed to discover that they were to be taken to Arctic Bay, where a trading post was to be re-opened. It had been decided they "would be better off" there. "This reason was used as a legitimizing motive for most relocations."¹⁴²

Just a year later, they were relocated again, this time to Fort Ross, a settlement that was closed after 10 years because of unpredictable ice conditions which led to chronic supply problems. Here they subsisted almost entirely on tea, hardtack, flour, and other food that could be obtained from the store through trading furs. During this period, the Cape Dorset group expressed "an ardent desire" to be returned home. However, this desire was ignored. As we said in our report on the High Arctic relocation,

The influence of local traders on the Inuit is evident from a 1943 report from Fort Ross. Hudson's Bay Company records state that in the spring of 1943, all of the 1934 relocatees had the "crazy idea" of going home to Cape Dorset. The post manager talked them out of this.¹⁴³

The people were moved again in 1947, this time to Spence Bay where they and/or their descendants remain today. As we saw with the High Arctic relocation, the idea that they could return home if they didn't like the new location was key in getting the Inuit to agree to go in the first place. The failure of the government to keep its promises is a stark example of the arbitrary use of authority. Memories of the government's failure to keep its promises in 1934 later led the head of the RCMP in the region to promise those going to Resolute Bay and Grise Fiord that they could return if they were not happy.¹⁴⁴

Richard Diubaldo paints a bleak picture of a trek that lasted more than a decade.

Some of the original migrants were returned home after each port was closed; a number remained to eke out an existence in new, unfamiliar surroundings, attempting to live precariously, as their forefathers had.¹⁴⁵

In his research study for the Commission, Alan Marcus says,

The analogy of human pawns being moved on an Arctic chessboard is perhaps never more strikingly illustrated than in the instance of Devon

Island, of relocation of a small group of Inuit to four new sites in succession, as it suited the experimental economic interests of the [Hudson's Bay] Company, and set against the background geopolitical interests of the State.¹⁴⁶

For his part, Jenness said there should have been other considerations, namely,

there were the desires and the aspirations of the Eskimos themselves to be considered, a factor that both the government and the Hudson's Bay Company largely neglected when they shuttled the south Baffin Islanders from one Arctic trapping ground to another.¹⁴⁷

Removal and resettlement in the Arctic

The Devon Island relocations can be seen as the beginning of a long process of removal and resettlement in the Arctic. Historian Peter Clancy has called relocation "the last of the major pre-liberal policy thrusts", through which a distinctly "paternalistic inclination" can be seen.¹⁴⁸

The Second World War, followed by the Cold War, precipitated major changes in the government's northern policies. The 1950s ushered in an era "in which the national government identified the northern territories as an object of policy meriting systematic attention."¹⁴⁹

By this point, the government had become "committed not to the preservation but to the transformation" of Aboriginal society in the North.¹⁵⁰ In these years administrators became increasingly concerned with the northern 'problem'; in fact, they came to see the North as being in a state of crisis. Every year there were reports of Inuit starvation as the number of caribou across the North declined or migration patterns changed. Inuit were ravaged by epidemics and illnesses, especially tuberculosis, which were linked to undernourishment. The federal government mounted emergency airlifts and more frequent patrols, and provided more local medical care. But these were short-term responses; with the cost of relief rising every year, a more comprehensive solution was needed.

By the mid-1950s, the government had begun to define a long-term program

of socio-economic development. The traditional hunting economy was seen as doomed. The only solution was to develop the North industrially (primarily through mining and petroleum exploration) and help the Aboriginal people of the region acquire the skills to participate in the wage economy.¹⁵¹ As planning began for the High Arctic relocation, there was considerable debate within the department over the possible solutions to the "Eskimo problem".

In a long memorandum headed "The Future of the Canadian Eskimo", a federal administrator captured the view of many. Written in 1952, the year before the High Arctic relocation, the memorandum illustrates the prevailing administrative mindset at that time:

Apparently some more intensive thought is to be given to the Eskimo. As citizens of an enlightened and moderately prosperous Canada they deserve greater attention. Their culture, being unique and interesting, deserves our sympathetic understanding. Their civilization, because it is without hope of advancement, should be ruthlessly discouraged.¹⁵²

The anonymous official goes on to ask what can be done about the problem of finding meaningful work for Inuit when few technicians or artisans are needed in the North. The solution, for the author, was to move the people south.

Migration towards the south will not produce a new civilization overnight. It is but a physical step but it could make possible the exposure, on a favourable terrain, of the Eskimo to the cultural benefits we can offer. The 8,500 Eskimo in one, two or three main settlements can be served education and medical attention. The 8,500 Eskimo strung out along 10,000 miles of Arctic bays cannot be served by all the resources the Government of Canada might choose to pour into this insatiable sieve.

The writer supposed that in "two or three generations under favourable conditions" Inuit would produce thousands of skilled workers for the southern economy. "There could be 1,000 Eskimo women at least making sausage casings in our packing plants alongside the new Canadians who do this job now. In this sort of a program there is a future." How the move should be carried out, the official does not say. However, he does identify one potential impediment:

Indubitably a radical shift of the Eskimo would meet resistance. *It would be a ruthless infringement of his right to self-determination.* It would appear that this right is not to be taken lightly... [emphasis added]

The official goes on to compare the selfishness of this kind of self-determination with the desire of other Canadians to exercise their self-determination by not paying taxes or by being able to cross the street wherever they wish. "All must compromise for the common good. The Eskimo can not be excepted at the expense of priceless professional assistance and resources which can be used more efficiently and more hopefully under reasonable conditions."

This idea combines several of the elements already discussed. It assumes that the Inuit way of life is both quaint and doomed. It seeks to improve the lot of Inuit and give them useful skills. And at the same time, it offers a way of reducing the cost of services in the North. In conclusion the writer states that "a mass migration is not visualized"; instead, it would be better to create smaller settlements as an experiment.

Dated 15 May 1952, this document was in the files of a former deputy minister of the department of resources and development, which had responsibility for northern administration at the time. These suggestions did not become official government policy, but officials seriously considered variations on the theme. Indeed, the large number of Inuit recuperating from tuberculosis and other diseases led to discussions about creating Inuit communities near Edmonton and Winnipeg.

By 1953, a classification system had been developed to guide policy makers. The system, which envisioned three types of situations, led to the conclusion that in some cases the only option for Inuit was relocation:

1. In areas where the natural resources would support the inhabitants, it was decided that their basic way of life was to be maintained.
2. In areas where permanent White settlements existed, the Inuit would be educated to adapt to this new situation.
3. In areas which could not continue to support the present population,

attempts would be made to move the Inuit to areas with greater natural resources.¹⁵³

These three scenarios treated relocation not as an end in itself, but as an element of economic development policy.¹⁵⁴

Other Inuit relocations

Nueltin Lake (1949)

Dispersal — removing Aboriginal populations from the corrupting influence of non-Aboriginal communities — was designed to keep Inuit from relying on 'handouts'. When the Ahiarmiut of the central Keewatin were thought to be becoming too dependent on the largesse of personnel at a military radio station that had opened at Ennadai Lake in 1949, they were moved. Officials were worried about "subtle degeneration" and felt the solution was to move the Inuit to Nueltin Lake, 100 kilometres to the south-east. The relocatees were to work in a commercial fishery being set up in the new location. The Inuit didn't like the work and also found hunting poor in the region, so they drifted back to Ennadai Lake.

A department report later revealed that consensual arrangements for the relocation were compromised by the fact that officials overlooked the need for an interpreter to explain to the Inuit why they were being moved and the nature of the work the company expected them to do.

...The department developed a plan and the Inuit acquiesced, not because they understood or agreed with the need for or aims of the experiment, but because they were doing what the Whites wanted them to do.¹⁵⁵

Henik Lake (1957-58)

The Ahiarmiut who were relocated to Nueltin Lake but had returned to Ennadai Lake were moved again, this time to Henik Lake. Two reasons were given: the caribou hunt had failed because the animals did not follow their customary migration paths; and there was "inadequate supervision of the hunting and trading operations of these natives" because they were too far from trading posts and administrative offices.¹⁵⁶ In May 1957, 59 Inuit

and six dogs were flown to Henik Lake. The relocation was announced in a government press release that called Inuit "Canada's most primitive citizens" and referred to them as "settlers". The press release also called the relocatees "volunteers" and linked the move to the High Arctic relocation, which continued to be portrayed as a success.¹⁵⁷

An official of the day reported that the Inuit were willing to move to Henik Lake, but there is some doubt about this.¹⁵⁸ In any event, a month after the move there were signs that all was not well at the new location. Three Inuit were arrested for breaking into a nearby mining camp, where they had been looking for food. Two were convicted and jailed for two months; the third was sentenced to time served and sent to Churchill for medical treatment. This removed from the community three of its hunters and placed a greater burden on the others to provide for the group.

In November 1957, another break-in was reported at the camp. The department blamed the Inuit for failing to adjust to their new circumstances, and a recommendation was made that the Ahiarmiut be relocated to Tavani, 145 kilometres up the coast from Eskimo Point, where there were "few vacant buildings thereby removing the temptation to commit theft".¹⁵⁹ RCMP officials also felt Tavani would permit closer supervision of the Inuit.

That winter, the main caribou herd in the region failed to appear. As conditions worsened for the Inuit, government officials debated why the relocation wasn't working. One wrote to his deputy minister that

the recent move seems to have been from one depressed area to another. It was, however, from an area they [the Inuit] liked to one of which they had unhappy memories, and one which they themselves believed to be less rich. It had therefore little or no chance to succeed.¹⁶⁰

Another official defended the economic development approach:

Our entire policy of Arctic development must rest upon sound economic foundations. I think that it would be folly to encourage people to move to an area where we know there is not a solid economic basis for their future lives... We are not yet in a position to make any recommendations but unless you direct otherwise, we shall confine the possibilities to areas where we think that the people have a reasonable chance of making a future for

themselves on the basis of adequate resources or other forms of income.¹⁶¹

On 12 February 1958, RCMP at Eskimo Point were informed that two Ahiammiut had been murdered and six Inuit had died of malnutrition or exposure. The surviving Inuit were evacuated by RCMP plane to Eskimo Point between 14 and 16 February. While the relocation was a disaster, the Ahiammiut were not the only Inuit to die that winter. Nineteen people starved to death at Garry Lake and six more died at Chantrey Lake, events that resulted in quick action by the government to evacuate other Inuit in the region to settlements.

The Ennadai Lake fiasco would sound the death knell of hasty relocation, no matter how well-meaning. After 1958, it was decided that Inuit would not be relocated in areas of poor transportation and communication; that Inuit relocation would be *within*, rather than *across*, natural Arctic areas...¹⁶²

Rankin Inlet and Whale Cove

Following the Garry Lake famine, Inuit from the Keewatin interior were relocated to Rankin Inlet and Whale Cove. Inuit survivors were flown to Rankin Inlet to live in the "Keewatin Re-establishment Project" (Itivia). Other groups of extended families were also persuaded to relocate. However, many Inuit had difficulty adjusting to what was primarily a Euro-Canadian way of life, and some insisted on returning home. In 1959 a few of these families were persuaded to relocate again from Itivia to Whale Cove, where they were encouraged to live from hunting, fishing and whaling.

Banks Island

Another relocation carried out in the early 1950s had some of the hallmarks of the Devon Island move a generation earlier. For many years, Inuit from the western Arctic travelled to hunt on Banks Island in September and returned home the following summer. High prices for commodities and low fur prices forced the trappers to remain on the mainland in 1948.¹⁶³ In 1951-52, the department advanced credit to 15 families of hunters to encourage them to establish a permanent community on the island.¹⁶⁴

The government had several motives: there was concern about the decline of Mackenzie delta resources now that those who formerly hunted on Banks

were staying on the mainland; and the Arctic islands had become strategic in the Cold War defence thinking of the day. "In order to assert Canadian sovereignty the resettlement of Banks Island on a more permanent basis was desired."¹⁶⁵ Thus the relocation achieved the dual purpose of colonizing an unoccupied island and improving "the participants' standard of living by eliminating their dependence on relief and encouraging them to be self-supporting."¹⁶⁶

Baffin Island Centralization

Throughout the 1950s and '60s, Baffin Island Inuit were relocated from numerous seasonal camps to 13 permanent hamlets. The official rationale for these moves was the government's concern about the perceived inability of Inuit to sustain themselves on the land. Hence, the government wished to extend and centralize its services to Inuit.

Some [groups] were surviving only marginally; some were in apparent crisis. This perception is shared in part by those Inuit who remember the 1950s and early 1960s. Others deny that the situation was critical but moved in order to receive government benefits; a very small number of families refused to resettle.¹⁶⁷

Once again, a declining caribou population was part of the motivation for relocation. As well, many hunters lost their dogs to an outbreak of encephalitis, leaving them without a means of transportation, and this had a major impact on hunting.

That time they didn't have any dogs, no skidoos, all the dogs died from some kind of disease. I wondered why there were so many men sad, staying in the tents all the time. I remembered them being out all the time, before. My mother told me that they had lost their only means of hunting. No dogs.¹⁶⁸

Hunger, starvation, the need for improved health care, and provision of other services, such as education and housing, were cited by government as reasons for settling the Baffin Island Inuit. Billson also suggests that sovereignty was a motive.

If the claim of Arctic sovereignty was *not* the hidden purpose behind

resettlement, then why, some Inuit ask, did the government not choose to fly in healthy dogs from uninfected areas? Others claim some dogs were brought in, but not enough to make a difference.

One person Billson interviewed said,

I remember the government bringing people into this community. It didn't bother me at that time, but now I think they didn't have to do that. They did fly in some dogs from other communities in the high Arctic or Igloodik and Pond Inlet. But they *still* brought the people into the communities after that.¹⁶⁹

Following resettlement, the Baffin Island Inuit faced a host of problems that are by now familiar: dramatic changes in their way of life, family and community structure; the loss of economic livelihood and the swift establishment of welfare dependency; increased family violence and other social problems. Billson's conclusion can be applied to other relocations carried out to 'benefit' Aboriginal people:

...even humanitarian zeal must be tempered with respect for indigenous values and beliefs; and most importantly, change must be brought about with the full participation of those who will most immediately be affected by it.¹⁷⁰

Relocating Inuit to the south

Earlier we referred to discussions within government concerning the merits of moving Inuit to the south. This idea gained currency in part because of concern that the large number of Inuit in southern hospitals would be unable to readjust to conditions in the North once they recovered from illness. In the eyes of northern administrators, the severe health problems experienced by many Inuit in the 1950s only exacerbated the problems the people faced. With the collapse of the price of fur, new economic opportunities had to be created. But the Inuit — nomadic northern hunters — had few marketable skills. A recent study on Inuit relocation observes that alternative employment possibilities, and access to medical and educational facilities were predicated on another social objective: integrating or assimilating Inuit with the dominant Canadian culture. For some, assimilation was the key to solving the welfare and medical problems. For others, the medical and

welfare problems provided an opportunity to achieve assimilation.¹⁷¹

Here again, we see prevailing attitudes influence the formation of policy with respect to Inuit. As in the case of policy for First Nations people, assimilation of Inuit into Euro-Canadian society had become a predominant policy theme by the 1950s. The Inuit way of life was perceived as being on the road to extinction. Assimilation — through a settled life with all the benefits offered by the burgeoning welfare state, not the least of which was wage labour — was in the Inuit's best interests.

At a May 1956 meeting of the Eskimo Affairs Committee, a body set up in 1952 to guide policy across the government, there was a lengthy discussion concerning relocating Inuit to the south. Options discussed ranged from establishing small numbers of Inuit already in the south, to bringing out small numbers from the North to southern communities, to moving large numbers. When the point was raised that the Inuit already in the south wanted to go home, one participant replied that changing their minds was merely a matter of education.¹⁷²

A subcommittee was set up to look at southern relocation on an experimental basis. A year later it reported that such resettlement was both feasible and desirable. The scope of the project had also expanded from a plan to rehabilitate Inuit already in southern sanatoria and hospitals to a large-scale relocation program.¹⁷³

The Arctic was creating a surplus population which available resources could not support and "the fact had to be faced that a traditional relationship with their physical environment had ceased to exist." A strange and confusing paradox existed in the mid 1950s, as the same planners were also supporting and pushing ahead with northern relocation on shaky and questionable assumptions.¹⁷⁴

While the planners acknowledged that the Inuit, as Canadian citizens, had the right to live anywhere they wished, much more thought went into how the Inuit could be persuaded to move to particular locations selected by administrators. The main theme of this discussion, and many other documents on relocation at the time, was that the Inuit could eventually be coaxed out of the North.

A number of locations were suggested for the southern settlements, including Edmonton and Hamilton, but the Dynevor Indian Hospital at Selkirk, Manitoba, was chosen for the experiment. Nothing came of the plan, however, and it was shelved.

What is important about the plan is that, with hindsight, it is indicative of the lengths to which those well-meaning civil servants, responsible for the handling of Inuit affairs, would go in their attempts to find solutions to the "Eskimo problem." Whether such a plan would have worked is a moot point, given the Inuit tie to the land, but it was only one in a series of attempts to "do something."¹⁷⁵

Tester and Kulchyski cite another possible reason for the plan's failure: officials knew the Inuit would not have gone along with it. Many Inuit in southern hospitals were unhappy and wanted to return home:

The few copies of their letters that remain in archival files testify eloquently to this. One letter reads: "I have come to the whiteman's land because I thought it would be nice here, but sometimes I am very unhappy here...when one doesn't belong to this land it is not very pleasant." Another Inuk writes: "I am worrying about my home. I want to go home so badly that I don't care, don't give a hoot, if I'm not quite cured so please speak to the doctor...I want to stay here no longer; I am really fed up...While I am here it is awful in this lousy white-man's land." This attitude can be understood as one form of implicit resistance and opposition to government policy, a resistance to what might have become a strategically valuable tool in the government's arsenal of assimilationist policies: southern "integration centres."¹⁷⁶

At the same time as officials were planning to move the Inuit south, there was considerable discussion about expanding relocations into the High Arctic. Since the relocations to Grise Fiord and Resolute Bay were seen to be "resounding successes",¹⁷⁷ plans were made to emulate the moves on a scale comparable to that being contemplated for moves to the south.

A committee was set up, and it was decided not to take the kind of risk involved in the first High Arctic relocations, when people were moved even though officials had no studies to determine the availability and numbers of game. Instead, as noted earlier, future relocations would take place within

regions.

In 1958, after discussing some of the problems associated with relocation, the committee made three recommendations that would apply to all Inuit relocations across the Arctic:

1. no Eskimos be relocated in areas of poor transportation and communication;
2. Eskimo relocation would generally be within rather than across natural Arctic areas such as northwest Quebec, Keewatin, and western Arctic; and
3. that the priority for resource studies be Keewatin, East Coast of Hudson Bay, Tuktoyaktuk-Coppermine, and North Baffin Island.¹⁷⁸

A systematic survey of these areas was not undertaken, but the idea of relocation to the High Arctic continued to live on in the department.

By 1960, the economic benefits of relocation were being linked to the issue of Canadian sovereignty over oil and gas reserves in the Arctic. In November of that year, a senior administrator wrote a long memorandum analyzing the High Arctic relocations and providing policy advice on further such moves.

My understanding is that you would prefer that any new colonies be established in the vicinity of existing weather stations such as Mould Bay, Isachsen and Eureka [situated at 80° north on Ellesmere Island]. I am in general agreement with this principle. However, I think that many Eskimos will want to make a livelihood from the country for some time to come, provided of course the resources are available. Therefore, I do not think we should eliminate entirely in any study the setting up of communities away from established stations. What would be a more progressive step, during this transition period, is to take advantage of modern technology and improved communications...¹⁷⁹

In the end, however, no new communities were created around the weather stations.

Conclusion

The fact that no additional systematic relocations resulted from all this discussion is significant, but so is the fact that the discussions were held in the first place. As we saw in the case of the relocation of Inuit from northern Quebec and Baffin Island to the High Arctic in 1953 and 1955, government officials considered the movement of Inuit to be for their own good and well within the officials' administrative mandate. The idea that government administrators could help better the lot of Inuit was influenced largely by individual and institutional attitudes toward Aboriginal people. By the 1970s, however, attitudes were beginning to change, influenced no doubt by the increasing politicization of Inuit, which came about in part because of the many problems attending Inuit resettlements in preceding decades. Additionally, several studies commissioned in the late 1960s and early '70s concluded that relocation to sites where Inuit could get employment had not worked.¹⁸⁰

3. Development Relocation

Turning to the second category of relocation, associated with the concept of 'development', we should recognize that, in one way or another, non-Aboriginal people have been 'developing' North America since their ancestors first arrived on these shores. All too often Aboriginal people were seen to be in the way of these developments and were either physically removed or forced to migrate. Whereas the rationale for administrative relocation was often the interests of Aboriginal people or government administrators, development relocation is carried out 'in the public interest'. And because the public interest prevails, Aboriginal people are relegated to secondary status. Material benefits to the larger society, through the expansion of agriculture, urban development, mineral exploitation and hydroelectric power generation, required the sacrifice of the interests and rights of Aboriginal people.

In the last century the expanding colonial (later Canadian) frontier was linked to agricultural settlement. 'Unused' or 'waste' land was put under the plough. Aboriginal people were forced to move, to reserves or wherever else they might be able to make a living. After 1900, Aboriginal lands outside the agricultural belt came to be seen as storehouses of potential wealth. All across the mid-north of Canada, rivers were dammed and diverted, artificial lakes created and ancestral lands flooded. In the name of

development and the public interest, Aboriginal communities were relocated and dispossessed. Here we examine a number of these moves.

Our selection of cases is meant to give an understanding of the historical roots of this form of relocation, as well as its effects. For that reason we begin with a short discussion of the Saugeen Ojibwa surrenders in the 1830s in Ontario; the relocation of the Songhees from Victoria in 1911; and the relocation of the Métis of Ste. Madeleine, Manitoba, in the late 1930s. These examples help build an understanding of the assumptions and approaches behind these administrative practices and provide the basis for examining two more recent development relocations — the Cheslatta T'en of British Columbia and the Chemawawin Cree of Manitoba.

3.1 The Saugeen and the Bruce Peninsula

Before Confederation, British colonial administrators were negotiating the relocation of communities to make way for agricultural or urban development, with several surprisingly familiar rationales.

The *Royal Proclamation of 1763* recognized that Aboriginal people had control over their lands and stated clearly that any land acquired must be purchased by the Crown if the people "should be inclined to dispose of the said Lands".¹⁸¹ However, a principle expressed by the Legislative Assembly of Canada in the 1840s maintained that any "unsettled" area could not be considered land owned by Aboriginal people and, when it was needed by others (Europeans) for development (in this case farming), "they were lawfully entitled to take possession of it and settle it with Colonies."¹⁸²

As early as the 1830s, Governor General Francis Bond Head expounded the paternalistic notion that Aboriginal people in southern Ontario needed to be protected from the "white man's vices" and would be able to preserve their traditions and way of life only if they were removed to an isolated area away from the influence of European settlers.¹⁸³ Head used this rationale to justify the 1836 surrender of 600,000 hectares of land south of Owen Sound and the relocation of the Newash and Saugeen bands to the Saugeen (later called the Bruce) Peninsula. Head promised the government would build proper houses for the relocated Ojibwa and that the peninsula would be protected from further encroachment of European settlers forever. In fact, however, the next surrender and forced relocation of the Saugeen Ojibwa

was only 20 years later, when the Newash band was forced to give up its village and reserve of 4,000 hectares to make way for the expansion of Owen Sound.

