

Appendix C: How We Fulfilled Our Mandate

The mandate conferred on the Royal Commission on Aboriginal Peoples on 26 August 1991 was extremely broad — possibly the broadest in the history of Canadian royal commissions. We were asked to look at virtually every aspect of the lives of the First Nations, Inuit and Métis peoples of Canada — their history, health and education; their aspirations for self-government and relations with Canadian governments; their land claims, treaties, economies and cultures; their living conditions in the North as well as in cities; their relationship with the justice system; the state of their languages; their spiritual well-being and, more generally, their situation in Canada relative to that of non-Aboriginal Canadians.

As we discovered soon after embarking on our task, any one of the sixteen points in our mandate could have been the subject of a royal commission. Even so, we saw the breadth and scope of our mandate as an advantage. For the first time, the problems confronting Aboriginal people could be approached not as single issues, to be dealt with in isolation and treated to ad hoc solutions, but as interrelated issues requiring the holistic approach that is fundamental to the Aboriginal view of the world: the sense that the many facets of human life and the natural world are interconnected, that problems arise from interrelated causes, not just a single cause, and that solutions must therefore be holistic and multifaceted as well.

How did we tackle this broad mandate? Underpinning our approach was the partnership referred to by Chief Justice Brian Dickson in his report to the government recommending the Commission's mandate and membership: Aboriginal and non-Aboriginal people working together to re-establish the association of equals that once characterized the relationship between Indigenous peoples and newcomers in North America. The composition of the Commission — four Aboriginal and three non-Aboriginal members — was echoed in our staff, in our consultation and research activities, and in the way we conducted the business of the Commission. It was represented graphically by our logo, designed by Joseph Sagutch, an Ojibwa artist living in Toronto. Four individuals are seated in a circle representing the Métis, Inuit, First Nations and non-Aboriginal peoples of Canada. The circular design conveys harmony, mirrors the shape of Mother Earth, and stands for the continuous journey of life. The bear paw centred in the circle symbolizes healing energy.

Bringing to the table their knowledge, experience and good faith, Commissioners faced the task of developing recommendations based on a large body of evidence accumulated by the Commission and by the various inquiries that had preceded ours. The information, advice and analysis that nurtured our policy development process came from two general sources: our program of consultations, including our public hearings and briefs from organizations and individuals, and our research program.

Consultations

We recognized from the outset that consultation would be a cornerstone of our process. In November and December 1991 we held informal meetings with regional, provincial and territorial Aboriginal leaders, representing some 100 Aboriginal organizations, with provincial premiers, and with federal and provincial ministers responsible for Aboriginal matters. The purpose of the meetings was fourfold: to introduce Commissioners to the individuals and organizations that would play a role in the future relationship between Aboriginal and non-Aboriginal people in Canada, to talk about issues within the Commission's mandate, to explain how we intended to approach our mandate, and to encourage participation in our public consultation processes.

Public consultation played a significant role in our process. The Commission's work was concerned largely with people — their lives, their goals and their dreams — so we wanted to pay particular attention to the voices and ideas of the people concerned. We wanted to hear what they had to say about everything in our mandate and made a deliberate choice not to set limits on the issues that could be raised.

To the greatest degree possible, we went wherever we were invited, recognizing the need to meet with as broad a cross-section of Canadians as possible. We also reached out to people in a variety of ways: through advertisements in the media; with a video, *Forging a New Relationship*, encouraging people to participate in our public hearings; through invitations to submit opinions and ideas in writing; and with toll-free telephone lines where Canadians could make their views known in one of five languages (Inuktitut, Cree, Ojibwa, French and English).

Our public hearings opened in Winnipeg on 21 April 1992. The location was chosen for several reasons. Winnipeg is the geographic centre of Canada and of Turtle Island, the name by which many Aboriginal people know North America. Before Europeans moved into the west, the location now called Winnipeg was a traditional gathering place for trade and commerce among Aboriginal people, and today it has one of the largest urban Aboriginal populations in Canada. Winnipeg is also the capital city of a province that joined Confederation largely through the efforts of the Métis leader, Louis Riel. Joining us at the formal opening of the hearings were representatives of all the circles we hoped to touch through our work — youth and elders, women and men, Inuit, Métis and First Nations, Aboriginal and non-Aboriginal people from across the country.

