

The Indigenous Challenge



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Edmonton Social Planning Council



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SEMI-ANNUAL PLANNING

When it comes to social health care issues, generally the Edmonton Social Planning Council, which has led in the field for over 20 years, is the primary organization, where, at the time, it has been doing research, policy analysis, and advocacy.

We welcome new members, or the opinions and suggestions of our current members. All are welcome by computer or in person contributions can be forwarded to:

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Our Mission

" The Edmonton Social Planning Council believes that all people should have the social rights and freedoms to live and work in an environment that enhances individual, family, and community growth without restricting the same rights and freedoms for others. The Council seeks to create, to advocate, and to support changes in policies, attitudes, and actions in order to enhance these social rights and freedoms. "

Our Goals

- To undertake research into the nature and magnitude of social issues in the community.
- To increase public awareness and understanding of current social issues and to exercise an independent voice in the community.
- To encourage greater public participation in the development of social policies and in the implementation of programs.

Minister reaches out to communities to support Aboriginal youth

As Secretary of State, Training and Youth, the Honorable Ethel Blondin-Andrew has had a couple of months to think about Canada's young people and how they are faring. She's understandably concerned. A recently released Conference of Canada report says youth have been hard hit by poverty, family break down, crime and unemployment.

Blondin-Andrew said about one-third of young people have stopped participating in education and employment. "They've totally dropped out, they've lost hope. Those youth are essentially the ones we really have to preoccupy ourselves with. Those are the ones that have lost hope and are trying to commit suicide. Those are the youth that are suffering different kinds of abuses."

The problems are magnified in the Aboriginal community whose youth have the highest rates of poverty, unemployment, suicide, incarceration, and drop-out. "All the negative statistics are high and all the high achievement statistics are lowest. So there's a real imbalance there."

It's disheartening for Blondin-Andrew who is an Aboriginal woman and Member of Parliament for Western Arctic. She is also a mother of three grown children. "Speaking as a mother and someone who knows about poverty, who knows about the plight of being a single mother or a sole parent and being almost destitute—it's a tough thing for young people out there."

She said there is a lack of residential facilities and support networks for many young people who have fallen. Troubled youth often lack a family network and have nowhere to go but down.

"The Aboriginal youth don't feel hope. We have to realize that they're our children and we as Aboriginal leaders have a

responsibility to try and help ourselves and our community, our families, our parents. We have a responsibility to help these youth and also to instruct government on how best to work with us. No one else can do that for us."

Blondin-Andrew said interpersonal relationships can make or break futures. "We can co-operate to build partnerships: government, industry, institutions of learning and government services, but most of all the families, the communities, the parents, and the leaders are the people who are going to make the biggest difference. I think this cries for leadership."

This leadership has to come from people who are well in body, mind and heart. Blondin-Andrew is a strong promoter of sober leadership. "I believe you have to be functional, totally well, to lead young people...I really believe that nothing beats good nurturing. Nothing beats a strong family, a strong community, a strong region, strong leadership. So I really believe that some of the things have to come from there, but governments can help. We can provide the money, which we are trying to do."

The federal Liberal government has proposed a number of programs to try and address some of these issues. It is instituting an Aboriginal Head Start Program targeting pre-school children, building self-esteem and working on the skills children need to begin school. This program will also offer instruction to young parents on nutrition, parenting and lessons specific to their culture and language. Stay in School Programs and the Brighter Futures Program are both being implemented on reserves to help increase the standard and quality of life for young people and to help them stay in school.

Continued on page 4

By Sheila Kuschmiruk



The Honorable Ethel Blondin-Andrew, Secretary of State (Training and Youth).

photo courtesy of the constituency office of the Honorable Ethel Blondin-Andrew

Blondin-Andrew has spent the last few weeks travelling across various regions of Canada doing consultations for a new program called the Canadian Youth Service Corps which will help 17,500 young people over three years to gain meaningful work experience and develop personal skills through community service projects. This \$175 million program targets youth between the ages of 18 and 24 who are out of school and unemployed. They can be high school dropouts or university graduates or anything in-between. The Corps will set up in about a dozen sites across the country to experiment and test the program beginning in April. The regular program will be launched in the fall. Participants will be paid a weekly allowance of \$121. Once they complete the full nine-month program they will be eligible to receive a \$3,000 bonus for one of the following: an education voucher for tuition fees or loan forgiveness; a portable wage subsidy for entering the regular work force; or a self-employment voucher for a small business loan.

There are also summer employment programs and an On-the-Lands Program which targets young offenders, homeless youth, disabled youth and young people from different minority backgrounds.

"We don't believe we have the magic formula. But we believe we can be the catalyst."

Blondin-Andrew said the government is also going to set up a Secretariat for Youth to respond to youth issues nationally. As well, a National Youth Board will be established which will couple youth with mentors. There are also plans for a youth apprenticeship program to address the 17.7 per cent unemployment rate for youth.

Specifically in the Aboriginal community Blondin-Andrew said there are a number of challenges, such as training youth in non-traditional fields to replace the workforce of doctors, engineers, economists, pilots, etc. that are currently being hired from outside the Aboriginal community.

"There are opportunities there. People have to understand too that it's a tough competitive world. What has to happen is young people have to know, all Canadians have to be aware of the fact, that it's great to stay at home and to be with your own, but sometimes you have to go where the opportunities are. Mobility is key to being employed."

Blondin-Andrew said solutions have to come from many areas, not from one leader or government. People must begin to tackle issues as a family, a community, and a region. She said it's no good to think the problem can be solved by



photo by Jonathan Murphy

Leadership and cooperation offer hope to Aboriginal people.

removing young people from places such as Davis Inlet. She quoted a man from Davis Inlet who said 'You know you can take them to West Edmonton Mall, you can take them and bathe them and clean them up and put them in these rehabilitation centres, but it isn't going to work because they have to come home to us. We don't have the comforts that they are used to when they are in rehabilitation. And we don't have West Edmonton Mall.' As Blondin-Andrew sees it, people have to start pulling together to make change happen.

"We can't use a band-aid approach. We really have to go for this circle and partnership between the different institutions, between governments, families, parents, communities, regions—leadership to do the right thing for our young people. It can't be done by one group. It's such a huge problem that we all have to work at it together.

"It's the Year of the Family and I really want to see the Aboriginal family do well in the next year along with other disadvantaged families. There's no difference between poor people no matter what color they are. They all really need our help." ❖

Reviewing 1993

—did the International Year of Indigenous People accomplish anything?

When I was invited to submit an article reflecting on 1993 as the International Year of the World's Indigenous Peoples, I thought "Well it sure wasn't like 1990 when it felt like the year of our peoples." Back then we had Elijah Harper saying no to Meech Lake, Milton and the Lonefighters defending the Old Man River, or the next year with the Mohawks at Oka, all of which united indigenous peoples across the land.

I saw 1990 as a beginning for indigenous peoples with our new-found sense of unity. I filled with hope and believed that we could do anything.

Through the healing circles in Edmonton that I have facilitated since 1988, I've learned a lot about people and trends. From 1990 to 1992, we seemed to be the 'in thing' for many. We would often have up to 50 people sitting together in circle every week. In 1993, however, we averaged about a dozen weekly throughout the year. Reality may have set in when people discovered that healing oneself takes time and effort. Any real change takes time and effort.

In 1993, it was clear that many people wanted change and that was indicated through federal election results. Governments are trying to change, they seem to be moving further away from social justice and closer to a repressive police state.

There were several interesting events which reflect this:

- The NDP, who were the most vocal on environmental and social justice issues, fell flat and were basically defeated across Canada. A defeat of their own doing since they were given every opportunity in Ontario and B.C. to 'walk their talk.' When push came to shove, they faltered on social and environmental justice causing disillusionment among their supporters;

- Provincial Social Services Minister, Mike Cardinal's welfare reforms put more money towards government's deficit and less in the mouths of the poor and hungry. He then threatened to fire employees of his department who dared to speak out against government policy;
- We saw the Reform Party sweep in out of nowhere and become our "voice of the West." It just goes to show when the people are afraid, their politics move farther to the right;
- Despite the Liberal's campaign promise to scrap NAFTA, the Canadian government was just as much to blame for the resistance of the indigenous peoples of Mexico and the resulting carnage, when they allowed NAFTA to proceed on January 1, 1994.

Randy Lawrence, environmental activist and member of the Edmonton Indigenous Coalition, says that "1993 was largely irrelevant in official United Nation (UN) terms and if anything happened it was on Indian time, not UN time. And that was when the Zapatistas suddenly appeared on the scene in Mexico on January 1, 1994." He further stated, "The one positive thing in 1993 was the decision of the Indian Claims Committee who declared that the Indians of Cold Lake and Canoe Lake deserved compensation for the theft of the Primrose Lake area." In spite of this ruling, the federal government still has not responded to the decision.

Marge Friedel, Metis activist, maintained that: "1993 passed but with a silent sigh. Both levels of government were preoccupied with elections and their over-burdening debts. Little or no homage was paid to indigenous peoples. The first appointed provincial indigenous cabinet minister, Mike Cardinal, introduced welfare reform. The impact of this reform was felt greatest by the disadvantaged—indigenous women and their children. The pain is greater when there is a brown face administering the blows."

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*By Lorraine
Sinclair*

IN 1993 WE SAW LITTLE MOVEMENT towards self-determination of indigenous peoples. If both levels of government were truly dedicated to self-determination, we would have seen more of a commitment to healing processes. Self-empowerment happens as a result of healing; this will lead to self-determination. Twinning the existing bureaucracy (government and Native organization's attempt at self-government) with brown faces is one more obstacle for indigenous people to overcome. It will take longer than one year to develop creative alternatives to replace bureaucratic obstacles to self-empowerment.

