
IMPLEMENTING DELGAMUUK'W

Biography of Arthur Mamuel
Chief of the Neskonlith Indian Band.

Arthur Manuel is Chief of the Neskonlith Indian Band, Spokesman of the Interior Alliance and Chairman of the Shuswap Nation Tribal Council. His father was George Manuel.

First, I would like to recognize and thank the people of the Coast Salish for allowing me to be down here. I think it's important whenever we travel to recognize historically the people who own the territory.

I think the first thing that I would like to say is that I am really glad to see that there are a lot of people out here today. I think it's important for researchers to get together and discuss this very important aspect of the kind of work that needs -- and I really underline *needs* -- to be done. I think what we need to do over the next few days, at least, through discussions and dialogue, is start talking about the best practices that need to be applied in regard to research.

I think that one of the things that need to be addressed in terms of best practices is results. I think research isn't something that you do in order to put together a three or four inch book to collect dust. I think research has to be applied to the ground, because what we are really talking is what Don Ryan was speaking about in terms of it is the knowledge of the people that we are talking about, the law; we're talking the way people relate to their lands and resources. I think it is very important for us over the next year, in 1999, to get on the ground, to start really applying our laws on the ground. But one of the things we need is research. There is no question about it. You need to do the research first because when you go on the ground, when the people go on the ground, what they are going to do is invite litigation like injunctions, like being arrested. And if they don't have the research done, then you're in serious trouble because then you need to start scrambling to do the research.

I think it's important to address a very key concern that I hear when I am out in the communities, from my own people -- from our people -- and that is that we don't need to do research. Like, why the hell do we have to prove that we were here, you know? We know we were here. It was the white guys that came later. They should be the ones spending the money to do the research to prove how they got here. But I think that it's important to recognize that it is the federal and provincial government that are practically in possession of our property and our assets. So, despite the fact that we can make a good speech -- and no offense intended to the white people here -- though we could make a good speech saying that this is our land and they should go back, the reality is that they are not going to go back. The reality is that we have to find some form of reconciliation and we have to abide by certain basic principles. But we need to win, I think, the public's mind and the public's support in order to achieve on the ground some legal changes within the existing system so that we do manage, or co-manage, our resources.

One of the things that we need to do is establish in very clear terms that this land is ours, not only historically, but also from the point of view that we know very clearly what the needs are of our people so that we can develop integrated resource management plans that will balance the interest between traditional use activities and economic development initiatives. I make a very clear distinction between traditional use activities and economic initiatives, because in terms of traditional use activities, I guess develops when you're doing the research with regard to how we hunt, how we fish today. You have to realize that probably one of the most difficult jobs a chief has to do today is to pay his single band members \$175 a month -- that has to be one of the toughest jobs -- and to pay a family \$600 a month, because you know full well that you can't survive on that level of income. But you also know full well that the people use their traditional use activities to help support themselves. It is a part of their economy. Hunting is protein for our people, that we give \$175 to fish is protein for those people. It is very important when we are doing this research about the uses of our people with regard to hunting and fishing, that it's a very integral part of the economy still, simply because we have such a high rate of unemployment in our communities. So the research that we are doing is integral to the relationship of our people. And when we talk about traditional use activities, I think that we are not about

something that is ancient and old, but about something that's essential here today. I think, though, that we need to balance those activities with the economic activities that are going on out there, like logging, like silviculture, like mining, and all these other activities that are happening out there, because they do impact the watersheds and they do influence and have a very devastating effect sometimes on traditional use activities.

We need to understand that when we are talking about research within our lands we need to be able to identify a wide range of activities, including language and culture and other things like that; that we need to identify a lot of information. I just think that it is useful that if we could develop some best practices with regard to that so that the research from north to south, east to west involving the different nations are based on the same kind of premises, so that when we argue with the government on these issues we have something on the ground to deal with. So I think research is an essential beginning point for us. I don't agree with people who say that we don't need to do research. I think we need to do research first of all. I think the biggest problem with regard to research isn't the fact that we know everything, because, heck, we all know we don't know a lot about our own history, our culture because we know we've been under severe attack by the assimilationist policies of the federal government for the last 100 or 150 years. There has been serious erosion of our knowledge and normally we need to bring a lot of Elders together to get a real sense of our history and culture. I think we need to know that. I think the real big problem, the real big problem, why we talk and argue about whether we should or shouldn't do research is simply because we don't have any money. We just don't have the money. The government spends thousands of dollars per acre doing research, whether it be through Department of Fisheries and Oceans, Ministry of Forests, through L.R.M.P. [Land Resource Management Plan], through all these different federal/provincial agencies. They spend a lot of money per acre doing research and we're expected to go into a sort of position of dealing with our land, our title, without any money whatsoever with regard to research. I think that's really part of the government's assimilationist plan.

I know in the whole question of research was a question that our more elderly politicians -- and many of them have passed away by now like my father, the late George Manuel -- I remember a whole T.A.R.R. [Treaty and Aboriginal Rights Research] system had started up way back in those days because they thought it was an essential part with regard to dealing with the land question. They have always been pressing that. But I think the main thing that we need to think about in the political sense with regard to research is how we're being dealt with in regard to the issue of settlement of issues. The government is also pressing this "you don't need to do a lot of research," and they are doing that through the existing 1986 claims policy. Originally, I guess, the 1973 claims policy, the predecessor to the 1986 policy, was a blanket extinguishment policy. After Section 35, it was amended in 1986 and it became a surrender-and-grant back policy. The surrender-and-grant back policy in British Columbia is being applied through the existing treaty agreements that have been developed: the Nisga'a agreement, it also has been in the Sechelt Agreement. Basically, the federal government will not do anything unless there is a policy. So the only land claim policy that is out there in the federal domain is the 1986 claims policy, so it is under that auspices that all initiatives within the British Columbia area are being negotiated. There's no other way the government would operate and get away with it. They have Auditor-Generals and they have all other kinds of people to do checks and balances on these processes. So the B.C.T.C. [British Columbia Treaty Commission] process is part of the 1986 policy. You know we can claim it as a B.C. process, but essentially it is the 1986 policy and the federal government is the mastermind behind it.

