

VOLUME 3

Gathering Strength

Report of the Royal Commission on Aboriginal Peoples

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|---|---|
|  1 New Directions in Social Policy |  2 The Family |
|  3 Health and Healing |  4 Housing |
|  5 Education |  6 Arts and Heritage |
| |  7 Conclusion |

A Note About Sources

Among the sources referred to in this report, readers will find mention of testimony given at the Commission's public hearings; briefs and submissions to the Commission; submissions from groups and organizations funded through the Intervener Participation Program; research studies conducted under the auspices of the Commission's research program; reports on the national round tables on Aboriginal issues organized by the Commission; and commentaries, special reports and research studies published by the Commission during its mandate. After the Commission completes its work, this information will be available in various forms from a number of sources.

This report, the published commentaries and special reports, published research studies, round table reports, and other publications released

during the Commission's mandate will be available in Canada through local booksellers or by mail from

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A CD-ROM will be published following this report. It will contain the report, transcripts of the Commission's hearings and round tables, overviews of the four rounds of hearings, research studies, the round table reports, and the Commission's special reports and commentaries, together with a resource guide for educators. The CD-ROM will be available in libraries across the country through the government's depository services program and for purchase from

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Briefs and submissions to the Commission, as well as research studies not published in book or CD-ROM form, will be housed in the National Archives of Canada after the Commission completes its work.

A Note About Terminology

The Commission uses the term *Aboriginal people* to refer to the indigenous inhabitants of Canada when we want to refer in a general manner to Inuit and to First Nations and Métis people, without regard to their separate origins and identities.

The term *Aboriginal peoples* refers to organic political and cultural entities that stem historically from the original peoples of North America, not to collections of individuals united by so-called 'racial' characteristics. The term includes the Indian, Inuit and Métis peoples of Canada (see section 35(2) of the *Constitution Act, 1982*).

Aboriginal people (in the singular) means the individuals belonging to the political and cultural entities known as Aboriginal peoples.

The term *Aboriginal nations* overlaps with the term *Aboriginal peoples* but also has a more specific usage. The Commission's use of the term *nation* is discussed in some detail in Volume 2, Chapter 3, where it is defined as a sizeable body of *Aboriginal people* with a shared sense of national identity that constitutes the predominant population in a certain territory or collection of territories.

The Commission distinguishes between local communities and nations. We use terms such as *a First Nation community* and *a Métis community* to refer to a relatively small group of *Aboriginal people* residing in a single locality and forming part of a larger *Aboriginal nation* or *people*. Despite the name, a *First Nation community* would not normally constitute an *Aboriginal nation* in the sense just defined. Rather, most (but not all) *Aboriginal nations* are composed of a number of communities.

Our use of the term *Métis* is consistent with our conception of *Aboriginal peoples* as described above. We refer to *Métis* as distinct *Aboriginal peoples* whose early ancestors were of mixed heritage (*First Nations*, or *Inuit* in the case of the *Labrador Métis*, and *European*) and who associate themselves with a culture that is distinctly *Métis*. The more specific term *Métis Nation* is used to refer to *Métis people* who identify themselves as a nation with historical roots in the Canadian west. Our use of the terms *Métis* and *Métis Nation* is discussed in some detail in Volume 4, Chapter 5.

Following accepted practice and as a general rule, the term *Inuit* replaces the term *Eskimo*. As well, the term *First Nation* replaces the term *Indian*. However, where the subject under discussion is a specific historical or contemporary nation, we use the name of that nation (for example, *Mi'kmaq*, *Dene*, *Mohawk*). Often more than one spelling is considered acceptable for these nations. We try to use the name preferred by particular nations or communities, many of which now use their traditional names. Where necessary, we add the more familiar or generic name in parentheses — for example, *Siksika (Blackfoot)*.

Terms such as *Eskimo* and *Indian* continue to be used in at least three contexts:

1. where such terms are used in quotations from other sources;

2. where Indian or Eskimo is the term used in legislation or policy and hence in discussions concerning such legislation or policy (for example, the *Indian Act*; the Eskimo Loan Fund); and

3. where the term continues to be used to describe different categories of persons in statistical tables and related discussions, usually involving data from Statistics Canada or the Department of Indian Affairs and Northern Development (for example, status Indians, registered Indians).

