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Chair

Ms. Julie Dabrusin

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• (1520)

[Translation]

The Chair (Ms. Julie Dabrusin (Toronto—Danforth, Lib.)): Welcome to the 144th meeting of the Standing Committee on Canadian Heritage.

Today, we are continuing the study of Bill C-91, An Act respecting Indigenous languages.

[English]

To begin, we have present with us Blaire Gould, Director of Programs and Services, Mi'kmaw Kina'matnewey. By video conference, we have Onowa McIvor, Associate Professor of Indigenous Education, from the University of Victoria.

Perhaps we can begin with the video conference first, just in case we run into technical difficulties.

We will begin with you, Ms. McIvor. Go ahead, please.

Ms. Onowa McIvor (Associate Professor, Indigenous Education, University of Victoria, As an Individual): [*Witness spoke in Cree*]

Greetings to you all.

My name is Onowa McIvor. I am a Swampy Cree woman. My family is from the Norway House and Cross Lake Cree nations in northern Manitoba, Treaty 5.

I offer gratitude and acknowledgement to the WSANEC and the Lkwugen people, whose land I am on today.

I am living proof of the indigenous resilience of our people. My grandparents were speakers of our language but did not pass our language down to my mother and her siblings, and so she did not have this gift to offer to me. And yet, here I am, a language warrior, recoverer and scholar of indigenous language revitalization, because of their strength and resilience. I come to this work from a deeply personal place, as many indigenous people do, and this family and community history drives my scholarly life.

I believe in the power of policy and what it can achieve, and I thank you for the opportunity to address you today.

I have four main points I would like to speak to, and others I have included in my written submission that I hope will be considered by the committee in that form.

The first point relates to UNDRIP. There is a direct contradiction between the preamble, which includes, with clause 3, the Government of Canada's commitment to implementation, and paragraph 5 (g), which shifts to the more obscure wording of "advance the achievement of the objectives".

First, I would recommend that the bill match the preamble and add UNDRIP as paragraph 6(b): "the Government of Canada recognizes the United Nations Declaration on the Rights of Indigenous Peoples as it relates to Indigenous languages", with the additional specific reference to articles 13 and 14.

The point of adding article 14 to the UNDRIP clause is not only for consistency with paragraph 5(f), which refers to the TRC calls to action and names the specific calls to action, but it also leads to my next point, which relates to the responsibilities around education.

I have included UNDRIP articles 13 and 14 for reference but will just highlight a couple of lines that refer to my next point.

Article 14 says, "Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages". Article 14(3) says, "...indigenous individuals, particularly children, including those living outside their communities [have the right] to an education in their own culture and provided in their own language." This leads to my second point about rights protection and the link to education.

Specifically in paragraph 5(e), and in clauses 8 and 9, there is concerning language that equates the federal government's obligations to respect "the powers and jurisdictions of the provinces" with upholding "the rights of Indigenous peoples". These two obligations should not be equated as one. The rights of indigenous peoples are pre-existing and supersede the federal government's obligation to comply with "the powers and jurisdictions of the provinces".

Besides the legal and rights-based arguments for this, it's an important practical implication regarding education established and controlled by indigenous people and provided in their own language, as referred to in UNDRIP article 14.

One of the critical areas of damage to our languages in Canada has been schools, but increasingly it's one of the areas that we look to as a solution, especially as the place where many of our children spend six to seven hours a day, five days a week, 10 months of the year.

To bring clarity to this point, I would like to refer to Jordan's principle. This is in no way to bring disrespect to this tragic event, but rather to emphasize the parallel jurisdictional complexities that exist in the education sector as it relates to indigenous peoples, as was acknowledged to exist in the health sector between federal and provincial governments. Both instances have to do with indigenous children's rights. In this case, it is about the life and death of our languages, and I would argue that the situation and potential effects are equally serious.

The basis for Jordan's principle is the memory of the late Jordan River Anderson, a five-year-old boy from Norway House Cree Nation, my nation, in Manitoba, who died waiting for the care he needed. His care was caught in disputes between the federal and provincial governments, which could not agree on who should pay for his care.

● (1525)

These disputes are rooted in various agreements, but are essentially founded in the Crown's fiduciary responsibilities to indigenous people. The reality that Canada divided itself into provinces and territories and devolved some health responsibilities and, in this case, education, particularly off-reserve education, to those entities does not supersede or replace these pre-existing agreements or indigenous rights therein. The reality of our demographics is also that the majority of our people do not live on reserve, or in the case of the territories, and for indigenous people, reserves have no meaning.

This is a separate but circular argument for the changes to the above-mentioned sections, to separate the federal government's obligations to recognize and affirm indigenous rights, apart from and before they are concerned with delegated provincial jurisdictions, and also to ensure that UNDRIP, and particularly article 14 as it relates to the effects on education, is affirmed in this bill.

Third, creating lists that are neither summative nor exhaustive is detractive and potentially dangerous. I want to highlight paragraphs 5(b) and 23(e), and clause 25. All include lists of sorts in the bill. Lists convey a sense of comprehensiveness, as in, "These things are important or will be supported." They are often listed in order of importance.

None of these lists appear to me to have been developed by indigenous language revitalization scholars with a deep understanding of the field, its current state and foreseeable directions. I would strongly encourage eliminating these lists, or an earnest revision. I've included suggestions for revision in my written submission, and I would be happy to consult further on this issue if desired by the committee.

My fourth and final point, for my opening comments, references clause 24, regarding research to be undertaken by the office of the commissioner. As somebody who makes their living as a researcher, and who believes very deeply in the power of research, I want to highlight for the committee that we are in a new era regarding research. Indigenous communities will no longer tolerate being researched. The tri-council funding agencies are nearing the end of a two-year consultation process on how to enact the calls to action relating to research by and with indigenous peoples.

I would suggest that clause 24 come in line with what has already been established by indigenous peoples, as well as the tri-council funding agencies, as acceptable. I've included a simple suggested revision, to add the words "indigenous-led" or "indigenous-governed". I have additional suggestions in my written submission for your consideration.

In my closing comments, I would just say that I am very pleased to see this bill come forward, after 50 years. It is a form of what we've been fighting for. It is a bill, as the minister has said, that we can at least make changes to in the future. The time is now. The time is actually overdue, and there does seem to be cross-party political will to see this through, which is refreshing. However, if this bill is successful, we will live with this act for at least five quite formative years, and possibly longer, as it can be difficult to convince new people to change a bill once it's initially approved.

It is in this spirit that I ask you to consider my recommendations and advice herein.

Ekosi, hai hai.

The Chair: Now we will go to Blaire Gould, please.

Ms. Blaire Gould (Director of Programs and Services, Mi'kmaw Kina'matnewey): Good evening.

[Witness spoke in Mi'kmaq]

I am Blaire Gould, and I come from the Mi'kmaw territory, specifically the Eskasoni First Nation. I am a first-language speaker, born and raised in a language-rich community of Eskasoni First Nation. I represent a generation in my community where speaking Mi'kmaw was normal. Additionally, I have four beautiful children, who are also raised in the language, but in their generations, speaking Mi'kmaw is not what it was in my generation, and actually only a handful of children from each of their generations are speakers.

I represent Mi'kmaw Kina'matnewey. This is a team of unified chiefs, staff, parents and educators who advocate on behalf of and represent the educational interests of our communities, and we protect the educational and Mi'kmaw language rights of the Mi'kmaw people, as legislated in 1998 under the Mi'kmaq Education Act. The importance of revitalizing and reclaiming our languages is essential to who we are as indigenous people. There have been deliberate ways to remove our languages from us, as people, which includes our identities, our cultures and our well-being.

In every location across this land, we visit the respective territories of the original people, whose land we are on, and know the richness and diversity of their languages, traditions and cultures. Today, I sit here on Algonquin territory and acknowledge the Algonquin people, as a visitor and ally with great respect from Mi'ikma'ki.