The 1836 surrender treaty was contested by a number of chiefs and Wesleyan missionaries because several head chiefs had not signed it and no compensation was given. Ten years after the surrender, the Saugeens were 400 pounds in debt to traders and were often hungry, because extensive commercial fishing by Europeans had depleted fish stocks off the Saugeen Peninsula. Fish had been the mainstay of their diet before the relocation. After pressure from the chiefs and a powerful (but short-lived) lobby group in Britain, the Aboriginal Protection Society, the colonial government agreed in 1846 to give compensation but not to reverse the surrender.¹⁸⁴

Further surrenders of Saugeen land (Half Mile Strip, 1851, 4,800 acres; Newash Reserve, 1857, 10,000 acres; Colpoy Bay, 1861, 6,000 acres; and others after Confederation) pushed the Ojibwa onto smaller and smaller parcels of land.¹⁸⁵

After each surrender and relocation the Saugeen built new houses and sawmills and cleared land for farms, only to be pushed off again by European settlement, in some cases with Europeans taking over their fields and sawmills. With each surrender, negotiations were more difficult. In 1857, the superintendent of Indian affairs, L. Oliphant, met individually with those in debt, who had a weak claim, or who feared non-Aboriginal encroachment and obtained individual signatures of surrender.¹⁸⁶ Oliphant also promised that "they would all be able to ride in carriages, roll in wealth and fare sumptuously everyday".¹⁸⁷

Finally, the Saugeen Ojibwa were forced onto the Cape Croker reserve. "At Cape Croker, where land was unfit for cultivation, they were not disturbed."¹⁸⁸

3.2 Getting the Songhees Out of the Way (1911)

The site of present-day Victoria, British Columbia, had been an Aboriginal trading location long before the Hudson's Bay Company recognized the

advantages of building a post there in the 1840s. The way the company and its agents treated the Aboriginal people of the region was very much a product of the attitudes of the time.

Since the imperial authorities knew little about the natives of Vancouver Island, Indian policy was largely dictated by the Hudson's Bay Company in general and by the laissez-faire policy of Chief Factor James Douglas in particular. Furthermore, by 1849, British administrators had developed a policy which recognized aboriginal possession and therefore the extinguishment of Indian title had to precede actual settlement. The Vancouver Island treaties exemplified this policy.¹⁸⁹

James Douglas, who would become the company's chief factor in British Columbia and later the colonial governor, began constructing a trading post at Victoria in 1843, on land that belonged to the Songhees, a Coast Salish people. Just what the Songhees thought at the time is the subject of speculation. However, one account states they were "pleased to learn that Douglas proposed to erect a trading post among them and lent him all possible aid." Douglas lent the local people axes to help construct the fort, on the understanding that they would be returned when the work was finished.¹⁹⁰ By this time the coastal peoples were well acquainted with European trade goods, the ships that brought them, and the odd customs of the people who sailed them.

In 1849 Douglas was appointed chief factor and given responsibility for opening up the island to settlement "in accordance with the terms of the Crown's Grant of Vancouver Island to the Company."¹⁹¹ Between 1850 and 1854, Douglas negotiated 14 treaties with Aboriginal peoples. A treaty with the Songhees was signed on 30 April 1850. In return for surrendering title to a large tract of land, "our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us...". The Songhees also remained "at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly." They received 75 pounds sterling in payment.¹⁹²

As settlement increased, the balance of power shifted away from the Aboriginal peoples of the region:

This shift came about largely as a result of the imposition of a reserve policy

and the unabashed expression of ethnocentric attitudes. Over the decade economic interdependence declined and anti-Indian sentiment increased.¹⁹³

After the treaties were signed, Douglas's policy was to protect Aboriginal land from encroachment. When settlers tried to buy a portion of the reserve, he put a notice in a local newspaper advising that the reserve was Crown land and the occupants could not dispose of it.¹⁹⁴ There was also pressure to remove the Songhees from what had become, by the end of the 1850s, a valuable piece of real estate.

In February 1859, the residence of the Indians on this reserve having become obnoxious to the inhabitants of Victoria, by that time grown into a town of considerable importance, and the land included in the reserve having greatly increased in value, and being much desired for building sites, and especially as affording extended frontage on the harbour, the Legislative Council of Vancouver Island presented an Address to Sir James Douglas...enquiring whether the Government had power to remove the Indians from this reserve, and suggesting that if this could be done, the land so held under reservation should be sold and the proceeds devoted to the improvement of the town and harbour of Victoria.¹⁹⁵

Douglas replied that such a removal was unjustified. As well, agreements had been signed to lease some of the reserve land. Revenues were to go to the benefit of the Songhees. This arrangement lasted until Douglas retired as governor in 1864 and the leases were cancelled. The cancellation led to a long series of negotiations to remove the Songhees. A decade later, a government official reported that it was very difficult to find suitable replacement land.¹⁹⁶

In 1910 agreement was finally reached between the governments of Canada and British Columbia to relocate the Songhees and their reserve to land near Esquimalt, away from the harbour. Legislation confirming the agreement was passed in Parliament the following year. Under the act, the British Columbia government agreed to pay each family head \$10,000 and to determine the value of schools, houses, the church and other amenities and divide that amount equally among the heads of households. It also agreed to move the people, as well as "the dead and their monuments", which were to be reburied on the new reserve.¹⁹⁷

Immediately after the bill passed third reading, debate began on amendments to the *Indian Act* designed to ease the transfer of reserves and removal of Aboriginal populations. In the words of interior minister Frank Oliver,

Several provisions are considered desirable owing to the changed conditions resultant from pressure of population. The Indian reserves throughout the country have been selected, one may say, with very good judgment; the reserves are probably the choice locations in the Dominion of Canada from one end to the other. Consequently, with the increase of population and increase of value of land, there necessarily comes some clash of interest between the Indian and the white man.

After pointing out that the purpose of the *Indian Act* and the Indian department was to protect Aboriginal people, the minister continued, somewhat tortuously,

it is not right that the requirements of the expansion of white settlement should be ignored...that the right of the Indian should be allowed to become a wrong to the white man. Certain provisions of this Bill are made with a view, as far as possible, to protect the rights of the Indians and still protect the public interest, which, as the House is well aware, sometimes clashes to a certain degree with the rights of the Indian as set out in the Indian Act.

Conservative opposition leader Robert Borden asked Oliver whether the amendments conflicted with "any contract" between Indians and the Crown or "any treaty rights secured to the Indians during the period since this country was first settled." He was told:

[I]t has been an established principle that, in the case of a railway, as the public interest is supposed to demand its construction, private rights must give way to the public interest. And it has been held — and is a matter of law and administration that the Indian right stands in the same position as a private right of other parties and must give way to the public interest...¹⁹⁸

The minister linked the amendments to the Songhees relocation which was, he said, "a very exceptional case, and under exceptional conditions." What was needed was a statutory provision having the sanction of parliament, that would adequately protect the material interests of the Indians, and at

the same time would protect the interests and the welfare of the white community residing adjacent to an Indian reserve....It does not seem that the condition existing in regard to the Songhees reserve should be repeated. We wish to prevent it...¹⁹⁹

Rather than each specific Indian surrender having to be debated in Parliament, the Liberal amendments created a general law to cover all future cases. Authority was transferred from Parliament to the superintendent general of Indian affairs to bring cases before the Court of the Exchequer, where "a decision may be given as to whether the Indians should be transferred from that reserve to some other locality."²⁰⁰

The main opposition came from Borden, who would be prime minister a few months later and whose government would inherit responsibility for Indian affairs. He said the amendments were

a very extreme step and one altogether out of the path of tradition so far as the Canadian government is concerned. For the past two hundred years, it is our boast that the British government has scrupulously observed its contracts and treaties with the Indians, and the Indian has learned to know that he can look forward at all times with confidence to the sacred fulfilment of any treaty he makes with the British Crown. It may be that the necessities arising out of the growth of this country, especially in the west should justify parliament in taking the extreme step now proposed, but I do not believe that this parliament or this government has any warrant to go about it in the wholesale way proposed by this Bill. The breaking of treaties with the Indians of this country — because you cannot put it lower than that — is a thing that should not be entered on with precipitation.... On the contrary your purpose is to create a procedure and a practice by which every one of these treaties can, without the future sanction of parliament, be departed from without any effective means being afforded the Indians to oppose the carrying out of any particular project in any particular instance...²⁰¹

Individual cases should continue to be brought before Parliament, Borden argued. Another member feared the government was asking for powers that were "altogether too arbitrary." G.H. Bradbury of Selkirk, Manitoba, was also concerned that the amendments departed from the principles of the *Indian Act*, which required surrenders to have the consent of a majority of the male members of a band.²⁰² Others said they were sure that the superintendent

general would look out for the Indians.

The amendments were intended initially to apply to non-Aboriginal communities with populations of 10,000 or more. However, some members complained that the number was arbitrary and that communities of fewer people occasionally had a greater need for adjacent Aboriginal land. Oliver quickly agreed to lower the threshold to 8,000.

This debate is instructive because it demonstrates the conflict between the principles enshrined in treaties and the demands of an increasing non-Aboriginal population. The Songhees may have had treaty entitlement to their land, but the fact that they were merely occupying it, as opposed to 'improving' it and thus increasing its value — or worse, occupying property whose value was increasing despite their presence — gave the government the arguments it needed to bring in rules that enhanced its 'flexibility' in dealing with Aboriginal people.

An interesting footnote to this debate came when, just before the amendment was passed, the minister of the interior was asked which cities the government planned to apply the amendments to. He replied, "the city we have in mind is Vancouver....There is a reserve in Vancouver that only differs in degree from the case of the Songhees reserve in Victoria."

When asked whether there had been requests from other cities similar to that of Victoria, Oliver said, "I do not think there is any other case that is nearly so extreme as in these two cities".²⁰³

Thus the superintendent general was given the power to remove Aboriginal people from their land and their homes in the interests of non-Aboriginal society. Most of the members of Parliament who debated the bill agreed with its objective, although some had concerns about details in the amendments. Such powers were used repeatedly to facilitate development relocation.

3.3 The Métis of Ste. Madeleine and the *Prairie Farm Rehabilitation Act (1935)*

'Necessity' also led to the relocation of the Métis community of Ste.

Madeleine in the late 1930s. The Métis people lost their land because it was designated under the *Prairie Farm Rehabilitation Act* (PFRA), passed by Parliament in 1935 to try to solve the problem of drought and serious soil erosion across the prairies. The act was not aimed at any one group; rather, it was part of a large-scale agricultural scheme. However, the combination of the legislation and the situation of the Métis people of Ste. Madeleine resulted in their relocation and dispossession at the same time as other non-Aboriginal prairie farmers were given new land.

Ste. Madeleine was settled at the turn of the century by Métis homesteaders who had left the Red River Settlement in 1870 or returned to Manitoba following the conflict of 1885. Between 1915 and 1935 the community grew to about 250 people. Many of the residents worked as itinerant labourers on neighbouring farms.

Ken and Victoria Zeilig interviewed a number of elders from the community. They write that the Métis people retained a strong bond with Ste. Madeleine, a bond still present nearly half a century after relocation.

Although it was never articulated, the implied bond was homeland. This was where the Metis people could be themselves, away from the backbreaking labour on white farms, menial jobs on the fringes of town society, and ever-present discrimination. As one old-time resident in nearby St. Lazare [said], "They were good servants!" In Ste. Madeleine, though, the people were masters of their own fate; they were subservient to no one; they served themselves.²⁰⁴

The legislation that resulted in the Métis of Ste. Madeleine being relocated was not designed for that purpose. The PFRA was intended to be a solution to what agriculturalists saw as a chronic problem: too many prairie farms were working too much marginal soil. The result, especially during the 1930s drought, was accelerated erosion and soil loss. The solution was to seed this land as pasture in order to retain moisture in the soil. A land survey was carried out, and Ste. Madeleine was designated as an area to be converted from marginal farmland to pasture land.

When new pastures were created, official policy was "to resettle farmers on lands that are located close to existing or proposed pastures, permitting them to take advantage of these grazing facilities." People were not moved

if at all possible.²⁰⁵

Under the act, people were entitled to full compensation provided their tax payments on their land were up to date — a problem for many Métis people who eked out a living working for other farmers. Better land would be offered in exchange, and families would be given assistance to relocate. If they had not paid taxes, under the law, the Métis people were squatters on their land, and were forced to move without compensation. Their houses were burned, their church was dismantled, and by 1938, the once vital community of Ste. Madeleine had virtually vanished.²⁰⁶

Many of the Métis people interviewed about the move say they were told about the relocation by local municipal officials, not representatives of the federal government. Many cannot remember whether federal officials even came to talk to them. Lena Fleury said the people were given little explanation other than that the land "was going to become a pasture. They [are] going to put cattle in there."²⁰⁷

Since little has been written about this relocation, we think it important to describe its effects, especially in the words of the Métis people who were relocated. Lazare Fouillard remembers that in the 1930s the Métis people were hungry, even starving. His father was on relief. However, his memories of the relocation were bitter:

They burned their houses. But then, you know why they burned the houses. That was the dirtiest part of the '30s when they did that. Everybody wanted jobs. They wanted the PFRA to bring jobs in....The people around here. They wanted jobs.²⁰⁸

Fouillard says the Métis people were considered second-class citizens at the time, and there was a feeling that they could be pushed around. "Oh, I think there was that element that they said, 'Let's get them bloody Breeds out of there and have some work. Let's give them a few bucks and chase them out of there'. "²⁰⁹

Once the Métis of Ste. Madeleine were evicted, few had a place to go. Louis Pelletier says he went back to the community and found ashes where his house once stood.

Every house was down after everybody moved out. Of course, there was nothing in them. Houses were no good, I guess. They might as well be burned. But we were supposed to get the same kind of house we left behind....All I got was \$25. Some got \$100; some got maybe \$200 or \$300. I don't know. Some probably got quite a bit.²¹⁰

While the PFRA did not single out Métis lands, the fact that the Métis people were considered squatters, combined with the desperate conditions everywhere on the prairies in the 1930s, appears to have ensured that, once removed from their land, they were given little thought. The community drifted apart, and people resettled where they could. Ste. Madeleine continued to have a hold on them, however.

The Oujé-Bougoumou Cree of Quebec

The Oujé-Bougoumou Cree of Quebec have been moved seven times since 1927. The latest move, after much lobbying and struggle, is into a new community 750 kilometres north of Montreal — a community the Cree designed themselves.

The first relocation occurred in 1927, when a mining company began drilling and destroyed some homes in the process. "In 1936, a federal Indian agent falsely declared the Chibougamau people to be 'strays' of the Mistissini Crees, 100 kilometres to the north." Indian affairs merged the two groups "on paper, in order to open up the region to exploration". In 1950 blasting near the present town of Chibougamau "drove the Cree to neighbouring Hamel Island." That winter, work crews drilled from the lake ice and cut trees on the island to extract sand for roads. "That spring the rest of the island washed away, and the Crees resettled at Swampy Point — the worst camping spot in the entire area, but the only one not yet staked by a mining company."

In 1962 the Cree moved to a peninsula at Lac Doré, 15 kilometres from Chibougamau. Despite promises of reserve status, when a mining company said it needed sand from Lac Doré in 1970, "Indian Affairs officials revived the fiction that the group belonged at Mistissini. They ordered people to move and had the village bulldozed."

Between 1974 and 1989, the people dispersed and lived in a number of different camps and communities. In 1989, the Cree finally moved

into the new community of Oujé-Bougoumou on Lac Opemisca, which was recently declared by the United Nations as one of 50 model villages in the world.

Source: John Goddard, "In From the Cold", *Canadian Geographic* 114/4 (July/August 1994), pp. 38-47. See also Volume 2, Chapter 4, Lands and Resources.

The relocation of the Métis people of Ste. Madeleine fits the pattern of development relocation in two fundamental ways: Aboriginal land was needed for another purpose (pasture in this case), and the people on it were in the way. Little thought was given to the implications of the move for the community or its long-term effects. In this respect there is an element of arbitrariness in the actions that displaced the Métis residents of Ste. Madeleine.

3.4 The Cheslatta T'en and the Kemano Hydro Project

Dam construction is one of the most common reasons for population transfer. The Three Gorges dam complex on the Yangtze River in China, the Sardar Sarovar dam on India's Narmada River, and projects in Brazil are examples that affect indigenous societies in the name of the public good. In Canada, dam construction has been a key to development strategies implemented throughout the mid-north since the Second World War. Some, such as the Churchill Falls project in Labrador and the Talston River Hydroelectric System in the Northwest Territories, flooded Aboriginal lands and radically altered or destroyed the people's economy in the affected area.

The Cheslatta T'en are Carrier people from north-central British Columbia whose way of life was altered drastically by flood waters from Alcan's Kemano hydroelectric project, built on the Fraser River watershed in the early 1950s. The dam was designed to supply power for the company's aluminum smelter at Kitimat.

For centuries the Cheslatta T'en hunted, fished and trapped in the Nechako River area at the headwaters of the Fraser River. Long before contact with Europeans, they fished for trout, char, kokanee and whitefish in the freshwater lakes and traded with neighbouring villages for sockeye and

chinook salmon. In later years many Cheslatta people had large vegetable gardens and herds of cattle and horses for which they grew fields of timothy and clover. Some worked for local sawmills or ranchers and ran traplines to earn cash to buy supplies they could not produce themselves.

The community members who testified to the Commission have told their story many times before. Elders told us that before their relocation, Cheslatta people were self-sufficient and had little need for or contact with the department of Indian affairs. Chief Marvin Charlie told us:

They never needed any government handout or any...of those things. They were well self-sufficient until 1952....Most of the people there made their living on traplines, hunting, fishing and things like that. We never had any government chief or government councillors...

Chief Marvin Charlie Cheslatta
Carrier Nation
Vancouver, British Columbia, 15 November 1993

In the years after the Second World War, there was a great demand for aluminum and the enormous amounts of hydroelectric power required to smelt it. Studies on the potential of northern British Columbia were completed by 1949, and the Aluminum Company of Canada (Alcan) was given water rights to the Nechako River and enthusiastic provincial and federal government support to build the largest sloping, rock-filled clay-core dam in the world.²¹¹

Alcan's Kenney dam was built in the Nechako Canyon area in 1952 and, over the next four years, created a 92,000-hectare reservoir out of what had been a series of lakes and rivers. A 16-kilometre tunnel was drilled through Mt. Dubose near the coast to carry diverted water to the new powerhouse at Kemano. Normal water flow was reversed, and the water level of Lake Tahtsa, 250 kilometres away, was raised by 5.5 metres. The budget for this industrial megaproject was \$500 million dollars (\$2 billion in 1992 dollars).²¹²

Approximately 200 Cheslatta people lived in four main villages on 17 reserves around the Cheslatta River and Cheslatta Lake. Although the Cheslatta Lake system was not originally part of the Alcan project, in 1951

the federal department of fisheries demanded that the company provide an additional reserve of cooling waters for the upper Nechako to minimize the risk to salmon in the Nadina and Stuart tributaries. By summer of that year Alcan and the fisheries department had chosen a site for a small dam across the Cheslatta River that would raise the level of Cheslatta Lake. Alcan also had plans for a spillway for excess water further upstream, which was not built until 1953. The Skins spillway would discharge water periodically down the Cheslatta River, through Cheslatta Lake, Murray Lake and Cheslatta Falls, to the Nechako River, causing further flooding and erosion of Cheslatta lands. For Alcan's project timetable it was important to complete the Murray dam over the Cheslatta River before the spring run-off of 1952. The addition of the spillway and dam on the Nechako watershed were to have devastating effects on the lives of the Cheslatta.

The Murray dam across the Cheslatta River was constructed, and it was closed on 8 April 1952, three months before Alcan formally received a water licence to permit this step.²¹³ When the dam was closed, the water began to rise over Cheslatta lands. Negotiations for the surrender of Cheslatta lands to the federal government started on 19 April 1952 and lasted three days. On the fourth day, the Cheslatta began to move out.

The Cheslatta surrendered 2,600 acres, or 1,053 hectares, of land (known as reserves 1, 2, 5, 7, 9, 10, 11, 12, 13 and 16), to be sold to Alcan by the federal government as part of the flooding area. Cheslatta elders claim the first notice they received of their imminent relocation was a helicopter visit from the Indian agent on April 3, when he informed them that their villages were going to be flooded and they would have to move. The agent used this meeting with about 15 band members to 'elect' a chief and council and set the date for surrender meetings two weeks later. In a letter to his superiors in Ottawa, the agent said the election was carried out under the authority of the *Indian Act* and that he had discussed the process with the band members present.²¹⁴

Most of the Cheslatta people gathered at Belgatse (Reserve 5 on the north shore of Cheslatta Lake) for this meeting with officials from the department of Indian affairs, but a number were out on traplines. Although officials had hoped to relocate the people while the ice was still solid, spring thaw made both lakes and major highways impassable during the weeks before and after the surrender.

Department of Indian affairs documents indicate that the Cheslatta people at Belgatse asked for \$108,000 in compensation as well as additional compensation for traplines, a monthly pension, land and buildings to be purchased for the band before they moved, and a road to be built into reserves not surrendered. DIA officials called these demands "fantastic and unreasonable" and presented their own offer based on valuations of the land and improvements (excluding traplines) that had been made by Alcan and DIA without consultation with band members. The offer was substantially less than what was being offered to non-Aboriginal settlers and trappers in the area and "was flatly refused in no uncertain terms."²¹⁵ After several days of heated negotiations, the surrender was concluded.

According to band researcher Mike Robertson, the Cheslatta were never told it was their right to say 'no' to the surrender and were never offered a third-party adviser. Although Alcan officials advised DIA during the negotiations that the water was not rising as fast as expected and an immediate relocation was no longer necessary, DIA decided they wanted to complete the relocation then, because the Cheslatta "would be even harder to deal with" if it was delayed.²¹⁶

The Cheslatta people claim that individual compensation agreements and other surrender documents that came out of this meeting were forged by Indian affairs officials. The surrender promised a total compensation of \$130,000, "provided that this amount is sufficient to re-establish our Band elsewhere to our satisfaction on a comparable basis. The total cost of our moving and re-establishment to be borne by the Aluminum Company of Canada."²¹⁷ A non-Aboriginal resident of Cheslatta Lake at the same time received \$12,802 for 32 acres and a small cabin — five times the amount per acre given to the Cheslatta.²¹⁸

Indian affairs records show the Cheslatta voted unanimously to surrender their lands. However, the Cheslatta claim they did not assent to the surrender, the chief and band council had no authority because they had not been elected by a majority, and signatures on the resolution were forged.²¹⁹

The department issued cheques totalling \$3,500 to cover removal expenses but did not assist physically in the relocation or provide land or housing at

the other end. The relocation began April 22 in the middle of a difficult spring thaw. The local Indian agent wrote to his superiors that it was practically impossible for the Indians on no. 5 and no. 7 reserves to move their belongings to Ootsa or Grassy Plains by team sleigh and wagons under the present conditions.²²⁰

With only two weeks' notice the Cheslatta were forced to leave their homes of many generations. After the officials flew out by helicopter, families with old people, children, horses and cattle had to travel overland to Grassy Plains, 30 miles to the north, through mud and slush, leaving most of their belongings behind.