In spite of the impacts of government policy, Native communities across Canada are still committed to the healing of their families from centuries of oppression.

In 1993, I was fortunate to have sat in healing circles with women from Chisasibi, Quebec (James Bay) whose land and lifestyle have been devastated by the Great Whale project, but who are seeing the strength in Native traditional knowledge. I felt the commitment and faith they carry in their hearts to not give up on themselves even though it appears Quebec will continue to build dams and ignore their protests. The experience gives me courage.

Last year I sat with the Lubicon Nation Women's Circle and I recognized their dedication to their community and way of life in spite of all efforts to destroy their land and break their community spirit. The experience gives me hope.

Reading about the cruel death of Joyce Cardinal who was set afire by person(s) unknown angered me. Had she not been a Native handicapped woman, would there have been more of an effort to find her assailant(s)?

These experiences reminded me of the words of St. Augustine, "Hope has two sisters and they are anger and courage." As long as injustice reigns supreme and angers the courageous ones to put themselves on the line to speak out for the poor and disadvantaged, then there is hope that we, as a society, will one day see justice.

Richard Solly, who works with indigenous support groups in Britain and is temporarily working with the Oblate Peace and Justice Committee had this to say about the International Year of the World's Indigenous Peoples: "If the Canadian government had decided to stop low-level flying over Innu territory; if they

had helped the Mushua Innu to move from Davis Inlet to Shango Bay; if Hydro Quebec had abandoned its plans to expand the James Bay project; if NorSask Forest Products and Mistik Management had accepted the demands of the Protectors of Mother Earth; if the Department of Indian Affairs had finally dealt justly with the Lubicon Nation; if the B.C. government had accepted that most of the province is on stolen land and if they



photo by Jonathan Murphy

Aboriginal people are becoming increasingly vocal about injustices in their communities.

had accepted Native sovereignty; and if the Canadian public had stood up and demanded an end to all the injustices against Aboriginal people, refusing to allow bureaucrats and politicians to cheat, lie and steal from Aboriginal people any longer, then, in Canada, we might have had a Year of Indigenous People worthy of the name."

ONE FINAL THOUGHT on looking back over the International Year of the World's Indigenous Peoples—the hypocrisy of the United Nations in declaring 1993 a Year of Indigenous Peoples is patronizing and hypocritical at best. Rather than paying lip service to insincere declarations, the UN should take specific actions throughout the world where lives are being lost as we speak. Perhaps it is time for indigenous peoples the world over to declare a year for non-indigenous peoples and do everything in our power to understand, respect and share with them...hey, didn't we already do that? ✽

Lorraine Sinclair is the executive director of the Mother Earth Healing Society in Edmonton.

Where are all the Aboriginals in between?

By Marilyn
Dumont

Where are all the Aboriginals in Alberta between the highly profiled provincial ministers/artists and the inner city poor? When asked if I thought things had changed for Natives in Alberta in 1993, my response was an ambivalent no/yes. I know that I'm supposed to say no, because that's what Natives are expected to do. But as much as I want to say no, I want to follow it with a yes. I want to say no, things haven't changed much because many Natives still struggle in poverty and with lack of access to, among other things, education and employment. I want to say no because there are rural Natives living in cars and urban poor exposing inner city slum landlords for deplorable housing conditions. But I also want to say yes. Yes there have been changes because we now have Native ministers in the provincial government, we can boast the production of *North of 60*, which casts Alberta Aboriginal actors. Native literary, visual and recording artists like Thomas King, Jane Ash Poitras and Laura Vinson have all made their mark, not only in Alberta but in Canada over the past couple of years.

But what do my ambivalent response and these disparate images of Natives tell us about change itself? Well I think it is interesting to see what gets the attention of the media and consequently what captures the mind of the average Albertan about Native issues. If I were to review headlines in Alberta's print media, I would find stories ranging from Native provincial ministers battling with the media over a right to personal privacy, the accomplishments of Native artists 'making it good,' to the poor and desperate in our inner cities exposing slum landlords. But there is not much reported on the Native people in between the inner city and the provincial legislature. There are few representations of Natives in all of our cultural diversity and economic stratification. This is what has not

changed. It is still too easy for people to think of Natives as a group of people who all want the same thing because of their shared cultural experience. This could not be further from the truth.

And what do these disparate media images say about the experience of a large number of Native people in Alberta whose lives were not newsworthy enough to gain public notoriety through the headlines? Well to many people we don't exist. To many, there are no Natives in between. I am referring to the Indian middle-class and the Indian working poor. They work, some make good salaries, go to school, have babies, have a life not much different on the surface than the average non-Native Albertan but they and many like them do not capture the attention of Albertans through the media. And yet they are not the average Albertan, and to some the only distinguishing feature is that they would identify themselves as Native in a provincial census. But these people form a good portion of the Native population in Alberta. Many live in the city or on adjacent reserves and settlements to urban centres in Alberta, many go through addiction recovery programs, many go through up-grading, post-secondary institutions, hospital care, watch television, many go to movies, buy houses, buy and sell cars, many work at trades, service, the helping profession, education, and some practice dentistry and medicine. But we are not represented in the disparate images of either the inner-city poor or the privileged politician or artist.

Consequently these predominant images of Natives as being either at the top or bottom of the socio-economic ladder not only work to erase the multiplicity that exists among Native people, but it also paints a dangerously high profile of people at the top 'making it' and creates an illusion that the inequality is changing more than it really is. The danger of these images is that while there have been changes, the changes are not deep enough to affect the day-to-day lives of most Aboriginal people, however, they alleviate a lot of settler guilt and make us all feel better for a little while.

Marilyn Dumont is an Aboriginal writer, performer and video maker from Edmonton.

Provincial health care cuts put additional burden on Native people

By Anne Bird
and Cecile
Gladue

The year 1993 was the International Year of the World's Indigenous People. However, minimum publicity was given to announce the theme of the year. With so little information provided on indigenous culture, it is evident that there was lack of information provided on First Nations health. In fact, what the year 1993 will be most remembered as the year of health care cuts.

We are all aware of the conditions that contribute to the 'Third World' health status of the indigenous people of Canada—the inadequate housing, poor water supply and waster disposal, inadequate recreational facilities, high unemployment, restricted educational opportunities, environmental hazards and cultural genocide. The list could go on and on, but suffice to say that these conditions do exist and have all been well documented.

photo courtesy of the Government of Alberta



The Charles Cammell Hospital was operated by the federal Medical Services Branch as a hospital for indigenous people until it was taken over by the the province in 1980.

Recent Canadian government publications graphically illustrate the grim health statistics of Canada's First Nations as far worse than the general population. In Alberta, which is one of the richest 'have' provinces of the country, the health status for Treaty Indians is worse than that of other Treaty groups in Canada.

Life expectancy at birth is less than 60 years for males, almost 13 years less than the Alberta average, and the lowest life expectancy

nationally. Women fare only slightly better, but are also the lowest in the country. Rates for potential years of life lost are four times the rate for all of Alberta, and the highest in the country. Suicide rates tell a similar story with the gap between Treaty Indian and Alberta's general population being the greatest.

Recent outbreaks of tuberculosis and other communicable diseases, the steady increase in numbers of Indian people developing type-two diabetes and the suffering and deaths due to violence, accidents and substance abuse all add up to a grim picture. Figures from Alberta Health Tuberculosis Services indicate a TB rate 100 times greater for Treaty Indians than the provincial rates (when recent immigrants are excluded from the general population rates).

Although there has been steady improvement in areas such as infant and maternal mortality rates over the past few decades, the World Health Organization's goal of "Health For All By the Year 2000" seems an impossible dream for Indian people given the present situation.

The recent policy directives/changes by both levels of government have caused First Nation's people hardship and grief.

The reduction of bed spaces in Edmonton's hospitals compounded with the reduction to home care services has had a negative effect in the quality and quantity of after care for First Nation's peoples. The current situation demands that hospitals discharge patients as soon as possible so that other patients can be admitted. However when a patient that is being discharged is from an isolated northern community with no family in the city, immediate discharge becomes a serious problem. It has become necessary for hospitals to discharge the patient even when the patient needs further medical attention. The patients are now being asked to return to the hospital on a daily

or weekly basis to receive further medical treatments. Unfortunately when the patient is from a remote community this is not a realistic option as they would prefer to return home than to wait for treatment. This in turn creates hardship, stress and concern for the patient's family who are not trained to look after the patient. This is also dangerous as most remote communities do not have adequate medical facilities. Therefore the patient is re-admitted into the hospital at a later date only to be suffering from the same condition.

The reduction to social assistance brought changes to medical coverage for prescription drugs within the Supports for Independence system. There have also been changes to federal policies regarding coverage for drugs for all First Nations people. Both changes have caused hardship to some First Nations people. With little money some cannot afford to purchase "non-prescription" drugs as well as other prescription drugs. Therefore the person must wait until s/he is seriously ill and in need of a prescription drug that is covered.

The continuous changes and reductions will continue to have negative effects on First Nations health. There will be an increase of First Nations people needing more costly medical attention such as after-care, home-care, early intervention and post intervention care.

We believe very strongly that the most effective health and health-related programs for First Nations people are those that have "ownership" and control within the community. The power of defining "health" must belong to those experiencing it. This is very important, as only the community can effectively define its own health problems, and determine the solutions. ✽

Anne Bird is the health promotions/training coordinator and Cecile Gladue is the urban health services coordinator at the Alberta Indian Health Care Commission

espc news

We are looking for volunteers for our Casino June 10 and 11. The Council relies on volunteers to work at this fund-raiser. The profits are an important part of our annual budget—in 1992 we raised \$30,000 thanks to the generous assistance of volunteers. No experience is required to volunteer. If you think you can work a six-hour shift please call Alison Roppel at 423-2031 before April 1. The Casino will be held at Casino ABS—City Centre, so even if you can't volunteer, you can still drop by and try your luck!