In my territory, there are great efforts to revitalize and reclaim languages. Languages have been a high priority within our leadership and our *Sante' Mawio'mi*, which is the traditional government of the Mi'kmaw people. In the last 13 years, Nova Scotia's language-speaking population has significantly declined. In 1999, the generation of 10- to 19-year-olds was 70%, while 13 years later, the same generation was assessed at 20%. To see a decline in our speaking populations within the younger generations is alarming.

There have been measures to reverse those declines, but with no adequate or sustained funding, it is very hard to do. The effort to establish languages back to normalization, as they were once spoken in all domains, is essential to the foundations of this bill. For normalization, we must embrace the evolution of our languages to move forward. I see clear efforts to respect the rights of self-determination and see this moving a step forward in reconciliation.

I would like to highlight clause 24 of the bill, and more specifically intellectual property. There's one amendment I'd like to see, that intellectual property rests with the nations and not individuals or institutions.

I see this bill as a foundational bill, and I respect the people who have spoken before me on those recommendations for amendments. I have been fully briefed on those conversations here today, but I am just here to reiterate the intellectual property clause.

Wela'lin.

• (1530)

The Chair: Thank you.

We're now going to begin our question and answer period. We will begin with Mr. Long for seven minutes, please.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Thank you, Madam Chair.

Good afternoon to my colleagues, and good afternoon to our witnesses this afternoon. That was very good testimony.

I'm going to start with you, Ms. Gould. My riding is Saint John—Rothesay, in southern New Brunswick, and unfortunately we don't have a strong indigenous culture that really thrives in Saint John. That is a shame, because the city has a tremendous history and heritage that involves our indigenous people.

The decline that you mentioned in youth, with respect to indigenous languages, is stunning. I agree. Can you just give us that decline again? You gave some percentages. What were they again?

Ms. Blaire Gould: We initiated a study done by Mi'kmaw Kina'matnewey. In 1999, we assessed the speaking population of 10- to 19-year-olds to be at 70%. Thirteen years later, in 2015, we assessed the generation again, and they were at 20%.

Mr. Wayne Long: Is it safe to say that without Bill C-91, without an investment from government, that would continue to decline? Do you think that it would drop right off?

• (1535)

Ms. Blaire Gould: We have, of course, considered both the linear decline and the exponential decline, and have concluded that 13

years from 2015 there will be no speaking populations from zero to 29.

Mr. Wayne Long: Here's my question. I also sit on HUMA. We talk about national housing strategies, and government money that the feds will flow through to provinces, and the provinces working with cities and so on. It's critically important, obviously, that we get this right. As we said before, no bill is perfect, but this is a tremendous opportunity for indigenous peoples and for Canada.

How would you see us best proceeding with this? Knowing that there are indigenous communities, cities, provinces, organizations and the federal government, how do we best let that money flow? How would it be best spent and targeted?

Ms. Blaire Gould: Thank you for your question.

You talk about provinces and borders of our communities. As a Mi'kmaw, I know no boundaries. My territory spans four provinces. I think that's very important in the step of recognizing who we are as language groups. I represent speakers in New Brunswick, Prince Edward Island, Newfoundland and Quebec. Each of these groups, so to speak, does amazing work in efforts of revitalization.

One thing I would like to see in terms of accessibility is that notion of long-term, sustained funding. I see this bill as being something that guarantees within legislation support for languages and the efforts of communities and organizations that have that mandate to continue to work. What I would like to further see in this bill is statutory funding.

Mr. Wayne Long: Okay.

Correct me if I'm wrong, but I think we've heard there are 90 different languages across Canada. I'm looking for you to give us a road map of how you feel we would best proceed. Is it by signing bilateral agreements with each province, and it goes from there? Is it by us trying to attach some strings to the federal money to make sure it's allocated properly? Should the provinces allocate that money directly to kindergartens? How do you see that rolling out?

Ms. Blaire Gould: I see language being part of all domains, going back to that normalization piece. Where I see this money being a flow-through is through the national organization my colleagues have spoken about before at this table, allowing for a national body—a part of government aside from the politics—to really be the distributor of funds.

It's about readiness. Respectfully, not... Many communities are doing the right things in terms of stepping forward in the right way for languages and reclamation—

Mr. Wayne Long: I'll just jump in.

If there are 90 languages across Canada right now, should they all be funded? Do you feel the purpose is to preserve all of them?

Ms. Blaire Gould: Absolutely.

Speaking for my own language, I don't see us—as a population of 30,000 or so—as any less important than those of higher populations or significantly lower populations. There is a need for all.

Mr. Wayne Long: Yes, I agree.

Ms. McIvor, do you want to chime in and give us some input as to how you would like to see this roll out with respect to funding through the feds to the province, to communities and to indigenous communities?

The Chair: You have about a minute.

Ms. Onowa McIvor: I think part of what your question is pointing to is an extreme lack of infrastructure. That has not existed in Canada for indigenous languages. If you look at any other sector—fisheries, economic development, child welfare, housing—there has been a long period, decades or a century or more, of funding, people, good minds and offices that have been established. Policies have created a road map that enables people to work together and make decisions.

I think that at the root of your question, and what is important to point out, is that essentially what you're uncovering is this void, this hole we have created. Language has always been the poor second cousin to everything else. It's always done off the side of people's desks. It's tacked onto education. It's tacked onto this, and it's tacked onto that.

Not to put any words in Blaire's mouth—she's my close colleague—but part of it is what Blaire and other people are talking about with respect to this national body. Part of what we're fighting for—and this is in my written submission—is the time and space, as indigenous people, to build that infrastructure.

• (1540)

The Chair: Unfortunately, I'm going to have to cut you off right there, but you might be able to bring that out through your answers to other questions.

Mr. Wayne Long: Thank you.

[Translation]

The Chair: I will now give the floor to Mr. Blaney for seven minutes, please.

Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC): I could let Ms. Onowa continue her remarks.

[English]

What do you mean by infrastructure for language and this organization?

Ms. Onowa McIvor: Part of what we're arguing for is a national organization, which is different from a languages commissioner. I don't think people are in opposition to that. They understand what it's for, but it's not exactly what indigenous people were advocating for in the consultation process that many of us were part of over the last two years.

What we're advocating for is a national body that would have regional hubs. It would take time. We would need a little bit of time. I know that we want to get a budget out and people are asking whom to write the cheques to. There's a reality to that, but indigenous

people need to drive this process. We need a representational advisory group that can provide those answers for you, and that needs to happen fairly quickly.

To try to put more of a point to your... I've been at these tables long enough to know that people need answers. What I would say more simply is the answers are going to need to be nuanced. There is no simple answer. It can't be just bilateral agreements with all the provinces and territories, because language work has not had the time to establish itself that way. You'll get push-back and people will say, “The territory is not ready for that” or “Are you going to do it per capita?” or “Those folks are going to miss out”, etc. There needs to be a nuanced funding plan.

There are some areas in Canada that are ready for that. Some solutions are clearer than others. Some regions need a little bit more time to work out, and there needs to be a different urban strategy because of the demographics that I spoke about. There needs to be a separate urban strategy that's different from the geographically specific indigenous strategies.

[Translation]

Hon. Steven Blaney: Witnesses from British Columbia have told us about proposed investments made by the Government of British Columbia to support languages.

Can you tell us about the impact of the measures put in place by the Government of British Columbia? There are certainly parts that we are trying to replicate on a national scale.

[English]

Ms. Onowa McIvor: B.C. is the leader in the country. It has been for a long time. Part of that has to do with more than 50% of indigenous languages being found here, but the provincial government has stepped up. It has added \$50 million to the table.

The impacts have been, to use Blaire's words, exponential growth in initiatives and communities being able to step forward at the stage they are at. There is no one right answer for everyone. Some communities are at the stage of planning. They just need time to figure out what the right thing is. Other communities, like Blaire's, have their strategies figured out. Kahnawà:ke is the same. There are many communities that have decades-long immersion programs, so they need additional funding to better support the impactful things they are already doing.

The negative side, I would say, of the funding situation in B.C. is that it's so rapid. To go from nothing to all this money when we don't have that infrastructure... This is what I was speaking about to the other member. We need time to develop, both nationally and regionally.

