

Chapter 1

Imagine not being allowed to own your own home, not being able to get a loan from the bank, requiring permission from a government agent to sell any of your chickens or cows, and having a faceless bureaucrat in Ottawa decide how your personal property should be disposed of after you're dead.

That's the situation 36-year-old Calgary lawyer William (Bill) I. C. Wuttunee – the first Aboriginal lawyer in western Canada – described when I interviewed him for an article published in the *Toronto Daily Star* on September 17, 1964.

Before going into private practice in Calgary in 1963, he had been one of the Saskatchewan government's top litigators and specialized in tort and insurance law. At the time that I interviewed him, he had just been re-elected as the president of the three-year-old National Indian Council which morphed into the National Indian Brotherhood in 1968 and today's Assembly of First Nations in 1982.

What bothered Bill Wuttunee the most at the time of our interview was the almost total lack of control Aboriginal people were allowed to exercise over their own lives. Indian agents and their political masters, from the very first day, considered them to be totally incapable of managing their own affairs. "My brother [at the Red Pheasant reserve] in Saskatchewan can't even sell a cow without the Indian agent's permission."

The procedure originated in the 1870s to protect Aboriginal people from unscrupulous white traders. However, Bill Wuttunee believed the time had come for the government to stop treating the estimated 220,000 people living on the reserves scattered across Canada like juvenile delinquents and let them manage their own affairs.

A smouldering bitterness overshadowed his face as he described the conditions Aboriginals in Canada were forced to endure when I interviewed him for that article. He believed strongly that their advancement was being held back because of the iron-clad control the Department of Indian Affairs exercised over their lives.

If something in dispute was covered by the Indian Act, it was held to be outside the bounds of discussion. That's why he believed that, if the lot of the first peoples of this land was to be improved, they would have to be given much more responsibility for their own lives than the framework of the Act allowed. "That Indian Act should be revamped and brought up to date so that my people are more free," he said.

He was convinced the odds were stacked against the average Aboriginal child being able to carve out a comfortable niche in Canadian society. "If he's born to very poor parents in a northern tent, he'll be darned lucky if he becomes an adult."

In that article in the *Toronto Daily Star*, Bill said the Aboriginal people were not opposed to receiving meaningful help or assistance from the white community when they moved to the urban centres. However, they were strongly opposed to unwanted help from well-intentioned whites.

"We aim to do things for ourselves," he said. "We build on what we have done, not on what others have done for us. Those people who try and set up friendship centres FOR the Indians and not WITH the Indians should stick to their housekeeping. These paternalistic do-gooders cause us the greatest headache in many cities."

The key words in his vocabulary at that time were self-help, self-sufficiency, self-respect and self-management.

Although his parents raised him as an Anglican, Bill Wuttunee developed a life-long interest in native culture and tradition. When he was about eight years old, he went to a sun dance and joined the singers.

"I was standing in front of this little sun dance lodge," he once told me, "and then I went in to do the drumming, just went in by myself and sat with the men, just a little guy. I took a stick and started singing and drumming. I learned the song. When you're young you learn very quickly. My Dad and Mother always supported the native traditions and although they were good Christian people – I was raised as a Christian and as a traditional person as well – I did that throughout my entire life."

In 1962, he went to a Piute ceremony and was quite impressed.. "It was an all-night ceremony. People were singing and praying continually all night long. I was exposed to that and it took me about three years to get in to do it."

That's one of the reasons he resented the almost total intolerance white churches and governments exhibited toward the sun dance, potlatch and other native customs and traditions.. "The religions, the Catholic Church, the Anglican Church, etc. didn't want natives participating in the sun dance so they influenced the government. The government then passed legislation prohibiting it and so the habit was to have it in kind of a secretive place."

He was deeply resentful of the manner in which the early missionaries set about the task of stripping the Aboriginal people of their ancient beliefs. The Aboriginals had been relegated to the role of pagan because of their ignorance of the Judeo-Christian tradition. That concept of the heathen savage exists to this day.

“The Indian believed in a God long before the arrival of the white man,” Bill once said. “As a matter of fact, the Indians had one great spirit throughout all of the country. They never had more than one god. We believed in what is known as Gitchi Manitou, the Great Spirit. God was in the sun, in the moon, in mother earth, in the rain that made the grass grow. Manitou was a loving and merciful god to us. I learned about our Heaven, known as the ‘happy hunting ground’, where everyone goes whether you are good or bad. There is no such thing as Hell and this concept was alien to the Indian mind.”

During the negotiations for Treaty #3 at the Northwest Angle of the Lake of the Woods in 1873, Chief Mawedopenais, the lead spokesperson for the Ojibways, said to Lieutenant-Governor Alexander Morris – who negotiated four of the seven treaties entered into between 1871 and 1877: “This is what we think, that the Great Spirit has planted us on this ground where we are, as you were where you came from. We think where we are is our property. I will tell you what he said to us when he planted us here. The rules that we should follow – us Indians. He has given us rules that we should follow to govern us rightly.”

When they were negotiating the Qu’Appelle Treaty in October, 1874, Chief Chee-e-kuk (the Worthy One) said: “Just now the Great Spirit is watching over us. It is good. He who has strength and power is overlooking our doings. I want very much to be good in what we are going to talk about, and our Chiefs will take you by the hand just now.”

But the Aboriginals never did manage to convince their pale-faced overlords that their religion and way of life was of a high standard prior to the “founding” of the so-called new-found land.

Something else Bill Wuttunee wanted to see changed was the Orphan Annie image most Canadians had of the native people.. This stemmed from the accepted belief that they were helpless wards of the federal government -- another of the hundreds of misrepresentations that irritated the young Cree lawyer.

“It’s an old-fashioned idea to say that Indians are wards of the federal government,” he said. “When that is said, it is a disservice to the Indians. An Indian is as much a citizen of the province as anyone else and the government in Ottawa is not in the position of a special guardian for the Indians. It only means that where legislation is concerned with Indians’ affairs, that comes from Ottawa.”

Old-fashioned or not, the Aboriginal people seemed stuck with that false dependency image and Bill Wuttunee and the National Indian Council were trying to turn that image around.

