

REMARKS OF NATIONAL CHIEF MATTHEW COON COME
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[Remarks in Cree.]

Thank you for this kind invitation to participate in this seminar this afternoon at the CPSU and London University. It is a privilege for me to deliberate with this group of scholars, citizens and decision-makers here in Great Britain, a country with profound connections to Canada.

Canada is a highly developed country, one which consistently occupies a position at or near the very top of the United Nations Human Development Index. It plays a leading and affirmative role in the welcoming of immigrants and refugees to its shores.

Canada also plays an equally leading role in the critically important areas of international social and economic development, multilateral diplomacy and peacekeeping in areas of conflict around the world.

The government of Canada's official position on recognition of the universal applicability of the fundamental human right of self-determination, is that this right applies to all peoples including indigenous peoples without discrimination. This position is a leading one.

The Prime Minister of Canada, Jean Chrétien, has a special understanding

of the situation of Aboriginal peoples in Canada. I and many Aboriginal leaders have not doubted his sincerity in recent years in wishing to meaningfully improve the relationship between aboriginal peoples and the Crown.

It is sometimes argued that the colonization of British North America took place through a gentler, kinder process of accommodation, treaty-making, and using an approach of respect for the existence and rights of indigenous peoples in British North America -- as reflected such instruments as the Royal Proclamation of 1763 and the Constitution Act of 1982.

However, right through the nation-building exercises of King Charles' grant of Rupert's Land to the Hudson's Bay Company in 1670, the Treaty of Paris in 1763, the Constitutional Act of Westminster of 1791, the establishment of the Province of Canada in 1840, and the confederation of Canada in 1867, First Nations and other aboriginal peoples in Canada have endured a history of blatantly colonial indifference to -- and actual suppression of -- our existence and of our status and rights as nations and peoples in Canada.

This long history has included:

- the continued application of the colonial and oppressive Indian Act;
- the removal of successive generations of First Nations children into residential schools to bring about the elimination of the social and cultural integrity of our societies;
- the dispossession of indigenous peoples through forced relocations

and successive takings of almost all of the land and resources of First Nations peoples; and

- the enactment and enforcement of other laws, policies and practices calculated to weaken our societies, economies and governments and force our people to assimilate and disappear into the Canadian “mainstream” as individuals.

Right now, as we talk, First Nations in Canada face the imposition -- over our protest and against our will -- of a huge suite of federal legislation, “Indian Act II”. This legislation reinforces colonial legislative approaches to our peoples, and derogates from and ignores our fundamental rights, including our Aboriginal and treaty rights that are, ironically, recognized in Canada’s Constitution.

Canada is the world's second largest country, after Russia. It is a robust G8 economy. Just few weeks ago, the Canadian federal Minister of Finance referred to Canada in Parliament as a “Northern Tiger”. In contrast, Aboriginal peoples in Canada live in “Third World” conditions. According to a recent official study, the average ranking of First Nations in Canada would be approximately 63rd on the UNDP scale – that is, lower than the standard of living of Viet Nam, Botswana, El Salvador or Tunisia. I know from my own observations and travels in Canada and internationally that many individual First Nations fall even lower on that scale.

First Nations peoples are the fastest-growing segment of the Canadian

population, approaching 4 percent growth per year. However, lands officially set aside for First Nations peoples make up less than one-half a percent of the Canadian land mass. Most of this tiny allocation of land is marginal, non-arable and devoid of resources.

A few weeks ago I traveled to Grassy Narrows, a community in the northwestern part of the Canadian Province of Ontario. Interestingly, the area of Grassy Narrows is one of many impoverished and desolate First Nations reserves that lie within the electoral district of the Canadian federal Minister of Indian Affairs.

For the past few months, in the dead of Canadian sub-Arctic winter, the courageous youth of the Grassy Narrows First Nation have been maintaining a blockade of forestry roads in their traditional territory. Interestingly, in a further manifestation of the marginalization of our peoples' concerns, there has been virtually no reporting of this extraordinary blockade in the media.

No doubt, as seen before, only when non-Aboriginal anger at the blockade and the interruption of non-aboriginal and multinational resource exploitation boils over into mob violence against our people will it make the news or get onto governments' "radar".

As is the case with hundreds of First Nations in Canada, there is terrible Aboriginal mass poverty and unemployment, suicide and despair in Grassy Narrows. Through the 20th century, Grassy Narrows First Nation has

experienced multiple forced relocations by governments, destructive forestry resource exploitation in its traditional lands, exclusion from any meaningful economic benefit from the economy in its own back yard, industrial mercury contamination, and community destruction.

