

12



Veterans

ABORIGINAL PEOPLES and European nations had a history of alliances embodied in treaties before the twentieth century. As discussed in some detail in the first part of this volume, these were a continuation of the earlier practice of alliances among Aboriginal nations themselves.¹ To cite one prominent example, the art and protocol of alliance making were highly developed among the Five (later Six) Nations of the Iroquois. In this tradition, reciprocal duties and obligations were clearly delineated and confirmed through spiritual and temporal ceremonies. An alliance was more than a political agreement or a simple affirmation of partnership. It was an arrangement perceived as embodying a sense of balance among members and an important spiritual dimension; it was a bond of mutual obligations held together by honour.

When Aboriginal peoples allied with and fought alongside Europeans, they approached these alliances from their traditional perspective. This was borne out during the seventeenth and eighteenth centuries, when Europeans seemed to reciprocate. They encouraged Aboriginal peoples to regard the new alliances with them as in the tradition of those they had forged previously among themselves. Thus, in order to secure these valuable and often essential allies in the name of their respective Crowns, the French and the British (and, later, British and United States military leaders) adopted elements of Aboriginal protocol in their alliance-making practices with them.

The Aboriginal concept of alliance with the newcomers, begun in what is now central and eastern Canada, was carried into the series of treaties concluded in the Canadian plains after Confederation. Here, too, Aboriginal protocol was accepted, the agreements were considered to have spiritual significance, and the signing parties spoke of themselves as reciprocating partners. Although the treaties at this time were negotiated by the Canadian

state, at every council it was emphasized that Aboriginal peoples were allying with the Great Mother, Queen Victoria, the embodiment of the British Crown, who offered protection and assistance in return for land for settlement. As in the case of traditional Aboriginal alliances, the new treaties were to be re-confirmed annually through gifts. Alliances thus maintained would not be abandoned lightly.

Thus, in much of Canada, Aboriginal people retained a sense of loyalty to something high and important, a sense of worth as honourable partners and a sense of responsibility to uphold the alliance — as well as an expectation that the other partner felt bound in similar ways. This belief was to be sorely tested during and after the two world wars. Wartime service for Aboriginal people was a continuation of the alliance, a gift of oneself, one's energies and one's goods. But the relationship had changed, and these gifts were not perceived as they were intended — as confirmation of the old alliances and treaties, a reminder that Aboriginal people were still honouring their obligations and expecting the Crown to do likewise.

Many Aboriginal people also enlisted in the world wars for private reasons, just as many non-Aboriginal Canadians, however patriotic, enlisted for their own reasons. Enlistment exposed Aboriginal volunteers to the risks of combat, which they expected, and to new situations, places, regulations and training. However, for registered or status Indians, enlistment could ironically jeopardize the very relationship with the Crown that made enlistment right and proper. The threat was that enlistment could result in enfranchisement, which would completely terminate their membership in the Aboriginal community. This, in turn, would automatically eliminate their special relationship with the Crown.

Aboriginal communities approached military service with an eye to their history of relations with the Crown — very much as they had preserved the memory of their treaties and alliances among themselves. They wanted the government to understand that, as allies, they were free to offer their services to the Crown, each individual according to his own decision. Particularly during the Second World War, many Aboriginal nations initiated research into treaties and historical relationships so as to confirm their right to reject all forms of conscription in favour of voluntary enlistment.

Voluntary enlistment was high. Each war saw more than 3,000 registered

Indians and numerous Métis and non-status people serve in the forces; many more tried to enlist and were rejected because of poor health or limited education. In Aboriginal communities where health and education levels were advanced, virtually every eligible man joined the armed forces. The overwhelming support for Canada's war effort — shown through enlistment, contributions to war charities and labour in wartime industries — was a measure of Aboriginal people's willingness to assume their responsibility in the crisis facing Canada. Their contribution was well received, and most Aboriginal people found acceptance as partners in the country's war effort.

Only after the wars, when registered Indians returned to their reserves and Métis and non-status people to their own communities, did it become clear that the semblance of full citizenship had been only temporary. As a result, after the wars, veterans would become leaders in their communities, challenging the government where its policies were at odds with its earlier undertakings to Aboriginal peoples. The beginnings of change occurred when Indians testified at the hearings of a joint parliamentary committee on the *Indian Act* in 1946-47.

The Aboriginal veterans' struggle for recognition and benefits achieved only moderate success, but the process stimulated the politicization of Aboriginal people. Even today, however, when strong provincial and national Aboriginal organizations exist, the veterans who remain feel that their sacrifice has not been honoured. The benefits they were denied are only part of the problem. What the veterans want is not a matter of financial recompense alone: they want recognition, confirmation from the government that they have fulfilled their side of the alliance by serving the nation to their utmost. They want non-Aboriginal Canadians to know this, and they want their own Aboriginal people to be proud of them and their fallen comrades.

Aboriginal veterans were well represented at our hearings. The strength of their testimony encouraged the Senate's Standing Committee on Aboriginal Peoples to authorize its own inquiry into veterans' grievances in January 1994. Its March 1995 report, entitled *The Aboriginal Soldier After the Wars*, confirmed widespread discontent about the nature of the benefits these veterans received and makes several recommendations to rectify the errors and omissions of past policy and practices.²

1. Early Military Service

The alliances Aboriginal people made with Canada from the time of the American Revolution until the First World War demonstrated their reliability and hardiness in battle and the vital part they often played in promoting the Crown's North American interests. Their loyalty to the British Empire, proven on and off the battlefield right up to the Boer War, did not, however, lead to the expected restoration of Indian territory, or to any better treatment by their allies.

By 1775, the colonial unrest that would lead to the American Revolution was bringing American agents to Canada to encourage other settlements to join in the revolt. The subsequent invasion of Canada was repelled, marked by a decisive victory over American forces 30 miles west of Montreal by some 100 Canadians and several hundred Mohawks led by Joseph Brant. Iroquoian forces were heavily involved throughout the war — although the league was now divided, with the Oneida and Tuscarora nations remaining either neutral or loyal to the Americans. When a peace was reached in 1783, Britain lost her claim to the western regions, including the Ohio and Mississippi Valley homes of many of her Indian allies. Britain argued to keep her western forts for several years, but then depended on her Indian allies to hold them. Until the outbreak of war again in 1812, the western tribes were in constant turmoil as a result of conflicts with settlers, land speculators and American militia. This period marked the emergence of the Shawnee leader Tecumseh and, with him, a renewed call for unity among the tribes.³

Britain's Indian allies played important, often decisive, roles in many battles of the War of 1812. In fact, General Brock regarded them as essential to the defence of Canada, and he did what he could to encourage their support and make good use of their warriors. In July 1812, along with a handful of regulars and fur traders, a force of nearly 500 Indians took the American fort of Michilimackinac. American General Hull, who had managed to cross the Detroit River into Canada, had to retreat to Detroit, where General Brock, Tecumseh and their combined forces accepted his surrender.⁴

The later loss of Brock and his replacement by the British General Proctor

resulted in less amiable co-operation with the Indian allies. They remained very effective as mobile troops, however, excelling as raiders and in ambush. In fact, Montreal fur trader James McGill declared that "The Indians are the only Allies who can aught avail in the defence of the Canadas."⁵

After a naval defeat, Proctor abandoned Detroit and retreated up the Thames River, despite Tecumseh's protests. While he fled upstream, the Indian allies were left to fight the battle of Moraviantown alone. Tecumseh, a great tactician much admired by Brock, likened Proctor to a "whipped dog crawling away with its tail between its legs."⁶ Tecumseh died by the Thames, robbing the defenders of a great leader whom Brock had considered his equal.

In the Niagara region, American attempts to enlist the support or even the neutrality of the Grand River Six Nations and other tribes had very limited success. The loyalty of Aboriginal forces to the British Crown was proven beyond doubt by the decisive role they played in several important military conflicts — sometimes on their own and sometimes with regular troops and militia. These conflicts included battles involving the Six Nations, led by John Brant and Captain Norton at Queenston Heights and Fort George; warriors from the Six Nations, Caughnawaga (Kahnawake), Lake of Two Mountains (Oka) and St. Regis (Akwasasne), who fought at Beaver Dam; and the Ottawa, who were led into battle by Chief Blackbird and Captain Elliott at Balls Farm. Clearly frustrated, American General Porter attested to the effectiveness of Canada's Indian forces when he wrote, "this army lies panic-struck, shut up and whipped in by a few hundred miserable savages".⁷ The Americans continued to send agents into Aboriginal communities, but only a few individuals could be pressured into joining them.

As late as 1814, repeated American attacks were repelled by loyal allies of the Crown, including the Winnebago, Sioux and Sauk nations in the upper Mississippi Valley. Britain was even considering a concerted campaign for the spring of 1815, in which its western Indian allies would play a key role.

Despite their loyalty to their British allies and their role in many victories, Aboriginal peoples received no major benefit from the war beyond the right to remain in British territory.

Many did stay, even some from the western peoples that Tecumseh had persuaded to join the fray, and they settled with established Aboriginal communities here. Others drifted back to homelands in the United States.

At the peace conference of 1814, Britain could not persuade the Americans to support a buffer state consisting of Indian territory. The Americans did agree "to restore to the Indian nations who had been at war 'all the Possessions, Rights, and Privileges'" that had been theirs before the war.⁸ There would, therefore, be no restoration of Indian territory.

Much later, the Boer War saw many individual Indian and Métis people volunteer, even though the conflict was offshore and far away. John Brant Sero, a Mohawk who went overseas despite being rejected by the military, was among them. He hired on as a civilian in the mule transport auxiliary and remained convinced that his rejection from the military had to do with his race. On behalf of all Aboriginal people, he indignantly wrote, "We believe we have an interest in the empire, bought by the blood of our ancestors."⁹ Okanagan rancher George McLean, of the Head of the Lake Band, also served in the Boer War with the 2nd Canadian Mounted Rifles, and he volunteered again when the first of the two world wars broke out.¹⁰

2. The First World War

The Aboriginal people of Canada responded whole-heartedly to the wartime emergency of 1914-1918. Status and non-status Indians, Métis and Inuit all served overseas, frequently in the front lines.

During the war, many Aboriginal servicemen earned medals for bravery in battle, and most expected that their wartime contributions would result in a new atmosphere when they returned to Canada. On 20 June 1920 Saskatchewan Cree clergyman Edward Ahenakew voiced this hope:

Now that peace has been declared, the Indians of Canada may look with just pride upon the part played by them in the Great War, both at home and on the field of battle. They have well and nobly upheld the loyal tradition of their gallant ancestors who rendered invaluable service to the British cause in 1775 and 1812 and have added thereto a heritage of deathless honour

which is an example and an inspiration for their descendants. ...

Not in vain did our young men die in a strange land; not in vain are our Indian bones mingled with the soil of a foreign land for the first time since the world began; not in vain did the Indian fathers and mothers see their son march away to face what to them were ununderstandable dangers; the unseen tears of Indian mothers in many isolated Indian reserves have watered the seeds from which may spring those desires and efforts and aspirations which will enable us to reach sooner the stage when we will take our place side by side with the white people, doing our share of productive work and gladly shouldering the responsibilities of citizens in this our country.¹¹

There was an early burst of spontaneous enlistment by Aboriginal people that reflected the patriotic enthusiasm of Canada's general population. Agency lists of those who volunteered are remarkable. For instance, the record from Golden Lake listed 18 men, most of whom served in France; seven were wounded, and five were killed in action.¹² At war's end, only three able-bodied men of service age remained at Golden Lake.¹³ The listing from Chapleau agency includes a note from the agent: "The above are all Indians of this Agency every one of whom Enlisted Voluntarily previous to the time the military Service Act was passed and all have seen service in France... several have paid the supreme sacrifice."¹⁴

The response of many Aboriginal communities to the outbreak of war was so rapid that men were in uniform before policy was established. Aboriginal soldiers were dying overseas even before December 1915, when permission for Indians to enlist was given officially. Before that, concerns had been expressed that German forces might discriminate against them if they were captured, so policy makers hesitated to recommend acceptance of Indian enlistees.¹⁵

Early volunteers were soon being joined by those who enlisted once formal recruiting campaigns got under way. Lieutenant Colonel Glen Campbell, who had been chief inspector of Indian agencies for Indian affairs at Winnipeg, promoted the establishment and manning of the 107th Battalion at Winnipeg from December 1915, intending it to be all or mostly Indian.¹⁶ Recruiting for Aboriginal volunteers for this unit included visits to the Elkhorn residential school.¹⁷ Active recruiting at the residential schools led

to considerable suspicion on reserves and to cautions from elders, who believed their men should not be liable for any military service outside Canada.

After the first three years of war, as general enlistment slowed and manpower needs increased, the government had to consider stronger measures to encourage enlistment. The *Military Service Act* provoked considerable public reaction, not least from status and, particularly, treaty Indians. The act provided for conscription based on registration of all British subjects. No notice was taken of status Indians' lack of citizenship or of treaty membership. Indian affairs deputy superintendent Duncan Campbell Scott insisted that the *Military Service Act* did apply to all Indians and denied the argument that treaty Indians were exempt.¹⁸

The possibility of conscription gave rise to anger and resistance in many reserve communities. Scott ignored the existence of historical treaties and alliances but later recommended that Indians be exempted from service, after registration, on the basis that they were not qualified to vote. This was confirmed by an order in council very late in the war.¹⁹

While some status Indians already serving were given discharges, Scott manipulated the new regulation: he did not publicize the exemption, so serving soldiers would not find out that they could return. In some of his correspondence, he went so far as to deny that the exemption existed at all. Even so, by mid-1918 he was arguing that Indians should not even be allowed to volunteer, let alone be called up.²⁰

Despite Indian affairs' policy shifts, well over 3,500 status Indians did serve in the First World War.²¹ Non-status Indians and Métis who enlisted were not counted, but many served, often with distinction. Numerous awards for bravery went to Aboriginal soldiers: Okanagan Private George McLean was awarded the Distinguished Conduct Medal for "conspicuous gallantry and devotion"; Ojibwa of Hiawatha Lance Corporal Johnson Paudash received the Military Medal; Oka Private Joseph Roussin was awarded the Military Medal and nine wound stripes. Ojibwa Corporal Francis Pegahmagabow, who enlisted in 1914, earned more medals than any other Aboriginal soldier of the First World War. He excelled as both scout and sniper, and returned to Canada only in 1919. Henry Norwest, Military Medal and Bar, was killed.²² Olympic runner Corporal Joe Keeper of Norway House, Manitoba,

who excelled as a middle distance runner in Canadian Corps sports activities, also went on to win a Military Medal.