Notwithstanding all of the problems the white settlers caused for his people and the hundreds of years of abuse, Bill Wuttunee was deeply proud of his Cree heritage. “We’re more of a nation than the Canadians because we have a history, thousands of years,” he once told me. “The Canadians have only just arrived here, just a short while ago. Within my father’s time they came out west. My father said to me as he pointed out the land, ‘this is our land, Bill.’ He only said it once, but that was enough.”

Despite being one of the top lawyers in Saskatchewan, Bill Wuttunee was often discriminated against because of his Cree heritage. During one of our many interviews, he recalled getting on a cargo-passenger plane at Prince Albert in 1958 and having to sit on the floor at the back with the other native people.

“This pilot put all the Indians in the back on the floor and all the white people in the seats. I had a friend of mine, Jimmy Griffin, a white lawyer, and I said, ‘see what the hell that guy’s doing?’. It was very obvious what he was doing. He didn’t say ‘all Indians at the back’; he didn’t say that, but obviously everybody was directed to sit at the back because when I walked in there was no seats hardly in there and he just pointed me to the back of that plane. At that time I was working with [Saskatchewan Premier] T.C. Douglas with the provincial committee on minority groups so I had real access to him and I reported this man what he had done and he was fired immediately.”

Bill described Scottish-born T.C. (Tommy) Tommy Douglas as “the only humane socially-conscious person who was a leader at that time and he made a lot of changes in Saskatchewan. They brought in [public] health care and did all kinds of new things, no-fault insurance, etc.”

In her biography of Tommy Douglas, Doris French Shackleton wrote: “The practical, obvious ‘solution’ to Douglas...was to do away with the reserves and the degradation that went with ‘wardship’ and integrate the Indians with all speed into Canadian society.”

“I helped Premier T.C. Douglas introduce the vote, the franchise, and liquor rights for Indians,” Bill told me. “He made it into law in 1959. The federal government followed suit not long after and the other provinces as well. The politicians are interested in the votes of the people and of course there’s a lot of Indian people living in those constituencies and that’s the way I think it should be.

“T.C. Douglas wanted me to work with him and I was doing organizational work with the natives in Saskatchewan. So what I did there was, I had their support, in other words I had the government’s support, right? When you have the government’s support you’re going to do things. So we organized a meeting at Fort Qu’Appelle, but before that I had to visit all the Indian chiefs and I went on my own and visited, no matter where they were. If they were in the bush, I’d go in the bush. If they were in the field, I’d go in the field to find the chief and talk with him and tell him what was afoot.

"I said to them, I said 'we're organizing a meeting in order to have the vote, the franchise', because we didn't have any vote either provincially or federally and also to have liquor rights, the right to consume liquor. So some of them were opposed, others weren't. Some others thought it was a very good idea."

Why did he think that making it legal for Indians to consume liquor was a good idea? "Well because they were left out. It's like inviting guests into your house and you leave one in the corner. You serve your dinner and...."

And you can't serve liquor to a native person. "Yeah, you don't, you couldn't participate."

And you also have all the bootlegging because of that. "That's right and a lot of people died from that. Now whether it was a good idea or not, is another question because liquor is such a problem with, not only Indian people, but with all people. Like in Alberta, here in Calgary, they drink like fish, especially on weekends and so the problem will always remain so long as the government supports liquor because they kind of push it.

"At that time, the Indians didn't have a vote and they had no liquor rights, etc. Now, in 1958, I started the Federation of Saskatchewan Indians, but when I say 'I', I mean 'I' because I don't get credit for what I have done and I want to make it abundantly clear what I did."

He travelled for six weeks through all of Saskatchewan, visited just about every chief and spoke to them about the vote and the liquor rights and then he organized a conference that fall and formed the Federation of Saskatchewan Indians.

"They asked me to be the president of the organization, wanted to nominate me and I said 'no'. I said John Tootosis [from the Poundmaker reserve west of Battleford] should be the guy. So they nominated John and they had another round and they elected him, and he was president for a long time which was good because John was a good leader and he had done a lot of work and my father, James Wuttunee, used to work with John and my father was active with the League of Indian Nations back around 1919, '20, in the '20s. So I was just carrying on that work and I remember John used to come to our house and meet with my dad. So I was involved with politics when I was just a little boy. Always interested me, native politics."

At that first meeting of the Federation of Saskatchewan Indians, Bill asked for those who had running water on their reserve to raise their hand. Only one hand went up. "We have running water," one participant said with a smile on his face. "We have the Saskatchewan River."

Shortly after the meeting, Bill phoned Saskatchewan Government Telephones and asked them to install a phone at the Red Pheasant reserve. They refused on the basis that the natives wouldn't pay the phone bill. After further negotiation, they agreed to install a pay phone in his brother's house, who was the chief at that time.

"So they put a pay phone in his place and then after a while they changed it to a regular phone. And then I asked the provincial government to install electricity. I said my brother lives just a stone's throw from the electricity line, they go right by the reserve, why don't you cut up a few posts and take it in there? I said go and put in lights in his place, even if you put just one bulb in there. So they brought electric light also to my brother's place. He was one of the first Indians to get a telephone and electricity on the reserve. It would have been 1959, somewhere in there.

"That was the beginning of how the services were extended by the province and no other province was doing it. They were all hands off completely. But that was the beginning, the beginning of extending social services to the native people."

Bill considered the effort he put in to getting the natives the right to vote in Saskatchewan to be one of his most important accomplishments. "As a result of that [getting the vote] there was more interest in Indians because they had a franchise. They could now vote. Now the question was, of course, at that time, whether Indians should accept the vote because it may be that the provincial governments would want jurisdiction and, of course, that's exactly what's happening now."

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Bill Wuttunee moved to Calgary in January, 1963, and practised law out of an office in the building owned by the *Calgary Herald* where I was working as a reporter.

"Because I'm native, the big firms didn't say 'well Bill Wuttunee come and work with us'. They didn't say that. I was never invited and so I had to just do it on my own. I didn't mind doing that because that's the way life is. I have no regrets concerning that. I'm glad I have the guts to go out and do it because when I did that, I had never practised law before.

"I had worked with the Saskatchewan Government in Regina and I had a lot of experience in litigation because that's all I had done for a period of about 10 years. So when I came here, I didn't hesitate to go into private practice although I'd never been in private practice, never, but I thought, well, I have experience as a lawyer, as in court, I would go to court any time. It would have been better had I started out with somebody else.