To keep the process as open as possible, we began by listening to what people at the grassroots had to say. We felt that options and solutions had to emerge from consensus among Aboriginal people if our eventual recommendations were to command broad support and acceptance.

There followed another 18 months of crisscrossing the country from south to north and west to east and holding hearings in communities large and small between April 1992 and December 1993. Working in three teams to cover the largest possible number of locations, we visited northern and remote communities and urban centres. Over the four

rounds of hearings, we listened to Canadians — Aboriginal and non-Aboriginal alike — in friendship centres, community halls, penitentiaries, band council offices, traditional long houses, schools, women's shelters, and hockey rinks, as well as in hotels and conference centres.

In many places, we hired a local person recommended by the community to prepare for our visit by identifying the main issues of interest to the community and to seek out presenters. These community and regional representatives acted as ambassadors, preparing communities for the hearings and briefing Commissioners about each community we visited — what some of the main concerns were, who the presenters would be, and any special circumstances that might prevail in the community.

At each hearing, we invited an elder or community leader to join the panel as a Commissioner for that day, to introduce presenters and Commissioners to each other, and to help us understand the background and complexity of the issues being presented. These respected community members played the essential role of catalyst to the interaction between presenters and Commissioners. They put presenters at ease — making informal what could have been a daunting experience. They encouraged them to speak in their own language, and many did — we heard Inuktitut, Cree, Montagnais, Sauteaux and Ojibwa, among other languages — and drew out information from them in a way that a stranger to the community might not have been able to do in the limited time available. As the hearings progressed, we encouraged these Commissioners of the day to play a more active role, asking questions and clarifying points as they felt necessary. In some cases elders also gave the opening and closing prayers at each hearing.

By the end of the fourth round, in December 1993, we had visited 96 communities (some of them more than once), held 178 days of hearings, heard briefs or statements from some 2,067 people representing organizations, communities or associations or speaking on their own behalf, and generated 75,000 pages of transcribed testimony. At the conclusion of each round of hearings we published an overview that was widely circulated to Aboriginal communities. We also received close to 1,000 written submissions from presenters and other members of the public.

All this took a significant amount of time and energy — not only in terms of the organizational and logistical challenge for the Commission's staff, but also the time and effort put in by organizations and individuals preparing presentations to us. But if our work results in positive change in the lives of Aboriginal people and in their communities, it was time well spent.

Our approach to consultation also involved reaching out to the various communities of experts — those with specialized knowledge and experience in fields such as health and healing, economic development, justice and urban issues. For example, close to the beginning of our mandate we sought advice to help us achieve a holistic approach to the issues by holding two brainstorming sessions with 20 distinguished Aboriginal and non-Aboriginal thinkers. Each contributed a think piece to focus discussions during those sessions.

Many of the challenging aspects of the relationship between Aboriginal and non-Aboriginal Canadians have counterparts for Indigenous peoples elsewhere in the world. Chief Justice Dickson advised that we should consider the experiences of Indigenous peoples in other countries. We decided to visit the Dineh (Navaho), Apache and Pueblo territories in the southwestern United States to learn about their experience with a separate justice system. With passage of the act to create the new northern territory of Nunavut, we decided also to visit Greenland, where home rule has been in effect since 1979. We also attended the Dakota-Lakota Summit in Rapid City, South Dakota, to learn about the process of rebuilding in which the Dakota-Lakota-Nakota Nation (which now spans both sides of the Canada-U.S. border) is engaged.

We also held a series of round tables in 1992 and 1993: on health and social issues, education, justice, urban issues, and economic development. The goal of each was to focus expert discussion on practical solutions and the steps necessary to produce positive change in the policies, programs and conditions affecting Aboriginal lives and communities.

In a similar vein, we held a special consultation with the Métis National Council and its affiliates and one with other Métis organizations recently affiliated in the Metis Confederacy, to examine and debate the history, current conditions and aspirations of the diverse Métis population of Canada.