The Other Child Welfare Manual—A Teenager's guide to Child Welfare in Alberta was published in December of 1993. The Council has been busy distributing this guide and *The Other Welfare Manual* (published in November 1993) across the province. We have made some funding inquiries to have the books reprinted, but to date no funds have been secured.

We are in the process of hiring a coordinator for the prostitutes' resource centre. We received money from Justice Canada to cover a six-month start-up period and one year of operation. The resource centre will serve as a place where street prostitutes can drop in to receive advice and support on health and family violence issues. Prostitutes will also be able to explore alternatives to working on the streets.

We are hoping to receive funding to do a Tenants' Rights and Responsibilities Manual which would be an easy-to-read, comprehensive guide to Landlord and Tenant issues in Alberta, much like *The Other Welfare Manual* and *The Other Child Welfare Manual*.

We have received funding from Justice Canada for the first year of a three-year Aboriginal Community Demonstration project. This project will be aimed at reducing crime and recidivism through social development projects in the inner city. We will be hiring an Aboriginal person to act as the program coordinator. During the first year we expect to launch innovative projects in areas such as AIDS prevention, community justice committees and service integration.

In the September 1993 issue of *First Reading*, we featured an article written by Helmut Gerhard, referring to him as holding a doctorate in psychology. His credentials are now being questioned. We apologize for any inconvenience this misrepresentation may have caused.

Child welfare *evolving* in First Nations communities

By Dave
Regehr

The reform of child welfare services to Alberta's First Nation communities continues to take a slow and gradual course. This course of change is filled with dilemma and paradox as well as optimism and hope as it tries to contend with diverse issues such as the constitution, jurisdiction, social work practice, family structure, community development, spiritual and cultural matters, and organizational development. This article will attempt to outline some of the developments that have taken place to date.

communities, and to curtail the flow of children from Native families and communities to non-Native families, Indian and Northern Affairs Canada worked with First Nations Child and Family Services (FNCFS) to develop programs to provide child protection and other related services. The stated objective of this program was to 'ensure that Indian children and families living on-reserve have access to culturally-sensitive child and family services in their communities and that these services are comparable to those of other provincial residents in similar circumstance.'

Under this program a number of principles apply. First, the federal government agrees to fund the cost of child and family services to only the residents on the reserve of the Indian Bands involved. Funding for off-reserve residents is provided by the province. First Nations consider this a further diminishment of federal government responsibility to Treaty Indians. Second, the authority of the provincial child protection legislation applies to the FNCFS agencies. It is therefore not satisfactory to First Nation organizations to be required

to administer provincial legislation, partly because of the further jeopardy to the First Nation/federal government relationship, but also because it is this same legislation that has failed First Nation communities in the past. The third principle is that of comparability—funding is provided for services that are comparable to services offered to other provincial residents in similar circumstances. Comparability has proved difficult to determine, and most agencies would prefer a funding model based on need rather than comparability.

A number of dilemmas present themselves as First Nations contemplate establishing agencies under certain conditions. Communities are placed



photo by Jonathan Murphy

The welfare of Aboriginal children is increasingly becoming the responsibility of their communities rather than the provincial government.

Conventional child protection services presuppose the best interest of the child can be established in isolation from the interest of the family as a whole. The importance of the Native family and community connectedness has demonstrated the shortcomings of this approach. In First Nation communities this has too often resulted in a large number of children being removed from their homes and placed in non-Native placements, either as foster placements or through adoption. The wisdom of this practice has since been re-examined, and the devastating impact to Native families has now been well documented.

As it became evident that child protection services were not working for First Nation

in the position of having to weigh the prospect of better quality services, against the requirement to enter into arrangements that have fundamental shortcomings. Service delivery issues are pitted against constitutional issues, and First Nations have already experienced reduced service levels in areas such as health and education under similar circumstances.

Despite these difficulties, a number of successful agencies have been established to provide services to 20 of Alberta's 43 bands. Currently there are five agencies that have signed agreements in Alberta. The Siksika Nation was the first agency to establish in 1973, followed by the Lesser Slave Lake Regional Council, the Yellowhead Tribal Services Agency, and most recently, the Saddle Lake, Stoney and Tsuu T'ina Nations. Plans are underway with most of the First Nations to negotiate acceptable arrangements.

Agencies are provided funding and given the full responsibility for the provision of child protection services. In most instances these services are delivered by the agencies and in some instances, notably the Yellowhead Tribal Services Agency, the mandated services are purchased from Alberta Family and Social Services. Prevention services are also funded and each agency determines its own priorities. Prevention services enable alternate and creative solutions to family problems that can be provided outside the confines of conventional case work practice. Often community or holistic approaches are attempted to address family issues that are also community issues.

A further challenge facing the FNCFS agencies is to find a manner in which culturally sensitive services can be provided within the constraints of the FNCFS program. Several common features characterize the agencies in this pursuit. The concepts of community input, taking responsibility for community problems, holistic approach to family problems, maintenance of the family, and re-uniting children with their families are common features of the agencies. Band child and family service committees are utilized to provide community input and assist in

general direction to the program staff as well as participate in case decisions. These committees also provide for elder input into program activities and lend a collective wisdom to case work that an individual worker could not achieve.

Some of the agencies have cited other program areas for development, such as new casework models, and other community approaches to community issues. The potential exists for creative solutions to community problems and to develop alternate procedures and organizational processes to design and implement effective child and family services.



photo by Jonathan Murphy

Better on-reserve services will help stem the flow of Native families to the inner cities.

First Nation Child and Family Service agencies continue to develop as organizations, and find new solutions to difficult and long standing problems confronting their communities. ❄

David Regehr is the director of the Yellowhead Tribal Services Agency.

Aboriginal child welfare facing many barriers

By Carolyn Peacock and Debra Morin

There are many historic, political, social and economic factors that have contributed to the current state of Aboriginal Child Welfare. Specific issues and concerns have, for years, been identified and articulated by Aboriginal people, yet social work policy and practice has been slow to respond, to listen and incorporate the concerns of our communities, agencies and individuals.

Over the past decade, the Province of Alberta has undertaken numerous surveys, studies and reviews to address Aboriginal Child Welfare issues. Recommendations, guidelines and policies have been developed. In 1985, the Child Welfare Act was amended to recognize the rights and interests of First Nations. Native priority placement guidelines were instituted in association with a mandate for Aboriginal consultation. However, participation of Aboriginal people in the process has been minimal and frequently after the fact. We are constantly placed in the position of being reactive instead of pro-active.

In recent years, we have witnessed a growth in the transfer of services from the Province to Aboriginal communities, an increase in the hiring of Aboriginal staff and the creation of specialized Native units. Despite these reforms in legislation, policy, organization and service delivery, the number of Aboriginal children on child welfare caseloads has risen significantly. We know now, more than ever, that the responsibility for the well-being and integrity of the family unit lies with us.

In response to Alberta Family and Social Services (AFSS) staffing initiatives and service transfers, we have focused our energies on the field of human resource development—accessing information, education and training. It has been an uphill struggle for Aboriginal social workers, paraprofessionals and child welfare committees to achieve recognition. We have had to establish our credibility in order to build a working relationship and gain the acceptance of our colleagues.

THE LONG TERM GOALS of Aboriginal First Nations—assuming responsibility for the delivery of child welfare services to our communities and repatriation of our children—parallel the

objectives of AFSS, however, we have opposing views on how to achieve this end. The central issue has always been the province's failure to address the distinct characteristics of Native culture. Each nation is unique in custom, tradition and language, and as such, current legislation is not flexible enough to meet the varied needs of each community.

For countless years the federal and provincial governments' concept of consultation has been to appoint non-Aboriginal strangers to make decisions for us and speak on our behalf. They make amendments to legislation, draft "Native specific" policies and models, hand them to us and ask for feedback, then wonder why they are met with resistance and negativity. We are constantly denied the opportunity to participate at the level of policy development, program design and implementation.

IN AUGUST OF 1993, the former Children's Advocate, Bernd Walter, released *In Need of Protection* a review of Alberta's child welfare system and legislation. We viewed this document with a great deal of hope as it was an accurate interpretation of our comments, perceptions and concerns. His recommendations for significant change in practice, policy and service delivery were highly regarded by the Aboriginal community. The province's response was to ignore this report and in doing so government committed yet another disservice to Aboriginal people. We are now faced with another government document *Reshaping Child Welfare* and plans for restructuring the system that, to date, have had little or no input from front-line Aboriginal 'stakeholders.' This slight has created a deep and abiding distrust in AFSS's commitment to open and honest communication with First Nation's citizens and there is not much doubt as to whose interests will prevail. ✽

Carolyn Peacock and Debra Morin are band members of the Enoch Cree Nations and both serve on its child welfare committee.

Urban Natives forced to develop survival skills to cope with *racism*

Canada has improved greatly in its treatment of Natives, yet in many ways racism still prevails in subtle forms.

Personally I have encountered racism from outright name-calling such as when I was in my teens, growing up around the Lethbridge area, to today when I still find it hard to get good service in many places.

When I moved to Edmonton in 1969, my family had a difficult time finding accommodation. The landlords, in most cases, would say the house was already taken, but I knew they weren't telling the truth. Needless to say, most of our dwellings were sub-standard, but we made them home.

This hurt me, but I wasn't aware of human rights and I didn't have the power within myself to question or challenge people. I just accepted it as a way of life. Through the years I've learned the survival skills necessary for urban Natives.