“The whole idea at that time was to not be dependent on anybody. That has always been my approach. You can't be dependent on people to get anywhere. You gotta do it yourself and forget about the rest.”

The big law firms had no interest in him and neither had the big corporations. Most of his clients were dirt poor. “Indians they have no money. They have no money and even when they came to see me I thought they had no money and when they said to me they wanted me to work for them I just never thought that they really did have money and that they could really pay. But to go and act full time for a band, for example, I, in retrospect I could've done that. I could've been on a retainer. But I didn't want to be sidetracked because I was a lawyer for anybody who came through those doors. Not only Indians came. Most of my clients were white, but they're also poor whites.”

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The Indian residential school Bill Wuttunee was sent to was about 160 kilometres northwest of his home on the Red Pheasant reserve. “It was a long way from Red Pheasant, at least a hundred miles or more and in those days, of course, we had no cars,” Bill recalled. “The only way you operated was by a horse and buggy, or teams, wagons. And it would have taken a long time to go and visit that place. We didn't have any phones so we couldn't phone and of course we weren't really allowed to phone. All we could do was write letters and they [school officials] would go over the letters to make sure we didn't say anything against the school. I don't have any bitterness in my life, my ideas, about that.”

The thing that bothered him the most was the separation from his parents and his family. “I was just a boy of twelve years old and they took my freedom away because as soon as you went into that school they locked the door and we only went out when they unlocked the door. We weren't allowed to go out and run around on our own. We were always under lock and key. That was the bad thing.

“I was really in prison. I was serving time in prison when I hadn't done anything wrong. I had been a free boy on the reserve who would go horseback riding on the prairies, gallop or ride by the lake or over the hills. We had all kinds of freedom. The freedom to walk around and enjoy life. And, especially the young native children, we had more freedom really than ordinary white children because there are kinds of rules and regulations for them. For us, we had our independence early in life. That's what I missed most when I was there.”

There were about 200 students from reserves across northern Saskatchewan at the school, about half male and half female. The school was on the Onion Lake Reserve on the border between Saskatchewan and Alberta and was operated by the Anglican

Church. “About a mile and a half away there was a Roman Catholic school and we were never allowed to intermingle.”

Onion Lake wasn't the only reserve where there were two church-run schools within a short distance of each other. In 1908, for example, there were seven Catholic Indian industrial schools across Canada. There were also seven Anglican Indian industrial schools. Twenty-five per cent of the boarding schools in Alberta and Saskatchewan were twinned – one Catholic, one Anglican – and were located within a matter of miles from each other.

As with most Indian residential schools, discipline was meted out unsparingly at the school that young Bill Wuttunee was forced to attend. “I remember a young boy being whipped for twenty minutes on his arms. I don't know what he had done, if he had done that much wrong, and I was there and I happened to have a watch, and I remember what time it was. It was eight o'clock when I went there and I had to leave and he was still being whipped at twenty minutes after eight by this woman, just the two of them in the room, and he was hollering and hollering and hollering and I thought what should I do but there was nothing I could do. I was just twelve years old and I thought well I'll just go back upstairs. Well, that's when I went back upstairs.”

Bill Wuttunee was eighty when he recalled that painful incident when I interviewed him in Toronto in April, 2009. The memory was as fresh as yesterday. “The question was, what could I have done? What could a person do in those circumstances except maybe to grab the arm of the woman and say ‘What are you doing with this? What's the situation?’ She was the supervisor. She was a big woman. She wasn't slim or small. She was big. I mean, I was only twelve years old and she was BIG.”

One of his teachers at the residential school was a former life insurance salesman. “He used *Time* magazine for spelling and consequently we became good spellers. But we spent most of our time computing annuities and life insurance premiums and reading *Time*. This was our education from an ex-life insurance salesman who could not have qualified as a teacher anywhere else,” Bill recalled. “I did a lot of reading as a boy and I would also go to the library there and get a book and read. I was the only one [out of about 200] that used the library.”

While inadequate educational facilities had handicapped thousands of Aboriginal students, poor health conditions had meant death for hundreds more. The most painful example of that was the tuberculosis outbreak at the end of the 19th century. Entire families were wiped out and Bill Wuttunee believed much of that loss could have been avoided if the Canadian government had honored what he considered to be its responsibilities under the treaties. “They just didn't provide hospitals for them,” he said.

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Bill Wuttunee believed strongly that the best route for his people was to integrate into Canadian society and become full-fledged Canadian citizens rather than subsisting on the apartheid-like reserves that crisscross the country.

Back in 1959, for example, he was very impressed by a presentation Chief Andrew E. Thompson of the Manitoba Indian Brotherhood made to a joint committee of the Senate and the House of Commons. Here's part of what Chief Thompson said:

“I do not object to integration. I would like to see my children mixed in with white children, more than has been the case in the past. Of course, in respect to the reserve from which I come, there has been a mixed-up pattern. I was raised with white people for a long, long time. I could take you right back to the great grandfather of Chief Peguis. He was the man who helped to set up the Scots colonization [Red River Colony in Manitoba] and his children and his neighbour's children mixed in with the white people's children. These people are civilized. I do not want my people to turn back the clock. I want them to advance in their studies and to become something and to have good professions wherein they can compete with the white people.”

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In June, 1969, -- a little less than five years after my article in the *Toronto Daily Star* -- the Liberal government of Prime Minister Pierre Elliott Trudeau attempted to address some of the concerns Bill Wuttunee and others had raised about the place of Aboriginal people in modern Canadian society.

Sounding a lot like Bill Wuttunee, Indian Affairs Minister Jean ing – who would become Prime Minister of Canada in 1993 -- rose in the House of Commons on June 25, 1969, and said:

“To be a Canadian Indian today is to be someone different in another way. It is to be someone apart -- apart in law, apart in the provision of government services and, too often, apart in social contacts. To be an Indian is to lack power -- the power to act as owner of your lands, the power to spend your own money and, too often, the power to change your own condition.

“Not always, but too often, to be an Indian is to be without -- without a job, a good house, or running water; without knowledge,

training or technical skill and, above all, without those feelings of dignity and self-confidence that a man must have if he is to walk with his head held high....

“Obviously, the course of history must be changed. To be an Indian must be to be free -- free to develop Indian cultures in an environment of legal, social and economic equality with other Canadians.”