Throughout our mandate we maintained close contact with Aboriginal organizations and provincial governments. This was particularly helpful during our initial consultations to identify key issues and to plan consultations. For example, senior staff met numerous times with their counterparts at the Assembly of First Nations, Inuit Tapirisat of Canada, the Métis National Council, Pauktuutit (the Inuit Women's Association), the Congress of Aboriginal Peoples (formerly the Native Council of Canada), and the Native Women's Association of Canada. We also maintained contact with provincial governments and with the federal government through the liaison office established by the Department of Indian Affairs and Northern Development, which provided assistance on many occasions.

To facilitate participation in our work, the federal government set up an Intervenor Participation Program to help groups and organizations prepare well researched briefs, which they presented during our last two rounds of hearings. This program recognized that many Aboriginal groups did not have the resources needed to research and articulate their positions. The Honourable David Crombie administered the program, reviewing and approving all funding applications at arm's length from the Commission. In all, 241 projects were funded, and we received 228 completed research reports.¹ Recipients of this funding included national, provincial and territorial Aboriginal political organizations, Aboriginal women's groups, associations of friendship centres, social service associations, elders' and youth associations, associations of people with disabilities, and non-Aboriginal national, provincial and territorial professional and voluntary organizations.

Finally, we held several special consultations on subjects raised at the hearings that seemed to warrant further, more focused attention. These special consultations concerned the relocation of Inuit from Inukjuak in northern Quebec and Pond Inlet on Baffin Island to the High Arctic in the 1950s; residential schools for Aboriginal children (including a consultation between the Commission and the historical mission churches); and the pressing issue of suicide among Aboriginal people (two formal consultations with community leaders and other experts on the issue of suicide in Aboriginal communities).

The second major source of information and advice for our deliberations on policy and recommendations was our research program.

Research

The Commission's wide-ranging research program encompassed more than 350 research projects (see Appendix D). To focus our research agenda, Commissioners and the Commission's research directors met with some 150 of Canada's most distinguished scholars in two brainstorming sessions that identified major issue areas. We also identified where reliable research had already been conducted and where gaps needed to be filled by policy-oriented research in the various areas of our mandate.² The Commission's research program concentrated on these areas.

We chose four major research themes — governance, lands and economy, social and cultural matters, and the North — cross-cut by the particular perspectives of history, women, youth and Aboriginal people living in urban areas. We organized our research around themes rather than traditional academic disciplines; this allowed us to conduct research on the sixteen points of our mandate while also developing an integrated picture of all the issues on which to base recommendations that take account of the interconnections between and among the issues and the need for a holistic approach to policy.

We recognized from the outset that one of the problems with much of the existing research was the difficulty of representing Aboriginal reality authentically. To ensure that all research sponsored by the Commission gave appropriate respect to the cultures, languages, knowledge and values of Aboriginal peoples and to the standards used by Aboriginal peoples to legitimate knowledge, we developed ethical guidelines to be followed by researchers under contract with the Commission. These guidelines were a significant step forward in encouraging culturally based approaches to research and stimulating research that represents Aboriginal experience, society and history in ways that are authenticated by Aboriginal people themselves (see Appendix E).

We used several criteria to decide what research to commission. The research had to be relevant for policy making, leading to policy advice and recommendations. It had to be completed in a timely way, since the results had to be available within a certain time frame if they were to influence the final report. Research had to be forward-looking and directed to shaping the future, although the historical perspective was also reflected in the research program. Finally, we sought a mix of scholarly studies and case studies at the

community level, of university-based research and research examining initiatives in Aboriginal communities in such areas as justice and policing systems, education and economic development. To monitor progress on the integrated research plan, we established a Research Advisory Committee composed of Aboriginal and non-Aboriginal scholars and two commissioners (see Appendix F).

We sought a balance of Aboriginal people and non-Aboriginal people not only to conduct research but also to develop, plan and manage the research program, again in keeping with our desire to ensure that Aboriginal peoples' perspectives and understandings — derived from distinctive cultures and histories and embodied in Aboriginal languages — were reflected in research on the Aboriginal experience. Development of the research program also involved extensive consultation with Aboriginal peoples and governments. Again, these efforts took time, but it is time we judged essential to do justice to our mandate and to the peoples encompassed by it.