Early in the war there were plans to have several all-Indian battalions. The 114th Battalion in eastern Canada originally enlisted many Six Nations, Kahnawake and Akwesasne soldiers. The 107th Battalion out of Winnipeg began with a high proportion of western Aboriginal recruits. However, both units were dispersed overseas, as replacements. Wherever they ended up, Aboriginal servicemen were particularly prized as snipers or sharpshooters, a dangerous but essential function, and as scouts. Many also served in Pioneer and Forestry battalions, often performing heavy labour in construction while under fire. By war's end, Aboriginal soldiers were scattered widely in many infantry battalions, Pioneer, Labour and Forestry battalions, Railway Troops, the Veterinary Corps, the Service Corps, and Canadian Engineers, with only a handful serving in the Air Force. For most Aboriginal recruits, the lack of formal education meant the Army was their only option upon enlistment.

Lack of education also restricted promotions within the Army. Many Aboriginal soldiers became non-commissioned officers, corporals, lance corporals and sergeants, but a commission to the rank of lieutenant or above was virtually impossible without education. The fact that a considerable number were commissioned indicates that race was not a limiting factor: Lieutenant James David Moses of Oshweken and Lieutenant John Randolph Stacey of Kahnawake were Air Force officers; Lieutenant Cameron Brant, Lieutenant (later Brigadier) Oliver Milton Martin, and Captain Alexander Smith and Captain Charles D. Smith of Six Nations earned their rank in the Army.²³ Hugh John McDonald, a non-status Indian from the Mackenzie Valley, is reported to have earned his commission "by virtue of outstanding service in the field".²⁴

The casualties of war included many of the officers and decorated soldiers. In all, more than 300 status Indians died — of the more than 3,500 that enlisted. Hundreds of others were wounded, many of whom died soon after the war. In addition, disease took a heavy toll; the isolation of many reserves and Aboriginal communities meant that immunity to some diseases was low.

Inuit recruits came mostly from Labrador. Among them was Lance Corporal

John Shiwak of Rigolet who served as scout, observer and sniper with the Royal Newfoundland Regiment before being killed in France. Frederick Frieda of Hopedale served in the same regiment overseas, as well as in the Canadian Rangers, a domestic defence force, after the war.²⁵

Returning veterans found themselves in the care of the new Department of Soldiers' Civil Re-establishment — provided they were not status Indians. Status Indians who returned to reserves found themselves under the control of Indian affairs for matters pertaining to their war service.

Administration of the new *Soldier Settlement Act* for status Indian veterans returning to the prairies was placed in the hands of Indian commissioner William Graham.²⁶ During the war, Graham had been appointed "to make proper arrangements with the Indians for the leasing of reserve lands" for purposes of "greater production". As early as 1917 various schemes had been considered to alienate Indian reserve lands in order to re-settle returning veterans. The Army and Navy Veterans Association asked specifically that the government purchase reserve lands, among others, for the use of veterans.²⁷ Thus, the wartime plan to lease Indian reserve lands to boost agricultural production merged into the post-war plan to obtain outright surrenders of Indian reserve lands for veterans.

Pressure first to lease and then to sell reserve land angered many bands. Often they refused. Their resistance was countered by the so-called Oliver Act of 1911, a series of amendments to the *Indian Act* that facilitated the sale and expropriation of reserve lands.²⁸ In addition, a 1919 order in council gave the superintendent of Indian affairs authority "to appropriate and to cause to be utilized any portion of any Indian reserve which is not under cultivation or otherwise properly used."²⁹ In concurrence with Indian affairs policy, Commissioner Graham went after Indian land vigorously until 1922. The department justified its actions as follows: "...the areas of the reserves set apart under treaty were generous, but were given as part compensation for the cession of title, and with the intention that, in the future, the proceeds from the sale of the lands might form funds from which the Indians could be maintained."³⁰

This rationalization violated the spirit of treaty agreements. As one historian put it, "The soldier settlement emergency was an excuse to alienate some valuable lands from Indian use. ...[These lands were] part of the birthright of

those people the Crown had sworn to protect at the time of the treaty."³¹

Indian affairs succeeded in obtaining surrenders of 85,000 acres of Indian reserve land, mostly in Alberta and Saskatchewan.³² Although prices were often close to real value, coercive methods were used in the face of understandable reluctance on most reserves. Surrenders appeared to have two goals: making Indian land available to satisfy veterans and neighbouring farmers and ranchers, and raising funds for the support of Indian bands through the sale of their lands.³³

While prairie Indian reserves were being subjected to leases and surrenders, returning status Indian veterans were waiting to see what the *Soldier Settlement Act* would offer them. Commissioner Graham would administer a revised act for status Indians. Indian affairs was given the right to obtain land for an Indian veteran either on- or off-reserve, and the department was also given the power to override any band council's opposition to granting reserve location tickets to veterans.

In practice, almost no free land off-reserve was ever granted to a prairie Indian veteran. Neither treaty nor non-treaty Indians were able to homestead in Manitoba, Saskatchewan, Alberta or the North (the Territories), since the *Indian Act* barred them specifically from "acquiring a homestead or pre-emption right...to a quarter-section...in any surveyed or unsurveyed lands in the said provinces."³⁴ The result was that most Aboriginal veterans were excluded from the standard benefits supposedly their right as veterans under the *Soldier Settlement Act*. To all other veterans the act offered a homestead; a purchase or lease from the Soldier Settlement Board of land, stock or equipment at reasonable rates; a loan advance or mortgage; and farming instruction.³⁵

In eastern Canada, some status Indian veterans "did obtain loans and purchase some land outside of their reserves without losing their treaty status."³⁶ In the west, the status Indian veteran often lost his share in communal lands sold to the Soldier Settlement Board, while also remaining ineligible for the 160 acres available to other veterans.

Furthermore, western veterans often found it difficult to obtain location tickets on what was left of their bands' communal land: band councils

feared further break-up of their land and, to protest Indian affairs' manipulations, refused to co-operate. This left many Indian veterans empty-handed, as well as alienated from other members of their bands. Even if a status Indian gained a location ticket, the right to occupy and use a piece of reserve land was not the equivalent of other veterans' outright ownership of a quarter-section of land as a free homestead. The status Indian veteran obtained nothing more than the right he already had as a band member.

Administration of the *Soldier Settlement Act* by Indian affairs also made it difficult for status Indian veterans to obtain other benefits to which they were entitled. On the prairies, only one Indian veteran in 10 that applied for financial assistance was given a loan by the Soldier Settlement Board.³⁷ One inspector candidly reported refusing a Six Nations veteran a loan on the grounds that "The amount of the loan appeared to me to be too large for an Indian." In the west, Graham tried to have loans deducted from band trust funds, rather than from Soldier Settlement funds. Western loans, few as they were, were not granted until 1920, two years after the war's end. By 1921, about 150 loans had been approved for status Indian veterans — a small fraction of the total number of returning veterans. While the number of loans rose over time, most were confined to Ontario.³⁸

Concerning other veterans benefits, the Royal Canadian Legion pointed out that Indian veterans were being shortchanged on several counts. In 1936, the Ontario convention passed the following resolution:

That the Indian War Veteran be placed on the same footing and receive the same benefits as his other Canadian comrades, especially in regard to the Last Post Fund, Pensioners' Relief and Veterans Allowances, and that the Canadian Legion, British Empire Service League, do everything in their power to bring this about.³⁹

The pensions board felt that the veterans had certain benefits by virtue of their status as Indians and so should not be given the larger veterans benefits. It had been decided in the spring of 1932 that "Indian veterans on reserves in need of help were to be treated like other Indians on reserves rather than as veterans. Only enfranchised Indian veterans not living on reserves were entitled to the same benefits as non-Indian veterans."⁴⁰ Finally, in 1936, some months after the Legion's protest, the Legion recommendations resulted in a revision of policy.

Indian veterans were clearly placed at a serious disadvantage by a combination of the soldier settlement land purchases, the restrictive clause of the *Indian Act* concerning prairie homesteads, the location ticket alternative to free land, and the very limited approval of loan applications. These inequalities were far more important than those listed by the Legion, since they were about matters regarding land title and loans; unlike those related to pensions and allowances, these inequalities were not rectified.

3. Between the Wars

Aboriginal veterans faced other challenges during the interwar years. All communities had to cope with the Great Depression. Métis people and non-status Indians with access to hunting and fishing lands generally fared better than status Indians trying to cope with inadequate and shrinking reserves. The few veterans who acquired location tickets and loans and tried to start up their own farms faced intense dust bowl conditions and depressed markets for their products.

Veterans with fresh ideas and a determination to create change, especially reducing the control of Indian affairs branch (IAB) over their lives, found that their biggest impediment was the IAB bureaucracy itself.

...Indian war veterans found that nothing had changed; they were still under the yoke of government bureaucrats and treated like irresponsible children. Some became angry but most became bitter or disillusioned by the fact that the better world they had fought for did not seem to exist within the boundaries of their own reserves.⁴¹

In the east, F.O. (Fred) Loft, a Mohawk who had been a lieutenant during the First World War, aroused IAB suspicions when he began organizing the League of Indians to work for change. Loft was one of "the great Indian activists of the first half of the twentieth century, whose struggles laid the groundwork from which recent activism emerged".⁴² In 1918, a new Aboriginal political organization was envisioned. Although the League of Indians began in the east, with Loft as its first president, the intention to become national in scope was demonstrated at western conventions in Manitoba in 1920, Saskatchewan in 1921 and Alberta in 1922. Loft's initial

plan had been to organize widely scattered bands for united collective action patterned after labour unions. He maintained that Indian peoples were facing the same problems and could only effect change by working together: "We must be heard as a nation".⁴³

Among the grievances uniting Aboriginal communities were the amendments to the *Indian Act* facilitating the sale of Indian reserve lands, instituted by the minister of the interior, Frank Oliver. Two aspects of the amendments are of interest here. First, the superintendent general of Indian affairs was empowered to order an inquiry into the removal of an Indian band residing on a reserve adjacent to a town of 8,000 residents or more, as well as to initiate that removal, resettle the Indian population and sell the land. Second, expropriation of Indian land was to be allowed without surrender or consent if the land was needed for roads, railroads or other public projects. These amendments — in addition to the 1894 confirmation of the superintendent general's power to lease undeveloped reserve lands without a band's surrender or consent, and the 1898 amendment giving the superintendent overriding powers — led to the surrender and sale of hundreds of thousands of acres of some of the best Indian lands.

Duncan Campbell Scott, deputy superintendent general, reacted with increasing animosity to the growth of Aboriginal political organization. In 1920 he notified Loft that "the Department is considering the question of your enfranchisement." The IAB saw enfranchisement as a means to eliminate "troublemakers and educated Indians from the ranks of Indians as a whole."⁴⁴ The League of Indians and Loft personally lobbied against new legislation to enfranchise returned First World War veterans. It was Scott's view that the IAB should be able "to enfranchise individual Indians or bands of Indians without the necessity of obtaining their consent thereto."⁴⁵ Loft was attempting to get answers from Commissioner Graham, who was surveying western reserves and pursuing a policy of obtaining land surrenders. Scott ordered Graham not to confer with Loft at all, sent extra RCMP to all meetings of the League, and kept Loft himself under surveillance. When Loft then attempted to deal directly with members of Parliament, Scott tried to discredit him.

For personal reasons Loft left the League for a few years. In this interval the IAB attempted to suppress further political activity. An amendment to the

Indian Act made it illegal to raise funds "for the prosecution of any claim." The penalties for any organizer who persisted included fines and jail sentences.

On his return, Loft was unable to revive the eastern branch of the League because of persecution by Scott. Although Loft failed to make the League a national force, the western branches continued throughout the 1930s and often adopted Loft's example of circumventing the IAB and calling upon members of Parliament for help.

The level of activity in the western League illustrated that Indians "were not silent, passive observers of their destiny but rather actively struggling for a place as native people in Canada."⁴⁶ In the west, leadership in League activities continued in the hands of men like John Tootosis and Edward Ahenakew, men conscious of the contributions Aboriginal people had made in the war and familiar with the controls exerted by the IAB and the poverty, limited education and discrimination that results.

When the Second World War broke out in 1939, Indians found themselves, as in 1914, less able than other Canadians to participate fully, since they lived in more remote locations or were separated from the rest of Canadian society by the reserve system. Inequalities with regard to health, education and employment experience placed them at a further disadvantage.

4. The Second World War

4.1 Enlistment

"Indians are very loyal."⁴⁷ With these words, IAB director Dr. H. McGill summed up the response of Aboriginal communities across Canada at the start of the Second World War. In British Columbia, Native Brotherhood of B.C. spokesman Ambrose Reid asserted: "It is our duty as patriotic citizens to put aside our personal claims or claims of our brotherhood and aid our country in this time of stress... our country is at war so we the Native Brotherhood are at War."⁴⁸

In Alberta, Teddy Yellowfly of the Blackfoot Council declared, "Indian loyalty to Canada and to the Empire shows the outlook of the Indian is purely

Canadian in its nature and character."⁴⁹ At Rocky Mountain House, Alberta, Chief Walking Eagle vowed, "every Indian in Canada will fight for King George".⁵⁰ Chief Joe Dreaver of the Mistawasis reserve in Saskatchewan, a veteran of the First World War, led 50 volunteers into the nearest recruiting station. The response of Aboriginal communities matched the early rush of volunteers in the general population. By the end of 1940, many Aboriginal men and women were already overseas or working in essential wartime industries. But Chief Joe Delisle of Six Nations in southern Ontario urged that Aboriginal communities do even more "to help our King and Queen and to bring about the downfall of the tyrant."⁵¹ Most declarations of loyalty included pointed references to the monarch as a descendant of the British royalty with whom alliances and treaties had first been made.

