

MACKENZIE VALLEY PIPELINE INQUIRY

IN THE MATTER OF THE APPLICATIONS BY EACH OF

(a) CANADIAN ARCTIC GAS PIPELINE LIMITED FOR A
RIGHT-OF-WAY THAT MIGHT BE GRANTED ACROSS
CROWN LANDS WITHIN THE YUKON TERRITORY AND
THE NORTHWEST TERRITORIES, and

(b) FOOTHILLS PIPE LINES LTD. FOR A RIGHT-OF-WAY
THAT MIGHT BE GRANTED ACROSS CROWN LANDS
WITHIN THE NORTHWEST TERRITORIES
FOR THE PURPOSE OF A PROPOSED MACKENZIE VALLEY PIPELINE

and

IN THE MATTER OF THE SOCIAL, ENVIRONMENTAL
AND ECONOMIC IMPACT REGIONALLY OF THE CONSTRUCTION,
OPERATION AND SUBSEQUENT ABANDONMENT OF THE ABOVE
PROPOSED PIPELINE

(Before the Honourable Mr. Justice Berger, Commissioner)

Toronto, Ontario
May 27, 1976

PROCEEDINGS AT COMMUNITY HEARING

Volume 60

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Mr. Russell Anthony and	
Pro. Alastair Lucas	for Canadian Arctic Resources Committee
Mr. Glen Bell,	for Northwest Territories
ries	Indian Brotherhood, and Metis Association of the Northwest Territories.

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1 Toronto, Ontario

2 May 27, 1976.

3 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

4 THE COMMISSIONER: Well,
5 ladies and gentlemen, I'll call our hearing to order
6 this morning.

7 I said I would let you know
8 what disposition I propose to make of the request by
9 the Council of Yukon Indians that the Inquiry hold
10 hearings in the Yukon communities likely to be affected
11 if a Fairbanks route were to be built.

12 I'll deliver that ruling just
13 before or after coffee this morning. I'm afraid it's
14 still being typed. The exigencies of the age of
15 technology.

16 I'd like to welcome those of
17 you who are present this morning to this third day of
18 our hearings of the Mackenzie Valley Pipeline Inquiry in
19 Toronto. I've made it clear in opening the sessions
20 we've held already here that we received a multitude of
21 requests from people and organizations throughout
22 Southern Canada seeking an opportunity to be heard on
23 these vital questions of national policy that confront us
24 all.

25 Let me just remind you that
26 this Inquiry is to consider the impact of the building
27 of a gas pipeline and the establishment of an energy
28 corridor from the Arctic to the mid-continent, to
29 consider the impact on Northern Canada, and that's why
30 the Inquiry has been holding hearings in Northern

1 | Canada for the past 14 months. That's why we have
2 | heard the evidence of dozens and dozens of experts,
3 | scientists, engineers, biologists, anthropologists, and
4 | sociologist, economists, people who have made it the
5 | work of their lifetime to study the north and northern
6 | conditions. All of those experts have been examined
7 | and cross-examined by counsel representing the parties
8 | before the Inquiry, and those parties include Arctic
9 | Gas, which wants to build a pipeline that would carry
10 | Alaskan gas and Canadian gas from the Arctic in a joint
11 | pipeline project to markets in Southern Canada and the
12 | United States, and Foothills Pipe Lines, which proposes
13 | to build a pipeline carrying Canadian gas from the
14 | Arctic to markets in Southern Canada.

15 | Those parties include:
16 | Canadian Arctic Resources Committee, which represents a
17 | coalition of Canadian environmental groups that are
18 | appearing on a continuing basis before the Inquiry when
19 | environmental questions come up. It includes the
20 | Council of Yukon Indians, which represents the Indian
21 | people of the Yukon; Committee for Original Peoples
22 | Entitlement, which represents the Inuit of the
23 | Mackenzie Delta and the Western Arctic; the Indian
24 | Brotherhood of the Northwest Territories, and the Metis
25 | and Non-Status Indian Association of the Northwest
26 | Territories. The parties include as well the Northwest
27 | Territories Association of Municipalities and the
28 | Northwest Territories Chamber of Commerce.

29 | All of those parties have
30 | been participating in the formal hearings in

1 Yellowknife. In addition, the Inquiry has been to
2 virtually every community where the peoples of the
3 north live. We've been to 28 cities and towns,
4 villages, settlements and outposts in the Mackenzie
5 Valley, the Mackenzie Delta and the perimeter of the
6 Beaufort Sea and in the Yukon to consider the views of
7 the people who will be most affected if a gas pipeline
8 is built, and an energy corridor established to bring
9 fossil fuels from the Arctic to the mid-continent.

10 We've heard from more than
11 700 people who live in the Canadian north -- white
12 people, Indian people, Metis people, Inuit people.
13 We've been considering what they have to say, what they
14 think, what they feel their own experience leads them
15 to believe the impact of a pipeline and energy corridor
16 from the Arctic.

17 So that is what this Inquiry
18 is all about. The National Energy Board is the tribunal
19 established by the Government of Canada to consider
20 questions relating to gas supply, Canadian requirements
21 for natural gas, whether any of Canada's natural gas
22 from the Arctic should be exported to the United States
23 all of those questions relating to how much gas is there
24 in the Mackenzie Delta and the Beaufort Sea, how much
25 do we really need here in Southern Canada to fuel our
26 homes, heat our offices and keep our industries going?
27 Can we afford -- have we enough to continue to export
28 natural gas to the United States? Can we export
29 frontier gas to the United States? All those are
30 questions not for this Inquiry, but for the National

1 Energy Board; and of course the whole question whether a
2 gas pipeline is to be built and then an oil pipeline to
3 follow, whether an energy corridor is to be established
4 bringing gas and oil from the Arctic to the mid-
5 continent is a matter for the Government of Canada, for
6 the people elected to govern our country. The
7 Government of Canada will make that judgment when it has
8 my report before it dealing with the impact on Northern
9 Canada, and the report of the National Energy Board
10 dealing with questions of gas supply, Canadian gas
11 requirements for the years that lie ahead.

12 The job that this Inquiry has
13 is to gather the evidence, to find the facts, to do all
14 I that we can to enable the Government of Canada to
15 make an informed judgment, mindful of the consequences
16 on these vital questions of national policy.

17 So we are here to listen to you
18 because it is in fact the patterns of energy consumption
19 by people who live here in Southern Canada that have
20 given rise to proposals to build gas pipelines from the
21 Arctic. So we are here to give you an opportunity to
22 express your views on these questions.

23 So Mr. Roland, would you let
24 I us know who we are to hear from this morning?

25 MR. ROLAND: Yes sir. Before
26 we begin to hear this morning's presentations, I should
27 mention for the benefit of those present our procedure
28 does not provide for cross-examination of witnesses by
29 the pipeline companies, or by the major participants.
30 In lieu of cross-examination these parties will be

1 | permitted ten minutes at the end of the session to
2 | reply or comment on evidence heard this morning. Sir,
3 | our first presentation this morning is from Mr. E.G.
4 | Burton, president, Board of Trade of Metropolitan
5 | Toronto. Mr. Burton?

6 | E.G. BURTON, sworn:

7 | THE WITNESS: Mr.

8 | Commissioner, the Board of Trade of Metropolitan
9 | Toronto has long been closely associated with the
10 | growth of Toronto and the Metropolitan Toronto area.
11 | Since its incorporation in 1845, it has served as a
12 | forum for the business community to develop opinions
13 | and programs which contribute to the social, economic
14 | and physical quality of life in Metropolitan Toronto,
15 | and indeed in Ontario and Canada. The Board's
16 | membership of more than 15,000 persons represents a
17 | complete mosaic of representatives from many thousands
18 | of large and small businesses, together with a broad
19 | representation from the professional and academic
20 | communities. These people contribute to the
21 | development of knowledgeable and constructive
22 | recommendations to government at all levels and to
23 | other segments of society which are established to
24 | benefit the community. Metropolitan Toronto has a work
25 | force of some one million people, many of whom are
26 | associated with firms and organizations which have
27 | membership in the Board of Trade of Metropolitan
28 | Toronto.

29 | The Board has prepared this
30 | submission to the Mackenzie Valley Pipeline Inquiry

1 | because of it's concern for the social and economic
2 | well-being of the more than two million citizens of
3 | this city, and the Metropolitan area.

4 | While being aware of the
5 | problems inherent in such a massive undertaking as the
6 | transmission of gas from northern areas, the Board is
7 | concerned that there should be a constant and assured
8 | supply of energy.

9 | The Board has addressed
10 | itself to many matters under consideration by the
11 | Inquiry.

12 | There has been a
13 | conscientious effort to express views that will be
14 | beneficial to the basic interests of all segments of
15 | the Canadian community.

16 | The notice of public hearings
17 | states that your Commission:

18 | "has been appointed to enquire into and report
19 | on the terms and conditions that should be im-
20 | posed by the Government of Canada if a pipeline
21 | is to be built."

22 | From this it would appear obvious that recommendations
23 | on timing of construction could be a significant part
24 | of such terms and conditions.

25 | I'd like to comment on the
26 | effects of delay. The Board wishes to point out that a
27 | delay in construction would affect the well-being of the
28 | citizens of Metropolitan Toronto, of the industrial com-
29 | plex of Ontario, and indeed of the entire Canadian
30 | economy.

1 opinion, support the native movement in its quest for
2 fair treatment and an equal role in society. Having
3 said that, we also believe that there is a growing
4 awareness in Canada that the economic and social well-
5 being of the country requires that additional supplies
6 of domestic energy be developed. If our judgment is
7 correct, then it follows that the people of Canada will
8 support you in your efforts to come to grips with these
9 two important issues.

10 More specifically, the Board
11 is of the opinion that many Canadians would concur with
12 one of your earliest pronouncements on the Inquiry's
13 terms of reference. We refer to the preliminary ruling
14 quoted on page 226 of this document,

15 "The Mackenzie Valley Pipeline Inquiry,"
16 which was published recently by your Commission. You
17 have ruled, sir, that native organizations should
18 "indicate the nature and extent of their land claims."
19 You went on to say that this will enable the Inquiry
20 to,

21 "be in a position to indicate to the Minister
22 what measures ought to be taken to ensure that
23 the native peoples, in their negotiations with
24 the government, do not find themselves at any
25 disadvantage owing to the building of the pipe-
26 line, and looking to the consummation of nego-
27 tiations, what measures ought to be taken to en-
28 sure that whatever the extent of the native in-
29 terest that may ultimately be recognized by any
30 settlement, it will not be diminished by the

1 construction of the pipeline in the meantime, "
2 In pursuing this objective,
3 the Inquiry can count upon the full support of the
4 Board of Trade of Metropolitan Toronto.

5 On matters of environmental
6 impact. It is the Board's understanding that never has
7 any project been examined in such detail with regard to
8 environmental matters. The Board recommends that
9 appropriate procedures be adopted to minimize the
10 extent of environmental -- sorry, the environmental
11 impact of such an undertaking. This can be done, given
12 the extensive environmental studies related to the
13 project conducted by the government, industry, by
14 native organizations, public interest groups and indeed
15 by this Inquiry.

16 It is worth noting that
17 buried pipelines are one of the most inconspicuous,
18 safe and low-cost methods of transporting energy.
19 Some 3,000 miles of natural gas pipeline are located in
20 the Metropolitan Toronto area, a fact which is not
21 known by most citizens, even by those who use this
22 fuel. I might also report that there are two gas
23 pipelines running below my own particular farm just
24 north of this city.

25 Canada's energy needs, also
26 must be thought of by everybody involved. A number of
27 studies have now been completed on Canada's present and
28 future energy needs. The Board is cognizant of -- that
29 this Inquiry is not dealing with natural gas supply
30 matters. However, the Board is very much aware that

1 foreign oil supplies at foreign-controlled terms and
2 conditions would not be in the best interests of Canada
3 and Canadians.

4 In conclusion, and from the
5 foregoing, the Board concludes that it is in the best
6 interests of all Canadians to develop as urgently as
7 possible additional sources of domestic energy supply.

8 It is important to observe
9 that the only substantial additional sources of energy
10 for which applications have been filed with governments
11 in Canada are the natural gas supplies in the Mackenzie
12 Delta.

13 Mr. Commissioner, the time is
14 approaching when reports will be written and decisions
15 made. It is at this time that attention must be focused
16 on how regional interests can be brought together for
17 the benefit of this nation. There is no doubt that all
18 Canadians will have to compromise some of their
19 aspirations for this objective to become a reality.

20 In closing, the Board of
21 Trade of Metropolitan Toronto and its more than 15,000
22 members wish to thank the Inquiry for the opportunity
23 of appearing here today. As you weigh the interests of
24 all concerned, we submit that:

- 25 1. A natural gas pipeline along the Mackenzie Valley
26 offers Metropolitan Toronto and indeed, Canada, the
27 best hope of obtaining delivery of much-needed supplies
28 of natural gas by the early 1980s.
- 29 2. Construction of the pipeline can be accomplished in
30 a manner which proves beneficial to the people of the

1 north and respectful of the environment in which they
2 choose to live.

3 3. All Canadians must share the burden of seeing to it
4 that the pipeline is viable, from the social, environ-
5 mental and economic perspectives. Finally, the Board
6 of Trade of Metropolitan Toronto believes that your
7 efforts to date constitute a valuable contribution to
8 seeing that this development is undertaken in a most
9 responsible manner. Respectfully submitted, and I
10 thank you for this opportunity.

11

12 (METROPOLITAN TORONTO BOARD OF TRADE - E.G. BURTON
13 MARKED EXHIBIT C-466)

14

(WITNESS ASIDE)

15

MR. ROLAND: Sir, the next
16 presentation is by Miss Sarah Band, which is misspelled
17 on the schedule, it is B-A-N-D, from the National
18 Citizens' Coalition.

19

20

21

MISS SARAH BAND, sworn:

22

THE WITNESS: Good morning,
23 Mr. Commissioner. We're very happy to have this
24 opportunity o deliver the views of the National
25 Citizens' Coalition to the Mackenzie Valley Pipeline
26 Inquiry. As you perhaps know, the National Citizens'
27 Coalition is a curmudgeon. We're a political but non-
28 partisan group -- to the extent that creature exists.
29 Our purpose is to get individual Canadians together so
30 that they can shout gruffly at government and

1 monopolies. We have about 20,000 member curmudgeons
2 who have been angry enough

3 THE COMMISSIONER: All of
4 them non-partisan?

5 A I certainly hope so, sir
6 -- all who at one time have been angry enough at one
7 time or another to send in \$5. to join our organization

8 To a degree I'm speaking
9 without their approval. The matters this Inquiry is
10 considering are very complex. Because of that
11 complexity, and because the effects of the pipeline are
12 not immediately discernible, there are very few in the
13 country who have been moved to study the mass and mess
14 o of issues at hand.

15 That's part of the reason
16 we're making this short presentation. Too many
17 individuals and groups have been making something too
18 simple out of the complexity. And everybody, sadly,
19 seems to be saying precisely the kind of knee-jerk
20 things that always they say at these enquiries.

21 In fact, it's sort of
22 interesting to speculate what all these groups would be
23 saying if this were 100 years ago, and if this were o not
24 a Pipeline Inquiry, but an enquiry into the problems of
25 building a railway from Montreal to Vancouver.

26 Mr. Berton's books would
27 have been very much more complicated, and much less
28 financially successful if this were the case.

29 THE COMMISSIONER: That would
30 have been a shame.

1 A For him, yes.
2 Now, we realize the analogy
3 is not quite correct. Every analogy to a degree is
4 false. On the other hand, the analogy to a degree is
5 very true.

6 Imagine a Trans-Canada
7 Railway Inquiry, and you can readily imagine what all
8 the group that you've heard would be saying.

9 The environmentalists would
10 be worried about the buffalo, and they'd be absolutely
11 right. The native peoples would be worried about the
12 lands they lived in, and they'd be right. The
13 nationalists would be worried about the foreign
14 interests taking over the railway, and they'd be sort
15 of right. And the railways would be here and saying
16 that without the railway the west would be full of
17 Fenians, and they'd be a little right.

18 A hundred years have passed
19 since we built the railway. The buffalo are now seen
20 only in National Parks; the natives are largely confine
21 to reservations; the nationalists were wrong about the
22 foreign investment; and the railways were right to an
23 extent -- Canada is what it is because we put those
24 parallel rails across the country.

25 Thinking about the present
26 situation in these sort of terms has made us think of a
27 couple of things. The first thing is that the railway
28 could have been planned better, if we had had a better
29 understanding of ecology and a more sympathetic view of
30 the native rights. The second thing is that we have to

1 | believe the pipeline must be built and without too much
2 | delay.

3 | Now the decision to support
4 | the pipeline is a decision we made because it seems to
5 | us that the pipeline will work in the national good.
6 | We're an energy intensive country. Our factories need
7 | energy. Our combines need energy. Our homes need
8 | energy, That energy is waiting in the Arctic. The best
9 | way to get it from the Arctic to where the energy is
10 | needed, seems to be a pipeline. We will need the
11 | energy soon. Therefore we must build this pipeline
12 | soon.