We are confident that our research activities have made a significant contribution to advancing the state of scholarship in Aboriginal affairs. Our research contributed to the development of our recommendations for restructuring the relationship between Aboriginal and non-Aboriginal people in Canada and added significant new dimensions to the existing body of knowledge on Aboriginal affairs and culture.

In the area of treaties, for example, where the oral tradition has predominated in the Aboriginal experience, research conducted for us has added a new dimension to our understanding of this area of our history and the present relationship between Aboriginal peoples and governments in Canada. We accorded respect to oral sources that have frequently been neglected. Our understanding of the diverse governance systems of Aboriginal communities has been enhanced by the 20 community studies on governance. Ten three-generation life histories of First Nations, Inuit and Métis families have enriched our understanding of Aboriginal cultural values.

By the time the research program was completed, we had some 330 studies in hand. These represented the efforts of about 365 researchers from most Canadian and a number of foreign universities and involving more than 100 communities and some 30 Aboriginal organizations across the country. This research legacy will be available to future generations of Canadians in the form of a CD-ROM, published studies, archival materials and other documents.

Keeping Canadians Informed

Throughout the process the Commission placed ideas, suggestions and principles before the people of Canada for their reaction. We did not propose solutions based on theory or academic study; instead we developed discussion documents based on what we had heard at the public hearings. These documents served two purposes: they made sure that we had listened well and grasped the messages presented to us in communities across Canada by parents, teachers, health care workers, counsellors, elders, school children and many others. They also enabled us to begin the process of testing the solutions that were

starting to emerge, helping to ensure that our final recommendations were firmly grounded in the realities of Aboriginal peoples' lives and reflected their aspirations and visions for the future.

The first round of public hearings was a listening phase, when Canadians from many different backgrounds and cultures had an opportunity to speak about their varied experiences, interests, needs and desires. As the rounds of hearings progressed, certain issues and questions began to emerge that we wanted to see explored more fully, and we began to look for people's ideas not just about problems but about possible solutions. In each successive round of hearings we encouraged interveners to focus their comments in these areas — or to challenge the Commission's interpretation of what the important issues were. In some locations, community and regional representatives and Commission staff worked with communities and organizations to support their efforts to develop solutions and recommendations for presentation. We also made available four documents summarizing what we had heard at each of the four rounds — *Framing the Issues*, *Focusing the Dialogue*, *Exploring the Options* and *Toward Reconciliation*, in some cases with accompanying videos, designed to identify the kinds of contributions the Commission was looking for in the next round.

Other publications — discussion papers, summaries of round table proceedings, and research reports (see Appendix G) — disseminate the results of our work and add to the body of resource materials on Aboriginal affairs.

At various points during our mandate we were asked to express opinions on or to draw public attention to matters of urgency, with the goal of launching or focusing national debate. We released two constitutional commentaries, *The Right of Aboriginal Self-Government and the Constitution* (February 1992) and *Partners in Confederation: Aboriginal Peoples, Self-Government, and the Constitution* (August 1993), to contribute to the public debate on the Aboriginal right of self-government during and after negotiations on the Charlottetown Accord.

As a result of the special consultations we held, we published several reports with recommendations to the government, beginning in the summer of 1994: *The High Arctic Relocation: A Report on the 1953-55 Relocation*; *Choosing Life*, A Special Report on Suicide among Aboriginal people; *Treaty Making in the Spirit of Co-existence: An Alternative to Extinction*; and *Bridging the Cultural Divide: A Report on Aboriginal People and Criminal Justice in Canada*. Each concerned a subject that requires urgent attention and is pivotal to establishing a new basis for relations between Aboriginal and non-Aboriginal people in Canada.

Governments were not our only audience, however. The Commission took its public education role seriously and recognized the importance of talking to today's youth about the future of relations between Aboriginal and non-Aboriginal people in Canada. To reach these audiences, we produced a number of video tapes. One, *A Time for Action*, reflected on the issues raised at the round table on justice. Another, a music video entitled *Let's Make a Difference* and co-sponsored by the Bank of Montreal, was targeted to the

youth of the country. In addition, the National Film Board produced a one-hour television documentary on issues put before the Commission during its public hearings, for broadcast around the time our report is released.