Speaking in Vancouver on August 8, 1969, Prime Minister Pierre Elliott Trudeau said:

“We have set the Indians apart as a race. We’ve set them apart in our laws. We’ve set them apart in the ways the governments will deal with them. They’re not citizens of the province as the rest of us are. They are wards of the federal government. They get their services from the federal government rather than from the provincial or municipal governments. They have been set apart in law. They have been set apart in the relations with government and they’ve been set apart socially too.

“We can go on treating the Indians as having a special status. We can go on adding bricks of discrimination around the ghetto in which they live and at the same time perhaps helping them preserve certain cultural traits and certain ancestral rights. Or we can say you’re at a crossroads – the time is now to decide whether the Indians will be a race apart in Canada or whether [they] will be Canadians of full status.”

While addressing the Empire Club in Toronto on October 16, 1969, Indian Affairs Minister Chretien said:

“I think that to have a Department of Indian Affairs is wrong, because we run a government within a government for a small group of citizens [approximately 250,000 out of a total population of 21 million] stretched from one end of the country to the other.

“In many fields, such as education and welfare, the provinces are better equipped to provide the services to Indian people. The fact is that between the byzantine maze of administrative necessity and the Indian Act, there is a solid confusion that cannot be overcome.... We know that these proposals [1969 White

Paper] are not magical solutions to the problems of the Indian people.

“We know as well that if an effort is not made to change the present system under which Indian people live – separate legislation, separate land system, and separate administrations – that little progress will be made in breaking the pattern of separation and discrimination which has plagued Indian people for so long.

“Whether we like to admit it or not, Indian people have been living in a kind of apartheid – living apart, separate from other Canadians. The government’s proposals are designed to end the isolation of Indian people from the rest of Canadian society.”

A background paper accompanying the statement the Minister of Indian Affairs delivered in June, 1969, said:

“The Government believes that its policies must lead to the full, free and non-discriminatory participation of the Indian people in Canadian society. Such a goal requires a break with the past. It requires that the Indian people’s role of dependence be replaced by a role of equal status, opportunity and responsibility, a role they can share with all other Canadians.

“This proposal is a recognition of the necessity made plain in a year’s intensive discussions with Indian people throughout Canada. The Government believes that to continue its past course of action would not serve the interests of either the Indian people or their fellow Canadians.

“The policies proposed recognize the simple reality that the separate legal status of Indians and the policies which have flowed from it have kept the Indian people apart from and behind other Canadians. The Indian people have not been full citizens of the communities and provinces in which they live and have not enjoyed the equality and benefits that such participation offers.

“The treatment resulting from their different status has been often worse, sometimes equal and occasionally better than that accorded to their fellow citizens. What matters is that it has been different....

“The legal and administrative discrimination in the treatment of Indian people has not given them an equal chance of success. It has exposed them to discrimination in the broadest and worse sense of the term – a discrimination that has profoundly affected their confidence that success can be theirs. Discrimination breeds discrimination by example, and the separateness of Indian people has affected the attitude of other Canadians towards them.”

What became known as the 1969 White Paper recommended that the federal government take the following steps:

1. Propose to Parliament that the Indian Act be repealed and take such legislative steps as may be necessary to enable Aboriginals to control their lands and to acquire title to them.
2. Propose to the governments of the provinces that they take over the same responsibility for Aboriginals that they have for other citizens in their provinces. The takeover would be accompanied by the transfer to the provinces of federal funds normally provided for programs for Aboriginals, augmented as may be necessary.
3. Make substantial funds available to Aboriginals for economic development as an interim measure.
4. Wind up that part of the Department of Indian Affairs and Northern Development dealing with Aboriginals. The residual responsibilities of the Federal Government for Aboriginal people would be transferred to other appropriate federal departments.

In addition, the Government proposed the appointment of a federal Commissioner to consult with the Aboriginals and to study and recommend acceptable procedures for the adjudication of land claims.

In consultation with representatives of the Aboriginal people, the Commissioner would “inquire into and report upon how claims arising in respect of the performance of the terms of treaties and agreements formally entered into by representatives of the Indians and the Crown, and the administration of moneys and lands pursuant to schemes established by legislation for the benefit of Indians may be adjudicated. The Commissioner will also classify the claims that in his judgment ought to be referred to the courts or any special quasi-judicial body that may be recommended.”

The White Paper emphasized that nothing was going to change overnight. “Many years will be needed. Some efforts may fail, but learning comes from failure and from what is learned success may follow. All the partners have to learn; all will have to change.”

The government said the underlying premise of its new policy was “the fundamental right of Indian people to full and equal participation in the cultural, social, economic and political life of Canada. To argue against this right is to argue for discrimination, isolation and separation. No Canadian should be excluded from participation in community life, and none should expect to withdraw and still enjoy the benefits that flow to those who participate.”

The government stressed throughout that the success of the revolutionary new approach to the place of the Aboriginals in modern Canadian society would require extensive consultation with the Aboriginal people.

“The new policy looks to a better future for all Indian people wherever they may be. The measures for implementation are straightforward. They require discussion, consultation and negotiation with the Indian people – individuals, bands and associations and with provincial governments.

“Success will depend upon the co-operation and assistance of the Indians and the provinces. The Government seeks this co-operation and will respond when it is offered.

“To this end the Government proposes to invite the executives of the National Indian Brotherhood [established in 1968 by former members of the National Indian Council] and the various provincial associations to discuss the role they might play in the implementation of the new policy, and the financial resources they may require. The Government recognizes their need for independent advice, especially on legal matters.

“The Government also recognizes that the discussions will place a heavy burden on Indian leaders during the adjustment period. Special arrangements will have to be made so that they may take the time needed to meet and discuss all aspects of the new policy and its implementation.

“Needs and conditions vary greatly from province to province, since the adjustments would be different in each case, the bulk of the negotiations would likely be with the provincial bodies, regional groups and the bands themselves. There are those matters which are of concern to all, and the National Indian Brotherhood would be asked to act in liaison with the various provincial associations and with the federal departments which would have ongoing responsibilities.

“The Government proposes to ask the associations to act as the principal agencies through which consultation and negotiations would be conducted, but each band would be consulted about gaining ownership of its land holdings. Bands would be asked to designate the association through which their broad interests would be represented.