In the summer of 1952 the Cheslatta lived in overcrowded tents at a temporary location in Grassy Plains. They were not given any of the compensation moneys, or land or housing. Band members had no money and were concerned they could not grow gardens or hay for the winter ahead. Although the local Indian agent had chosen farms for their re-establishment in May,²²¹ it was September before the first families moved onto their new properties. When band members finally received individual compensation cheques in the summer of 1953, they were required to pay for their new land and all improvements on it. According to Robertson, this was contrary to the surrender documents, which, the Cheslatta believed, called for them to be paid for the complete re-establishment of band members.²²²

Chief Marvin Charlie told us he was eight years old when the Cheslatta were relocated. He remembers that summer in tents very clearly:

Due to wet weather and wet bedding, some of our people got TB, and some of them died from TB. I was one of the victims who was ill from TB, and stayed in a hospital for five years, two years in Prince Rupert and two years in Vancouver, and had my lungs cut out of me.

Chief Marvin Charlie Cheslatta
Carrier Nation
Vancouver, British Columbia, 15 November 1993

Thomas Peters wrote the department of veterans affairs in August 1952:

All...I am is broke, I have got lots of children and I want a pension. I hope you make it all my trapline is flooded under water for the Aluminum company.²²³

Conditions were so bad that local residents at Grassy Plains and Burns Lake voiced their concerns to the federal government. In July the president of the Burns Lake Board of Trade cabled the minister of citizenship and immigration:

Indians at present without homes and no hay for livestock. Imperative immediate action be taken to resettle these people who have been without homes since April. Due to tremendous unrest we urge you to give this matter your immediate attention.²²⁴

Meanwhile, having acquired from the government the rights it needed, Alcan proceeded with construction of the dam. This involved clearing the area, and workers therefore demolished buildings and equipment left on the reserves. In April the local Indian agent suggested to his superiors that they ask Alcan to use its tractors and personnel to assist in moving possessions. When he visited the site in July he asked workers to delay demolishing buildings until the Cheslatta could return to get their belongings. At the same time he asked them to remove the stained glass windows, bell and other fixtures from the church and ship them to Vanderhoof. Indian affairs superiors never acted on the agent's suggestion to ask Alcan for help moving Cheslatta possessions, despite their obvious ability and willingness to move and ship the delicate fixtures of the church.²²⁵ The work continued, and the Cheslatta villages were bulldozed and burned before most families could return for their belongings.

The Cheslatta T'en claim they were promised that any graves that would be flooded would be moved to higher ground but were told that most would not be affected by rising waters. Alcan states that it understood that the Cheslatta had agreed to the flooding of the gravesites, provided two recent graves were moved and commemorative markers were placed above the flood waters. In accordance with that understanding, workers moved the two graves and gathered the other grave markers from Reserves 7 and 5 and burned them, placing the ashes of the markers under aluminum plaques that read:

This monument was erected in 1952 to the memory of the Indian men, women and children of the Cheslatta band, laid to rest in the cemetery on Reservation Five (Seven), now under water. MAY THEY REST IN PEACE.²²⁶

The graveyard at Reserve 9 was considered above the flood level. However, when the Skins spillway was opened for the first time in 1957, water surged through it. Many graves were washed away, and coffins and skeletal remains were allegedly found in and around Cheslatta Lake through the summer. Two Cheslatta men wrote a letter to Indian affairs on 6 June 1957.

Just a few lines to say that we have seen for ourselves the graveyard that used to be at Cheslatta no. 9 reserve. It is all gone and we do not know where the dead have gone. We went to Cheslatta June 4 at 4:00. All the dead have floated away and have gone ashore anywhere...Bill Clark of Cheslatta seen a coffin floating in the middle of the lake on May 1.²²⁷

Chief Marvin Charlie told this Commission 35 years later of the Cheslatta understanding of what had been promised:

One of the things that really hurt my people is a graveyard on No. 9. The Alcan Aluminum Company promised my people that this particular graveyard was never going to be touched by water because it was so far away from the lake, and my people agreed with that. In 1957 the Alcan Aluminum Company opened the gate of the spillway at Skins Lake which is above Cheslatta Lake, and the water found its way down to Cheslatta and washed away the whole graveyard. Some of our Elders walked along the river banks, hoping to find the bodies of their loved ones. There were coffins floating around, grave houses floating around. That particular part really hurt my people and placed a deep scar in the people's hearts.

Chief Marvin Charlie Cheslatta
Carrier Nation
Vancouver, British Columbia, 15 November 1993

Alcan states that, though flooding was not expected at the graveyard at Reserve 9, no promises were made to the people. The Cheslatta T'en state the graveyards were flooded at least twice a year for 40 years until 1992. In the early summer of that year, as part of the Cheslatta redevelopment

project, the graves at Reserves 5 and 7 were cleaned, crosses and gravehouses rebuilt, and the graveyard reconsecrated with the knowledge and good wishes of the minister of Indian affairs. The reconsecration service took place on 28 June 1992. In the third week of July, the fisheries department directed Alcan to discharge water through the Skins spillway that again flooded the graveyards and washed the new gravehouses and crosses into the lake.²²⁸

Alcan states that the Cheslatta "had full knowledge that these areas would again be flooded, as they are each year". Alcan says it warned the Cheslatta that it could not "cease the flow of cooling water through the Murray/Cheslatta system" until another release facility was built that would send water directly to the Nechako River.²²⁹ As noted, the spillway provides cooling water for the salmon fishery as required by the federal fisheries department as well as carrying excess water from above the main dam.

The Cheslatta who were relocated to Grassy Plains in 1952 lost their traplines, their hunting grounds and their way of life. After the first terrible summer, they were resettled on marginal farms scattered over a large area. Cheslatta researcher Mike Robertson says it became a 280-kilometre round trip to visit all the Cheslatta families who had once lived in close-knit communities around Cheslatta Lakes.

Now people were faced with building livable houses to replace the shacks now occupying the lands. They had to build new barns for their livestock, new fences. All paid for out of their own pockets. DIA offered no assistance....They were now regulated on where to hunt, when to fish....Their language was useless in this new world. People became depressed.²³⁰

Besides deaths from tuberculosis, there were deaths from alcoholism, suicide and car accidents. Chief Marvin Charlie explains:

Those people who loved the way of life in the woods have committed suicide because they couldn't trap anymore. Alcoholism took place. Within one year our people, numbering 140 — within one year we lost six people due to alcoholism.

Two of them committed suicide; two of them were shot; and two of them

have been run over by a car.

Chief Marvin Charlie Cheslatta

Carrier Nation

Vancouver, British Columbia, 15 November 1993

Relocation also destroyed the people's self-sufficiency. Charlie says when he became chief in 1990, 95 per cent of the Cheslatta were on welfare.

The relocation sites were not turned into federal reserve land until 1964, and in the 12 years after the surrender, the Cheslatta did not qualify for Indian affairs assistance with health problems, education or housing. Requests to the Indian agent to replace housing, equipment and livestock were ignored or refused because the Cheslatta lived off-reserve.²³¹

In 1984 the Cheslatta faced a new threat. Alcan applied to the B.C. Utilities Commission for permission to build Kemano II, a new hydro project that would use more than 85 per cent of the water of the Nechako River. In 1987, the federal and provincial governments reached an agreement on a smaller Kemano Completion project. The agreement allowed the project to proceed without an environmental impact assessment, despite strong protest from environmental groups and Aboriginal communities, including the Cheslatta T'en. After years of public controversy about the effects of the project on water flows and fish in the Nechako watershed, the government in British Columbia reviewed the proposal. In January 1995 it rejected the project and asked the federal government to reverse its 1987 decision to give Alcan water rights to almost all the water flow in the Nechako.

The threat of a new Kemano project galvanized the Cheslatta Carrier Nation into filing a specific claim with the department of Indian affairs in 1984. Nine years later, in March 1993, following delays, rejection, court action and revisions, the Cheslatta accepted \$7.4 million from the government as a settlement for inadequate compensation during their surrender and relocation in 1952.²³²

It is difficult to summarize the sufferings of the Cheslatta following the surrender of their lands and relocation. They claim not to have consented to either; in fact, surrender seems to have been extracted under duress, even though flooding was not imminent and the band could have taken more time

to consider, negotiate and relocate. The band chief and council were elected, without a majority of band members present, at the meeting where the relocation was announced — two weeks before the surrender meetings.

The Cheslatta claim they did not agree to the surrender and that signatures on DIA documents are forged.

The Cheslatta people allege that surrenders were obtained by the federal government by means of duress and in an unconscionable manner. If the surrenders were tainted by such action, then the surrenders could well be deemed void *ab initio* [from the beginning] and the federal government might be held accountable in a court of law.²³³

As we have recounted, the Cheslatta were treated as an afterthought, with completely inadequate regard for their rights. The government initiated the surrender negotiations just as the dam was completed and flooding was about to begin. The flooding began before the surrender. The families were told to start moving without assistance the day after the surrender was signed. Because of the spring thaw they had to leave most of their belongings behind. The homes and many belongings of the Cheslatta were destroyed before most families could move their effects to the new location. There was no housing or land provided for families or livestock at Grassy Plains for the entire summer. When land was finally purchased for the Cheslatta, moneys were taken from individual compensation allotments to pay for it — contrary to the Cheslatta understanding of the surrender agreement. The new lands were not established as reserve lands, and the rights the Cheslatta had enjoyed as a result of living on reserves were lost for many years. Graveyards above the planned flood level were washed away. Adequate compensation was not given until the settlement of a specific claim in 1993.

Commissioners were shocked by this story. It seems to us highly unlikely that the government's arbitrary actions and abuses of power recounted by the Cheslatta would have taken place had the affected individuals been non-Aboriginal. This is a profoundly disturbing thought.

3.5 The Chemawawin Cree and the Grand Rapids Dam

The Grand Rapids hydroelectric development, which began in the late

1950s, resulted in the flooding of more than 1,200 square kilometres of delta land on the Saskatchewan River, including 2,800 hectares of Cree land belonging to the Chemawawin (Cedar Lake), Moose Lake, and The Pas bands. Before the flood, the Cree and Métis peoples of the region had an economy based on hunting and the procurement of furs for trade. Moose, deer and waterfowl were abundant. They also fished and worked occasionally for wages to supplement their incomes. The northern Manitoba Cree were part of Treaty 5, signed in 1875, partly to allow non-Aboriginal people further access to Lake Winnipeg and its tributaries, including the Saskatchewan River. Treaty 5, like the other numbered treaties, was prepared in advance and taken to the Cree for ratification. There was little real negotiation. A treaty commissioner, Thomas Howard, even resisted the desire of the Chemawawin to negotiate as a separate band.

After forcing them to travel to The Pas to sign the treaty, Howard decided to treat with them and the Moose Lake Indians as a single band, with only one chief and set of headmen, and hence only one set of treaty payments for these officials. Treaty Five was to be inexpensive as well as quick. Howard's attempts to actually have the Chemawawin Indians relocate to Moose Lake were unsuccessful.²³⁴

After the treaty was signed, the Cree returned to their homes and ignored the fact that the treaty commissioner had amalgamated them. Although the Chemawawin reserve was surveyed in 1882, it was not registered until 1930. For decades the Cree remained on the land, harvesting the natural resources of their area.

In 1941, the Hudson's Bay Company closed its post at Chemawawin. An independent trader quickly moved in to fill the void. This trader acted as a broker with outside authorities, as well as doctor and law enforcement agent. He exercised considerable political control because he dominated communication with the outside world. When Indian affairs wanted to contact the community, it went through the trader, bypassing the band council:

When the provincial government and Manitoba Hydro first approached the community about their plans for the Grand Rapids Dam, they found a community with little experience at governing their affairs at the local level and with virtually no experience in dealing with the government. Their last

major decision had been made some seventy-five years earlier when they signed on to Treaty Five. When the trader was excluded from the hydro negotiations, the people were without their patriarch, their mentor, their broker. They were on their own.²³⁵

Discussion about building a dam at Grand Rapids began around 1953. Built to provide power to the International Nickel Company (INCO) operation in Thompson, Manitoba, Grand Rapids was one in a series of hydro developments build in northern Manitoba between 1925 and 1965.

The potential effects of flooding the land were recognized by the provincial government long before plans to build the dam were announced. Waldram cites a 1955 provincial report that stated,

The threat of this development faces the federal and provincial Administrations with serious problems with those whose economy is directly linked with the area. These problems should be studied immediately and steps taken to find new employment for these people.²³⁶

Reports from the early 1960s confirm that the local economy was viable and that welfare rates were low and employment levels were high. Social problems were practically unknown. The trader described the community in the following terms:

When I was there, there was no trouble at all. I could leave my door open and go and eat and come back. Nobody would disturb anything...They were always good people when I was with them. There was no trouble at all.²³⁷

A report for the Grand Rapids Forebay Administration Committee, a body of senior public servants set up by the Manitoba government to deal with all aspects of the project and relocation, concurred:

A visit to Cedar Lake gives one the impression of a well managed settlement. The grounds around the post are very neat and the grass is kept cut...The people of the settlement are rather content. Other than anxiety over the impending move, there are no apparent community problems.²³⁸

Conditions were similar for the people of Moose Lake, another community

affected by the flooding, which experienced a sharp decrease in moose and wildfowl hunting after the flood, as well as a decline in the muskrat harvest.²³⁹

In 1959, the Manitoba government set up the Grand Rapids Forebay Administration Committee. Despite the fact that the Committee's "*raison d'être* was the relocation and subsequent well-being of the Native people in the Cedar Lake region, the committee proved unable to successfully fulfil its mandate, or incapable of it".²⁴⁰ The committee was composed of already busy senior civil servants, but no members of the Chemawawin — or any other Aboriginal — community. Its decisions were made in isolation in Winnipeg. The next year, the Cree and Métis peoples at Chemawawin received a letter of intent informing them that they were to be relocated from their traditional settlement because of planned flooding. The relocation would take place by 1964.²⁴¹

Communications — vital if the people were to make an informed decision — were mired in bureaucracy:

At any given moment, a directive from the Manitoba government had to be relayed through the Forebay Committee to the community where it was received by the Indian Superintendent, the Community Development Officer, or the local trader. The communication was then offered to the band council and the local flood committee, who in turn informed the people. There was little actual contact between members of the Forebay Committee and the people of Chemawawin or their representatives.²⁴²

The Cree were at a disadvantage. Since they had had few formal dealings with government since signing the treaty, few band members spoke English, and they had no familiarity with the type of formal and complex negotiations that would precede the relocation. In fact, they were even unable to get an interpreter in meetings with government officials:

The framework in which the negotiations were conducted was not only one of marked inequality, where the legal advice, the technical expertise and the language of communication were all firmly loaded in favour of the provincial government [and] Manitoba Hydro, but also one where the conclusion was never in doubt.²⁴³

The province took the lead in negotiations, despite the treaty relationship between the Chemawawin Cree and the government of Canada. Discussions had already taken place between the department of Indian affairs and provincial officials before the Cree learned they were to be moved. The negotiation process dealt first with the land surrender and then the compensation package. Since the federal government had the power under the *Indian Act* to negotiate with a band and then transfer the land to a province, or expropriate the land outright, the department held the "trump card" in the transaction, and was in a position to ensure that the rights of the people were protected. It is apparent, however, that in most respects the Indian affairs Branch abandoned its responsibility and allowed the Manitoba government to control the negotiation and surrender process.²⁴⁴

The federal government helped Manitoba Hydro officials reinforce the message that if the Cree did not move, they would be evicted.²⁴⁵ The government took this position even though it was aware of the economic consequences of the move and its representatives had concerns about the attitudes of Manitoba officials. A federal official quoted a provincial counterpart as saying "that it would be up to the people to figure out their own future and if this could not be done, the people would have to go on relief."²⁴⁶

Waldram, who offers a comprehensive account of this and other western Canadian hydroelectric projects, has stated that the most controversial part of the Chemawawin relocation is the letter of intent, or Forebay Agreement, because "this document has all the ingredients, and elicits all of the emotions, of the treaties signed generations earlier."

Since reserve land was to be flooded, the Manitoba government had to obtain the land from the federal government. Indian affairs suggested that

a 'package' of commitments be prepared and presented to the Indians for their consideration. While retaining the right to ultimately consent to this package, and in effect the terms of the surrender, Indian affairs essentially abdicated its responsibility to negotiate on behalf of the band, and instructed the Manitoba government, through the Forebay Committee, to negotiate directly with the people of Chemawawin.²⁴⁷

Negotiations began in the spring of 1962 and were conducted orally at first.

The Cree considered these oral discussions promises, just as similar discussions with nineteenth century treaty commissions had been interpreted. The letter of intent was sent to the band in April 1962. It was reviewed by the chief, revised, and accepted through a band council resolution in June. The federal order in council authorizing the relocation and land transfer was passed in November.

However, as soon as the resolution was passed, the community began expressing concerns about the agreement. The people wrote to the Forebay Committee and asked for clarification of a number of points, including one concerning the provision of electricity to their new community.

We feel that this letter [the letter of intent] is similar to a Treaty. We cannot accept what we do not think is right, as it is not we who will suffer for our mistake, but our children and our children's children.²⁴⁸

In 1964, as relocation neared, the band asked the department of Indian affairs to intervene on their behalf in negotiations.²⁴⁹ The department refused. A month before the move, the band produced a new list of grievances "to be dealt with before relocation."²⁵⁰ The people met with the Forebay Committee and were assured all their concerns would be dealt with — but not before the move.

Given the fact that many of these issues did remain unresolved for many years, and some issues are still not resolved, the decision to move over to the Easterville site instead of holding out for firmer commitments proved to be a mistake.²⁵¹

Many of the problems facing the Cree were caused by the ambiguous language of the letter of intent. The language was intended to be simple but proved to be open-ended. Among other things, it provided for new homes, schools, building materials, dock facilities, a "semi-modern" nursing station, roads, recreation and economic development opportunities, including the continuation of hunting, fishing and trapping activities.²⁵²

Many of the subsequent problems facing the Cree in their new location can also be traced to the fact that they had no legal representation when they were negotiating. Waldram states (but does not provide more detail) that there is evidence the issue was discussed by government officials, but in

the end they decided not to provide legal counsel to the Cree. Without legal assistance, the Chemawawin were at a distinct disadvantage. Indeed, despite the negotiations, records indicate that the Chemawawin reserve was expropriated and transferred to the province.

Unorthodox, yet apparently legal, the direct transfer of Indian land to the province through expropriation underscores both Manitoba's pressing need for resolution of the issue and the federal government's willingness to expedite the matter on behalf of the province.²⁵³

Although the people of Chemawawin were told they could choose the site of their new village, the decision was actually made for them. The Manitoba government and the Forebay Committee selected the location and named it Easterville, after Chemawawin Chief Donald Easter. An internal memorandum details the approach. First, Manitoba and Forebay officials examined aerial photographs. Their task was to narrow the choice to four potential sites (two each for the Chemawawin and Moose Lake bands). These would be turned over to a firm of town planning consultants who would examine them in the light of their specialized knowledge, and would endeavour *to sell the Indians on one or the other of these sites*, and have the Indians choose the one which they regarded as preferable.²⁵⁴

As noted earlier, there were no Indian or Métis community representatives on the Forebay Committee. Local committees were established but they had no decision-making powers. Rather, it was the 'senior' committee that drafted the letter of intent. There is some dispute over the number of potential sites eventually presented, but the Chemawawin Cree have always felt that Manitoba Hydro and provincial officials pressured them to select Easterville.²⁵⁵ Waldram indicates that planning for the relocation to Easterville was under way even before the people formally accepted it.²⁵⁶

The Chemawawin residents did elect a committee, made up of Cree and Métis representatives, that visited various sites with Manitoba Hydro representatives. However, these visits occurred in the winter, when land and resources were difficult to evaluate. Easterville was chosen because of its proximity to the town of Grand Rapids and a promise that a road would be built to the new site. As well, the site provided easier access to promised electric power generated by the dam. However, residents felt they were pressured to accept the Easterville site quickly by Hydro personnel, who

were responsible for implementing the relocation and wanted an agreement as soon as possible. A report prepared in 1966 noted that the province failed to respond effectively to a range of proposals emanating from the people of Chemawawin. Instead, officials attempted to limit "the demands of those affected by the flooding".²⁵⁷ Rather than engaging in a more vigorous negotiation that would seek an equivalent land resource base, the Cree were persuaded to agree to an inferior site in exchange for vague promises of future socio-economic development — promises that have yet to be fulfilled more than a quarter of a century later.²⁵⁸

A few years after the move, an Easterville resident described the process:

First of all there was a group of surveyors came and worked around Easterville, and all of a sudden a man called Mr. Wells came along and held meetings saying Chemuhowin is going to be flooded and you got to move out of here because this place is going to be flooded. All I know is that we had three places to go and this is where we came, to Easterville.²⁵⁹

It has been suggested that the Cree were unable to comprehend the scale of the changes about to occur as a result of the hydro development, and this kept them from pursuing other more suitable sites more vigorously.²⁶⁰ While it might be argued that the Cree were marginalized in this process, it should also be noted that the band council resolution detailed a number of conditions the Cree wanted met. This indicates that the community quickly came to understand the implications of the impending move. Indian affairs, Manitoba Hydro and the provincial government were well aware of the magnitude of the change in the area's resource base that would result from the proposed dam. The 1966 report noted the failure to prepare adequately for "the human adjustment aspects of a public power project".²⁶¹

At the same time as the Chemawawin Cree were relocated, a decision was made to move the people of Moose Lake to higher ground because there was no suitable alternative location. The fact that the Moose Lake people, at a new site close to their former village, would need something to live on was not lost on some of the government officials of the day.

It can only be assumed that many of the resources from which the people have derived a livelihood in the past and will need to derive a livelihood from in the future, will be lost or seriously depleted for a number of years and in

some cases, possibly for ever.²⁶²

This assessment was not provided to the Cree. In fact, they were told the opposite. Manitoba officials were quoted as saying that economic opportunities would improve after the relocation. "The people were denied accurate information about the effects, and were simply asked to trust the Manitoba government."²⁶³

Walter Mink, a Chemawawin community resident, explains what the Cree were being told:

What I understand, the promises were too good, because at that time we never used a light. We used to use gas lamps. Wood stoves. That's all we used to use over there [at Chemawawin]. And now, those promises. They said, "You gonna have a highway there, and everybody will have a car. And whenever you want to go somewhere, your car sitting there, you go where you want to go. And a stove like that [points]. You're going to have an electric stove. A coffee-pot, and things like that. You're not going to have to use any wood. No wood stoves." So that's what I said. The promises were too good, I guess. We never seen anything like this before [motions around kitchen]. "You're going to live in a town, a nice town. You're going to have your own store." These are what the promises were. "Everything you need you're going to have. You're going to live in a town."²⁶⁴

Indeed, the Cree did get a new town. Residents built their own houses, and work on the new community was completed by 1964, the year the actual relocation took place. The new settlement for the Chemawawin was located "on the shores of the newly enlarged Cedar Lake, a lake now filled with the debris caused by hydro flooding and with very substantially reduced fishing opportunities".²⁶⁵ Unfortunately, the area was rocky and turned out to be poor for hunting, trapping and gardening. Thin topsoil prevented the establishment of proper sanitation facilities, and health problems soon followed. As a result of these and other negative social effects, entire families moved away from Easterville in 1966.

