

First Nation leaders spoke out in support of the work of the First Nations proponents of Bill C-19 during the hearings before the House of Commons Standing Committee on Aboriginal Affairs, Northern Development, and Natural Resources. Here is what they said:

June 9, 2003

Vice-Chief Ghislain Picard

“In his absence, I am delivering the presentation on behalf of the national chief, in his role as the primary spokesperson of the Assembly of First Nations.

At the outset, it is necessary to advise this committee there's not a uniformity of thinking among first nations leaders on the benefits of Bill C-19. Differences of opinion and different perspectives is something you are all familiar with.

The principles embodied in the Charter of the Assembly of First Nations are intended to promote collective action and consensus. Such principles are not always achievable. The Charter recognizes this. Our organization must try for consensus, but, at the same time, we recognize that first nations are a diverse group of more than 50 nations, some 633 first nations communities, and individuals living on and off reserve.

Consensus is not always achievable, nor is it necessary in all situations. The formulation of Bill C-19 has challenged us. There has been a strong exchange of ideas and opinions, but we can still continue to move forward together.”

“Let us be clear that the AFN resolutions do not represent an attitude or intention on the part of first nations to deny other first nations the right to participate in initiatives they see as being beneficial to their situation. Indeed, the AFN resolutions recognize and respect the right of individual communities or groups of first nations to see to their own arrangements.”

June 10, 2003

Grand Chief Charles Fox

“A few first nations do support the work of the Statistical Institute. I acknowledge and respect that position.”

“The support group is probably more or less coincident with the first nations associated in one way or the other with the Indian Tax Advisory Board.”

“The core support group for the bill, mostly in B.C., may be generously estimated at about 100 communities, that is about 15% of the 600-plus communities affiliated with Chiefs in Canada.”

“I respect the right of any first nation to develop its own solutions for its own problems.”

“It's (listing First Nations) an option that we would definitely look at.”

“But if there's that option given to first nations to opt in and out I believe we can sit down and look at that.”

In response to Mr. Charles Hubbard's question: “Personally, if it were optional, would you think it would be acceptable?” Chief Fox replied: “Good question. It would have to be an issue that would have to be taken back to the chiefs in assembly in Ontario. But personally speaking, there's no reason why we couldn't sit down to review it. There's no reason why we couldn't look at the pros and cons.”

“I think it's not so much a defining threshold in terms of the numbers that would find the bill palatable, although a majority would suffice. I think from my perspective the issue of cooperative ventures, partnerships, working together on projects, that for me is a priority.”

“If this venture, the fiscal relations institutions, is something that we can utilize for our purposes, certainly I think we could do that. The way it's currently set up I just don't see it.”

Chief Perry Bellegarde

“Let me begin by saying first that there is a diversity across Canada amongst the 633 first nations in Canada with regard to this piece of legislation, and diversity is okay. There has to be respect for that diversity. How we move ahead collectively to improve the quality of life is very key and very important for first nations leaders across this country.”

“When we look at Bill C-19, the first thing we say is that we're not opposed to the developing of our own institutions, but our first point is that there's a drastic need for them to be under our own first nations control, first nations jurisdiction...”

“This Bill C-19 doesn't reflect that inherent right to self-determination. I'm going to say it that way, in a respectful way. If first nations in Canada wish to proceed, if they want to go that way, then we've always said that legislation should be mutually exclusive to them. List it. I know there are pros and cons to that, but in order to maintain some sort of semblance of moving forward for those first nations that desire that, then that legislation should be mutually beneficial or mutually exclusive to them...”

“From our federation on Bill C-19, we have a resolution to oppose it, no question, but it's the suite of legislation. Now, having said that, the only way we can see to make movement forward is again to accommodate the bands that wanted to list it.”

“We know there's a heck of a diversity in Canada and it's difficult to have one piece of legislation affecting everybody, like that Indian Act. That Indian Act affects everybody. We don't like that act. We want to see a treaty implementation act at some point. We want to see a new process to implement section 35 at some point. So before we get to that point, these things should be held, as we say, in abeyance, but so as not to slow down the brothers and sisters who want it, then we say they should be listed. That's what we think, that's what I think, and that's what our first nations leaders would say: not to slow them down.”

“If government wants to proceed, there is a smattering of support across Canada and also a smattering of opposition. It depends on how you define it, and a good example of that is in this room today. You have first nations people on one side opposing it and first nations people supporting it, and you're in a quandary. You're in a dilemma. How do you proceed? What's the majority?”

“Some would say you also have to provide leadership. That's why I'm offering to this committee, and to everybody who is listening in this room, that there might be some options there if you list those bands and let it apply to them if they want it. List it, because that way, it's fine. Then we're protected.”