“Steps would be taken in consultation with representatives of the Indian people to transfer control of land to them. Because of the need to consult over five hundred bands the process would take some time.”

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Reaction to the 1969 White Paper from Aboriginal organizations across Canada was overwhelmingly negative. In a book that he published in 1970, Indian Association of Alberta president Harold Cardinal – the most vociferous and widely-publicized opponent who described the government’s White Paper as “a thinly disguised programme of extermination through assimilation.” -- said: “In spite of all government attempts to convince Indians to accept the white paper, their efforts will fail, because Indians understand that the path outlined by the Department of Indian Affairs through its mouthpiece, the Honourable Mr. Chrétien, leads directly to cultural genocide. We will not walk this path.”

The Indian Chiefs of Alberta released a paper in June, 1970, calling on the federal government to recognize Aboriginals as “Citizens Plus”. In the preamble to their paper -- released exactly one year after the government’s White Paper -- the chiefs said: “In Alberta, we have told the federal Minister of Indian Affairs [Jean Chretien] that we do not wish to discuss his White Paper with him until we reach a position where we can bring forth viable alternatives because we know that his paper is wrong and that it will harm our people. We refused to meet with him on his White Paper because we have been stung and hurt with his concept of consultation.”

The paper went on to say: “We felt that with this concept of consultation held by the Minister and his department, that if we met with them to discuss the contents of his White Paper without being fully prepared, that even if we just talked about the weather, he would turn around and tell Parliament and the Canadian public that we accepted his White Paper.”

It also said: “We say that the recognition of Indian status is essential for justice...The legal definition of Indian must remain.” Their paper also contained a threat of violence if their demands were not met. “But, if for much longer the rights are not noticed, needs not met, or aspirations not filled, then no one – especially having regard to developments all over the globe – can be assured that the rank and file will continue to accept such pacific conduct from its leaders.”

Prime Minister Trudeau took exception to the tone and thrust of the paper presented by the Indian Chiefs of Alberta. “You can say that the government doesn’t understand, that it’s stupid or ignorant,” he told them after they made their presentation, “but do not say that we are dishonest and that we are trying to mislead you, because we’re not.”

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Bill Wuttunee was banned from his home reserve southeast of North Battleford, Saskatchewan, and several other reserves because of his strong public support of the revolutionary shift in policy the Liberal government announced in June, 1969. He also lost some clients.

“The usual evils of nepotism and favoritism have cropped up in the organizations and in the councils of the bands,” he said in his 1971 book, *Ruffled Feathers*. “The epitome of the Indian leadership across Canada is typified by my own treatment in 1970 at the hands of the Indian Chiefs and organizations in North Battleford, Saskatchewan. They banned me from the area when I spoke in favour of the government’s White Paper on Indian Policy, without having given me the opportunity of presenting my arguments on the subject.”

Being banned from his home reserve is a bit ironic in light of the fact that he was fired from his job with the federal government twice back in the days when he was leading the National Indian Council for speaking out on behalf of Aboriginal rights.

During the fiscal year 1970-71, the Indian Association of Alberta received a total \$696,101 in funding from the federal government. Association president Harold Cardinal received a salary of \$18,000 a year. That’s \$3,000 a year more than I was making in 1969 as news director of Canada’s second-largest radio station.

The executive director of the association was also being paid \$18,000 and the executive secretary was receiving \$28,800. Five non-Aboriginals had been hired at salaries ranging from \$20,000 to \$30,000 a year.

“It seems odd indeed,” Bill Wuttunee wrote in *Ruffled Feathers*, “that the hierarchy of the Indian Association of Alberta should pay themselves such exorbitant salaries, bearing in mind the poverty in which so many Indian people live. It is interesting to note that none of these funds come from the tax exempt Indians themselves, but are all government grants.”

He also noted that Harold Cardinal took his entire board of directors and executive team with him to Ottawa. “They spent \$10,000 by way of travelling expenses, which would have been enough money to feed an entire northern community for a month.”

In an interview I conducted with him in 1996, he said the authors of the Red Paper and other presentations that were made at the time concentrated all of their attention on Aboriginals living on the reserves and keeping them separate and apart from the rest of Canadian society.

“I thought that the only way that our people could survive would be to get an education and to take their place like any other Canadian and work,” he said. “So that’s why I said stop complaining and become part of this society. I didn’t say that in order to insult them or to be cocky. I said it because I thought that that was the only way.”

He had a right to be cocky. At the time that he was establishing a reputation as one of the Saskatchewan government’s top litigators, he was the only Aboriginal lawyer in western Canada and had proven himself to be as good as, or better than, most of the white lawyers.

Holding fast to his long-stated conviction that Aboriginal people must accept more responsibility for their own lives, Bill went on to say in *Ruffled Feathers* that: “The mulcting [extracting money] of the white man and the white man’s government is an extremely negative policy. Current Indian leaders are not prepared to do their share. They are not prepared to tell the Indian people to get an education and to pull their share of the load in Canada.”

He said implementation of what became widely-known as the Red Paper would reverse the trend towards integration and result in further segregation of the Aboriginal people. “There is no mention of integration, and the whole theme of the Red Paper is against the involvement of Indians in the Canadian way of life. They wish primarily to develop their own culture and their institutions with the aid of provincial and federal funds. The Red Paper has concentrated on the recognition of the treaties, thereby

reversing the previous trend towards a modern approach in relations between Indians and non-Indians.”

In criticizing a paper put forward by the Union of British Columbia Indian Chiefs, he said they “are looking toward the reservations instead of outward to the rest of Canada. They do not appear cognizant of the fact that they are welcome to live in the cities and in other parts of the country and that they are not restricted to the reserves only.”

The authors of such papers, he said, “disregard the trend towards urbanization, and the fact that at least one-third of those registered as Indians are not living on their reserves.”

In *Ruffled Feathers*, Bill Wuttunee described programs the federal government had put in place to assist Aboriginals living on the reserves and those who wanted to make the transition from life on the reserve to living in the towns and cities.

“A great deal of help is available from the [Indian Affairs] Branch for any Indian who wants to make a success of it either on or off the reserve,” he wrote. “If an Indian wants to farm and raise cattle, the Department will lend him 50 head of cattle for a period of 3 years. All he has to do during that time is to feed and shelter them, and at the end of 3 years he can retain all the calves and return the 50 head to the branch who will then re-assign the herd to some other Indian.