13 | We've read the arguments against
14 | that, We've read, for example, that we can lessen our
15 | dependence on energy; we can all wear an extra sweater
16 | and quit using electric blankets. The argument is
17 | correct. However, if everybody goes back to brushing
18 | their teeth manually, we're still going to need the
19 | energy, and we're going to need it soon. We cannot
20 | change the national character in a decade. We've also
21 | read that we can start using alternative sources of
22 | energy. We can build windmills, for example. We hear
23 | this a lot at cocktail parties. However, it seems to us
24 | that the kind of people who buttonhole you with this
25 | argument at cocktail parties are the same kinds of people
26 | who will argue against the building of a nuclear power
27 | plant. I suspect they will argue against windmills as
28 | well, if it came down to that. These people are
29 | reactionary. They will always be reactionary, and they
30 | always have been reactionary, and they will always insist

1 on talking that way at cocktail parties, and insist on
2 bringing that cocktail party conversation in front of
3 official enquiries.

4 All of which is not to say
5 that we should not explore alternative energy sources.
6 We should. We are surprised that some of the funds
7 being raised by raising oil prices aren't going towards
8 exploring alternate sources. But we cannot, in any
9 case, expect alternative energy sources to be developed
10 overnight. We need the pipeline.

11 There is another argument
12 against the pipeline. Somehow it seems reprehensible to
13 some people that the pipeline should serve Americans as
14 well as Canadians. For decades, Americans have been at
15 least as good neighbors to us as we have been to them.
16 The argument against the Americans seems slightly jingoist
17 and more than a little dog-in-the-manger. Does this
18 Inquiry know that on a per capita basis, Americans invest
19 less in Canada than Canadians invest in America?

20 Frankly, if there is a danger
21 of too much American investment, we'd think the best idea
22 would be to kick the Americans out and to entice the
23 Canadians in. But this Inquiry -- does this Inquiry
24 know that there is more tax benefits to be accrued by
25 an American investing \$100 in Canadian natural
26 resources, than there are to be accrued by a Canadian
27 investing in that same Canadian natural resource. Our
28 Federal Government does not seem to want to make it
29 worthwhile for Canadians to invest in Canada.

30 Another argument against the

1 pipeline says that it will ruin the lifestyle of the
2 native people. This is a touchy argument to counter.
3 It's easier if you change the argument to state that
4 the pipeline will change the lifestyle of the native
5 people. That's nothing new.

6 The introduction of the horse
7 by the Spanish changed their lifestyle. So of course,
8 did the introduction of whisky and measles. The
9 message is that we must make sure that the native
10 people are prepared for the change -- not that we don't
11 want to make the change.

12 We can't see much to admire
13 in the concept of making the land into a museum for the
14 natives.

15 Ultimately we will experience
16 the change. That is as true for them as it was for the
17 Luddites during the Industrial Revolution in England.
18 We think that ultimately that change will benefit them.
19 It logically follows that if the presence of the
20 pipeline enhances their negotiating power, then the
21 absence of the pipeline diminishes their negotiating
22 power. History shows that they need all the
23 negotiating power they can lay their hands on.

24 A further argument against
25 the pipeline says that it will interfere with nature,
26 it will damage the tundra, destroy migration routes,
27 conflict with the habits of the mountain sheep.

28 We live in a world filled
29 with offences against nature. The umbrella was once
30 thought of as an offence against nature. There are

1 | some who will tell you that the Unemployment Insurance
2 | is an offence against nature.

3 | We sympathize. All we can
4 | say is that we hope, very sincerely, that the pipeline
5 | has - as little effect on the caribou and the lichen
6 | and the mountain sheep as possible. We would like our
7 | children to be able to read in 50 years' time that
8 | those things are still there, just as we have read that
9 | they are there.

10 | It seems to us that most of 3
11 | the arguments against the pipeline have been pretty
12 | things to say. They're the kind of things to say that
13 | make you feel somehow brave to have said them. They
14 | make you feel as though you're a compassionate,
15 | thinking person for having said them. After all, if
16 | you're against the oil and gas companies and the
17 | Americans, and for the native people and the caribou,
18 | how can you be wrong?

19 | We've made a submission that
20 | says that we have nothing against oil and gas companies,
21 | or even Americans, if it comes right down to it -- and
22 | that although we wish the caribou well, we still think
23 | the pipeline should be built. How can we be right?

24 | Frankly, it appeals to the
25 | curmudgeon in us to want the pipeline to be delayed, or
26 | not to be built at all. Not building the thing at all
27 | really appeals to us. That way we can hunker around
28 | for 20 years and then deliver an extremely self-
29 | satisfied "We told you so." It would be a glorious
30 | moment, except from what we understand we'll be

1 | spending that moment in the cold and in the dark, and
2 | very broke With that in mind, we earnestly hope that
3 | you consider the following proposals:
4 | 1. That you declare this Inquiry to be operating under
5 | the assumption that the pipeline will be built, and
6 | quickly too.
7 | 2. That operating under that assumption you be
8 | absolutely certain that due provisions have been made for
9 | the future of the native people, and the environment.
10 | 3. That while the national good is not within your
11 | terms of reference, you consider it at all times to be
12 | the paramount criteria. Despite everything you've
13 | heard, we are one nation.

14 | Mr. Commissioner, I thank you
15 | for your attention.

16 | THE COMMISSIONER: Thank you.

17 | (SUBMISSION BY NATIONAL CITIZENS' COALITION MISS S.
18 | BAND - MARKED EXHIBIT C465)

19 | (WITNESS ASIDE)

20 | MR. ROLAND: Sir, the next
21 | submission is from Mr. R.B. Snyder, vice-president,
22 | Northern & Central Gas Corporation. Mr. Snyder?

23 | R.B. SNYDER sworn:

24 | THE WITNESS: Good morning,
25 | sir.

26 | THE COMMISSIONER: Good
27 | morning.

28 | THE WITNESS: The Northern &
29 | Central Gas Corporation Limited appreciates very much
30 | the opportunity to appear before this Inquiry. We

1 support fully the concept of the Inquiry and feel that
2 it is serving a clearly useful purpose in reviewing at
3 an early date the potential impact of a natural gas
4 pipeline in the north on the environment and the social
5 and economic values of the residents there.

6 Northern and Central Gas
7 Corporation Limited is one of three major natural gas
8 distributors serving the Province of Ontario. We serve
9 98,000 customers in 57 communities, in western, northern
10 and eastern Ontario. We also serve 3,000 customers in
11 Rouyn and Noranda, Quebec. The communities we serve
12 range in size from the Village of South River with a
13 population of 1,100 to cities like Thunder Bay and
14 Sudbury, each with over 100,000 population.

15 The residents of our service
16 area are both French and English-speaking. A large
17 portion of them are employed in resource development
18 industries such as lumbering, pulp and paper, gold
19 mining, nickel mining, and iron ore extraction.

20 Presently our entire gas
21 supply comes from Alberta through the TransCanada
22 Pipeline system. We have not been able to secure new
23 gas supplies above 1973 purchase levels. Consequently,
24 we are unable to fully serve the increasing demands
25 in our market area. In addition, we face an uncertain
26 future as to whether the 1973 delivery level will be
27 maintained as the deliverability from 31 the Alberta
28 gas fields soon starts to decline.

29 Over the past 18 years, a
30 quiet but impressive industrial revolution, this one

1 based on natural gas, has taken place in our service
2 area. New processes based on the unique properties of
3 natural gas have been developed and are now in use. A
4 few are:

- 5 · Direct fired plywood dryers;
- 6 · Gas bakeries;
- 7 · Gas fired grain malters;
- 8 · Direct fired paper dryers;
- 9 · Infrared heating;
- 10 · Iron ore induration.

11 Since these processes are
12 uniquely based on natural gas, dependable supplies of
13 natural gas are fundamental to their continued
14 existence. The above comments are made to depict the
15 needs, indeed the urgent needs, that our company and the
16 customers we serve have for additional gas supplies.

17 Our company is a member of
18 the Canadian Arctic Gas Pipeline Consortium and has
19 been participating in that project group since late
20 1973. We have joined this group because we feel from
21 the information available to us that this project has
22 the best chance of providing additional gas for Ontario
23 at the earliest possible date.

24 The Mackenzie Valley Natural
25 Gas Pipeline is, as we see it, the at-hand feasible
26 method of meeting the need for more gas for Eastern
27 Canada. We have very briefly described the need and
28 the means of satisfying the need.

29 But what about the other side
30 of the equation? What about the possibility of a

1 | negative impact in the north and the people who live
2 | there? We concede that there will be an effect on the
3 | environment of the north, but we are confident that the
4 | effects can be kept well within acceptable limits.
5 | Although all the numbers, whether dollars or
6 | quantities, used in describing the proposed pipeline
7 | project are huge, we feel that kept in proper
8 | perspective the pipeline is relatively very small in
9 | the scope and immensity of the north. The refrigerated
10 | pipeline will not degrade the permafrost after the
11 | construction phase. Disruption of the environment, we
12 | are confident, will be held to within acceptable limits
13 | due in part to four factors. These are:
14 | 1. Current northern activities of a number of groups
15 | are providing a continually expanding fund of knowledge
16 | and experience about the north and how to successfully
17 | work in its sometimes fragile environment,
18 | 2. The Arctic Gas Consortium has undertaken a very
19 | substantial research and testing program to learn about
20 | the conditions in the pipeline corridor, and how to
21 | cope with these conditions. The research and testing
22 | programs carried out by Arctic Gas are described at
23 | length in the material filed with the National Energy
24 | Board in support of the application to build a pipeline
25 | as well as with this Inquiry.
26 | The Environmental Protection
27 | Board has also published reports indicating that a
28 | pipeline can be built with adverse environmental
29 | effects kept within acceptable limits.
30 | 3. The oil and gas industries have worked with and

1 | to the north after the pipeline is completed;
2 | 4, Additional services infra-structure will be
3 | constructed and will be of continuing value to the
4 | northern people for many years to come. In this
5 | area we include road improvements, transportation and
6 | wharf improvements, air travel, and communications
7 | improvement.

8 | 5. Although the operation of a modern natural gas
9 | pipeline is not labor-intensive, there will be some
10 | permanent employment available to northern residents.
11 | On the other hand, because the operation of the line is
12 | not labor-intensive, after the construction phase the
13 | operation of the line will be compatible with the
14 | limited population of the Mackenzie Valley.

15 | With good planning, we feel
16 | that only a minimum of disruption of the pattern of
17 | life in each community need occur during construction
18 | of the pipeline. Construction would occur mainly in
19 | three winter periods. Construction personnel would
20 | assemble for these periods, reside in camps largely
21 | isolated from the communities the pipeline passes, and
22 | depart for the south at the end of each period. We see
23 | the benefits to be accrued to the north as long-
24 | lasting, and any disruption short-lived and limited to
25 | pre-construction and construction phases. We feel the
26 | construction phase of the project should be viewed in
27 | this perspective.

28 | Our country has an acute need
29 | to develop additional energy supplies. Our developed
30 | and undeveloped energy resources take numerous forms

1 | and are located at many places throughout the country.
2 | It is granted that much of the use occurs in the
3 | southern areas of the country, but some use also occurs
4 | in the north. Energy and other resources developed in
5 | the south are used in the north. Energy and other
6 | resources developed in the north are likewise used in
7 | the south. Canada is one country embracing many widely
8 | varying geographic, social and economic conditions.
9 | Our citizens have descended from many cultures and
10 | speak many languages. Our specific interests involved
11 | probably vary considerably.

12 | We feel, however, that every
13 | citizen's goals for our country, are probably very
14 | similar and include the desire that our country be
15 | strong and economically healthy. Strength and economic
16 | health can be achieved through good planning and
17 | providing the appropriate foundation. One of the prime
18 | elements of our economy needs is an adequate supply of
19 | energy. We feel that our country has the energy
20 | resources that we need; development and delivery of
21 | those resources is what we require.

22 | The major energy resource
23 | that is available now is the Mackenzie Delta-Beaufort
24 | Sea natural gas supply. We see the development of this
25 | resource and its development through the Mackenzie
26 | Valley Pipeline as being beneficial to our customers in
27 | Ontario and beneficial to the residents of the
28 | Mackenzie Valley communities. We don't see any losers
29 | in a decision to build the pipeline. If the scope of
30 | the project is kept in the correct perspective, we feel

1 | that others will perceive as we do, that many Canadians
2 | will benefit from the construction of the Mackenzie
3 | Valley Natural Gas Pipeline. Thank you.

4 | THE COMMISSIONER: Thank you
5 | very much.

6 | (WITNESS ASIDE)

7 | MR. ROLAND: The next brief,
8 | Mr. Commissioner, is from Mr. Brian Loucks, from the
9 | Native Peoples Resource Centre, London, Ontario, and
10 | with him is Mr. Randy Altman. Mr. Loucks?

11 |

12 | BRIAN LOUCKS,

13 | RANDY ALTMAN, sworn:

14 | WITNESS LOUCKS: My name is
15 | Brian Loucks, and this is Randy Altman. I'd like to
16 | thank you, Mr. Justice Berger, and the Government of
17 | Canada for providing the opportunity to present this
18 | brief for your consideration.

19 | On behalf of myself and the
20 | Native Peoples Resource Centre, I would like to say
21 | that we fully support the Dene nation's position of a
22 | just land settlement and no further development until
23 | land claims are settled. The Dene people wishes must be
24 | heard and respected by the Canadian people and their
25 | institutions.

26 | The Native Peoples Resource
27 | Centre is an organization located at the Cross-
28 | Cultural Learner Centre, University of Western Ontario,
29 | in London, Ontario. It is a group of native
30 | people committed to the preservation of native

1 | cultural values, traditions and heritage in today's
2 | society.

3 | The support -- also we are
4 | committed to the support of native groups and
5 | individuals in their efforts towards justice and self-
6 | determination.

7 | Also the encouragement of
8 | cross-cultural understanding and awareness between
9 | native and non-native peoples.

10 | Over the last few years we
11 | have been learning and working in South-western Ontario
12 | and other parts of the continent including the north.
13 | During that time we have had the opportunity to work
14 | with many levels and sectors of the native and non I
15 | native community.

16 | I believe that developments
17 | around the world and in particular the proposed
18 | Mackenzie Valley Pipeline is not merely a technological
19 | question, but ultimately a question of peoples'
20 | attitudes, values and lifestyles.

21 | In general, the history of
22 | the Indian and European relations in North America as
23 | in other parts of the world has led to misunderstanding
24 | and deep mistrust. The actions of European society
25 | seems to be dominated by the quest for short-term
26 | monetary and material gain with no concern for future
27 | generations, or the future of the land which they live
28 | on.

29 | My brief is sort of in two
30 | sections and I'll be concluding later, but the next

1 part of the brief has been prepared by a concerned
2 Canadian citizen who wishes his views to be known to
3 the Inquiry and the Canadian people, and I quote him:

4 "As a concerned Canadian citizen I make this
5 presentation to voice my individual feelings and
6 views on the question of whether or not the
7 Canadian Government will agree to the Dene
8 nations request for a say in the governing of
9 their land. This question poses a serious prob-
10 lem. There is basic incompatibility of white
11 and native political, philosophical, and social
12 attitudes. The attitude of those white people
13 who are in power is one which advocates the idea
14 of, to put it in the words of the Honourable
15 Judd Buchanan,

16 'a higher standard of living, a better qual-
17 ity of life, and equal opportunities for
18 all.'

19 But in terms of short-term monetary and material
20 wealth. The native attitude embraces a much
21 wider view, one which does not necessarily re-
22 ject completely a reasonable amount of material
23 security, perhaps, but one which definitely
24 takes into account land, environment and future
25 generations.

26 The general public must
27 be aware by now that what has been perpetrated
28 upon the native people of North America by the
29 white man these past few centuries borders on
30 the inhuman. Canadian and American history is

1 replete with incidents marked by this unjust
2 treatment of native peoples by the intruding and
3 land-grasping Europeans. The fact that the
4 situation in the Northwest Territories is one
5 which is taking place in the present in no way
6 removes it from the continuing movement of his-
7 tory. It is so obviously another incident of
8 the same nature as that inflicted in the 31,
9 past upon the Indians of James Bay, of Stoney
10 Point Reserve in Southwestern Ontario, or of any
11 other groups of Indians whose humanity has been
12 totally disregarded and ignored for the sake of
13 technology, this single-minded obsession with
14 progress, with raising the standards of material
15 life.

16 You're probably famil-
17 iar with the particulars of the James Bay
18 Agreement because of its place in the very re-
19 cent past. It is not necessary for me to reit-
20 erate the injustice of this transaction.

21 This kind of injustice
22 has been practiced on the Indian people right
23 from the very beginning of this continent's
24 European history. The Delaware Indians of Man-
25 hattan Island and the Atlantic Sea Coast re-
26 ceived the first Dutch and English explorers fa-
27 vorably 1. and complied with their requests for
28 a small patch of land on which to grow a few
29 vegetables. It was not before the Europeans be-
30 gan to push the Delaware Indians off completely,

1 | relegating them to the far interior and least
2 | desirable parts of the country; and all this af-
3 | ter repeated breaking of treaties founded on mu-
4 | tual honor and respect of both cultural groups'
5 | laws. This example appears to be an event
6 | touching only on the American consciousness per-
7 | haps, but it is very much a part of what has
8 | taken place in Canada as well, with the same hu-
9 | miliating consequences for native people.