Easterville has been described as "a social catastrophe",²⁶⁶ a community characterized by welfare dependency, health problems, economic disaster, pervasive alcohol abuse and cultural deterioration. A 1965 survey by Indian affairs documents the change in the Cree's resource base caused by the

flooding. It shows a dramatic decline in wildlife harvesting by the community in just four years (see Table 11.2).

TABLE 11.2
Cree Wildlife Harvesting, Before and After Relocation

Species	1960-61	1964-65
Moose	291	22
Deer	57	0
Caribou	35	5
Ducks	6,565	207
Geese	1,463	62
Other	822	50
Fish	103,025	7,000

Note: Fish recorded in pounds, other species by number.

Source: Martin Loney, "The Construction of Dependency: The Case of the Grand Rapids Hydro Project", *The Canadian Journal of Native Studies* VII/1 (1987), p. 68.

The consequences of the move were immediate and dramatic. The social fabric of the community was altered. The system of sharing and looking out for each other declined. Cash transactions, even for wild meat, became the norm.²⁶⁷ While no one died in the actual relocation, Landa concluded that the majority of accidental deaths following the relocation were attributable to alcohol "or alcohol substitutes".

[T]he family structure is breaking down in Easterville. Parents report lack of control over the behaviour of young children and adolescents; separation of spouses is reported; and cases of severe child neglect due to the use of alcohol for long periods is also one of the main complaints of local informants and health officials as well. Little comparative data exists for these problems at Chemuhowin, but informants state definitely that these problems have steadily increased since the relocation in 1964.²⁶⁸

The official responsible for planning the townsite of Easterville has been quoted as saying that he could see the "'tragedy' which overtook the

Chemawawin 'coming'" before the relocation took place.²⁶⁹ In 1966, the federal-provincial co-ordinating committee on Indian and Native affairs noted that steps could have been taken to limit the effects of the relocation on the Cree, but that the province ignored proposals from the Chemawawin.²⁷⁰

The relocation created a dependence on government that did not exist before the people were moved. According to Loney, this was "a direct and inevitable consequence of the destruction of their economic base by the Province of Manitoba and by Manitoba Hydro with the acquiescence of the Government of Canada."²⁷¹

4. The Effects of Relocation

This chapter has so far examined the assumptions and policy rationales behind a number of relocation and centralization initiatives and the effects of those moves on the people involved. These effects are noticed whether the relocation was for development or administrative purposes. In some cases it is difficult to separate the effects of relocation from those of other events and changes — many of which were also the result of government policies. Nevertheless, we have also seen cases where relocation has been a major contributing factor in declining health, reduced economic opportunities, increased dependence on government and cultural disintegration. Besides the work done in Canada, there is a large body of international research on the implications and effects of relocation. This section looks at some of the general effects of relocation.

4.1 The Relationship to the Land, Environment and Culture

For Indigenous peoples' continued existence — throughout the world — land is a prerequisite. It is essential because Indigenous peoples are inextricably related to land: it sustains our spirits and bodies; it determines how our societies develop and operate based on available environmental and natural resources; and our socialization and governance flow from this intimate relationship. Because of this intimate relationship, the land is rendered inalienable: it is a natural right, a right essential for the continued vitality of the physical, spiritual, socio-economic and political life and survival

of the Indigenous peoples for generations to come.²⁷²

There are many examples of relocation severing — either on purpose or by accident — the relationship just described by Clem Chartier. Anthropologist Robert Williamson told the Commission that the Inuit attachment to their habitat "is as strong as the attachment of kinship. It is a love of a very profound kind."²⁷³ This feeling was echoed repeatedly in our hearings on the High Arctic relocation, but it also applies to the other relocations in this chapter.

"For the hunting-life bred person, the whole habitat is significant, and intimate familiarity with it is vital, reassuring, and metaphysically validated."²⁷⁴ Isolating people from their habitat breaks a spiritual relationship and compounds subsequent cultural, social, political, economic and health problems. The intensity of the people/place relationship and the severity of the consequences of separation is powerfully conveyed by an Inuk interviewed by Williamson, who defined *nuna* (the land) as "my life; *nuna* is my body".²⁷⁵

In some relocations, what relocatees lack in their new environments is the culturally based knowledge that made them self-sufficient in their homelands. The importance of this cultural knowledge is highlighted in the Inuit relocation to Devon Island. Marcus describes how, without an intimate knowledge of the land (a "memoryscape"), the Inuit were reluctant to break trails over unknown territory. They refused to establish traplines beyond walking distance from the camps, and the greater number of hours of darkness affected the trappers as well. To solve the problem, the non-Aboriginal Hudson's Bay Company trader accompanied the trappers on all their expeditions across the coast of Devon Island, believing that his presence in some way mediated the Inuit's "own particular sphere of fear and superstition."²⁷⁶

Cultural knowledge that is intimately connected with a physical homeland is associated with a kind of confidence that is lost when a people is relocated away from that homeland. For example, Emery defines the "problem of the relocation" of the Gwa'Sala and 'Nakwaxda'xw to Tsulquate as one in which people were wrenched from their traditional lands and, consequently, from their traditional way of dealing with things.²⁷⁷ A people's confidence develops over the generations when their relationship with the land is "as

close as your breath". This confidence was fractured by the alienation of the Gwa'Sala and 'Nakwaxda'xw from their homelands and scattered beyond recognition by promises and commitments not kept, hopes and expectations not fulfilled. Elders likely felt responsible for the disaster that was rapidly overtaking their people after the relocation. The loss of their homeland left them unable to cope with the challenges of life at a place that belonged to other people.

The cultural importance of homeland is that it links a people with its past and its future. Identity is symbolized by places of significance, such as the gravesites of ancestors and locations for ceremonial activities, as well as geographical features such as mountains and lakes. These places of cultural significance were sometimes destroyed in the wake of relocation, the graves of the Cheslatta T'en being but one example.

Relocation can be seen to create stress brought about by a major reduction in cultural inventory due to a temporary or permanent loss of behavioral patterns, economic practices, institutions, and symbols. This affects all relocatees, both forced and voluntary....It tends to be most serious when relocatees are moved as a community to a dissimilar habitat where they must coexist with unfamiliar hosts.²⁷⁸

The profound cultural loss triggered by relocation leads to stress and despair. The Hebron Inuit continued to be seriously affected in the years after the moves. In Makkovik, for example, young relocatees were self-conscious about their identification as Hebron Inuit because this had become a synonym for low status in the community. Even though they were relocated to communities that were home to other Inuit, they were set apart culturally by their dialect, customs and inexperience with the surroundings. Their separateness was enhanced by their poverty and their physical isolation in residential enclaves. The destruction of family ties and the degrading circumstances of their lives led many Hebron Inuit to drift from community to community as permanently displaced people:

Not only were families separated by having to live in different communities but the recurrent deaths of young people, mature adults and also elderly adults — who were often said to have died from heartbreak over leaving their homeland — broke the spirit of their surviving relatives and left them traumatized in overwhelming and silent pain.²⁷⁹

At Easterville, the relocation resulted in the Cree becoming more atomistic — individuals or families became increasingly isolated as formal bonds were weakened in the kinship, economic, political and religious spheres of community life. Landa states that this atomism probably intensified some of the basic causes of alcohol abuse, with the consequent development of negative behavioural complexes and the continued breaking down of family structure.²⁸⁰ Easterville elders continue to mourn the home they were forced to leave:

I don't like the rocks here. I don't feel it is my home here. My home is at Chemuhowin, but we can't go back there now. It's gone.²⁸¹

Loney indicates that scant attention was paid to the potential effects of relocation on the Chemawawin community's stability and cultural integrity. He draws attention to the cultural importance of traditional activities that affirm for First Nations people their links with the past and with the land. Loney quotes a study on the negative impact of relocation on traditional Cree culture:

The former system of sharing and looking out for one's neighbours and friends seems to have disappeared, replaced by a cash-oriented community whose members expect to pay even for wild foods and be paid for the smallest service...All 21 respondents express their belief that Indian culture and values have been weakened as a result of the hydro project. Most claim that fewer and fewer young people are learning and speaking Cree. Nor is there respect for elders that the young ones had...Stress, anxiety and fear have been much in evidence since the flooding.²⁸²

In the case of the Sayisi Dene there is evidence that relocation disrupted the people's ability to pass on cultural knowledge.²⁸³ When the group finally settled at Tadoule Lake, the young people who had grown up next to non-Aboriginal society in Churchill — with electricity, radio and television — found it a struggle to adapt to a community in the bush. Beginning life anew at Tadoule Lake was easier for the elders and middle-aged, but by this time a social and cultural discontinuity had set in. The repeated relocations had interrupted the traditional means of teaching and learning and of passing on a strong sense of Dene identity.

Coates states that in the Yukon relatively little attention was paid to cultural integrity in the process of establishing specific sites for Aboriginal villages and encouraging people to move there.²⁸⁴ The Yukon First Nations are not a single people, but belong to several different cultures. Hence the new villages contained many cultural, social and political dimensions that were not present in the pre-Second World War social world of the Yukon First Nations. Several of the Yukon reserves, including some of the mixed-culture settlements, quickly encountered difficulties of a much more serious nature than any experienced in the pre-village era. Problems included apathetic, unskilled and unemployed adults, neglected children, serious alcoholism and violence (including killings) between and within factions and families. In the final analysis, the groups created by Indian affairs had a certain geographic logic but lacked cultural integrity.

It is on this concept of territory that Aboriginal and non-Aboriginal people do not understand one another. Territory is a very important thing, it is the foundation of everything. Without territory, there is no autonomy, without territory, there is no home. The Reserve is not our home. I am territory. Language is territory. Belief is territory, it is where I come from. Territory can also vanish in an instant... [translation]

Oscar Kistabish/Osezima
Val d'Or, Quebec, 30 November 1992

Thus relocation can be seen as part of a long and painful process of dispossession and alienation of Aboriginal societies from the land and from the cultural and spiritual roots it nurtures. Alienation leads to a sense of powerlessness, as expressed by the Innu of Davis Inlet and the Gwa'Sala. Separation from their environment — the place where Aboriginal people had always made their own decisions — made this sense of powerlessness almost inevitable.

Relocation, then, like the other forces that have disrupted the lives of Aboriginal people, contributes to 'culture stress'. Culture stress is often apparent in societies that have undergone massive, imposed or uncontrollable change. It is studied primarily in relation to immigrant and indigenous populations, but research on the aftermath of natural disasters, such as floods and earthquakes, and social disasters such as wars, reports similar symptoms of social breakdown.²⁸⁵

In cultures under stress, normal patterns of behaviour are disrupted. People lose confidence in what they know and in their own value as human beings. They may feel abandoned and bewildered and unsure about whether their lives have meaning or purpose.

In our special report on suicide among Aboriginal people, we discussed the factors that contribute to culture stress. Perhaps the most significant are loss of land, loss of control over living conditions and restricted economic opportunity. In turn, we found in our research for that report, culture stress has a central role in predisposing Aboriginal people to suicide, self-injury and other self-destructive behaviours. Elders like Cheslatta Chief Marvin Charlie are sure that relocation has played a major role in contributing to suicides in his community. The fact that loss of land is one of the elements of culture stress leads to the general conclusion that it has probably been a contributing factor in many other cases as well.

4.2 Economic Effects

The relocations examined in this chapter generally demonstrate a reduction in the Aboriginal economic base. Where people had once possessed a relatively large land base and diverse resources in the form of game for food, clothing and tools, as well as trade with other peoples, after relocation their land base and resources were, by comparison, relatively small and limited. The economic base was reduced in three ways:

1. through loss of access to land and resources when people are relocated to new, more restricted environments;
2. through loss of land and resources because of environmental damage, such as flooding as a result of hydroelectric development, and
3. through loss of employment opportunities when relocation moves people away from settled areas.

Whatever the cause, the majority of case studies indicate that, after relocation, welfare becomes the relocated people's primary economic resource. Not only have governments failed to understand the importance of the land — and thus the cultural implications of relocation, they have rarely considered how the relocatees will make a living after they are moved.

The centralization of Baffin Island Inuit from 'rural' camps to larger settlements created welfare dependency overnight.²⁸⁶ As the population of settlements such as Pangnirtung increased, so did dependence on government programs. Natural resources were no longer as accessible, and the independence of a hunting and gathering, fishing and trading economy dissipated with the end of nomadic, decentralized life. Cash was now needed to support the hunt for country food or to shop for imported food. Jobs were scarce and Inuit soon discovered that their traditional skills were irrelevant in the few wage-earning positions available.

When the Sayisi Dene were relocated to Churchill, their loss of hunting and trapping equipment and the enforcement of provincial game regulations added to the other roadblocks preventing them from supplementing their family incomes, whether in kind or in cash.²⁸⁷ Likewise, the economic self-sufficiency of the Cheslatta people was destroyed by relocation.²⁸⁸

When the Gwa'Sala and 'Nakwaxda'xw amalgamated at Tsulquate, they found that the promised moorage facilities for their boats had not been provided. Within five years of the move, only three boats in the band's gillnet fleet were still fishing, and only two of them regularly.²⁸⁹ When boats were used for homes because the promised houses were not built, fishing licences were revoked because the boats were no longer defined as fishing vessels. Most of these boats, as well as others used for fishing, had to be moored in the river or on the beach, where they were eventually destroyed by high winds, waves and rain. This deprived the bands of access to marine resources, formerly a mainstay of their economy.

When Hebron Inuit were relocated to communities further south, the issue was again one of lost access to resources.²⁹⁰ While at Hebron, Inuit had their own camps and places to hunt and fish. When they were moved to the other communities, the best hunting and fishing places were already occupied. They had no position in the established order of hunting and fishing privileges. They lacked the knowledge of the landscape and wildlife patterns necessary to enable them to procure game for food or sale and had to discover game areas themselves, sometimes assisted by local residents. The hunting skills that had served them so well in the past, however, were not necessarily appropriate in the new environments, especially at Makkovik with its forested landscape.

Alice Pilgrim, an Inuk from Nain, Labrador, observes that the Hebronimiut had good hunting grounds....They lived off the land and...[were] used to surviving off the land. And you're relocated and then there's no place to hunt. All the hunting grounds are already taken. That in itself is a damage to the spirit.²⁹¹

Hebron families saw the immediate result of their relocation in the loss of foods they had enjoyed and depended upon previously. John Jararuse, also from Nain, said,

My sister told me once there was an old woman in Hopedale from Hebron. She was so hungry for wild meat. She was so hungry for wild meat like seal meat, caribou meat, char, things like that. She even thought she was going to die and because like I was saying, we were not used to white people's food.²⁹²

According to Clara Ford of Makkovik,

My food, I missed my food, like the trout and everything. The food had a different taste than Hebron.²⁹³

Hebron hunters found there were few places for them to hunt. When a hunter stopped hunting, families had to rely on food supplies obtained from social welfare. This entrenched their poverty and the dependence of households on means other than their own.

The effects were similar at Easterville. Landa reported that 90 per cent of the hunting and trapping grounds were destroyed by flooding after dam construction. Trapping ceased to be of major importance in the economy of the Cree community, as it had been in Chemawawin. Hunting was also regarded as poor: the number of moose hunted dropped by 75 per cent, for example, and the available sources of animal protein could not support the needs of the community as they had before the relocation. Consequently, the role of imported meats increased greatly. As well, Manitoba's commercial fishing regulations and quotas stipulated that only licensed fishermen could operate or be employed on a fishing craft during the summer season. Only about half the adult males were able to find employment in fishing or to get licences and supplies to fish for themselves.

Floating debris from the dam disrupted commercial fishing excursions, which in any event were terminated in 1971 because of mercury contamination caused by the flooding. This made it impossible for people to supplement their diets with fish. As well, the gardens so evident at Chemawawin could not be planted on the rocky land at Easterville.

A new sawmill operation established at Easterville by the provincial government to redevelop the Cedar Lake economy employed only a handful of Aboriginal men, who were forced by distance to live out of town near the mill. There were few casual jobs after the relocation and none of the Aboriginal residents of Easterville was employed by Manitoba Hydro. A co-operative was established in the community but it failed to alter the situation. Five years after the relocation the people of Easterville were generally dissatisfied with their new economic conditions and locale, as the following statements from relocatees indicate:

We had a good life at Chemuhowin. There was lots to do. It was good land. Not like this ugly and scarred place. Who can make a living in a place like this?

I don't like the stones here now. The people cannot eat stones.

At Chemuhowin I liked the trapping. And I had a garden. You can't make a garden here. I liked shooting ducks and geese over there. We have to go a long ways (for ducks and geese) here. Everything is drowned.²⁹⁴

Almost two decades later, Loney saw little change in the economic circumstances at Easterville. He paints a portrait of a community that formerly had a diverse and strong economic base, a marked contrast to the pervasive and long-term welfare dependency that resulted from relocation.

Finally, relocated populations were affected by a loss of employment opportunities or by governments' empty promises to provide employment as a benefit of relocation. For example many of the Mi'kmaq of Nova Scotia opposed the centralization plan because it meant moving away from their employment. As they had anticipated, when people arrived at Eskasoni or Shubenacadie, few employment opportunities awaited them. Patterson concludes that the main flaw in the centralization plan was its failure to provide adequate work. Being forced onto relief or having to line up for work

affected the pride of the Mi'kmaq. When they did admit that government help was needed, the final erosion of their self-sufficiency set in:

What ruined the people was the movement to this reserve [Eskasoni]. The young over here get welfare, but one time ago it was a long wait because in order to qualify for welfare you had to be old.²⁹⁵

A similar employment problem developed at Tsulquate. Although there was some casual employment in logging, tree-planting and mining, few seemed to make it across the bridge to Port Hardy to participate in the town's growing economy. Relocates living across the river in Tsulquate were physically isolated, and they also felt social isolation as a result of discrimination. Crowded living conditions also contributed to the problem:

...problems of overcrowding in homes seriously affect the abilities of people to maintain good work habits, and hence jobs...It is...possible that the problems of unemployment are so pervasive that there is an unofficial "taboo" against maintaining a job.²⁹⁶

In 1980, 80 per cent of adults in Tsulquate who were able to work did not have employment. A few short-term government make-work projects were implemented, but these failed to address the staggering need for steady employment, training and economic development in Tsulquate.

The spiritual importance of the land and its role as a source of economic (and cultural) sustenance are inseparable. Uncertainty about new sources of revenue and subsistence, together with anxiety about new expenses and the cost of living in a new environment, can have "shocking and debilitating effects".²⁹⁷ The result can be long-term impoverishment, welfare dependency and the social disintegration experienced by the Sayisi Dene, as an Indian affairs official observed in 1971:

[T]he case of the Chipewyans presents itself really as a sorry tale of how a group of isolated and primitive, but largely self-reliant people, has undergone radical disorder and disintegration through re-location, resulting in detrimental if not tragic effects to both the group itself and the larger community around it...²⁹⁸

Economic losses are seldom reimbursed by the state. Land at the new

location is often inadequate or unaffordable. Relocates often become surplus or menial labourers, and their skills as hunters are of little value in making a living in the new economic environment. One study observed that even governments with the best of intentions often implement moves before preparing an adequate economic support base for the relocatees, and that "almost universally, governments fail to pay attention to how relocatees are going to make a living after removal".²⁹⁹ The cases examined in this chapter illustrate this shortcoming dramatically. Even when the difficulty of making a living was anticipated — as in the case of the Chemawawin Cree relocated because of the Grand Rapids dam — little or nothing was done to deal with the problem. In moves like that of the Cheslatta people, the haste and lack of planning, the absence of consideration for people's interests, and the denial of their right of self-determination practically guaranteed an economic disaster. The collapse of Aboriginal economies following relocation is also linked to the post-settlement health of the community.

4.3 Health Effects

One of the most immediate indicators of the stress of relocation is people's health. Ill-health can be manifested physically and psychologically, and it affects both individuals and groups. The case studies of Aboriginal relocations define health in general terms that refer not only to how people die but also to how they live.

Several studies found an increase in mortality rates among relocated populations. For example, Culhane's demographic study of the Gwa'Sala and 'Nakwaxda'xw points to an increase in deaths in the community immediately following the move.³⁰⁰ The factors contributing to higher mortality rates following relocation include environmental change, overcrowded housing, poor sanitation and contact with infectious diseases. Overcrowding and poor sanitation also contribute to a rise in morbidity. This was the problem at Tsulquate, where two years following relocation only eight houses had been made available for 200 people. As many as 24 people were crowded into one-room shacks with no sewage facilities or running water, and access to medical facilities was limited. Among the Mi'kmaq of Nova Scotia, the result of the centralization scheme was also insufficient housing and overcrowding. Widespread poverty is also associated with higher levels of morbidity and mortality.

The natural environment to which people were relocated sometimes proved detrimental to their health, and in several cases, was a factor in greater morbidity. For example, at the Whitehorse reserve, the Kwanlin Dun people were pushed to the outskirts of the city and forced to live for years in a polluted environment near an industrial site. Health problems were compounded by an absence of water and sewer services.

The physical surroundings do not in any way enhance the Indian way of life.

There are neither trees nor clear water. Houses are crowded together in an unplanned, haphazard manner. Raw sewage from the City of Whitehorse flows into the Yukon River which borders the village on the east. Raw sewage from Camp Takhini and the Takhini Trailer Court gathers in a natural "lagoon" adjacent to the north side of the village. A sheer cliff 75 feet high faces the residents to the west. To the south is the White Pass Truck Yard which, with all ground cover recently removed, results in constant clouds of dust sweeping over the village.³⁰¹

At Easterville, an unhealthy environment resulted in an increase in both illness and death. Loney indicates that health standards declined, citing a study commissioned by the affected bands in 1978:

Ten of the eleven who claim that no one in their house was sick before the flooding cited illnesses afterward, ranging from frequent fever and flu, to high blood pressure and other serious illnesses.³⁰²

One difficulty was that the thick limestone on which Easterville was built prevented the establishment of pit toilets and created sanitation problems. The well water also became contaminated, and in 1970-73 the lake was closed for fishing because of mercury contamination. Furthermore, local residents reported at least six deaths among those fishing the lake, which the Cree believe were caused when boats struck floating debris.³⁰³

A final example of the health problems caused by relocation is the case of Hebron Inuit. In this case lack of knowledge about the new surroundings proved dangerous. An analysis of church records in Nain, Hopedale and Makkovik by Carol Brice-Bennett shows an increase in the death rate as a result of accidents and other causes among Hebronimiut following relocation. The greatest increase was among infants and the elderly.³⁰⁴

Before the relocation, the major cause of death at Hebron was illness, with half the deaths involving infants under two years of age. A small percentage of deaths was attributable to mishap, such as accidents related to hunting or, occasionally, food poisoning. After the Hebron Inuit relocated in 1959, mishap and violence accounted for a greater number of deaths, especially for the first two decades after the moves. Furthermore, these deaths occurred among those ranging in age from 11 to 40 years. Seventeen of 29 mishap deaths were the result of drowning or exposure, mainly involving male Inuit. These were related to poor ice or weather conditions and to lack of knowledge among Hebron Inuit about the new landscape and climate.