“If an Indian wants to leave the reserve and buy a house in the city, the Branch will provide him with a \$10,000 mortgage loan. If he stays in the house for a certain period of time he doesn’t have to pay off the mortgage at all. He can also obtain a \$1,000 grant for the purchase of furniture.

“For those children attending high school in the city, the Branch will provide all educational expenses, clothing and spending allowances together with guidance counselling. If the Indian wishes to make a business investment, on or off the reserve, there is a fund of \$2.65 million available from which he can borrow at the low interest rate of 4%, while the non-Indian has to pay as high as 9 or 10%.

“A cost-sharing welfare agreement has been entered into with the Province of Ontario. Child welfare agreements have been developed with Manitoba and Nova Scotia, and Indians receive social welfare on the same level as that provided to other residents of the provinces.

“It is upon education, however, that the Department has been concentrating. In 1970-71 it spent \$100 million on education....There appears to be a considerable lack of motivation for these children to obtain an education and they are not encouraged in any way by these Indian leaders who speak out against the dominant society. If there

was a positive response to the dominant society on the part of the Indian leaders and by the parents themselves, children would continue their education through high school and university.

“In 1969 the Indian Affairs Branch spent \$3,000,000 for transportation of Indian children to and from school, with over half the transportation contracts going to persons with Indian status. In 1968 alone the Branch assisted over 3,000 adults with a basic literacy program and another 9,600 with other adult programs. It assisted 3,800 others in vocational training and assisted over 11,000 Indians for employment relocation. The Branch also conducted adult education programs in at least 250 Indian communities.

“These facts and figures clearly indicate that the Department of Indian Affairs is vitally involved in the lives of the Indian people and that it is making great strides in educating them and encouraging them to fit into the Canadian society.”

In stressing the need for Aboriginal children to receive a proper education, he wrote: “These children are going to have to compete with non-Indians in the race for employment, and they must also learn to live with the white man. What better ‘setting and learning environment’ than in the actual process of learning together as children?”

As a strong proponent of integration over segregation, Bill Wuttunee wrote: “There is certainly something good to be said about the value of people living together peacefully, mutually, for the benefit of one another. It is time to blast the arguments against integration and to speak in favour of it.

“Integration doesn’t have to mean forced integration. Rather it can be a gradual process which will develop Indian men and women into independent, contributing members of Canadian society. It doesn’t mean the wholesale displacement of Indian people, but individual attention to individual Indians and their problems. It means giving assistance to those Indians and their problems. It means giving assistance to those Indians who are now helping themselves, rather than only helping the rebellious few.

“When we have re-examined our approach with a sincere desire to assist and to develop, it is possible that the ‘Indian situation’ can be solved within the next generation. Let the next century be one of development and self-fulfillment for Indian people. Let us establish a society within which an Indian and a white man can look each other in the eye, with mutual trust. Their concern must always be for those people and for their right to choose freely for themselves.”

Given the progress that was being made in improving the lives of Aboriginals living on and off the reserves, Bill Wuttunee was bitterly critical of the negative position on the 1969 White Paper taken by the various Aboriginal organizations and, in particular, the Red Paper put forward by the Indian Chiefs of Alberta.

“What is the Indian cause as espoused by the Red Power advocates?” he asked. “It is the segregation of Indians from white people, the establishment of an administration financed by the Canadian taxpayer and run by Indian organizations. It is the promotion of a buckskin and feather culture and the attempt by Indian leaders to muzzle any criticism by their fellow Indians.

“It is the perpetual criticism of the Indian Affairs Branch, and the process of white witch-hunting. They believe it is the white society which is guilty and which should pay retribution for their pain and suffering. They blame everything on the white man and the Indian Agents. They don’t like the words ‘assimilation’ and ‘integration’, and plainly they don’t seem to like anything except the white man’s money.”

While it might not have been a deliberate policy of the federal government, he argued, giving unrestricted grants to the Aboriginal organizations “is resulting in the establishment of a new form of segregation.” He also criticized the Aboriginal organizations who were threatening the federal government “by waving verbal tomahawks over their heads in an apparent struggle for better treatment for the first peoples of this land. They are in fact exploiting their own people.

“The theory is that, if independence is to be given to the Indians, then it must be done even if they make mistakes and even if these mistakes are made at the expense of the Canadian taxpayers. This blank-cheque attitude goes only to support little red dictators. Surely there should be more effective controls placed on the spending of this money by the Indian organizations.”

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With regard to those who advocated reinterpreting the treaties the new Dominion of Canada entered into with the tribes living on the former Hudson’s Bay Company lands between Thunder Bay and the eastern slopes of the Rocky Mountains and implementing them according to “the intent” rather than the literal text, Bill Wuttunee said: “It is not possible to turn back the hands of history or to rewrite those hundred-year-old documents.”

He also had some strong words about the manner in which most Aboriginal organizations insist on having the people of Canada pay for the benefits they have received from developing the land on which their ancestors once roamed.

“Indians have always hopefully insisted that as original inhabitants of this land they should be reimbursed for the land that was taken away from them by the white man,” he wrote. “In reaching this conclusion they have failed to appreciate that the white man conquered Canada without firing a shot. We did not have the fighting between Indians and whites as happened in the United States but, rather, the white man kept coming and the Indians of Canada were aware that if they didn’t settle down

peacefully it would mean war and they – the Indians – would have been the losers. This finally did happen in 1885 during the Riel Rebellion [which pitted about 500 Metis, Crees and Assiniboine against approximately 5,000 government soldiers and militia].

“At the time of the arrival of the white man, the Indian did not occupy all of the country. Therefore it cannot be said that the land was taken away from him. Those areas which were unoccupied were never taken away from anyone. Indians never owned Canada. They do not own it now, and they never will. Once this concept is clearly understood, there will be less torment in the hearts of Indians is assessing their relationship with the dominant society.”

Aboriginal people, he pointed out, had accepted the benefits of the administration of the Indian Affairs Branch, the money of the federal government, and the protection of the North-West Mounted Police.

“So long as the treaties [described in the next chapter] are held in solemn reverence and so long as Indians continue to lick their wounds in the memories of the past, Canada will have the problem of a people unable to stand on their feet in a new society. The signing of the treaties hastened the crumbling of an old culture which had seen its day. It is always difficult to face the fact of having lost something as important as a way of life. If the treaties had not been signed by the Indian people, the white man would have continued his western migration anyway and would have pushed the Indian farther and farther away.