1



New Directions in Social Policy

ABORIGINAL PEOPLE IN CANADA endure ill health, insufficient and unsafe housing, polluted water supplies, inadequate education, poverty and family breakdown at levels usually associated with impoverished developing countries. The persistence of such social conditions in this country — which is judged by many to be the best place in the world to live — constitutes an embarrassment to Canadians, an assault on the self-esteem of Aboriginal people and a challenge to policy makers.

1. Social Policy in Context

The challenge to the Commission to investigate social and cultural issues, and to propose solutions to problems that compromise the quality of life of Aboriginal people, was placed squarely before us in the terms of reference recommended by former Chief Justice Brian Dickson.¹

All the items in our mandate have social and cultural dimensions. The subjects addressed specifically in this volume include

- social issues, including poverty, ill health, substandard housing, and family violence;

- cultural issues, including languages, spirituality, child care patterns, and traditional ways of life; and
- educational issues, including primary, secondary and post-secondary education, protection of cultural identity, and education in Aboriginal communities and settings where Aboriginal students are a minority.²

Justice issues — including relations with police, respect for Aboriginal culture in the justice system, incarceration rates, and elaboration of Aboriginal justice systems — form a closely related set of concerns that were addressed in our report on justice released early in 1996.³ The concerns of women, youth, elders, Métis people, and Aboriginal people who live in the North and in rural and urban settings naturally encompass social and cultural issues as well. While the perspectives of these groups are addressed to some extent in this volume, a more integrated review can be found in Volume 4.

Our comprehensive mandate allowed us to look beyond the individual policy sectors that numerous commissions and task forces have studied over the past 25 years.⁴ Consequently, we were able to examine current evidence of social dysfunction in the context of historical experience and to consider solutions that are not merely social.

This broader perspective has shown us that we are living with the painful legacy of displacement and assimilation policies that have undermined the foundations of Aboriginal societies. With the problems seen in this light, the solution is redistribution of power and resources so that Aboriginal people can pursue their social and economic goals and regain their health and equilibrium through means they choose freely.

2. Confronting a Painful Legacy

In Volume 1 we described the process by which Aboriginal peoples were systematically dispossessed of their lands and livelihood, their cultures and languages, and their social and political institutions. We showed how this was done through government policies based on the false assumptions that Aboriginal ways of life were at a primitive level of evolutionary development,

and that the high point of human development was to be achieved by adopting the culture of European colonists. We argued that these ethnocentric and demeaning attitudes linger in policies that purport to work on behalf of Aboriginal people while actually withholding from them the power to work out their own destiny. We proposed that the way of the future be to put behind us all notions of wardship, assimilation and subordination and to develop a new relationship based on mutual recognition, mutual respect, sharing, and mutual responsibility.

In Volume 2 we set out the means by which this new relationship can become a reality. These include honouring historical treaties and concluding new ones, implementing the right of Aboriginal peoples to self-determination and self-government, effecting a more just distribution of lands and the wealth those lands generate, and developing economic policies to revitalize Aboriginal nations and communities and enhance their self-reliance.

The Commission believes that the inherent right of Aboriginal self-government is recognized and affirmed in section 35(1) of the *Constitution Act, 1982* as a protected Aboriginal and treaty right and is now entrenched in the constitution (see Volume 2, Chapter 3 for a fuller discussion).

Constitutional recognition of the inherent right of self-government introduced a new dynamic into the relationship between Aboriginal and non-Aboriginal people. It will, however, take time for both sides to recognize the full implications of partnership. Building institutions to translate the concept of partnership into reality will be a lengthy and demanding process.

In the meantime, pressing problems facing Aboriginal people must be addressed. Children's lives are being stunted by violence in the home and failure at school. Communities are suffering the soul-destroying effects of inadequate housing, unsafe water and rampant unemployment. Young people are subjected to racist taunts because they are marked as members of a devalued underclass.

Solutions cannot wait until self-government becomes a reality. Problems will not disappear with the recognition of the inherent right of self-government. Federal, provincial and territorial governments, along with Aboriginal leaders and organizations, must act now to erase the disparities between

Aboriginal and non-Aboriginal opportunity in Canada. Aboriginal nations need a strong and durable foundation upon which to build self-government. That foundation is the people — healthy, educated individuals, strong in body, soul, mind and spirit. That is why we entitled this volume *Gathering Strength*. As our recommendations are implemented, individuals and communities will gain the strength needed to make their nations viable, so that they will be able to seize the opportunities opened up by the structural changes recommended in Volume 2.

