

Hearing Indigenous Voices 1:

“Where common memory is lacking, where people do not share in the same past, there can be no real community. Where community is to be formed, common memory must be created.”

—*George Erasmus, Dene Nation, co-chair of the Royal Commission on Aboriginal Peoples*

Hearing Indigenous Voices 1

Hearing Indigenous Voices 2:

"Tell the King very hard we want something for our Indians, because they take our land and our game."

—*Chief Jim Boss, Yukon, letter to the Superintendent General of Indian Affairs, 1902*

Hearing Indigenous Voices 2

Hearing Indigenous Voices 3:

“All Yukon belong to my papas. All Klondike belong my people. Country now all mine. Long time all mine. Hills all mine; caribou all mine; moose all mine; rabbits all mine; gold all mine. White man come and take all my gold. Take millions, take more hundreds fifty millions, and blow ‘em in Seattle. Now Moosehide Injun want Christmas. Game is gone. White man kills all moose and caribou near Dawson, which is owned by Moosehide. Injun everywhere have own hunting grounds. Moosehides hunt up Klondike, up Sixtymile, up Twentymile, but game is all gone. White man kill all.”

—*Chief Isaac in Dawson Daily News, 15 Dec. 1911.*

Hearing Indigenous Voices 3

Hearing Indigenous Voices 4:

“First Nations are nations. First Nations (treaty people) signed over 300 treaties with the Europeans during the 1700s and 1800s. The treaties agreed to share the lands and resources with the immigrants. ... Under existing legislation, treaty people are “sovereign” nations. ... The Indians surrendered over 9.9 million square kilometres of their land to the immigrants. Today, the sons of the immigrants have the largest treaty rights in Canada. The Indians have become the poorest peoples in Canada.”

—*Chief Pascall Bighetty, Pukatawagan First Nation*

Hearing Indigenous Voices 4

Scroll 1: Terra Nullius (TER-ah NOO-lee-us)

The notion of Terra Nullius, which in Latin means “empty land”, gave a colonial nation the right to take any territory encountered by explorers. These were the hunting and trapping lands of Indigenous peoples.

If the land was declared “empty” by the settler government it was considered subject to the Doctrine of Discovery and could be claimed by the European explorers.

Over time, this concept was conveniently expanded to include lands not occupied by, quote, “civilized” peoples, end quote, or lands not being put to “civilized” use.

Scroll 1: Terra Nullius

Scroll 2: Today's Reality

The Doctrine of Discovery is based on a colonial mentality. It is also the legal basis for Canada's existence. Today, it continues to oppress Indigenous peoples through laws that do not recognize our right to govern ourselves. This has a negative impact on our identities, languages and cultures. It also forces us - not the settlers- to prove title to the land.

Scroll 2: Today's Reality

Scroll 3: The British North America (BNA) Act

The BNA Act, also known as the Constitution Act of 1867, put “Indians and Lands reserved for Indians” under the control of the federal government.

This Act provided Sir John A. MacDonalD the power to, quote, “do away with the tribal system and assimilate the Indian people in all respects with the inhabitants of the Dominion”, end quote.

The act spelled out how Indigenous people were put, quote, “under the protection” of the Crown, end quote, and emphasized the government’s central priorities of, quote, “assimilation, enfranchisement, and civilization,” end quote.

In 1939, the Supreme Court of Canada ruled that the Inuit were considered, quote “Indians” under the Constitution Act of 1867.

Scroll 3: The British North America (BNA) Act

Scroll 4: Today's Reality

Assimilation is still a goal for the government and even for wider Canadian society. Many Canadians don't realize this, but when you say that we, the original peoples, should just "join Canadian society and be like everyone else", you're describing assimilation.

In April 2016, Metis and non-status Indians were determined, by the Supreme Court of Canada, to be, quote, "Indians" under section 91(24) of the Constitution Act, establishing a constitutional responsibility of the federal government for these Indigenous people.

Scroll 4: Today's Reality

Scroll 5: The Indian Act

All laws governing “Indians” were first put together in the Indian Act in 1876. It is still in force today and was last updated in 2014. The Indian Act created reserves that are a tiny fraction of our original territories, and denied First Nations people the basic rights that most Canadians take for granted. For example, under the Indian Act First Nations people were not allowed to vote until 1960.

Scroll 5: The Indian Act

Scroll 6: The Indian Act continued

Through the Indian Act, the Department of Indian Affairs took complete control over our economic, social and political affairs. Our cultures were the last barrier to colonization and they were targeted by this act. Hunting and fishing were restricted. Ceremonies like the potlatch, sun dance and pow-wow were and are vital aspects of life for many First Nations. These were outlawed. This was the case until the 1950s.

The federal government took control of deciding who was and was not an "Indian". This is still the reality today. Indigenous women who married non-Indigenous men or men without Indian status lost their own Indian status. We went from being independent First Nations with our own governments to impoverished "bands". As individuals, we became, quote, "wards of the state".