“The history of the negotiations which were conducted at the time of the treaties indicated that the Indians were not really about to refuse the offers of the Queen’s Commissioners. They could see the writing on the wall – the buffalo was disappearing and their way of life was coming to an end. They were prepared to give up their nomadic way of life and settle themselves on the land, which is why they were anxious to have instructors in building houses and agriculture. They knew that their days were numbered and that their children would have to live in the new civilization....

“Since the date of the treaties, the Indians have interpreted them to mean something quite different from what was envisaged by the Commissioners of the Crown.

“It was to the great advantage of the Indian people to be introduced and assisted in the ways of the new civilization. We cannot close our minds to the realities of the situation which confronted them at the time of the signing of the treaties. The treaties are full of humility and supplication of the Indian people in asking for the assistance of the government.”

While the old ways have gone the way of the buffalo, Bill Wuttunee was full of hope that the Aboriginal people could adapt to the new realities and carve out a good life for themselves. But first, they would have to ditch the treaty mentality.

“If the treaties can be buried once and for all and if they can be relegated as tombstones to an ancient culture, Indians can build a new future. It is shocking to see Indian people standing in line for their pittance of \$5.00 a year [annual treaty payments]. Such a performance is demeaning by present-day standards and must be discontinued. The government should at least mail out the treaty payments in the same way as the family allowance, without any great fanfare....

“One cannot overstress the significance of ending these treaties and of ending the treaty mentality which has spread throughout the country. It has embedded itself so firmly in the Indian mind that it clouds all his thinking and he cannot seem to see his way clearly, for his feelings work more strongly than his mind on this subject. The Indian people cannot keep living in the past. They can never rewrite what actually transpired at the signing of the treaties because the cold facts of history have indelibly written themselves in the hearts and minds of the people. We cannot reinterpret them. We cannot give more significance to either the one side or the other. We cannot improve the bargaining position of either side and neither can we take away. We can realistically look at the past, the present and the future, and learn from the hard lessons of history those truths which will assist us in facing the problems of the day.

“The people who negotiated the treaties have died and we should leave them in peace. They did the very best they could in the circumstances and they left to us a commission to fight new battles for a new era. It is our responsibility to settle this land peacefully and to look to the new boundaries. Let us then gather the old treaties, the Queen Victoria medals, the flags and the chiefs’ uniforms and put them in the museums of our land, so that they can forever remind our children that this land was built and created out of the hopes and frustrations of ancestors who earnestly desired the peaceful development of Canada. Let us consider them hereafter without frustration, and regard the treaty period as a necessary development in the process of fusing together the red and the white.”

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Bill Wuttunee fully supported the Trudeau government’s proposal that individual Aboriginals be allowed to own their own land and criticized the organized opposition. “Once again, the Indians wish to deprive the residents of the reserves of the inherent birthright of every citizen, that is, the right of owning land. There is no reason why reserve lands should not be subdivided and registered in the names of the individual holders. Most of the leasing that has taken place has been to non-Indians who have

developed the reserve for them. It appears that the Indians prefer to have someone else do the groundwork in developing their own reserves.....

“There are many band members who are qualified and who would like to hold land in fee simple rather than by the feudal system which is presently in use. It is the basic right of every individual to own land and probably it is contrary to the Bill of Rights for the Indian Act to forbid ownership to various Indians across the country, when they should have the chance to own the land which is rightfully theirs.”

He was strongly opposed to the practice of having separate health and other services for Aboriginal people. “The provision of segregated services for Indian people, designed initially to facilitate their integration into the community, tends to work to their disadvantage. Hospitals and schools are prime examples. There is no reason why there should be a white hospital and an Indian hospital in the same community. However, by reason of the policies of the government there are separate health services for Indian people, which only promotes segregation and discrimination.”

In supporting the Trudeau government’s proposal that the Indian Act should be phased out over time, he said: “The provisions of the Indian Act do not give native people equality. They are saddled with disadvantages which hound them continually in their daily lives. It cannot be said that an Indian has equality before the law if he cannot enjoy his property and if he has to depend on a Minister in Ottawa to exercise and make decisions on his behalf.

“The Indian Act promotes a spirit of inferiority and dependence and, coupled with the treaty mentality, is one of the main reasons for the current difficult situation. Canada will continue to have this problem unless definite steps are taken to change the provisions of the Indian Act or to repeal the Act completely.”

One of his main criticisms of the Aboriginal organizations opposed to the new policy was the manner in which they concentrated most of their attention on the isolated reserves scattered across Canada. “They [reserves] have caused nothing but hardship to their inhabitants, and the reserves have become cemeteries of once-brave tribes. Indians have a great love of their land which they regard as Mother Earth, but this love for the last remnants of their land has been their undoing. It had engendered a great devotion, to the point of heroic sacrifice, for a few acres of reserve land....

“Since there is absolutely nothing to do on some reserves, the people spend their time travelling back and forth to the nearest town. Because so many of them spend so much time in town, it is therefore evident that these Indians wish to be integrated and to be with the mainstream of society, rather than stuck back on the reserve....

“In fact, when they leave the reserve they are taking the first step to complete freedom. The reserve was a trap set in the 19th Century which continues to snap at the heels of the natives. If they can leave the reserve and remove from their hearts once and for all the last vestiges of any misplaced feelings of loyalty, they will then be happy in their new surroundings.

“Young people should be encouraged to leave the reserve as early as possible, and they should be helped to fit into the Canadian way of life. They don’t have to give up their culture. If they wish to maintain their culture off the reserve they can probably more easily do so by living in better surroundings.

“Just because a culture dies does not mean that something good has died. People do not exist for culture’s sake. Culture must be malleable to the wants and tastes of its living participants. Real Indian culture is just about dead on the reserves. To maintain Indian culture does not mean wearing feathers and hopping around on one foot. It means belief in the Great Spirit who inhabits the sun, the stars, the wind and all of nature. It means that one is honourable, brave, generous and kind. It means that one has a sense of responsibility to his immediate family and to the other members of the community with whom he is in contact....