• (1545)

[Translation]

Hon. Steven Blaney: Thank you.

Ms. Gould, let me congratulate you on teaching your children the Mi'kmaq language. I see you have a number of initiatives. At the community level, how do you see the impact of the legislation and its impact on promoting the Mi'kmaq language?

[English]

Ms. Blaire Gould: Thank you.

What I see the impact being is that we're ready.... In terms of readiness, over the past 18 months, we have been developing language plans for all of our 13 communities in Nova Scotia. In terms of planning, there is no one-size-fits-all model for language reclamation. You don't start at one point and end up somewhere else. It's not an approach that will work for everybody, and so there is a customization approach to every single community, depending on its total population of speakers and what resources are available to them.

In terms of readiness, I state here today that Nova Scotia has developed our plans. We have looked forward, and we're constantly remeasuring and revising our plans to fit the needs of today. We're looking at all populations of speakers, not only our older generation of speakers, but definitely focusing more specifically on the emergent speakers and developing new speakers.

[Translation]

Hon. Steven Blaney: Okay.

I also want to thank you for your recommendations. You have submitted suggestions in writing, particularly on section 24, which deals with research. Your comment has been clearly heard. We had representatives from the Assembly of First Nations tell us that it is important that the research be done in partnership. Your point on intellectual property is well noted.

In closing, Ms. Onowa, do you have another recommendation? Is there anything in the legislation that you think is important? You mentioned rights.

I may be running out of time.

The Chair: You have one minute left.

Hon. Steven Blaney: Ms. Onowa, do you have another recommendation or amendment to the bill to improve it?

[English]

Ms. Onowa McIvor: Is that regarding clause 24?

Hon. Steven Blaney: Yes.

Ms. Onowa McIvor: It's the recommendations that I put in my notes about "by and with". And if you've heard from NSERC, I hope that this would support the whole tri-council's approach at this point.

I strongly support Blaire's position and any indigenous community's position, who are better positioned to also put forward the argument for stronger language around intellectual property rights.

I don't see the clause that speaks to that specifically, but I could do a subsequent submission regarding that if I can find it later.

Hon. Steven Blaney: Okay, first nation-led and intellectual property for research....

Thank you.

The Chair: In fact, it's open to all of the witnesses to provide submissions if you have extra information that you want to submit to us after you've provided your testimony.

We are now going to Ms. Jolibois, for seven minutes, please.

Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP): Thank you very much. *Masi cho.*

It's nice to hear these presentations and get really clear perspectives. The input is tremendous.

I appreciate the witnesses who have come forward and who continue to come forward. I recognize the importance of our language being secured and safe for future generations. Since the committee started hearing from witnesses, there were some pieces where I've felt nervous, and I am encouraged by hearing various presentations.

As we know, in Saskatchewan, and I'm sure in other provinces, education is a provincial responsibility. However, the number of children—first nations, Métis and Inuit—we send to provincially run public or private school systems.... If we did the research, I'm assuming that number would be very high. I'm hearing in these hearings that the provincially responsible systems won't necessarily be a part of funding processes or be included in this bill. I worry about that.

Without provincial, territorial and federal agreements, do you think this bill will ensure inclusion of indigenous languages in education?

This is for both, if you have the chance to take a look at that.

• (1550)

The Chair: Do you want to begin, Ms. McIvor?

Ms. Onowa McIvor: I appreciate the question. That's why I spent the majority of my speaking time on the issue. It's probably the biggest issue that I have with the bill. This is one of my areas of scholarly research, and the concern that I have is that at this time we have no comprehensive support system in Canada to develop, implement and support immersion education from preschool to grade 12. Every immersion school or preschool that exists in Canada right now has been done absolutely by bootstraps, by the hard work, blood, sweat and tears, and by the sheer will of those communities, and sometimes by working around very difficult existing policies.

That's why I brought forward Jordan's principle. It might be controversial, but I stand by the comparison with Jordan's principle. I think we have the same issue in education. We have a jurisdictional overlap and complexities that indigenous children's rights should supersede. We need a more comprehensive support system for indigenous communities to ensure the right to educate our children in their languages.

I found the bill to be quite silent on that issue. In the couple of clauses that I picked up on I'm just concerned that the bill has this equation between indigenous rights and complying with provincial jurisdictions, which in regard to indigenous language education has gotten us nowhere, and in fact has been a huge hindrance. I could speak to you after this session for a long time about how that has been the case province by territory.

Ms. Georgina Jolibois: That will be very helpful, and I will take you up on that offer. My office will get in touch with you.

Blaire.

Ms. Blaire Gould: You talked about provinces and territories. I cannot speak to that in Saskatchewan, but in Nova Scotia we have a good foundational working relationship with the province. We are in the process of developing our own legislation specific to Mi'kmaw people as we are one language group in Nova Scotia.

In terms of educational rights, in the interests of education our children do attend provincial schools. However, we do have an authority, Mi'kmaw Kina'matnewey, where our communities have the jurisdiction over education through self-governance. Further to that, it does not displace the need. I think the needs are there. I would want to allow nations to decide for themselves and in their respective provinces and territories to create those regulations and standards of what that working relationship looks like in indigenous languages, because they vary from province to province.

Ms. Georgina Jolibois: Thank you very much.

Back to the legislation.... Since we have two minutes, can both of you re-emphasize how we can make improvements in these areas, and how we can help strengthen the legislation?

The Chair: We're down to about a minute.

Ms. Onowa McIvor: My main recommendation was around adding a clause to recognize UNDRIP and particularly article 14, which speaks directly to our right to educate our children in our languages, and also to strengthen the language around indigenous rights over provincial jurisdictions. As Blaire just said, and maybe she can speak to this, maybe another clause needs to be added about how we're going to strengthen creating those agreements for education federally and provincially.

•(1555)

Ms. Georgina Jolibois: My colleague has a quick question.

Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP): You're referring to the UNDRIP article. In my notes.... It could have been appropriate to refer to articles 11 to 16 explicitly.

Ms. Onowa McIvor: It could be. I was pointing to articles 13 and 14 as the ones that are specific to language, and particularly article 14, around education, is the one we're discussing now.

Mr. Pierre Nantel: Could you please reiterate how important...? Oh, I'm done. I'm sorry about that.

Ms. Georgina Jolibois: Thank you very much.

The Chair: We will now go to Mr. Hogg for seven minutes.

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Thank you.

Ms. McIvor, you outlined the principle with respect to education. You referred to indigenous people and how any research should be by and for indigenous people. I guess some of us here feel a little uncomfortable with the irony of our being able to provide some direction with respect to this legislation and that if that principle were to be carried out, we would have constitutional responsibility, obviously, for being able to put a framework in place.

My belief is that we should be laying out the values that reflect the kinds of comments you made. Subsequent to that, hopefully the commissioner and the directors, who we believe will be indigenous people, will be the ones who will actually operationalize these issues. Therefore, the operationalization would be carried out by indigenous people, for indigenous people, consistent with the principle you highlighted with regard to research.

You made reference to a national body and regional hubs. Certainly, the reports that we had said that there was some debate in terms of who would be the directors with respect to the commissioner: whether it should be regional representation or whether it should represent different indigenous bodies.

Could you talk a little more about that and how you would see that being best carried out?

Ms. Onowa McIvor: The recommendation that I am making is not “by and for”, but rather “by and with”, which is an important distinction.

I'm not clear about your question. Are you asking about the three directors who are named in the bill under the office of the commissioner, or are you referring to the recommendation for a national organization with regional hubs? Could you clarify?

Mr. Gordie Hogg: I'm referring to the commissioner and the directors who will have operational responsibility for carrying out this legislation.

Ms. Onowa McIvor: It's unclear. Because I wasn't part of the co-development, I don't know what the thinking was behind the number three. When I saw that number, initially I wondered if it was because there are first nations, Métis and Inuit. Is that how they're going to divide these three directors? It's not specified in the bill.