The youth of Grassy Narrows can see the evidence of historic and ongoing disdain for the existence, rights and entitlements of indigenous peoples and the violation of Grassy Narrows First Nation's treaty rights. Grassy Narrows First Nation's basic needs for sanitation, shelter and clean water have remained significantly unmet.

The story is exactly the same to the north and to the east and to the west, in literally hundreds of First Nations reserves. All of these communities are in fact Federal towns where mass poverty and unemployment, landlessness, denial of access to resources, and lack of basic amenities such as adequate sanitation, clean drinking water, paved roads and adequate street lighting, community centres and even fire protection are the norm.

As a result, without exception, First Nations societies exist under extraordinary duress. Our people revolve away to the cities, where while some succeed in the exercise of social and economic integration, many do not and become part of a persistent underclass of urban Aboriginal people in prison, living on the streets, or part of the urban poor. In the words of a CD Howe Institute study on Aboriginal labour force participation released last week: "[T]here is compelling evidence that aboriginal poverty is

Canada's worst social wound. Curing it will not be easy; ignoring the evidence will make the task impossible.”

By any standard, our peoples' situation is an unacceptable violation of universal human rights. It is all the more unacceptable in the context of a wealthy state like Canada. In the words of numerous official Commissions that have examined the situation of indigenous peoples in Canada, after hundreds of years of colonial engagement with the governments of Britain and France, and now the government of Canada, our peoples are being pushed to the edge of political, economic and cultural extinction.

Allow me to provide you with a few examples of the disparities facing indigenous peoples in Canada, be they resident in their traditional lands “on reserve”, or be they in urban areas such as Vancouver, Winnipeg or Toronto:

- Aboriginal infant mortality is almost twice as high as the rate of infant mortality overall in Canada.
- Aboriginal life expectancy is still six or so years lower than non-Aboriginal Canadians'. This is a terrible cost of literally millions of lost potential years of life, due to the disparities we face in health, health care and related socio-economic factors.
- Tuberculosis is uncommon in non-Aboriginal Canada, yet is *forty-three times higher* among registered Indians than among non-Aboriginals born

in Canada. These rates are equivalent to those found in many poorer African countries.

- Less than fifty years ago, diabetes was unknown among our peoples; now we suffer this deadly disease at rates that are often *the highest in the world*.
- While HIV/AIDS rates in Canada overall have dropped dramatically, there is a rising epidemic of HIV/AIDS among Aboriginal peoples: Aboriginal people, only 5% of the total population in Canada, represent 16% of the HIV infections. To quote official federal sources, this infection rate “could have a *devastating impact* on First Nations, Métis and Inuit communities.”
- Fetal alcohol syndrome occurs at rates up to 1,000 cases per 10,000 births (compared to 3.3 per 10,000 in most western countries).
- Our fatal injury and poisoning rates are *6.5 times higher* than all other Canadians;
- Aboriginal women, living on and off reserve, are targets of discrimination, both by the broader society and also in Aboriginal and reserve communities. They are the victims of racism, of sexism and of unconscionable levels of domestic violence;
- Aboriginal women are doubly disadvantaged in Canadian society

because of their race and gender. Aboriginal women are the poorest of the poor and because of this suffer unique socio-economic and health concerns;

- Approximately 500 Aboriginal women have been murdered or reported missing over the past 15 years. There has been little, if any, media coverage, and police do not seem to be actively searching for any of these women. Many Aboriginal women have also been murdered with no complete investigations into their deaths;
- Aboriginal peoples are 5% of the Canadian population. In federal prisons in Canada, Aboriginal offenders comprise 17% of the inmate population. In some Canadian provincial prisons, these rates are as high as 70%. In Saskatchewan, the adult Aboriginal incarceration rate is 33 times higher than for non-Aboriginals.
- Perhaps "...of the greatest concern is the *high rate of suicide*. Hopelessness, despair, self-destructive behaviour, substance abuse, suicide attempts and completed suicides are all at tragically high levels. Underlying the problem of suicide are hopeless conditions." To quote the 1996 federal Royal Commission on Aboriginal Peoples, these statistics send a "blunt and shocking message to Canada" that "a significant number of Aboriginal people in Canada believe they have more reasons to die than to live".

The Commissioners of the federal Royal Commission on Aboriginal

Peoples included a Supreme Court Judge and an Appeals Court Judge. Their historic 1996 Final Report confirmed that (and I quote):

"[Aboriginal peoples'] lands have shrunk drastically in size over the past century and have been stripped of their most valuable resources. Moreover, as governments allocated resources and economic opportunities on traditional territories, Aboriginal peoples found themselves either excluded or positioned at the back of the line.