The situation was particularly severe in Makkovik, a community located below the tree line and an environment alien to Inuit accustomed to tundra. During the 1960s, Hebronimiut deaths were four times that of non-Inuit deaths in that community. Fewer deaths occurred after 1980, by which time people had gained the environmental knowledge needed to survive in the new locations. Of the two suicides of Inuit males in Makkovik in the 1980s, both parents of one of the victims had been moved from Hebron; the other victim had one parent who was moved from Hebron. By 1993 only half the original Hebron Inuit were still alive.

I feel that it did not affect me all that much but it was very different for our elders. I could see that their hearts were crying out for their homeland and it was very emotional and hard to bear. Because the older people were reluctant and did not want to leave Hebron, they were shocked when they were told that they had no choice in the matter. We were not notified beforehand, and it was such a shock to the older people. I believe that this is why the elders did not live for very long after the relocation. It took a big toll on their lives having to leave the land they loved so much.³⁰⁵

The relocations affected Aboriginal people psychologically as well as physically. The manifestations of poor psychological health range from homesickness to apathy to severe depression. When Justice Thomas Berger was travelling through the Mackenzie Valley in the 1970s, inquiring about the potential effects of a major oil pipeline on Aboriginal people, he was told by a psychologist about a kind of depression that many Aboriginal people experience. He said:

This disorder is recognized by a set of symptoms including passivity, lack of

interest, decrease in energy, difficulty in concentration, lack of motivation and ambition, and a feeling of helplessness. These symptoms can vary in degree and from person to person and culture to culture. It has been suggested by many of my colleagues in psychology and psychiatry that this disorder is virtually endemic among the northern native people but at a subclinical level or [it is] perhaps simply unrecognized as depression.³⁰⁶

This kind of depression may have contributed to ill-health following relocation from Hebron, stemming from loss of home and homeland, separation of families, and unfamiliar and often unkind new surroundings. As Scudder and Colson put it,

We would expect, therefore, that forced relocatees would be likely to be subject to depression, and this has certainly been reported among refugees.³⁰⁷

As we have also seen, the people relocated to Tsulquate were subject to severe discrimination, adding to their psychological stress. Psychological stress was also a factor for the Sayisi Dene relocated to Camp 10 outside Churchill, right next to a cemetery.

Following the resettlement of Baffin Island Inuit, people experienced improved physical health but deteriorating mental health. For example, in Pangnirtung, Billson documents "a kaleidoscope of debilitating social and mental health problems" resulting from a traumatic change in a way of life. Only those with access to cash could afford to hunt, and few jobs were available in the new communities. Social relationships also changed dramatically; this was particularly evident in family relations, where parents lost control over children after the move from small extended family-camps to communities of 500 to 1,000 people. The roles of men and women also shifted, and in many families traditional roles were reversed. Together, these factors contributed to a pervasive sense of frustration and a loss of self-esteem among Inuit, resulting in rising rates of domestic violence, alcoholism, drug abuse and suicide, especially among men who had lost their role as providers.³⁰⁸

Alcoholism is often cited as a response to, and an escape from, the physical and psychological stresses of relocation and the depressing sense of loss and powerlessness among relocatees. At Easterville, for example,

alcoholism became a major problem after relocation. Most of the accidental deaths that occurred after the relocation could be attributed, at least indirectly, to misuse of alcohol or alcohol substitutes. A study conducted in 1980 concluded that

The abuse of alcohol appears to be related to a form of mental depression which has developed since the relocation...According to one [local] health official, 'A lot of the older people are in a...depression. A sort of low level depression...A lot of these people are sick and it is because they don't have the will and happiness to be healthy. Every elderly person in the community is part of the case load.'³⁰⁹

Psychological stresses related to relocation are more difficult to measure but are no less real than the physical effects. People grieve for their lost homeland. They feel anxious about the future but also powerless to affect it, since they have been unable to control what has happened to them in the past.

4.4 Social and Political Effects

The social and political effects of relocation are complex. Familiar social structures and activities are weakened. Relocation can create a vacuum in community leadership, because former leaders are often discredited by the time they arrive in their new communities. They may be seen as impotent, because they were unable to prevent the move, or as compromised if they encouraged or co-operated with the move. The original leaders become associated with and are sometimes even perceived as the cause of the social and economic hardships brought about by relocation.

Invariably, transfer has the effect of destroying a community's cohesion as a political unit, and if political structures remain intact at all, they most often become dependent upon the transferring authority (the State) in a number of ways.³¹⁰

Emery's case study of the relocation to Tzulquate discusses the breakdown of local leadership. He relates the fate of an individual who was a respected spokesperson before the move and was instrumental in persuading the community to move to Tzulquate in an attempt to improve living conditions for their children. When he realized the mistake he had made after the

relocation, he became "a neglected, ignored, shadow of a person."³¹¹

Similar circumstances are described by Brice-Bennett in her study of the relocation of Hebron Inuit. The traditional authority of the Hebron Elders was diluted when families were divided and moved to different communities which already had established leaders. In Hebron, the Elders council exercised considerable authority over the local population, a system that was undermined by relocation. Hebron Elders were not consulted on the closing of their community, and they had no authority in the new communities. Nor were any of the Elders councils in the three host communities (Nain, Hopedale and Makkovik) consulted on the social or economic implications of the sudden increase in population.

At Easterville, disruptions were also evident in community leadership patterns following relocation.³¹² Previously, the chief at Chemawawin had worked closely with the trader in the organizing and maintaining the community. As the economic pivot of the community, the trader was a source of strong community leadership that was no longer available after the move to Easterville.

Easterville community affairs also revealed factionalism along kinship lines, especially in the election of the new chief. On many issues, the community also divided along age lines. These splits in the community may have contributed to an increase in alcoholism, family and marriage breakdown, petty crime and juvenile delinquency, a breakdown of parental control and aggression between community members. According to local people interviewed by Landa in 1968-69, such problems were non-existent in Chemawawin, in part because the physical distance between residences made it difficult for young people to congregate and made family controls more effective. In Easterville, changes in residence patterns and weakened family control played a role in what became a sizeable juvenile problem, controlled now by outside authorities such as the RCMP.

At Camp 10 and Dene Village near Churchill, the problems the Sayisi Dene had trying to blend with the local population were attributed largely to their traditional leadership system, which no longer fit their circumstances.³¹³ In subsistence-based economies leadership was situational — no one person had the authority to make all decisions on behalf of the group. Leadership depended on the issue at hand and the person with the qualities needed to

deal with it effectively. At the new location, however, the local Indian agent decided the solution was to encourage the development of leadership qualities among band council members, an approach that violated traditional norms and contributed to the growth of rivalries between families. In the past, the group might have split up to deal with this social problem, but this solution was no longer possible at Camp 10 or Dene Village. Band members were forced to co-exist under strained circumstances, deepening already serious social problems. For example, inappropriate housing and settlement plans at Dene Village deprived the Sayisi Dene of their sense of family privacy. Alcoholism, child abuse and sexual abuse occurred at an alarming rate, and racism was rampant in the town of Churchill. Families disintegrated into groups of strangers, and elders died humiliated and brokenhearted: "What had once been a proud and industrious people was now a hopeless collection of broken people".³¹⁴ In the end, Sayisi Dene administration was handled by Indian affairs. Even simple tasks were done by the local agent because it was considered easier than teaching the people to do it for themselves.

In the Yukon, the government counted on the band council system, as managed by Indian affairs, to provide stability and administration for the new and expanding villages. However, the system bore little resemblance to traditional models of leadership and group decision making, which respected clan distinctions and worked to achieve consensus. Yukon villages were slow to adopt the electoral model and were thus delayed in gaining 'official' status. The system tended to produce leaders whose legitimacy rested on the political and legislative authority of Indian affairs rather than on the traditional sources of authority in Aboriginal groups. The villages that adopted the new system soon discovered that a non-traditional political system created new difficulties and tensions and was not successful in addressing existing problems. Given the relative youthfulness of Yukon communities, the cultural mixing that occurred in many of the villages, and continued conflict with the non-Aboriginal population, band councils faced considerable difficulties. In some instances, the councils were scarcely effective at all, and Indian affairs stepped in more directly. In the early 1960s and 1970s, several communities protested against elected councils and successfully deposed chiefs and councillors.

This loss of social cohesion affected not only the people who were moved but subsequent generations as well. Ernie Bussidor describes the effect of relocation on the Sayisi Dene:

Although our story is decades old, and told countless times to various commissions of inquiry to no avail, our persistence is undaunted, and for a reason: in simple words — we need help, together to heal. That has to be our first priority. It has come to a full circle again, where our children are living in despair of sorts, because we as adults have not healed from the pain of growing up in a destructive and dysfunctional environment.³¹⁵

Cross-generational suffering has also been identified as a major factor in the difficulties encountered by the Anishnabe community of One Man Lake after it was relocated to the Whitedog Reserve in Ontario.³¹⁶

When traditional authority is undermined, the potential for community co-operation and reciprocity is broken, sometimes irreparably. This leads to further deterioration of mores and traditions, codes of behaviour, ethics and value systems.

4.5 Effects on the Relationship Between Aboriginal and Non-Aboriginal People

By now it should be apparent that many Aboriginal communities continue to feel a deep sense of grievance about relocation. These feelings were expressed clearly in our hearings and are documented in the research. This sense of grievance will be healed only when there is recognition that relocation is part of a series of wrongs committed against Aboriginal people by governments. With this recognition will come understanding of the reasons for these actions, which are rooted in erroneous assumptions about Aboriginal people.

Many communities want governments to listen to their grievances. By listening, governments will be recognizing that the pain still being felt in Tsulquate, in Tadoule Lake, in Makkovik, and many other places, is very real. Recognition must be followed by acceptance of responsibility. Only then can an attempt be made to resolve the problems that have visited these communities since relocation. As we said in our report on the High Arctic relocation,

The Commission considers that resolution of the complaints of the High

Arctic relocatees will facilitate reconciliation generally between the Inuit and the government of Canada.³¹⁷

We referred earlier to the March 1995 statement by the minister of Indian affairs and northern development, Ron Irwin, concerning the High Arctic relocation. We believe that the minister's statement, while not a formal apology, represents a significant departure from previous government positions. The minister also stated that his government recognized the need to find "some fair resolution to the long standing grievances of those Inuit who were long ago relocated from Inukjuak to the High Arctic communities of Grise Fiord and Resolute Bay."³¹⁸

These words represent an important first step in resolving the grievances of the Inuit. However, many other communities were also relocated, apparently without their free and informed consent, and the legacy of relocation continues to impair social, political and economic life there. A hard look must be taken at these relocations. Recognition will not, in itself, heal these wounds. But it will give people hope that their grievances are finally being taken seriously.

With this in mind, we turn now to the final part of this chapter, a discussion of the criteria and standards that should guide relocations. We conclude with recommendations to deal with outstanding grievances and ensure that future relocations respect the rights of the Aboriginal peoples they are intended to assist.

5. Relocation and Responsibility

5.1 Responsibility of Governments

Where the law is tacit, the politics of crude power flourish.³¹⁹

Relocation is only one aspect of a much larger set of relations between Aboriginal and non-Aboriginal people. In the broadest sense, it represents a form of dispossession, part of an historical process set in motion long before Confederation. It can be argued that Aboriginal peoples have been moved — in one way or another — since Europeans first began exploring the new world.

In the conclusion to our report on the High Arctic relocation, we considered the federal government's responsibilities to the Inuit in terms of five general criteria, which are capable of flexible application to cases of relocation. To summarize, these criteria involve

1. the requirement for government to obtain appropriate authority before proceeding with relocation;
2. the need for the relocatees to give their informed consent to the relocation;
3. the care and skill with which the relocation is planned, carried out and supervised;
4. the promises made and whether they are kept; and
5. the humaneness of the relocation.

These principles are meant as guidelines, and they inform both our moral and our legal judgements. They are principles that apply to all and, in the case of Aboriginal peoples, are reinforced by the fiduciary responsibilities of the government. The content and the discussion of these principles in this case necessarily reflects the issues of the case. Other issues in other cases may require further elaboration of these principles. The application of these principles depends on the facts of each case, and events must be considered in light of what was known or reasonably foreseeable at the relevant time. Care must be taken not to colour an appreciation of the facts as they existed with today's knowledge and beliefs.³²⁰

We are not in a position to make definitive judgements on the facts in the cases reviewed in this chapter; rather, we have let the stories speak for themselves. Because of what we have heard and what we have learned, we believe these stories and the principles we have outlined support our recommendations for a process to deal with the deep sense of injury that surrounds past relocations. This process must recognize the damaging effects of relocation on the lives of many Aboriginal people and, at the same time, permit reconciliation based on a resolution of the grievances so powerfully expressed.

Did the relevant governments have the proper authority to proceed with a relocation?

In our report on the High Arctic relocation, we examined the authority of government to proceed with a relocation, clarifying that it involves consideration of specific legislation that might authorize relocations, the general mandate of the department concerned, the authority conferred through budgetary appropriations, and whether what was done falls within the scope of what was authorized in law.³²¹

In that particular instance, we concluded that there was no specific legislation authorizing the relocation. Officials proceeded on the basis of the general mandate of their department but had no legal authority to proceed with an involuntary relocation. Furthermore, there was unauthorized use of the Eskimo Loan Fund to establish government trade stores deemed essential to the viability of the new communities. We also concluded that the federal department exceeded its authority in intentionally withholding family allowance and old age pension benefits from the relocatees.

In the cases summarized in this chapter, it is not possible to be definitive about the authority for the various relocations without further, detailed examination of each instance. In some cases there is mention of an order in council being used (e.g., the Mi'kmaq centralization and the Chemawawin Cree relocation), and in another case legislation whose principal purpose was not related to relocation was used (the *Prairie Farm Rehabilitation Act* with respect to the Métis of Ste. Madeleine). The agreement to move the Songhees was confirmed by a specific act of Parliament, and this was followed by an amendment to the *Indian Act* to make the transfer of reserves and the removal of Indian populations easier to carry out in future. While these various kinds of authority are given, questions remain about whether the authority obtained was proper and sufficient and whether implementation of the relocations fell within the terms of what was authorized by law.

In other cases discussed in this chapter, there does not appear to have been specific legislation authorizing a relocation. Rather, officials of federal and provincial governments, often proceeding in collaboration with non-governmental interests such as the Hudson's Bay Company, decided that people should move and pressured them to do so. Questions arise about

whether they had the authority to make and implement such decisions, especially to the extent that the relocations were involuntary. In several instances, the relocations appeared to be ad hoc in nature, carried out in the absence of well developed policy guidelines.

The cases we have described also raise other disturbing questions that need to be pursued — for example, whether benefits to which people were entitled were cut off as an inducement to move to a particular location, whether land surrenders that accompanied some relocations were made properly, and whether surrenders were consented to by properly elected chiefs and councils.

Closely related to the questions of whether governments obtained the proper authority to proceed with a relocation is the issue of whether they obtained the free and informed consent of those who were to be moved.

Did the relocatees give their free and informed consent to the move?

Important issues of consent, and how it is obtained, are raised by all the cases in this chapter. In our report on the High Arctic relocation, we found that several factors demonstrated that the Inuit did not give informed consent to the move. The criteria for obtaining consent laid out in that report are relevant to this chapter as well.

The relocation scheme involved moving people from lands that they had occupied and exploited for centuries, long before Europeans came to North America....Consent must be free and informed. A basic requirement in any circumstance involving the obtaining of consent is that everything material to the giving of consent be disclosed and that there be no material misrepresentation.³²²

When a community gives its consent to a relocation plan, that decision must be based on a full understanding of the conditions under which people are being relocated and the situation to which people are being relocated. Free and informed consent includes people's full knowledge of the reasons for the relocation, as well as the potential risks and disadvantages of the move.

It is not enough to argue that a people appeared to agree to relocation. It is incumbent upon the government or the agencies initiating the relocation to

consider all the cultural, social, health and political factors that must be heeded in order to ensure informed consent. In the cases we looked at, claims that consent was either completely lacking or based upon insufficient information warrant closer examination.

Was the relocation carefully planned and well implemented?

This criterion implies that governments have a responsibility to ensure not only the material well-being of the people being relocated but also their social and spiritual well-being. When the Sayisi Dene and Cheslatta T'en were moved, they had to leave behind a great deal of valuable equipment and many of their belongings. The houses of the Gwa'Sala were burned down and the people wound up living in beached longboats or overcrowded shacks at the new location. The Mi'kmaq were supposed to take up agriculture but the land they were moved to was inadequate. Lack of planning, rushing to meet artificial deadlines, inadequate consultation and little understanding of potential negative effects (or ignoring warnings about them) often marked the relocations we have examined.

In the case of the High Arctic relocation, poor planning and lack of supplies created enormous hardships for the relocatees, especially in the early years. Our report concluded that

various aspects of the project demonstrated significant lack of care and skill, causing hardship and suffering to the relocatees to whom the government owed a duty of care. As such, the government was negligent in the planning, implementation and continuing supervision of the project.³²³

The disruption and anxiety of relocation alone are enough to require very careful planning and serious consideration of all potential outcomes before a relocation is carried out.

Were the promises made to the relocatees kept?

As we have seen from the relocations reviewed in this chapter, governments often made promises to the communities they wished to relocate, to the effect that certain things would be done or certain rights or interests would be protected, if the people would agree to move. Communities say they were promised housing and jobs, for example, that

never materialized. The Sayisi Dene say they were promised 45 tons of building supplies and several canoes but these were never delivered to North Knife Lake. The Cheslatta T'en understood that they would not have to bear the cost of re-establishing themselves in a new location but this turned out not to be the case.

Typically these promises were made as part of discussions that took place before the move, when government agents and others were doing their best to persuade the community that it was in their best interests to move. Once the relocation occurred, however, and the bargain, as Aboriginal people understood it, was not kept, the relocatees had no way to compel the authorities to deliver on their promises and no recourse if they failed to do so. The question of whether promises made were actually kept provides a clear criterion for assessing past relocations as well as a standard for the future.

Was the relocation humane and in keeping with Canada's international commitments and obligations?

In our High Arctic relocation report, we said that humane acts involve treating people as people. Our humanity rests on the fundamental equality of all people as human beings. This principle has been elaborated and confirmed in many international instruments addressing, among other things, the right of all people to liberty and security, both physical and mental, and to enjoy one's culture in association with other members of society. Nevertheless, as Al-Khasawneh and Hatano point out,

International law alone, certainly in its current stage of development, cannot solve many of the problems of population transfer. Policies and practices resulting in population transfer evolve from historical processes. Assuming the political will to do so in such cases, resulting problems *must be resolved through negotiations guided by existing human rights principles derived from general rules.*³²⁴

This leads to the conclusion that a made-in-Canada approach is required to deal with the implications and effects of relocations. However, any steps leading to the development of guidelines to protect the human rights of potential relocatees should reflect essential elements of international norms and standards. Such guidelines are crucial to future policy development in

this area.

Were all government actions in accord with its fiduciary responsibility to Aboriginal peoples?

In *Sparrow v. The Queen*, the Supreme Court of Canada ruled that

the government has the responsibility to act in a fiduciary capacity with respect to Aboriginal peoples. The relationship between the government and Aboriginals is trust-like, rather than adversarial, and contemporary recognition and affirmation of aboriginal rights must be defined in the light of this historic relationship.³²⁵

The government thus has responsibilities to Aboriginal peoples that carry with them a special duty of care. This means in part that the Crown must take care in obtaining consent:

Certain relationships, especially those in which there is a significant imbalance in power or those involving a high degree of trust and confidence may require the trier of fact to be particularly careful in assessing the reality of consent... The beneficiary of a fiduciary relationship can still consent to a transaction with the fiduciary but the court will subject such a consent to special scrutiny. ...[Further,] in certain circumstances, consent will be considered legally ineffective if it can be shown that there was such a disparity in the relative positions of the parties that the weaker party was not in a position to choose freely.³²⁶

Despite this special duty of care, the relocations examined in this chapter raise many questions about government action or inaction. The Hebronimiut, for example spoke about feeling coerced when the relocation announcement was made in church, a sacred place that demanded silence and subservience in the Inuit view. Others have commented that they felt they were powerless to oppose the government decision. In some cases, such as that of the Chemawawin, the people initially trusted that the government was acting in their best interests. In other cases, those relocated implored the government to intervene to protect their interests. Whether governments fulfilled their fiduciary responsibilities to the people concerned provides an additional criterion against which the actions of governments can be assessed.

5.2 Establishing Standards for Relocation

In the future it is likely that communities, whether Aboriginal or non-Aboriginal, will continue to be asked to move by governments, although we believe this should be considered only for very good reasons and in exceptional circumstances. This makes it important to learn from experience and to establish standards for relocation that will avoid the tragic consequences outlined in this chapter.

The need to take action is underlined by reports from the international arena. For example, a report to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities recommends that international standards governing relocation be clarified and that the sub-commission begin "work towards a draft declaration on the subject of forcible population transfers and the implantation of settlers and settlements."³²⁷

The World Bank, influenced by criticism of a number of its development projects, has developed guidelines in the past decade for resettlement under bank-financed projects. Its "Operational Directive: Involuntary Resettlement" describes "Bank policy and procedures on involuntary resettlement, as well as the conditions that borrowers are *expected* to meet in operations involving involuntary resettlement."³²⁸ The memorandum accompanying the directive emphasized the need to

1. minimize involuntary resettlement;
2. give people the means to restore or replace their former living standards;
3. involve both resettlers and host populations in resettlement activities;
4. design sound resettlement plans; and
5. provide compensation for land and property affected by the relocation.

Population transfer has also been addressed in a number of international human rights instruments, including the International Labour Organisation

Convention No. 169, adopted in June 1989. While Canada has not ratified this convention, Commissioners believe that it contains important principles relevant to the cases discussed here. For example, article 16 deals with removals from traditional lands and compensation, stating that "They should occur only in exceptional circumstances, with the free and informed consent of the peoples concerned." Legally established procedures should provide "the opportunity for effective representation. They should be temporary wherever possible. If not, the peoples should be provided with lands of quality and legal status equal to those previously occupied."³²⁹

In Canada, the 1972 Royal Commission on Labrador examined the issue of relocation with respect to the Hebronimiut. In its final report, this commission outlined nine "principles of resettlement" to guide future relocations. They are worth quoting in their entirety:

1. Any assisted community resettlement must be voluntary and free from coercion;
2. Resettlement should only occur when it offers assurance of opportunity to earn a reasonable living for those who are resettled;
3. Resettlement must not bring economic hardship to residents of receiving communities;
4. Resettlement should only occur when the views of the people involved are known and when people have had an opportunity to discuss, with appropriate authorities, the implications of resettlement, and the need for it;
5. Resettlement should only take place after adequate opportunity, prior to resettlement, for representatives of those wishing to resettle, of those in the receiving community, and of those in Government, to consider resettlement jointly, and for representatives of those to be resettled, to visit the receiving community well in advance of resettlement;
6. When a community is to be resettled, its residents should have the opportunity to settle en masse in one receiving community;
7. Resettlement requires sound advance planning of many kinds and such planning must be carried out, in concert, by local people and other experts;

8. Resettlement does not end with physical relocation but requires continuing effort to ease adjustment;

9. The financial cost of resettlement must receive adequate consideration.³³⁰

The wording differs, but all these principles have a common aim: to reduce the arbitrary exercise of power by governments.