In order to get good service from a bank or business I have to wear make-up and jewelry, and dress up in my Sunday best. I find wearing a long coat (black or leather) seems to have the best effect. There are many occasions when I just want to be like everyone else—just to be able to slip on an old pair of jeans, a sweater and sneakers and go to the bank or the local store and be treated with dignity instead of being treated as a second-class citizen. My crime is that I'm a visible Native woman. My skin is brown.

I have never been ashamed of my ancestry, nor will I ever be. My people have taught me to respect nature. I was raised in a small community in Northern Alberta where the elders treated me with respect. I was never judged by the color of my skin, but by my actions, and I was naive enough to think this is how everyone behaved.

Edmonton has many Native residents, yet I still hear remarks like "Why don't you go back to where you come from." Where do I go? Canada is the country of my birth. I have nowhere else to go. Such foolish and thoughtless remarks used to hurt me, but they amuse me now. I just consider that these people think they are above others because of the color of their skin. I feel sad because they haven't realized the beauty of learning about other nationalities who have contributed much to our multicultural society.

I have hope and still believe in equality, regardless of the many masks of racism.

Yes, I'm proud to be a Native Canadian. My children have been taught to be proud of their ancestry and hold on to their Native way of talking in a soft, respectful manner to elders of the community regardless of who they are. Yet, my family and I have adopted some mannerisms of mainstream society. We now stand up to injustice and are more assertive in having our needs met. This is survival in 1993 for me and my family.

I am a citizen of Edmonton, yet not quite accepted by some community members, not because I have undesirable behaviors or I am threatening, but because by skin is brown. ❖

Louise McRee worked with the Edmonton Social Planning Council as a research assistant for the Inner City Substance Abuse Project.

By Louise McRee



Racism and prejudice are a fact of life for Aboriginal people living in Edmonton and other Canadian cities.

photo by Jonathan Murphy

Anti-urban bias courting tragedy

By Jonathan
Murphy

It has been fashionable to be a populist ever since Jimmy Stewart starred in *Mr. Smith goes to Washington*. Now Mr. Manning has gone to Ottawa, it's more than fashionable, it's mandatory. The world is to be run by referenda, politicians recalled by petition, deficits outlawed, and leaders shall slavishly promote every whim of the common man, no matter how discriminatory, ill-considered, or foolish it may be.

The last provincial election saw Alberta's government turned over to the Mr. Smiths. Gone are the urban and urbane sophisticates of the Lougheed era. The populism of the new red-blooded czars demands that every rural prejudice about the cities be turned into official policy. Almost every day we read of a new twist in this anti-urban agenda:

- Provincial take over of hospital and school boards. Dianne Mirosh tells us the new regional hospital boards will not be fully elected because places like Edmonton would choose members of 'special interest groups'. City hospital budgets are being hit by cuts twice as deep as in the rest of the province.
- Wage reductions and layoffs in the public service. Planned rollbacks and layoffs will cost Edmonton thousands of jobs and millions of dollars in revenues. Half of the provincial public service is located in the city.
- Reduction and elimination of municipal transportation, police and social service grants. The LRT is stalled in a big hole at the university. The dramatic success of our community based police service is threatened by 20 per cent cutbacks. The network of preventive services like Meals on Wheels, birth control education, and inner city agencies will be sacrificed so the rural reeves can pave a few more miles of empty highway.
- Cuts to daycare and kindergarten. Three quarters of day care places are in Edmonton and Calgary. Day care subsidies have been slashed and kindergarten funding cut in half.
- Slashing of welfare rolls and rates. Forty per cent of welfare recipients are in the Edmonton region. One quarter of recipients have been cut off in the last year, while the rest have faced benefit cuts of up to 16 per cent.

Thirty years ago, urban guru Jane Jacobs pointed out

that cities have always been the engine of human civilization. Development of advanced means of production, refinement of religions and philosophy, and the growth of science and culture are all dependent upon the concentration of population.

Even in Alberta, the cities have been the springboard for the transfer of power to dynamic new elites. Peter Lougheed began his rise to power with breakthroughs in Edmonton and Calgary in 1967.

A quarter century later, the collapse of the oil economy and the failure of the elite to deal with the resulting fiscal crisis discredited the blue-eyed sheiks. The centre left was weak and divided, unable to take advantage of the collapse of the Tory coalition. The natural power relationship between city and country was reversed and die-hard rural populists were able to grasp political power in Alberta both federally and provincially.

Their anti-urban, anti-poor agenda springs from what John Kenneth Galbraith calls "the culture of contentment," a faith among the affluent that their own continued well-being ranks as the highest moral principle:

"The future for the contented majority is thought effectively within their personal command. Their anger is evident—and, indeed, can be strongly evident—only when there is a threat or possible threat to present well-being and future prospects—when government and the seemingly deserving intrude or threaten to intrude their needs or demands. This is especially so if their action suggests higher taxes."

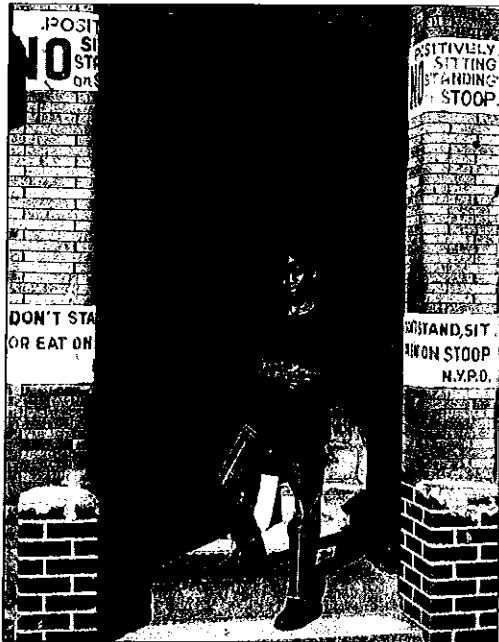
Out there on the peaceful bald prairie it must all make so much sense. But in the cities the populist, contented agenda means a continued erosion of civil society, a deepening of the gulf between rich and poor, and a threat to social order.

In the short term, it seems like the contented can do no wrong. When the white middle classes fled the American cities in droves starting in the 1950's, their new suburban homes formed the backdrop for second-rate sitcoms and smug commercials, an air of permanent affluence.

But left behind in the inner cities, the urban poor seethed with anger and rose up periodically in inchoate rage. Although we often conveniently pigeonhole these revolts as 'race riots', observer Charles Denby viewed the 1967 Detroit riot as essentially one of poor against rich:

"The Black ghetto...was torched, and there was a lot of looting. But it wasn't Blacks looting alone. They were joined by many whites..."

photo by Jonathan Murphy



Skin color is all that divides American from Canadian ghettos.

That pattern has been repeated countless times since 1967, in the United States and elsewhere. Even a casual television observer knows that many Hispanics and whites joined Blacks in the looting and burning during the 1992 Los Angeles riots. Rioters are not minorities who happen to be poor, but poor people who often happen to be minorities. The concentration of certain races in the urban ghettos simply deepens the sense of injustice and increases the chance of a collective uprising.

Just because we don't have a large African-American population doesn't mean that Winnipeg's north end, the downtown eastside in Vancouver, and northeast Edmonton are immune from social unrest.

In some Edmonton neighborhoods, the unemployment rate is already above 30 per cent. There are large housing projects in Abbottsfield, built only 20 years ago, where one-third of the homes have already been

condemned, and repairs are carried out by cannibalizing the discarded houses. There are 43,000 Edmonton children growing up in poverty. Teachers in several schools told city council last year that one-third or more of the children in their classes can't learn because they are hungry.

Most poverty indicators are based on 1991 census data. Since then, the screws have been tightened several more turns. Unemployment insurance eligibility was restricted and benefits reduced. Welfare rates were dropped and a quarter of recipients were cut from the rolls in the last half of 1993. The few new jobs created are part-time and badly paid.

As always, the tide of poverty and hopelessness hits hardest on those at the bottom of the pecking order. In Edmonton, the large, growing, and youthful Aboriginal population faces almost impenetrable barriers to success. Half of all Aboriginal families are poor. One-third of all Native families are headed by a single parent. The unemployment rate for Native people is double that for the whole population. At least one-third of inmates at local jails are Aboriginal. Half of all children apprehended by the government are Native. The list goes on, and on...

Native people are not the only ones hit extra hard by the anti-urban populist agenda. Recent immigrants, especially those from southeast Asia and Central America, came too late to share the oil wealth. They too face high unemployment, poor housing, and social problems.

Until now, the tattered safety net of social programs has made life half bearable for the Canadian underclass. Each fatuous cut to that safety net sows another seed which will one day grow into a bitter harvest of disorder.

Already, there are ample signs of the coming crisis. Agencies serving the poor neighborhoods of northeast Edmonton tell of numerous idle and not so idle threats against our political leaders. Guns are being used to resolve more and more disputes. Racial incidents in the schools have escalated in number and ferocity, spilling out of the school yards and onto the streets.

Maybe, just maybe, it's not too late to avoid the flames. People care about this city and want to preserve peace on its streets. Edmonton has the most socially conscious police leadership in North America. The interests of the poor and minorities are well reflected on our city council.

But all this will be lost unless someone can break through the selfish complacency of the populists who dominate Alberta. ❖

In search of the ideal Native justice system

What is the ideal Native justice system? We decided to ask this question of someone who has experience with the system—enough to know where the current system fails and how it could be improved.

By Anita Hunt

I never thought this article would have been so difficult to write, especially when it's something I feel so strongly about. 'Where to begin?' and 'does it really have an ending?' is something that every person (Native or not) should be asking themselves, so that we may be able to acknowledge the answers that are within each and every one of us.