Scroll 6: The Indian Act continued

Scroll 7: Today's Reality

The *Indian Act* continues to give the federal government the power to control many parts of our lives. For example, under the Indian Act the federal government can do away with the traditional government of a First Nation and impose Indian Act band council elections. And at any time the government can simply place our councils under the direct control of financial managers that they choose - and then charge us for it.

Scroll 7: Today's Reality

Scroll 8: Enfranchisement (en-fran-CHIZE-ment)

Under this federal policy, all First Nations and Inuit people who became doctors, lawyers, or who entered other professions would be granted “enfranchisement”. This meant we were forced to give up our legal Indian status. In other words, the government would “reclassify” Indigenous people who were entering professions as Canadians.

Since forced “enfranchisement” included lawyers, it effectively prevented land rights cases from reaching the courts during the first half of the 1900s. It also meant that “enfranchised” people could no longer receive treaty benefits. This policy ended in the 1950’s, after decades of resistance.

Scroll 8: Enfranchisement

Scroll 9: Assimilation (ass-im-i-LAY-shun)

Over a hundred years ago it was widely assumed that the so-called “Indian problem” would soon solve itself as Indigenous people died from diseases and the survivors were absorbed into the larger society. As Indian Affairs deputy superintendent Duncan Campbell Scott stated, the government’s goal was, quote “to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and that there is no Indian problem and no Indian Department”, end quote.

Scroll 9: Assimilation

Scroll 10: Residential Schools

From 1820 to the 1970s, the federal government removed us - First Nations, Inuit and Métis children – from our homes, our families and communities and placed us in church-run boarding schools. Our parents could be fined, jailed, or more if they refused to send us to Indian Residential School. These schools were often far from our families and communities. Lower Post Roman Catholic Indian Residential School and the Anglican Carcross Indian Residential School (formerly called Chooutla) in Yukon were two such schools. In most cases, we were not allowed to speak our own languages and were punished if we did. Most of us stayed at the school for 8-10 months a year, while some stayed all year, for many years.

Scroll 10: Residential Schools

Scroll 11: The 60s scoop

Even as the residential schools were beginning to close, thousands of Aboriginal children were taken from their families by government officials, during the 1960s to 1990s, often without any explanation to the parents. The “60s scoop” resulted from the belief that aboriginal parents were incapable of raising their own children. After removing the children from their families and communities, they were placed in foster homes or adopted by mostly non-aboriginal families in Canada, the United States and around the world. Many of these children, now adults, struggle with identity, belonging and loss.

On February 14, 2017, an Ontario Court Judge ruled in favour of the survivors in a class-action lawsuit linked to the Sixties scoop. The ruling acknowledges that Canada failed to take reasonable steps to prevent children from losing their connection to their language, culture and Identity. While this ruling is specific to children apprehended from families in Ontario, it is precedent setting for all the other provinces and territories.

(Monique Gray Smith, Speaking our Truth 2017)

Scroll 11: The 60s scoop

Scroll 12: Today's reality

One goal of residential schools was to wipe out Indigenous languages. In northwestern Canada, an area of vast linguistic diversity, the effects of residential schools on Indigenous languages were particularly devastating. Today, every one of the Indigenous languages spoken in the Pacific Northwest is critically endangered, and the eight First Nations languages spoken in the Yukon are by far the most threatened in northern Canada (*Statistics Canada 2011*).

The federal government will introduce an act to protect and revitalize indigenous languages across Canada, Prime Minister Justin Trudeau shared in December 2016.

On the United Nations Declarations on the Rights of Indigenous People (UNDRIP), Trudeau said Ottawa is implementing the document in “full partnership and consultation with indigenous peoples.”

Federally funded schools on reserve currently get on average \$2,000-\$3,000 less per student, per year, than schools off reserve. This makes it extremely difficult to address the issue of language loss caused by residential schools. (*Caledon Institute 2008*)

Scroll 12: Today's reality

Scroll 13: Today's reality continued

One way the Canadian government pressures us to leave our lands and assimilate is by failing to provide enough funds for basic services:

- Over half the drinking water systems on reserve pose a significant risk to human health. (*Office of the Auditor General 2011*)
- There are 85,000 new housing units needed on reserve and 60% of existing houses are in need of repair. (*Assembly of First Nations 2012*)
- Many communities have inadequate access to health care. This contributes to situations such as rates of TB among the Inuit that are 284 times higher than for Canadian-born non-Indigenous people. (*National Aboriginal Health Organization 2012*)

Scroll 13: Today's reality continued

Scroll 14: "White Paper" and First Nations Land Claims

The "*White Paper*" in 1969 was the Trudeau government's attempt to solve the "Indian problem" by doing away with the Indian Act and assimilating Indigenous peoples into Euro-Canadian society. We saw this as a termination of our rights and organized to defeat it. Out of this came the National Indian Brotherhood – now the Assembly of First Nations – as well as the Yukon Native Brotherhood, the Yukon Association of Non-status Indians and other Indigenous rights organizations.

It was an historic day for our people in the Yukon when in February 1973, representatives of the Yukon Native Brotherhood went to Ottawa to present their Yukon land claim. Led by Chief Elijah Smith, they delivered a document called 'Together Today for Our Children Tomorrow' to Prime Minister Pierre Trudeau. The meeting is often heralded as the turning point for settlements of aboriginal rights in Canada.