At the close of our work, a CD-ROM containing a large part of the evidence we considered will be available: the public hearing transcripts, this report and other special reports, discussion papers and much of the research conducted for us. The CD-ROM will include a guide for use by teachers in secondary schools and adult learning programs.

Formulating our Recommendations

Finally, in the fall of 1993, we launched a policy process to prepare this report. We created a policy directorate to guide the process and struck 14 policy teams composed of Aboriginal and non-Aboriginal staff and sector specialists from outside the Commission. There was great diversity in the personnel on each of these teams, to ensure that a wide range of perspectives, knowledge and practical experience was brought to bear on the policy analysis and formulation of recommendations.

The first challenge we faced was to bring about a satisfactory integration of the enormous amount of evidence and research that had been collected through oral testimony and written submissions, round table discussions and special consultations, and the research studies. After identifying the issues under each theme and perspective, we began to develop a framework showing how the issues could be resolved in an interrelated fashion.

Our initial hope was to return to test our ideas with the communities we originally visited. There would no doubt have been much to learn through such a process, but it did not prove feasible with the time and resources available. We were able to use our community-based research, however, to gain a perspective on the types of recommendations that would be workable at the community level.

Drafting of the final report began in the fall of 1994. This proved to be an intense and interactive process between the 14 policy teams and the Commissioners. Staff prepared background papers on the critical issues in each area of the mandate. These led to conceptual outlines of chapters, which gave Commissioners an opportunity to provide policy direction early in the drafting process. As the shape of the volumes began to take form, staff returned with drafts and redrafts, always seeking to move beyond analysis of the problem to solutions that would address their underlying causes. As chapters were developed, Commissioners and staff addressed the linkages between issues and proposed integrated solutions for a range of problems in a holistic fashion.

Commissioners finished their collective work on this report in late August 1995. What remained was to review the report volume by volume, to ensure that the positions developed in the various areas of our mandate contained no internal conflict or inconsistency. As each volume was reviewed, it was sent off to the team of editors and translators whose work readied it for printing.

Staffing the Commission

To organize this massive undertaking, we assembled a staff that reflected exceptional diversity in background, life experiences, culture, and regional origin. They organized hearings, round tables and special consultations; figured out the logistics of transporting and housing three teams of Commissioners, staff and technical support in cities and remote communities in all kinds of weather conditions (travelling by jet, small charter plane, boat, skidoo, dogsled, bus and pick-up truck). Under the Commissioners' direction, staff planned and managed research, collated and analyzed information, developed options and drafted issue papers, chapters and recommendations, and ran the Commission's internal administrative functions.

We received more than 3,500 applications for employment from interested and qualified individuals. In hiring, we strove to achieve a balance between Aboriginal and non-Aboriginal people, between men and women, among regions, and among First Nations, Inuit and Métis. We were fortunate in being able to offer some summer employment to qualified students. More than 90 per cent of these positions were filled by Aboriginal young people from across the country. A list of commission staff appears in Appendix H and a breakdown of expenditures in Appendix I.

They came together from across the country for a common purpose, developed a sense of community and a spirit of teamwork. The nature of the issues and the importance of the Commission's conclusions and recommendations, particularly to Aboriginal staff, coupled with the diverse backgrounds and experiences that staff and Commissioners brought to these tasks, aroused strong feelings and conflicting views. On many occasions staff met in a circle to speak openly about their views, feelings and expectations; sometimes Commissioners joined them. These sessions did not always produce consensus but they always restored respect and built bonds of understanding. Along with the prayers that opened and closed every Commission meeting, these circles became the spiritual underpinnings that proved to be a vital aspect of the Commission's work.

A Final Word

As we look back over the times since the Commission was appointed late in the summer of 1991, Chief Justice Brian Dickson's recommendations for our mandate stand out like inuksuit, the Inuit stone landmarks that have guided travellers through the ages. They indicated the direction we were to travel, though perhaps not all the peaks and valleys we would encounter along the way. As we embarked on this voyage of discovery, we were guided by a vision of the renewed relationship that is possible between Aboriginal and non-Aboriginal people in Canada, and this is what we hope will continue to guide Canadians as they read our report, digest our recommendations, and decide on how best to forge our common future together.