The reports of Indian agents across Canada confirm this loyalty. Indians were enlisting and serving in the forces at home and overseas; working in steel, munitions, agriculture and a host of other essential industries; and raising money and goods for the Red Cross, the Salvation Army, the Spitfire Fund, war bonds and other wartime agencies. Indians were opting in; they were behaving like other Canadians.

There was an irony in this, however, for legally, status Indians were not Canadian citizens at all, nor were they being treated as such by the Indian affairs branch. Status Indians, unique among Canada's Aboriginal people, were non-citizens and wards of the government until 1960.

Standards of health and education had been so low that at least half the men who volunteered for the armed forces had to be rejected.⁵² In addition, the IAB often blocked the contributions Indians tried to make to wartime charities.⁵³ Status Indian men who served in the forces were regarded as prime candidates for enfranchisement. The IAB collaborated with the Department of National Defence (DND) in the alienation of Indian lands over Indian protests, then persuaded DND to allow the IAB to administer soldiers' benefits for all Indian servicemen. Although Indians responded to the challenges of the war years, and their lives expanded and changed, the IAB did not change its approaches and methods.

Although IAB interference did not affect non-status Indians and Métis people, many among their number had to struggle with isolation in widely

scattered communities in the north. The lack of services, in both education and health, came to light only during the Second World War. Despite the absence of treaties connecting them to the Crown, Métis and non-status communities saw a large proportion of their men volunteer.

Estimates of how many Aboriginal people served during the Second World War vary widely. Government statistics, based on IAB records, indicate that by 1945 3,090 status Indians had served. Charles Roasting, president of the Indian Veterans Association of Alberta, provides an estimate that takes in a longer timeframe and includes other Aboriginal people in addition to status Indians. He reports that 12,000 Aboriginal people served in the two world wars and Korea, an estimate that certainly appears reasonable.⁵⁴

Testimony at our public hearings and those of the Senate committee showed that some status Indians were reluctant to enlist for fear of enfranchisement, and indeed some veterans reported having been told that they had to enfranchise in order to enlist. Others reported that they returned home to find they had been enfranchised in their absence. Still others were subject to persuasion or pressure on their return and encouraged to sign enfranchisement documents in order to receive all veterans benefits.⁵⁵

Veterans reported motives for enlistment quite comparable to the Canadian population as a whole, including their need for work to support themselves and their families, their enthusiasm for adventure, and their love and sense of duty for their country.

Rejection of early volunteers, in 1939 and 1940, was common. The nation had not been prepared for the outbreak of war, and the long depression had created a large pool of men eager to don a uniform if it meant food, shelter and wages. But there were not enough uniforms, barracks or guns for so many volunteers.⁵⁶ Unable to accommodate the first rush of volunteers, the armed forces had to reject them.

Many Aboriginal enlisted men, like those in the general population, were discharged as a result of further medical testing during training camp. Owing to rigorous training and frequent retesting, it was common for men to be discharged within weeks or months of enlisting. Discharge of a recruit before he had served one full year in Canada or any period overseas would bar him from receiving veterans benefits. Many health problems, in

particular the debilitating ones experienced by the Indian population, were aggravated by arduous training, and they resulted in numerous cases of newly active tuberculosis and pneumonia.

In his annual report for 1939-1940, IAB director McGill commented that Indian communities were experiencing "the usual amount of infectious disease", including influenza, diphtheria, scarlet fever, measles, chicken pox, whooping cough and pneumonia. While acknowledging that there had been many deaths from influenza and pneumonia and a serious outbreak of typhoid at the Norway House residential school, McGill asserted that there were "no epidemics of serious proportion". The director pointed out that there were programs to alleviate the high incidence of tuberculosis among Indians, which was "more than ten times as high as among the white population."⁵⁷ Indian agents reported high military rejection rates for status Indians on medical grounds: for example, Birtle agency reported 100 per cent, and Battleford agency 25 per cent on enlistment and an additional 40 per cent during training.⁵⁸ Agent Ostrander of Battleford wrote in September 1941, "Physical fitness is a stumbling block to most of them. The number of those rejected for impaired vision and lung scars is surprising."⁵⁹

Sometimes tuberculosis became evident only after recruits underwent rigorous training or actual combat conditions, and then pneumonia or fully developed tuberculosis could claim a life. For example, Joe Snake Person, a Blackfoot from Alberta, died of pneumonia after only a few weeks in training camp. Mike John Paul of Stuart Lake, British Columbia was discharged when he became ill. He subsequently died in an Indian hospital. Teddy Many Wounds, a Sarcee from Alberta, died of pulmonary pneumonia after serving overseas.⁶⁰

Since hundreds and perhaps thousands of Indians were unable to pass medical examinations, no figures cited to gauge their participation in the war are ever likely to reflect with any accuracy their widespread willingness to serve. Too many were fighting private wars with disease.

While so many Aboriginal volunteers were failing medical examinations, many others were being excluded from the forces because of lack of education. Both the Air Force and the Navy required a grade 8 education, and although the Army could accept a lower level, it was difficult for recruits

with little or no English to adapt quickly enough.

Status Indians could understand and accept discharge based on health problems. Early in the war, however, some were told they were not needed even before medical examinations. The previous war had left a good deal of confusion about enlistment of Indians in the forces. Enough doubt about policy remained in 1939 to make some recruiting officers hesitate when Indian volunteers appeared. Indian agents also kept writing to the IAB in Ottawa asking whether the First World War policy exempting status Indians was still in force.⁶¹

Many Indians who volunteered early in the war were distressed at being rejected. One of the best qualified among them, Tom Prince of the St. Peter's Reserve (later the Brokenhead Reserve), was turned down many times. In every respect he was well qualified: he had graduated from grade school, he had been a cadet, and he was an excellent marksman.⁶² Prince was finally accepted in 1940, and then began a remarkable career in the forces.

Agent N.S. Todd of Kwakewlth described the experience of many west coast Indians:

Indians are very loyal. At the outbreak of war many Indians tried to enlist in the naval Service, as they felt that as their whole life had been spent on the waters of the Pacific, they were best fitted to serve in this branch of the Service. A great many of them volunteered their services, spent considerable sums of money going to recruiting offices, only to be turned down. The reason given was that they could not accept an Indian in the Navy...⁶³

The Navy's reply to an enquiry on this issue from the mines and resources department, which had responsibility for Indian affairs, stated: "Although it is considered that there is much excellent material among the Indians on the B.C. coast, it is strongly recommended that all Royal Navies should still maintain the strict rule that personnel must be of 'Pure European Descent and of the White Race'."⁶⁴

Canadian naval policy was based on British regulations. Clearly, the Navy's policy was not to be changed easily. The Navy designated one of its

destroyer classes 'Tribal' and named each ship in that class after an Indian nation — the *Athabasca*, the *Huron*, the *Nootka* — but status Indian sailors were not welcome to sail them. This ban was not removed until February 1943.⁶⁵

Where health and education permitted, enlistment was high; Ontario Aboriginal communities generally fared better than average in health. As W.L. Falconer, MD, assistant superintendent of medical services, noted at Cape Croker (home of the Chippewa of Nawash), "a good index of the health of the band is that out of a total population of 471, there are about fifty of the men in the Army."⁶⁶ By the end of the war, 78 Cape Croker men were in uniform. Other Aboriginal communities in southern Ontario sent similarly large contingents to the forces.

Not all Aboriginal men rushed to join up in the first year of the war. Some were too young, and those who waited often found that jobs were becoming more abundant and better paid than before the war. Across the country, they were finding nearly full employment under wartime conditions, often in essential industries. Some jobs paid well enough that military pay was no longer a great incentive to join up.

Like the general population, however, Aboriginal men and women continued to volunteer. Few enlisted alone; going in with one or several friends or relatives was much more common. While young men sometimes joined on impulse, others joined only after long deliberation. One veteran of the Second World War reported that he was influenced by discussions among the elders of his band:

Some of the elders at the reserve spoke a lot about the wars. One time, they were sitting in a circle telling stories about Adolph Hitler running over countries. The elders said he was ready to take England and that is where our King was. Hitler was so powerful and he'd been building arms for years. If he did take England, he'd be able to take Canada. If that did happen, I wondered what would happen to our treaty with the Queen. About 16 of us from the reserve decided to go and stop Hitler. We wanted to have a part in winning the freedom of the world.⁶⁷

Indian enlistees were often following a tradition of military service begun by fathers or uncles in the First World War. "I had three uncles in the First

World War and they felt the best thing for me to do was to join the Army. Prior to that, I had never been off the reserve," reported Ernie Crowe, of the Piapot Reserve in Saskatchewan.⁶⁸ The military tradition was so strong in some families that all sons and even daughters joined the services.

Just as some men enlisted only after long deliberation, others, after considering the pros and cons, chose not to enlist. Western status Indians particularly had many reasons to remember the experiences of the First World War. Foremost among these was the widespread sale of Indian reserve lands, which should have been protected by the IAB, to supply the soldier settlement scheme with land for veterans. In addition, there was the rankling *Indian Act* prohibition on homesteading in the prairies and the north; both treaty and non-treaty Indian veterans were subject to this bar. Besides, many people in these communities could recall their limited access to veterans benefits through the IAB and veterans' difficulties obtaining location tickets on reserve land.

Many western bands were also reluctant to see their members enlist because of the enfranchisements that took place during the First World War. Also, pressure had been brought to bear on Aboriginal veterans to enfranchise themselves and their families through the compulsory enfranchisement legislation of the 1920s. Suspicion among these Aboriginal people only increased when compulsory training was begun in 1940. Members of the Red Pheasant Band of Saskatchewan were sufficiently concerned to mount a protest to the National Selective Service Registrar, the agency that administered the regulations of the *National Resource Mobilization Act* (NRMA). Their protest had been preceded by others across the country,⁶⁹ to the point that the IAB suspected that agitators were at work. The IAB had clearly missed the point: it was the experience of western bands following the First World War that gave rise to this response.

Indian loyalty was sorely tried when the government implemented the NRMA. In 1939, Canada had entered the war with a minimal permanent military force. After Dunkirk, in May 1940, the only allied forces in Britain that were reasonably well equipped and intact were units of the Canadian First Division. It was now obvious that Canada could no longer participate on the basis of limited liability. The Canadian Second Division was sent to Britain earlier than planned, Parliament voted more money to sustain the

war effort, and the cry went up for "complete mobilization of the manpower, financial, and industrial resources of the country".⁷⁰

The NRMA of 21 June 1940 provided for the call-up of all eligible men, following national registration, for a medical examination and a military training period. Service was to be in Canada only, whereas active duty overseas would continue to be strictly voluntary. This was Prime Minister Mackenzie King's "not necessarily conscription but conscription if necessary."

Perhaps Indian leaders had anticipated the true potential of NRMA to force unwilling conscripts into longer service and overseas duty. As the war went on, the initial training period of 30 days was lengthened to four months. This compulsory service was very disruptive to men who worked in seasonal occupations like farming, fishing and lumbering — as many Indians did. Further, some of the newly trained men could be called upon to serve in Canada, in home defence or reserve units. Training and service in Canada were reasonable duties, at least for citizens; but all young men in uniform, including status Indians, were coming under greater pressure to sign on for active duty overseas.

By 1944, this had become "intense pressure", according to Major-General E.L.M. Burns.⁷¹ Thus, the NRMA was exposing recruits, including Indians, to the risk of being pressed into full combat duty. This risk was made a near certainty in November 1944, when the government of Canada, despite earlier assurances to the contrary, made the decision to send conscripts overseas. Conscripts who had refused to opt for active duty voluntarily, including men of all ethnic and racial origins, had been labelled 'zombies' by combat soldiers. Some of these 'zombies' were ordered overseas after the 1944 order in council, and 2,400 were posted to combat units.⁷²

Band councils and leaders had begun preparing their defence against the NRMA in 1940. They investigated historical precedents and the legal implications of their treaties with the Crown, while the defence department and the IAB tried to decide the applicability of the NRMA regulations to Indians. In the end, IAB director McGill was informed that all status Indians would have to register and would be subject to the call-up.

Indian ingenuity and initiative in opposing the NRMA call-up and training

took many forms. The simplest form of resistance to this new challenge was to avoid registering. Isolation aided this strategy, especially in the north and west. However, any man who wanted to take advantage of the availability of hundreds of new jobs had to be registered to qualify for work.

Hunters, trappers, fishermen and migratory farm workers were often away for months at a time and received their notices to report for medical examinations long after the response dates. Some notices never reached individuals, while others were disregarded because of language or literacy problems. Other notices may have been ignored because, although deferrals were quite likely available, the process of obtaining them was too slow and cumbersome. The case of Stikine illustrates the situation facing many isolated sites: Agent R.H.S. Sampson informed IAB in 1944 that 30 men had received notices to report for medicals and many were quite willing, but "they cannot obtain a medical examination here."⁷³ Doctors had never been readily accessible in isolated Indian communities, and with the war they were scarcer than ever. The Inuit population was not subject to the NRMA regulations at all.⁷⁴ Isolation and the language barrier served effectively to exempt most Inuit from the armed forces — although many would become involved as civilians and would serve in the Rangers, a domestic defence force.