“If the Liberals were to put a non-derogation clause, for example, a clause that nothing in this legislation will impact inherent and treaty rights, there would be a greater comfort level.”

“I guess everybody has to remember that one word, respect, and have that diversity, because one size ain't going to fit all in Canada, no way. You've got over 60 different nations, different languages, and everybody has a different way of doing business, especially in British Columbia and from Saskatchewan to the east coast.”

“You have to respect the diversity among all 633 reserves across Canada. We talk about a treaty commissioner by Parliament to implement treaty relationships, a bilateral relationship once and for all, a way out of that Indian Act. Heaven knows, we all want to get out of the Indian Act. It's archaic and it is outdated. It has been around since 1876, blah, blah, blah, but it's there and it governs every piece of our lives. We don't want the Indian Act.”

“We can always agree to disagree over issues. Don't take things personally. People have to respect and recognize that there's a bigger picture out there. People have their own personal agendas when it comes down to things. They have to get beyond that.”

“...if you really want it so bad, then list your name on it. What's the harm in that? You get your legislation moved ahead and then we feel safer and safeguarded that it becomes not the only game in town, that we have our option and our inherent right to self-determination is respected, honoured, and not impacted in a negative way. We're not trying to stop it or slow it down, in the sense that if you want it, go ahead, but list Kamloops there, so it just applies to Kamloops. That's how we see it and it's safer that way. There's greater peace if it can happen that way, let me tell you.”

“Something we always have to learn as first nations people is that the key word is respect and one size doesn't fit all. I just want to say that. We have to respect that there is diversity in Canada.”

June 11, 2003

Chief Stewart Phillip

“I would like to take this opportunity to say that I recognize and respect that a tremendous amount of hard work has gone into the formulation of these bills and a tremendous amount of work has been done by both Herb George and Manny Jules to bring this legislation forward.

I also respect the 90 communities out of 633 native communities that have an interest in this legislation and there's no question that their taxation bylaws and their taxation regimes provide those opportunities to take advantage of such legislation.

The Union of B.C. Indian Chiefs does not take issue with that.”

“In this case, although this particular piece of legislation is vigorously and energetically supported by those communities that have taxation bylaws in place, the vast majority of our first nations communities across this land are nowhere near enjoying the circumstances where they have a taxation base.”

“I want the committee to be left with the impression that again we understand and respect the tremendous amount of work that has been accomplished by those first nations' communities that do have taxation bylaws and that are affording themselves of those opportunities and have shown some remarkable results. We understand their energetic and enthusiastic support for this particular piece of legislation.

What we're saying very clearly is, they should be afforded the opportunity to have this legislation in a form that meets their needs, but it should not be national in scope.”

Grand Chief Francis Flett and research director Michael Anderson (Manitoba Keewatinowi Okimakanak Inc.)

“Manitoba Keewatinowi Okimakanak Inc. continues to be supportive of the objective of establishing new fiscal relationships between first nation governments and the Government of Canada.”

“MKO supports recognition of the autonomy of each first nation to determine whether the provisions of the proposed First Nations Fiscal and Statistical Management Act are applicable to the circumstances of that first nation.”

“Our concern is that although the Assembly of First Nations and MKO accept the policy of first nations determining their own future as first nations, which of course flows directly from the sovereign aspect of first nations in entering into a treaty and in terms of the recognition and affirmation of the inherent right to self-government, as protected in the Constitution and recognized by the current government, it's important that legislation considered by Parliament does not result in imposition or infringement of existing authority and future authorities.”

June 12, 2003

Councillor David General

“But I shook the hand of every director of all the institutions and congratulated them on their presentation. They've worked hard. They know what they need for their communities. There probably is a way. There was discussion about fashioning it to resemble the First Nations Management Act or enlarging maybe the Kamloops amendment. They know what's best for their community and they should not be denied what's best for their community. I wish them every success.”

“Again, all due respect for those people who've worked so hard, some have worked 15 years. There have been people in our community who had that view that maybe that's the sort of institution that we have. There have been people within our territory who believe in that system. And that's good.

But again we're trying to balance what our elected council, the council that has the mandate currently, with the traditional council. Today I can only relate to you that the people of Six Nations cannot use any of the sweep of legislation that's being presented to this committee and to the House and to the Senate.”

“Do I wish there was a way to make things work? Everybody wishes that way. I'll go back to the statement that Manny Jules made, and I hold by it. I told Manny this in Squamish, I loved the statement. Because this is land, resources, jurisdiction, fiscal capacity. I think once you start with the one, once you get the land and the resources moving, once we have those, then we desperately need the fiscal capacity. We have the ability within our territory to jump on that train and have it move.”