Three directors for the size of the country, the number of languages, and the kinds of complexities that Blaire and I are pointing out to you today, I think, is on the low side. I think the recommendation that you're hearing from your expert witnesses is that.... Our recommendation is for a national organization with regional hubs, which would exceed three directors.

Mr. Gordie Hogg: I think the information we've received so far is that there was a consultation and that these are the recommendations they came up with as a result of that consultation. You're describing that somewhat differently to me.

Ms. Onowa McIvor: I would actually boldly say that I'm not sure that's fully accurate.

I think there was a consultation process. There were reports written. There was a co-development process, and there were decisions made about the final bill and how it was drafted. I've been a part of some of the subsequent meetings where there's been great surprise that there isn't a national organization listed in the bill, based on the consultations process.

Mr. Gordie Hogg: Ms. Gould, do you have any comments with respect to the carrying out or the operationalization of this, which I think occurs primarily between clauses 12 and 30 under "Office of Commissioner of Indigenous Languages"?

Do you have any comments with respect to how the directors should be pointed out, whether there should be regional representation or the three directors who are highlighted in the legislation?

Ms. Blaire Gould: I understand the role of the commissioner in the legislation. I do reiterate Onowa's point about missing a clause with regard to a national body or institution. Again, building that foundation for our languages is important, and that comes from many people. I don't believe that comes from three individuals in a commissioner's office.

I would entertain the idea that these commissioners from each of the distinctive language groups would be advisers to the regional hubs, as Onowa stated earlier in the conversation. I would like to see more support on the ground.

Again, when we go back into that pre-engagement and the engagement that took place, the idea of a national body was a centre of excellence, controlled and led by first nations or indigenous people. It was a place where you could go if you were at a particular state in your language situation in x community so that you did not have to reinvent the wheel time and time again on curriculum development and strategy development. There would be an institution in place where you could go and collectively work with like-minded individuals to allow the language back in your home community to thrive, and not to have to redo the work time and time again.

• (1600)

Mr. Gordie Hogg: My interpretation of the testimony provided by the minister and his staff when they were here providing this outline to us and explaining how they had reached this as a draft of legislation was that he was quite open to looking at changes. We've also heard of the urgency that exists with this and are trying to balance that sense of urgency for completion, about which we've heard from every witness who has been before us, with being able to look at how we move forward with this.

With the five-year reviews and the ability to review things being added to it, I want to be sure that in the legislation, at least the values are being reflected appropriately.

Subsequent to that, vested within the operational part of it is this whole role of whatever it might be by way of regional hubs, commissioners and directors. That becomes the operationalizing of the whole process.

I think this also reflects the principle you made reference to, Ms. McIvor, with respect to the research. It should be indigenous people who are making decisions with respect to how it is carried out. I think government is wanting to set the values in the legislation,

which we're constitutionally responsible for, and then turn authority for operationalizing it over to indigenous peoples.

Pardon me?

The Chair: You're out of time.

Mr. Gordie Hogg: Apparently I'm out of time, but not out of thought.

The Chair: We will now go to Mr. Yurdiga for five minutes, please.

Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC): Thank you so much.

I thank the witnesses for coming out today.

Obviously, this is a subject that has many twists and turns. I mean, we're looking at the educational jurisdictional issues.

Moving forward, we have to address the way we're going to roll out the funding and put the mechanisms in place. In my community, from first nations to Métis groups and settlements, one program is not going to fit everyone. I think we have to build flexibility into whatever we do, and I'm not sure what that is.

How important is flexibility for each community to address their needs? A need in one community is not exactly the same in the next.

Ms. Gould, can you give your opinion on what flexibility you believe there should be?

Ms. Blaire Gould: Flexibility should be around readiness and where you are in any particular state of your language in x community. We should not draft three priority areas of low-readiness or emergent, developing communities in setting the standards for language reclamation. It should not displace those communities who are far advanced in language reclamation and recovery, making them wait or be slowed down waiting for everybody else. I agree that there is no one-size-fits-all model.

That view is of course shared by Onowa, and I'll ask her to get into more detail about readiness and the states of readiness.

I believe this bill allows for flexibility of funding. I would encourage that the commissioner's office support the establishment of certification standards to develop and implement plans for reclaiming, revitalizing, maintaining and strengthening the languages.

The issue I have is with "At the request of an Indigenous community". If we have 90 languages and 90 come to request support, who is more important? I think everybody is equally important, and I would never take away from that.

• (1605)

Mr. David Yurdiga: Ms. McIvor.

Ms. Onowa McIvor: I've heard the word "flexibility" come up quite a bit regarding the bill. I'm really glad you've brought up that word. It's so important.

I agree with Blaire and the words that you said. There's a wide range for all communities.

The one part that I could say is consistent across all communities concerning the state of scholarship for indigenous language revitalization concerns planning. Something that all leading indigenous language organizations are promoting is the view that all communities should undergo a planning process that is an honest assessment of the state of their language.

Great models have been developed for the spectrum of activities and what the right place is for your community to engage. Sometimes it may involve concurrent initiatives. There doesn't have to be just one entry point; there can be parallel initiatives. Some evidence of a planning process is needed.

There is some language in the bill around community assessment, and as long as it's community-driven and has some way of being monitored and collected....

Mr. David Yurdiga: Thank you very much.

Another thing that concerns me is what kind of oversight you think is necessary. Obviously, we have 90 different indigenous languages on different scales. I heard that one community has only nine speakers of their language.

I'm not sure who should be doing the oversight. Is it a separate body? That's something I can't wrap my mind around. Who is going to be that body, the oversight body that looks after all indigenous languages within our borders?

Ms. Onowa McIvor: I think the national organization that we're all advocating for is the organization that would be concerned with all indigenous languages.

Mr. David Yurdiga: I'm just thinking about the priorities. How do you set priorities? Obviously, every indigenous language is important, but some are in a different state. If we don't do something now, some will be lost to history. There has to be somebody deciding that certain groups need attention right now, because if we wait any longer, we might lose them to history.

I really think that has to be established in the planning. There has to be a priority for some of these communities that will lose their identity because of that.

Ms. Onowa McIvor: It's a complex issue that you're bringing up, but I'll try to say this very quickly. In the field of scholarship of language revitalization, we talk about three ways of categorizing indigenous language communities: recovery, which is usually no speakers or very few; revitalization, which is the majority of communities in Canada; and maintenance, which means communities where the first language is still thriving.

We have been advocating for studies and funds to be put in place to at least start with the categorization of our languages that way, rather than by linguistic similarities, which doesn't really help us that much.

To answer your question, I think you have to start by categorizing languages and then ask what the right strategies and funding parcels are for these kinds of languages. What about these languages that are off and running? What about maintenance communities, the Inuit communities? That's part of why they're not here. There are situations—

The Chair: Thank you very much for that answer.

Unfortunately, we've run quite a bit over the time on that one.

I'm going to move over to Mr. Anandasangaree for five minutes.

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Thank you, Madam Chair.

I'd like to thank the panel for being here.

Professor McIvor, if I may just delve in a bit more on the UNDRIP, I know you've indicated that you would like specific reference to UNDRIP in clause 6. Are you suggesting that paragraph 5(g) also be amended and, if so, with specific reference to article 14 of UNDRIP, or was that for clause 6?

• (1610)

Ms. Onowa McIvor: My first preference is a recommendation to move the clause to a paragraph 6(b) and strengthen the language to have it recognized under the rights.... I'm not a lawyer, but you have people on your team who can write it in a way that doesn't interfere with any other processes. I'm just suggesting that there's a way that you could recognize that UNDRIP exists. You don't have to say "uphold" or "affirm"; it could be just a recognition.

If that's not possible for legal reasons—and that's for your committee to decide and not for me—then I would recommend a rewording of paragraph 5(g) to be stronger. I think it's vague. There are five different words there that I think are trying to get at one thing. It reminds me of an undergraduate essay of somebody who's not sure what they're trying to say. I think it could be clearer.

Also, regarding specific articles, one of your members has recommended perhaps an expansion on the two articles that I mentioned, and I think that would be good for your committee to consider as well.

