



May 2002

TOP MISCONCEPTIONS ABOUT ABORIGINAL PEOPLES

MISCONCEPTION 1: HISTORY

The history of North America began with the arrival of Europeans to the shores of this continent.

FACTS

Long before the first explorers landed on the shores of the "New World", there were many different Indigenous nations living in various regions of what we now know as "Canada". Each nation had its own tribal customs, political organization, language, and spiritual beliefs, and had developed vast trade and economic systems. In fact, the advanced medical knowledge of the Iroquois people helped save the lives of many newcomers to North America.

There is a long history of this country prior to European arrival, and First Nations recorded it orally. The newcomers, however, set down their version of history in writing. It is only in recent years that mainstream Canadians are learning of the true history of First Nations and their contributions in building this country.

MISCONCEPTION 2: TERMINOLOGY

The terms "Aboriginal" and "Native" are used to define one homogenous group of people in Canada.

FACTS

The terms "Aboriginal", "Native" and "Indigenous" are used as general terms to collectively describe three distinct cultural groups known as the "Inuit", the "Metis" and "First Nations".

Each of the three groups has its own unique historical background, culture and political goals.

Within the group known as "First Nations" or "Indians", there are 633 First Nations bands, representing 52 nations or cultural groups and more than 50 languages. Each nation has its own spirituality, traditional political structure, and history. As a general rule, most individuals prefer to be referred to by the specific nation to which they belong (Blackfoot, Cree, Dene, etc.).

The term "Aboriginal" should be used only as an adjective to describe individuals or mixed groups of First Nations or Indians, Metis or Inuit people. It has been wrongly used by the news media as a noun, as in: "The Aboriginals are..." The proper usage is: "the Aboriginal peoples are..."

MISCONCEPTION 3: RIGHTS AND BENEFITS

First Nations are the only peoples to have special rights and benefits above other Canadians.

FACTS

First Nations people enjoy the same fundamental benefits as all other Canadians, including Child Tax Benefit, Old Age Security and Employment Insurance.

Where Constitutionally-protected Aboriginal rights exist, First Nations people do have priority over others (for example, the right to hunt and fish for subsistence), but even these rights are subject to regulation.



Some registered Treaty Indians and Aboriginal people enrolled under comprehensive claim settlements also enjoy certain rights or benefits, including reserve lands, hunting and fishing rights, and payment of annuities (depending on the terms and conditions of their treaty agreement).

The government provides housing and post-secondary assistance to First Nations so that they may achieve the same standard of living as other Canadians.

Because of the division of powers in the Constitution, many services provided by provinces to other Canadians are provided to Indians living on-reserve by the federal government. Provincial standards are generally adopted, but there may be some local differences.

In Canada, the government also provides assistance to those people who cannot afford housing, medical aid and social assistance. As well, a tax rebate is given to low income families.

Foreign diplomats to Canada are able to take advantage of the provincial sales tax exemption, and other benefits as a special group of people living within Canada's borders.

MISCONCEPTION 4: CONDITIONS IN ABORIGINAL COMMUNITIES

First Nations peoples are better off than most Canadians.

FACTS

Although each year the United Nations ranks Canada among the best places in the world to live, the fact remains that many First Nations people in Canada still live in conditions that fall far short of the basic standards most Canadians have come to expect.

Statistics from the Royal Commission on Aboriginal Peoples final report revealed:

- participation rate by Aboriginal peoples in labour force (57%) was below that of all Canadians (68%).
- earned income per employed Aboriginal person in 1991 was \$14,561 compared to \$24,001 for all Canadians, and declined by 1,000 over the decade 1981 to 1991.
- 19% of inmates in federal penal institutions are Aboriginal people (rising to 49% in Manitoba and 72% in Saskatchewan provincial institutions).
- tuberculosis and diabetes are respectively 17 times and 3 times higher among Aboriginal peoples.

While no database dealing specifically with suicide rates among Aboriginal people and First Nations is currently available in Canada, according to the Royal Commission on Aboriginal Peoples, suicide rate within First Nations and Inuit communities is much higher than in the Canadian population. It could be from two to seven times more frequent¹.

In 1996, the general infant mortality rate was 6,1 deaths for 1000 births within the Canadian population, compared to 11,6 for First Nations².

That same year, 1,7% of all housing units in Canada were occupied by more than one person per room, compared to 18,6% in First Nations communities³.

