

**By Robert Laboucane**

## **COLLABORATION OR CONFRONTATION?**

In survey after survey, 76 per cent of Canadians acknowledge they know next to nothing about the history, circumstances, issues and challenges facing Aboriginal people in Canada and another five per cent admit they know absolutely nothing about Canada's Aboriginal citizens.

With more than 250,000 new immigrants coming to Canada each year and tens of thousands of "visiting employees" being recruited each year due to the current labour crisis, I wonder how much information is being shared with these "new" newcomers to Canada about our Aboriginal people. I have asked and the answer is a polite shrug of the shoulders.

This lack of understanding between cultures and about diverse Aboriginal cultures - in a country that prides itself in the eyes of the world on being multicultural - has led to ignorance, stereotyping and full-blown racism. The isolation, separation, segregation and marginalization of Aboriginal people by geography, law, legislation and policy is an ongoing and ineffective process that must end because it is having significant negative impacts on the mining industries across our country.

In Canada today, there exists an environment of confrontation between the federal government, some provincial governments and most Aboriginal people. For some unexplained reason, this status quo has been maintained and allowed to continue by successive governments for the past 300 years. I can tell you that the mining industry; individual citizens, local and international investors are finding this circumstance unacceptable and are insisting on a climate of collaboration, co-operation and community.

I guess we are just going to have to learn more about whom we wish to partner with, so let's begin.

The terms Aboriginal, Native and Indigenous refer to the same group of people, but all of these diverse groups are most often referred to as 'Indians'. I, for example, am an Aboriginal person born here and living in Canada – but I am not an Indian. Just as some of you may be of European heritage, but are not Austrian.

This mistake in terminology is only one example of a strong need for much more Aboriginal awareness education. It should be understood that the term 'Indian' is not politically correct and with many downright offensive, as it refers to people from India rather than Canada's founding peoples. Many other cultures have varied language to refer to their first citizens; such as Aborigines in Australia and the Maori of New Zealand.

Imagine what the Indigenous people of the Americas would be called if Christopher Columbus would have been looking for Turkey rather than India! Would we then have legislation such as the 'Turkey Act' or a 'Minister of Turkey Affairs'?

There are three groups of Aboriginal people in Canada: First Nations (Indians), Métis and Inuit. The majority of the 50,000 Inuit lives north of the tree line in Canada's Arctic, and make up the majority of residents in Inuvialuit, Nunavut, Nunavik, and Nunatsiavut (Labrador).

Of the 400,000 Métis in Canada, most are located in the four western provinces and have representation in every part of Canada. They are of mixed heritage, usually descendants from First Nations who intermarried with early European settlers. Their homeland consists of traditional territories stretching from Ontario to B.C., north over the 60<sup>th</sup> parallel and south into the states of Montana and North Dakota. They have the same Aboriginal rights on the land in these areas as the First Nations and must not be ignored. They are indeed a bonafide stakeholder in rights on the land and must be consulted.

The three categories of 'Indians' are broke into three divisions – status, Bill C-31 and non-status. Status 'Indians' are registered in the Indian Registry, which is maintained by the federal government's Indian and Northern Affairs department (INAC). These status 'Indians' are the only Aboriginal group that are members of an 'Indian band' or tribe, and are the only Aboriginal group of people in Canada that are referred to as First Nations. These people are governed by the antiquated, race-based legislation called the Indian Act.

The 640 separate Aboriginal governments in Canada are governed by elected chiefs and councilors, most are represented nationally by the Assembly of First Nations, an umbrella group whose present political leader is Grand Chief Phil Fontaine.

There are 635,000 registered status Indians in Canada, although since 1985 an additional 175,000 names have been added to this number as a result of Bill C-31. This federal statute allowed those Aboriginal people who had lost their status, Aboriginal and treaty rights and benefits to make application to become 'Indian' again.

These new 'registered Indians' received a reduced bundle of benefits than their existing 'status' relatives, and since their creation by the federal government they are quickly becoming an endangered species. Most of them will all disappear in a short time frame of two generations, due to the limits imposed by Ottawa. For a current up-date you might want to Google 'The McIvor Decision' of the B.C. Supreme Court (June 2007).

Of these First Nations (registered status Indians) people, 60 per cent live off reserve and the migration to urban centres by the youth continues at a torrid pace. Many First Nation people are simply trying to get out from under the yoke of the repressive and controlling Indian Act. Just 50 per cent of the First Nation (registered status Indians) populations are actually treaty 'Indians'. Those band members off reserve can still vote for chief and council.