Later that year, the Yukon Native Brotherhood and the Yukon Association of Non-Status Indians joined forces to form the Council for Yukon Indians to further the land claim process that had just begun.

Scroll 14: "White Paper" and First Nations Land Claims

Scroll 15: Women.

In many Indigenous traditions, women are the carriers of culture and tradition. By targeting women, you target the heart of the nation. Indigenous women have been targeted through federal legislation and policies that try to wear down our communities and in so doing, make it easier to take our lands. And in wider society, everyday racism causes wounds that are both visible and invisible.

Residential schools have left a legacy of violence that contributes directly to abuse, especially abuse directed at women and children. A few examples include:

- Indigenous women are at least three times as likely to experience violence as non-Indigenous women in Canada. (Statistics Canada 2009)
- Almost 1200 Indigenous women (41 from Yukon) have gone missing or have been murdered since the 1970s, and these are only the cases that have been documented. The real number is certainly much higher.

Scroll 15: Women

Scroll 16: Broken promises

Over the years, more than two-thirds of the land set aside for treaties has been lost or stolen. It has been taken through fraud, mismanagement, and threats. It has been taken for development like roads or rail lines, or seized for military purposes. Rarely has the government replaced this land, or given us anything in return for its use.

At the same time, large companies set up shop in our territories, reap huge profits from natural resources and often pollute the land and waters. Too often they do this without respecting Indigenous or treaty rights, and without benefits flowing to our communities.

Scroll 16: Broken promises

Scroll 17: Today's Reality

A major cause of poverty in our communities is that almost none of the profits from resource extraction on our lands flow to our communities.

A child living on reserve is eight times more likely to be in the care of social services than a child living off reserve. (Office of the Auditor General 2008).

Often First Nations children enter care due to poverty; we as their parents are unable to provide them with the necessities of life. (Standing Committee on the Status of Women 2011)

Scroll 17: Today's Reality

Scroll 18: Extinguishing Rights

Canada's current extinguishment policy forces us to surrender our title and rights to the vast majority of our lands. In return, we get a settlement that limits our rights and gives us access to only a tiny fraction of our traditional territories. Canada has been criticized by national and international human rights experts for this policy, which basically requires us to agree to never assert our rights.

Scroll 18: Extinguishing Rights

Hearing Indigenous Voices Scroll 5:

“To us the answer is not about incremental change, it is not about just concrete action: it is also repairing the relationship. And the way to repair the relationship between us and Canada is to have this country acknowledge that its richness and its wealth come from their one-sided interpretation of the treaties. There has to be henceforth a double understanding of what those treaties represent.”

—*Ovide Mercredi, Former National Chief of the Assembly of First Nations, at the Crown-First Nations Gathering 2012*

Hearing Indigenous Voices Scroll 5

Scroll 19: Today's Reality

Treaties affirm our right to govern our territories. They are part of our right to self-determination. When the Government of Canada and Canadians do not respect Indigenous peoples' right to self-determination, one result is a feeling of hopelessness, especially among our youth.

Suicide rates amongst Indigenous youth are on average six times higher than they are amongst other youth in Canada, and eleven times higher for Inuit youth. (Health Canada)

Scroll 19: Today's Reality

Scroll 20: The United Nations Declaration on the Rights of Indigenous Peoples

The *Declaration* was a response by the United Nations to the lack of international standards on the rights of Indigenous peoples. Under development for more than 20 years, the *Declaration* recognizes Indigenous peoples' basic human rights, as well as rights to self-determination, culture, traditions, language, health, education, equality and land. Indigenous peoples themselves have been a key part of its development.

Although Canada had played an important role in developing the *Declaration*, it was one of only 4 countries to vote against it at the United Nations in 2007. When the *Declaration* was adopted by the U.N., then-Minister of Indian Affairs Chuck Strahl said it was his job to protect the rights of non-Indigenous people. The Government implied that as an international human rights instrument for Indigenous peoples, the Declaration would threaten the rights of non-Indigenous peoples.

***Scroll 20: The United Nations Declaration on the Rights of
Indigenous Peoples***

Scroll 21: The United Nations Declaration on the Rights of Indigenous Peoples continued

Following years of action by Indigenous people, human rights organizations and partners, the Government of Canada finally endorsed the Declaration on November 12, 2010. But it did so reluctantly, with numerous official objections, and described the Declaration as, quote, “an aspirational document” that is not legally binding and is subject to existing Canadian law...including, of course, the *Indian Act*.

***Scroll 21: The United Nations Declaration on the Rights of
Indigenous Peoples continued***

Hearing Indigenous Voices 6:

“The *Declaration* is fundamentally about building meaningful relationships with Indigenous peoples across the globe, and with nation-states and with Indigenous rights supporters. It is about our relationships with each other, our lands, natural resources, our laws, our rights, our languages, our spirituality, our ways of life.”

—*Phil Fontaine, Former National Chief of the Assembly of First Nations*

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