10 | The treaties which have
11 | been made with the natives of Northern Canada
12 | betray the same underlying theme of dishonesty
13 | and lack of integrity. Proof of forged signa-
14 | tures on these treaties, for example, is not en-
15 | tirely lacking.

16 | It is not the advance
17 | of technology that the native people of the
18 | Northwest Territories are against so much as
19 | the willful perpetration of injustices of the
20 | kind mentioned above. This issue is especially
21 | pertinent at this time because the area in
22 | question is practically the last stronghold of
23 | human pride and self-respect of the aboriginal
24 | peoples of this continent, and indeed of the
25 | world. Mr. Buchanan has patronizingly dis-
26 | missed the Dene Declaration as being gobbledy-
27 | gook that a Grade 10 student could have written
28 | in 15 minutes. What better way to define one's
29 | own depth of insight into the real human ques-
30 | tion involved here. Mr. Buchanan seems to

1 think that any life not validated by a High
2 School diploma or university degree is not a
3 human life worthy of consideration. It is by
4 just such a shallow and small-minded mentality
5 that the treaties between the white man and the
6 Indians have been manipulated in the past.
7 What good are the 'higher standard of living,
8 better quality of life, and equal opportuni-
9 ties' Mr. Buchanan speaks of when the founda-
10 tion upon which these concepts rest is one of
11 lies and corruption of the type evidenced in
12 the method by which this proud strong and free
13 nation grew up? When it comes to the question
14 of retaining the last remnants of pride and I
15 self-respect, I really wonder if it is not the
16 politicians and the power-mongers of this coun-
17 try, instead of the
18 native peoples, who will have the greater
19 struggle?

20 Historically the two
21 conflicting cultures have been incompatible.
22 No amount of attempting to force the attitude of
23 one cultural group on that of the other has ever
24 produced results satisfactory to anyone, and no
25 attempt ever will. But this does not necessar-
26 ily mean that the two views are
27 totally irreconcilable I am sure that there ex-
28 ists somehow a way by which these two groups can
29 become -- can come to a well reasoned, peaceful
30 and fair meeting of ways and I am

1 sure that one of the first steps in this direc-
2 tion lies in the allowing of the Dene peoples to
3 have some say in the governing and utilization
4 of the land on which they live.

5 No one else is really in a better position to
6 tell them what is best for them, what quality of
7 life they should have, or what standard of liv-
8 ing they should aspire to."

9 In conclusion, I would like
10 to personally say that this clash of values has created
11 deep feelings of bitterness, frustration and confusion
12 a among not only the native peoples of this land but
13 among non-native people as well. I believe we should
14 try hard to understand what our fellow human beings are
15 really trying to say to us when one man denies an
16 Indian nation's beliefs as being gobbledygook, and
17 another man takes his own life for the sake of his own
18 beliefs.

19 At this time in history the
20 attention of many native people across this land is
21 focused on the future of the Dene nation, I believe the
22 issues that concern us here do not merely relate to the
23 impact of the pipeline, but rather that it is
24 fundamental to the relationship between native people
25 and our fellow human beings in Canada for this and all
26 future generations. Will the outcome be merely a
27 repetition of past injustices to our peoples, and this
28 fragile earth, or will it be a new beginning?

29 Thank you.

30 (SUBMISSION BY NATIVE PEOPLES RESOURCE CENTRE LOUCKS &

1 | ALTMAN - MARKED EXHIBIT C-468)

2 | WITNESS ALTMAN: Mr. Berger,
3 | my people are the Objibway, I live on Indian Reserve
4 | No. 46, which is Waco Island on Lake St. Claire, I'm
5 | here to ask that a land settlement with the Dene and
6 | Inuit be negotiated before northern exploitation
7 | begins. I'd like to see a just land settlement because
8 | land is basic to their survival.

9 | We in the south speak from
10 | experience, bitter experience, when we say that they
11 | must have land. We have existed without a suitable
12 | land base for a long time, we have learned that our
13 | land -- with our land went the chance to be the people
14 | we once were.

15 | I won't bother saying what
16 | you've heard probably many times already, but I would,
17 | however, like to tell you what has happened to us in
18 | the south after our land has been taken. I Conditions
19 | on southern reserves are such tint happiness is not
20 | obtained from money and material gain. Native children
21 | find other ways of obtaining happiness, and since it's
22 | the only resource available to them, they usually find
23 | happiness by integrating their nature with the land.
24 | Over the years they've experienced a harmonious
25 | existence with the land.

26 | When they grow out of
27 | childhood, many young people continue their relationship
28 | with this land by hunting, trapping and fishing. This
29 | is done partly out of need and partly for recreation.
30 | But it always results in an attachment to the land.

1 | By this time they've been run
2 | through a school system, they cannot understand why
3 | they must learn to be better than others being
4 | regimented through school cannot be compared to the
5 | kind of existence that I've spoken of.

6 | When your experience has been
7 | one of harmonious existence with the land, school days
8 | are often meaningless and dull, and native students
9 | drop out without even understanding why. All they
10 | know is that schools don't work, that they can
11 | conceive.

12 | Then later on when they get
13 | older comes the realization that there is not enough
14 | land to guarantee an existence. The competitive
15 | existence of European western culture is hard to adapt
16 | to, especially without an education. A grubby job, at
17 | minimum wages, again a meaningless existence. So is
18 | collecting welfare, but that's often the only thing
19 | left.

20 | Our nations do not have
21 | enough land in the south. The Dene and Inuit do have
22 | land. It must not be exploited or destroyed lest they
23 | suffer the same fate as we in the south.

24 | I've examined the situation
25 | and don't see why there are any questions that these
26 | people own the land they live on. They use it for
27 | their existence. They are the majority there. They
28 | obviously know the way to develop it in a way that will
29 | suit everyone. I don't believe they're against the
30 | pipeline; I just think they'd like to develop it

1 | because it's their life we're dealing with here.

2 | Besides the government has to
3 | supply them with welfare too. That would inflate the
4 | economy and everyone will pay for it.

5 | Lastly I'd like to say that
6 | we'd like to see native people get a fair deal for a
7 | change. Thank you.

8 | (WITNESSES ASIDE)

9 | MR. WADDELL: Mr.
10 | Commissioner, we could take the morning adjournment now
11 | and have coffee.

12 | THE COMMISSIONER: All right.
13 | Before we do, I'll just dispose of the matter that
14 | arose at Yellowknife, before we began this southern
15 | tour. Let me just say that in the normal course of
16 | events I would have waited until we returned to
17 | Yellowknife in mid-June to let counsel and the
18 | participants hear my views on this matter; but I think
19 | as a matter of courtesy to the Council of Yukon Indians
20 | especially and to the other participants who supported
21 | the position they took, I should let you have my views
22 | now.

23 | The Council for Yukon Indians
24 | has asked the Inquiry to hold hearings in Whitehorse
25 | and every Yukon community likely to be affected if the
26 | Fairbanks route is chosen for the delivery of Alaskan
27 | gas to the lower 48. That is a route for the
28 | construction of a pipeline from Prudhoe Bay south along
29 | the route of the Trans-Alaska Oil Pipeline now under
30 | construction, to the vicinity of Fairbanks, and there

1 swinging south-west and following the route of the
2 Alaska Highway to the Southern Yukon and into British
3 Columbia and Alberta, and thence to markets in the
4 lower 48.

5 Foothills Pipe Lines supports
6 the Council of Yukon Indians in its request. They have
7 produced correspondence indicating that negotiations
8 are taking place between Foothills and Northwest
9 Pipeline. Corporation of Utah with a view to building
10 a pipeline along the Fairbanks route to deliver, gas
11 from Prudhoe Bay to the lower 48.

12 The Whitehorse Chamber of
13 Commerce has notified the Inquiry -- excuse me, that
14 should read the Yukon Chamber of Commerce -- has
15 notified the Inquiry that they support the request made
16 by the Council for Yukon Indians.

17 Arctic Gas opposes the
18 request. The Inquiry held hearings in Whitehorse last
19 August to consider in a general way the alternate
20 routes for delivery of Prudhoe Bay gas. We also heard
21 evidence in Yellowknife later in the year regarding the
22 east of the Franklins route and the edge of the Shield
23 route, alternate routes for the delivery of Mackenzie
24 Delta gas. But no pipeline company has yet applied to
25 the Minister of Indian Affairs & Northern Development
26 for a right-of-way across the Southern Yukon to build a
27 pipeline along the Fairbanks route. No application has
28 been made to the National Energy Board for a
29 certificate of public convenience and necessity with
30 respect to such a route.

1 I think the usual procedure
2 should be followed. If any company makes an application
3 to the Minister for a right-of-way along the Fairbanks
4 route and he decides to refer the matter to the Inquiry,
5 then we will have to examine the social, environmental
6 and economic impact of the proposed pipeline where it
7 traverses the Southern Yukon itself. But I do not think
8 I have any right to assume that the exchange of
9 correspondence between Foothills and Northwest Pipelines
10 Corporation means that an application will necessarily
11 be made for a right-of-way. That is a matter for the
12 companies themselves to decide. Neither do I think I
13 have any right to pre-empt the Minister's prerogative of
14 deciding in the event that an application is made
15 whether it should be referred to the Inquiry.

16 The fact is that the Inquiry
17 it is considering the social, environmental and
18 economic impact of the Arctic Gas pipeline across the
19 Northern I Yukon and along the Mackenzie Valley, and
20 the social, environmental and economic impact of the
21 Foothills Pipe Lines along the Mackenzie Valley because
22 in each case a proposal has been made to build the
23 pipeline, an application has been made for a right-of-
24 way and the Minister has referred the matter to this
25 Inquiry and at the same time an application has been
26 made to the National Energy Board for a certificate of
27 public convenience and necessity. That is what has
28 happened with respect to the Arctic Gas Pipeline and
29 the Foothills Pipe Lines.

30 In the circumstances, it

1 | would be premature for the Inquiry to proceed as if a
2 | concrete proposal to build a pipeline along the
3 | Fairbanks route had already been made and referred to
4 | the Inquiry, when nothing of the kind has occurred.

5 | It should be borne in mind
6 | that if a proposal were made to build a pipeline along
7 | the Fairbanks route, it might well mean that such a
8 | pipeline would have an impact throughout the Yukon. If
9 | it were proposed, then consideration might well have to
10 | be given to transporting gas from the Mackenzie Delta
11 | by a pipeline running from the Mackenzie Delta along
12 | the route of the Dempster Highway into the Yukon,
13 | linking up with the main pipeline from Prudhoe Bay at
14 | Whitehorse. Such a route would affect a number of
15 | communities in the central and eastern Yukon.

16 | If I were to grant the
17 | request made by the Council for Yukon Indians, I would
18 | be enlarging the scope of the Inquiry and extending its
19 | life. Given that there is no firm proposal before the
20 | Government of Canada to build a pipeline along the
21 | Fairbanks corridor, I am of the view I should not agree
22 | to the request made by the Council for Yukon Indians.

23 | So we will adjourn for
24 | coffee.

25 | (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

26 |
27 |
28 |
29 |
30 |

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Ladies and
3 gentlemen, we'll call our hearing to order again and
4 consider the views of those that remain to be heard
5 this morning. Mr. Roland?

6 MR. ROLAND: Yes sir, the
7 next presentation is by Sister Corinne, of the Divine
8 Word Centre, London, Ontario.

9

10 SISTER CORINNE sworn:

11 THE WITNESS: Good morning,
12 Mr. Justice Berger, ladies and gentlemen.

13 Before beginning I'd like to
14 just present a few sisters from our community who have
15 come to support me, the School Sisters of Notre Dame.
16 One of them is one of our provincial leaders, Sister
17 Louise Marie Siegfried. We represent 312 sister --
18 School Sisters of Notre Dame, working across Canada,
19 some in South America and also in England. With me, I
20 mustn't neglect poor Joe, is Mr. Joe Barth. He is a
21 student from Divine Word Centre, and he will be
22 presenting an endorsement to our brief from the Divine
23 Word students.

24 The School Sisters of Notre
25 Dame support the Dene in their land claims. Within our
26 own country there are sisters who have worked and are
27 working as missionaries, as well as those involved in
28 social awareness programs such as Canadian Catholic
29 organizations for Development & Peace, and our Mission
30 Committee.

1 Within the past ten years --
2 pardon me, within the past ten months four members of
3 our community have returned to Canada after about 15
4 years of work among the poor of Bolivia and Peru.
5 Having been present with these people in their search
6 for human dignity, these sisters have come to a keen
7 awareness of what it means for a people to struggle for
8 justice to obtain even the bare necessities of life.
9 They can deeply identify with native peoples in their
10 own land who, too, are struggling to be master of their
11 own destiny and for what is rightfully theirs; that is,
12 land on which they have lives and which provide their
13 sustenance.

14 We have sisters working in
15 Northern Ontario, Beardmore, Nakina and Arroland. The
16 Indian community in Arroland is now facing the loss of
17 their land through large corporation pulp and paper
18 development.

19 As the sisters exchange
20 experiences, they find Canadian minorities, in
21 particular the native peoples, suffering from
22 injustices not unlike those of their brothers and
23 sisters in Bolivia and Peru. Therefore we support the
24 following statement:

25 · We are especially concerned that the future of the
26 north not be determined by colonial patterns of
27 development wherein a powerful few end up controlling
28 both the people and the resources.

29 Some present examples of
30 industrial planning give us cause for great concern,

1 | for what we see emerging in the Canadian north are
2 | forms of exploitation which we often assume happen only
3 | in Third World countries. A serious abuse of both the
4 | native people and the energy resources of the north --
5 | herein lies the northern dilemma. What has been
6 | described as the last frontier may become our own Third
7 | World.

8 | This is an excerpt from the
9 | Canadian Catholic Conference of Bishops' statement on
10 | northern development:

11 | "The land is the key to the social, cultural
12 | and economic well-being of the native people.
13 | Why are we afraid to entrust the lives and
14 | land to the Canadian natives themselves?
15 | They have a deep respect for the land, the
16 | environment, and a relationship to it that
17 | cannot be equated in terms of dollars and
18 | cents, the benefits of exploitation, or in
19 | terms of multinational petroleum interests.
20 | Ownership of the land is the natives' abo-
21 | riginal right and therefore it is a moral is-
22 | sue, an issue of justice, a point of fairness
23 | and honor."

24 | The challenge facing Canada
25 | is to allow the native peoples their right to a primary
26 | role in the development of resources by terminating
27 | colonial development and replacing it with human,
28 | rather than economic, advancements, and involving the
29 | people in the decision-making.

30 | The Indian Brotherhood of the

1 Northwest Territories put it well when it says:

2 "We are not interested in being paid off for
3 loss of a way of life, but for the right and the
4 freedom to construct our own alternatives for
5 development from the bedrock of our past."

6 The native peoples want to
7 determine their cultural, social and economic well-bet
8 within the Canadian framework as Canadian citizens and
9 not apart from Canada. The Inuit Tapirisat of Canada
10 put it this way:

11 "The Inuit are not separatists. They are Cana-
12 dians. But they don't want to be colonial sub-
13 jects, they want to be partners in Confedera-
14 tion."

15 The Indian Brotherhood in the
16 Northwest Territories says:

17 "A land settlement is a. unique opportunity to
18 bring the Indian people into the economic, so-
19 cial and political mosaic of Canada in a way
20 that would be a source of pride to all 21 Cana-
21 dians."

22 We support the native
23 peoples in their quest to govern themselves within
24 the Canadian framework, and this may require new and
25 special forms of institutions which need to be
26 recognized as part of our political framework, as is
27 suggested by Mr. Barbe Indian Land Claims
28 Commissioner for Canada, Canada has not faced up to
29 the fact that the world God created has limits.
30 Maximum consumption, profit and power has become the

1 | operating principles of our society, and lie behind
2 | the pipeline
3 | issue. The decision must be made now to stop
4 | plunderings of non-renewable resources. This demands
5 | on our part a change of lifestyle in order to reduce
6 | the waste of energy and resources.

7 | Money and research should be
8 | directed toward other alternatives, such as solar
9 | energy. The Canadian Government claims to have the
10 | interest of all Canadians at heart. The challenge is
11 | to listen to the native people in their cry for human
12 | rights. It is a challenge to put our faith and trust
13 | in native people who have a tradition, a communal
14 | sharing of the land, and from whom we have much to
15 | learn concerning land usage. It is a challenge of a
16 | Third World crisis within our very own country. How
17 | can we claim to deplore apartheid in South Africa, yet
18 | fail the native peoples in their rights to the land
19 | they have lived on in years from time immemorial?

20 | The greatest value of the
21 | north is not the oil, it lies in the potential of her
22 | native people. Let us be true to ourselves by being
23 | true to our native brothers and sisters within the
24 | borders of our native land.

25 | Thank you.

26 | (SCHOOL SISTERS OF NOTRE DAME SUBMISSION SISTER CORINNE
27 | - MARKED EXHIBIT C485)

28 | (WITNESS ASIDE)

29 |

30 | JOSEPH BARTH, sworn

1 THE WITNESS: I have a brief
2 of endorsement from the Divine Word Centre For
3 International Education of London, Ontario, in support
4 of just land settlements for the Northwest Territories,
5 native peoples of Canada.