“If Indians are to become a part of the non-Indian society they cannot be museum pieces in buckskin and feathers. They must be dynamic participants in the society around them. Today, if buckskin and feathers are to be worn, they must be worn honourably and gracefully at functions which are truly native.”

While agreeing wholeheartedly with those who believe that the Aboriginal people had suffered enormously as a result of colonization, Bill Wuttunee believed that the time had come to concentrate on the future rather than on the past.

“The past was very difficult for the Indian and he was many times forgotten by the government. But this is no longer the situation, and he is getting the prime attention of every government. Every effort is being made to change his status and to improve the conditions on the reserves and in the cities to which he is now moving. The problem does not lie with the white people anymore. The problem is squarely placed upon the shoulders of the Indian to reassess himself with regard to his position on integration....

“The new breed of native cannot look at the past as a form of defeat, but only as a necessary period of transition. These people must look at today’s events and the past from a viewpoint which will keep them going ever-forward into the mainstream of society. Indians had great leaders in the past, and there is no reason why they cannot continue to have great leaders in the future. If they continue only to cry about broken promises and broken treaties, they can never attain much for their people.

“Merely because some Indians have chosen to leave their reserves and their people does not mean that they have no use for the Indian culture or for their language or for their families. They have become tired of the poverty in which they have to live, and tired of the administration of the Indian Affairs Branch over their daily lives. They want freedom, a chance to live like an ordinary person, to grow old in peace and die without shackles.

“The desire for an improvement in the standard of living must carry with it the equal desire to make a contribution to society by way of taxation. Indians cannot expect to participate in the dominant society without the resulting obligations of hard work and taxation. Indians can no longer blame the white man for their own failures. At one time they had valid arguments against Canadians for having left them to rot on the reserves, but those times have disappeared.

“The Indian people will never regain this country from the white man. They can, however, effectively participate with the white man in its full development. Indians can work with the white men in partnership to develop a country which will provide for each of our children a legacy of great value. It is not necessary to separate from the white man, either physically or spiritually. The long period of segregation of the two races has now ended.

“Let us then unite in spirit, so that each of us can look forward to a peaceful old age in which we can see our children effectively participating in the creation of a new society. Many Indians have already taken the road ahead, to live in the land of the white man. They have paved the way for their brothers and sisters, on which they must learn to walk without fear.

“The hard knocks of history are pushing the Indian into a new way of life and he must learn to accept this new challenge with faith and with hope. History has taught a hard lesson, but history will vindicate itself one day when the Indian finally finds his place in Canadian society.”

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One of the principal architects of the 1969 White Paper was Toronto Member of Parliament Martin O’Connell, a truly gracious gentleman with a life-long interest in improving the lives of Canada’s Aboriginal people.

Martin first got involved when he was a school teacher on Vancouver Island helping local bands deal more effectively with the bureaucracy and encouraging them to speak up about the conditions they were forced to live under.

He later became president of the Indian-Eskimo Association of Canada where he helped fund Indian Friendship Centres and organize workshops to discuss native housing and community and economic development. Aboriginals comprised 25% of the membership of the IEA and always had representation on the board of directors.

Martin, who had a successful career in finance before entering politics, got involved in drafting the 1969 White Paper because of a call he got from Minister without Portfolio Bob Andras, who had built up a successful car dealership in Thunder Bay, Ontario, before becoming an MP in 1965. While it was Jean Chretien, as Minister of Indian Affairs, who introduced the White Paper in the House of Commons, much of the thinking behind the paper was the work of Martin O'Connell and Bob Andras.

"We were trying to come up with a policy that would enable the native people to look after their own affairs," Martin recalled. "One of our first ideas was that we had to amend the Indian Act. The root objective was to put decisions back into the hands of the indigenous communities and trust them to come back with what they needed, their needs for a safe passage into a more integrated style of life."

Martin could recall saying on more than one occasion, and believing very strongly, that "the Indians cannot become Canadians unless they become Indians again. They have to be themselves and hopefully that's the way it's going to go. They have to become Indians again."

He was very firm in his belief that, whether they liked it or not, the Aboriginals were citizens of Canada and it was not in the cards for them to become a sovereign power unto themselves, "They are Canadian citizens," he told me. "They may deny it but they have to respect the fact of that citizenship. They can maintain all kinds of cultural and international and North American contacts and activities, but I don't think that it's in the cards that they can make their own laws. If they want to, they'll have to pay their own way."

"I think they could have a great deal of self-government but you will also have to avoid the prolongation of being kept, the funds which they don't earn. I think it would be a mistake in public policy to accept the continual subsidy for just being, living on a reserve. It would be a mistake to go to a state within a state. I can see reservations, Indian communities, being the equivalent of a municipality, no problem. But they have to also do that within the laws of that province and its statutes. You don't set up a separate state."

In the interview that I conducted with him in Toronto in 1997, Martin, who was appointed to Cabinet in 1971, said the government of Prime Minister Pierre Elliott Trudeau was quite taken aback by the negative, hostile, reaction of the Aboriginal organizations.

He said there “was a feeling of despair” in Cabinet when they saw how opposed most Aboriginal organizations were to the recommendations contained in the 1969 White Paper. “How to handle this situation was a genuine big problem in Cabinet,” Martin said. “They had really struggled with it. They wanted to make the concept of the just society apply in the relationship between the government and the Indian people. There was a genuine attempt to ‘well, let’s give it to them now.’”

But that’s not how the more militant Aboriginal organizations reacted. They rejected the White Paper out of hand. In fact, many, like the Indian Chiefs of Alberta, refused to discuss the issue with the government. “I remember saying in Cabinet that ‘we offered them those lands that they would take over. We offered to give up the Indian Act which they don’t like and they rejected it. What do we do next?’”

He also remembers saying, after much discussion around the Cabinet table: “Leave the White Paper. Leave the Red Paper. Leave it all there, as if you just left it on the ground and probably, in a decade or two, you’ll hear all that stuff coming back from them [Aboriginal people] and those parts only that they’d like to see’.”

And that’s exactly what the Trudeau government did. They bowed to the pressure from the Aboriginal organizations and shelved the 1969 White Paper. As a result, Aboriginal people still couldn’t own their home, get a loan from the bank, or sell any of their chickens or cows without first getting permission from an Indian agent. And a bureaucrat in Ottawa still had final say on how their personal property should be disposed of after their death.