The Indian Act is blatantly out of step with the modern realities of the Canadian legal system, just as many claim the Mining Act is also seriously flawed for today's realities. This degrading Indian Act singles out First Nations people and gives control of their lives and communities to the Minister of Indian and Northern Affairs, and other government officials. First Nations women on reserve do not have even basic property rights by law. These same people are not afforded access and protection under the Canadian Human Rights Act either. Does the "rule of law" apply equally to all Canadian citizens as suggested by some recent Ontario judges.

I disagree with many deluded and misguided judges rendering decisions today based on this supposedly fair concept. This is putting many mining companies and some provincial governments in very precarious situations. Efforts to build positive respectful relationships with those very Aboriginal communities who are about to become their new corporate partners are being put in jeopardy.

Many First Nations people wish the Indian Act would be abolished, because it violates normal standards of equality and freedom. It has been referred to as an "apartheid law" that has led us to nothing less than a national social disaster – and encouraged the "us verses them" mentality.

About 50 per cent of First Nations people are under 23 years of age and many young people leave the reserve looking for better living conditions, better health services, educational facilities and employment opportunities. They want to leave behind the destitution, crime, poverty and despair that fill so many lives on the reserve. Unfortunately, they are also leaving their family members, elders, their languages and their cultures. Often, mining companies coming into their territories are looked at a "saviors" because with them comes hope and hope is sometimes confused with "expectations".

In urban centres such as Edmonton, Winnipeg and Calgary, about 20 per cent of the homeless population are Aboriginal people. They have chosen to live a hand-to-mouth existence on the streets – homeless – instead of on reserves due to the physical isolation and lack of opportunities in their remote and impoverished communities.

Since 1995, the federal government has spent \$100 billion of Canadian taxpayers' money on roughly half of the Aboriginal population. This money comes from 33 federal departments, plus INAC, and there are very few measurable indicators that circumstances and the quality of life of Aboriginals has improved.

Many First Nations leaders tell me they only receive 20 per cent of this money, yet an INAC official wrote to me and confirmed that Ottawa gives 82 per cent of its allotted funding to First Nation government's with another 9 per cent going to provincial governments. The Congress of Aboriginal People, in a recent report I received, shows 6,199 grants and contributions to 2,054 recipients from 30 federal governments departments for a total value of \$5,606,665,491 billion. I have not been able to determine if this funding is calculated into funds allocated to First Nations governments.

I also received a listing of 293 pages of these recipients. The fact that accounting for government grants is not required seems downright ludicrous. Contributions on the other hand do require accounting but how do we know if anything is being achieved? What, if any, are the measurable outcomes and benefits of all this spending? Is anyone asking any questions about this? Will any funding recipient step forward and reassure Canadians that we the taxpayers are getting a reasonable return on our investments?

Why as Canadians can we not get a satisfactory explanation of these disturbing numbers, especially when so many billions of dollars are being spent each year and the Aboriginal statistics just keep getting worse? Could it be that we just don't know enough about the subject to be able to even formulate a reasonable question?

One must remember that every time someone leaves the reserve, the cost and obligation of the federal government for each of those individual is reduced by at least 80 per cent. What would motivate the federal government to make things better on reserves? Aboriginal leaders tell me the on-reserve population is continuing to grow despite the number of people leaving. We know from Department of Indian Affairs spending reports that for every \$8 spent on reserves, only \$1 is spent on services to those 60 per cent of the band membership that lives off reserve. Seems a little backward to me.

The deteriorating circumstances include grinding poverty, tainted water not suitable for drinking or bathing (affecting more than 100 communities at any given time), major housing crisis, loss of language, extreme crime rates, rampant health epidemics and youth suicide rates eight times the national average. For Inuit youth, living in the remote and rugged Arctic, the suicide rate is 40 times the national average.

It's incomprehensible that are we not demanding that government deliver action rather than words. Mining companies with assets on or under the land are embarking on a journey of consultation and relationship building, so you really must understand the environment you are going into. As well, learn who these Aboriginal people are. Why are they are where they are, and how did they get there, socially and economically? Showing your new partner you have actually taken the time and made an honest effort to get to know them and learn about them is a clear demonstration of respect on your part and an excellent way to start your long term relationship...just like any other serious courtship, remember!

Ultimately, Canadians must realize that the Aboriginal community is a major stakeholder in the social and economic wellbeing of our nation's future. We must work together to create a country that respects and cares for all of its citizens, no matter what culture, race or heritage.

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