The current justice system is presently failing the First Nations people by simply not understanding or listening to the words of our ancestors or those living today.

For centuries our people have been trying to educate the non-Natives in ways of our forefathers, so that they too may share in the circle of life.

For too long now, we the Aboriginal people have tried to live as you wanted us to. We dressed in your fashions and became caught up in the expensive trap of fads. We ate your foods and forgot how to hunt and give thanks for what the Creator provided us with. We went to your schools, forgetting to listen to the elders and what valuable lessons they could teach us. We attended your churches, only to forget that giving thanks and asking for strength, wisdom, and health, needed to happen in the places and ways he had given us.

We followed your written laws only to become those who could not live within such boundaries, as we were free before this. You never once asked how we as Aboriginal people could keep our families together in times of great trouble, whereas your families were falling apart because you did not know how to forgive and ask for strength. Everyone we knew had their own role to play within our community.

The people (who hold our freedom and lives in their hands) need to become culturally sensitive to Aboriginal needs and really begin to realize that most Aboriginals have a deep respect for their traditions and teachings—and that without

them, most of us would continue to be lost. Until they know exactly how this affects us and the great changes that can come about from our traditional way of life, they will never understand us. Whether we are talking about lawyers, judges, correctional officers, parole/probation officers, government bureaucrats, government agencies, or those in



We could all stand to gain from the knowledge of our elders.

photo by Jonathan Murphy

place to assist people with their problems, it is these people who need to be more culturally aware and share in this wonderful gift. Together we can make changes, if we would just allow each other the right to be who we are.

There are not many non-Natives who could live within the rigid structure of our unspoken hierarchy, thereby making it impossible for them to understand our ways. We don't require that one become Native to understand, just more aware of our cultural and social differences—just as you would do for someone from another country or with a different religion. People need to begin to give our elders the respect they so richly deserve

Continued on page 20—Native Justice

Post-Cawsey

...what's happened with all the recommendations

In March, 1991 *Justice on Trial, the Report of the Task Force on the Criminal Justice System and its Impact on the Indian and Metis People of Alberta* was tabled in the Alberta Legislature. Commonly referred to as the *Cawsey Report*, after the Task Force chairman Mr. Justice Allan Cawsey, the report was the culmination of an exhaustive look at how Aboriginal people, both Indian and Metis were being treated by the various components of the justice system. For years, Alberta's Aboriginal leaders had complained about the disproportionate numbers of Native people caught up in the system. An estimated 32 to 40 per cent of all inmate admissions to the province's correctional centres were Native offenders whereas Native people numbered less than five per cent of Alberta's total population.

With the tabling of the report of their findings, the task force offered 340 recommendations for improvements in the treatment of Indian and Metis people involved in the criminal justice system. Specifically, issues of policing, legal aid, the courts (judges, prosecutors and lawyers), corrections, Native Counselling Services of Alberta, women and youth and an ongoing process of consultation with the province's Aboriginal community were examined.

Although the government at the time did not formally respond to the task force recommendations, the report's conclusions have been widely adopted within the Department of Justice and the various criminal justice stakeholders in the community. Since March, 1991, extensive consultations have taken place in an effort to implement programs and alter policies and procedures to meet the report's objectives. To facilitate the task of coordinating the implementation of the recommendations for the Department of Justice, the office of the Coordinator, Aboriginal Justice Initiatives was created in June, 1993, with the appointment of Sylvia Novik as director.

Of Cree descent, Sylvia is widely known within criminal justice circles and Aboriginal communities throughout the province. She has had extensive experience as a former prison caseworker, child welfare administrator and advisor on Aboriginal issues to corrections senior managers. Sylvia has spearheaded the development of several unique and highly regarded programs for the Department of Justice that established partnership relationships with several Alberta Indian Bands and Metis groups for the delivery of corrections services to the province's Aboriginal communities.

Since being appointed director, Sylvia has worked with a departmental steering committee made up of assistant deputy ministers responsible for the department's Aboriginal justice initiatives arising from the *Cawsey Report*. Along with the steering committee, several working committees in key justice and corrections areas have also been established to examine the implications of the recommendations on justice practices throughout the province.

The major impact of the *Cawsey Report* has been to sensitize people who work within the criminal justice system to the issues, needs and concerns of the Aboriginal community. From Supreme Court Justices to correctional officers, the system has been pushed to examine new ways and methods of treating Native offenders. Borrowing heavily from the culture and traditions of Indian and Metis society, justice and corrections practices have gradually been changing. Within correctional centres for example, Elders are providing counselling and spiritual guidance to Native inmates. Sweat lodges and pow-wows are regular occurrences and staff are receiving cross-cultural training to better understand the needs of Native offenders. Where possible, Native staff have been hired and each of the province's largest correctional centres employs a Native program coordinator.

Major undertakings within the Department of Justice include the establishment of a wilderness camp for Metis offenders near Lac La Biche, Alberta. Entirely operated by a board of directors made up of representatives of the Metis

Compiled by the Aboriginal Justice Initiatives, a branch of Alberta Justice

Continued on page 18

Nation of Alberta and staffed by Metis correctional officers, the camp houses inmates who are employed in the construction of Lakeland Provincial Park under an arrangement with the Department of Environmental Protection.

Three community corrections societies are currently in operation. These include the Kainai Community Corrections Society, the Yellowhead Tribal Community Corrections Society and the Tsuu T'ina Nation/Stoney Corrections Society. In total, ten Indian bands are represented by these independent operations that provide probation, court worker and crime prevention services within the framework of the Native language(s) and the cultural traditions of each community. Additionally, the Kainai Community Corrections Society operates a 24-bed minimum security correctional facility on the Blood Reserve in southern Alberta.

Several Aboriginal policing programs have also gained impetus as a result of the *Cawsey Report* recommendations. The Blood Tribe Police Service, Louis Bull Police Service and the Siksika Nation Police Service are currently operating. Other initiatives include developmental planning for a police service for the nine bands representing the Lesser Slave Lake Indian Regional Council. Several Alberta Aboriginal communities have established RCMP satellite offices including Assumption, Wabasca and Fort Chipewyan. On-reserve satellite offices have been located on the Peigan Reserve, Saddle Lake Reserve, Calling Lake Reserve and the Fox Lake Reserve. An RCMP detachment was located at Hobbema in March 1992 which is staffed by 11 RCMP officers and six special constables employed by Hobbema Four Nations.

Through the office of the coordinator, the department is actively working on establishing a closer dialogue between the Chief Justice of the Provincial Court and the Province's Aboriginal leadership. The judiciary is also being assisted to address the training of judges in Aboriginal customs and spiritual practices. From within the court system the department has designated 15 crown prosecutors across the province as Native liaison crown prosecutors. The prosecutors will work to maintain a dialogue with local Aboriginal communities in order to become aware of the justice needs of the community.

The recent government announcement of budget reductions will undoubtedly affect the

development and implementation of programs to meet some of the task force objectives, especially those that will require the outlay of new funding. Large projects such as the construction of new facilities or the establishment of more community corrections societies are unlikely in the current economic environment. Until the present fiscal year, it has been possible for the department to introduce the type of innovative programs and initiatives

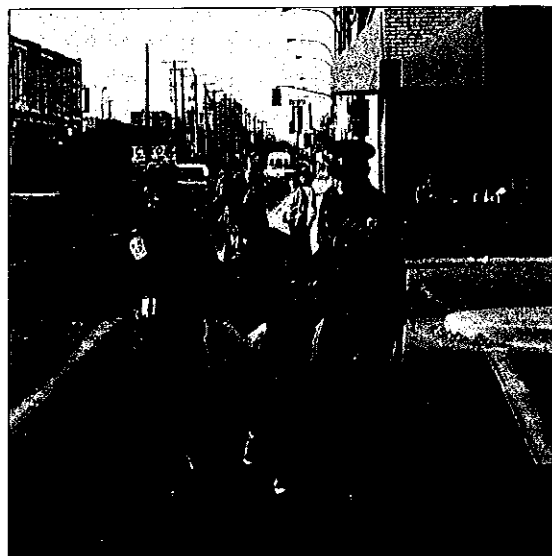


photo by Jonathan Murphy

Scenes like this are all too common in Canadian cities.

recommended in the report by re-allocating resources and restructuring existing programs.

In an attempt to continue to address Aboriginal justice needs within the current climate of restraint, the office of the coordinator has refocused its attention toward working on the formation of community based undertakings such as youth justice committees and elders sentencing panels. These type of initiatives have several advantages; they are low cost or no cost, they have the potential of diverting offenders out of the system through innovative sentences rather than incarceration, the Aboriginal community has a desire to participate in the panels and they address the spirit of the recommendations contained in the task force report by introducing community participation into the justice system. ❖

As the Royal Commission on Aboriginal Peoples moves into its last full year, activities are intensifying around the development of policies and recommendations for the final report due to be handed over to the federal government early in 1995.

With its wide-ranging 16-point mandate, the seven-person Commission and its staff must sift through some 60,000 pages of testimony from 120 community hearings, five round tables and 11 special consultations.

More than 350 research projects, including 85 community-based studies, have been organized bringing together the widest possible range of material in all of Canada.

The Commission was established in the fall of 1991 to take a fresh approach to the challenges facing the fragile relationship between Aboriginal peoples and Canada.

The commissioners, for the first time in Canadian history a majority are Aboriginal, have travelled from coast to coast listening to some 2,000 intervenors in 173 days of public hearings sharing the pain and problems of many remote settlements torn apart by violence and substance abuse.

They have also heard the bewilderment and sorrow of Inuit families relocated in the High Arctic by a government of which they knew little and understood less.