Mr. Gary Anandasangaree: Thank you.

Ms. Gould, just with respect to the Mi'kmaq Education Act, I know that's had some significant successes with respect to overall education attainment. Can you maybe give us a sense as to...? The numbers you spoke about relating to language speakers I think are quite disturbing. What are some of the challenges you've had, as a self-regulating education authority in preservation of the language?

Ms. Blaire Gould: It all boils down to funding and having adequate, sustainable, multi-year funding to be able to focus on the initiatives that are led by communities. One of the greatest things about Mi'kmaw Kina'matnewey is that we're a collective. While we do have, in the language sense and on the language side of things, communities that are stronger than others, we believe in leaving no one behind. Our efforts are greatly emphasized into those communities with no or few language speakers. I think that's very important.

One of the things that we always fall back to in education is the cost of immersion schooling. We have three communities now that have instituted immersion, but again, with no separate funding in that, they have sacrificed OSR and have just made that happen. This has happened through curriculum development, teacher development and teacher certification that we've done, but there is an effort to do things right across the country.

Mr. Gary Anandasangaree: I think, Professor McIvor, that earlier you indicated with respect to immersion that it's oftentimes not funded adequately.

Are you familiar with the Saskatoon school board? I believe there's a bilingual program there, if I'm not mistaken. I'm not sure if they call it immersion. Can you comment on the effectiveness there and whether there are lessons for other language instruction boards where this can be adopted or looked at?

Ms. Onowa McIvor: Yes, I'm very familiar with that school. Many of my students are teachers at that school. It's a crowning jewel in Saskatchewan. It's certainly something that the government is proud of and first nations people are proud of, and it's a start.

It's not really my position to speak to the quality of the program or assess the outcomes for the students, but what I would say is that it's an anomaly, and that's the point of the comments I've made today, that it shouldn't be. It should be the norm, and it shouldn't have been so difficult. It shouldn't be, "Oh, look at this amazing thing that we did. Look at all the ways that we worked around. Look at this workaround and this workaround. Look how we found our way around the Education Act, which says that no other language can be taught more than 50% of the day in the province of Saskatchewan." That's absolutely ridiculous.

My point is that, yes, there are examples. Of course there are examples across the whole country of tremendous immersion and bilingual education, but it's the exception, and it's because of the hard grassroots work, as Blaire was talking about, people just making it happen and the workarounds rather than the norm.

•(1615)

The Chair: Thank you very much. Thank you to both witnesses for their helpful evidence and for giving us some ideas as to what people might want to look at as amendments.

We're going to suspend briefly so that we can bring up our new set of witnesses.

Thank you very much.

•(1615)

_____ (Pause) _____

•(1620)

The Chair: We'll start up again because we have a second set of witnesses.

We have with us Grand Chief Edward John, Political Executive Member of the First Nations Summit; and Graham Andrews, Seventh-Generation Michif Knowledge-Keeper, Member of the Métis Nation.

We will go in the order that you appear on the agenda, so we can begin, please, with Grand Chief Edward John.

Grand Chief Edward John (Political Executive Member, First Nations Summit): Thank you.

Good afternoon.

[Witness spoke in Dakelh]

Today I want to share at least one indigenous language that comes from this continent, a language that belongs to my people. It's a Dene language. We call ourselves Dakelh. We come from the northern part of British Columbia in the west. We share that language with other Athabaskan Dene-speaking people in Alaska, the Yukon and the Northwest Territories; in the northern parts of all the provinces pretty much over to Manitoba; south to northern California, southern Oregon, with the Hoopa and the Yurok; and the southwest United States, with the Apache and Navajo. We share that same language family.

What I said is that this is a very big issue that we're talking about, the status of our languages. We have come before you to speak about it in the hopes that you will listen and help us with our languages. There's a plea in our hearts to you to reach out, as this country of Canada, to hold up our people with dignity and honour, and the well-being that we have, for the survival of our languages, as the original languages of this great land.

I am an elected member of the First Nations Summit executive, and have been for 30 years. I know both Cathy and Gordie Hogg—Gordie Hogg in particular, as a member of the Legislative Assembly of British Columbia. He and I shared the same Ministry of Children and Family Development as ministers.

The number of children in care.... Those children in care who are indigenous, even though it's recognized in the legislation that their cultural heritage is to be protected, there is no way the Government of British Columbia can provide the services for them to retain or learn their languages, even though it's a legislative requirement. So we can't fool ourselves simply because there's a legislative requirement that it will be done.

The resources, the planning.... I really appreciate the two ladies who were witnesses here before I was, and their presentations. They're dealing with these issues in our communities on the ground.

For me, I wanted to say that I'm hoping this bill is approved in this Parliament, that it's made into law. It has been long-awaited, as we said. I certainly support the tone and the direction of this bill. Our languages are in a very serious situation, so this bill is both welcome and urgent. This Parliament should not go into an election before this bill is approved, both in this House and in the Senate.

I wanted to acknowledge the Algonquin people on whose ancestral homelands we meet.

I wanted to say thank you to you, members of the committee, for the invitation. I think this is a pivotal year. The United Nations has declared this year the International Year of Indigenous Languages globally. There are 370 million indigenous peoples. Out of the 7,500 languages, some 4,000 are indigenous languages, and many of them are endangered. But there are others whose languages are doing relatively well.

•(1625)

On January 28, in Paris, UNESCO officially launched the International Year of Indigenous Languages. UNESCO has been given the mandate by the General Assembly to convene the year and to develop and implement plans in support of indigenous languages. That launch was on January 28 in Paris. UNESCO has established a steering committee of 14 members, including seven indigenous members from across the globe. I am one of the seven, from the North America region. I'm also the co-chair of the steering committee charged with the responsibility for the international year.

On February 1, the president of the General Assembly, Madam Espinosa, convened a one-day session of the General Assembly for state parties and indigenous peoples to speak to the issue of indigenous languages globally.

For example, the representative of the Government of Paraguay stated that Spanish and Guarani are official languages in that country, and that some 85% of all of the population speak Guarani—the indigenous language. To me, it was astounding to hear that there would be such a large uptake of learning, speaking and using Guarani as a language. It speaks to the political will of the country, the political will of the state to address this particular issue.

The presentation that was made by the First Peoples' Cultural Council is a submission that I certainly support. Our organization has been in close collaboration with the First Peoples' Cultural Council and the First Peoples' Cultural Foundation. We have to say thank you to the Government of British Columbia for setting aside some \$50 million, which has been transferred to the First Peoples' Cultural Foundation to hold for the development, support and revitalization of indigenous languages.

That resource is fundamentally important. There is a drawback, though. Communities that require funding have to submit proposals on a year-to-year basis to be funded. I think a better approach to funding language development is to fund directly to the communities. The federal government already has a long pattern of working with communities and providing funding directly to the communities to provide services in education, in K to 12 as well as in post-secondary. Resources should be put directly into the communities for the communities to be able work and establish priorities. That is essentially one fundamental requirement that I see as important and should be reflected in commitments in the bill.

I provided a copy of my presentation to the clerk of this committee. I'm not sure whether you have received it, but I'm expecting that you have it or will soon have it. It was submitted yesterday.

I am a product of the residential schools era. As young children of four, five, six and seven, we were taken from our communities and sent to English immersion schools. You can call them residential schools, because essentially the language of instruction and communications in those institutions was English. In other cases, maybe in Quebec, it was French. In the province where I come from it was all English. We were not allowed to speak our own languages. Certainly, there was no way to learn our languages in these institutions.

We now see the intergenerational impact of that. In the three communities that I come from, those who are fluent in the language would be those who are elderly, from the age of 50 onward. They are making efforts for the young people to learn their language. In my three communities, we counted probably 65 people who can speak the language to various degrees of fluency. We think we're lucky because we have that small foundation to work from.

We developed a plan in our nation that the first priority for us now is going to be revitalizing our languages with our cultures and our traditions. We have something to build from.