Access to potable water, adequate sanitation and waste disposal services has been routine for so long in [Canada] that most Canadians take them for granted. The same access is not guaranteed for Aboriginal people, however, and their health suffers as a result. The current state of Aboriginal housing and community services poses acute threats to health.

... Such direct threats to health would not be tolerated in other Canadian communities. They must not be allowed to persist among Aboriginal people either.

...Aboriginal peoples have had great difficulty maintaining their lands and livelihoods in the face of massive encroachment. This encroachment is not ancient history. In addition to the devastating impact of settlement and development on traditional land-use areas, the actual reserve or community land base of Aboriginal people has

shrunk by almost two-thirds since 1867, and on-reserve resources have largely vanished.

It is not difficult to identify the solution. Aboriginal peoples need much more territory to become economically, culturally and politically self-sufficient. If they cannot obtain a greater share of the lands and resources in this country, their institutions of self-government will fail...

Currently, on the margins of Canadian society, they will be pushed to the edge of economic, cultural and political extinction. The government must act forcefully, generously and swiftly to assure the economic, cultural and political survival of Aboriginal nations." (End of quote.)

Two years later in 1998, in its review of Canada's compliance with its obligations under the *International Covenant on Economic, Social and Cultural Rights*, the U.N. Committee on Economic, Social and Cultural Rights echoes the findings of the Royal Commission and ruled that there is (and I quote):

"gross disparity between Aboriginal people and the majority of Canadians with respect to the enjoyment of Covenant rights. There has been little or no progress in the alleviation of social and economic deprivation among Aboriginal people. ..."

Again, a year later in 1999, the United Nations Human Rights Committee reviewed Canada's compliance with its international human rights obligations under the International Covenant on Civil and Political Rights. The Committee ruled that (and again I quote):

“the situation of the aboriginal peoples remains ‘the most pressing human rights issue facing Canadians’. ... [T]he Committee is particularly concerned that the State party has not yet implemented the recommendations of the Royal Commission on Aboriginal Peoples (RCAP).

With reference to the conclusion by RCAP that without a greater share of lands and resources institutions of aboriginal self-government will fail, the Committee emphasizes that the right to self-determination requires, inter alia, that all peoples must be able to freely dispose of their natural wealth and resources and that they may not be deprived of their own means of subsistence...” (End of quote.)

In 2000, the Canadian federal government's own Human Rights Commission, reported that:

“Aboriginal people, as a group, remain among the most disadvantaged of all Canadians. Canada's failure to ensure a full measure of social and economic equality for all its citizens is troubling. The commitment to achieve such equality is far more than a matter of kindly benevolence. It is a question of building a society in

which all Canadian citizens enjoy the fundamental dignity and respect that are at the root of human rights both in Canada and internationally.”

Last year, the U.N. Committee for the Elimination of Racial Discrimination issued similar finding regarding the situation facing Aboriginal peoples in Canada.

The federal government at first dismissed many of these repeated findings, and has only recently begun to respond to them. In large part, this response has consisted of minimal additional expenditures aimed at the most blatant social disparities in such as clean water, sanitation, education and shelter.

Such measures, however inadequate, are welcome news to communities and peoples which lack shelter or clean water. However, these new funds fall far short of objective needs recognized by the federal government itself.

Most importantly, these government efforts mostly address public symptoms and not the fundamental cause, which is the landlessness, dispossession, and continuing political and economic marginalization of our peoples.

Overall, unfortunately, the federal government of Canada continues to refuse to work with Aboriginal peoples to fully implement the comprehensive and unanimous findings of its own Royal Commission on

Aboriginal Peoples.

The federal government refuses, as indicated by the U.N. Committee on Human Rights, to ensure restoration of lands and resources to First Nations across the country adequate to ensure the political, economic and cultural survival of our peoples.

The federal government continues to insist on non-assertion, release, surrender, conversion or extinguishment of all Aboriginal rights and title in and to our traditional lands and resources as a precondition to negotiations with any First Nation group.

The federal government continues to maintain and strengthen its colonial *Indian Act* domination of all aspects of First Nations' existence, in violation of our fundamental human right to govern ourselves and determine our own political future.

The federal government refuses to promptly, fairly and equitably address thousands of cases of governmental and private theft of First Nations' traditional and reserve lands and resources.

The federal government continues to attack, discredit and punish First Nations Peoples' legitimate leadership and traditional governments, and whole First Nations, particularly when we oppose colonial and non-consensual legislative approaches to our governance.