The Commission has published three reports on its public hearings, and another five on the urban, justice, health, economic and education round tables.

These reports of the public hearings have identified areas around which the massive mandate can be organized: a new relationship between Aboriginal and non-Aboriginal peoples in Canada; self-determination for Aboriginal peoples within Canada through self-government; economic self-sufficiency for Aboriginal people; and personal and collective healing for Aboriginal people and communities.

Many of these hearings were held in small communities, in schools, church basements and drafty community halls. Travel was sometimes difficult and uncertain because, early in its mandate, the Commission determined it would go, as much as possible to the Aboriginal peoples—Indian, Inuit and Metis—where they lived.

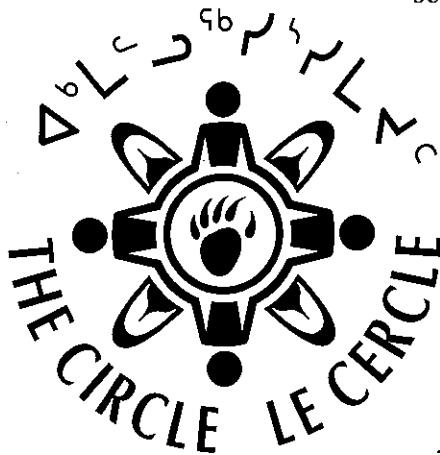
The Commission has published two important documents dealing with the inherent right of Aboriginal peoples to self-government. The first was a commentary on the right of self-government and the second, *Partners in Confederation: Aboriginal Peoples, Self-government and the Constitution*. These concluded that there are persuasive grounds for believing that the Canadian Constitution already includes, in Section 35(1), an inherent right of Aboriginal self-government.

This means that self-government could be implemented without re-opening the Constitutional debate. At a recent meeting in Toronto of federal, provincial and territorial ministers for Aboriginal affairs a consensus on the inherent right of self-government was achieved.

The commissioners presented the ministers with four principles—respect, recognition, reciprocity and responsibility—and seven guidelines for the negotiation and implementation of self-government:

- consent of Aboriginal peoples essential to the structure of any process;

By René
Dussault and
Georges
Erasmus



Continued on page 20—Royal Commission

- Aboriginal peoples will decide who negotiates for them—the structure of negotiations must follow the nation-to-nation character of relations;
- the parties must speak with a consistent voice;
- any dispute resolution mechanism must be managed by means agreed upon by all parties, such as a tribunal, mediation or arbitration;
- self-government should be achieved through negotiation and agreement rather than unilateral action;
- the federal government has prime responsibility for self-government negotiations, but ordinarily, provinces and territories should also be parties;
- self-government agreements should be protected under the Constitution by designating them Treaties.

In addition to its work on self-government, the Commission expects to release five interim reports beginning this spring on key issues it has discussed—family violence, suicides, extinguishment, justice and the High Arctic relocatees.

With the public phase of its work largely concluded, the seven commissioners and staff of the Royal Commission are now concentrating on pulling together policy options from among the wide variety of material from the public hearings, research projects and some 800 written submissions. These policy options covering every aspect of the mandate will be developed by staff and commissioners, tested with key Aboriginal and non-Aboriginal leaders and experts and further refined into the final report. From these policy options will come recommendations to the Government of Canada for its implementation.

The Commission's work is scheduled to be completed at the end of this year. After editing, translation, printing and government review, the final report will be released to the public in the spring of 1995. ✽

René Dussault and Georges Erasmus are co-chairs of the Royal Commission on Aboriginal Peoples. René Dussault is a judge of the Quebec Court of Appeal and Georges Erasmus is a Dene from the Northwest Territories.

just as you would for a doctor or a reverend. Until you begin to understand that our spelling of the word 'holistic' begins with a capital 'W,' changing the entire meaning, there will be no drastic changes in the current justice system nor will the rate of recidivism among the Aboriginal peoples decrease.

I ask that you come and join in our healing circles, take part in the ceremonies, sit with the elders and let them impart their wisdom to you. Find out exactly what we do in a 'sweat' so that your fears can be relieved. Maybe then we can put aside our negativity and begin this healing process together. This is my dream of what an ideal justice system would be. This is the only way I see change coming about. If we keep judging which way is best, or who has the better answer, we remain defeated in ourselves, but through a better understanding and knowledge of what we have to offer each other we can begin to make those differences.

Once you have begun to understand our Native traditions, you'll begin to see how we can help our brothers, sisters, and communities become whole, healthy and strong. This would empower each and every one of us with the ability to decide our fate within ourselves—a true step towards a healthier, safer, less dysfunctional society. ✽

Anita Hunt is a 36-year-old Aboriginal woman who works with Aboriginal offenders and their families at the First Nations Freedom Network.

Old question in a new light

By June Sheppard

"WHAT IS THE WORLD COMING TO?" has been a familiar query down through the years. In much earlier days when news travelled around the world slowly or not at all from distant places, that question tended to centre on changes in old traditions like the waltz being replaced by the Charleston, or women 'bobbing' their hair or the first automobiles replacing the horse and carriage.

I can still hear the angry, yet baffled, sputter from my grandmother at her first sight of girls riding bicycles clad in divided skirts which showed the leg above the ankle! "What is the world coming to?" she lamented!

Today, of course, the latest happenings in the farthest corners of the globe reach us almost too soon. And just seconds after we have heard or watched events and shudder at the obscenity of words like 'ethnic cleansing,' we're presented with a commercial for pizza!

WE ARE FREQUENTLY ALERTED to the fact that the stories or scenes coming up may 'disturb' us. The early February shelling of the marketplace in Sarajevo was considerably irrational. Here once again were weapons created by clever human minds and their purpose had not advanced beyond the club of caveman days except in the numbers they 'successfully' killed or maimed.

I found myself asking the silent, agonized question "What is the world coming to?"

As I watched small children clambering over bodies, hearing screams and moans, seeing parts of faces and limbs all around them, I thought of the number of times and in many parts of the world I have heard it pronounced that "our children are our greatest possession." Sarajevo that day was only one of many places where that declaration is torn to tatters.

The forced prostitution of youngsters in Thailand and other countries is not a new story, but it still goes on. We are horrified at the stories revealed on our own doorstep, but they too are not new.

A few weeks ago the American magazine *Newsweek* carried a cover story dealing with the growing fears affecting the lives of so many children. "When I grow up" has become "If I grow up" in a disturbing number of young minds.

Writing in my *Edmonton Journal* column a good 15 years ago, I expressed strong feelings that nothing but harm could come to children from the rapidly increasing amount of violence and terrorism carried on television and in movies. I remember receiving mail from 'experts' in child psychology informing me that I underestimated the ability of children to distinguish between "just a story" and "reality."

Moreover, I was told there was substantial evidence to show that seeing violence on a screen could act as a form of "catharsis" releasing some of a child's own hidden violent tendencies harmlessly.

I didn't believe that then and still don't.

It must not be forgotten that there are many dedicated people working tirelessly today, both at home and in distant countries, trying to bring hope and create productive work to alleviate poverty—trying to make the tragedy of racism more widely understood.

ANOTHER GREAT NEED wherever there are children is acceptance that their exploitation is a crime which cannot be tolerated. We need a world where women inevitably move to their rightful place as equals in all the world's decision-making.

And finally, if this question about what our world is coming to can bring forth an optimistic answer, the design and use of weapons to settle differences must be recognized honestly as "the heart of darkness" that has lingered on too long from the far distant past of males. ❄



Opening universities to Aboriginal students

By Jason Brown

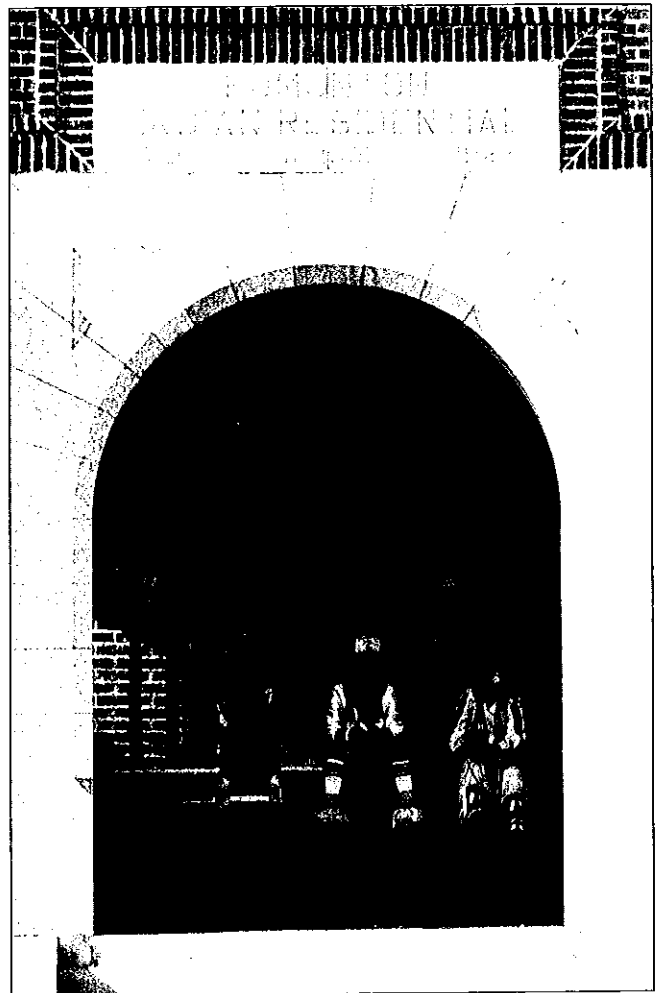
"Aboriginal self-government is becoming more of a reality, and now is the time for Native people to get post-secondary education in order to be in a better position to assist their communities in this process," said Don Shade, transition year program coordinator, Native Student Services (NSS), at the University of Alberta.