•(1630)

It came about not as a result of the dire situation of our languages but as a result of the number of children and youth who were on a suicide watch. We were very concerned. Our elders and young people got together. We talked about what would help these youth to be strong Dakelh. What came up, to everyone's surprise, was language, culture, songs, our history, our way of life on the land, fishing, hunting and knowing the mountains and lakes through our own language. That's where we are now, and that's what we intend to do.

I fully welcome the measures included in this particular bill, dependent children and families—

The Chair: Excuse me, Grand Chief Edward John.

I've let you go over by a couple of minutes already.

Grand Chief Edward John: Okay.

You didn't give me a time, so I didn't know how much time I had.

The Chair: I believe the clerk provides the times.

In any event, if you would be able to—

Grand Chief Edward John: I never talked to the clerk. I'm sorry.

The Chair: It's absolutely fine.

I was going to ask if you could close in a minute. You'll have a chance to bring things out in the questions.

•(1635)

Grand Chief Edward John: I'm just getting started.

The information that I wanted to speak to is in black and white, but in English. I'm sure it can be translated for you into French, for those who speak only French, or who are bilingual, which is a luxury we don't have for indigenous languages.

There are many recommendations, of course, that have been made. I have a list of recommendations that is built into the presentation.

Perhaps I will leave it at that.

The bill, for all intents and purposes, is moving generally in the right direction. As I said, the tone is right, but there are a lot of technical issues that need to be sorted out, some of which you spoke to and asked questions about with the earlier panel, which I was happy to be able to listen to.

Thank you.

The Chair: Thank you very much.

We will now go to Mr. Graham Andrews, please.

Mr. Graham Andrews (Seventh-Generation Michif Knowledge-Keeper, Member of the Métis Nation, As an Individual):
[*Witness spoke in Michif*]

Thank you for inviting me to speak to you today in the home of your government.

My colonial name is Graham Andrews, but my traditional or true name, as I was taught, is “Stands and walks with a ceremonial pipe”.

I am a Michif by birth. My father, Garry Andrews, is the last of his generation, the seventh in a once proud, then ashamed, now pride-reclaiming Michif bloodline.

It is with his approval that I speak to you today—in English and the language now called Michif—on behalf of the seven generations of my family who came before me and the seven generations to come.

Nipaapaa, my father, first heard our language while in my grandmother's womb. *Nohkom* first heard our language in her own mother's womb, as did her mother and father, and their mothers and fathers, and so on. Mine was the first generation that didn't have prenatal exposure to our language.

As is the shared experience of the indigenous people in this land, *Nohkom*'s Michif pride was beaten out of her in the early 1900s at one of your government's many outsourced religion-based schools. This was not long after several of my grandparents were raped, killed, arrested and dehumanized by an army that took its direction from the very hill upon which we sit right now.

Many of my aunts, uncles, and much older cousins were fluent but closeted speakers of our language until they died. In the frequent times when *Nohkom* and her older sister were sufficiently numbed by rye and beer, they recounted the nuns' schoolhouse punishments when they spoke our language—the only one they really knew.

Sometimes it was “just” a beating with a leather strop. Other times, they were also forced to kneel barelegged in prayer on the piping hot metal skirt around the classroom's furnace. Their knees blistered from the heat, but they kept quiet for fear of “real trouble”.

I can't blame *Nohkom* for protecting us from her experience, and I can't blame her for needing liquid courage to openly speak about it in any language.

But our languages saved my own life, because this is what our languages do. At the age of 11, in Prince Albert, Saskatchewan, I subscribed to the myth that I was just a dirty half-breed kid. I hated myself for my pale skin and blue eyes—my colonial appearance, if you will—and I envied my brother and many close cousins who, with their dark hair and eyes, looked what I imagined to be the part.

Like so many in my family—and many indigenous families—I descended into suicidal addictions that, it turned out, could only be defeated by the genuine love expressed through the languages of my ancestors.

[*Witness spoke in Michif*]

My grandmothers and grandfathers spoke many different languages: Michif, Cree, Saulteaux, Chippewa, Dakota, Nuu-chah-

nulth. To me, they're all heritage languages; it just so happens that a certain dialect of Michif resonates most strongly in my heart. I was raised Michif, with uniquely indigenous values but no real idea how to express them.

In the early 1990s, a university professor named Janice Acoose saw that I was struggling, and she gently urged me to find and reclaim my language, just as she was doing with her own. That planted a seed.

By the time I nearly succumbed to self-hatred, two Nuu-chah-nulth elders, Beulah Sayers and Jesse Hamilton, showed me a love I couldn't understand at the time. It was auntie Jesse who first suggested that maybe I was born fair-skinned so that *mamuthny*, white people, might not be so quick to judge.

Janice's seed began to sprout.

● (1640)

Auntie Beulah and Auntie Jesse introduced me to their children, who were blood relatives, it turned out. They took me out on the lands of their traditional territory until I was ready to go back to my own. Back in Prince Albert, I spent hours with my auntie, Rita Parenteau, at her kitchen table, poring over dictionaries so that we could both connect with languages dismissed as savage in the residential schools. She took me out on the land and encouraged me to become the kind of person we are all meant to be—people who share with one another and care for one another.

I call her *Tunwin*, which in Dakota literally means “my father's older sister”. It's a word for “mom” as well, because our languages are based on relationships that modern society either ridicules or doesn't understand. Cousins in the European way are brothers and sisters. Aunts and uncles are the same as moms and dads. A fifth great-grandfather is no further away than a grandfather.

The earth is my mother. Who dares to poison and disrespect their own mother? Who dares to sit idly by while it happens?

By getting to know even tiny parts of these languages, I got to know my ancestors, and my ancestors introduced me to myself. All I needed to do was be quiet enough to listen and it was freely given. Many years ago, *Tunwin* told me to keep the fire going at a ceremony just across the river and a bit north of Batoche. “Keep the fire low,” she said. “It's probably on Crown land.”

Sitting across the river from where my grandmothers and grandfathers lived, fought and died, it hit me: We Michif have no land. In 1870, your government tricked us into the Manitoba Act with great lies of land and rights. After 1885, we were punished for standing up to you, so we squatted in fear on so-called Crown land that was stolen from all of western Canada's indigenous people.

We were, and continue to be, a nation without territory.

Your bill gives great deference to “indigenous governing bodies”, “indigenous organizations”, and the undefined collective of “indigenous peoples,” but there's no room for the individual or the knowledgeable outcast. That, frankly, terrifies me.

Who speaks for the non-status? Are they less worthy of representation because their status grandmothers married non-indigenous men? Alberta is the only place in the world where land has been set aside for Métis people, and yet I understand that the Métis settlement's general council weren't consulted. In Alberta—and I suspect in much of the rest of the country—there are thousands of unclaimed or unused acres of land. These are so-called Crown lands that have been designated for traplines, for example, yet we fight in your courts for harvesting rights.

If language revitalization is as vital as your political parties have all now publicly said, then give us a place to teach our children about their relationships with themselves, each other and their mother. Tracey Herbert of the First Peoples' Cultural Council, who appeared before you on Tuesday, suggested the creation of a body similar to the Canada Council for the Arts. It could oversee these otherwise brilliant initiatives that, as it stands, will be poisoned by political plays.

A few others around this table said last night that no legislation is perfect. It should be thought out. Given Minister Rodriguez's repeated commitment of \$90 million in funding over the next three years, 5% of that budget would pay 20 indigenous employees almost \$80,000 a year to work as grants managers.

Our languages have spirits and souls. I experience that with every word of them that I learn and speak. I cherish those moments when I see someone reconnect with their ancestors through a single word.

That is my truth, and without truth, reconciliation is just public relations.

Marsi.

● (1645)

The Chair: Thank you.

We will now begin our question and answer period. We will begin with Mr. Anandasangaree for seven minutes.

Mr. Gary Anandasangaree: Thank you both for your very powerful presentations.

I'd like to start with the grand chief. I know you have a list of recommendations. I'm wondering, given that I have only seven minutes, if you could highlight the top three for us. I'll have other questions as well.