6 This institution is dedicated
7 to provide for its students a program of studies which
8 concentrates on the Scriptures, Old and New Testament,
9 and on the world around us. This approach is based on
10 a conviction that the Word of God needs to be studied
11 both in itself and in its significance for our time.
12 Just as any passage in Scripture is best understood
13 against its historical background, so also is the
14 application of that passage best seen against an
15 understanding of our own historical situation.

16 Our native peoples have been
17 the good and just stewards of our northern lands for
18 several thousands of years. This historical situation
19 is now being challenged under the guise of development
20 of 'urgently needed resources. The concept of
21 ownership of land, which we Canadians hold is alien in
22 every respect to our native people's way of life. The
23 native people view the land as a resource which has
24 been provided to them by their Creator, which is to be
25 used, to be cared for, to live on, to commune with, to
26 harvest, but not to own, except in a broad communal
27 sense. The land, the natives say, is for all, to be
28 passed onto other generations.

29 That's a quotation from the
30 book, "This Land is Not For Sale."

1 It is apparent that the
2 native people's view and the accepted Canadian view of
3 land ownership and its proper utilization are widely
4 divergent. Since these vast differences exist between
5 the commonly held positions of the two parties to this
6 debate -- namely the Northwest Territories native
7 peoples, and the Government of Canada. It behooves all
8 Canadians, northern and southern, to press for a
9 settlement of all land claims prior to any further
10 development on the lands in question. Development must
11 not be allowed to proceed prior to an agreement in
12 principle being arrived at between the parties.

13 For if development is allowed
14 to proceed without the appropriate land settlements
15 being completed, the awesome wealth, power and pressure
16 of southern interests will result in an oppressive
17 force being directed against the basic human rights of
18 the native peoples of Canada.

19 If we allow the unleashing of
20 this oppressive force then we must be held accountable
21 to God and to our fellow man for the moral and physical
22 violence inflicted on our native peoples, which will
23 most certainly follow in its wake.

24 I'd like to quote from the
25 prophet Isaiah:

26 "Gods calls to judgment the elders and the
27 princes of his people. You are the ones who de-
28 stroy the vineyard and conceal what you have
29 stolen from the forest. By what right do you
30 crush my people and grind the faces of the

1 | poor?"

2 | Therefore the staff and the
3 | students of the Divine Word heartily endorse the
4 | accompanying brief which was just submitted by Sister
5 | Corinne, School Sisters of Notre Dame entitled:

6 | "In support of human rights of the Native Peo-
7 | ples of Canada."

8 | Thank you, Mr. Commissioner.

9 | (WITNESS ASIDE)

10 | MR. ROLAND: Sir, the next
11 | submission is by Miss Meredith Bell and Miss Mary
12 | Wilson of the Cross-Cultural Learners' Centre, London,
13 | Ontario.

14 |
15 | MISS MEREDITH BELL

16 | MISS MARY WILSON sworn:

17 | WITNESS BELL: Good morning,
18 | Mr. Berger. My name is Meredith Bell and I will be the
19 | one that will be giving the presentation this morning.
20 | What I'm presenting today is merely an introduction to
21 | a longer , brief which we'll be submitting to you at a
22 | later date.

23 | This paper is put forth by
24 | its authors and endorsers as an expression of our
25 | support of the native peoples call for a just land
26 | settlement in the north, and a further call for the
27 | halt of all development in the north until this
28 | settlement has been reached. The interest of the
29 | authors in this issue arises from their experiences
30 | working in Third World countries, and in Cross-Cultural

1 | Learner Centres here in Canada. Such experiences have
2 | highlighted for them the similarities that exist
3 | between the plight of Third World citizens faced with
4 | a culturally and materially exploitive relationships
5 | they are forced to maintain with wealthy nations, and
6 | the plight of North America's native peoples faced with
7 | the same sort of exploitive relationship.

8 | We have in the past tried to
9 | make this comparison more easily understandable to the
10 | group with whom we work. For this reason we consider
11 | the Berger hearings a unique opportunity for Canadians
12 | especially Southern Canadians, to become much more
13 | aware of the real situation facing the Dene. We would
14 | hope this large-scale proceeding might be more
15 | informative in this respect than our own tailored
16 | efforts have been in the past. In our work we have
17 | also tried to help people identify what they themselves
18 | can do to have a voice in determining the type and
19 | quality of life that is in store for all Canadians.

20 | We have told them, as we
21 | ourselves have been told, that we may first of all
22 | inform ourselves of the issues, we may contact our
23 | Members of Parliament, we may write letters to even
24 | higher government officials, we may prepare petitions
25 | and present briefs. To a large degree people have
26 | responded to our efforts by telling us that those
27 | measures entail a great deal of work, which is generally
28 | considered to have little or no impact on the flow of
29 | events. Apathy is the word in question What is it in
30 | our system which either mystifies, discourages, or

1 | blinds us, subsequently turning off our attention to
2 | anything that is even slightly remote from our day to
3 | day life? Is it merely a question of Canadians being so
4 | well off that they don't have anything really important
5 | to complain about? Keep them happy and they'll remain
6 | quiet, is a possible expression of this viewpoint. Yet,
7 | we repeatedly hear complaints against the cost of living
8 | or the quality of goods and services. True, these
9 | complaints deal with very close to home issues, but we
10 | feel this is principally because the government seldom
11 | releases enough information to allow the media to tell
12 | the whole story.

13 | This information privilege is
14 | inbred in our very Constitution, and is reflected in
15 | oaths that must be taken by employees of the Civil
16 | Service as they are sworn to secrecy. A political
17 | scientist, John McDougall, has explained our system that
18 | "government will, always wish information to be
19 | restricted so far as possible to those who will
20 | not use it to undermine the legitimacy of its
21 | judgment concerning what is best done."

22 | Opposed to this is the academic who should seek to make
23 | the knowledge he has available to anyone who is
24 | interested in forming his or her own view of the
25 | advisability of the government's actions. It is ironic
26 | that in a supposedly free system this dichotomy should
27 | exist. This seems, nevertheless, to be the case.

28 | Even now, for example,
29 | the daily full-length coverage of the Berger hearings
30 | being provided so as to permit and encourage all

1 | Canadians to become aware of the real and human
2 | questions that are being asked concerning the morality
3 | and validity of vast northern development in the
4 | immediate future. This newspaper coverage, composed of
5 | something other than a summary paragraph to be found on
6 | the bottom left-hand corner, page 9, does media
7 | reporting reflect a balance of both native peoples and
8 | government's priority concerns. Limited information
9 | exists hindering the full understanding of the issues,
10 | in fact it is often suggested that the government
11 | itself is working with limited and insufficient
12 | information. How accurate, for example, are the
13 | speculations on estimated oil reserves?

14 | People are unable to
15 | recognize the inter-relationships of all the problems
16 | within a given society. Instead, individuals see
17 | themselves as lone victims whose small plaintive voice
18 | is bound to be lost in an incomprehensible government
19 | process. It is from this point of helplessness that we
20 | hear comments such as, "What can I do? You can't
21 | change the system. You can't get beyond bureaucracy.
22 | You can't fight the government," etc. Clearly in the
23 | minds of many Canadians, participatory democracy is
24 | nothing more than a phrase which is difficult to
25 | pronounce and impossible to realize in present-day
26 | circumstances.

27 | In presenting this brief we
28 | questioned whether the so-called apathy of the Canadian
29 | people is to be translated to mean in fact that people
30 | are happy and therefore quiet. Is it really a sign of

1 well-being? We suggest that this may rather be read as
2 a stifled and silent frustration of people whose past
3 experiences have shown them that unless they have much
4 energy and time to spare, their efforts will not get
5 very far in effecting meaningful change.

6 Recall, for example, how much
7 public outcry it took from various interest groups to
8 effect legislation and enforcement of anti-pollution
9 laws on a minor scale.

10 Secondly, we have come to a
11 point of understanding that the problems of others are
12 not totally distinct and separate from our own. This
13 is certainly not to say that all people or lifestyles
14 are the same. But if we support the call of the native
15 people for a just land settlement, and time to
16 establish sensible and harmonious development policies,
17 it is partly because we recognize that the forces
18 threatening to disrupt their present way of life are no
19 different than those that have greatly altered our own
20 living situations in the past 25 years.

21 Thirdly, once we identify a
22 common problem -- or should we say a common enemy --we
23 no longer feel that we are but one tiny voice. Rather,
24 this brief expresses the common voice of a
25 representative cross-section -- community groups,
26 church groups, workers, students, academics and other
27 individuals.

28 Our hope in presenting this
29 brief is twofold, that our collective voice will have a
30 greater impact on the decision-making bodies

1 responsible for the outcome of the land settlement
2 issues, and that certain decisions which have already
3 been made may not be absolutely final decisions. But
4 our concern is that the real decision-makers may not be
5 those who have been officially delegated to these
6 positions and that our voice will once again go
7 unheard.

8 Our purpose therefore is to
9 re-examine the facts that have been put before us in an
10 attempt to identify where the real power lies, and
11 consequently to determine the level of optimism we may
12 commit ourselves in anticipation of the ultimate
13 statement on the outcome of the native people of
14 Northern Canada. So how do we go about the procedure
15 of demystification?

16 Many diversified non-
17 governmental interest groups and individuals have
18 attempted to counter the problem of public apathy and
19 misinformation. Working in the sphere of development
20 education, they attempt to promote global awareness and
21 subsequently a particular concern and interest in
22 domestic problems. The nature of this work is to
23 relate larger problems to local, regional, and
24 provincial development issues. In this way credibility
25 is increased and the issues are not alienated from the
26 community's interest. Many of these organizations are
27 relatively new and require a major commitment from
28 those involved in such activities. But the spinoff can
29 have a large impact in terms of both human and printed
30 resource distribution. They provide an alternative

1 | perspective untouched by major institutions.

2 | In addition, they place a high
3 | value on the significance of an individual participant
4 | and learner. The use of the media as an educational
5 | tool is another avenue to be further pursued. The
6 | media's influence on public opinion is extensive. We
7 | have sometimes seen its negative impact in the past.
8 | For example, in light of the present concern for the
9 | needs for new energy resource, the slick advertising
10 | propaganda has convinced Canadians that the north is a
11 | final frontier and that it must be exploited at any
12 | cost.

13 | One may ask why there are no
14 | examples of cross-cultural advertising if we are in a
15 | fact receiving a biased position. The answer is once
16 | again both political and economic in content. All
17 | these suggested alternatives depend largely on
18 | government subsidizing, participation or support.
19 | Government bodies may not be sympathetic towards this
20 | type of analysis which often leads to the criticism of
21 | government itself and adverse public action.

22 | Thus information flow of
23 | this kind is often stifled by lack of funding. Another
24 | paramount problem is that of time gathering.
25 | Dispersing information takes time since, as we
26 | mentioned earlier, this information is not always
27 | readily forthcoming. The time lapse between action and
28 | effective result is also one of the factors that deters
29 | people from letter-writing and signing petitions. It
30 | is not surprising, then, that when the native people

1 request the time to provide the general public with
2 their side of the facts, and time to determine
3 alternative development schemes that would be less
4 disruptive to northern life, and most crucially evolved
5 to establish a just land settlement before development
6 takes place, it is generally felt that they are asking
7 far too much as they are holding up activities which we
8 reiterate, are in the so-called public interest.

9 Nevertheless, an immediate
10 alternative source of public participation is the
11 Berger Inquiry, representing a major attempt both on
12 the part of Honourable Justice Berger and the
13 Commission to allow input by individuals who under
14 ordinary circumstances would never officially and
15 publicly be heard. Although even Commission reports
16 have been known to have been shelved, hopefully enough
17 support 411 will evolve from it to encourage further
18 activities in achieving a just settlement for native
19 people and the rest of Canadian society.

20 However, it is important to
21 recognize that the decision concerning the Mackenzie
22 Pipeline has already been made, perhaps even prior to
23 the creation of this particular Inquiry. Our question
24 I now is whether or not that decision is irrevocable.
25 In such an event, this process itself is really no more
26 than a compromise to appease the Dene, laid within the
27 framework of a legal system which more 31 often than
28 not has not been in their best interests. The
29 government can in this way comfort itself with the
30 belief that it offered native people an outlet to voice

1 | their concerns and share their ideas. Government can
2 | be proud to have given a fair chance to everyone. In
3 | other words, if certain decisions are irrevocable, the
4 | Berger Inquiry represents no more than an example of
5 | window-dressing, a beads and blankets arrangement to
6 | flatter the concerns of both native groups and
7 | sympathetic non-native support groups. Hopefully this
8 | is not the case.

9 | We feel it is crucial to this
10 | issue to acknowledge the fact that all native groups in
11 | the Northwest Territories have come together in
12 | indication of the incredible effort they are making to
13 | help both native and non-native society be aware of
14 | their concerns and expectations. These ultimately
15 | concern us all. For these reasons we should equally
16 | whole-heartedly listen to them and attempt to
17 | understand the nature of their claims, and seek a
18 | solution I that will be acceptable and honorable for
19 | all people.

20 | We sincerely thank you, Mr.
21 | Berger, for accommodating us and entertaining our
22 | thoughts on this crucial issue. Thank you.

23 | (WITNESSES ASIDE)

24 | MR. ROLAND: Sir, I next call
25 | on Ms. Edith Welsh, who will speak on behalf of the
26 | London & District Labour Council, as well as the United
27 | Auto Workers, Local 27, London, Ontario. Ms. Welsh?

28 |
29 | MS. EDITH WELSH, sworn:

30 | THE WITNESS: Good morning,

1 | Mr. Justice Berger. I think it's still morning
2 | enough I can say, "Good morning, " and fellow
3 | participants of this hearing. I'm Edith Welsh and
4 | I'm representing the London & District Labour
5 | Council here today. I would like to say that this
6 | brief has been approved by the Canadian Labour
7 | Congress, which is the main body of -- for Canadian
8 | labor, and Labour
9 | Councils are creatures of the Congress, this is why
10 | this had to be done.

11 | In submitting the brief I'd
12 | like to say that Local 27, United Auto Workers, in
13 | London, of which. I am also a member, has endorsed o
14 | this brief fully and heartily.

15 | The Labour Council is made up
16 | -- Labour Councils are made up of affiliated unions
17 | that affiliate to the Labour Councils, and there are
18 | many other unions in London who have endorsed this
19 | brief at a Labour Council meeting, but in particular
20 | Local 27 United Auto Workers, the Human Rights
21 | Committee, of the Auto Workers made a particular point
22 | of endorsing it at their particular membership meeting,
23 | as well it as at the Labour Council meeting.

24 | This submission to the Royal
25 | Commission on the Mackenzie Valley Pipeline is prepared
26 | on behalf of the Human Rights Committee of the London &
27 | District Labour Council and the author is Dale Hoskin
28 | Dale is a member of the Human Rights Committee of the
29 | Labour Council and is also a member of the United Auto
30 | Workers in London.

1 Mr. Chairman, as an associate
2 of trade unions dedicated to the pursuit of social and
3 economic equality, as well as a deep-rooted interest in
4 the preservation of our environment, the London &
5 District Labour Council is deeply concerned about the
6 entire question of the Mackenzie Valley Pipeline.

7 We therefore believe if this
8 Commission pursues its mandate in a serious and
9 determined manner, it will be addressing itself to
10 questions fundamental to the future of Canadian life.

11 It is not the intent of this
12 brief to provide a detailed and systematic analysis of
13 the nature and extent of impact this pipeline will have
14 on the north. In our view, most of the relevant
15 statistics have already been compiled or are readily
16 available. It is, nonetheless, the responsibility of
17 this Commission itself with its own research staff to
18 collect and analyze new evidence which may be pertinent
19 to its deliberations; nor is it our purpose here to
20 outline in detail the position of the London & District
21 Labour Council on the entire range of questions that
22 the Commission must consider or to prescribe in their
23 precise form, the recommendations which the Commission
24 should adopt. Rather we intend to suggest in a general
25 way the nature of our concerns in respect to the
26 Mackenzie Valley Pipeline and the issues which in our
27 view require action through examination and
28 recommendations.

29 The native land settlement
30 issue is a complex and emotional one; for some of the

1 | land the native peoples wish for their exclusive use or
2 | control is on the right-of-way desired for the oil
3 | pipeline.

4 | The London & District Labour
5 | Council is firmly convinced that the entire question of
6 | native land settlements should and must be resolved
7 | before construction begins on the pipeline.

8 | It is our opinion that while
9 | we could never reconcile ourselves to allotting the
10 | power to veto the pipeline to the various native
11 | groups, it would be proper to ensure that these groups
12 | have a substantial say in setting the pace of
13 | development of the north.

14 | The major argument against
15 | postponing the construction of the pipeline to
16 | facilitate these settlements seems to be based on
17 | projected needs. The major oil companies, who in our
18 | opinion, already suffer from a major lack of
19 | credibility, are suggesting that Canada faces an acute
20 | shortage unless construction of the pipeline is
21 | completed by the early 1980s. We believe that the
22 | supply situation from existing southern reserves is
23 | much more favorable than was realized a year ago when
24 | the National Energy Board made its supply report and
25 | presented its "crisis of supply scenario". What
26 | evidence do we have of an increased supply?