As the war progressed, reserves and other communities were visited by recruiting officers. Some agents called meetings to guarantee the officers an audience; others trekked around the reserve with the officers, encouraging Indians to speak with them. Some agents pointed out the advantages of joining up, portraying military service as a well-paid job and a means of supporting a family. On more than one reserve, the combined effect of the appearance of an agent with armed recruiting officers conveyed the impression that men could be taken by force for military service. Not only individuals, but some entire communities resisted the compulsory call-up under the NRMA. Six Nations had a long history of claiming status as an allied nation rather than as a subject community — and an ally could not be conscripted but could join only by volunteering. Six Nations men and women were in fact actively volunteering for military service in both Canada and the United States while the dispute went on.

The Six Nations council directed the Indian superintendent, Major E.P. Randle, to convey their concerns to the IAB. It was pointed out that Six

Nations people had served in the armed forces during the First World War

...willingly enlisting of their own accord in numbers considering their population which will bear favourable comparison with the British Canadians... it is frequently impressed upon the Indian that he is considered a minor and a ward of the government and not given a vote, but now as compulsory military service is brought they have to accept full responsibility of citizenship.⁷⁵

Randle pursued his argument that the Six Nations council was not at all disloyal and that they had a just grievance against the NRMA call-up. Further, the council members were well aware of the 1918 order in council which, although a little late for the First World War, had exempted Indians from overseas service, and they felt it should still be in effect. They were anxious to proceed to Ottawa to lobby the government directly, as they had during the previous war. The superintendent general, McGill, stated bluntly, in January 1941, that the order in council of 1918 was no longer in force. Following an inquiry from a member of Parliament, M.J. Coldwell, McGill explained that no treaty made any reference to military service and that, while it was true that Indians were not citizens, they did have certain privileges that other Canadians did not enjoy.⁷⁶

Many western bands felt that the treaties were not only significant but definitive, and that they included assurances that had never been written into the official texts. In the formal treaty-making context, marked by gift exchanges and the pipe ceremony, Indian signatories considered that the verbal promises were at least as binding as the written ones. In the process of completing Treaty 3 in October 1873, Commissioner Alexander Morris had stated: "The English never call the Indians out of their country to fight their battles." Nearly three years later, in August 1876, while attending treaty negotiations for Treaty 6, chiefs and councillors of the Cree asked Morris specifically about the question of military service. He replied: "In case of war you ask not to be compelled to fight. I trust there will be no war, but if it should occur I think the Queen would leave you to yourselves. I am sure she would not ask her Indian children to fight for her unless they wished...". At the September 7 meeting with the Cree, Morris again said, "...you will never be asked to fight against your will."⁷⁷

Just as the plains Indians of the 1870s wanted clarification of their liability

for military service, so the Indian communities of the 1940s sought a firm statement on their own position. They believed that the treaties exempted them at the very least from overseas service, and since the government would not honour the 1918 order in council, they turned to lawyers, members of Parliament and cabinet ministers to appeal for a reversal of the 1940 decision. It was only in December 1944 that the cabinet relented, conceding that the treaty promises did have validity. Although all Indians were still liable for military training and for service within Canada, members of Treaties 3, 6, 8 and 11 would be exempt from overseas service.⁷⁸

Impressions created by the attempts of status Indians to avoid compulsory military service should not be misconstrued. The IAB should have sought legal advice and did not, leaving the onus on Indian bands and individuals to obtain legal clarity about their rights. The lack of Canadian citizenship had been the basis of the 1918 order in council exemption and was a valid precedent. In many Aboriginal communities, virtually all eligible men enlisted, and indeed so many Indians tried so hard to get into the armed forces that their opposition was clearly to the principle of conscription, not to serving their country. The records of many men attest to this, and they were accompanied by a remarkable number of Aboriginal women who enlisted voluntarily, even though as women they could not have been called up.

4.2 Community Support

Once the war began, more status Indians were fully employed off-reserve than ever before. The growing freedom of movement under wartime conditions, as well as the many jobs now available in Canada and the United States, contributed to a new sense of independence and self-reliance. Just before the war, Indian agents had still been granting or denying permission for band members to leave their reserves; now, not only servicemen, but many other adults were coming and going freely, leaving agents uninformed and frustrated. Even during the war, political organizing continued. For example, John Tootoosis "maintained his duties as an organizer and a recruiter for the [Saskatchewan] League", while at the same time bombarding the IAB with questions about Indian military service and deferral.⁷⁹

In cases where Indians asserted their right to deferral it was usually

approved. Nearly all applications for deferral among Indians along the B.C. coast were granted routinely. Almost overnight, Indians had become the majority of workers in the west coast fishing industry: after Pearl Harbour, Canadians of Japanese origin had been interned inland, their boats confiscated by the government. Fishing companies began actively wooing Indian fishermen. Additional employment in logging camps and in the construction of roads and airports meant that most coastal Indians were involved in strategic industries, and many were serving their country best where they were. Deferrals were also granted routinely on the prairies, as Aboriginal people were needed in grain growing and cattle ranching to help maintain vital production.

By mid-war, Aboriginal communities were almost all short of manpower: men who were not in the armed forces were working in construction, fishing, logging, agriculture and war industries, and they were hard-pressed to continue the more traditional pursuits of farming, fishing, hunting and trapping to support their families. Even under such conditions, these communities found the will, time and energy to contribute to wartime charities. Some communities were quite poor, their physically fit, able-bodied members having just been taken off relief during the war.⁸⁰ Others who were still on relief now refused to accept it, regarding that as their way of helping. Even some communities forced to lease land for the war effort continued to be generous. For instance, in 1940, the Enoch Band of the Stony Plain Reserve, Alberta, and the Winterburn Band, also in Alberta, having received \$400 from the government in rent for their lands, donated it to the country's war effort.⁸¹

However, the IAB director ruled against any band donating money from its trust fund account, even if it was intended for war bonds or the Red Cross. One of the few exceptions was Six Nations, which was permitted to donate \$1,000 annually to the Red Cross from its more substantial account. IAB secretary MacInnes defended the branch's position: "[It is] customary to charge relief supplies, road expenditures and certain salaries and pensions to this account... [it] might be overdrawn in the future."⁸² In addition, the government already had access to all trust fund accounts, and most of the money was already invested in the war effort.⁸³

Indian bands were not daunted by controls on their accounts, and most set out to raise money or goods to donate. Indian communities held dances,

sales, exhibitions and rodeos; they collected scrap tires and iron. They made front-page news with pictures of colourful costumes and stories of their gift giving. At Sioux Lookout, the Caribou Lake Band volunteered a portion of its spring furs and offered to care for refugee children.⁸⁴ Mi'kmaq at Whycomomagh voted to send \$2,000 for the relief of the "suffering children of Scotland."⁸⁵ One of the most outstanding examples of Indian generosity came from Old Crow, Yukon. Old Crow Chief Moses walked from his home into Alaska, carrying the community's winter furs. After selling them, he walked back to the nearest RCMP post and handed over some \$400 to be donated to the orphan children of London, England. The BBC and the government of Canada made much of this incident, sponsoring a broadcast by Indian soldiers in Britain. Before long, Old Crow had raised more money, this time for the Russian Relief Fund.⁸⁶ Not content to rest on their laurels, the same band next contributed \$330 the relief of Chinese victims of war.⁸⁷

Indian generosity benefited Wartime Savings Stamps, Victory Loan Bonds, Wings for Britain, the Spitfire Fund and a host of other charities. In a letter to J. Ralston, the minister of national defence, a number of Indian agents stated: "These contributions are unsolicited and are an indicator of the inherent loyalty of the Indian population and their desire to assist in the war effort, at what must be to them considerable personal sacrifice."⁸⁸

Indian women on reserves were contributing to the charitable donations of their communities — in addition to struggling to survive in the absence of so many men. Furthermore, many young women, especially those with education, were volunteering to serve in the armed forces. By war's end, many Métis women and at least 72 status Indian women had been in uniform. Among them were an Ojibwa woman, Joan Martin of Nipigon region, Ontario,⁸⁹ a Métis woman, Marguerite St. Germain, of the Peace River region, Alberta, and a Mi'kmaq woman, Margaret Pictou, of Eel River, New Brunswick.⁹⁰ Women with enough education found the armed forces an opportunity for personal growth, while others with less education could still work in wartime industries.

While status Indians were enlisting and raising funds, more Indian reserve land was being taken for military use. Indian land that was leased, bought or appropriated was used for many purposes, including airfields, army training camps, internment camps, gunnery and bombing ranges, and

coastal defence installations. This land was being taken with the compliance of the IAB — the very agency charged with protecting Indian land — and sometimes against the will of the community involved. Some of it has not been recovered to this day.

By any measure, the participation of Aboriginal people in the country's war effort was significant. Aside from providing needed personnel for the armed forces and essential wartime industries, Aboriginal Canadians contributed through the use of their lands, which were leased or expropriated, as well as through generous donations to war funds and charities.

4.3 Military Service

Aboriginal servicemen were so fully integrated into the Canadian armed forces, particularly the Army, that official records seldom report on them separately. They served in the ranks and shared the same risks as their non-Aboriginal companions.

In going off to war, status Indian servicemen left their reserves, their families and their Indian agents far behind. Many had never been so far from the control of the IAB or so closely involved with so many non-Aboriginal people before. For many Aboriginal men and women, life in the armed forces was a new world in which they were truly equal. For a few, it was a time of bewilderment and distress, shared by some non-Aboriginal recruits but made worse for Indians and Métis people if they spoke little English, had little education or feared discrimination by the non-Aboriginal majority.

Many volunteers embraced military life wholeheartedly, excelling in their training and earning promotions to lead or train other personnel. Others who seemed unlikely soldiers received honourable discharges and returned home to work in essential war industries; a few went absent without leave. In many respects the experience of Aboriginal people in the armed forces was little different from that of non-Aboriginal personnel.

Aboriginal servicemen and women came from hundreds of different communities, many of them small and remote from major population centres. Only communities in southern Ontario and the Maritimes were close to and in frequent contact with non-Aboriginal populations.

Elsewhere, especially in the north and west, many communities and reserves were still very traditional. Few people had worked off-reserve or outside their communities, and most were accustomed to speaking only their Aboriginal languages.

The distance between an Aboriginal community and an Army camp was enormous, in time and culture as well as miles. Since they constituted a racial minority within the military, most Indian and Métis people had to cope with additional stress. It is true that both Aboriginal and non-Aboriginal servicemen had to adapt to the new experiences of training and, later, combat conditions. However, for some Aboriginal soldiers, identity as a soldier often came to rival or even supplant a sense of being Indian, Inuit or Métis. The war years were a turning point for many who served their country, and life would never be quite the same again. Aboriginal veterans, like other veterans, will carry their memories of the war with them forever. Unlike them, however, they also carry a radically changed image of themselves and their place in Canadian society — a sense of being equal, of sharing the load, defending the country together with other Canadians, and being proud of the accomplishment.

All Canadian recruits plunged immediately into basic training, and this was often followed by advanced training, and still more training — at first in Canada and then in Britain, while waiting to be sent into combat. By February 1940, 23,000 Canadian troops were in Britain, destined to remain in training because of the 'phoney war', the lull between the outbreak of war in September 1939 and its resumption in April 1940. After the Allied retreat from Dunkirk in May 1940, Canadian Army units were chosen for experimental attacks on Brittany and Dieppe, with disastrous results. Aboriginal soldiers were among those who died at Dieppe.⁹¹

Although Aboriginal men had often signed up with friends, sometimes in groups, by the time they were through training they had often lost contact with these friends. Most Indian and Métis people quickly found new friends among comrades who shared the same training, mess, barracks and privations. These friendships were cemented even more firmly under combat conditions, where race was a minor or even negligible issue, and co-operation, endurance and survival were paramount. The infantry faced the most appalling conditions and suffered the highest casualty rates, and often only the demands of comradeship overcame the urge to flee the

battlefield. As one observer put it,

The soldier became increasingly bound up with his tiny fraternity of comrades who shared his suffering and they alone came to represent the real world. In the last analysis, the soldier fought for them and them alone, because they were his friends and because he defined himself only in the light of their respect and needs.⁹²

It was through this process that Aboriginal men came to identify themselves as Canadian soldiers. Battlefield equality redefined relationships among those who served together. Many Indian and Métis veterans attest to the depth of this transformation. For instance, Joe Cardinal of Hobbema, Alberta, related: "For years I believed I was no good, that I wasn't level with anybody else. Over there, on the battlefields, I learned I was just as good as anybody."⁹³ An Alberta veteran, Charlie Roasting, expressed a similar sentiment, adding that "Today I can stand side by side with anybody, regardless of colour."⁹⁴ Saskatchewan veteran Gordon Ahenakew described this aspect of combat duty as follows: "That's when your buddy was your buddy no matter what colour you are."⁹⁵

Aboriginal veterans reported consistently that they did not experience discrimination in the armed forces. Strangers were constantly being thrown together, and bonds of friendship were formed very quickly. Transfers and volunteering for other units contributed to the wide dispersal of Aboriginal servicemen throughout the armed forces; partly as a result of this, cultural isolation was inescapable for many Aboriginal enlistees. Don Morrison, an Ojibwa from the Kenora district of northern Ontario, described the loneliness he experienced while serving in Europe, even though he volunteered for and was generally content with military service:

[M]any Indian volunteers from remote reserves in Canada found themselves alone in an alien culture, as well as fighting a war. It was lonely at times. The only time I met a guy I could talk to in my own language was somewhere in Belgium at a fork in the road. We were just happy to be alive. We talked a few minutes, said we hoped the Great Spirit was watching us get back home, then we shook hands and took off again in different directions.⁹⁶

For most Aboriginal servicemen, there was less discrimination in the armed

forces than in civilian life. Some reported that after discharge they faced discrimination, often more than they remembered existing before the war. As veteran Clarence Silver said, "When I served overseas I was Canadian, when I came home, I was just an Indian."⁹⁷

Indian and Métis recruits were widely dispersed throughout military units and occupations. The forces seemed far more willing to place status Indians according to their choices and abilities than their Indian agents had been. Specialized training was needed for all enlisted men, and Aboriginal men volunteered for training and placement in virtually all facets of the war. This confirms reports by Aboriginal servicemen that there was no systemic discrimination in the armed forces.