The subjects addressed in this volume — family life, health and healing, housing, education and cultural policy — all fall within what we identified (in Volume 2, Chapter 3) as the core jurisdiction of Aboriginal self-government. These core matters have a direct impact on the life, welfare, culture and identity of Aboriginal peoples. Therefore, Aboriginal nations are free to proceed with policy making in these areas without waiting for agreements to be worked out with federal, provincial or territorial governments. They can start now.

In the next five chapters we explore current problems in particular sectors, the barriers to resolving the problems, solutions that are being implemented in some quarters, and action required on the part of governments — federal, provincial, territorial and Aboriginal — to achieve positive change. Recommendations are not directed to governments alone. We point out often what Aboriginal and non-Aboriginal citizens and their organizations can do to promote and complement policy makers' actions.

3. Looking Ahead

We begin with a discussion of Aboriginal families in Chapter 2 because we are persuaded that restoring stable, nurturing families, in their diverse contemporary forms, is essential to achieving the social goals of Aboriginal people. We examine briefly the place of families in traditional cultures and the interventions that have undermined their continuity and effectiveness. We propose that Aboriginal people be in charge of family service institutions that emphasize rebuilding mutual-aid networks within communities and protecting vulnerable persons from violence. Enacting family law that incorporates Aboriginal customs will help remove some of the gaps and contradictions in the current application of federal and provincial law.

We examine health and social services together in Chapter 3 because Aboriginal people advised us consistently that the health of body, mind, emotions and spirit must be understood holistically. Seen in this light, the current fragmentation of services is a major obstacle to supporting and enhancing whole health — that is, a state of well-being in the individual and harmony with social and environmental systems that are themselves functioning in a balanced way. We probe selected aspects of health and well-being to illuminate the source and nature of the factors that contribute to troubling statistics on life expectancy and quality of life. We conclude that Aboriginal concepts of health and contemporary research on the determinants of health converge. Together they point to a plan in which services play a significant but not the only role. The following constitutes the core of our proposed health and healing strategy:

- reorganization of health and social services under Aboriginal control;
- a human resources strategy to prepare Aboriginal people to design and staff services;
- reform of mainstream institutions to make them more responsive to Aboriginal people; and
- urgent action to achieve minimum standards of safe housing, water supply and waste disposal.

Political empowerment and economic development must complement this health strategy.

Chapter 4 focuses on ways to correct serious problems in housing, water supply and waste disposal in Aboriginal communities. We analyze the extent of current deficiencies in the housing supply and community infrastructure, as well as the impediments to devising a policy to address these deficiencies. We propose that community services be brought up to public health standards for a safe water supply over a five-year period. We outline a 10-year plan to raise housing conditions to at least a minimum level of health and safety on First Nation territories and to provide access to affordable housing in areas where a housing market operates. This would be achieved through a combination of mortgage and income subsidies, householder contributions, and community investment. The 10-year

schedule is proposed so that Aboriginal governments, as they assume responsibilities now carried by federal, provincial and territorial governments, will not be saddled with the consequences of years of neglect and ineffective policies. To maintain an adequate and affordable housing supply, individual and community incomes must increase through economic development.

In Chapter 5, we consider the statistics on Aboriginal educational achievement, the recommendations made by commissions and task forces since 1966, and the advice we received in hearings and briefs, and we conclude that educational reform is not achieving the needed breakthrough. As an alternative, we set out a proposal to implement lifelong, holistic learning that includes strategies to engage children, young people, adults and elders in accessible, culturally appropriate education. Key elements of the strategy are

- institutions at all levels under the control of Aboriginal people
- greater recognition of Aboriginal culture and identity in provincial and territorial education systems; and
- full participation of Aboriginal people in educational governance.

A strategy to prepare people to implement self-government is given prominence in setting educational goals.

Finally, in Chapter 6, we address cultural policy. Mutual respect between Aboriginal and non-Aboriginal people in Canada can be achieved only with knowledge of one another. However, the opportunities for Aboriginal people to contribute to authentic knowledge — by representing themselves in their own languages, with reference to their own symbols, in their own literature, radio, movies and television — have been, and continue to be, severely restricted. The result is that stereotypes and distorted images, based on historical and current misconceptions, are widespread. In this chapter we set out ways for Aboriginal people to gain more equitable representation in the arts, literature, and communications media and to have their history portrayed more accurately in museums and historical displays. We suggest how public policy can contribute to conserving and restoring languages threatened with decline or disappearance.