27 | (a) New discoveries in the foothills region (such as
28 | Shell's Rosevear and Wilson Creek)

29 | THE COMMISSIONER: That's in
30 | Alberta, I take it.

1 | A Yes, yes, sorry.

2 | (b) Increased prices have increased the recoverable
3 | reserves in existing reservoirs and made smaller pools
4 | economic to develop.

5 | (c) The development of the shallow gas Suffield block
6 | by the Alberta Government with proven reserves of about
7 | 2 trillion cubic feet and growing.

8 | (d) Hidden reserves under contract but not being tapped
9 | for instance, Alberta and Southern Pacific Gas * &
10 | Electric of California have 9.7 trillion cubic feet
11 | under contract, but export approval for only 5.1 The
12 | remaining 4.6 trillion cubic feet could be made
13 | available to Canadian customers and is larger than the
14 | total O reserves (proven and deliverable) in the
15 | Mackenzie Delta.

16 | (e) The Alberta Energy Resources Conservation board 31
17 | in its mid-1975 report announced that larger than
18 | expected net additions to supply had been achieved.
19 | Expected additions, 1.7 trillion cubic feet; actual,
20 | 5.2 trillion cubic feet; production, 2 trillion cubic
21 | feet; net increase in reserves for 1974, 3.2 trillion
22 | cubic feet.

23 | (f) Premier Lougheed's announced intention to consider
24 | releasing some of the existing reserves committed for
25 | Alberta's use, in return for guaranteed delivery at a
26 | later date of frontier gas to Alberta,

27 | (g) The Federal Government's announced intention to cut
28 | back on exports of natural gas to the United States
29 | currently running at about one trillion cubic feet per
30 | year.

1 THE COMMISSIONER: I think
2 you meant cutting back on exports to the United States.
3 If you wanted to export some experts, I think I might
4 be willing to consider that, too. Sorry, go ahead. I
5 shouldn't be interrupting you.

6 A None of these individually
7 provide the salvation for gas supply; however,
8 collectively they show an additional supply adequate to
9 cover projected shortfalls (about ten trillion cubic
10 feet) through to the late 1980s. We will not need the
11 pipeline to heat Canadian homes in 1981.

12 The second thing to consider
13 is if the pipeline is built prior to the settlement of
14 native land claims, we can look forward to a variety of
15 legal challenges and the practical problems of security
16 for a 500-mile pipeline.

17 From a legal, moral and
18 practical point of view, the government should
19 guarantee no construction prior to a land settlement in
20 return for a commitment from the native groups for a
21 specific timetable for the negotiations.

22 Social and economic impact.
23 The social effect and economic impact of the Mackenzie
24 Valley Pipeline is a serious question requiring careful
25 consideration. It is the opinion of the London &
26 District Labour Council that many of the fears
27 expressed by various native groups have firm foundation
28 in both logic and fact. There are many areas which
29 require your most urgent attention.

30 The pace of development. We

1 do not believe that the native groups are being
2 unrealistic in demanding a direct input into the
3 development of the north. Recent evidence resulting
4 from experiences on the Alaskan Pipeline shows that
5 where development is allowed to proceed unchecked at a
6 rapid pace, monumental problems occur. With up to
7 21,000 men working on the pipeline to complete it
8 quickly, the problems are both predictable and in our
9 view unavoidable.

10 These men are paid up to
11 \$1,500 for a 7-day, 84-hour week, and when they get
12 some time off for R. and R., which is rest and
13 recreation, they hit towns such as Fairbanks, which is
14 midway along the pipeline. The bars are open until 5
15 A.M. and the prostitutes, many of them native women,
16 are more plentiful than in most big cities. Already
17 there are disturbing signs in Inuvik, Canada's
18 northernmost town on the Mackenzie Delta, as men
19 working on the exploration teams for the oil companies
20 drift in. Comments from observers such as -- and I am
21 quoting,

22 "The guys who come up here are real grunts,"
23 and "They're brutal with the native women,"
24 are common. Sam Raddi, spokesman for the Inuit people
25 was quoted as saying,

26 "As long as the pipeline is controlled we can't
27 be worse off than we are now."

28 Therefore, Mr. Chairman, the
29 dangers of rapid development becomes readily apparent.
30 The next item we would like to deal with is that of our

1 | concerns on the economic impact.

2 | Economic impact. It is not
3 | our intention at this time to raise all of our concerns
4 | in regard to the economic impact on the north, but
5 | rather to deal with only those which concern the native
6 | peoples directly. We will, however, present arguments
7 | in more detail in the section dealing with public
8 | ownership.

9 | Again, we would draw your
10 | attention to the Alaskan Pipeline and the lessons to be
11 | taken from it. For if this pipeline can be used as an
12 | example, then we can expect many small business in
13 | operations to have great difficulty in retaining labor.
14 | In fact, many policemen in the City of Fairbanks
15 | resigned from the Force to take positions as security
16 | men with the pipeline. To the local communities in
17 | Alaska, the cost of increased alcoholism, prostitution,
18 | crime, violence, health and welfare, etc., remains
19 | heavy.

20 | In Canada, the direct costs
21 | to government for health services, roads, airports,
22 | docks, serviced land, etc., could well reach \$500
23 | million for the support services to the pipeline. The
24 | results. will be that every native and white
25 | northerner will experience an increased cost of living
26 | with few having a direct income from the pipeline
27 | construction.

28 | Our conclusion, Mr. Chairman,
29 | is simply this. A controlled pace of development
30 | coupled with direct and substantial input from the

1 various native groups is vital to ensuring that the
2 pipeline construction leaves as little lasting effect
3 as possible.

4 Political autonomy. The
5 final issue to be considered under the heading of
6 "Social and Economic Impact" is that of political
7 autonomy for the native people of the north.

8 It is true, Mr. Chairman,
9 that many Canadians view our native peoples as being
10 economically secure, living on reservations financed by
11 their tax dollar. A popular misconception that we
12 cannot deny exists. However, it is equally true, Mr.
13 Chairman, that this is certainly not the case of the
14 native peoples of the north.

15 They ask not for handouts,
16 they ask not for charity, nor do they ask for the white
17 man's dollars in the form of a financial settlement.
18 They merely ask for the right of self-determination, to
19 live on their land as they see fit, and according to
20 the dictates of their culture, and this request, in our
21 view, is a just and reasonable one.

22 These people, Mr. Chairman,
23 have lived off the land all their lives. These people
24 will remain to live off the land long after the white
25 man has built his pipeline and departed. We feel the
26 Government of Canada has a moral and legal obligation
27 to ensure that their rights are protected.
28 Furthermore, the London & District Labour Council can
29 see no alternative to political autonomy as a means of
30 guaranteeing these rights. The fears expressed by the

1 The heavy construction
2 equipment will operate in winter from snow roads built
3 over the permafrost by snow-making equipment. Huge
4 amounts of water will be required (250,000 to 900,000
5 gallons per square mile in some areas) and if taken
6 from local streams and rivers, this would allow them to
7 freeze to the bottom, killing all the fish.

8 The London & District Labour
9 Council, Mr. Chairman, is also very concerned about the
10 stability of land forms for construction in permafrost.
11 The ditching into hillsides and for major river
12 crossings such as the Mackenzie, Liard and Hare Indian
13 Rivers, are difficult engineering feats because of the
14 possibility of thermal erosion land slides. With the
15 soil profile in some areas containing 75% ice crystals,
16 any tampering with the insulating active layer on the
17 surface allows air or water to get at the frozen
18 materials below which in turn can lead to a collapsing
19 of land form over some years. As blasting will be
20 required along 13.7% of the route, that is a further
21 factor influencing slope stability and erosion. From a
22 technical point of view, Arctic pipelines have
23 particular metallurgical problems. The proposal as we
24 understand it, is to build a 48-inch pipeline with
25 pressure of 1,680 per square inch, the highest pressure
26 known for this type of pipeline. We understand, Mr.
27 Chairman, that special arrester bands (external
28 collars) will be used to strengthen the pipeline and
29 limit fractures. With the extreme cold of the Arctic
30 north, steel becomes brittle and its ability to

1 | withstand stress weakens. This condition can lead to
2 | brittle fracture unless counter measures are taken.
3 | Any part of the pipeline exposed to the air would be
4 | subject to these problems in winter.

5 | The problems outlined above,
6 | Mr. Chairman, are serious ones requiring immediate
7 | attention. It is our opinion that the studies and their
8 | findings are inconclusive. We do not believe that
9 | short-term studies can accurately predict long-term
10 | problems.

11 | Public ownership. The final
12 | section of our brief, Mr. Chairman, concerns the very
13 | serious question of ownership of the pipeline, if and
14 | when it is constructed.

15 | We in the labor movement have
16 | long been advocating the nationalization of our natural
17 | resources as a means of protecting the rights and
18 | interests of the Canadian consumer. We do not intend
19 | at this time to vary from that position in regards to
20 | this issue.

21 | Public ownership becomes a
22 | reasonable request when taking into consideration the
23 | following:

24 | · In our view any of the proposed pipelines would be so
25 | massive an undertaking the government might have to be
26 | called in midway to bail it out, much the way the
27 | Government of Canada was drawn into the Syncrude Tar
28 | Sands project.

29 | · It is our understanding that Canadian Arctic Gas is
30 | already preparing a request for government assistance

1 | if its project runs more than \$1.5 billion over its
2 | cost estimates. We understand negotiations are under
3 | way to bring Petro-Canada, a new Federal Crown
4 | corporation, into the Polar Gas project, and we note
5 | that the Ontario Energy Commission is already involved.

6 | What does all this mean, Mr.
7 | Chairman? Very simply put, the Canadian Government
8 | most certainly be required to invest large and
9 | substantial amounts of money to subsidize the major oil
10 | companies, many of which are American corporation in
11 | much the same manner as the Syncrude project. This
12 | would be totally unacceptable to the London & District
13 | Labour Council and to the Canadian labour movement as a
14 | whole.

15 | If the Canadian taxpayer is
16 | expected to invest heavily by way of his taxes, in
17 | this project then he has the right to expect certain
18 | benefits in return. He should not be expected to
19 | subsidize this project and at the same time pay the won
20 | market price for energy that he already, by virtue of
21 | being a Canadian citizen, owns. To turn the entire
22 | control of developing, marketing and pricing over to a
23 | collection of private corporations, many of which have
24 | their roots in the United States, would in our view
25 | constitute a travesty of justice and could only be
26 | construed as a sellout of the Canadian taxpayer to the
27 | interests of corporate profit.

28 | In conclusion, Mr. Chairman,
29 | let me briefly outline our concerns in regards to the
30 | Mackenzie Valley Pipeline.

1 | We feel the following should
2 | be studied before any decision is reached.
3 | A. No construction should begin until a land
4 | settlement has been reached, agreeable to all parties.
5 | B. The right of all native groups to have a direct
6 | input into setting the pace of development in the north
7 | is essential.
8 | C. The pace of development should be sufficiently
9 | restrained so as to minimize the social and economic
10 | impact on the north.
11 | D. Furthermore, conclusive studies must be undertaken
12 | to determine the long-range environmental impact, and
13 | development on the north will have.
14 | E. Public ownership of the pipeline in the event it is
15 | constructed, must be guaranteed to protect the
16 | interests of the Canadian taxpayer and the consumer.
17 | In closing, Mr. Chairman, may
18 | I take this opportunity on behalf of the London &
19 | District Labour Council to express our appreciation of
20 | the kind attention afforded us today and further to
21 | wish you well and success in the unprecedented
22 | monumental task you have undertaken. Thank you, Mr.
23 | Justice Berger.
24 | THE COMMISSIONER: Thank you
25 | very much.
26 | (SUBMISSION BY LONDON & DISTRICT LABOUR COUNCIL - MISS
27 | E. WELSH - MARKED EXHIBIT C-467)
28 | (WITNESS ASIDE)
29 | MR. ROLAND: Yes sir, that
30 | concludes this morning's session.

1 THE COMMISSIONER: Is that it?
2 Maybe I should just say with respect to one of the
3 points that Ms. Welsh discussed in the brief she
4 presented for the Labour Council and the Auto Workers
5 that as I understand it, both companies, Arctic Gas and
6 Foothills, have indicated that it is likely that a
7 government guarantee or repayment or borrowings to cover
8 the capital cost of the pipeline will be required.

9 I hope I'm doing justice to
10 the point of view that both companies have expressed.
11 But I think that Ms. Welsh suggested that possibility.
12 I think that both companies have been quite frank to say
13 already that it is a possibility, and more than a
14 possibility.

15 If I have not dealt fairly
16 with the position that each has taken, they will tell
17 us later on today. Maybe they're entitled to do so
18 now, are they, before lunch?

19 MR. ROLAND: Yes. I think
20 they prefer to wait until after lunch, sir.

21 THE COMMISSIONER: All right.

22 MR. ROLAND: I suggest we
23 adjourn till two o'clock.

24 THE COMMISSIONER: All right,
25 two o'clock then.

26 (PROCEEDINGS ADJOURNED TO 2 P.M.)
27
28
29
30

1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 ladies and gentlemen, we'll bring our hearing to order
4 this afternoon and consider the views of those of you
5 who wish to present briefs this afternoon.

6 Let me just say that the
7 Inquiry has spent 14 months in northern Canada
8 listening to evidence about the north and from people
9 who live in the north. We set aside only one month to
10 come to the main centers of southern Canada to listen
11 to what you who live here have to say. That meant that
12 we had to apportion the time we were to spend in each
13 city in southern Canada on the basis of the number of
14 requests we had received for a chance to be heard

15 Now, we're only able to spend
16 a month in southern Canada because we have to return in
17 mid-June to Yellowknife to resume our hearings there.
18 Because we've only got a month, it means we can't hear
19 from all of you who've indicated you would like to
20 present briefs. We apologize for that, but this is an
21 imperfect world and it simply isn't possible for all to
22 be heard. But I think as you sit here, you will
23 realize that many of the themes are being struck that
24 you may well have intended to discuss yourself in your
25 own brief, so I hope that you will not feel that the
26 views that you wish to present in public are not
27 being considered, because I think it likely that all
28 points of view are actually being ventilated in public
29 here.

30 We have the advantage of

1 course, as well of considering the point of view of
2 those we disagree with at these hearings, as well as
3 hearing the views of those we agree with. I would ask
4 you to give your full attention to those who are going
5 to be given the opportunity of presenting their briefs
6 in public this afternoon. Of course, in determining
7 those that we would ask to give briefs each session
8 here, we have had to go on the basis of the people that
9 wrote to us in response to the advertisements that were
10 placed in the newspapers, and working in additional
11 briefs when and where we can as we go along.

12 So, we'll begin then and I'll
13 ask Mr. Roland to let us know who is first this
14 afternoon.

15 MR. ROLAND: Thank you sir.
16 The first presentation this afternoon is from Miss Jan
17 Marshall, speaking on behalf of the London Association
18 for International Development.

19 MISS JAN MARSHALL, sworn;

20 THE WITNESS: Good afternoon.
21 My name is Jan Marshall and I am another of the kind of
22 delegates who came today from London, representing the
23 London Association for International Development.

24 This group is a group of
25 London citizens of various walks of life concerned with
26 community education and action surrounding what are
27 generally known as development issues, both 811
28 domestic and international. The Association was formed
29 in 1969 in response to a need for knowledge and
30 awareness in London about the Third World, Canada's

1 | role in trade and aid situations and the condition of
2 | life for people on a global scale.

3 | Since its formation seven
4 | years ago, LAID has attempted, through various projects
5 | and programs to help the community at large to
6 | understand some of the issues and problems faced by
7 | developing nations and our need as Canadians and as
8 | citizens of the world to be concerned with them.

9 | One of the first programs we
10 | initiated was an introductory evening course of study
11 | sessions organized around particular development
12 | issues, and we do various projects and programs to
13 | educate the London community. The organization has
14 | become concerned with the people of the Northwest
15 | Territories and the plans for the development of the
16 | Mackenzie Valley Pipeline. LAID is presenting a brief
17 | because the Association wishes to express its support
18 | for the Dene people of the Northwest Territories and to
19 | stand with them in asking that there be no development
20 | of the Mackenzie Valley until the issues of land title
21 | and political self-determination for the native people,
22 | the actual energy needs of Canada in the next few
23 | decades, the environmental effects of such development,
24 | and the process of decision making in Canada, are
25 | settled.

26 | The experiences of the
27 | members of LAID in studying development, both human and
28 | economic on a global scale has indicated that the kind
29 | of development proposes for the Canadian north is just
30 | another example of the workings of an international

1 | of a modern, middle-class Canadian home. While many of
2 | us are beginning to realize that this consumer lifestyle
3 | which is both wasteful and for many meaningless, cannot
4 | last forever, the pursuit of all goods and services
5 | which make it up is growing at an unprecedented rate and
6 | to support the new cars; the air conditioners, the pool
7 | heaters, the gas barbecues, we in the south need to use
8 | up a larger and larger percentage of nonrenewable energy
9 | sources; hence we feel we need to build the Mackenzie
10 | Valley Pipeline.