According to a study conducted by Health Canada in 1997 on drinking water safety in First Nations communities, at least 171 water systems out of 863, that is 20%, could be a threat to human health⁴.

¹ FEDERAL, PROVINCIAL AND TERRITORIAL ADVISORY COMMITTEE ON POPULATION HEALTH. *Towards a Health Future: Second Report on the Health of Canadians*, p. 24, online at http://www.hc-sc.gc.ca/hppb/phdd/report/toward/pdf/english/toward_a_healthy_english.PDF.

² STATISTIQUE CANADA. 1996 Census.

³ *Ibidem*.

⁴ HEALTH CANADA. *Health and Environment - Partners for Life*, 1997.



MISCONCEPTION 5: TAXATION

All Aboriginal peoples are tax exempt.

FACTS

Inuit, Metis, and non-status Indians are required to pay tax.

The origin of tax exemption for registered Indians is found under sections 87 and 90 of the *Indian Act*.

Income earned by registered Indians working on-reserve for a company which is located on-reserve are exempted from federal and provincial income taxes.

Generally, First Nation individuals must pay income tax if they work off-reserve or for a company located off reserve whose business is not specifically geared toward Aboriginal people.

Depending on the province, some registered Indians do not pay provincial sales tax. Even within a province, there is often uneven application of this right.

Registered Indians do not have to pay the GST on goods delivered to the reserve. If the goods are purchased off-reserve and not delivered to the reserve, the GST must be paid.

MISCONCEPTION 6: FINANCIAL ACCOUNTABILITY

First Nations are incapable of administering their own finances.

FACTS

Every First Nation in Canada is required to submit an annual audit to the federal government before receiving next year's funding. Significant improvements in financial management systems have been made:

- 83% of First Nations have fully met federal audit requirements (61% submit their audits within 120 days).
- 15% of First Nations with federally approved audits require remedial management in some problem areas.
- 2% of First Nations who have received qualified audits are considered to be experiencing severe financial problems.

First Nations are improving their financial administration capabilities through a number of local and national initiatives. Some of the national initiatives include:

- Signing a Memorandum of Understanding on March 30, 1998 between the Assembly of First Nations and the Certified General Accountants' Association of Canada (CGA -Canada).
- The development of the First Nation Financial Management Board (FMB). One of four fiscal institutions being developed by First Nations, the FMB is a First Nation led response to concerns about First Nation financial management systems and accountability. It is intended to be a long term solution to First Nation capacity development and not a quick legislative fix.
- The FMB will act as a financial management service institution for First Nation governments and institutions. It will work with First Nations to develop a financial management policy framework, develop best practices and certify First Nation financial management systems as requested.



MISCONCEPTION 7: ECONOMIC DEVELOPMENT

Because of the remote location of many First Nations communities, economic development is non-existent on reserves and there are few Aboriginal businesses.

FACTS

Recent statistics from Industry Canada revealed that there are over 20,000 Aboriginal businesses in Canada active in every sector of the economy.

The Aboriginal Business Survey of 723 Aboriginal businesses conducted by Aboriginal Business Canada and Statistics Canada in 1996, found that:

- Over 20,000 Aboriginal people have been identified as owning a business.
- The majority of Aboriginal businesses are owned solely; are owned by North American Indians; and are twice as likely to be owned by men than women.
- Only 3.9% of all Aboriginal adults (over 15 years) own a business versus the Canadian average of 7.9%.
- 70% of Aboriginal businesses surveyed were full-time operations, while the remainder were seasonal.
- 57% of Aboriginal businesses are located on-reserve.

Many are located in First Nations communities and have brought increased employment as a result of joint business ventures with non-Aboriginal companies.

The Assembly of First Nations, through its Economic Development Secretariat is working in partnership with the federal government to increase economic development opportunities in all First Nations communities.

Economic development on remote reserves is not based on location – as many First Nations communities have witnessed large non-Native companies removing the natural resources from their areas for many years. Businesses are needed to create economies, and start-up capital is needed in order to create a business.

Under ordinary circumstances a businessperson could go to a local bank and get a loan to purchase the necessary equipment and assets. Not so for First Nations people living on-reserve.

Section 89 of the *Indian Act*, which was supposed to protect First Nations land from seizure, paradoxically prohibits First Nations land from being mortgaged. It prevents First Nations people living on-reserve from using their land as collateral.