It is in this spirit, and given the Aboriginal experience with relocation conveyed to us so movingly, that we put forward the following *minimum* standards of behaviour that should apply to all cases of relocation. Our particular concern is with the relocation of Aboriginal communities, past and future, but we believe these standards (with the exception of the last one) should apply to any community relocation in Canada based on the basic human rights of all persons.

The minimum standards, which are consistent with the criteria referred to in our report on the High Arctic relocation, are as follows:

1. Governments must obtain and follow appropriate authority before proceeding with relocation.
2. The people who are to be moved must give their free and informed consent to the move and should be participants in decision making concerning the relocation.
3. The relocation must be well planned and implemented and should include consultation and planning with the host community.
4. Promises made concerning the relocation should be kept and supported by adequate resources. In this regard, compensation should be adequate and persons relocated should have ample opportunity to maintain or improve their standard of living in the new location.
5. The relocation must be carried out in a humane manner, respecting the rights of persons in keeping with Canada's international commitments and obligations. In this regard, persons who are to be relocated should have the

opportunity to settle as a group in one receiving community.

6. Government actions must conform with the government's fiduciary obligations to Aboriginal peoples.

Such standards will have to be applied flexibly, of course, to take account of changing circumstances. For example, much of our discussion has dealt with the community level, but as self-governing Aboriginal nations become re-established in the future, a principle such as obtaining free and informed consent may well involve discussions at the nation as well as the community level.

Having listened to Aboriginal people's stories, examined the research and discussed standards for relocation, we turn now to recommendations. These recommendations will help the task of reconciliation by providing a mechanism to examine past relocations while at the same time ensuring that future moves adhere to the standards outlined earlier in the chapter.

5.3 Proposals for Reform

Accepting responsibility

The Commission is of the opinion that governments ought to acknowledge that the practice of relocating Aboriginal communities, where these relocations failed to adhere to the standards we recommend, has contributed to the violation of Aboriginal people's rights as human beings. This has produced a series of identifiable negative effects on people and communities. In many cases these effects are still being felt by relocatees and their descendants.

Our research and public consultations revealed that many Aboriginal communities continue to feel a deep sense of grievance about relocation. Healing will begin in earnest only when governments acknowledge that relocation practices, however well-intentioned, contributed to a denial of human rights. Acknowledging responsibility assists in the necessary healing process because it creates room for dialogue about the reasons for relocation and the fact that these reasons were often based on ignorance and erroneous assumptions about Aboriginal people and their identity. Aboriginal people need to know that governments accept responsibility for

relocations and recognize their effects. Recognition and responsibility are the necessary first steps to overcoming the many adverse effects of relocation.

A new role for the Canadian Human Rights Commission

The Commission is also of the view that Aboriginal communities ought to be able to air their grievances in an open, public and fair process and receive compensation for and relief from the negative effects of relocations. While the mandate of this Commission is generally oriented to the future, some past grievances are too great to ignore. In this chapter, we have described several relocations that resulted in severe disruption and dislocation of Aboriginal communities. Such stories are particularly disturbing because they involve the fundamental human rights of Aboriginal people. The stories of past relocations — stories of oppression and resistance — deserve national attention and concern. They must be inscribed in the public consciousness of Canadian society through an open, public, flexible and fair process that underscores the human rights dimensions of relocation.

Commissioners are of the view that Parliament should amend the *Canadian Human Rights Act* to authorize the Canadian Human Rights Commission (CHRC) to hold hearings to enable Aboriginal people to speak about the severe hardships they experienced as a result of relocations. In accordance with the six standards outlined earlier in the chapter, the CHRC should be empowered to inquire into past relocations to determine whether

- the government had proper authority to proceed with the relocation;
- the relocatees gave their free and informed consent to the move;
- the relocation was well planned and well implemented;
- promises made to those who were relocated were kept;
- the relocation was humane and in keeping with Canada's international commitments and obligations; and
- governmental actions conformed with its fiduciary obligation to Aboriginal peoples.

Hearings should not be structured to pin blame or identify legal wrongdoing, but instead to allow for the airing of Aboriginal stories of oppression and resistance with respect to relocation. Legislative amendments should not encourage legal formality, such as strict evidentiary rules and rights of cross-examination, but instead should aim for a process that fosters dialogue and trust. The CHRC should also be empowered to recommend a range of forward-looking remedies designed to assist Aboriginal people in rebuilding their communities.

This mandate to examine past relocations should not be permanent. Parliament should require the CHRC to resolve all outstanding claims within 15 years. A permanent mandate would tempt delay and extend the process of reconciliation indefinitely. Aboriginal communities are entitled to justice without undue delay, and Aboriginal and non-Aboriginal people alike deserve closure and finality on the issue of relocations.

Given the temporary nature of the mandate we are proposing, an alternative approach would be to appoint a public inquiry into past relocations.³³¹ The federal *Inquiries Act* authorizes the governor in council to appoint a public inquiry into "any matter connected with the good government of Canada or the conduct of any part of the public business thereof." The act also allows a departmental minister to appoint a commission "to investigate and report on the state and management of the business, or any part of the business, of [the] department."³³²

A public inquiry would enjoy the benefit of flexibility.³³³ However, several advantages can be gained from using the CHRC to undertake a review of past relocation practices.³³⁴ The CHRC is a neutral agency, independent of government, with specialized knowledge and skills in relation to human rights concerns. The CHRC provides accumulated expertise and an existing institutional infrastructure for investigating discriminatory practices, facilitating negotiations between the parties to human rights complaints, adjudicating claims when necessary, and fashioning appropriate remedies. The CHRC's specialized expertise has been recognized by Madam Justice L'Heureux-Dubé of the Supreme Court of Canada:

As for the Commission itself, Parliament unquestionably intended to create a highly specialized administrative body, one with sufficient expertise to

review Acts of Parliament and, as specifically provided for in the Act, to offer advice and to make recommendations to the minister of Justice. In the exercise of its powers and functions, the Commission would inevitably accumulate expertise and specialized understanding of human rights issues, as well as a body of governing jurisprudence. The work of the Commission and its tribunals involves the consideration and balancing of a variety of social needs and goals, and requires sensitivity, understanding, and expertise.³³⁵

In addition, using an existing institution and its expertise would produce significant efficiency gains. Start-up costs would be minimized, and using the existing administrative resources of the CHRC would probably be more efficient than maintaining a separate administrative structure for an inquiry over a 15-year mandate. Not all the various institutional components of a public inquiry are likely to be used to the same extent at every stage of its mandate. Using the CHRC would reduce the cost of maintaining unnecessary administrative components during periods of relative inactivity.

The most compelling reason for empowering the CHRC to inquire into past relocations involves the normative status of the *Canadian Human Rights Act* and the CHRC itself. Referring to human rights legislation as "public and fundamental law", Mr. Justice Lamer of the Supreme Court of Canada stated,

When the subject matter of a law is said to be the comprehensive statement of the 'human rights' of the people living in that jurisdiction, then there is no doubt in my mind that the people of that jurisdiction have through their legislature clearly indicated that they consider that law, and the values it endeavours to buttress and protect, are, save their constitutional laws, more important than all others. Therefore, short of that legislature speaking to the contrary in express and unequivocal language in the [Human Rights] Code or in some other enactment, it is intended that the Code supersede all other laws when conflict arises.³³⁶

A critical aspect of the acknowledgement sought of federal responsibility by Aboriginal peoples is that the federal government recognize this matter as a significant human rights issue. The willingness of the government to apply the normative and institutional framework of 'fundamental law' to its past relocation practices is an integral part of the process of reconciliation.

Indeed, the CHRC itself has insisted repeatedly that the treatment of Aboriginal peoples is a human rights issue. As the commission stated in its annual report for 1991,

It remains the Human Rights Commission's view, as we told the Parliamentary Committee on a Renewed Canada in December, that the situation of the aboriginal peoples is the single most important human rights issue confronting Canada today and that it should be treated as such.³³⁷

This position was reiterated in the annual report for 1994:

Twenty-five years after the White Paper the situation of the native peoples remains the most pressing human rights issue facing Canadians.³³⁸

Current powers

The bulk of the CHRC's work involves the investigation, conciliation and adjudication of formal complaints of discriminatory practices made under Part III of the *Canadian Human Rights Act*. However, the commission's mandate also includes a broader educative and advisory function under Part II of the act. Of particular note are the broad powers of informal inquiry, review and recommendation conferred on the CHRC by section 27(1).³³⁹ Unlike its power to hear formal complaints, the commission's informal powers of inquiry, review and recommendation under section 27(1) appear not to be limited to 'discriminatory practices' as defined in Part III of the act.³⁴⁰ And the act confers discretion on the commission to conduct such informal inquiries on its own initiative.³⁴¹ The CHRC has studied issues falling outside its formal jurisdiction, occasionally recommending to Parliament that the act be amended to include them.³⁴²

The CHRC has also undertaken to review past relocations of Aboriginal people. As noted in our July 1994 report on the High Arctic relocation, the CHRC commissioned a report in 1991 on the 1953 and 1955 Grise Fiord and Resolute Bay relocations. As explained by the investigator commissioned to prepare the report, because these relocations occurred in the 1950s, at first the CHRC had concluded that [the Commission's] statutory procedures for investigating complaints did not apply to the situation. However, in January 1991, CHRC made an informal arrangement

with [Inuit Tapirisat of Canada and the Department of Indian Affairs and Northern Development] to conduct a review of the complaints and their surrounding circumstances.³⁴³

The CHRC also appointed a special investigator in 1992 to examine and make recommendations with respect to a number of grievances of the Innu Nation of Labrador.³⁴⁴ The commission's broad mandate under section 27(1) thus appears to permit an informal inquiry into and a report on past relocations.

While the CHRC has the power to facilitate a negotiated settlement between the parties to a formal claim of discrimination, the act does not explicitly confer a similar power on the commission with respect to an informal review. This has not prevented the CHRC from engaging in mediation efforts during such reviews. The informal 1991 relocation inquiry, for example, included a mediative element designed to "explore the possibility of arriving at a conclusion mutually acceptable to the Inuit and DIAND."³⁴⁵

A clear mandate to review pre-1978 relocations

We are of the view that Parliament should amend the act to confer explicit authority on the Canadian Human Rights Commission to inquire into, hold hearings on, and make recommendations with respect to relocations of Aboriginal people that occurred before 1978, the date when the *Canadian Human Rights Act* came into effect. Formal amendment would ensure that the authority of the commission to address relocations would derive directly from the will of Parliament. This would avoid any possible ambiguity regarding the commission's increased role and would preclude delays in carrying out the mandate. Moreover, the seriousness of the subject-matter, the proposed lifespan of the inquiry, and the need to provide speedy redress for the claims of individual communities demand an explicit statutory mandate instead of the informal and ad hoc process the CHRC must now use to address such issues. Finally, the commission's current lack of explicit authority to facilitate negotiation, to investigate each case fully and, if necessary, to compel testimony and the production of evidence, as well as the lack of specificity regarding its power to recommend relief, may hinder its ability to inquire adequately into past relocations.

We therefore propose that the *Canadian Human Rights Act* be amended to

give the Commission the following specific powers in relation to inquiring into relocations that occurred before 1978.

Alternative dispute resolution processes

The Canadian Human Rights Commission should be authorized specifically to provide a wide range of alternative dispute resolution processes, including mediation, facilitation and consensual arbitration.

Hearings

We also propose that the CHRC be empowered to hold hearings on relocations that occurred before 1978 to enable Aboriginal people to air their grievances in an open, fair and public process. Hearings could occur before, during or after attempts to resolve disputes through alternative means.

Investigative and subpoena powers

While hearings should be conducted informally, the CHRC should be vested with effective subpoena powers with respect to documents, evidence and witnesses. Given the nature of the subject-matter and the purpose of the inquiry, we anticipate that such powers will be used sparingly, if at all. However, such powers are required to give the commission authority similar to that of a public inquiry. Commissioners appointed under the *Inquiries Act*, for example, can be given certain powers to compel testimony and produce documents, as well as to appoint experts and counsel to assist them and take evidence.

Remedies

The *Canadian Human Rights Act* should be amended to give the Canadian Human Rights Commission the authority to recommend a broad array of remedies to redress the effects of relocations that occurred before 1978, in keeping with the remedial aims of recognition, apology, compensation and prevention. It is essential to the Commission's proposed role that it have the authority to recommend remedies that will adequately redress the specific harms caused to individual Aboriginal communities.

Recommending that governments apologize to relocatees is both a type of

compensation — compensation for the affront to dignity, self-respect and self-determination engendered by many relocations — and an important means of recognizing Aboriginal accounts of oppression and resistance. In fact, a Canadian Human Rights Review Tribunal articulated this dual purpose in the context of its current remedial authority:

Any apology goes far beyond a confirmation of the personal victimhood of the victim. It serves a broad educative function that can advance the purposes of the *Act*... [I]t acknowledges...a serious affront to human dignity. It holds out the hope and the commitment that the mistakes of the past will not be repeated in the future.³⁴⁶

We do not wish to suggest that an apology should depend on a finding of a deliberate intention to cause harm to Aboriginal people in relocations. Intent should not be a necessary condition for remedial redress. This is a truism of Canadian human rights jurisprudence. Courts have emphasized repeatedly that harmful effects are the central concern of human rights legislation in Canada.³⁴⁷ The Supreme Court of Canada, for example, has stated that "[i]t is the result or the effect of the action complained of which is significant."³⁴⁸

Equally, compensation involves both recognition of responsibility and prevention of future harm. Compensation should attempt to redress harms done to the community as a whole by relocations, and it should be designed to prevent future harm from occurring. For example, community- and future-focused remedies might include providing essential social infrastructure or services, or providing funding for special community initiatives.

The effects of relocation often are not limited to the relocation itself. As noted in this chapter, the effects of the government's initial treatment of the relocatees appear to have been compounded by inadequate provision of facilities and infrastructure in the relocated communities. This can produce a continuing cycle of discrimination and can perpetuate hardships that ought to be the focus of remedial recommendations. The continuing hardships that could be remedied through special programs include the isolation, privation, marginalization and stigmatization that often follow relocation and that operate as insidious barriers preventing Aboriginal communities from achieving greater control over their future. The Canadian Human Rights Commission should have the ability to recommend whatever special programs may be required to eradicate these barriers.³⁴⁹

In particular, the CHRC should to be empowered to recommend the following types of compensation:

- provision for essential physical or social infrastructure or services or special community initiatives;
- provision for returning, including re-establishment in the home community;
- provision for visiting between separated families;
- funding, for example, for additional services to assist in the readjustment of returnees or to assist all those who continue to be adversely affected by the relocation;
- settlement of individual claims for compensation such as, but not necessarily limited to, work done or services rendered for which payment was not received and for personal property lost or left behind; and
- costs, including future costs, incurred by the relocatees or their representatives in attempting to resolve their complaints.

Reporting

The CHRC should be required to include activity on relocation claims in its annual report and be authorized to make special reports as it sees fit. We also propose that the commission be given the authority to review and report periodically on implementation of its recommendations. This would be analogous to its current practice of supervising the implementation of remedial orders.³⁵⁰

Funding

Adequate funds should be made available to Aboriginal communities that wish to research and present relocation claims before the Canadian Human Rights Commission. Whether an Aboriginal community receives funding should be determined by a panel of advisers appointed by but independent of the CHRC. The *Canadian Human Rights Act* should be amended to authorize the commission to establish such a panel. Since a great deal of

research will have to be done, it is imperative that this money be made available quickly.

We propose a two-stage funding process. First, seed funding of up to \$10,000 should be available to a community to conduct preliminary research into its claims, upon a decision of the advisory panel after a *prima facie* assessment of the merits of a seed funding application. We also recommend that federal, provincial and territorial governments co-operate with communities and the CHRC by opening their files on relocation to facilitate preliminary research.

Second, the advisory panel should be empowered to provide additional funding to an Aboriginal community when, in the panel's judgement, the community has a claim sufficiently serious to warrant inquiry by the CHRC. Such funding would enable further research and permit participation by community members and their representatives in the commission's hearings. While we anticipate a relatively informal hearing process, as well as an active role for commission researchers and staff in gathering and assessing serious claims, no doubt there will be significant costs associated with the hearing process that should not be borne by communities. Such costs can be assessed and compensated for by the same independent panel responsible for distributing seed funding.

The CHRC and legal action

Past relocations may well involve legal wrongs, such as breach of contract, breach of fiduciary duty, unjust enrichment and statutory and constitutional violations. Where the parties do not agree to mediation or arbitration of the dispute, or where the proposals of the CHRC have not been implemented to its satisfaction within an allotted time, we propose that the commission be empowered to apply, with the consent of the relevant community or communities, to an appropriate tribunal to obtain any appropriate measure against the government or to demand, in favour of the Aboriginal community or communities in question, any measure of redress it considers appropriate at that time.³⁵¹

Future relocations

Future relocations of Aboriginal communities, as well as any relocations that

have occurred since the enactment of the *Canadian Human Rights Act* in 1978, must not involve discriminatory practices prohibited by Part I of the act.³⁵² we propose that the act be amended to make it explicit that any relocation of an Aboriginal community occurring after 1978 that does not conform with the six criteria articulated previously constitutes a formal violation of the act. We also propose that Canada participate fully in efforts to develop further international standards to protect Indigenous peoples against arbitrary relocation and ensure that Canadian law incorporates the spirit and intent of relevant international norms, standards and covenants relating to relocation.

Recommendations

The Commission recommends that

1.11.1

Governments acknowledge that where the relocation of Aboriginal communities did not conform to the criteria set out in Recommendation 1.11.2, such relocations constituted a violation of their members' human rights.

1.11.2

Parliament amend the *Canadian Human Rights Act* to authorize the Canadian Human Rights Commission to inquire into, hold hearings on, and make recommendations on relocations of Aboriginal peoples to decide whether

- (a) the federal government had proper authority to proceed with the relocations;
- (b) relocatees gave their free and informed consent to the relocations;
- (c) the relocations were well planned and carried out;
- (d) promises made to those who were relocated were kept;

(e) relocation was humane and in keeping with Canada's international commitments and obligations; and

(f) government actions conformed to its fiduciary obligation to Aboriginal peoples.

1.11.3

The Canadian Human Rights Commission be authorized to conduct inquiries into relocations, including those that occurred before the Commission's creation in 1978, and that with respect to the latter relocations, its mandate expire 15 years after coming into force.

1.11.4

Parliament amend the *Canadian Human Rights Act* to provide that it is a violation of the act if a relocation of an Aboriginal community does not conform to the six criteria listed in Recommendation 1.11.2, and that the provisions in Recommendation 1.11.11 apply in those circumstances where appropriate.

1.11.5

The Canadian Human Rights Commission be authorized specifically to provide a range of alternative dispute resolution mechanisms, including mediation, facilitation, and consensual arbitration.

1.11.6

The Canadian Human Rights Commission be given subpoena powers with respect to documents, evidence and witnesses, and powers to compel testimony and appoint experts and counsel.

1.11.7

The Canadian Human Rights Commission be given the authority to recommend a range of remedies to redress the negative effects of relocations, including

- provision for essential social infrastructure or services or special community initiatives;
- provision for relocatees to return to and re-establish in the home community;
- provision for visiting between separated families;
- funding of additional services, for example, to assist the readjustment of returnees, or all persons still adversely affected by the relocations;
- settlement of individual claims for compensation for, among other things, unpaid work done or services rendered during relocation and personal property lost or left behind; and
- costs, including future costs, incurred by relocatees or their representatives in attempting to resolve their complaints.

1.11.8

The Canadian Human Rights Commission be required to describe activity on relocation claims in its annual report and be authorized to make special reports as it sees fit and periodically review and report on action on its recommendations.

1.11.9

Federal, provincial and territorial governments co-operate with communities and the Canadian Human Rights Commission by opening their files on relocation to facilitate research.

1.11.10

Aboriginal communities be given funding by the Canadian Human Rights Commission, upon decision of a panel of advisers appointed by but independent of the Commission, as follows:

(a) seed funding, of up to \$10,000, to conduct preliminary research on their

claims after *prima facie* assessment of the merits of their applications; and

(b) adequate additional funding when, in the panel's judgement, the

communities have claims sufficient to warrant inquiry by the Commission.

1.11.11

The Canadian Human Rights Commission be authorized to apply to an appropriate tribunal to obtain any appropriate measure against the government of Canada, or to demand in favour of the Aboriginal community or communities in question any measure of redress it considers appropriate at the time, where

(a) the parties will not agree to mediation or arbitration of the dispute; or

(b) proposals of the Commission have not been carried out within an allotted time to its satisfaction; and

(c) application to a tribunal or demand in favour of a community is with the consent of concerned communities.

1.11.12

Canada participate fully in efforts to develop further international standards to protect Indigenous peoples against arbitrary relocation and ensure that Canadian law incorporates the spirit and intent of international norms, standards and covenants relating to relocation.

1.11.13

The national repository for records on residential schools proposed in Recommendation 1.10.3 and its related research activities also cover all matters relating to relocations.

Notes:

1 . See Royal Commission on Aboriginal Peoples [RCAP], *The High Arctic Relocation: A Report on the 1953-55 Relocation* (Ottawa: Supply and Services, 1994).

2 Department of Indian Affairs and Northern Development, "Speaking Notes for the Honourable Ronald A. Irwin, Minister of Indian Affairs and Northern Development, to the Makivik Annual General Meeting", 29 March 1995, p. 3. On 28 March 1996 the minister announced that a reconciliation agreement had been reached with the Inuit who were relocated from northern Quebec to the High Arctic in the early 1950s.

3 RCAP, *Choosing Life: Special Report on Suicide Among Aboriginal People* (Ottawa: Supply and Services, 1995), p. 27.

4 These concepts are discussed in John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy", *The Western Canadian Journal of Anthropology* 6/2 (1976), p. 14. See also Chapter 9.

5 The commissioned studies include Carol Brice-Bennett, "Dispossessed: The Eviction of Inuit from Hebron, Labrador" (1994); Virginia Petch, "The Relocation of the Sayisi Dene of Tadoule Lake" (1994); Ken Coates, "'Hardly a Grand Design': Aboriginal Resettlement in the Yukon Territory After World War II" (1994); Cliff Emery and Douglas Grainger, "You Moved Us Here--- A Narrative Account of the Amalgamation and Relocation of the Gwa'Sala and 'Nakwaxda'xw Peoples" (1994); and Alan Rudolph Marcus, "Inuit Relocation Policies in Canada and Other Circumpolar Countries, 1925-1960", (1994). For information about research studies prepared for RCAP, see *A Note About Sources* at the beginning of this volume.

6 Discussions of the implications of relocation in an international context can be found in A.S. Al-Khasawneh and R. Hatano, *The Human Rights Dimensions of Population Transfer, Including the Implantation of Settlers* (New York: United Nations Economic and Social Council, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, 1993); and Christopher M. Goebel, "A Unified Concept of Population Transfer", *Denver Journal of International Law and Policy* 21/1 (1992), pp. 29-53. For a history of population transfer in general, see Sven Tšgil, "From Nebuchadnezzar to Hitler: The Question of Mass

Expulsion in History up to World War II”, in *The Uprooted: Forced Migration as an International Problem in the Post-War Era*, ed. Gšran Rystad (Lund, Sweden: Lund University Press, 1990). See also Thayer Scudder and Elizabeth Colson, “From Welfare to Development: A Conceptual Framework for the Analysis of Dislocated People”, in *Involuntary Migration and Resettlement: The Problems and Responses of Dislocated People*, ed. A. Hausen and A. Oliver-Smith (Boulder, Colorado: Westview Press, 1982).