While intercultural relations demand attention, relations within and between Aboriginal nations are also an urgent priority. The nation building over the next generation will require access to the various media and the skills to use them. Transmitting cultural traditions between generations with radically different life experiences will require innovative means of communication; so will the challenge of maintaining a shared identity among Aboriginal people dispersed in rural and urban settings. Our recommendations address both dimensions — intercultural communication and communication within and among Aboriginal nations and cultures.

4. From Dependency to Strength

Current social problems are in large part a legacy of historical policies of displacement and assimilation, and their resolution lies in recognizing the authority of Aboriginal people to chart their own future within the Canadian federation. Specific policies we recommend assume that this framework of authority will be put in place and that lands and resources will be redistributed to make self-government workable. Institutions to serve social needs will be established by Aboriginal governments and will reflect the cultural priorities of the population being served. Distinct Aboriginal institutions will play an important role in demonstrating how traditional wisdom can be applied to contemporary problems. These will take time to develop, however, and even when fully operational they will not occupy the whole field of Aboriginal services.

We anticipate that the transition to self-government will proceed quickly in some Aboriginal nations and more slowly in others. Therefore, our recommendations for policy and institution building are formulated to involve Aboriginal people in decision making in existing jurisdictions and to accommodate easily a transition to Aboriginal jurisdiction when self-government is accomplished. The challenge will be to ensure there is dialogue between policy makers and managers of new initiatives and emerging Aboriginal governments, so that momentum, efficiency, and continuity are maintained throughout the transition.

Even when self-government is fully operational, large numbers of Aboriginal people will continue to participate in non-Aboriginal society as a result of living in urban areas, encountering the justice system, attending schools

and universities, being admitted to hospitals, watching television, reading newspapers, working for the public or private sector, or simply interacting with others. Aboriginal people need to be recognized and accepted for what they are and for what they can offer non-Aboriginal society. Assimilationist and racist policies and attitudes must be eliminated. That is why so many of our recommendations are aimed at making governments, policies, school curricula, public institutions, and professional organizations more aware of the Aboriginal presence in Canada and more receptive to what it can contribute to society.

Immediate threats to health must be removed. Living conditions that undermine morale and well-being must be improved to match prevailing Canadian standards. Equal opportunities to acquire the skills needed to participate in the social, political and economic life of Canada must be made available to Aboriginal people. As our examination of past efforts at policy reform has demonstrated, however, Aboriginal life will not be transformed by the continuation of paternalistic policies designed and administered outside the control of Aboriginal people.

Recommendations in this volume thus have three interrelated objectives:

1. to address urgent social concerns through institution building and program development congruent with the emergence of self-government;
2. to pave the way for Aboriginal self-government by enhancing the capacity of Aboriginal citizens to engage in nation building; and
3. to stimulate adaptation of mainstream institutions to provide services in a manner that recognizes and affirms Aboriginal identity, involves Aboriginal people in governance and decision making, and assumes a complementary and supportive role in the development of Aboriginal service institutions.

Past social policy, based on false assumptions about Aboriginal people and aimed at their colonization and assimilation, has left a heritage of dependency, powerlessness and distrust. Establishing a new relationship based on mutual recognition, mutual respect, sharing and mutual responsibility in an era of Aboriginal self-government is the challenge of the twenty-first century. Aboriginal people are anxious to put the past behind them and work with governments in Canada to meet that challenge. They

are gathering strength for the task ahead.

Notes:

* Tables of contents in the volumes themselves may be slightly different, as a result of final editing.

* Transcripts of the Commission's hearing are cited with the speaker's name and affiliation, if any, and the location and date of the hearing. See *A Note About Sources* at the beginning of this volume for information about transcripts and other Commission

1 Report of the Special Representative respecting the Royal Commission on Aboriginal Peoples, 2 August 1991.

2 The Commission's terms of reference are set out in Volume 1, Appendix A.

3 Royal Commission on Aboriginal Peoples [RCAP], *Bridging the Cultural Divide: A Report on Aboriginal People and Criminal Justice in Canada* (Ottawa: Supply and Services, 1996).

4 A search revealed close to 900 commissions and task forces sponsored by federal, provincial and territorial governments or Aboriginal and other organizations over the past 25 years. More than 200 of these reports were reviewed and analyzed in *Public Policy and Aboriginal Peoples, 1965-992*, a four-volume study conducted for RCAP by the Centre for Policy and Program Assessment, School of Public Administration, Carleton University (Ottawa: Supply and Services, 1993-1996).