Many Métis, Six Nations and Tyendinaga status Indians served in the RCAF. Aboriginal men also served in diverse capacities in the Army: as infantry privates, as riflemen, gunners, machine-gunners, sappers, troopers, bombardiers, cooks, batmen, truck drivers, welders and technicians. They often gained promotions to non-commissioned ranks; many became sergeants and were employed in training other personnel, especially in the use of firearms. It was only their lack of education that excluded most Aboriginal servicemen from commissioned officer status. Lieutenant David Grey Eyes of Saskatchewan and Brigadier General O.M. Martin of Ontario, along with several Air Force pilot officers, were proof that there was no bar to promotion. Indian and Métis soldiers were still valued as snipers, messengers and reconnaissance patrol leaders, as in the First World War, but they were in no way limited to these assignments, as they had other skills as well.

Evidence of aptitude or experience in certain fields often resulted in opportunities for advanced training for many Aboriginal as well as other servicemen. W.F. Wadsworth, a Kanai (Blood) Indian from Alberta, left school to join the forces, where he received advanced training in surveying. His brother, also in the armed forces, was trained in woodworking.⁹⁸

Tom Prince of Manitoba took advantage of every opportunity that came his way in the forces, and he excelled. Having started his overseas tour on guard duty with the Canadian First Corps Field Park Engineers, he quickly seized the chance for combat when volunteers were sought for paratroop training. Promoted to sergeant and returned to Canada as part of the

Canadian Parachute Battalion, Prince was among the select Canadians who were subsequently attached to the U.S. Special Forces, also known as the Devil's Brigade. Preparation for this unit included mountain training in Vermont, jungle training in Maryland and snow training in northern Canada.

Prince's value to the military was enhanced by all the training he received. He had already drawn attention for his excellent marksmanship and his expertise in crossing open country. In addition, he was described as one whose "bearing was so impressive that other men forgot his colour and responded willingly to his leadership." Prince's quick thinking, initiative and bravery were also qualities that could not be taught. He was motivated by a very personal goal: "All my life I had wanted to do something to help my people recover their good name. I wanted to show they were as good as any white man."⁹⁹

Like Tom Prince, many Aboriginal servicemen received promotion to non-commissioned ranks because of their demonstrated abilities. In sharp contrast to their previous lives, many Aboriginal servicemen taught and led other men during the war years.

Indian affairs statistics record 200 status Indians among the war dead. Historian F. Gaffen says the figure is 220.¹⁰⁰ If casualty rates among Métis and non-status Indians were comparable, Aboriginal deaths during the Second World War reached 500. Many hundreds more were wounded, some severely. Aboriginal servicemen wounded during the war were entitled to, and for the most part received, the same quality of care given to soldiers from the general population — often for the first time in their lives. Many underwent treatment for wounds in field hospitals and then in British hospitals before being returned to Canada.

War losses hit Aboriginal communities very hard. The men who never came back were among the young, strong, educated and healthy segment of the community — in many cases, a small number to begin with. The ranks of Aboriginal servicemen included many decorated heroes, some of whom never returned home. Private Huron E. Brant, Military Medal, of Tyendinaga, was killed on 14 October 1944. Corporal Welby Lloyd Patterson, Military Medal, of Six Nations, died on 14 April 1945. Corporal (Acting Sergeant) George Alexander Champion, Military Medal, of Tofield, Alberta, died on 23 May 1944.¹⁰¹ These men, and others like them,

demonstrated initiative, courage and leadership, qualities that would have greatly enhanced their communities in the post-war years.

Tom Prince was among Canada's most highly decorated non-commissioned officers of his time. His exceptional service is especially significant because he set out to demonstrate that he and his people were the equals of any Canadians, and he worked extremely hard to excel. The citation for his Military Medal read, in part, "Sergeant Prince's courage and utter disregard for his own safety were an inspiration to his fellows and a marked credit to his unit." Prince was also later awarded the U.S. Silver Star while serving with the First Special Service Force in France. Part of that citation read: "The keen sense of responsibility and devotion to duty displayed by Sergeant Prince is in keeping with the highest traditions of the military service and reflects great credit upon himself and the armed forces of the Allied Nations."¹⁰²

Tom Prince wanted his achievement to reflect glory upon his people, and he never failed to remind fellow soldiers that he was an Indian. He also talked about his home reserve for several minutes with King George VI while the king pinned on his military medal at Buckingham Palace.¹⁰³ Prince was proud, too, to return home to his reserve with his medal collection on display. Two important goals that drove Tom Prince throughout the war years, and afterward, were to help his people regain pride in themselves and to gain the respect of all Canadians. Not content with battlefield equality, he strived to be more than equal, but not just for himself.

4.4 Veterans Benefits

Alienation of reserve lands

By the middle of the war years, veterans and bureaucrats were already considering how more lands could be obtained for returning Canadian veterans. As early as 1943, H. Allen, Edmonton district superintendent, had corresponded with W.G. Murchison, director of soldier settlement, on the subject of securing Indian reserve lands:

There is one department of which our minister Mr. Crerar is the head who

do have surplus land on their hands from time to time, i.e. the Department of Indian Affairs.... [S]ome of these lands are the finest in the district in which they are situated. I particularly refer to Saddle Lake near St. Paul, Fairview and Berwyn in the Peace River district, the Blackfoot reserve near Gleichen, near Ponoka at Hobbema, and there are possibly others.¹⁰⁴

Indian land at Saddle Lake was also being eyed by members of the Royal Canadian Legion at St. Paul, who wrote to the IAB in 1944 urging that this good Indian land, guaranteed by treaty, be set aside for returning veterans. However, T.A. Crerar, minister of mines and resources and therefore responsible for the IAB, informed the St. Paul Legion that the Saddle Lake Indians had little enough land left, having surrendered 18,720 acres to the Soldier Settlement Board after the first war. Crerar therefore turned down that request, but the IAB did approve the surrender of 7,924 acres in the Fort St. John area, at a bargain price of less than \$9 per acre.¹⁰⁵ The land purchased in the west after the Second World War was pooled with land that still remained from major surrenders for First World War soldier settlement, to be made available once again to returning soldiers.

There is considerable injustice in the fact that while Indian land was being coveted to settle returning Canadian veterans, Indian veterans were not even being accommodated in the drafting of a new *Veterans' Land Act* (VLA). The IAB sent out a circular on 3 March 1945: "It is a matter of regret that no commitment of a positive nature can be made to Indian returned men at this time...". According to the acting director of Indian affairs, R.A. Hoey, if the Indian veteran chose to settle off the reserve, he would encounter little difficulty. Theoretically, "he would be in an identical position as any other returned soldier."

As was the case after the First World War, however, the greatest fear for status Indians was to be forced to enfranchise as a result of having settled off-reserve — which made Hoey's statement misleading, either wilfully or ingenuously. The promise of land was the most advantageous single benefit to the Aboriginal soldier and veteran, although two circumstances were working against him from the start: first, no provision was being made for reserve Indian veterans under the VLA. Second, early in the war the IAB had already inserted itself between the Indian soldier and the government departments responsible for soldiers' welfare. The experience of status Indian families with the dependants' allowance, which was normally

provided directly by the defence department, set an ominous precedent for later administration of the VLA.

The dependants' allowance

Early in the war, many men were enlisting because of the financial benefit of service pay.

An additional inducement was the special allowance offered to men with wives and children, the dependants' allowance. These payments were administered by the Dependants' Allowance Board (DAB) of the defence department, and they considerably augmented a soldier's pay. Status Indian men were reminded of this special benefit by recruiting officers and the Indian agents assisting them.

In 1939, the dependants' allowance was outlined as follows: "\$35.00 separation allowance to a wife, \$12.00 each, first and second children, 15 days pay, \$20.00 minimum". However, Robertson, an IAB inspector, argued that this sum was "...a great deal more than they have ever received... a great deal more than they actually need", and he recommended "arrangements whereby the allowance to Indian dependants could be made payable to our department".¹⁰⁶

Although widely touted by recruiting officers and Indian agents as a tangible benefit, it seems the dependants' allowance was not a sure thing. As early as December 1939, IAB secretary T.R.L. MacInnes wrote:

With reference to the enlistment of Indians in the Canadian Active Service Force, consideration is being given to having Dependants' Allowance and Assigned Pay of soldiers residing on reserves mailed in care of the Indian Agent... Some of the dependants could maintain themselves on an amount in some cases considerably less... agents could persuade them to leave a portion of their funds in an Agency Saving Account.¹⁰⁷

It was also decided that children of an enlisted status Indian would not be considered eligible for the allowance while attending a residential school. In addition, in 1942 the IAB advised all agents that dependants in sanatoriums or hospitals did not qualify for the allowance.¹⁰⁸

The DAB was initially reluctant to alter its policy to suit the IAB: "We have no authority to actually pay the money to other than dependants of the soldier."¹⁰⁹ Some agents wrote to the DAB directly, insisting that cheques be sent through them; one even directed that the cheque for some soldiers' wives be made payable to him.¹¹⁰ Agents already had power over the entire process of obtaining the allowance, since decisions about who was eligible depended on agents supplying DAB with information on the merits of each case.

In several cases problems were said to have resulted from paying dependants' allowance and assigned pay to soldiers' wives on reserves. Some IAB administrators claimed: "Indian women are the prey of all kinds of crooks and deadbeats... they are also preyed upon by other Indians who find their homes good places to get free meals." Further, some women were being followed about by the "the scum of the land."¹¹¹ An example was given by agent R.L. MacCutcheon of Fredericton: used car dealers were going onto the reserves without his permission and trying to sell "some old useless car" to women whose husbands were overseas.¹¹² In response, the defence department suggested "...that in the case where an allowance is claimed for either an Indian or a half-breed the Board might be justified in cutting the amount because it certainly would be putting these folks in a class by themselves...".¹¹³

The DAB proceeded to make reductions, arbitrarily reducing by half the dependants' allowance paid to wives of Indians living on reserves. Not only Indian wives but many responsible agents reacted angrily. Agent J.P.B. Ostrander wrote to the IAB secretary, T.R.L. MacInnes: "I certainly do not think that we have any right to say that the allowance of an Indian woman should be any less than that of a white woman dependant... [To give an Indian woman less is] contrary to the principles for which this war is being fought...".¹¹⁴

Superintendent M. Christianson in Regina also reacted strongly to this development: "Why was this not told to the Indian soldiers at the time of enlistment?" He also argued that Indian children should be classed as dependants while on holiday from residential schools and that Indian women's expenses should be considered comparable to those of non-Aboriginal women in small towns or on farms. Christianson disagreed with

the negative things being said about Indian women by agents, maintaining that "...most of the time, and particularly where we have good agents, the women make very good use of their money. For instance, many of them are improving their homes, buying War Savings Certificates or funding their money with the department...".¹¹⁵

The DAB reversed its stance, but only on condition that Indian women agree to invest part of their money. Indian agents were expected to ensure that recipients of the allowance set aside money at a rate that depended on the number of children claimed. However, the DAB soon objected to the agents' methods:

This Branch [the IAB] has been advised by the DAB that in some instances Dependants' Allowances in administration by Indian Agents have not been passed through the Indian Agency Trust Account. It is also pointed out that in some cases cheques sent in care of the Indian Agent, instead of being handed over to the dependants have been withheld in part without being accounted for as Trust Funds.¹¹⁶

When the war was approaching its third year, the IAB devised procedures for administering the allowance, and they included the suggestion that agents document every instance and be prepared for "government audit". There were some responsible agents, but others were quick to take advantage of the situation. There is little doubt that some funds vanished, whether through bad administration or fraud.

Increasing the power of Indian agents

It is also clear that the pattern would continue. It was decided that the IAB, on behalf of the department of veterans affairs (DVA), would administer all benefits owing to Aboriginal soldiers returning as veterans to live on reserves. This repeated the experience after the First World War, when Indian affairs assumed responsibilities for status Indians that would otherwise have belonged to the department of soldiers' civil re-establishment. This measure led to a new set of injustices for Canada's Aboriginal veterans.

For one thing, it enhanced Indian agents' control to a level that would be unthinkable today. Benefit applications were the responsibility of local

agents, many of whom could not shake off their pre-war attitudes toward Indians as inept wards. These agents consistently undervalued Indian capacities, scorned their ideas, and failed to interpret benefit plans to their advantage. Indian agents became the key intermediaries for all status Indians who wanted to obtain benefits.

The benefit plans for veterans were complex, with several mutually exclusive elements. Agents were relied on to interpret the criteria that had to be satisfied and were responsible for filling out and endorsing applications. All knowledge of possible benefits usually came through the agent — who also assessed a veteran's eligibility for any benefit.

Indian veterans had no access to veterans affairs administrators, as we have seen, since IAB personnel had taken over their responsibilities. In addition, Aboriginal veterans seldom had access to Royal Canadian Legion branches and newsletters. These were very helpful to most other veterans, informing them about the benefits available and helping them find out how to obtain them. In addition, they provided a useful means for discussing and comparing experiences on the subject. However, status Indians were usually barred from participation in the Legion, because Legions served liquor, and Aboriginal men subject to the *Indian Act* could not attend functions where liquor was served. Exclusion of Indian veterans from Legions was extremely discriminatory, considering they had fought, been wounded and died alongside their non-Aboriginal comrades. But the *Indian Act* was inflexible on the issue of access to liquor. In only a few locations, such as Tyendinaga, did status Indians enjoy Legion membership. This exclusion served not only to separate Indian veterans from their wartime companions, but also jeopardized their receipt of veterans benefits.