11 | The kind of lifestyle the
12 | majority of southern Canadians lead may, on the surface
13 | seem to be enjoyable, luxurious and even envious,
14 | especially when compared to the circumstances of the
15 | majority of the world's people. When one considers
16 | that we, the developing world -- the developed world
17 | use approximately 70% of the world's resources to
18 | support only about 30% of the world's inhabitants, one
19 | begins to realize the remaining resources must be
20 | spread very thinly around the globe. But for many of
21 | us, it has become an empty existence, a grasping at
22 | economic security and material things in an attempt to
23 | fill the social and human gap left by that very
24 | grasping.

25 | The way we live in Canada
26 | today does not reflect the Christian humanistic values
27 | upon which our governments and communities were
28 | supposedly based. The social problems we now have,
29 | high rates of unemployment, suicide and psychological
30 | and physical illness which results in the tension in

1 | our society, all testify to the inadequacy of our
2 | present life-style. The cry that we need the pipeline
3 | is merely a continuation of the philosophy that more is
4 | better, economic growth is unquestionably good, and the
5 | upward spiral of energy consumption and economic growth
6 | will continue forever.

7 | Our Association questions the
8 | need for such a pipeline, not only because of
9 | statistical data which defies the immediate need for
10 | the energy, the Committee for Justice and Liberty which
11 | has been researching the pipeline issues since early in
12 | the debate, has stated that:

13 | "With certain precautions, domestic gas supply
14 | and deliverability is secure for 34 years, until
15 | the year 2010, "

16 | but also because it seems grossly irresponsible to make
17 | a decision to support the lifestyle described above
18 | which has been questioned not only by public interest
19 | groups like the C.J.L. and our Association, but by our
20 | Prime Minister as well, with information supplied only
21 | by biased multinational oil companies and without
22 | consulting the Canadian public and its elected
23 | representatives.

24 | While we are aware that this
25 | Inquiry was initiated to study the social,
26 | environmental and economic effects of the pipeline on
27 | the north, we believe that the issues at stake are much
28 | broader and are closely interrelated. Environmental
29 | and economic effects are tied to the question of land
30 | settlements with the native peoples. The question of

1 supply and deliverability is tied to the question of
2 energy conservation and the seeking out of alternative
3 sources. Perhaps most important and all encompassing
4 is the question of, how the existing decision making
5 process works in Canada today and whether we want to
6 perpetuate it in that form?

7 Native northerners are saying
8 that they need a land settlement which allows and in
9 fact guarantees them a reasonable degree of self-
10 determination and the ability to lead their own lives
11 in the way which they see fit. As an aside, may we
12 suggest that many southern Canadians may have something
13 to learn from the lifestyle and culture of the Dene.

14 We, in southern Canada can
15 support this desire and identify with it as more and
16 more of us experience the feeling of alienation from
17 our elected representatives and an inability to
18 control resources in our own lives. Here in Ontario
19 a few weeks ago, several community hospitals were
20 declared closed by the Provincial Minister of Health
21 without warning or previous consultation. The people
22 of these communities refused to accept this edict and
23 are challenging in the Courts, the validity and
24 wisdom of the Government's decision. The frustration
25 and outrage felt by the people in Ontario, when our
26 own government made what we felt to be an unfair
27 decision, must be that much less than the frustration
28 and outrage felt by the Dene of the Northwest
29 Territories whose lives are daily affected by
30 decisions now being taken by a Federal Government

1 thousands of miles away and with little or no
2 understanding of their needs and concerns.

3 We have attempted to outline
4 our concerns and the rationale behind our concerns in
5 this brief. We've attempted to say our feelings about
6 what we see as the real debate and issues surrounding
7 the pipeline and to speak to those in a personal and
8 sincere manner. We in the London Association for
9 International Development have made a personal
10 commitment to work toward a heightened awareness
11 amongst Canadians about these issues and to listen with
12 respect and open minds to all the evidence surrounding
13 the pipeline, whether it comes from the Dene, the
14 Inuit, or the oil consortiums.

15 It's our belief that the
16 Inquiry is doing this, and we thank you for your
17 indulgence and patience in listening to our thoughts.
18 It is our sincere hope that the Government of Canada
19 will do the same. Thank you,

20 (SUBMISSION OF LONDON ASSOCIATION FOR INTERNATIONAL
21 DEVELOPMENT MARKED EXHIBIT C-471)

22 (WITNESS ASIDE)

23 MR. ROLAND: I next call sir
24 Mr. Roger Obonsawin of the Native Canadian Center. His
25 name is properly spelled O-b-o-n-s-a-w-i-n,

26 ROGER OBONSAWIN sworn;

27 THE WITNESS: Mr.

28 Commissioner, the Native Canadian Center of Toronto is
29 glad for this opportunity to address the Inquiry and to
30 confirm our support for a just and equitable land

1 settlement with the Dene and Inuit before a major
2 development occurs in the Mackenzie Valley region.

3 We take courage from our
4 native brothers and sisters in the north who have
5 spoken out with pride, dignity and a realistic
6 perception of future alternatives. We know they have
7 stated their case clearly and therefore we are here not
8 to repeat their arguments, but to support them with our
9 own experience.

10 There are approximately 20 to
11 25,000 native people in Toronto. The number constantly
12 changes because the native community is continually
13 influx. Most of our people come to the city looking
14 for one of two things, a chance to better their
15 economic status or a place to hide from the
16 frustrations of reserve life. On reserves, where there
17 is little or no economic self-sufficiency, little or no
18 meaningful involvement in decision making, little or no
19 comprehension of the impenetrable bureaucracy, the self
20 image of the native people is very low.

21 So we come to the city
22 frequently with unrealistic expectations. In many
23 cases, we have very little experience in coping and
24 quickly fall into the poverty cycle of unemployment,
25 depression and alcohol abuse.

26 The loss of culture,
27 community and self-identity lead to alcohol, courts and
28 violent deaths. The beginning of a solution must be to
29 preserve community, culture and identity. The Dene and
30 Inuit are seeking, are demanding the chance to both

1 | preserve and enrich their own cultures. These cultures
2 | are intrinsically based on the land. Dispossessed of
3 | their lands, they will inevitably join the thousands of
4 | displaced native people in our urban centers. The cry
5 | is strong. Native people want to become equal
6 | participating members of Canadian society while
7 | preserving our native heritage.

8 | Many statistics have been
9 | compiled to indicate how serious the situation is for
10 | native people in the cities, for people who are both
11 | physically and morally displaced, but public hearings
12 | often become a testing ground for creative use of
13 | statistical data. History or hindsight tells the truth
14 | more clearly.

15 | Every Indian and Inuit
16 | community at one time or another has experienced the
17 | outcome of unwanted or uncomprehended development.
18 | The site of Toronto for example was purchased from a
19 | local band for ten shillings. Can anyone suppose
20 | that those Indians understood they were selling their
21 | land, their freedom, their culture for a few
22 | shillings? It is no wonder that the Dene and Inuit
23 | will not accept a cash settlement, but want control
24 | of at least part of their traditional lands which
25 | they own by aboriginal title.

26 | They can see the tragedy of
27 | displacement and loss of culture without meaningful
28 | replacements. We as native people and Canadian
29 | citizens cannot allow this experience to happen even
30 | one more time.

1 Today, we are taking part in
2 one of the most important democratic events this
3 country has ever experienced. The Federal Government
4 has created this Inquiry to allow Canadian citizens
5 across the nation to participate in decision making.
6 The Federal Government must be able to hear the
7 overwhelming plea from native and non-native Canadians
8 to postpone major development until land settlements
9 have been fairly negotiated, until a creditable
10 evaluation of oil and gas deposits has been formulated
11 and until environment protection technology can cope
12 with some of the serious threats to our north.

13 Here at this Inquiry, we have
14 a chance to take part in the implementation of
15 participatory democracy through a new thoughtful
16 approach to progress that does not cast development
17 versus environment minority versus majority. There is
18 room in this country for the implementation of many
19 different types of development. Technological advance
20 need not preclude creative development in social,
21 economic and political spheres. We challenge the
22 Canadian Government to respond to this opportunity in
23 good faith, to wait for Justice Berger's
24 recommendations and to act on them.

25 This might be the last chance
26 to begin to change an ugly, mismanaged history into a
27 positive future for all Canadians.

28 Thank you Mr. Commissioner.
29 (WITNESS ASIDE)
30 MR. ROLAND: Sir the next

1 submission is by Miss Janet Parker of Bishop Cronyn
2 Memorial Church, London, Ontario.

3 MISS JANET PARKER sworn;
4 THE WITNESS: Mr. Commissioner,
5 this is a brief from the Board of Management of Bishop
6 Cronyn Memorial Church, London, Ontario.

7 On March 2nd, 1976, a
8 statement entitled, "Justice Demands Action" was
9 presented to the Prime Minister and members of the
10 Federal Cabinet by the following Canadian church
11 leaders:

- 12 · The Reverend N. Berner, president, Canadian
13 Council of Churches.
- 14 · The Most Reverend G. E. Carter, president,
15 Canadian Catholic Conference.
- 16 · Dr. D.C. MacDonald, general secretary of the
17 Administrative Council, Presbyterian Church in
18 Canada.
- 19 · Dr. R. Nostbakken, president, Lutheran Council in Canada.
- 20 · The Right Reverend Wilbur Howard, moderator,
21 United Church of Canada, and,
- 22 · The Most Reverend E.W. Scott, primate, Anglican
23 Church of Canada.

24 Sections 19 to 21 of the
25 statement reflecting extensive research and a spirit of
26 Christian conviction and concern pertain to the
27 predicament of the native peoples of the north in the
28 face of northern development. Section 21 in particular
29 reads as follows:

30 "We therefore urge the Federal Government to:

- 1 | A. Introduce a moratorium on major resource de-
2 | velopment projects in the Northwest Territories
3 | for the purpose of providing sufficient time to
4 | achieve the following objectives:
5 | 1. just settlement of native land claims.
6 | 2. native people's programs for regional eco-
7 | nomic development.
8 | 3. adequate safeguards to deal with environmental
9 | problems like oil spills, well blowouts, etc.
10 | 4. adequate programs to regulate domestic con-
11 | sumption and export of energy resources.

12 | Independent studies now indicate that gas
13 | reserves south of the 60th parallel are sufficient
14 | to make such a moratorium feasible.

- 15 | B. Re-examine current policy positions on the ex-
16 | tinguishment of aboriginal title in view of the
17 | fact that the Nishga, the Dene and the Inuit of
18 | the Northwest Territories are in various ways,
19 | asking for a formalization of their aboriginal
20 | rights. A more creative position might go a way
21 | long way towards reducing tensions and assuring
22 | more constructive negotiations.

23 | Following the 1973 split decision in the
24 | Supreme Court, Calder versus the Government of
25 | B.C., the Prime Minister stated that: 'the con-
26 | cept of aboriginal title was a valid one and that
27 | political settlements must ensue'.

- 28 | C. Provide assurances that:
29 | 1. No approval will be granted for the building
30 | of a Mackenzie Valley Pipeline until the Berger

1 Commission has submitted its final report and
2 serious attention has been given to its findings
3 and recommendations.

4 2. No right of conveyance will be
5 granted to any pipeline company or other re-
6 source companies in the Northwest Territories at
7 least until there has been an agreement in prin-
8 ciple signed on all native land claims in the
9 Northwest Territories.

10 3. The proposed Polar Gas Pipeline or
11 any other major energy project will not proceed
12 until a public inquiry similar to that of the
13 Berger Commission hearings is conducted.

14 We, the Board of Management of Bishop
15 Cronyn Memorial Church, London, Ontario, as an
16 expression of our Christian conviction and con-
17 cern for the native peoples of the north in
18 their struggle for a just land settlement before
19 development, endorse this statement of the Cana-
20 dian church leaders."

21 Thank you Mr. Commissioner for
22 allowing us this opportunity to make our endorsement
23 public.

24 THE COMMISSIONER: Thank you,
25 Miss Parker.

26 (SUBMISSION OF THE BISHOP CRONYN MEMORIAL CHURCH MISS
27 JANET PARKER - MARKED EXHIBIT C-472)

28 (WITNESS ASIDE)

29 MR. ROLAND: Sir, the next
30 submission is from Professor J.H.Hart of the Faculty of

1 Science, University of Western Ontario who I understand
2 also has a few slides to show us.

3 PROFESSOR JOHN H. HART sworn;
4 THE COMMISSIONER: Let me
5 know when the slides are to begin and I'll take a seat
6 there where I can see them.

7 THE WITNESS: Very good. Mr.
8 Chairman, ladies and gentlemen, the brief that I am
9 presenting here today is a personal brief. I think
10 though that perhaps I am entitled to a hearing in this
11 city particularly because I almost count myself a
12 citizen of Toronto, having been born here, have rooted
13 for the Toronto Maple Leafs almost every season and I
14 have some background here that goes back to the Toronto
15 Street Railway. I've always lived within about 100
16 miles of Toronto which may or may not be a good thing
17 and probably doesn't do me much good out west.

18 But I come here today not so
19 much as a citizen of this city or this country but as a
20 Professor of computer science. I've been active for 22
21 years in this field and in the course of this I have
22 been -- I worked I should say on both sides of the
23 issue that we're dealing with here. I've worked with
24 the Ontario Government for three years in the
25 development of a program for oil and gas reserves here.

26 For the past five years, I
27 have been collaborating with the Tree of Peace in
28 Yellowknife and it's this particular project which I'd
29 like to submit for your attention, because it's from
30 this that I'd like to draw some conclusions which I

1 | think might be relevant to the hearing.

2 | If I could just have the
3 | light please, we'll show the -- that's not the first
4 | slide. You'll have to back up two. Well, maybe it was
5 | one. We seem to have lost -- have we lost one slide?
6 | All right, well that will have to do. I must have them
7 | out of order.

8 | The first slide was to
9 | indicate that I consider we're dealing with a somewhat
10 | new technology in the north. I want to make an
11 | opposition between energy and information. Energy has
12 | to do of course with the pipeline, with heating of
13 | homes, with industry and so on. Information means the
14 | total complex. That is, the land, the peoples, the
15 | information that we need to survive in the north,
16 | information for future generations.

17 | I believe that the ratio of
18 | these things has changed drastically in the last 25
19 | years and this second slide is an indication of how I
20 | see this change in relationship to native northerners
21 | and we southerners. I think our technological
22 | civilization ha shifted from an energy driven,
23 | aggressive civilization to one which is more
24 | conservationist and more participatory.

25 | The native Amerindian on the
26 | other hand I believe has changed from energy sparing
27 | and conservative to selective modernization. What I
28 | want to show you very briefly are some slides that
29 | relate to a project in which this shift of technology
30 | may be illustrated in a cross-cultural program with the

1 native people at the Tree of Peace in Yellowknife.

2 Next slide please. Well,
3 that's the slide we should have had before. Let's skip
4 that.

5 This shows -- this is simply
6 a map showing the location of a computer project
7 whereby a computer at the University of Western Ontario
8 was linked first to Inuvik in the summer of '71 and
9 then to Yellowknife in the summer of '73, The first
10 experiment was mainly to give us some ideas of how to
11 proceed. The second one was actually a complete
12 collaboration with the people at the Tree of Peace and
13 the Computer Science Department at Western.

14 The next slide please. This
15 shows a native girl who is working on our teletype.
16 This is connected to the computer in London from
17 Yellowknife. She's listening to a program in Dogrib,
18 and it's part of that aspect of educational technology
19 we call computer assisted learning. I don't want to go
20 into the details except that we had this equipment,
21 part of it was made at Tuck Electronics in the States.

22 Next slide please. This
23 shows the same apparatus which was used there in '73.

24 Next slide please. Here are a
25 few of the slides that were used in the project. These
26 were drawn by the native educators there. We were
27 dealing with a project in the Dogrib language. It was a
28 project to teach Dogrib, and the way we worked was that
29 Dogrib speaking people wrote the lessons and in the
30 Computer Science Department supplied the technology.

1 The next few slides will all
2 be taken from the actual set of slides we used in that
3 program.

4 Next slide please. We had to
5 draw -- I didn't have to draw but the native peoples
6 in'.-this study had to draw these diagrams to illustrate
7 certain words. I don't know a word of Dogrib so maybe if
8 anyone does, they'll imagine what this is.

9 Next slide please. These are
10 just a few more slides. Next slide please. Next
11 slide. Next slide. I think that's the last of that
12 group.

13 Next slide please. Now, the
14 experience that we've had in this project with the
15 native people indicated to us a deficiency in two
16 regards; the minor efficiency which had to do with the
17 underdevelopment of Canadian technology and this is in
18 regard to certain aspects of computer development. But
19 the major, most important obstacle that we've
20 encountered is the critical situation of the native
21 people in the north. It was easy for us to be involved
22 in these programs and extremely difficult for them.

23 It was, as I say in my brief,
24 it was just almost an accident that we were able to
25 complete the projects to the point that they had
26 reached. The results were significant enough that I
27 was able to speak about them at an international
28 conference in Marseilles last fall,

29 Now I think since -- can I
30 have the lights now please? Thank you very much

1 Meredith. I would just like to conclude my talk by
2 reading a brief summary from the submission.

3 I'd like to emphasize that
4 this was a cross-cultural project. I believe that the
5 boundary of native and nonnative culture we may
6 anticipate an invigorating exchange. If it takes
7 place, it will directly benefit the whole of Canada by
8 improving the quality of life and by strengthening our
9 position towards the people of the Third World who
10 would have immediate use for our experience.