The federal government refuses to implement the Treaties entered into

between our Nations and the Crown, seeking instead to limit or extinguish their terms.

Fundamentally, I have concluded that Canada is actually abandoning its recent modern rights-based agenda that was tentatively commenced in 1982 when its new Constitution recognized and affirmed Aboriginal and treaty rights. The federal government has now chosen to focus once again on neo-colonial administrative measures, legislation that will tinker with the most distressing symptoms of our peoples' marginalization rather than addressing the fundamental factors that continue to deprive First Nations people of our rightful place in Canadian society.

In his 1981 judgment in the First Nations' challenge in the English Courts concerning treaty rights in the context of the proposed patriation of the Constitution of Canada, Lord Denning unfortunately declined to insist that the Imperial Crown honour its direct relationship with indigenous peoples in Canada, and instead allowed this relationship to be transferred to the Crown in right of Canada. However, Lord Denning stated (and I quote):

“Indians will be able to say that their rights and freedoms have been guaranteed to them by the Crown—originally by the Crown in respect of the United Kingdom - now by the Crown in respect of Canada but—in any case, by the Crown. No Parliament should do anything to lessen the worth of these guarantees. They should be honoured by the Crown in respect of Canada as long as the sun rises and the river flows. That promise must never be broken.”

The rights to which Lord Denning referred are our Aboriginal rights, namely our title to our traditional lands, our right not to be molested as peoples in our governance and use of those lands as proclaimed in the Royal Proclamation in 1763. The promises and guarantees that must never be broken are the many treaties we have entered into with the Crown. These Aboriginal and treaty rights were, as I mentioned earlier, constitutionally recognized and affirmed in s. 35 of the Constitution Act of 1982.

This situation manifests a profound paradox. On the one hand it is frequently boasted by the federal government internationally that Canada is a leader in the judicial, political and constitutional recognition of the status and rights of indigenous peoples in Canada. This is true in a way, and this truth is a core aspect of the paradox of which I am speaking today.

On the other hand, the Canadian Crown continues to pursue the completion of Canadian colonial project as we have known it since first contact. This policy is that our people and our peoples should move aside, make no demands, surrender our lands and resources, accept termination and extinguishment of our rights, and accept that the promises made to use are empty -- all in the name of the complete colonization of Canada.

The first prime minister of Canada, Sir John A. Macdonald, declared that it would be Canada's goal "to do away with the tribal system and assimilate the Indian people in all respects with the inhabitants of the Dominion."

In the words of the 1996 Royal Commission,

“For the authors of this colonial system, the separate paths were to run to a single destination. ... all Aboriginal persons would be expected to abandon their cherished lifeways to become ‘civilized’ and thus to lose themselves and their culture among the mass of Canadians.”

The most explicit modern restatement of this policy was the infamous “White Paper” of 1969, in which the Trudeau government proposed to terminate the Treaties, abolish Indian status, grant reserved lands to individual Indians in fee simple or just sell them, subject Indians to provincial laws in all respects, and eradicate First Nations’ relationship with the federal Crown. This proposal caused a fire storm of First Nations opposition, and the 1969 White Paper was ostensibly put aside.

In 1995 the federal Cree-Naskapi Commission reported to Parliament that “In the course of Canadian history, a notion persists that governments make promises to induce natives to surrender their lands and other rights and then routinely break these promises, frequently hiding behind legal technicalities. Regrettably, the evidence supporting this notion is extensive.”

I have concluded, after spending more than half of my life in political life in Canada, that current federal “Indian policy” is still fully oriented to the ultimate achievement of the involuntary assimilation of our peoples and the deconstruction of our societies. The continuing goal appears to be the ultimate eradication of the treaty *quid pro quo* by which Canada asserts it

gained ownership and governance of the subcontinent.

This is being brought about in a number of ways. First, through extinguishment of our treaty rights. Second, through the deliberate maintenance of appalling social conditions in our communities, to bring about by other means the goals of the White Paper of 1969, namely the drifting away of our people from their indigenous nations and into provincial jurisdictions as assimilated Canadians.

Third, through the renewed use of coercive and colonial Indian Act legislation. And fourth, through the occasional use of force wherever our peoples' frustrations and mass unemployment lead them to non-violent but vocal action, such as at Oka in 1990, at Ipperwash Park in 1995, and at Burnt Church in 2000.

A recent editorial in the *National Post* ignorantly chided me for using the term "cultural extinction", pointing out that the birthrate among First Nations peoples in Canada outstrips that of non-native Canadians. I – and the Royal Commission on Aboriginal Peoples – were not talking about population levels. We were talking about whether or not our Aboriginal Nations will finally be afforded the economic, social and political and geographic space in Canada to survive and thrive, or whether we will be made to assimilate into the general Canadian polity.