The University of Alberta is one of several Canadian universities which offer services to Aboriginal students who have completed high school. The office of Native Student Services was established in 1975 and the Transition Year Program (TYP) began in 1984. TYP offers students an opportunity to earn first year credits toward entrance into several faculties provided they meet the following admission requirements: Aboriginal status; 18 years of age; a minimum grade of 50 per cent in all required high school subjects; a minimum overall average of 60 per cent. Subsequent entrance into specific faculties is granted, provided that, there is allotted space for TYP students in the faculty of choice and the applicant has the required cumulative grade point average for admission into the chosen faculty.

Native Student Services also provides individual tutoring, study skills programs, academic advising, and individual counselling to Aboriginal students, as well as acting as a liaison between students, professors and administration.

The goals of Aboriginal student policy adopted four years ago by the University of Alberta include: "to provide a university environment which will encourage full access, participation, and success for all Aboriginal students; to enrich all aspects of the intellectual and cultural life of the University through increased participation of Aboriginal students." According to Larry Gauthier, student services officer of NSS, "With the approval of Aboriginal student policy in 1990 the University of Alberta has the best, or close to the best Aboriginal student policy in Canada."

James Dempsey, director of the School of Native Studies at the University of Alberta, noted that "The University of Alberta has recognized an increase in Native student enrolment and has set as its goal a five per cent enrolment target for the university population in order to closer represent the proportionate Aboriginal population in society."



Residential schools have played a painful part in the history of Aboriginal people across Canada.

photo by Jonathan Murphy

The total number of Aboriginal students enrolled in the University of Alberta for the 1993-94 academic year is 454, an increase of over 200 (79 per cent) from last year, according to Larry Gauthier. However, Aboriginal students still represent only 1.7 per cent of the total student population which is approximately 26,383.

There are many Aboriginal students who don't meet the admission criteria for universities. For them, the opportunity to get a post secondary education is restricted. The Federal Department of Indian and Northern Affairs Canada has historically offered very limited, if any, opportunities for primary and secondary education. Gino Restivo, coordinator for university transfer for the Yellowhead Tribal Council (YTC) is concerned about the accessibility of university programs to some of the individuals within the bands represented by the YTC. "A few years ago, a common profile of an individual who wanted to access the university system could be a single mother with a grade eight education and five children. This is why the Council has instituted a system which provides university and college entrance programs, and brings college and university programs to the Council offices in Spruce Grove in order to make the programs more accessible and also culturally sensitive." The university system simply does not accommodate a student fitting such a profile.

Funding for post secondary education brings with it several issues for Aboriginal students. "There is a perception that Aboriginal students get their university education for free. However, only Status students have federally allocated funds. These funds for post secondary education are limited and a priority system is in place. Consequently, some students for whom education is a treaty right are denied funding. The funds for education in no way compare to the revenue that the federal government has received and continues to receive from resource extraction on First Nations lands," said Cathy Sewell, president of the Aboriginal Student Council at the University of Alberta. She adds that "Metis and non-Status students access the same funding sources as non-Aboriginal students."

Access to the university system means very little without retention: "Getting people in is much easier than keeping them in," said Donald Vanderrick of the Native Studies Students Association. "It is necessary to have supports for people to get accustomed to the surroundings

and to cope with an often culturally insensitive system, and these supports are not well known to people outside of the university setting."

Students run up against this insensitivity occasionally from other students, faculty, and in textbooks. Sewell points out that, "often there is no acknowledgment of Aboriginal peoples' world views, or if there is, those world views are interpreted through the dominant society's perspective. This is a real disservice to all concerned, both Aboriginals and non-Aboriginals."

"It's hard to take when you're sitting in classrooms where textbooks, lectures, and professors are insensitive to Aboriginal culture. It's like you're defending your culture all the time. Many students don't feel as though they can contradict profs and some would just leave," said Gauthier who adds, "That shouldn't happen at an intellectual institution."

"Some courses are on the verge of being racist. I was in attendance in a course where Native spirituality was to be discussed and what it turned out to be was a discussion of a Eurocentric view of Native spirituality. During this course the professor invited a guest speaker in, who proceeded to talk about all of the positive work the prairie residential schools did for the Native people. Questions asked by students about the negative practices of these schools were downplayed by the presenter, and several students got up and left," said Donald Vanderrick. The University of Alberta motto "Quaecumque Vera (which means 'Whatever things are true') should not be restricted to a Eurocentric view."

One way to increase cultural awareness and sensitivity on the University of Alberta campus are the Native Awareness Days, scheduled for March 16 to 18, 1994. *

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The Edmonton Social Planning Council
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United Way
Alberta Capital Region

Movement to cultural sensitivity

...post-secondary education makes an effort

By Bill
Burrows

In Edmonton and Northern Alberta, a number of Aboriginal communities and groups have started to take control of their post-secondary education needs. The Yellowhead Tribal Council (YTC), the Metis Nation of Alberta, as well as several Aboriginal communities have taken a role in providing culturally sensitive college level courses and programs in and for their communities.

When the YTC, in 1986, took over the administration of child welfare services from the province, hiring trained people from the communities that YTC represents became extremely

operated out of YTC's offices. Presently, YTC is at a crossroads with respect to post-secondary education. Their education department can grow and reach the status of a diploma or a degree granting institution or they can remain in relatively the same position that they are now in. The availability of funding and the will of the communities involved will determine which route the Council takes.

"Are we going to remain a back door institution for the five bands, or are we going to, basically, grow and become an Aboriginal resource for all of western Canada...We've become too big, and yet, not big enough," said Gino Restivo, coordinator for university transfer.

photo by Jonathan Murphy



Making post-secondary education more reflective of Aboriginal culture is the beginning of a long process to correct many years of injustice.

important. In 1986, they started offering Grant MacEwan Community College's (GMCC) two-year social work program out of their offices in Spruce Grove. Since then, an Aboriginal university and college entrance program, a two-year business management program, a two-year university transfer program, a community health administration program, and the University of Calgary's bachelor of social work program have

Restivo also said YTC has plans to incorporate as a college in the future. They would like to be an Aboriginal western college. "We are going to try and introduce a private members bill into the legislature which will give us full status as a college. Then we can offer our own programs...but that is more long-term and we have to have the support [of the communities]."

Since 1977, the communities of Hobbema, Ft. McLeod, Fort Smith, Slave Lake, Blue Quills, Grouard, High Level, and Onion Lake have, at one time or another, offered part or all of the GMCC's two-year social work program. The Yellowhead Tribal Council, the Yukon government, the Nechi Institute, and the Northlands School Division have also offered part or all of the social work program to Aboriginal students. Currently, outreach programs are operating at Slave Lake, High Level, Grouard, and the YTC.

When an Aboriginal community offers a GMCC outreach program, the program is altered to reflect the cultural realities of the community. The curriculum and the academic standards are the same as they are for any other student at the Edmonton campus, but the emphasis is on the unique needs of the Aboriginal student. Kay Feehan, the chair of GMCC's Social Work Program, details how Native material was incorporated into the outreach programs in the book *From Strength to Strength*. This material includes specific Native content provided by Native people, the inclusion of Native ceremonies, teaching methodologies that emphasize experiential learning (hands-on learning), the revision of all courses to reflect Native content, the enhancement of instructor sensitivity to cultural aspects, and the support of traditional Native spirituality.

The Metis Nation of Alberta is currently developing an entry level program for family support and youth support workers. The program, the first of its kind in Canada, is being designed to be culturally sensitive and address the unique needs of Metis people. The program curriculum will also meet the accreditation requirements of the provincial government, so that courses will be transferable to colleges and universities. There is a hope that Metis students who go through this program will complete other college and university programs and then eventually return to their communities to pursue work in their chosen fields.

"Our long-term goal is for those people (Metis Students) to get a taste of what it's like to get that kind of education, and if they want to go on to further schooling then that's just great. Part of the plan is that some of these people who are very well schooled already; [who] have a lot of life experience and a lot of knowledge, will turn and go back to work in their communities, much like I did...there is always a kind of calling to come back and work in your own community," said Fred Anderson, social service sector advisor for the Metis Nation.

In a foreword to Geoffrey York's book "The Dispossessed," Tomson Highway,

an Aboriginal playwright and director, shares his experience of post-secondary education:

"...I am now, like many Indians of my generation, able to go back to help my people—equipped this time, with the wisdom of Homer and Faulkner and Shakespeare and Bach and Beethoven and Rembrandt and McLuhan and many other thinkers, artists, and philosophers of the white world, but equipped, as well, with the wisdom and the vision of Big Bear and Black Elk and Chief Seattle and Tom Fiddler and Joe Highway and the medicine people, the visionaries of my ancestry—and the Cree language in all its power and beauty."

Post-secondary education in Aboriginal communities is a crucial component in the quest for Aboriginal self-government. As Aboriginal groups, organizations, agencies and communities take over the role of administering their own education, social services, housing, employment, local government, and other aspects of Aboriginal life, the need for educated and qualified people with a personal and cultural stake in their community will increase immensely.

With the development and growth of post-secondary education that is accessible and culturally sensitive, Aboriginal people are starting to break down the barriers that have restricted their access to college and university education. Key positions in Aboriginal communities must be filled by members of those communities; the people who have the most to gain and the most to lose. ✽

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Did You Know...