7 Thayer Scudder, *No Place to Go: Effects of Compulsory Relocation on Navajos* (Philadelphia: Institute for the Study of Human Issues, 1982), p. 10. See also Emily Benedek, *The Wind Won't Know Me: A History of the Navajo-Hopi Land Dispute* (New York: Alfred A. Knopf, 1992). For a powerful treatment of the dislocation of Australian Aborigines, see Paul R. Wilson, *Black Death, White Hands* (Sydney: George Allen & Unwin, 1982).

8 Transcripts of the Commission's hearings are identified by the speaker's name and affiliation, if any, and the location and dated of the hearing. See *A Note About Sources* at the beginning of this volume for information about transcripts and other RCAP publications.

9 Fred Wien, *Rebuilding the Economic Base of Indian Communities: The Micmac in Nova Scotia* (Halifax: Institute for Research on Public Policy, 1986), pp. 13, 16-17.

10 Wien, *Rebuilding*, p. 20.

11 W.S. Arneil, “Investigation Report on Indian Reserves and Indian Administration, Province of Nova Scotia” (Ottawa: Department of Mines and Resources, Indian Affairs Branch, August 1941).

12 Lisa Lynne Patterson, “Indian Affairs and the Nova Scotia Centralization Policy”, M.A. thesis, Dalhousie University, Halifax, Nova Scotia, 1985, p. 3.

13 Thomas Gideon, quoted in Wien, *Rebuilding* (cited in note 9), p. 21. (Originally quoted by Donald Julien, “History of the Micmac Indians”, unpublished manuscript, Institute of Public Affairs, Dalhousie University, Halifax, Nova Scotia, 1978, p. 28.)

14 Patterson, “Indian Affairs” (cited in note 12), p. 83.

15 Marie Battiste, quoted in Boyce Richardson, *People of Terra Nullius: Betrayal and Rebirth in Aboriginal Canada* (Vancouver/Toronto: Douglas & McIntyre, 1993), pp. 67, 68.

16 Patterson, "Indian Affairs" (cited in note 12), p. 91.

17 Patterson, "Indian Affairs", p. 78.

18 Patterson, "Indian Affairs", p. 84.

19 Patterson, "Indian Affairs", p. 85.

20 Patterson, "Indian Affairs", p. 89.

21 Wien, *Rebuilding* (cited in note 9), p. 21.

22 Wien, *Rebuilding*, p. 22.

23 Patterson, "Indian Affairs" (cited in note 12), pp. 57-58, 114.

24 Pierro Isadore, Wagmatcook, 1974-75, interviewed by Lillian Marshall and quoted in Patterson, "Indian Affairs", p. 144.

25 Grand Chief Donald Marshall, Sr., Grand Captain Alexander Denny and Putu's Simon Marshall, "The Mi'kmaq: The Covenant Chain", in *Drumbeat: Anger and Renewal in Indian Country*, ed. Boyce Richardson (Ottawa: Summerhill Press for the Assembly of First Nations, 1989), pp. 89-90.

26 Patterson, "Indian Affairs" (cited in note 12), pp. 150, 156.

27 The principal source for this section is Carol Brice-Bennett, "Dispossessed: The Eviction of Inuit from Hebron, Labrador", research study prepared for RCAP (1994).

28 Marcus, "Inuit Relocation Policies" (cited in note 5).

29 Augusta Erving, Happy Valley-Goose Bay, Labrador, interviewed by and

quoted in Brice-Bennett, "Dispossessed" (cited in note 5).

30 Clara Ford, Makkovik, Labrador, interviewed by and quoted in Brice-Bennett, "Dispossessed".

31 Andrea Webb, Happy Valley-Goose Bay, Labrador, interviewed by and quoted in Brice-Bennett, "Dispossessed".

32 Ted Baird, Edmonton, Alberta, interviewed by and quoted in Brice-Bennett, "Dispossessed".

33 Brice-Bennett, "Dispossessed".

34 Walter Rockwood, Director of Northern Labrador Affairs, Government of Newfoundland and Labrador, quoted in Brice-Bennett, "Dispossessed".

35 Noel Iverson and D. Ralph Matthews, "Communities in Decline: An Examination of Household Resettlement in Newfoundland", in *Newfoundland Social and Economic Studies No. 6* (St. John's: Memorial University of Newfoundland, Institute of Social and Economic Research, 1968), p. 2.

36 Iverson and Matthews, "Communities in Decline", p. 2.

37 Brice-Bennett, "Dispossessed" (cited in note 5).

38 Public Archives of Newfoundland [PAN], Rockwood Collection, Letter from Reverend F.W. Peacock to W. Rockwood [a provincial government official], 20 September 1955, quoted in Brice-Bennett, "Dispossessed".

39 PAN, Rockwood Collection, Memo on Resettlement at Nutak, September 29, 1955, quoted in *Departmental Organization for the Administration of Labrador*, June 1959, cited in Brice-Bennett, "Dispossessed".

40 *Division of Northern Labrador Affairs* [Report for 1956], quoted in Brice-Bennett, "Dispossessed".

41 Brice-Bennett, "Dispossessed". The author had the original Inuktitut

version of the letter retranslated and argues that the content of the two versions is substantially different.

42 Boas Jararuse, Makkovik, quoted in Brice-Bennett, “Dispossessed”.

43 Brice-Bennett, “Dispossessed”.

44 Quoted in Brice-Bennett, “Dispossessed”.

45 Tony Williamson, quoted in Brice-Bennett, “Dispossessed”.

46 Andrew Piercey, quoted in Brice-Bennett, “Dispossessed”.

47 Brice-Bennett, “Dispossessed”.

48 Brice-Bennett, “Dispossessed”.

49 Brice-Bennett, “Dispossessed”.

50 *Report of the Royal Commission on Labrador*, volume 6, The Role of the Government (St. John’s: Government of Newfoundland and Labrador, 1974), p. 1209.

51 See, generally, Virginia Petch, “The Relocation of the Sayisi Dene of Tadoule Lake” (cited in note 5).

52 Stephen Thorassie, Chief, Sayisi Dene First Nation, Tadoule Lake, quoted in Bob Lowery, “Commissioner ‘will go to bat’ for Tadoule Dene”, *Winnipeg Free Press*, 9 October 1993, p. A15.

53 National Archives of Canada [NAC], Record Group 10 [RG10], volume 4093, file 600 578/19-4-2, Garth C. Crockett, Superintendent-in-Charge, The Pas District, to Regional Director, 1 October 1969.

54 RCAP hearings, Thompson, Manitoba, 1 June 1993; RCAP special consultation, Tadoule Lake, Manitoba, 6-9 October 1993.

55 Crockett to Regional Director (cited in note 53).

56 Quoted in Douglas M. Skoog and Ian R. Macmillan, “Band Relocation Study”, a report prepared for the Department of Indian and Northern Affairs (Windborn Consulting: no date [circa 1990]), p. 10.

57 Skoog and Macmillan, “Band Relocation Study”, p. 84.

58 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

59 Petch (“Relocation of the Sayisi Dene”) says no correspondence regarding the fate of the material could be located.

60 NAC RG10, volume 4093, file 600 138/29-2, R.D. Ragan to J.R. Tully, Superintendent, Indian Agency, Ilford, Manitoba, 22 November 1956, p. 2.

61 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

62 Skoog and Macmillan, “Band Relocation Study” (cited in note 56), p. 49.

63 NAC RG10, volume 4093, file 600 138-29-2, R.D. Ragan, Acting Regional Supervisor of Indian Agencies, to Colonel Jones, Director, Indian Affairs Branch, Department of Citizenship and Immigration, 27 July 1956, p. 1.

64 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

65 Petch, “Relocation of the Sayisi Dene”.

66 Eva Anderson, RCAP special consultation, Tadoule Lake, Manitoba, 6 October 1993.

67 Skoog and Macmillan, “Band Relocation Study” (cited in note 56), p. 43.

68 Marcus, “Inuit Relocation Policies” (cited in note 5).

69 Skoog and Macmillan, “Band Relocation Study” (cited in note 56), p. 10, quoting NAC RG10, volume 4064, file 407313.

70 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

71 NAC RG10, volume 4093, file 600 135/29-2-2, Chief John Clipping to Archie Leslie, Regional Director, Indian Affairs, Manitoba, 26 July 1963, p. 2.

72 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

73 Effie Thorassie, RCAP special consultation, Tadoule Lake, Manitoba, 6 October 1993.

74 Manitoba Keewatinowi Okimakanak, Inc., “Keewatinook Okimowin: Mechanisms and Solutions”, brief to RCAP (November 1993), p. 139; and transcripts of the hearings of the Royal Commission on Aboriginal Peoples [hereafter RCAP transcripts], Montreal, 1 December 1993. For a discussion of the federal comprehensive claims policy, see Volume 2, Chapter 4, Lands and Resources.

75 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

76 Dougald Brown, legal counsel to Nunavut Tungavik Inc. and the Keewatin Inuit Association, personal communication, 10 May 1995. The Inuit position is that article 40 of the Nunavut agreement provides “complete protection” for any rights the Sayisi Dene may have north of 60° and that the agreement provides legal protection for some rights where none existed before. Article 40, part 1 states that nothing in the agreement constitutes a surrender of Aboriginal or treaty rights by any non-Inuit group in the settlement area [40.1.2(a)]. Nor does it limit the ability of Inuit and other groups to negotiate overlap agreements [40.1.3]. Part 4 guarantees Sayisi Dene harvesting rights in the Nunavut region. See, generally, *Agreement Between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Ottawa: Tungavik Federation of Nunavut and Department of Indian Affairs and Northern Development, 1993).

77 Ravindra Lal, “From Duck Lake to Camp 10. Old Fashioned Relocation”, *The Musk-Ox* 6 (Saskatoon: University of Saskatchewan, Institute for Northern Studies, 1969), p. 12 [emphasis in original].

78 Lal, “From Duck Lake”, pp. 12-13.

79 See, generally, Ken Coates, “‘Hardly a Grand Design’: Aboriginal Resettlement in the Yukon Territory After World War II”, research study prepared for RCAP (1994).

80 Janet Moodie Michael, *From Sissons to Meyer: The Administrative Development of the Yukon Government, 1948-1979* (Whitehorse: Government of the Yukon, Department of Education, 1987), p. 8.

81 By the time gold was discovered, disease is thought to have reduced the indigenous population already by two-thirds of its pre-contact size. See Ken S. Coates, *Best Left as Indians: Native-White Relations in the Yukon Territory, 1840-1973* (Montreal and Kingston: McGill-Queen’s University Press, 1991), pp. 7-15.

82 Coates, “Hardly a Grand Design” (cited in note 79).

83 Jonathan L. Pierce, “Indian Land Claims in the Yukon, 1968-1984: Aboriginal Rights as Human Rights”, Master’s thesis, Carleton University, Ottawa, 1988, p. 32.

84 Julie Cruikshank, “The Gravel Magnet: Some Social Impacts of the Alaska Highway on Yukon Indians”, paper presented to the Alaska Highway Conference, Fort St. John, B.C., 18-20 June 1982, p. 20.

85 The late Angela Sidney, quoted in Julie Cruikshank, in collaboration with Angela Sidney, Kitty Smith, and Annie Ned, *Life Lived Like a Story: Life Stories of Three Yukon Native Elders* (Lincoln: University of Nebraska Press, 1990), p. 135. Mrs. Sidney was a Tagish elder.

86 Coates, “Hardly a Grand Design” (cited in note 79).

87 NAC RG10, volume 1, file 801/30-0-01, W.S. Arneil to Indian Affairs Branch, 10 November 1953, quoted in Coates, “Hardly a Grand Design”.

88 Alan Fry, letter to Ken Coates, quoted in “Hardly a Grand Design”.

89 Coates, “Hardly a Grand Design”.

90 NAC RG10, volume 1, file 8423/801/30-0-1, Brown to J.H. Gordon, 9 June 1954.

91 Fry to Coates (cited in note 88).

92 Coates, “Hardly a Grand Design” (cited in note 79).

93 See, generally, Cliff Emery and Douglas Grainger, “You Moved Us Here-- - A Narrative Account of the Amalgamation and Relocation of the Gwa’Sala and ‘Nakwaxda’xw Peoples”, research study prepared for RCAP (1994).

94 C. Gildersleeve, interviewed by Nowasad/Klaver (1985), quoted in Emery and Grainger, “You Moved Us Here”.

95 Dara Culhane, “Tsulquate: The Demographic Story”, unpublished report for the Tsulquate Band Council (Port Hardy, B.C.: 1984), p. 1.

96 Department of the Interior, *Annual Report of the Department of Indian Affairs for the year ended March 31, 1912*, Reports of Indian Agents, W.M. Halliday, Kwawkewlth Agency, Alert Bay, 31 March 1912, p. 223.

97 Culhane, “Tsulquate” (cited in note 95), p. 7.

98 Contrary to the perceptions of administrators at the time, one of the last residents of Takush, Robert Walkus, Sr., says the community was active and healthy before the relocation. Many people were employed in the fishery, and there were 30 boats, compared to the eight owned by community members in 1994. “I never had trouble finding any work. There was employment all year round. We never were dependent on the Government for anything. We were well off.” Robert Walkus, Sr., quoted in Franka von Specht, “A Gillnetter’s Journey on Land and Sea”, *Awa’k’wis* 5/7 (July 1994), p. 3.

99 C. Roach, Superintendent, Kwawkewlth Agency, letter to J.V. Boys, Indian Commissioner, B.C. [n.d.] 1962, quoted in Emery and Grainger, “You Moved Us Here” (cited in note 93).

100 Emery and Grainger, “You Moved Us Here”.

101 Chief G. Walkus, letter to Indian Agent, Alert Bay, 28 September 1952, quoted in Emery and Grainger, “You Moved Us Here”.

102 Emery and Grainger, “You Moved Us Here”.

103 This quotation, as well as much of the account in the next few pages, comes from Emery and Grainger, “You Moved Us Here”.

104 Von Specht, “A Gillnetter’s Journey” (cited in note 98), p. 3.

105 Culhane, “Tsulquate” (cited in note 95), pp. 24, 21, 24.

106 Culhane, “Tsulquate”, p. 29.

107 H. Walkus, quoted in Emery and Grainger, “You Moved Us Here” (cited in note 93).

108 Von Specht, “A Gillnetter’s Journey” (cited in note 98), p. 3.

109 Emery and Grainger, “You Moved Us Here” (cited in note 93).

110 Tshenish, an elder, quoted in The Innu Nation and the Mushuau Innu Band Council, *The People’s Inquiry. Mamunitau Staianinimuanu: Ntuapatetau Tshetshi Uitshiakuts Stuassiminuts. Gathering Voices: Finding Strength to Help Our Children* (Utshimasits, Ntesinan, Labrador: June 1992), p. 11.

111 See, generally, Henry Youle Hind, *Explorations in the Interior of the Labrador Peninsula, The Country of the Montagnais and Nasquapee Indians*, two volumes (London: Longman, Green, Longman, Roberts & Green, 1863); and Adrian Tanner, *Indian Land Use and Land Tenure in Southern Labrador* (St. John’s: Institute of Social and Economic Research, Memorial University of Newfoundland, 1977).

112 George Henriksen, “Report on the Social and Economic Development of the Innu Community of Davis Inlet to the Economic Recovery Commission” (University of Bergen, 1993), p. 3.

113 Donald M. McRae, *Report on the Complaints of the Innu of Labrador to the Canadian Human Rights Commission* (Ottawa: 1993), p. 34. McRae was appointed by the Canadian Human Rights Commission [CHRC] to investigate a number of complaints made by the Innu. While the report's conclusions and recommendations are McRae's, CHRC released the report and endorsed its contents.

114 *The People's Inquiry* (cited in note 110), p. 14.

115 *The People's Inquiry*, p. 15.

116 J. Roche, *Canada-Newfoundland Agreements[:] An Innu Perspective* (Sheshatshiu, Ntesinan: Innu Nation, 1992), pp. 1-12, 16, cited in Assembly of First Nations [AFN], "Violations of Law and Human Rights by the Governments of Canada and Newfoundland in Regard to the Mushuau Innu. A Documentation of Injustice in Utshimasits (Davis Inlet)", submission to the Canadian Human Rights Commission (1993), p. 3.

117 McRae, *Complaints of the Innu* (cited in note 113), pp. 6-7.

118 McRae, *Complaints of the Innu*, p. 35.

119 McRae, *Complaints of the Innu*, p. 36.

120 Innu Nation [Camille Fouillard], "Kamamuetimak: Tshentusentimak Nte Steniunu Utat, Nitshish, Kie Nte Nikan [Gathering Voices: Discovering Our Past, Present and Future]", research study prepared for RCAP (1993).

121 McRae, *Complaints of the Innu* (cited in note 113), p. 37.

122 McRae, *Complaints of the Innu*, p. 39.

123 McRae, *Complaints of the Innu*, p. 40.

124 *The People's Inquiry* (cited in note 110), p. 15.

125 McRae, *Complaints of the Innu* (cited in note 113), p. 41.

- 126** AFN, “Violations of Law and Human Rights” (cited in note 116), p. 26 [emphasis in original].
- 127** *The People’s Inquiry* (cited in note 110), p. 16.
- 128** McRae, *Complaints of the Innu* (cited in note 113), p. 42.
- 129** McRae, *Complaints of the Innu*, p. 43.
- 130** McRae, *Complaints of the Innu*, p. 42.
- 131** McRae, *Complaints of the Innu*, p. 46.
- 132** Department of Indian Affairs and Northern Development [DIAND], “Irwin Releases Federal Commitments to Innu”, news release (25 February 1994).
- 133** DIAND, “Minister issues update on progress in Davis Inlet”, news release (26 April 1995), p. 1.
- 134** Frank James Tester and Peter Kulchyski, *Tammarniit (Mistakes): Inuit Relocation in the Eastern Arctic 1939-63* (Vancouver: UBC Press, 1994), p. 19.
- 135** Tester and Kulchyski, *Tammarniit*, p. 19.
- 136** RCAP, *The High Arctic Relocation* (cited in note 1), pp. 36-46.
- 137** Marcus, “Inuit Relocation Policies” (cited in note 5).
- 138** Department of the Interior, Annual Report 1935-36, p. 36.
- 139** Diamond Jenness, *Eskimo Administration: II, Canada*, Technical Paper No. 14 (Montreal: Arctic Institute of North America, 1964), p. 58.
- 140** Marcus, “Inuit Relocation Policies” (cited in note 5).
- 141** Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 111. The

authors also caution that the term 'experiment' must be seen in the context of the administrative culture of the day. The civil servants involved in northern administration considered that they were opening up the North "in a manner parallel to what had happened on the Prairies following Confederation---" (p. 119). Experiment, at least in this context, had noble rather than sinister connotations.

142 Marcus, "Inuit Relocation Policies" (cited in note 5).

143 RCAP, *High Arctic Relocation* (cited in note 1), p. 18. The post manager's influence is alluded to in an economic survey written in the late 1960s that touches upon the move and the people's unhappiness, though with little empathy:

The Eskimo found rough ice chocking the harbour, which made sea mammal hunting difficult. The Hudson's Bay Company Manager dispersed half the Eskimos to Croker Bay. The Cape Dorset and Pangnirtung Eskimos disliked the long winter period of darkness. The more superstitious of the Eskimo were also fearful during the dark period---The Hudson's Bay Company closed the post due to poor ice conditions and moved the Eskimos to Arctic Bay. (Don Bissett, "Northern Baffin Island: an area economic survey", volume 2 of the Northern Baffin Island Report [Ottawa: Department of Indian Affairs and Northern Development, Industrial Division, November 1968], p. 36.)

144 RCAP, *High Arctic Relocation*, p. 18.

145 Richard Diubaldo, *The Government of Canada and the Inuit, 1900-1967* (Ottawa: Research Branch, Corporate Policy, Indian and Northern Affairs Canada, 1985), p. 119.

146 Marcus, "Inuit Relocation Policies" (cited in note 5).

147 Jenness, *Eskimo Administration* (cited in note 139), p. 62.

148 Peter Clancy, "Contours of the Modern State in the Territorial North: Policies, Institutions and Philosophies", research study prepared RCAP (1994).

149 Peter Clancy, "The Making of Eskimo Policy in Canada, 1952-62: The Life and Times of the Eskimo Affairs Committee", *Arctic* 40/3 (September 1987), p. 191. See also Frances Abele, "Canadian Contradictions: Forty Years of Northern Political Development", *Arctic* 40/4 (December 1987), pp. 310-320. We also discuss the development of northern policy administration as it affects Aboriginal people in the North in Volume 4, Chapter 6.

150 Clancy, "Contours of the Modern State" (cited in note 148).

151 Clancy, "Contours of the Modern State".

152 NAC RG22, volume 254, file 40-8-1, volume 2 (1949-1952), "The Future of the Canadian Eskimo", 15 May 1952, p. 1.

153 NAC RG22, volume 254, file 40-8-1, part 4, Minutes of a Meeting held at 10:00 a.m., August 10, 1953, in Room 304, Langevin Block, to Discuss the Transfer of Certain Eskimo Families from Northern Quebec to Cornwallis and Ellesmere Islands.

154 This policy development is discussed at some length in *The High Arctic Relocation* (cited in note 1), pp. 60-65. See also Clancy, "The Making of Eskimo Policy" (cited in note 149).

155 Marcus, "Inuit Relocation Policies" (cited in note 5), pp. 12-14.

156 Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 218.

157 Marcus, "Inuit Relocation Policies" (cited in note 5).

158 Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 220.

159 Marcus, "Inuit Relocation Policies" (cited in note 5).

160 NAC RG22, volume 335, file 40-8-14/1, Graham Rowley to Gordon Robertson, Memorandum for the Deputy Minister, 22 January 1958, quoted in Marcus, "Inuit Relocation Policies".

161 NAC RG22, volume 1511, file 1000-179/2, R.A.J. Phillips to Gordon

Robertson, Memorandum for the Deputy Minister, 15 January 1958, quoted in Marcus, "Inuit Relocation Policies".

162 Diubaldo, *The Government of Canada and the Inuit* (cited in note 145), p. 33 [emphasis in original].

163 Robert G. Williamson and Terrence W. Foster, "Eskimo Relocation in Canada" (Ottawa: Social Research Division, DIAND, 1974), p. 13.

164 Marcus, "Inuit Relocation Policies" (cited in note 5).

165 Williamson and Foster, "Eskimo Relocation" (cited in note 163), p. 13.

166 The use of the term 'colony' may sound odd, but it originated with civil servants who entered public service in the 1930s and felt they were doing work similar to the pioneering on the prairies of the nineteenth century. The term disappeared when they retired in the 1960s. See Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 186.

167 Janet Mancini Billson, "Opportunity or Tragedy: The Impact of Canadian Resettlement Policy on Inuit Families", *American Review of Canadian Studies* 20/2 (Summer 1990), p. 192.

168 Billson, "Opportunity or Tragedy", p. 192.

169 Billson, "Opportunity or Tragedy", p. 198.

170 Billson, "Opportunity or Tragedy", pp. 213-214.

171 Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 308.