11 It will have a direct
12 influence on the growth of our communications
13 technologies as indicated by the redesign of software
14 and hardware which is simulated in our laboratories.
15 And finally, it will assist in the ultimate possession
16 of the far north. While there is much hope in the
17 prospects offered by cross-cultural education in the
18 north, the obstacles at present are almost insuperable.

19 The communication projects in
20 Yellowknife and Inuvik were undertaken with great
21 sacrifice by the native educators. Only by a series of
22 fortunate accidents did they succeed at all.

23 Due to the situation with
24 which the Dene people are struggling, there is no hope
25 for substantial future development of these important
26 experiments unless the native people's land claims are
27 settled. And by the way, I would like to mention that
28 we hope to have a major project onboard by 1977 with
29 the joint U.S.-Canada satellite, the C.T.S. but it's in
30 working towards this that we've encountered the

1 | difficulties I am alluding to.

2 | It is not only they who will
3 | suffer if we cannot proceed with this kind of cross-
4 | cultural development. If we do not allow the native
5 | people to develop an alternative in a self-determining
6 | manner, it is we as well as they whose future prospects
7 | will be stunted and whose survival as a vigorous nation
8 | will be in doubt.

9 | Thank you.

10 | THE COMMISSIONER: Can I ask
11 | you a couple of questions if you don't mind?

12 | A No.

13 | Q Good, I was just going
14 | to ask you if you could explain perhaps in a little
15 | greater detail the nature of that experiment on the
16 | slides. What was it that the people -- the native
17 | people at Yellowknife and Inuvik were to get out of it
18 | so to speak, and what was it that you and your
19 | colleagues at the university were to get out of it?

20 | You may have assumed we knew
21 | a little more than we really did.

22 | A Well, I did make that
23 | assumption. I was trying not to take too much time.
24 | But I would be very -- I am very pleased to elaborate
25 | on that question.

26 | Perhaps it will put this in
27 | focus if I say that the collaborator in the project on
28 | the native's side was Miss Phoebe Nahanni of Yellowknife
29 | who is one of the founders of the Tree of Peace. We had
30 | agreed that there has to be a movement in two

1 | directions, which meant that for the native people,
2 | there could be a possibility of seeing the use of high
3 | technology, of new technology in a native context.

4 | So for example, in the
5 | teaching of Dogrib, where native teachers are rare,
6 | where time is short, it's advantageous to have a
7 | repetitive method for drill and practise. These
8 | methods have been used for a decade here in the south.
9 | They're used very little in the north. So, there re
10 | certain benefits of this type strictly with regard to
11 | native education.

12 | For us, it was an exceptionally
13 | fine way to test out certain technologies which are
14 | broadly needed throughout the world, but which are not
15 | particularly needed at this time in southern Canada.

16 | So we were improving our
17 | technology our software, our terminals and the native
18 | people in this and in other similar experiments were
19 | interested in developing new approaches to education.

20 | Q Can you tell us just
21 | what the nature of the project that you're beginning
22 | next year will be, in a rough way?

23 | A We've decided with regard
24 | to the C.T.S. that we don't really have sufficient time
25 | to continue with the project which was run in '73,
26 | Instead, we are using some ideas which were developed at
27 | the Cross-Cultural Center and by CUSO at the University
28 | of Western Ontario. These are concepts which come under
29 | the general heading of learner's centers. As the
30 | technologists involved in this project, we could see how

1 a -- I don't like to get into too much detail, but this
2 is, essentially it's native information in English, and
3 it's made accessible through a computer where a computer
4 acts very much like the card catalogue of a
5 library.

6 The beautiful thing about
7 this is that any particular native group or any group
8 whatsoever, can have control and can have input to the
9 kind of information that's being used. I might say
10 that we've successfully used this for two years in a
11 southern group. That's at M. M. Robinson High School
12 in Burlington.

13 The beauty of it is that it
14 allows you to indicate -- each group can have its,
15 essentially its own library, and can direct students so
16 that it is closely related to that.

17 One final world on that is
18 that one of most progressive schools in the United
19 States, Miami Dade Community College is also involved
20 in community education which is very closely related to
21 this concept of a learner's center which was developed
22 beginning about ten years ago by people at the Cross-
23 Cultural Learner's Center at Western. By the way,
24 we're the technologist of this. We came in late and
25 the credit for the early Learner's Center goes to them.

26 THE COMMISSIONER: Fine.

27 Thank you Professor Hart. (WITNESS ASIDE)

28 (SUBMISSION BY J.H. HART MARKED C-469)

29 MR. ROLAND: Mr.

30 Commissioner, the next presentation is from Father

1 O'Kane of the Scarborough Foreign Mission Society.

2 FATHER MICHAEL O'KANE sworn;

3 THE WITNESS: Good afternoon

4 everybody, I'd like to introduce myself. My name is

5 Michael O'Kane. I'm a priest of the Scarborough

6 Foreign Missionary Society and at the present time, I

7 am the Superior General, stationed here in Scarborough,

8 Ontario.

9 Prior to serving in this post

10 as Superior General of Scarborough Missions, I worked

11 from 1961 till 1970 in Itacoatiara Amazonas, in the

12 country of Brazil.

13 The Society that I represent

14 is a Canadian based missionary society that has been

15 working in other countries for the last fifty years.

16 Mr. Commissioner, we the members of the Scarborough

17 Foreign Missionary's Society who are presently working

18 in Latin America are extremely grateful for the

19 opportunity to present this brief to this Commission,

20 enabling us to express our concerns and our position

21 regarding future governmental decisions with respect to

22 resource development in the Canadian north as it

23 affects the Dene, Inuit peoples.

24 As Canadians who feel a

25 responsibility and conscience to speak to this problem,

26 and having similar experiences in Latin America, we

27 stand in solidarity with the position taken by the Dene

28 and Inuit peoples and that of our Canadian Bishops in

29 their 1975 Labor Day Statement that there be no large

30 scale development in the north until open-minded

1 negotiations and a just settlement of the native
2 peoples land claims have been agreed upon by our
3 government.

4 This really is an historic
5 moment for Canada. The Canadian Government, as the
6 representative of the people has one more chance to
7 alter Canada's history. As we recall, our history and
8 the treatment of the native Indian population,
9 Canadians are invited today to do right precisely what
10 they have done wrong in the past. Let us not be
11 determined by the historical decisions of the 'past
12 government but let us create a new history. Let us
13 learn from the past. Let us prove that history is not
14 static but is an ongoing process in development and
15 freedom.

16 Freedom, the rights of people
17 and justice have priority over things. Things such as
18 gas and oil pipelines which are the embodiment of the
19 economic interests of a select few and those of foreign
20 investors.

21 Today, 1976, when peoples the
22 world over are struggling against domination and
23 exploitation, when nations are fighting for their
24 liberation and independence, we as Canadians can no
25 longer follow the pattern of colonial development where
26 the invested interests of the few in the name of
27 economic development place the lives of a subjected
28 people in jeopardy.

29 Exploitation and domination
30 in the name of economic development is in fact not

1 | development at all. The construction of gas and oil
2 | pipelines should merely be the tools that are used to
3 | bring about the development of the people. Economy is
4 | the servant of man. Man is not the servant of the
5 | economy.

6 | The purpose for development in
7 | any field is for the greater freedom and wellbeing of
8 | the people. Every proposal of resource development in
9 | the north must be judged by the criterion of whether it
10 | serves this purpose or not. Do we sacrifice people for
11 | dollars and economic gain? The end of economic
12 | development then is man and if the building of pipelines
13 | clashes with human dignity and social equality, then it
14 | is paramount that the latter be given priority.

15 | The first responsibility of
16 | any government is the protection of the independence
17 | and freedom of the people, the people that it serves,
18 | allowing them to determine their own lives, This
19 | responsibility rests then today with the Canadian
20 | Government. In the Canadian north, the survival of
21 | Canadian native peoples must be given priority over
22 | things, things such as gas and oil pipelines.

23 | Our experience as missionaries
24 | of Latin America has shown us in a parallel situation
25 | that any decision by the government which does not
26 | respect the freedom of the individual, their cultural
27 | values and their claims has turned out to be a murderous
28 | decision. On the surface it looks very democratic but
29 | in fact, it's pragmatic and economic. So closely are
30 | land and life linked that judgements to expropriate land

1 have been the death knell of the natives concerned.

2 For the past ten years, we've
3 been living in northern Brazil in the state of Amazonas
4 where at this time the Brazilian Government is facing a
5 situation similar to that which exists in the Canadian
6 north regarding the survival of her native peoples. We
7 have participated in many conferences sponsored by the
8 churches and FUNAI. FUNAI is the government agency
9 responsible for Indian affairs in Brazil, where
10 questions of governmental policy toward her native
11 peoples has been discussed.

12 We have visited the sites and
13 spoken with survivors of the bloody massacres which
14 occurred in Amazonas in which both governmental and
15 indigenous peoples were uselessly killed, one to defend
16 their rights, the other to fulfill a government law.
17 We have heard many members of the native tribes in the
18 State of Amazonas concerning their fears.

19 We have seen the highways in
20 Amazonas which are being carved through lands which
21 have been expropriated without any just settlement made
22 to its owners because someone in the State capital,
23 states that they are the rightful owners. We have
24 seen with our own eyes the impact of the colonial
25 pattern of resource development which is taking place
26 in the Amazon region of Brazil. We have experienced
27 the misery of these people, once a proud race and now
28 broken in spirit and plea that such a social, economic
29 and ecological impact be averted here in the Canadian
30 northland.

1 Canadians must be conscious
2 that any decision by the government concerning resource
3 development in the north will not only affect the
4 national scene but will also have international
5 repercussions. The Brazilian people are well aware of
6 how Canada has treated her native people in the past.
7 Many times during the FUNAI encounters, the policy of
8 the northern countries regarding its native peoples
9 were used to justify the present governmental action.
10 As the Amazon region is recognized as one of the world'
11 reserves of mineral deposits, so too are the Northwest
12 Territories viewed as resource wealth for southern
13 Canada and for foreign investors.

14 For the Amazon Indian as for
15 the native peoples of the north, the land they inhabit
16 are essential to maintain their way of life and their
17 culture. For these people, land means life. To
18 separate either from their land is to deny them that
19 right to life. To deny them land means the cultural,
20 social spiritual aspirations, the economic and
21 political relationships of their society would be
22 destroyed. As the Amazon Indians are denied the right
23 to participate in decisions concerning the development
24 of their lands, let not then the native people of the
25 north be excluded, nor let there be any morally
26 coercive threat of pipelines being built and land being
27 taken away before there is a land settlement that is
28 acceptable to all parties concerned.

29 Let us not create another
30 Amazonas in the Northwest Territories, The wealth and

1 future of our country lies in the fact that many ethnic
2 groups have melted together in peace and harmony to
3 make up the homogeneous Canadian Society. The
4 diversity of cultural backgrounds has made our country
5 one of the most respected nations, in fact, a leader in
6 the 20th century. Let us acknowledge in truth that
7 Canada's unity is in its diversity. National unity
8 must incorporate these differences and there is no
9 place in our society for a system which encourages
10 ethnic domination or exploitation for economic gain.

11 Economy, a word from the
12 Greek language means "rules of the house". That is to
13 put one's own house in order. Those who live in the
14 north must be allowed to continue to order their own
15 lives, circumscribed only by their desire for freedom,
16 culture and social mores and not as a central
17 government would have it to be. We cannot impose our
18 complex industrial way of life on the native people
19 whose code of life is peace and simplicity. Our way of
20 life with the standards of living which we have created
21 for ourselves demands, if not depends on, the use of
22 natural mineral resources even if it means the
23 exploiting and the raping of the soil. Yet the native
24 peoples have been living centuries before us without
25 this necessity of domination, exploitation of others,
26 and they have preserved to this day their way of life
27 with the aspiration of passing these values on to their
28 heirs.

29 This is something that modern
30 Canadian society, if it is to survive, can learn from

1 | these peoples.

2 | In the book of Exodus, we
3 | read of the slavery and sufferings of the people of
4 | Israel by the dominators of Egypt. Their cries and
5 | groanings were heard by God, their creator. I have
6 | heard the cry of my people and Moses was sent by God to
7 | initiate the liberation process that was to lead these
8 | people to the freedom of the sons of God. A cry for
9 | justice is heard today, from north to south from east
10 | to west. The Canadian people turn to their government
11 | with pleas for justice, human rights and land claims.
12 | It is true that government is a complex machinery in
13 | the modern world but a government should not lose its
14 | way. It should not forget what its prime purpose is.
15 | Government is for the people. Government is
16 | responsible to the people.

17 | Striving for material
18 | development, a government can sometimes forget that the
19 | people may have some values that they are not willing
20 | to sacrifice. Let the Canadian Government then here
21 | the voice of the Dene and Inuit peoples. Let it hear
22 | that these people have the God-given right to self-
23 | determination, the right to recognition as a distinct
24 | people within the Canadian society, the right to a just
25 | land claims settlement if their land is to be taken
26 | away in order to benefit other Canadian citizens. The
27 | native peoples of the north should not have to come to
28 | the government to beg for their rights. It's the role
29 | of government to ensure that their inalienable God-
30 | given rights will be protected. Those who have the

1 power of decision making must remember that it was
2 received from the people and use of this authority is
3 not for the interests of economic blocks or foreign
4 investors, but in the service of the people and as a
5 guarantee of their rights. Authority is freely given
6 and received and not possessed by any Divine Right.

7 What we are asking for is a
8 fundamental change in the attitude of Canadian society.
9 We are calling for a new attitude towards existence and
10 life based on man's equality before his Creator
11 regardless of race or creed.

12 The problem which arises over
13 the proposed Mackenzie Valley Pipeline is not merely
14 social, political and economic in nature. It is much
15 more profound. The proposed pipeline is merely the
16 embodiment of the fundamental attitude of our complex
17 consumer industrial society for its the purpose of
18 existence and life, an attitude which generates
19 domination, oppression, and ultimately violence.

20 Modern society continues to
21 believe in this ethic which teaches that power, life
22 for knowledge is to dominate. It continues to still
23 believe in the use of these forces to oppress a people
24 into a slavery of its own molding. Our past history is
25 written in terms of those who triumph by force, those
26 who control, who have the power of decision over the
27 lives of others. No one speaks of those whose hopes
28 and aspirations were frustrated and crushed. No one
29 speaks of those who died humiliated and defeated It is
30 our attitude concerning the meaning of life which has

1 | to change. We call for a fundamental social change.

2 | Life is not to be seen in
3 | term of comfort, profit and power over others but to be
4 | seen as a created being having inalienable rights given
5 | us by the Maker. There is no future in domination,
6 | oppression and injustice. The balance of the future is
7 | on the side of love, justice and fraternity where life
8 | and power are seen in the terms of service for the
9 | betterment of mankind.

10 | Mr. Commissioner, we insist
11 | that the construction of the Mackenzie Valley Pipeline
12 | and any other major resource development in the north
13 | be postponed until the affected native peoples have
14 | participated in the decisive process and until a just
15 | settlement of land claims with Dene and Inuit peoples
16 | has been resolved. Our experience in the Amazon is a
17 | testimony to the tragic consequences that necessarily
18 | arise from the failure of a government to implement
19 | these most fundamental objectives.

20 | Thank you very much.

21 | (SUBMISSION OF THE SCARBOROUGH FOREIGN MISSIONARY
22 | SOCIETY MARKED EXHIBIT C-470)

23 | (WITNESS ASIDE)

24 | MR. ROLAND: Mr.

25 | Commissioner, the next presentation is from Mr. Doug
26 | MacKenzie of the University of Western Ontario and he's
27 | part of an organization known as International
28 | Education,

29 | DOUG MacKENZIE sworn;

30 | THE WITNESS: Mr.

1 Commissioner I would like to on behalf of the various
2 delegates who are here from London first of all, we're
3 most disappointed that. you were not able to make it
4 to London. However, we are aware of your time
5 constraints and we welcome the opportunity of being
6 able to present our views here in Toronto. Thank you.

7 THE COMMISSIONER: Well let
8 me say that I was aware that many people in London had
9 asked the Inquiry to come there, but we felt that since
10 we had to return to the north by mid-June to recommence
11 our work there, we -- I know that Toronto isn't
12 Ontario, but nevertheless we felt given a choice, we
13 had to come here. So --

14 A I can see you're from
15 British Columbia, sir.

16 Mr. Commissioner, may I start
17 off with a quote from Ruskin that was an, English
18 writer, and I think in many respects this quote could
19 serve as a guidepost for the work of your Commission.

20 "God has lent us the earth for our life as the
21 great entail. It belongs as much to those who
22 are to come after us, and we have no right by
23 anything that we do or neglect to do to involve
24 them in unnecessary penalties or deprive them of
25 benefits which are theirs by right."