Ladies and gentlemen, the unsung aspect of the history of Canadian – Aboriginal relations is the extraordinary tale of our peoples' cultural

persistence. We have faced centuries of coercive efforts – right to this day -- by two major colonial powers to force First Nations peoples to abandon our traditional territories, our families, our communities, our languages, our identity, our relationship with our lands and resources, and our cultures. However, in spite of these terrible First Nations people have steadfastly refused – in the face of social deprivation, suicide epidemics, and state coercion -- to go quietly into the dark night of the extinction of our languages, cultures and societies.

I will end my presentation to you today with a prescription for Canada. This prescription is more valid today than it was in 1996 when it was issued as part of the Final Report of the 1996 Royal Commission on Aboriginal Peoples.

“The first and perhaps most important element is the need to reject the principles on which the relationship [between Canada and Aboriginal peoples] has foundered over the last two centuries in particular — principles such as assimilation, control, intrusion and coercion — and do away with the remnants of the colonial era. As a beginning, we ... must reject the attitudes of racial and cultural superiority reflected in these concepts.... The renewed relationship needs to be built on principles that will return us to a path of justice, co-existence and equality. ...”

“The second fundamental element is to recognize that Aboriginal peoples are nations and that the nationhood dimension of Aboriginal social and political organization must be recognized and strengthened. ...”

“...Aboriginal nations were undermined over time — through a process of coercive dispersal to make way for incoming settlers, through the establishment of reserves, through the imposition of band-based leadership structures under the Indian Act that fragmented nations and disempowered them, and through constraints imposed to limit collective organization. Despite this, Aboriginal peoples have never lost their sense of national consciousness ... Indeed, many institutional foundations of national identity remain....”

“A third fundamental element is to recognize that Aboriginal nations were historically sovereign, self-governing peoples and that the time has come for other governments in Canada to make room for Aboriginal nations to reassume their historical self-governing powers. We are in the post-colonial era. The world has changed, and if Canada wants to retain a position of respect and influence in world affairs, Canada must change too. We cannot continue to advocate human rights to the third world while maintaining the remnants of a colonial system at home.”

“The social pathology, economic deprivation and political instability that prevail in many Aboriginal communities cannot be overcome until we address the fundamental contradiction of continuing colonialism in [Canada]. ...”

“Aboriginal people cannot go elsewhere if they find Canada not to their liking. [It] is their home. Representatives of Aboriginal nations entered into

solemn agreements with representatives of the British and French Crowns and with their successors, agreements that enabled Europeans and others to establish themselves in [Canada] with minimal violence and confrontation. These agreements were and are the mechanism for affirming collective rights and obligations on both sides, for sharing the land and its resources, and for agreeing to live in harmony and partnership. ...”

“Aboriginal people have historical rights. They form distinct political communities, collectives with a continuing political relationship with the Canadian state. This is the central reality that Canadians must recognize if we are to reconstruct the relationship....”

“This accommodation of Aboriginal nationhood can be achieved without undermining Canadian society. We all want a future based on respect for diversity, a future that is tolerant, co-operative and respectful of other peoples’ need to live and govern themselves in the territory we have come to share.”

Ladies and gentlemen: unfortunately, in present day Canada, First Nations peoples increasingly regard these wise prescriptions from 1996 as a fantasy. The public and governmental discourse remains colonial, coercive and punitive.

As observed recently by a Canadian legal scholar, “[It appears] that the Government of Canada is more interested in maintaining the oppressive nature of past relationships than in renewing partnerships with Aboriginal

peoples. In the case of the breach of the promise of friendship and protection contained in the *Royal Proclamation of 1763*, the failure to act creates, and sustains, a situation where ‘the bison now hunt the Indians’.”

In closing, you may be interested to know that the government of the United Kingdom often leads the charge internationally to entrench a discriminatory approach in regard to the human rights of indigenous peoples in emerging international instruments. It appears to do so on behalf of the governments of Canada and Australia. I ask you to pressure your government to take the position internationally that the human rights that inhere in all peoples are universal, including the right of self-determination.

Accordingly, I must ask you as researchers, scholars, and advisors to governments and publics, to redouble your efforts to bring about the long overdue decolonization of Canada.

I take no pleasure in making this critical presentation outside of Canada, but it is now clear that effective recourses at home in Canada are few and diminishing. Your role is influential, and your efforts may be crucial.

Miigwetch. Merci. Thank you.