4.5 The *VETERANS' LAND ACT*

While the *Veterans' Land Act* was the most important benefit for veterans, IAB director H. McGill was sceptical about its applicability to reserve conditions. In mid-war he wrote: "It might be advisable to encourage Indians discharged from the army to become enfranchised."¹¹⁷

Early on, many Indians in western Canada had expressed scepticism about how veterans benefits would be adapted for them. D.M. MacKay, the Indian commissioner for British Columbia, wrote in 1944 that "for some time in the

past the Indians on the coast when urged to enlist have insisted that they will not receive the same treatment as white persons when discharged from the Army...". Commissioner Mackay and M. Christianson, the general superintendent of Indian agencies at Regina, asked the IAB what provisions were being made for Indians on reserves. Other IAB officials were also concerned about the lack of provision for Indian veterans as late as 1944.¹¹⁸

The preamble to the original *Veterans' Land Act* included the rationale that agriculture was a good means to rehabilitate veterans, that part-time farming coupled with employment was "an increasingly important aspect of rural and semi-rural life in Canada", and that it was in the public interest to help veterans become owners of "farm homes", since most veterans had few assets.¹¹⁹ The act went on to offer agricultural training and the opportunity for veterans to purchase, from the VLA, "land and improvements there-on, building materials, livestock and farm equipment up to a total cost to the Director of six thousand dollars." The veteran had to pay the first 10 per cent of the cost of the property, plus any amount in excess of \$6,000. Of the \$6,000 loan, \$2,320 was forgivable, and the balance was payable over 25 years at the low interest rate of 3.5 per cent per year. The VLA plan was adapted for commercial fishing on a similar basis. Title to all property remained in the hands of the director of the VLA until the loan was paid off, although the director had the authority to transfer title to livestock or farm equipment if he deemed it advisable.

The VLA altered for veterans living on-reserve

In 1942 the VLA was revised to make adjustments for Indian veterans living on reserves. Ian Mackenzie, the minister responsible for the DVA, tabled a bill in the House of Commons to confirm the various orders in council amending the VLA already in place under the *War Measures Act*.

The veterans affairs committee explained to Parliament that a special amendment would be necessary to allow settlement "on provincial crown lands, upon Indian lands, and upon land within national parks or otherwise vested in the crown in right of the dominion."¹²⁰ Since Crown land could not act as security for loans, it was decided that no loan could be awarded to Aboriginal or non-Aboriginal veterans who settled on those lands; instead, they would get a direct grant of \$2,320 applicable to farming, fishing,

forestry or trapping. The measure was praised for allowing veterans from frontier regions to return home and still receive VLA support.

The departments of veterans affairs and mines and resources agreed that this provision would, likewise, be appropriate for Indians on reserves. As for Parliament, records of House of Commons debates show that the intention of elected members was to make adequate provision for Canada's Indian veterans: "...for the purpose of ensuring that members of our Indian bands, who have served nobly in the war, shall not be denied assistance in settlement upon lands within Indian reserves." It was the departments that advanced the argument that a new revision was needed, since "titles to Indian Reserve lands may not be alienated or hypothecated", making the act, as it stood, inapplicable to Indians on reserves.¹²¹ The provision for status Indians on reserves (section 35A), read as follows:

1. The Director [of the VLA] may grant an amount not exceeding two thousand three hundred and twenty dollars to an Indian veteran who settles on Indian Reserve lands, the said grant to be paid to the Minister of Mines and Resources who shall have the control and management thereof on behalf of the Indian veteran.

2. A grant made pursuant to subsection one of this section shall be disbursed by the Minister of Mines and Resources on behalf of the Indian veteran only for one or more of the following purposes:

(a) the purchase of essential building materials and other costs of construction;

(b) the clearing and other preparation of land for cultivation;

(c) the purchase of essential farm livestock and machinery;

(d) the purchase of machinery or equipment essential to forestry;

(e) the purchase of commercial fishing equipment;

(f) the purchase of trapping or fur farming equipment but not breeding stock;

(g) the purchase of essential household equipment;

(h) the acquisition of occupational rights to lands, vacant or improved, located within the boundaries of any Indian reserve.

3. An Indian veteran on whose behalf a grant has been made under this section shall not be entitled to enter into a contract with the Director under section nine or section thirteen of this Act, and an Indian veteran who has entered into a contract with the Director under section nine or section thirteen of this Act shall not be eligible for a grant under this section.¹²²

These new stipulations meant that, unlike other veterans, Indian veterans returning to reserves could not use the VLA to purchase land. In addition, they were not eligible for the \$6,000 loan with the forgivable portion that amounted to a maximum of \$2,320. The effect of section 35(A) was that, irrespective of the regulations in the original VLA, Indian veterans on reserves had to submit their applications for the VLA grant to an IAB agent. Furthermore, before that grant could be approved, the director of the VLA had to receive the following additional documents from the Indian agent:

1. a certificate respecting the military service eligibility of the Indian applicant;
2. a certificate that the applicant is qualified to engage in the occupation he proposes to follow;
3. a certificate that the land to be used or occupied by the Indian veteran is suitable for such use or occupation;
4. a recommendation as to the amount of the grant which should be approved and the several purposes for which such grant should be expended.¹²³

Aside from introducing new conditions, these special amendments effectively gave the local Indian agent control over Indian veterans' access to the VLA grant if they lived on-reserve.

Criticism of the amended vla

Critics called this revised VLA discriminatory. The IAB defended it by responding that "an Indian veteran could settle, without the need for enfranchisement, outside the reserve, and do so under the same conditions as any other veteran."¹²⁴ However, few Second World War Indian veterans would trust this assurance — given the IAB's record of trying to force enfranchisement on Indians, especially through the compulsory enfranchisement amendments to the *Indian Act* in the 1920s.

For all Indian veterans returning to a reserve, this revised VLA eliminated the loan of \$6,000 and replaced it with a grant of \$2,320. This was not an equivalent benefit. The IAB claimed that the loss of the loan was balanced by the "more favourable conditions" that existed on reserves. However, other veterans who got the \$6,000 loan had the benefit of the forgivable 24 per cent of that total, up to a maximum of \$2,320, and, as we saw, they could repay the remainder at the favourable interest rate of 3.5 per cent.¹²⁵ In addition, veterans who paid off the initial loan were eligible for further loans from the DVA¹²⁶ — to say nothing of having acquired collateral as security for commercial loans. Since reserve Indians could not satisfy the requirement for further DVA loans, they were ineligible for them; and since the VLA was not helping them establish a credit record, unlike non-Indian veterans, they could not count on securing further commercial loans. Cabinet itself noted, in making its revisions in April 1945, that, as Indian land could not be "alienated or hypothecated" — that is, neither repossessed nor mortgaged — those living on it had no collateral to guarantee any loans.

In fact, the VLA loan was the key benefit lost to Indian veterans, and the IAB could have done something about it. It could have acted in the best interests of on-reserve veterans and guaranteed their VLA loans. Alternatively, since it controlled the trust fund accounts in the hands of most band councils, the IAB could have arranged for these bands to guarantee the loans for their own veterans. Taken together with its assurances that Indians could obtain full benefits by settling off-reserve and with earlier suggestions that veterans should be persuaded to enfranchise, this absence of flexibility and imagination on the part of the IAB clearly indicates its lack of will to serve veterans on-reserve.

The loan provisions of the *Veterans' Land Act* were not the only benefits

placed out of reach for Indian veterans. They were also denied access to the small business loans available to other veterans, which would not have occurred had the IAB applied some imaginative planning. Referring to Indian veterans "who had served as mechanics or drivers in the Canadian Army" and who wanted to set up in similar enterprises after the war, the Saskatchewan Indian veterans report concludes that: "The files show that invariably these veterans were not told of the small business loans available, but were turned down under VLA agricultural provisions under the rule that 'motor trucks' were not a permissible item for purchase."¹²⁷

The IAB had to respond to a barrage of criticism about how provisions had been altered to the detriment of Indian veterans on reserves. It went to great lengths to explain to its agents not only how to administer veterans benefits, but how to account for the differences:

It might also be pointed out that since the Indian settling on an Indian reserve has no taxes to pay and no repayment to make, his entire income, after deducting living expenses, may be applied to improvement of his property.

An Indian settling on an Indian reserve also enjoys other advantages not available to a Veteran, white or Indian, locating outside an Indian reserve. Some of these are:

- The advice and assistance of the Indian Agent and Farming Instructor.
- The use of Departmental or Band equipment and facilities.¹²⁸

Status Indian veterans felt there was scant privilege in their presumed on-reserve 'advantages'. Several aspects of the VLA concerned them. The privilege of sharing the community horse and plough would be of little advantage when veterans needed tractors and other modern tools to compete in commercial agriculture. Also, as we saw, fear of enfranchisement remained high, so settling off-reserve seemed risky. Some individuals were having trouble obtaining location tickets for parcels of land in their home reserves; without a confirmed ticket, they could not obtain any part of the revised VLA grant. Of course, a location ticket had far less value than a deed. Legal acquisition of Crown or public lands cannot be equated with mere permission to occupy a portion of land in which one already has

a share as a band member. Ownership of land would guarantee the veteran property to sell when he chose to retire. As John Tootosis said, "We lost a lot of Indian boys for you in two World Wars, and the ones who came back were just given a piece of land that was already theirs before they left."¹²⁹

Abuses of Indian agents' power

The IAB's alterations in the VLA gave Indian agents full discretionary power over whether an Indian veteran was even considered for a grant. As we saw, on-reserve Indian veterans needed to obtain from the agent the three additional certificates required by the amended VLA (attesting to the applicant's eligibility and qualifications and to the suitability of the land for its stated purpose), as well as the IAB agent's written recommendation as to the amount of money needed and the list of items for which that recommended amount might be disbursed. The IAB produced a steady stream of instructions over the next few years to guide agents in implementing the relevant regulations. There were many cases that raised doubts about the fairness of agents' judgements and even about their familiarity with the various benefits available.

Opposition in some bands to the allocation of land to veterans by location ticket gave one Indian agent an excuse to hold up benefits in his district.¹³⁰ He was later reprimanded by Inspector Ostrander for ignoring three letters in as many months from the VLA administration regarding one Indian veteran's application. As Ostrander commented, "This could not be considered cooperation on our part, when, at our request, the Department of Veterans Affairs have withheld all applications for Re-establishment Credit until they receive the approval and recommendation of the Indian Agent."¹³¹

In short, two main obstacles stood in the way of access to veterans benefits for Indian people living on-reserve: first, the policy that surrendered control of all veterans benefits for status Indians to the IAB; and second, the policy that all but made Indian agents the advocates as well as the judges of every application's merits — which in turn gave rise to arbitrary and inefficient practices.

Arbitrariness and inefficiency often had profound ramifications, since an

agent's behaviour could have long-term consequences. For instance, veterans who did not receive a grant or loan to start farming or a small business soon had to look for regular employment. Work was increasingly scarce after the war, and some Aboriginal veterans reported racial discrimination in hiring practices. Many could get work only by being willing to relocate, with the result that some veterans ended up working in the United States.

Even when a veteran's VLA application was accepted, he had to go through a lengthy and demeaning process before actually obtaining the funds. The VLA grant was paid to the department of mines and resources, which held the money in trust for the veteran. Besides occasioning endless delays for the veteran, the voucher, receipt and payment system took up a great deal of time for both agents and office personnel. It also created opportunities for fraud — another obstacle between veterans and their benefits. The IAB reserved ownership of all materials and chattels purchased under the VLA grant for a period of 10 years; after this period of 'supervision', title passed to the Indian veteran.

Many Métis and non-status Indian veterans also had great difficulty obtaining veterans benefits, often because no one had bothered to inform them about their options.¹³² Many had come from remote northern communities with limited communications facilities and no DVA

branches or Legions. Language was sometimes a problem, and the bureaucracy was often just too difficult to cope with. Some prospective applicants faced yet another problem — there was sometimes no land considered suitable for agriculture. Some Métis veterans were settled on Crown lands and received the \$2,320 grant instead of the \$6,000 loan available to most veterans. The reason for not getting the VLA loan was not made clear and, in many cases, it became a source of resentment.¹³³

For Métis veterans in the agricultural southern prairies, benefits were more accessible, although they still needed to be very determined in the face of the grudging attitude of the bureaucracy. Problems were widespread and varied. One non-status Indian veteran, Kenneth Edward Harris, a Gitksan from British Columbia, reported hardship in pursuing his career as a commercial fisherman after the war, even though the manager of a cannery offered to build him a new gill net vessel if he could obtain a VLA loan. He

was bureaucratically referred back and forth between DVA and IAB as he attempted to prove that he was eligible as a non-status Indian. "I was back and forth like a puck in a hockey game."¹³⁴ Failure to get the loan meant he could not finance his re-entry to the fishery, even though he was experienced and able. He saw his difficulties in obtaining benefits as a lack of respect for the sacrifices he had made in going to war for his country.

The enfranchisement route to veterans' benefits

Some status Indian veterans were susceptible to suggestions that they should enfranchise, very likely because of their frustration with the Indian agent intermediaries, the inequity in benefits available through the act and its amended version, and the seemingly endless wait for benefits to be awarded. Many were being advised by agents that enfranchisement was the secret to getting all the veterans benefits quickly. There are no precise figures identifying those who enfranchised in hopes of expediting the receipt of benefits or getting the level of benefits to which non-Aboriginal veterans were entitled, as the only available statistics include many other people who enfranchised in the same period. However, a pattern can be discerned: there was a significant increase in enfranchisements in the years 1944 to 1950, from a low of 45 in 1942-43 to a high of 447 in 1948-49, and this increase surely includes many Second World War veterans.¹³⁵

The portrayal of enfranchisement as the easy solution was misleading to Indian veterans. Although loans would technically become available, a man without a home or community, isolated from family, and often without a job, was a poor credit risk. In addition, the grant that the veteran might have received on the reserve was, of course, no longer an option. He might get 'awaiting returns' if he started a business;¹³⁶ also, he was certainly eligible for a re-establishment grant if he could demonstrate that he had a viable idea for a new start. However, the odds were against newly enfranchised veterans. Most Indians stayed on their reserves and accepted lower veterans benefits, although not without protest.