It is actually cheaper for us to print this newsletter on glossy paper than the non-gloss stock we used previously. It may look like we're spending more money to produce this magazine, but we are essentially doing more with less—hoping to make it more appealing to the eye. We hope the new format appeals to you. By the way, this paper is also made of 50 per cent recycled material, 15 per cent of which is post consumer waste. It is easily recycled again and paper companies all over Canada are routinely doing so.

Bill C-31: An Historical Overview of the Amendments to the Indian Act

By James
Dempsey

In June 1985, the Canadian Parliament passed a series of amendments to the Indian Act which has become popularly known as Bill C-31. The bill was designed to bring the Indian Act into accord with the provisions of the Canadian Charter of Rights and Freedoms. According to the government:

"Bill C-31 removed sex discrimination clauses from the Indian Act and abolished the concept of enfranchisement. Bill C-31 also provided for the restoration of Indian status and band membership to individuals who had lost them as a result of the discriminatory clauses. Bill C-31 allowed for their children to be recognized as status Indians. In addition, Bill C-31 enabled bands to determine their own membership rules and thus take an important step toward self-government."

The initial purpose of the bill was two-fold; firstly to re-instate those Indians who had lost their 'Indian Status' as defined by the Indian Act because they had been enfranchised, and secondly, to allow each reserve in Canada to formulate its own band membership code. As a result persons who lost or were denied status because of discriminatory sections in the previous Act became eligible to apply for registration and if approved by the government would be re-instated on their respective Band Lists. Specifically these people are:

- women who lost status through marriage to a non-status person;
- individuals who lost or were denied status through other discriminatory clauses in the Indian Act;
- individuals who lost status through enfranchisement;
- children of persons in any of the above categories.

The second aspect of the bill was to allow bands to create their own membership rules which would define who was and who was not a band member. Once completed, the Department of Indian Affairs would turn over its band list to the band in question, ending over 100 years of government definition and control of band membership.

Native reaction to the government's policy has been anything but one of unqualified acceptance and has resulted in much misunderstanding and bitterness on the part of Indians and many bands. In fact the number of bands that have submitted their membership rules or accepted those who were re-instated varies from province to province. To add to the confusion, three Alberta bands have been involved in a court case to have Bill C-31 declared null and

void because they believe the bill overrides their aboriginal rights. This action puts the whole process virtually on hold until the case is decided. Why has a controversy arose from what initially appeared to be a straight forward action by the government to correct a historic injustice?



photo by Jonathan Murphy

Bill C-31 most often affects status Indian women who have married non-status men.

Historical Background

The Canadian government's policy towards Indians has been one of protection, civilization and assimilation. This meant protection of Indians from the negative influences of Canadian society; while being protected, Indians would be educated in the values and ways of Canadian society; once deemed suitable for citizenship, Indians would be assimilated into Canadian society. This process was known as enfranchisement which meant that an Indian was legally a ward of the government (a status Indian as defined in the Indian Act) until 'civilized' at which time they would be given all of the benefits of citizenship and be removed from the restrictions of the Indian Act and become a non-status Indian (enfranchised).

Over the years the voluntary enfranchisement policy had not been successful, therefore, the government introduced a number of ways involuntary enfranchisement could achieve the same result. The Indians affected by these policies are the ones Bill C-31 was designed to re-instate. Most notable of this group was Indian women who had been removed from

government band lists upon marriage to a person who did not have status. The section of the Indian Act pertaining to women had been introduced in 1869 and had its origin in the British legal system where women were not perceived to be persons as defined by the law because they could not own land. This section of the Act was imposed on Indians even though many tribes in eastern Canada and British Columbia traced ownership of family property through females rather than males. It also was believed in 1869 that women once married became a part of their husband's culture, therefore, it was expected Native women would join the dominant culture and not need the protection of the Indian Act.

The years 1920 to 1922 created another large group of individuals who were involuntarily enfranchised. During this period the Superintendent General (Minister of Indian Affairs) was given the power to declare "any Indian, male or female, over the age of 21 fit for enfranchisement. In addition, some Indians who served with Canada in the two World Wars or received university degrees were enfranchised.

Legal challenges to these discriminatory sections of the Indian Act were launched in the 1970s and though defeated, they did establish that the federal government would have to deal with the issue. With the passing of the Canadian Constitution in 1982, Section 3, Part 3 (C) of the Indian Act came into direct conflict with the provisions in the Charter of Rights and Freedoms which prohibited discrimination based on sex.

During the 1984 federal election, the Conservative party made a promise that if elected, the controversial section would be amended. In early 1985, after being elected, the Conservatives presented their amendment to parliament; the Bill was introduced and went through the required three readings in just three months. This effectively prevented any organized protests by bands or Indian organizations.

Native reactions to the bill centered on the perception that the government was defining Indian status without consulting Natives. On the other hand, the government believed it was returning that right to Natives in the form of band membership codes and at the same time correcting the involuntary removal of status

from native women and men. Many bands were also concerned that reinstated individuals would return to the already overcrowded reserves, a fear that has not materialized. Most of the individuals affected by Bill C-31 just want what had been taken from them.

The Controversy Today

Depending on the outcome of the legal challenge, Bill C-31 could be declared unconstitutional or within the jurisdiction of the federal government. If the former occurs then the government would have to return to the drawing board, however, if Bill C-31 is held to be legal then bands would have to create a membership code and accept those individuals who were at one time band members.

It should be pointed out that some bands have created a membership code. However, it is important to understand that under Bill C-31 band membership and status are not always the same. A band code, for example, could accept a former band member, their non-band member spouse and children as band members, however, the federal government would not recognize the spouse as status because under the bill no person can gain or lose status through marriage. The government would recognize the children since the provisions of the bill extend to the first generation. Another scenario could see a band accept the former band member but not the spouse or children. In this case the children would have status but not band membership. To address this possibility a general list has been created by the government which includes all Bill C-31 Indians who have not been accepted onto a band list.

The onus of providing proof that one is entitled to be re-instated lies with the individual and if they or their ancestors were involuntarily enfranchised prior to 1951 they may discover that providing the evidence will prove to be difficult. The Department of Indian Affairs did not maintain efficient records until 1951. An even more difficult case arises for those who were adopted by non-status parents or were in foster care since provincial records can be hard to obtain. As of December 1993 there were 170,000 applications of which 113,000 have been accepted by the government. These figures show that the government grossly underestimated the number of applications, which they believed would total 60,000.

Bill C-31 has truly had an effect on Canada's Indians by polarizing them in favor or against the amendment and this split has placed many Indians in 'limbo' until the court challenge establishes a final decision. *

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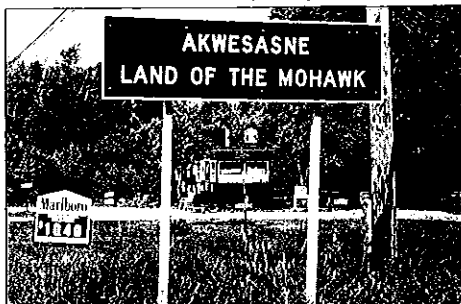
A taxing issue

By Dennis
Callihoo

The tax exemption for 'Indians' in Canada is a topic that generates heated debate on the justification, merits or basis for any tax exemption in our heavily taxed Canadian society. First Nations assert the basis for the tax exception lies in their historical status as independent, self governing and sovereign Nations.

The legal basis for the tax exemption is found in section 87 of the Indian Act, which states that "the personal property of an Indian or Band situated on reserve" is exempt from tax. Personal property has been interpreted by the courts to include personal income. The first criteria in determining tax exempt status is whether or not an individual is an 'Indian' as defined in the Indian Act. Therefore, Aboriginal peoples whom are not registered Indians under the Indian Act such as Metis and non-status Indians are not eligible for tax exempt status.

photo by Jonathan Murphy



Taxation is proving to be a sensitive issue of late.

Secondly, section 87 has been recently interpreted by the Supreme Court of Canada to mean that a connecting factors test be applied in determining tax exemption. In the context of unemployment insurance (U.I.) benefits, the factors include the location of the head office of the employer,

the residence of the employee, the place where the work was performed and the place where the wages were paid. If the income is found to be connected to the reserve for all factors, the U.I. benefits paid to a registered Indian would be exempt from income tax. If all factors can connect to the reserve, the employment income will be tax exempt and the less connection to the reserve, the less likely the income will be tax exempt.

Since the decision, Revenue Canada has set out guidelines on their interpretation of the connecting factors test which arguably denies tax exemption which had been allowed under an earlier Supreme

Court of Canada decision. That case essentially stated that employment income from an employer based on a reserve is tax exempt notwithstanding if the employee worked on or off reserve. Essentially, the proposed guidelines of Revenue Canada place emphasis on the factors as outlined above. This is arguably inappropriate as the second case was decided in the context of unemployment insurance benefits, not employment income. However, at the present time the implementation of Revenue Canada's guidelines have been delayed until 1995 for further review and consultation.

The above rules for tax exemption are generally applicable to all other areas of taxation including pension and retiring benefits, training allowances, provincial sales tax, the GST, and other federal taxes. At present however, custom duties are payable by Indians.

As one can see, the tax exemption can apply to a wide range of areas. However, it must be remembered that only one segment of the Aboriginal peoples of Canada benefit from section 87 of the Indian Act. From this segment, a relatively small proportion in relation to the labor market of Canada are employed and in a position to capture the income tax exemption (e.g. sufficiently connected to a reserve). Also, First Nations argue that First Nation communities have benefited little from the economic development or resource extraction occurring on their traditional homelands, with the exception of a few. Arguably, the opportunities, land and wealth lost at the least represents an equitable trade off. ❖

Dennis Callihoo is a Native lawyer with a general practice serving Aboriginal clients. He is a member and a director of the Indigenous Bar Association, an association of Indigenous lawyers.