Grand Chief Edward John: The purposes of the legislation are generally fairly broad. The important provision in the bill is clause 6, dealing with rights related to indigenous languages, talking about Canada recognizing the rights of indigenous peoples, and speaking to article 35.

I agree with the notion that there needs to be built into that provision that these rights are also recognized in articles 13 and 14 of the UN declaration. I think a simple drafting amendment could be incorporated to expand that.

I'm concerned about the way the courts have interpreted article 35, narrowly in my opinion, and the way governments are indifferent to the implementation of court decisions. There is another foundation for the rights, which is that these rights on languages are not granted to us by Canada's Constitution. They're recognized by Canada's Constitution, but they're inherent. That would be one provision.

The second recommendation would be to ensure that whatever resources are made available, and the \$90 million from the minister that my friend here talks about, should go directly to the communities for the priorities of helping and preserving, revitalizing, normalizing and stabilizing our languages.

The third recommendation would be consistent with Canada's commitment to the UN World Conference on Indigenous Peoples to establish national action plans. One specific action plan that any government should establish is a 10-year action plan on indigenous languages that would go beyond year-to-year, something more substantive to ensure that the government, in collaboration with indigenous peoples, is able to establish that as a way to lay a solid foundation on the way forward. The two ladies who spoke in the earlier panel...that we achieve the objectives they spoke about, the tremendous work they do in the communities and on the ground with children.

Mr. Gary Anandasangaree: Thank you, Grand Chief. I appreciate those comments.

You both speak to the sense of urgency for such legislation.

Grand Chief, I know you've been working on this for many decades and, Mr. Andrews, you've indicated the enormous amount of work that you've done in reclaiming the language. Can you tell us what responsibility you think this Parliament has to make sure that this legislation goes through? What is the option if we don't get this legislation through?

● (1650)

Mr. Graham Andrews: I think the obligation of this Parliament is to get it right or to get it as close to right as it can be. I hear a lot of people saying that this is urgent, that this needs to be done now. Unfortunately, to me, that smells of trying to find a political win. And that's what you do by virtue of what you do.

For me, we see this much goodwill in what happens to be the United Nations International Year of Indigenous Languages. What happens if it turns over to 2020 and all of a sudden all the members of Parliament who stood up yesterday and endorsed this bill on second reading disappear?

Mr. Gary Anandasangaree: Grand Chief.

Grand Chief Edward John: Yes. I think we should get it right and get it done.

As I read the bill, there is a good foundation for our communities to be able to build what is necessary. In and of itself, the legislation will not answer the questions that we have or the concerns that we have. What we need is the resources and the capacity in our communities to be able to develop fluency.

I think the first priority, if you talk to those who teach language, is not literature. It's not more books or more dictionaries, but it's fluency and the ability to speak the language, supported by literacy, which is absolutely critical. I would say, fluency through immersion. Where would you put your resources? Where would you put your money? Immersion, with children....

We've seen the successes in other parts of the world. In Hawaii, where the language was virtually dead some 20 or 30 years ago, they adopted the "language nests" approach of the Maori in New Zealand. Now, they teach courses at the university level in Hawaiian, even at the Ph.D. level. That's where they've gone in a relatively short period of time: from a handful of speakers to where they have thousands of children who are fluent in Hawaiian.

Mr. Gary Anandasangaree: Thank you, both.

The Chair: We will now go to Mrs. McLeod for seven minutes.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Thank you.

Thank you to both speakers for all the work you've done over the last years.

Mr. Andrews, you were asking what the vote in the House meant yesterday. The vote in the House, of course, meant that we all recognize how important this is and now, of course, our job is to try to get it right and to try to make it the best we can to move forward.

I was concerned when you indicated that.... I understood that there was enormous consultation and that it was co-developed. It took a long time to actually get it to the table, but you're saying that there are groups that were completely excluded from the process.

Mr. Graham Andrews: I wouldn't say excluded, as any sort of a calculated movement on behalf of anyone, but I was paying attention on Tuesday night when this was being discussed, and the question came up about the Alberta Métis settlements. Those are the only land-based Métis in the world that are called Métis.

I was at one of the consultation sessions in Edmonton, back in July. I only found out about it the night before, so I dropped everything to go to that. There was no one there from the Metis Settlements General Council.

Mrs. Cathy McLeod: I would expect that we probably have witnesses, but if we don't, that would be a gap that probably should get filled, if we haven't had anyone speak to it, so I appreciate that comment.

I want to go to the testimony that we heard previously around clause 24. I was hearing what the witnesses were saying, but I wasn't reading in clause 24 what they were reading in clause 24. I interpreted it as "may do some research". They felt it needed to be strengthened and there needed to be lots of work, similar to the granting councils. I think the language there is such that it allows for the research capacity, but it doesn't erode the respect for communities or the respect for intellectual property.

Have you looked at that section? Do you have any comments on that?

• (1655)

Grand Chief Edward John: Certainly I do. I think that research that is required should be directed through the first nations community. I'm talking first nations here, the indigenous communities, whether they be Métis, Inuit or first nations. From a first nations perspective, the research should be largely for the purposes of preserving, stabilizing, normalizing and revitalizing indigenous languages. At this period in British Columbia, all of the indigenous languages—and there are eight language families with some 30 languages altogether—are endangered.

Research is really the last of our priorities, put it that way, but it's still needed. What we need is money for fluency development through emergent programs. That's where our priority is. The other thing about research is this. We've seen a lot of research being undertaken by academics, and now we see the documents, and they're copyrighted in the name of the researcher. It doesn't do us any good, even though it's about our languages and our future, unless the researchers or whoever has the copyright decides that the copyright should be transferred to indigenous people.

It's a big undertaking, but these are the safeguards that we require. It shouldn't be just holus-bolus research for the sake of research. It has to be directed toward the purposes that we establish, not somebody else's purposes.

Mrs. Cathy McLeod: Do you see clause 24 as needing some massaging to make it reflective of what you just indicated? Again, I sort of see it as more flexible in terms of how it's written. I didn't see it in the same light, so I guess it doesn't need massaging.

Grand Chief Edward John: Maybe I'll just add to the earlier comment that I made. In paragraph 24(1)(b) in particular, there's "the use of Indigenous languages...for the purposes of measuring the vitality". In this country, people throw their arms up when they see fish endangered, birds endangered or plants endangered. We have a monitoring system so plants, fish or animals are red-listed when they're endangered. We need to see something of this nature.

In every first nations community in this country, already there should be a measuring of the vitality of the language in that community. If there's a community of 100, and there are two speakers, then we should list that. We should know that in every single community right across this country so we know the status of the languages and we know what it is we need to do. If we need to red-list languages, not to put it in a negative way to think about it, but if it's seriously endangered, we should know about it. This particular office can help us understand the status of indigenous languages in this country.

Mrs. Cathy McLeod: I think one of the witnesses suggested that there be an addendum attached to the bill that would list the languages. Would you suggest that we also create something more specific, or is this sort of the framework and all that work needs to be done down the road?

Grand Chief Edward John: It needs to be done. I think so. To list them would be a constructive step.

Mrs. Cathy McLeod: Thank you.

The Chair: Thank you very much.

[*Translation*]

We'll now go to Mr. Nantel for seven minutes, please.

Mr. Pierre Nantel: Thank you, Madam Chair.

Mr. John and Mr. Andrews, thank you for being here.

Mr. Andrews, how do you interpret the nebulous mandate? For example, in terms of language and education, instead of being given directly to the various nations, it should be filtered through the provinces. How do you see that?

It is not clear in the bill. Do you think that's dangerous?

• (1700)

[*English*]

Mr. Graham Andrews: I find it dangerous for a few reasons, and I apologize for using the loaded word “dangerous”. If I understand the question.... Sorry, I was having a little bit of trouble with my earpiece.

Mr. Pierre Nantel: I was simply saying that in the bill.... People came up and evoked the fact that it had to be provincially relayed in many ways, but it is not clear. Is it dangerous to you, this unclear aspect?