5. The Post-War Years

The issues surrounding benefits, among other problems, brought Indian veterans returning from the Second World War face to face with an old

enemy: the IAB's wardship approach. Most had experienced equality overseas, they had seen how the outside world was run, and many had gained new status as warriors. These veterans would form a new leadership class that would challenge not just the IAB but the older tribal leaders. Veterans became agents for change on their home reserves and on the national scene.

Indian veterans were welcomed back wholeheartedly to their own communities. Receptions and feasts were organized to honour the returning men, as well as the older First World War veterans. They were given an opportunity to recount their experiences, the close calls they had survived, and the places they had seen. As happened with other veterans, many could not yet talk about the real horrors of war, or the friends and brothers they had lost. Some avoided the spotlight of public recognition or were wounded so badly that they did not return for months or years after the war. Others revelled in the attention, however, and quickly moved into the public eye on the political scene as well.

Aboriginal politics had been far from dormant during the war years. The war had acted as a catalyst. Some of the Indian leaders during the war years were First World War veterans, and they were joined by the new veterans of the recent war. Together, they formed "a cadre of war veterans...who were warriors and brought the discipline and determination of that service home for the service of their communities."¹³⁷

Although Indian veterans may have been well respected in their own communities, outside the reserve they were often not treated as equals, denied employment and refused permission to join fellow veterans at the Legion. This was often a bitter disappointment. One such veteran reported "I could not understand why it was so embarrassing to come home... my people looked up to me as a veteran and then saw me being treated like dirt."¹³⁸

During and immediately after the war there was tremendous growth in Indian political activity, resulting in the formation of many new or reorganized associations. The Union of Saskatchewan Indians, established in 1946, built upon the foundation of the pre-war League of Indians in Western Canada. Important organizations elsewhere included the Indian Association of Alberta, formed in 1939, the Union of Ontario Indians,

established in 1946, and the Indian Association of Manitoba; there was even a 1946 attempt at a nation-wide Indian organization, the North American Indian Brotherhood. All three prairie associations owed much to the League of Indians of Western Canada, which had been formed in the 1920s.¹³⁹

Among Second World War Indian veterans who achieved some prominence on the political scene were Walter Deiter of Peepeekisis, Saskatchewan, Omer Peters of Moravian on the Thames, Ontario, and Tom Prince of Brokenhead, Manitoba.

The life of Tom Prince exemplifies the many frustrations and struggles facing returning veterans. Prince had always asserted that he was in the war to prove to the world that his people were just as good as any others and fully deserving of equality. By the time of the hearings of the joint Senate and House of Commons committee in 1946-47, at which he gave lengthy testimony, Tom Prince was representing his own band (as chief, according to the proceedings of the hearings), as well as the Indian Association of Manitoba. The committee was extremely impressed with Prince, although he sometimes took positions his own band council disagreed with — such as his emphasis on raising agricultural production aggressively on the reserve and working toward elimination of the *Indian Act*.¹⁴⁰

Prince became increasingly frustrated with his inability to bring about change in the immediate post-war years, and when the Korean War broke out he quickly re-enlisted. However, an injury and aggravated leg problems incurred during the Second World War saw Tom Prince return home to Canada before the end of the Korean conflict. Still in uniform, he was assigned a secure job as a sergeant instructing new recruits, although he missed combat, where he had excelled. Because of his arthritic knee, Prince was discharged from the armed forces in 1953. On 25 November 1977, he died in poverty at the age of 62. He was honoured by the Princess Patricia Canadian Light Infantry at his burial service.

Prince's heroic efforts during the wars did not achieve his goal of seeing his people become true equals in Canada. The National Indian Brotherhood (now the Assembly of First Nations) recognized his efforts, as well as those of Walter Deiter and Omer Peters, among others, paying tribute to these

veterans through the establishment of the Heroes of Our Time Native Scholarship series. The Assembly of First Nations administers this important fund today, linking Indian veteran political leaders with the present generation.

5.1 The Parliamentary Hearings of 1946-47

Tom Prince was typical of the many Indian veterans who became actively involved in hearings on the *Indian Act* held by a joint committee of the Senate and the House of Commons in 1946-47. The hearings resulted, to a considerable extent, from efforts by Canada's Indians during the war. Many non-Aboriginal veterans had become friends with Indians and had learned something about conditions on reserves. Public interest had been stimulated through the greater visibility of Indian and Métis people during the war, in agriculture and industry as well as in the armed forces. The media had raised the profile of Indians through many articles about their part in the war, and several members of Parliament had become interested and concerned about inequities confronting Indian and Métis people in their own constituencies, both during and after the war. Some of these MPs sat with the joint committee during the hearings, and they were among the most able and informed critics of the IAB officials who testified.

The proceedings of the joint committee reveal the concern of Indian veterans and non-veterans alike about the blatant inequalities in services to Indian veterans. Indian leaders who had become politicized during the war were now prepared to take full advantage of this opportunity to air their grievances. Ironically, the opportunity very nearly eluded them: the committee spent a lot of time listening to ministers, teachers and IAB officials and had to be persuaded by Indian leaders that their testimony was vital. Although the testimony of Indian organizations and individuals emphasized the need for action on some very old grievances, most had to do with the problems experienced by Indian veterans.

Some of the strongest concerns about veterans were voiced by the Union of Saskatchewan Indians, which maintained that

Indian veterans should be accorded the same benefits as other Canadian veterans.

Thousands of Indians volunteered in two world wars, fought and many of them died. [They] should enjoy equal benefits under the provisions of The Veterans' Land Act...

Indian veterans desiring to farm lands outside the reserve under the provisions of The Veterans' Land Act should enjoy equal rights with white men without loss of treaty rights.¹⁴¹

The Union of Saskatchewan Indians wanted the repeal of section 88 of the *Indian Act*, which had allowed "the Superintendent General [of the IAB] to acquire Indian reserve lands for purposes of the settlement of soldiers under the Soldier Settlement Act, without the consent of the band in possession of such lands."¹⁴²

Virtually every delegation from an Indian organization or community, whether large or small, made its point about the contributions and rights of Indian veterans. The Wikwemikong Band Veterans Association of Manitoulin Island, Ontario, the North American Indian Brotherhood, and the Six Nations Elected Council were among the many delegations. As for B.C. Indian veterans, Colonel Douglas S. Harkness, MP for Calgary East, asked whether they had "experienced any difficulty in getting the \$2,300 grant for the purpose of going into the fishing business or building homes on the reserve". Guy Williams of the Native Brotherhood of British Columbia responded, "I do not know [of] a single case of the \$2,300 being obtained and I have been the business agent of the native brotherhood for three years. Some of the boys have come to me and I can do nothing for them so I send them to the commissioner [McKay] or to the Indian agent." An Indian affairs representative, Colonel Neary, added that he did know of one man from Cowichan who had obtained \$2,300 for nets and a fishing boat.¹⁴³

Among the injustices the joint committee heard about was the government's response to the urgent need for land for air bases and army training grounds during the war. In many regions of the country, it had turned to Indian reserves for a quick solution. Land was often leased, and sometimes it was purchased. In the following case, however, reported to the special joint committee by Chief Frank Bressette of the Kettle Point Band, the land was expropriated outright:

While they [young men] yet shouldered arms and fought on the bloody

battlefields of Europe for freedom for liberty for the belief that "right makes might" they learned that our little Reservation was lost not to the enemy but to our great White Father.

Two of our lads paid the supreme sacrifice. ...We the people of Kettle and Stony Point Band of Indians demand that our former Reservation which is now Camp Ipperwash be restored to us, pay us the rent which is due to us along with damages for same.¹⁴⁴

The appropriation of the Stony Point reserve took place in 1941-42 in southern Ontario.

The term 'land given up', which became part of the parlance of the IAB at the time, obscures the amount of negotiating and the pressure to comply that characterized land surrenders for military use. In many cases, even a lease was opposed by the band council involved. At Six Nations, for instance, there was a great deal of opposition to the lease of land for a practice bombing ground. The entire Stony Point reserve of 1,034 hectares (2,555 acres) was appropriated when the band and negotiators were unable to agree to the terms of the lease.¹⁴⁵

The committee members made many perceptive comments and offered useful suggestions concerning resettlement of Indian veterans, but IAB representatives showed no inclination to make significant changes to benefit veterans and often appeared defensive and inflexible. In one case, John R. MacNichol, the MP for Davenport, asked IAB director R.A. Hoey what provisions were being made for the returning veterans of the Blood Reserve. He suggested that the department install pumping and transmission facilities on the St. Mary's River, which ran through the reserve and was being dammed. Mr. MacNichol hoped this would enable the Indian veterans to make a start in irrigation agriculture, like neighbouring non-Aboriginal farmers; he cited an example in the United States where Indian veterans were being granted 80 acres of irrigable land. Director Hoey's reply was terse: there were no plans for Blood Reserve veterans.¹⁴⁶ Neither was there a positive response to many other situations raised by committee members.

To all appearances, the IAB was an immovable object; all the concern, even the indignation of committee members, had little impact. Their humanitarian

impulses seem to have been lost in the sheer volume of testimony and subsequent recommendations about revising the *Indian Act*. No immediate concrete action resulted from this opportunity to expose inequities in the administration of benefits to Indian veterans.

5.2 The Korean War

While the Aboriginal veterans of the Second World War were still struggling to secure veterans benefits, a new conflict erupted. North Korea invaded the south in June 1950, and the response of the United Nations was to call on several member nations to contribute troops to a United Nations Special Force. In Canada, the Princess Patricia Canadian Light Infantry was designated, and volunteers were trained and equipped for this new theatre of war. Among the 26,000 Canadians who eventually served in Korea there were many Aboriginal servicemen, mostly in the Army and the Navy. Like their non-Aboriginal counterparts, the Aboriginal men who came forward included Second World War veterans, career military personnel and fresh recruits. As we saw, Tom Prince was among them. A career naval officer, Petty Officer (later Chief Petty Officer) G.E. 'Ted' Jamieson, of Cayuga and Mohawk origin, sailed for Korea on HMCS *Iroquois*; and Claude Petit, a Métis man from Saskatchewan who was too young for the Second World War, was also quick to enlist for Korea.

To many Korean veterans, this war became a forgotten one, far overshadowed in the historical record by the two world wars. It was not until the eve of Remembrance Day 1991 that the government of Canada honoured veterans of the Korean conflict with the Canadian Volunteer Service Medal for Korea at a special Parliament Hill ceremony. Much like the Aboriginal veterans who fought in both world wars, those who fought in Korea believe that benefits have been limited unfairly. Many of them are now actively helping older Second World War veterans to seek benefits long overdue to them.

Before 1981, neither local nor provincial Indian veterans' associations were getting satisfactory replies from the government about inequities and mismanagement of veterans benefits. To increase their impact, veterans from across the country established a national association, the National Indian Veterans Association (NIVA) on 7 April 1981. Its first national convention was organized in 1986.

NIVA compiled a report based on data collected from individual Indian veterans across the country. Entitled *Report Based on Profiles of Native Veterans and Survivors Relating to Independent Living For People With Disabilities*, the report highlighted many individual grievances and problems ranging from imprisonment over NRMA call-up, through VLA shortfalls, to denial of health and pension benefits and related fraud. The study revealed that injustices against Aboriginal veterans were far more widespread than had been brought to light by the 1946-47 joint committee hearings.¹⁴⁷

During its short existence, NIVA made some progress toward uniting veterans in a common front. However, the struggle to obtain equal benefits did not progress as well. Government funding that had been promised for a five-year survey of Indian veterans and their benefits was cut off arbitrarily, and NIVA ceased to exist.

In the 1990s, with help from the Native Council of Canada (now the Congress of Aboriginal Peoples), Aboriginal veterans have made renewed attempts to gain recognition of service and acknowledgement of the benefits they were denied. The National Aboriginal Veterans Association (NAVA) was founded in 1992, with branches in many provinces. It has provided a forum for renewed discussion, research and calls for action. This Commission invited Aboriginal veterans and intervener groups such as NAVA to give testimony about Aboriginal veterans' personal experiences.

5.3 Testimony at the Royal Commission's Hearings

Testimony at Commission hearings from veterans of the Second World War and the Korean conflict was entirely consistent with that given 50 years earlier, the only difference being that the Second World War veterans were elderly, often frail, and their ranks had been thinned by the deaths of many of their comrades from the war years. Younger veterans of the Korean conflict and veterans' intervener groups like NAVA often accompanied these older veterans, providing transportation, interpretation services and support. The veterans of Korea reported some areas of shortfall: they too received their benefits as veterans through the IAB in the 1950s, because the branch had insisted on the value of its experience serving the veterans of two world wars.¹⁴⁸ However, most of the grievances reported dated back to the Second World War.

The action of the federal government in providing recognition, apology and financial compensation to Japanese Canadians displaced during the war sharpened the sense of loss and discrimination for many Aboriginal veterans and their supporters.¹⁴⁹ They had served overseas, seen their brothers and best friends die, experienced equality during the war and then come home to a nation that did not seem to care. As one veteran put it, "We as Aboriginal veterans got fooled...we got acclimatized to the non-Native way of living through the war years, and for a period of time we became equal in the non-Native world, or so we thought. Upon return to civil life, and back on the reservation, our bubble soon burst."¹⁵⁰

Veterans listed the problems they encountered on returning with remarkable consistency. Obtaining recognition from the government and people of Canada was foremost in their estimation. Fundamental to any further action the government might take is an honest appreciation of the contribution of Aboriginal veterans. Aboriginal veterans emphasized that they want *equal* benefits, not special ones. They were equal at war, and they should have been treated equally when they returned.