172 NAC RG85, volume 1514, file 1012-1, part 6, Minutes of the Seventh Meeting of the Committee on Eskimo Affairs, 28 May 1956, pp. 9-10, quoted in Tester and Kulchyski, *Tammarniit*, p. 310.

173 Tester and Kulchyski, *Tammarniit*, p. 312.

174 Diubaldo, *The Government of Canada and the Inuit* (cited in note 145),

p. 128.

175 Diubaldo, *The Government of Canada and the Inuit*, pp. 129-130.

176 Tester and Kulchyski, *Tammarniit* (cited in note 134), p. 317, quoting letters from NAC RG85, volume 314, file 1012-8, volume 3, letters from Rosie, p. 1, and Tommy, p. 1.

177 Tester and Kulchyski, *Tammarniit*, p. 318.

178 NAC RG85, volume 1382, file 1012-13, part 5, Minutes of the meeting held November 18 [1958] at 10:30 a.m., in the conference room to discuss resource studies for the proposed relocation of Eskimos, p. 1, quoted in Tester and Kulchyski, *Tammarniit*, p. 319.

179 Northwest Territories Archives (NwTA), N92-023, Alex Stevenson Papers, Box 10, Confidential Memorandum to the Director: Relocation of Eskimo Groups in the High Arctic, from C.M. Bolger, Administrator of the Arctic, 15 November 1960.

180 NwTA, N92-023, Alex Stevenson Papers, Box 5, Relocation of Inuit people, Inuit Relocation Appendix B, A. Stevenson, November 1977.

181 Clarence S. Brigham, ed., *British Royal Proclamations Relating to America*, Transactions and Collections of the American Antiquarian Society (Worcester, Mass.: American Antiquarian Society, 1911), volume 12, pp. 212-218. See also our discussion of the Royal Proclamation in RCAP, *Partners in Confederation: Aboriginal Peoples, Self-Government, and the Constitution* (Ottawa: Supply and Services, 1993). For an analysis of the relationship between colonial policies and current government policies dealing with extinguishment and land claims, see RCAP, *Treaty Making in the Spirit of Co-existence: An Alternative to Extinguishment* (Ottawa: Supply and Services, 1995).

182 *Journal of the Legislative Assembly 1844-45*, Appendix EEE, section 1, quoted in Peter S. Schmalz, *The History of the Saugeen Indians*, Ontario Historical Society Research Publication No. 5 (1977), p. 60.

183 Schmalz, *History of the Saugeen Indians*, pp. 63-64.

184 Schmalz, *History of the Saugeen Indians*, p. 73.

185 Peter S. Schmalz, *The Ojibwa of Southern Ontario* (Toronto: University of Toronto Press, 1991), p. 131.

186 Schmalz, *Ojibwa of Southern Ontario*, p. 143. As we will see, individual surrenders would be used as a strategy in the Cheslatta surrender almost 100 years later.

187 Schmalz, *History of the Saugeen Indians* (cited in note 182), p. 85.

188 Schmalz, *Ojibwa of Southern Ontario* (cited in note 185), p. 145.

189 Dennis Madill, *British Columbia Indian Treaties in Historical Perspective* (Ottawa: Research Branch, Corporate Policy, Indian and Northern Affairs Canada, 1981), p. 8.

190 Walter N. Sage, *Sir James Douglas and British Columbia* (Toronto: University of Toronto Press, 1930), p. 121.

191 Louise Mandell, "Aboriginal Urban Land Base", research study prepared for RCAP (1993).

192 British Columbia, *Papers Connected with the Indian Land Question, 1850-1875* (Victoria: Government Printer, 1875), p. 6. The village site was on the western shore of Victoria harbour.

193 Mandell, "Aboriginal Urban Land Base" (cited in note 191).

194 Mandell, "Aboriginal Urban Land Base".

195 J.W. Trutch, Memorandum as to the Songish Indian Reserve at Victoria, 30 December 1869, in British Columbia, *Papers* (cited in note 192), p. 66. In February 1859, the *British Colonist* published a series of anonymous letter demanding the removal of all Aboriginal people from Victoria. See Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia

Press, 1977), pp. 111-115.

196 Madill, *British Columbia Indian Treaties* (cited in note 189), p. 29.

197 Statutes of Canada, 1-2 George V, chapter 14, 19 May 1911, pp. 225-227, “An Act Respecting the Songhees Indian Reserve”, Bill No. 179.

198 House of Commons, *Official Report of the Debates of the House Commons of the Dominion of Canada*, Third Session, Eleventh Parliament, 1-2 George V, 1910-11 (Ottawa: King’s Printer, 1911), column 7826.

199 House of Commons, *Debates*, columns 7827-7828.

200 House of Commons, *Debates*, column 7829.

201 House of Commons, *Debates*, columns 7832-7833.

202 House of Commons, *Debates*, columns 7833-7835.

203 House of Commons, *Debates*, columns 7854-7855.

204 Ken Zeilig and Victoria Zeilig, *Ste. Madeleine, Community Without a Town, Metis Elders in Interview* (Winnipeg: Pemmican Publications Inc., 1987), p. viii. This crucial period in Métis history is also examined in Volume 4, Chapter 5.

205 Department of Agriculture, *PFRA, Prairie Farm Rehabilitation Act, What it means to the Prairie Provinces*, Publication No. 1138 (October 1961), p. 33.

206 Zeilig and Zeilig, *Ste. Madeleine* (cited in note 204), p. xii.

207 Zeilig and Zeilig, *Ste. Madeleine*, p. 163.

208 Zeilig and Zeilig, *Ste. Madeleine*, p. 191.

209 Zeilig and Zeilig, *Ste. Madeleine*, pp. 191-192.

210 Zeilig and Zeilig, *Ste. Madeleine*, p. 119.

211 Murray Rankin, "Alcan's Kemano Project: Options and Recommendations", Report to the Honourable Mike Harcourt, Premier of British Columbia (October 1992), pp. 12-17. Alcan was given water rights until 1999 with an option to build a completion project during this period. This option was exercised when Alcan launched negotiations for Kemano II in 1972. In January 1995 the British Columbia government rejected the Kemano Completion Project.

212 Rankin, "Alcan's Kemano Project", p. 14.

213 Dick Byl, "The Cheslatta Surrender. A Legal Analysis of a Surrender Given by the Cheslatta Carrier Nation to Her Majesty in Right of the Government of Canada on the 21st of April 1952" (August 1992, second printing), p. 10.

214 Byl, "Cheslatta Surrender", p. 39.

215 Robert Howe, Indian agent, report of surrender meeting, April 28, 1952, quoted in Byl, "Cheslatta Surrender", p. 48.

216 W.J. MacGregor, regional supervisor, Indian affairs department, account of surrender of April 1952, quoted in Byl, "Cheslatta Surrender", p. 49.

217 Cheslatta band resolution, 21 April 1952, quoted in Mike Robertson, "The Story of the Surrender of the Cheslatta Reserves on April 21, 1952" (1991, unpublished), p. 4.

218 Byl, "Cheslatta Surrender" (cited in note 213), p. 47.

219 Byl, "Cheslatta Surrender", p. 55.

220 Robert Howe, Indian agent, letter to Indian affairs superior, 6 April 1952, quoted in Byl, "Cheslatta Surrender", p. 39.

221 Byl, "Cheslatta Surrender", p. 61.

222 Robertson, "Surrender of the Cheslatta" (cited in note 217), p. 5.

223 Thomas Peter, letter to the department of veterans affairs, August 1952, quoted in Byl, "Cheslatta Surrender" (cited in note 213), p. 69.

224 Byl, "Cheslatta Surrender", p. 70.

225 Byl, "Cheslatta Surrender", p. 65.

226 Robertson, "Surrender of the Cheslatta" (cited in note 217), p. 5.

227 Quoted in Byl, "Cheslatta Surrender" (cited in note 213), p. 110.

228 Byl, "Cheslatta Surrender", p. 3.

229 Andrew de Schulthess, Director, Government Relations, Alcan Aluminum Limited, letter to Royal Commission on Aboriginal Peoples, 10 May 1995, p. 2. In a July 1991 letter to Chief Marvin Charlie, Alcan Vice-President W.J. Rich asked the Chief to "discourage any activity in the area which would be adversely affected by the traditional manner of operating the Skins Lake Spillway." (W.J. Rich, Vice-President for British Columbia, Alcan Smelters and Chemicals Limited, letter to Chief Marvin Charlie, Cheslatta Indian Band, 4 July 1991 [letter supplied by Alcan].)

230 Robertson, "Surrender of the Cheslatta" (cited in note 217), p. 5.

231 Dana Wagg, "The Cheslatta Story: In Brief" (Cheslatta T'en: 1993), p. 2.

232 Robertson, "Surrender of the Cheslatta" (cited in note 217), p. 11. The figure of \$7.4 million "represents the 1993 value of what the band understood it would receive in 1952, along with compensation for a church lost to flooding and damages done to ancestral graveyards eroded by water." Department of Indian Affairs and Northern Development, Specific Claims West, *Cheslatta Carrier First Nation Specific Claim Settlement: A Case Study in Successful Negotiation* (Vancouver: 17 January 1995), p. 5. The comprehensive claim and certain other issues remain outstanding, however.

233 Rankin, "Alcan's Kemano Project" (cited in note 211), p. 49.

234 James B. Waldram, *As Long as the Rivers Run: Hydroelectric Development and Native Communities in Western Canada* (Winnipeg: University of Manitoba Press, 1988), pp. 40-42.

235 Waldram, *As Long as the Rivers Run*, pp. 84-85.

236 Waldram, *As Long as the Rivers Run*, pp. 85-86.

237 Quoted in Martin Loney, "The Construction of Dependency: The Case of the Grand Rapids Hydro Project", *Canadian Journal of Native Studies* 7/1 (1987), p. 62. See also Michael J. Landa, "Easterville: A Case Study in the Relocation of a Manitoba Native Community", Master's thesis, University of Manitoba, 1969, pp. 38-43.

238 S.E. Sigurdson, "A Report of the Economy of Cedar Lake and Moose Lake", prepared for the Grand Rapids Forebay Economic Committee (1963, unpublished), p. 13, quoted in Loney, "Construction of Dependency", pp. 62-63.

239 Manitoba Development Authority, "Chemawawin and Moose Lake" (1961), p. 5, quoted in Loney, "Construction of Dependency", p. 63.

240 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 86.

241 Landa, "Easterville" (cited in note 237), p. 46.

242 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 87.

243 Loney, "Construction of Dependency" (cited in note 237), p. 65.

244 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 89.

245 Landa, "Easterville" (cited in note 237), p. 65.

246 Loney, "Construction of Dependency" (cited in note 237), pp. 65-66.

247 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 101. Waldram makes no mention of whether a surrender vote was taken; nor does Loney or Landa.

248 Lake Winnipeg, Churchill and Nelson Rivers Study Board [LwCNRSB], *The Chemawawin Relocation*, Social and Economic Studies 2/8, appendix H (1974), p. 224, quoted in Waldram, *As Long as the Rivers Run*, p. 102.

249 NAC RG10, volume 7989, file 578/30-44-31A, volume 2, A.G. Leslie to R.F. Battle, 4 February 1964, quoted in Waldram, *As Long as the Rivers Run*, p. 102.

250 LwCNRSB, *The Chemawawin Relocation*, p. 227, quoted in Waldram, *As Long as the Rivers Run*, p. 103.

251 Waldram, *As Long as the Rivers Run*, p. 103.

252 Forebay Administration Committee, Province of Manitoba, Department of Mines and Natural Resources, Deputy Minister's Office, letter to Chief Donald Easter, Chemawawin Indian Band, 7 June 1962, included as Appendix 2, "The Forebay Agreement", in Waldram, *As Long as the Rivers Run*.

253 Waldram, *As Long as the Rivers Run*, p. 105.

254 NAC RG10, volume 7989, file 578/19-4-1, part 1, A.G. Leslie, memorandum to Indian Affairs Branch, Ottawa, 10 August 1960, quoted in Waldram, *As Long as the Rivers Run*, p. 90 [Waldram's emphasis].

255 Landa, "Easterville" (cited in note 237), p. 46.

256 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 91.

257 S. Jacobson, "Social Adjustment to a public power project: An analysis of the resettlement of the Chemawawin Band", report for the Federal Provincial Coordinating Committee (1966, unpublished), p. 8, quoted in Loney, "Construction of Dependency" (cited in note 237), p. 72.

258 Loney, "Construction of Dependency", p. 67.

259 Quoted in Landa, "Easterville" (cited in note 237), pp. 58-59.

260 Loney, "Construction of Dependency", p. 68.

261 Jacobson, "Social adjustment to a public power project", p. 3, quoted in Loney, "Construction of Dependency", p. 72.

262 Indian affairs representative Bell to A.G. Leslie, 21 January 1961, quoted in Loney, "Construction of Dependency", p. 68.

263 Waldram, *As Long as the Rivers Run* (cited in note 234), p. 97.

264 Quoted in Waldram, *As Long as the Rivers Run*, p. 91.

265 Loney, "Construction of Dependency" (cited in note 237), p. 58.

266 Loney, "Construction of Dependency", p. 69.

267 Loney, "Construction of Dependency", p. 70.

268 Landa, "Easterville" (cited in note 237), p. 68.

269 David Henderson, former director of planning, province of Manitoba, quoted in Loney, "Construction of Dependency" (cited in note 237), p. 71.

270 Loney, "Construction of Dependency", p. 72.

271 Loney, "Construction of Dependency", p. 73.

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274 R.G. Williamson, “Significant Aspects of Acculturation History in the Canadian Arctic, Analysis of the Forces of Inuit and Southern White Interaction until Mid-Century, Socio-Cultural Background to a Government Relocation Project”, research study prepared for RCAP (1994).

275 Williamson, “Significant Aspects”, p. 15.

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285 See RCAP, *Choosing Life* (cited in note 3), pp. 21, 25 and note 32, for a discussion of culture stress and references to research on the subject.

286 Billson, “Opportunity or Tragedy” (cited in note 167), pp. 205-207.

287 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

288 Byl, “Cheslatta Surrender” (cited in note 213), p. 11.

- 289** Emery and Grainger, “You Moved Us Here” (cited in note 5).
- 290** Brice-Bennett, “Dispossessed” (cited in note 5).
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- 292** Quoted in Brice-Bennett, “Dispossessed”.
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- 294** Landa, “Easterville” (cited in note 237), p. 57.
- 295** Patterson, “Indian Affairs” (cited in note 12), p. 113.
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311 Emery and Grainger, “You Moved Us Here” (cited in note 5).

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319 Al-Khasawneh and Hatano, *Human Rights Dimensions* (cited in note 6), p. 81.

320 RCAP, *High Arctic Relocation* (cited in note 1), p. 160.

321 RCAP, *High Arctic Relocation*, p. 159

322 RCAP, *High Arctic Relocation*, p. 150.

323 RCAP, *High Arctic Relocation*, p. 155.

324 Al-Khasawneh and Hatano, *Human Rights Dimensions* (cited in note 6), p. 83 [emphasis added].

325 *Sparrow v. The Queen*, [1990] 1 S.C.R. 1075 at 1108.

326 *Norberg v. Wynrib*, [1992] 2 S.C.R. 226, pp. 304, 306, 250; (1992), 92 D.L.R. (4th), pp. 449, 460.

327 United Nations, Economic and Social Council, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, *The human rights dimensions of population transfer, including the implantation of settlers. Progress report prepared by Mr. Awn Shawhat Al-Khasawneh, Special Rapporteur* (E/CN.4/Sub.2/1994/18, 30 June 1994), p. 35.

328 World Bank, *The World Bank Operational Manual, Operational Directive 4.30, Involuntary Resettlement* (June 1990), p. 1 [emphasis added]. The bank has been widely criticized for ignoring its own guidelines.

For example, in the case of the Sardar Sarovar dam in India, disputes between the bank, national government and several affected state governments led to the formation of a special review committee. It found that the governments’ failure to live up to agreements with the bank, and the bank’s “failure to enshrine its policies in the agreements, means that involuntary settlement resulting from the Sardar Sarovar Projects offends

recognized norms of human rights”. (Bradford Morse, Thomas R. Berger et al., *Sardar Sarovar: Report of the Independent Review* (Ottawa: Resource Futures International (RFI) Inc., 1992), p. xx.)

In the case of the Three Gorges dam in China, another bank-funded project, studies of the effects on relocatees have been criticized for being biased and unrealistic. (Philip M. Fearnside, “The Canadian feasibility study of the Three Gorges dam proposed for China’s Yangzi River: A grave embarrassment to the impact assessment profession”, *Impact Assessment* 12/1 (Spring 1994), pp. 21-55.)

329 Roger Plant, *Land Rights for Indigenous and Tribal Peoples in Developing Countries: A Survey of Law and Policy Issues, Current Activities, and Proposals for an Inter-Agency Programme of Action*, working paper prepared for the Second United Nations Inter-Agency Technical Consultation on Indigenous and Tribal Peoples, ILO, Geneva, 3-4 December 1991 (Geneva: International Labour Office, 1991), pp. 60-61.

330 *Report of the Royal Commission on Labrador* (cited in note 50), pp. 1209-1210.

331 See, generally, Ontario Law Reform Commission, *Report on Public Inquiries* (Toronto: 1992).

332 R.S.C. 1985, chapter I-11, sections 2 and 6. Under either type of inquiry, commissioners can be given certain powers to compel testimony and to produce documents, as well as to appoint experts and counsel to assist them and take evidence (sections 4, 5, 8, and 11).

333 Frank Iacobucci, “Commissions of Inquiry and Public Policy in Canada”, in *Commissions of Inquiry*, ed. A. Paul Pross,

Innis Christie, and John A. Yogis (Toronto: Carswell, 1990), p. 28 (public inquiries benefit from flexibility). See also A. Wayne Mackay, “Mandates, Legal Foundations, Powers and Conduct of Commissions of Inquiry”, in the same book, published as the *Dalhousie Law Journal* 12/3 (January 1990); and R.A. Macdonald, “The Commission of Inquiry in the Perspective of Administrative Law”, *Alberta Law Review* 18/3 (1980), p. 366.

334 See, generally, Michael J. Trebilcock, Douglas G. Hartle, J. Robert S. Prichard and Donald N. Dewees, *The Choice of Governing Instrument*, study prepared for the Economic Council of Canada (Ottawa: Supply and Services, 1982), providing an analytical framework for assessing the merits of establishing a public inquiry.

335 *Canada (A.G.) v. Mossop*, [1993] 1 S.C.R. 554, p. 609 (dissenting on other grounds).

336 *Insurance Corp. of B.C. v. Heerspink*, [1982] 2 S.C.R. 145, pp. 157-158.

337 Canadian Human Rights Commission [CHRC], *Annual Report 1991* (Ottawa: Supply and Services, 1992), p. 16.

338 CHRC, *Annual Report 1994* (Ottawa: Supply and Services, 1995), p. 27.

339 Section 27(1) provides that

27. (1) In addition to its duties under Part III with respect to complaints regarding discriminatory practices, the Commission is generally responsible for the administration of this Part and Parts I and II and

(e) may consider such recommendations, suggestions and requests concerning human rights and freedoms as it receives from any source and, where deemed by the Commission to be appropriate, include in a report referred to in section 61 reference to and comment on any such recommendation, suggestion or request;---

(g) may review any regulations, rules, orders, by-laws and other instruments made pursuant to an Act of Parliament and, where deemed by the Commission to be appropriate, include in a report referred to in section 61 reference to and comment on any provision thereof that in its opinion is inconsistent with the principle described in section 2.

340 The formal remedial authority of the CHRC is restricted to complaints substantiated at the conclusion of a hearing of a Human Rights Tribunal assigned to hear a complaint under section 49 of the act.

341 See subsections 27(1)(e) and (g) (quoted in note 339).

342 CHRC, *Annual Report 1979* (Ottawa: Supply and Services, 1980), p. 3. Moreover, section 61 of the act provides for the mandatory transmission of an annual report to the minister of justice and gives the commission discretion to issue a special report referring to and commenting on any matter within the scope of its powers, duties functions where, in its opinion, the matter is of such urgency or importance that a report thereon should not be deferred until the time provided for transmission of its next annual report--

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Any report issued by the Human Rights Commission must ultimately be placed before Parliament. Section 61(3) provides that The Minister shall cause any report transmitted to the Minister pursuant to this section to be laid before each House of Parliament on any of the first fifteen days on which that House is sitting after the day the Minister receives it.

343 D. Soberman, "Report to the Canadian Human Rights Commission on the Complaints of the Inuit People Relocated from Inukjuak and Pond Inlet, to Grise Fiord and Resolute Bay in 1953 and 1955" (11 December 1991), p. 1.

344 See McRae, *Complaints of the Innu* (cited in note 113).

345 Soberman, "Report to the Canadian Human Rights Commission" (cited in note 343), p. 2.

346 *Canada (Treasury Board) v. Robichaud (No. 2)* (1990), 11 C.H.H.R. D/194 at D/203. For apologies sought from government departments and agencies, see *Naqvi v. Canada (Employment and Immigration Comm.)* (1994), 19 C.H.R.R. D/139; and *Canadian Paraplegic Association v. Canada (Elections Canada) (No.2)* (1992), 16 C.H.R.R. D/341. See, generally, S.N. Lederman and M.E. Grottenthaler, "The Evolving Public Policy Elements of Remedies for Human Rights Code Violations", in *Remedies: Issues and Perspectives*, ed. Jeffrey Berryman (Toronto: Carswell, 1991), p. 338.

347 See, for example, *Ontario Human Rights Commission v. Simpson-*

Sears Ltd., [1985] 2 S.C.R. 536; *Bhinder v. Canadian National Railway Company*, [1985] 2 S.C.R. 561.

348 *Ontario Human Rights Commission v. Simpson-Sears Ltd.*, p. 547.

349 Compare *Canadian National Railway Company v. Canada (Human Rights Commission)*, [1987] 1 S.C.R. 1114, p. 1142, per Dickson C.J. (“Unlike the remedies in s. 41(2)(b)-(d) [now s. 53(2)(b)-(d)], the “remedy” under s. 41(2)(a) [now section 53(2)(a)] is directed towards a group and is therefore not merely compensatory but is itself prospective. The benefit is always designed to improve the situation for the group in the future”.)

350 *Grover v. National Research Council* (1992), Canadian Human Rights Tribunal, 29 July 1992; and Federal Court of Canada, Trial Division, 1994, Court No. T-1945-93 and T-775-94.

351 Compare Quebec’s *Charter of Human Rights and Freedoms*, R.S.Q. chapter C-12, section 80:

80. Where the parties will not agree to negotiation of a settlement or to arbitration of the dispute or where the proposal of the commission has not been implemented to its satisfaction within the allotted time, the commission may apply to a tribunal to obtain, where consistent with the public interest, any appropriate measure against the person at fault or to demand, in favour of the victim, any measure of redress it considers appropriate at that time.

352 By contrast, the act does not provide expressly for the retroactive application of its provisions, and there is a general presumption against retroactivity. *Gustavson Drilling (1964) Ltd. v. M.N.R.*, [1977] 1 S.C.R. 271, p. 279, per Dickson J. As a result, the commission appears not to have jurisdiction to adjudicate formal complaints of discrimination, including complaints that refer to relocations, that occurred before the act came into force in 1978.