But how does that impact on research, you might say? The thing is that what it does, is doesn't really entertain research. Basically, the B.C. treaty process doesn't deal with rights. It's a non-rights kind of negotiating process. They don't talk about rights per se in that process. If you put rights on the table, it will get thrown off the table. The other thing is that in order to enter that process all you need to do is get a piece of paper or a B.C. map and draw your territory on it and put together a letter of intention and mail it in to the B.C.T.C. and you're off to negotiation. That process doesn't say anything about research. It says draw a circle on a map or a line in a map. I noticed, and I won't mention a name, but I noticed that one of the B.C. claims, and if you take a look at the map, is actually a rectangle, you know. I won't say where it is from, but I have never known a watershed to be a rectangle -- and it's a pretty substantive rectangle in British Columbia. But that sort of displays the level of research that you need to do because, you know, our people did operate within watersheds, they did ecologically take care of the terrain and the territories so that the animals would be able to survive. So basically the B.C.T.C.'s primary purpose is to have Indian people avoid research, not to substantiate their position and not to provide a foundation for future integrated resource management plans.

So I think that it's important to realize that in British Columbia you have these two dynamic forces sort of pressuring you as researchers. One is the militant who says we don't need to do research because we know everything. The other one is the B.C.T.C. which says that you don't need to do research, you just need to draw a rectangle on a map and send it in with a letter of intention. You don't really need to do any research. You come and negotiate, like what Don Ryan was speaking about more or less, the inherent right to self-government policy and implement that basically on some land selected as your new Indian reserve and then you exhaustively extinguish your aboriginal title within the context of the treaty agreement. That's basically what they're looking for. So the strategy is, basically, to undermine you as researchers. So you have a bit of an uphill battle to struggle. But don't worry, I'm on your side.

I think research and political action is very essential. I think that unless research can be applied to the ground quickly.... You know we could talk about going to court and talk about all these other kinds of initiatives, but I think one of the things Indian people should do, is they should wind up taking their research and applying it to the ground and get dragged into court, because we're in a little bit different position than my dad was. My dad didn't have Delgamuuk'w and so it was a little bit more iffy, you know, whether or not they should go out on the land. But now we have Delgamuuk'w and I think people can get out on the ground and they have at least a colour of right, so to speak, to get on the ground and do things. And to make sure that the research is done. Then maybe people could understand what this darn big thick book you guys write that nobody really wants to read because there are too many footnotes in it. But at least they know what that means to them personally, in the community, and I think that is the kind of thing that needs to be done.

I would encourage people who have specific claims, the dead end file process. I know I sit on the Chiefs Committee on Claims for the Assembly of First Nations. I stood on that on behalf of the Union of B.C. Indian Chiefs and we have been working over the past year trying to develop a independent claims commission. And Wayne Haimila is one of the technicians that works along with Leigh Ogston, and they have been working with these D.I.A. [Department of Indian Affairs] officials over the past year and a half, two years, you know, and I have hardly seen Wayne over that period of time he was working so hard at that. But we have got it done. We have got a process that is acceptable to the Assembly of First Nations and acceptable, at least, to the bureaucratic level with the federal government. But it's probably going to die on the table because the government doesn't want to bring it to Cabinet and they don't want to allocate the resources to deal with these rather old, legal obligations that they have with us. Basically one of the reasons they don't want to do it is because they have a real distaste for tribunals, and one of the processes in this process is to have a tribunal. They don't want it because of that situation where they were paying women less than men for doing the same work and they lost this Human Rights Tribunal thing where they have to pay these women back the money that they shortchanged them -- it goes into about \$6 billion or something. So they're a little bit worried about tribunals, especially a specific claims tribunal, because it would probably add up to even more than that. So Chretien and Paul Martin don't want to proceed with it. So it'll die. I know the A.F.N. [Assembly of First Nations], and I sit on conference calls two hours and three hours at a time talking to other chiefs across the country about what kind of strategy do we need to apply in order to try to push the government to accept this comprehensive [*sic*] claims policy? We got some pretty high paid consultants on the line, too, and they're all talking about this way and that way of approaching letters and this kind of stuff, but I think that's all wrong. I think the people have to start fencing off those cemeteries and say, "we had this file in there for ten, fifteen years and you guys did nothing. We sent our chiefs to negotiate an independent claims tribunal and you guys didn't proceed with it. We did our best, we waited a long time, now it's time to take action." So I think research always has to deal with political action. I think research by itself, if it gathers dust, is really an academic exercise and I think we really don't have the opportunity to do that because we always need to remember the traditional use activities is a very clear link to the human welfare and the dignity of the Indian people themselves.

Reconciliation and co-management, I think that can be done. I think reconciliation and co-management -- if you have the research, if you really know what people are doing on the land -- you can meet with the federal/provincial government, not necessarily in the context of the treaty process and not within the context of any other process, but just to make decisions with regard to sacred areas, to berry-picking areas and you could apply those things on the ground. In terms of long-term strategy -- research, legal, and policy -- I think that we

need to clearly define that, especially in research. I would like to see first of all some sort of sense of the kind of research, the best practice of research, that we can do over the next few years; be a real guide to the people and take some real affirmative actions, I think, in developing it. Because as much as I might think I know a lot about research, to tell you the truth, I know nothing. But, anyways, thank you very much.