The veterans who spoke to the Commission testified that they received little or no information about the veterans benefits available to them, and they consistently reported discrepancies in the following benefit areas:

- the Rehabilitation Grant and War Service Gratuity;
- the dependants' allowance;
- the revised *Veterans' Land Act* for on-reserve recipients;
- limited access to all benefits, including awaiting returns, re-establishment grants, education and training provisions;
- for status Indians, administration by the iab and no direct access to the DVA; and
- for status Indians, apparent pressure to enfranchise.

The VLA emerged as the single most important benefit offered Second World War veterans. Ownership of land and access to loans were key means of providing a secure economic base for many young veterans returning from the war. Although the VLA was extended several times, in 1968, 1975 and 1977, and directions were given for publicity, testimony suggests that many Aboriginal veterans were still seeking to benefit from an opportunity that eluded them.¹⁵¹ These veterans raised questions about the different benefits available through the standard VLA and the regime that applied to Indians. They clearly consider the differences between the two unjustifiable.

Many veterans who spoke to the Commission mentioned brothers or friends who had been enfranchised, some of them involuntarily while they were away at war. Ray Prince, originally of Fort St. James, testified that he was removed from his reserve after he had served five and a half years overseas.¹⁵² Herman Saulis, who represented NAVA, referred with anger to this difficulty of obtaining veterans benefits: "There was one very simple solution to this madness, move off the reserve and lose your Indian status. ...Why should we as veterans be subjected to conditions when the non-Native did not have to comply with anything?"¹⁵³ Moving off-reserve was a risky proposition, since, as we saw, such people would not be considered good credit risks. Besides, those who did move often failed to obtain the standard VLA benefit.

Métis and non-status Indians also reported that they were at a disadvantage with respect to VLA provisions. They should have been served by DVA directly, but many had no contact, no information, and no help from that office. Language, distance and communication barriers effectively prevented the flow of information and the process of applying for benefits. Vital Morin, of èle-à-la-Crosse, Saskatchewan, explained to the Commission that the only form of communication in northern Saskatchewan after the war was the telegraph.¹⁵⁴ There was no Legion, no veterans affairs office, and no other form of access. Many veterans received only the war service gratuity and the standard clothing allowance; some did not even receive this minimal benefit.¹⁵⁵ They did not know what other benefits existed or how to obtain them.

Some Métis who were able to settle on Crown land obtained only the \$2,320 grant — the same amount provided for status Indians on reserves.

This was the policy of the VLA in cases where land could not be used as collateral — even though this was not made clear to all veterans. Some Métis veterans seem to have experienced outright discrimination. Veteran Sam Sinclair tried to obtain a 39-acre plot of land after the war, but was refused permission on the grounds that the land was in a flood plain. Yet he subsequently saw title for that land pass repeatedly to other purchasers.¹⁵⁶ Even today, many elderly veterans live in poverty, never having received veterans benefits despite their war service. "They have nothing and they're too proud to ask."¹⁵⁷

The list of possible benefits was long and complicated.¹⁵⁸ Benefits had to be applied for; they were not automatic. This precondition required reliable sources of information, which clearly did not exist, since the IAB and its agents typically failed to perform this role. As one veteran said, "They told us what they were going to give us, not what we were qualified to get."¹⁵⁹ These veterans also maintain that fraud occurred in the delivery of benefits, because too much was left to the discretion of Indian agents, and record keeping was inadequate.¹⁶⁰

Status Indians reported that they had been barred from joining their local Royal Canadian Legion.¹⁶¹ The *Indian Act* did bar them from drinking establishments, despite some variations in the policies of individual Legions. As we saw, this exclusion kept many status Indian veterans from receiving DVA information that was distributed regularly through Legions across Canada, as well as depriving them of valuable opportunities to compare notes on benefits with fellow veterans.

Disability pensions have also proven to be a problem for many veterans. Some did not know that they were available until long after the war, when they were finally able to join the Legion. Learning about the existence of benefits years after the war was often too late, and veterans without early medical records to prove their cases were likely to be denied benefits.¹⁶²

Some veterans have acted as volunteer advocates for others who cannot speak for themselves: age, language barriers, shyness and pride can stand in the way of many potential applicants for veterans benefits. Sidney de More, a non-status Indian veteran, insists that widows of veterans often did not get proper assistance; Gordon Ahenakew, an Indian veteran of the Second World War, and Claude Petit, a Métis veteran of Korea, are typical

of men who continue to seek justice for others. Many other recent retirees from the forces and leaders in friendship centres and other community organizations devote their time and energy to solving problems for older veterans. These efforts attest to the sense of grievance and need in Aboriginal communities.

The veteran affairs department is now trying to inform surviving veterans about current benefits, although most post-war benefits have been discontinued. The approach of the DVA is based on veterans contacting the department: "if you know anyone make sure that they get in touch with us."¹⁶³ New programs such as off-reserve housing assistance and the Veterans Independence Program are welcome innovations, but they cannot replace the key benefits of the immediate post-war era. Nor do they provide the recognition that veterans speak about so often. Aboriginal veterans have been adamant: they do not want welfare; as Canadian war veterans they want equal benefits.

6. Epilogue

Aboriginal veterans of the Second World War are elderly now; those who survive are patient yet persistent. Although they have been distressed by the inequities in benefits for Aboriginal veterans, they are also hopeful that this time their story will be heard and their contributions and sacrifices honoured. These veterans have greater support in the 1990s than ever before, despite the decline in their numbers. Veterans and many of their support groups participated in the hearings of the Royal Commission on Aboriginal Peoples and the Senate's Standing Committee on Aboriginal Peoples. Their associations continue to press for redress for individuals and recognition for all Aboriginal veterans.

The National Aboriginal Veterans Association presented a brief to this Commission in October 1993, entitled "Aboriginal Veterans: Service and Alliance Re-examined", urging the creation of a new position within DVA to spearhead research on Aboriginal veterans' grievances, in co-operation with the department of Indian affairs and NAVA. NAVA also requested government funding to enable it to pursue projects in conjunction with these two government departments.¹⁶⁴ The Commission heard testimony from NAVA representatives in most regional hearings, and these confirmed that there is widespread support for the national organization.

The Aboriginal veterans who remain continue to participate in national Remembrance Day services organized by the Royal Canadian Legion, but they are hindered by the high cost of travel from distant parts of Canada. Only a handful of veterans are left in many Aboriginal communities to participate in local services; for example, of more than 30 veterans who served from Curve Lake First Nation in Ontario, only six were able to parade to the war memorial in 1992.¹⁶⁵

Veterans want their contributions valued and remembered. When asked how this should be accomplished, they spoke of establishing memorials in their communities that would tell their story to future generations. But they also wanted their sacrifice to make a difference to their children and grandchildren now. Sam Sinclair and Claude Petit, president and vice-president of NAVA, asked that programs in memory of veterans aim to encourage Aboriginal youth to remain in school to complete their acquisition of skills and knowledge.¹⁶⁶ Like other veterans, they asked that their actions and those of their home communities in support of the war effort be part of the accounts of this period in history books used by all Canadian students.

While the surviving veterans wait for real change, the Chippewas of Kettle and Stony Point continue to seek the return of their lands, appropriated by order in council P.C. 2913 under the *War Measures Act* in April 1942.¹⁶⁷

This issue is closely connected to the wider one of the government's failure to serve Aboriginal veterans' best interests. The ancestors of the Chippewas were allies of the British during the War of Independence and the War of 1812, and many served in this century's two world wars. Like many other bands, the Chippewas saw land pried away from their control despite treaty guarantees. Many other bands were pressured into long-term leases or outright sale, but the residents of Kettle and Stony Point had to submit to appropriation, and the provisions to negotiate for a return of their land — which was presumably needed for "efficient prosecution of the war" — were not acted upon after the war.¹⁶⁸ The government invested great energy in acquiring such land, but it ignored or minimized its obligations after the war. Perhaps the government never understood the profound importance of land to Canada's Aboriginal people and what recognition of their service would have meant to them.

Aboriginal veterans appeared in 1994 and 1995 before the Senate's Standing Committee on Aboriginal Peoples. The committee heard first-hand about many of the injustices discussed in this chapter, and in March 1995 the committee's report made several recommendations that broadly resemble those presented here. They included a recommendation that the government of Canada recognize the special contribution of Aboriginal veterans and that it apologize to Aboriginal veterans for past inequities. Our recommendations differ in some respects from those of the Senate committee, but we agree broadly on the overall need for urgent recognition and redress.

Recommendations

To maintain an honourable bond with the veterans who have served their country well, it is essential that the government of Canada undertake immediate remedial measures.

The Commission recommends that the Government of Canada

1.12.1

Acknowledge, on behalf of the people of Canada, the contribution of Aboriginal people within the Canadian Armed Forces during the wars of this century (the First World War, the Second World War and Korea) by

- (a) giving a higher profile to Aboriginal veterans at national Remembrance Day services;
- (b) funding the erection of war memorials in Aboriginal communities; and
- (c) funding the continuing work of Aboriginal veterans' organizations.

1.12.2

Agree to Aboriginal veterans' requests for an ombudsman to work with the departments of veterans affairs and Indian affairs and northern development and national and provincial veterans' organizations to resolve

long-standing disputes concerning

- Aboriginal veterans' access to and just receipt of veterans benefits; and
- the legality and fairness of the sales, leases and appropriations of Indian lands for purposes related to the war effort and for distribution to returning veterans of the two world wars.

1.12.3

Hire Aboriginal people with appropriate language skills and cultural understanding in the department of veterans affairs to serve distinct Aboriginal client groups.

1.12.4

Establish and fund a non-profit foundation in honour of Aboriginal veterans to promote and facilitate education and research in Aboriginal history and implement stay-in-school initiatives for Aboriginal students.

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.

272 Clem Chartier, "Métis Lands and Resources", in Royal Commission on Aboriginal Peoples, *Sharing the Harvest: The Road to Self-Reliance*, Report of the National Round Table on Aboriginal Economic Development and Resources (Ottawa: Supply and Services, 1993), p. 70.

273 RCAP, transcripts, special hearings on the High Arctic relocation, Ottawa, 30 June 1993.

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.

276 Russell (1978), quoted in Marcus, “Inuit Relocation Policies” (cited in note 5).

277 Emery and Grainger, “You Moved Us Here” (cited in note 5).

278 Scudder and Colson, “From Welfare to Development” (cited in note 6), p. 271.

279 Brice-Bennett, “Dispossessed” (cited in note 5).

280 Landa, “Easterville” (cited in note 237), pp. 67-68.

281 Quoted in Landa, “Easterville”, p. 57.

282 Interdisciplinary Systems, “Report to the Grand Rapids Special Forebay Committee - Vol. II” (1978), section 5.9, pp. 3-4, quoted in Loney, “Construction of Dependency” (cited in note 237), p. 70.

283 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

284 Coates, “Hardly a Grand Design” (cited in note 5).

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).
- 291** Quoted in Brice-Bennett, “Dispossessed”.
- 292** Quoted in Brice-Bennett, “Dispossessed”.
- 293** Quoted in Brice-Bennett, “Dispossessed”.
- 294** Landa, “Easterville” (cited in note 237), p. 57.
- 295** Patterson, “Indian Affairs” (cited in note 12), p. 113.
- 296** Emery and Grainger, “You Moved Us Here” (cited in note 5).
- 297** Al-Khasawneh and Hatano, *Human Rights Dimensions* (cited in note 6), p. 22.
- 298** NAC RG10, volume 4093, file 600 578\29-1-2(A), To J.B. Bergevin, Assistant Deputy Minister, Indian and Eskimo Affairs, Ottawa, from R.M. Connelly, Regional Director, Manitoba, “Dene Village æ Churchill”, 19 May 1971, p. 2.
- 299** Scudder and Colson, “From Welfare to Development” (cited in note 6), p. 270.
- 300** Culhane, “Tsulquate” (cited in note 95), p. 24.
- 301** Epec Consulting Ltd., “Whitehorse Indian Village Relocation Study”, a report prepared for DIAND, 20 August 1973, p. 11.
- 302** Interdisciplinary Systems, “Report to the Grand Rapids Special Forebay Committee” (cited in note 282), p. 7.
- 303** Loney, “Construction of Dependency” (cited in note 237), pp. 71-72.
- 304** Brice-Bennett, “Dispossessed” (cited in note 5).

305 Boas Jararuse, Makkovik, quoted in Brice-Bennett, “Dispossessed”.

306 Thomas R. Berger, *Northern Frontier: Northern Homeland*, Report of the Mackenzie Valley Pipeline Inquiry, volume 1 (Ottawa: Supply and Services, 1977), p. 159, quoting testimony to the inquiry from Pat Kehoe, a psychologist practising in the Yukon.

307 Scudder and Colson, “From Welfare to Development” (cited in note 6), p. 270.

308 Billson, “Opportunity or Tragedy” (cited in note 167), p. 207.

309 James B. Waldram, “Relocation and Social Change among the Swampy Cree and Metis of Easterville, Manitoba”, Master’s thesis, University of Manitoba, 1980, p. 168.

310 Al-Khasawneh and Hatano, *Human Rights Dimensions* (cited in note 6), p. 23.

311 Emery and Grainger, “You Moved Us Here” (cited in note 5).

312 Landa, “Easterville” (cited in note 237), pp. 62-64.

313 Petch, “Relocation of the Sayisi Dene” (cited in note 5).

314 Petch, “Relocation of the Sayisi Dene”.

315 Ernie Bussidor, submission to RCAP, special consultation, Tadoule Lake, Manitoba, 8 October 1993.

316 Brian Smith, “Youth Perspectives, Wabaseemoong Community Case Study”, research study prepared for RCAP (1994).

317 RCAP, *The High Arctic Relocation* (cited in note 1), p. xii.

318 “Speaking Notes” (cited in note 2), pp. 2-3.

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-

--

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.