MISCONCEPTION 8: LIVING CONDITIONS

All First Nations communities face living conditions similar to those of third world countries.

FACTS

No two communities are the same. There are many factors that determine the standard of living and level of economic development in First Nations communities.

Work with First Nations leaders to improve living conditions on-reserve continues to bring the standard of living up to par with the rest of Canadians. First Nations are working to increase their land-base and are seeking fair and equitable access to resources. The total accumulated size of all Indian reserve land south of 60 in Canada (2,676,469.9 hectares) would fit into the great Navajo reservation (6,477,732.8 hectares) in the United States.

MISCONCEPTION 9: SELF-GOVERNMENT

First Nations are not ready for self-government.

FACTS

The Haudenosaunee (Six Nations Confederacy) existed since the beginning of time as distinct people with their own laws and customs, territories, political organization and economy. Benjamin Franklin and Thomas Jefferson, the fathers of the US confederation, were so impressed with the Great Law of Peace which the Six Nations Confederacy followed that they used it as a model for the United States Constitution

Some First Nations were operating under various systems of self-government before the Inherent Right of Self-Government policy was announced in 1995 (including, the Sechelt Band's *Self-Government Act* in BC, Cree-Naskapi [of Quebec] and the Yukon Self-Government Act).

MISCONCEPTION 10: HOUSING AND EDUCATION

All Aboriginal people receive free housing and post-secondary education.

FACTS

Métis and non-Status Indians do not receive free housing or education assistance.

Housing and education are important legal benefits of some treaties for Treaty First Nations.

Under DIAND's on-reserve housing policy, Status Indians living on-reserve obtain funds through their band councils to build or renovate their homes. In many cases they repay these loans over a number of years.

Low income non-Aboriginal families in various regions of Canada seeking housing assistance from governments may also receive assistance through various programs offered by the federal and provincial governments.

DIAND provides elementary education assistance for on-reserve status Indians, and post-secondary education assistance to Inuit and Status Indians to help improve their standard of living.

While Status Indian students receive post-secondary assistance through their band councils, they can also receive provincial financial assistance in the form of grants or loans that must be repaid.

Federal funding for post-secondary education has remained the same since 1987, except for the 2 to 3% increase per year approved by the Treasury Board. At the same time, the number of Inuit and Status Indians applying is up and tuition fees keep rising, so fewer and fewer students access education funding.

MISCONCEPTION 11: LAND CLAIMS

Aboriginal land claims are settled by government based on political guilt over past injustices committed against the original inhabitants in Canada.

FACTS

Land claims are based on outstanding legal obligations to the original inhabitants of this land, and on the basic principle of British common law that there can be no confiscation of land without compensation.

In some areas of Canada, the question of Aboriginal land title has not been addressed.

Land claims are well researched and subject to validation by the federal government and Department of Justice before any negotiations towards settlement can begin.

Treaties and other agreements provided that land would be set aside for First Nations communities. Over the years, land was improperly confiscated from First Nations. First Nations were forcibly relocated from their original location to other areas, and were subject to various other improper and illegal treatment by the Crown.

The settlement agreement of each land claim is based on existing outstanding legal obligations of the federal and/or provincial or territorial governments. Compensation and other settlement issues are based on individual land claims.

These longstanding debts to First Nations must be paid if Canada hopes to clear its obligations to the original landowners of this country and render a debt-free country for future generations.

The rights of non-Aboriginal landowners are always considered in the negotiation of any resolution to First Nations communities outstanding land claims.

MISCONCEPTION 12: DEPENDENCY

First Nations are living at Canada's expense.

FACTS

The country was built on lands and resources that belong to the First Nations and, in theory, one could argue that Canada is living at First Nations' expense. Canada's economic production would not have reached its present-day scale if the Government had not seized the resources and ancestral lands of the First Nations.

In recent years, First Nations have been urging the government to implement the Royal Commission on Aboriginal Peoples' recommendation for the redistribution of land and resources between Aboriginal and non-Aboriginal people, therefore allowing First Nations to become self-sufficient again.

The ancestors of First Nations citizens agreed to share part of their territory and resources with the non-Aboriginal arrivals. To that end, they reached nation-to-nation agreements.

Over the years, First Nations citizens have also made valuable contributions to Canada. Although military service for First Nations is voluntary, many of them willingly enlisted in the Canadian Armed forces and participated in various conflicts to fight racism and discrimination.