Mr. Graham Andrews: When my grandmas and grandpas were hunting, they didn't stop at the border between Manitoba and Alberta. They didn't stop at the border between the United States and Canada.

I get very nervous about parsing any of this. We now have the Daniels decision, which states that the federal government has a responsibility to consult with us. Obviously, some work is going to need to go on between the federal government and the provincial governments and all of that. However, if you're asking me the question as a Michif man, no offence, but I don't really subscribe to your delineations of province and country.

Mr. Pierre Nantel: Is this why you've shown support for an idea introduced to us a little earlier this week—I think it's interesting, I must say—about an “arts council” approach to first nations, Inuit and Métis languages?

Mr. Graham Andrews: I mean, this needs to be driven by indigenous people. I'm just here today as a speaker on behalf of someone who was raised in the tradition and someone who may have just enough ability to articulate it in a way that you may understand.

I'm going to stay away from that. That's a political question and I'm not a politician.

Ms. Georgina Jolibois: Can I ask—

Mr. Pierre Nantel: Oh, yes. Please go ahead.

Ms. Georgina Jolibois: Can you clarify...? You say “driven by indigenous people”. You've been following us these last few days, and we've had witnesses in the political field. We've heard from the AFN, the Métis Nation and the Métis National Council. Are you thinking of them or of someone else?

Mr. Graham Andrews: With all due respect to the national indigenous governing bodies, the bill as it sits right now.... Those are

the people who determine the fate of our language. They hold the fate in their hands. I can be a little bit outspoken. That's not 100% popular with people who are in a political position when I'm coming from a spot that is right here. This is what I was taught to do. What happens to the people who run afoul of the powers that be?

This is why I support the idea of a Canada council for indigenous languages. Let's talk about that. Let's put some land aside for us to be able to take our children.... When I take my children out to teach them my language, I take them out to my community's trapline. It's the difference between scholastic knowledge—knowing it up here—and knowing it in here. That's a big concern for me.

The Chair: You have one minute.

Mr. Pierre Nantel: I think it's very exciting. I know I'm out of scope, but I truly.... Chair, you sound surprised I'm out of scope. I don't know why.

Voices: Oh, oh!

Mr. Pierre Nantel: I think it's very interesting. I don't know if it's been explored, and I don't know if it's a good inference, so I'll make it short because I'd like to have your input, Mr. John. Obviously there are two ways here. Do you see it as something that's going to be part of the educational curriculum and blah blah blah, or do you see it totally as a heritage issue—an issue of culture, cultural survival and resurrection in many cases?

• (1705)

Mr. Graham Andrews: If I may, I don't see it as necessarily one or the other. Classroom learning has its place. But let's face it, if you ask me to sit down and read a textbook, I'll be asleep before I'm through the introduction. But if you take me out on the land and show me a different plant or how to trap a different animal and pay honour and respect to that, it's a completely different thing for me. But not everybody lives that way. Not everybody likes to get their boots full of snow.

Mr. Pierre Nantel: Yes. There's no one-size-fits-all.

I have a question for Mr. John. If such a bill had been effective 20 years ago, would it have changed your relationship with your own language?

Grand Chief Edward John: I think so. If the resources are there....

If you recall, a number of years ago there was a significant amount of federal funding available. It was cut to a bare-bones minimum of around \$5 million a year, I believe, for all indigenous peoples in Canada, which was crazy.

With respect to the provinces, I heard an earlier question around whether whatever federal funding is available should flow through the provinces for them to use or distribute. I think the provinces should stay out of this. It should go directly to the communities as education funding is done, for example, to first nations communities. It doesn't go through some third party. It goes directly from the federal government to the first nations community so they are able to use the resources for the purposes designated.

Mr. Pierre Nantel: Thank you very much, Mr. John.

The Chair: Thank you very much.

We will now go to Mr. Hogg for the final seven minutes.

Mr. Gordie Hogg: Thank you very much for your submissions.

Grand Chief John, thank you very much for the mentoring you've given to me over 20-something years now. We worked together to attempt to move child welfare into the responsibility of indigenous communities and away from government. I think some of the principles you're talking about here are principles we worked with at that point in time.

I'd like to pursue that a little more. You said that you support the tone of the legislation. You've talked about an urgency and a need to get this through royal assent. We've heard that from just about every witness who has come before us. There is a sense of urgency with respect to that.

My concern is that we get the values right. I've said this, that in most cases.... In those first clauses, clauses 1 through 11, we have to reflect the values and intent that come with that. My hope is that, at that point in time, the irony of our making decisions with respect to this will be turned over to indigenous communities making the operational decisions. We have some responsibilities with respect to legislation, obviously. My hope is that the application of this will be similar to the guidance you gave me before. This will actually be turned over to the indigenous communities to be able to do that.

Are there any problems with that model?

I'll just articulate that a little more. This legislation has a commissioner and three directors who would be responsible for articulating the values and carrying them out. We all believe and assume that those should be indigenous people who represent our three different cultures. If that is the case, does it make sense, from your legal training, your background and your work with the United Nations, that if those values are correct, they'll be articulated and carried out appropriately by the commissioner and three directors? The other option presented to us is that it should be divided up in terms of geographic distribution instead.

Grand Chief Edward John: To me, it's more of a secondary issue than a priority issue. My perspective has always been on community. That's where the challenges are, and that's where ultimately the solutions lie.

It's the grandmas, grandpas, moms and dads who teach us today. Twelve years ago, my father passed away. I remember his teachings and the way he took us out onto the land as children to teach us about plants and animals, about where we live, to be aware of what it is and how we are. We are so deeply connected to the land that we can feel the land and what is on that land, even though we can't see

the animals on it. These are the teachings inherent in the way these are being taught.

I'm not sure what a national commission may be able to contribute. I think it's maybe to help articulate and guide from a national perspective the commitments that Canada made. I think in that regard it's important for that purpose, but for the purposes of ensuring the survival of a language in a community, that is really something that needs to be done in the community and supported by the government. I can't overstate how important that approach is to me.

Maybe, since you're talking about these articles and the draft of the bill, clause 9, for example, this idea of arrangements with the provinces.... I think, if there is to be anything like that, it has to be in consultation with the indigenous peoples in that area. Federal and provincial governments should not be in the business of coming to agreements with each other about our languages. We need to be there at the table. There should be tripartite agreements, if there is to be some agreement. We have so many bilateral agreements between Canada and the provinces where we're not involved. Sometimes it's to the detriment of our people and communities.

We've passed the day when the two governments can come together and make these bilateral arrangements that impact our people. I'm more in favour of ensuring that indigenous peoples are right there at the table all the way through. If any signatories are required on these agreements, there should always be an indigenous signatory required.

● (1710)

Mr. Gordie Hogg: How would we ensure, in your model of resources going directly to communities, that the resources are allocated and controlled by indigenous people? Organizationally, how would that work?

Grand Chief Edward John: There are some really important statements in here about language plans. These are essential and are going to be required. Territory-wide plans and community development plans are always essential.

I'm thinking, if I understand your question, it's more around how, through the national level, they are—

Mr. Gordie Hogg: It gets to the local level.

Grand Chief Edward John: Yes. As I said, the only example that I can point to right now is where the department, Indigenous Services Canada, has direct, bilateral agreements with every first nations community to provide funding to that community for education, for example, not through some other source like the Canada Council grants.

Mr. Gordie Hogg: I was also interested in your comment that, consistent with the UN declaration—

The Chair: That brings you to the end of your time. You can have a quick comment, but you won't have time for a question and an answer.

Mr. Gordie Hogg: My quick comment was that I liked the notion—consistent with the UN declaration—of the need for a 10-year action plan. Hopefully that action plan would also have goals and metrics so we get some evaluation and ensure that we're achieving the intent of the values of this legislation.

Grand Chief Edward John: I completely agree with that.

Thank you.

The Chair: Thank you very much.

Thank you to both of our witnesses. It was really helpful to have your testimony today. Thank you for your contributions.

That's going to bring this meeting to an end. We will be back at it again next week.

This meeting is adjourned.

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