26 There is no question in my
27 mind that oil and gas pipelines will be built in the
28 Canadian north. The issue at stake is not whether or
29 not development should take place in the north, but
30 rather how development should take place. The

1 construction of a pipeline along the Mackenzie Valley or
2 elsewhere in the north will bring about rapid, social
3 changes in a region of this country which heretofore has
4 been relatively isolated. This is one reason why any
5 decisions made on the Mackenzie Valley Gas Pipeline must
6 be viewed in the context of the people who live there
7 today, future generations and our national interests in
8 the context of global interdependence.

9 We have been provided with an
10 excellent opportunity in this country to engage in
11 creative, humane and compassionate problem solving, the
12 end result of which may provide bounteous rewards for
13 all Canadians and for other nations. However, this
14 single issue is also providing us with the opportunity
15 to make decisions which could be exploitive of many
16 Canadians and of limited nonrenewable resources.

17 It is imperative that these
18 issues relating to the pipeline to northerners and with
19 regards to northern development be dealt with in a
20 comprehensive manner rather than as isolated,
21 compartmentalized items. As Buckminster Fuller has so
22 aptly put it,

23 "The main task of the human intellect is to put
24 things together in comprehensive patterns, not
25 to separate them into special compartments."

26 The task of bringing into
27 comprehensive pattern the major aspects of the pipeline
28 issue is extremely challenging, but by no means
29 impossible. A few of the special compartments that must
30 be brought together and examined holistically are as

1 follows:

2 First of all, for example,
3 the issues surrounding the land claims by the native
4 people. So often in the past, the history of mankind
5 has been seen, particularly in North America from a
6 western European historical perspective. The idea that
7 we have something to learn from non-western cultures is
8 often difficult for many of us to believe or to relate
9 to. However, with growing global interdependence, we
10 are beginning to realize that non-western cultures have
11 a great deal to offer. This is eminently true of the
12 North American Indians and the Inuit whose lifestyles
13 are perhaps more in harmony with nature than most other
14 western cultures.

15 Harvey Cox, the theologian
16 who wrote "The Secular City" seemed to be able to grasp
17 this when he wrote the following:

18 "Mankind has paid a frightful price for the pre-
19 sent opulence of western industrial society.
20 Part of the price is exacted daily from the poor
21 nations of the world whose fields and forests
22 garnish our tables while we push their people
23 further into poverty. Part is paid by the op-
24 pressed poor who dwell within the gates of the
25 rich without sharing plenty. But part of the
26 price has been paid by affluent western man him-
27 self. While gaining the whole world he has been
28 losing his own soul. He has purchased prosper-
29 ity at the cost of a staggering impoverishment
30 of the vital elements of life."

1 There is an advertising
2 slogan that may have already presented to you today
3 being used by one of the Federal Ministries. It goes
4 something like:

5 "If you are not part of the solution, you are
6 part of the problem."

7 The Brotherhood of the Northwest Territories is des-
8 perately trying to be part of the solution. Its con-
9 tention that the Dene have a moral and legal claim to
10 the land covered by Treaties and II based on aborigi-
11 nal title is an extremely important issue. This must
12 be settled in the context of all the other related
13 factors dealing with the development of the north be-
14 fore we can proceed with future development. A non-
15 settlement of these issues will not only be a disgrace
16 to this country and destructive to the North American
17 Indian culture, but also denigrate our stand relative
18 to Third World countries.

19 As the Secretary of State for
20 External Affairs, the Honorable J. Allan MacEachen, said

21 "For all four, after all is said and done about
22 power politics and diplomatic games, a country's
23 foreign policy can never be more nor less than a
24 reflection and extension of its domestic poli-
25 cies."

26 Another factor that must be
27 considered in this comprehensive package of course deals
28 with resources. Natural gas, like oil is a non-
29 renewable resource. It is a clean, convenient fuel and
30 at present 18% of the world's energy consumption is in

1 | this form. Canada is not a large producer of natural
2 | gas compared to the United States or the U.S.S.R.
3 | However, we do rank within the top five major producers.
4 | Although the estimates of reserves have grown rapidly
5 | since 1961, it has been estimated that at a 15% growth
6 | rate from this year forward, that most of the known
7 | reserves will be depleted by the year 1985 and at the
8 | maximum by 1995. Now I know that people can quarrel
9 | with these kinds of statistics. However, the point or
10 | the issue is the fact that the nonrenewable resources
11 | will indeed be gone by the turn of the century.

12 | As stewards of many non-
13 | renewable resources which are of significant importance
14 | to all nations, not just to Canada but to all nations,
15 | is it really necessary for us to exploit these reserves
16 | immediately at any cost simply because they are there?
17 | I suggest Mr. Chairman that a moratorium on the
18 | development of non-renewable resources for a specific
19 | time period be instituted or until the Berger
20 | Commission has tabled its final report and action has
21 | been taken regarding its recommendations. Now,
22 | I think this suggestion could be useful for several
23 | reasons.

24 | First, time to negotiate a
25 | just settlement of the land claims issue. The recent
26 | decision by the Federal Government to encourage Dome
27 | Petroleum's exploration of the Arctic and the
28 | increasing pressure on Canada to establish tangible
29 | evidence of national sovereignty in the high Arctic
30 | creates the impression that the Federal Government

1 | needs to develop the north immediately. Mr.
2 | Macdonald, in his budget speech on Tuesday night
3 | added fuel to this argument when he extended to all
4 | Canadians the 100% write-off of exploration costs.
5 | He introduced this measure by saying that it was an
6 | effort to attract funds from Canadians for resource
7 | exploration which is so critical to our national
8 | development.

9 | Although there may be merit
10 | in this incentive program, it could also force this
11 | Commission and the native peoples to rush their
12 | deliberations, a process which should surely be
13 | avoided.

14 | A second supporting argument
15 | for the moratorium, time to make efficient use of
16 | natural gas resources south of 60. There is some
17 | evidence to suggest that there are sufficient natural
18 | gas reserves south of 60 to honor our national and
19 | international commitments during the period of such a
20 | moratorium. In order to ensure more efficient use of
21 | our non-renewable resources, we may, as Canadians, be
22 | called upon to change some of our attitudes with
23 | regards to convenient consumerism.

24 | In his budget address, Mr.
25 | Macdonald also suggested that this matter --- also
26 | addressed this matter by introducing a special tax of
27 | \$100 on new cars, stations wagons, vans and smaller
28 | trucks which have air conditioners as well as some
29 | additional recommendations on gas guzzling machines.
30 | The purpose of the tax, according to the Finance

1 Minister is not to raise revenue but to encourage
2 Canadians to demand and the auto industry to produce
3 lighter, more energy efficient cars.

4 As Canadians, we can be
5 worthy stewards of our non-renewable resources in terms
6 of national and international goals if we all accept
7 part of this responsibility.

8 A third factor is time to
9 implement a massive, trans-disciplinary search for
10 alternative energy sources. The Canadian Research
11 Community needs an infusion of funds at this time to
12 carry out the needed research to develop efficient,
13 clean and environmentally safe alternative energy
14 sources. With careful husbandry of our present
15 nonrenewable resources and diligent efforts to develop
16 alternative renewable energy sources, we should have
17 sufficient lead time to pass through the transitional
18 phase of transfer from the nonrenewable to renewable
19 energy.

20 It is rather lamentable that
21 according to the Federal Government's figures, the
22 government last -- or pardon me in 1974 - 75, spent
23 approximately \$75 million to develop greater production
24 in nuclear oil and gas energy while allocating \$28,000
25 for solar research. Then if you being to think of the
26 amount of money that is being put in by private
27 enterprise into exploration and production of oil, gas
28 and uranium which are all nonrenewable resources and
29 the very little amount that is going into such things
30 as solar energy, one beings to question the values of

1 north. Although we may not wish to see the question of
2 national sovereignty discussed in international forum,
3 the Law of the Sea Conference for example will see some
4 discussion of these kinds of issues.

5 Now, there are many other
6 factors which should influence a holistic decision, and
7 it seems to me that an examination of such things as
8 pollution, oil spills and so forth, education, health
9 care, cross-cultural learning and understanding, new
10 forms of government for the north, all of which are in
11 one way or another tied to pipeline development.
12 Ultimately, it is imperative that these components be
13 brought into the perspectives of the people involved in
14 order that they may share across the various
15 disciplines their ideas and information.

16 The problem-solving
17 integrated approach whether it relates to the Canadian
18 north or to global problems must be the thrust of all
19 future planning if we are to find more satisfactory
20 solutions.

21 I would like to conclude, Mr.
22 Chairman with some reflections on the new global ethic
23 as voiced by our Prime Minister in his mansion house
24 speech in London, England in April of 1975 which I
25 feel, in terms of his comments are just as appropriate
26 to the questions we are now facing in terms of the
27 Canadian north. I am now quoting from the Prime
28 Minister's address:

29 "The role of leadership today is to encourage
30 the embrace of a global ethic, an ethic that ab-

1 hor; the present imbalance in the basic human
2 condition, an imbalance in access to health
3 care, to a nutritious diet, to shelter, to edu-
4 cation. An ethic that extends to all men, to
5 all space and through all time. An ethic that
6 is based on confidence in one's fellowman. The
7 challenge is a challenge of sharing, food, tech-
8 nology.

9 This page was misnumbered in
10 the original transcript. The pages go from 6721 to
11 6723 with nothing missing.

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1 of resources, of scientific knowledge. None need
2 do without if all will become good stewards of
3 what we have . To ensure that we must concentrate
4 not so much on what we possess but on what we are
5 and what we are capable of becoming. What I dare
6 to believe is that men and women everywhere will
7 come to understand that no individual, no govern-
8 ment, no nation is capable of living in isolation
9 or of pursuing policies inconsistent with the in-
10 terests of both present and future of others, that
11 self-respect is not self-perpetuating but depends
12 for its existence on access to social justice;
13 that each of us must do all in our power I to ex-
14 tend to all persons an equal measure of human dig-
15 nity, to ensure through our efforts that hope and
16 faith in the future are not reserved for a minor-
17 ity of the world's population but are available to
18 all.

19 This responsibility rests
20 on each one of us. It is not transferable. Its
21 discharge is not conditional upon the acts or
22 omissions of others. It demands that we care,
23 that we share, that we be honest. In this global
24 village, we are all accountable. None of us can
25 escape the burden of our responsibility. None of
26 us can escape the tragedy of any failure, nor
27 happily will anyone escape the benefit, the joy
28 the satisfaction, the freedom which will accom-
29 pany the discharge of that responsibility."

30 Thank you Mr. Commissioner.

1 THE COMMISSIONER: Thank you.

2 (WITNESS ASIDE)

3 MR. ROLAND: Sir, perhaps we
4 could have one more brief. It's a short one, before we
5 adjourn for a few minutes for coffee.

6 It will be made by Mr. Boris
7 Mather, who is Federal Chairman of the Canadian
8 Federation of Communications Workers.

9 BORIS MATHER sworn;

10 THE WITNESS: The position is
11 correct sir, but I prefer to pronounce my name Mather,
12 rather than Mather.

13 Mr. Commissioner, the
14 Canadian Federation of Communications Workers is
15 grateful for the opportunity to address this Commission
16 today.

17 Our Federation is an amalgam
18 of two autonomous trade unions, Communications Workers
19 of Canada and the Federation of Telephone Workers of
20 British Columbia, both of which are affiliated to the
21 Canadian Labor Congress. As the name suggests, one of
22 our affiliates has members only in British Columbia.
23 The other has members from five Canadian provinces.

24 Of those 24,000 members, none
25 reside in the Northwest Territories. Why then are we
26 interested in the Mackenzie Valley Pipeline Inquiry?
27 Our affiliates and the members they represent have
28 always believed that a trade union's responsibility
29 does not end at the bargaining table nor that a union's
30 function is solely to negotiate better wages and

1 | conditions with employers for its members. We believe
2 | that a union has wider social responsibilities. Our
3 | members are also citizens and major undertakings of
4 | this sort affect the public interest in the entire
5 | nation.

6 | We do not believe that a
7 | proper interpretation of the public interest means
8 | disregard for the rights of the native peoples. We
9 | would urge you Mr. Commissioner to listen to the voices
10 | of the Dene and Inuit people of the north. We would
11 | hope that the report of the Commission would recommend
12 | that native land claims be settled before construction
13 | of any facility whether it be pipeline or railroad. We
14 | would hope too that other important considerations
15 | would influence your report. We would hope that
16 | factor; of foreign ownership, of inflation, of exchange
17 | rates and of potential environmental damage would be
18 | considered. Most of all, we hope and trust that in
19 | your deliberations, the voice of the people of the
20 | north will be heard.

21 | Thank you Mr. Commissioner.
22 | (SUBMISSION OF THE CANADIAN FEDERATION OF
23 | COMMUNICATIONS WORKERS MARKED EXHIBIT C-473)

24 | (WITNESS ASIDE)

25 | MRS. ROLAND: Mr.
26 | Commissioner, just before coffee, I have a few briefs
27 | that I would like to file with you.

28 | Before I do, I want to assure
29 | the people here that the briefs are filed and are read
30 | by you. I've even seen you read them sir, and some of

1 | the people are here and have handed in briefs to be
2 | filed, not to be read.

3 | Now, the first brief is from
4 | the Federation of Ontario Naturalists handed in by Mike
5 | M. Singleton and I'd file that with the Inquiry's
6 | secretary Miss Hutchinson and we have some copies I
7 | think for the press, I should tell the people that we
8 | do make copies of these briefs and circulate them.
9 | (SUBMISSION OF THE FEDERATION OF ONTARIO NATURALISTS
10 | MARKED EXHIBIT C-474)

11 | The second one is from
12 | Jacqueline Steele, S-t-e-e-l-e who is from Queensville,
13 | Ontario and says in her brief that she's travelled
14 | throughout much of northern Canada and comments on that
15 | in the brief.
16 | (SUBMISSION OF J. STEELE MARKED EXHIBIT C-475)

17 | The next brief is from Donald
18 | P. Scott who is a professional engineer and recently
19 | retired from the position of Deputy Commissioner of
20 | Work for Metropolitan Toronto and I would file that
21 | brief with you.
22 | (SUBMISSION OF DONALD P. SCOTT MARKED EXHIBIT C-475)

23 | The next one is from
24 | Stevensville, Ontario from Mr. G.L.T. Ellis who is
25 | also an engineer.
26 | (SUBMISSION OF G.L.T. ELLIS MARKED EXHIBIT C-477)

27 | The next one is from the
28 | Bathurst Street United Church and it's accompanied by a
29 | number perhaps thirty signatures at the end of the
30 | brief.

1 (SUBMISSION OF THE BATHURST STREET UNITED CHURCH MARKED
2 EXHIBIT C-478)

3 The next brief is from Joseph
4 MacMartin from Don Mills, Ontario and there's some
5 extra copies of that brief.

6 (SUBMISSION OF JOSEPH L. MacMARTIN MARKED EXHIBIT
7 C-479)

8 Finally, Mr. Commissioner,
9 there's a brief from Godt. It's from Susan Godt
10 spelled G-o-d-t who is from Waterloo, Ontario. I'd
11 file that brief.

12 (SUBMISSION OF SUSAN GODT MARKED EXHIBIT C-480)

13 THE COMMISSIONER: I think it
14 really is time for coffee.

15 (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 we'll call our hearing to order, ladies and gentlemen

4 MR. POLAND: Yes sir, the
5 next witness is Professor William Dunning of the
6 Department of Anthropology, University of Toronto.

7

8 R. WILLIAM DUNNING sworn:

9 THE WITNESS: Mr. Justice
10 Berger, my name is William Dunning. I'm a professor of
11 social anthropology at the University of Toronto. For
12 several years I've been an occasional consultant to the
13 Manitoba Indian Brotherhood. I was also a member of
14 the Joint Government-Brotherhood Study there in 1973
15 and '4, and for the -- I have been a student of Indian
16 and Inuit affairs for the past 25 years.

17 Much of the data and the
18 argument in this brief are contained in appendices, so
19 I won't trouble you with that now.

20 The following colleagues
21 support in principle the brief: Doctors Bruce Drewitt,
22 Richard Lee, Shuichi Nagata,
23 Stuart Philpott, David Turner, and Gavin Smith.

24 THE COMMISSIONER: Are they
25 all in your department?

26 A They are, yes.

27 This is not a lament for the
28 loss of traditional cultures, nor a yearning for the
29 return to a simple life.

30 It is not antagonistic to

1 economic development but it does urge a moratorium on
2 all development until the Dene and Inuit have their
3 way cleared politically so that they may function with
4 the same respect and freedom of choice as the rest of
5 us.

6 What is stopping this from
7 happening? Why can they not function now? Because
8 they are not free agents as other Canadians. They are
9 wards given by government to a Department of Indian
10 Affairs, the Dene particularly. Even so, why does it
11 not work? Why, according to the government, are the
12 Dene perpetually uneducated, unknowing and unthinking
13 that they need to have these protectors?

14 Let us examine these
15 intermediaries, these protectors. What are their
16 qualifications? It is a state secret. No one doing
17 research on Canadian Indians has been able to discover
18 their qualifications. The Hawthorn Tremblay Report,
19 commissioned by the government ten years ago, noted
20 that recruitment in Indian affairs is from within the
21 service; and experience is the criterion rather than
22 professional or technical skills.

23 It is strange that this
24 wardship imposed for various reasons in the 19th
25 century, is still functioning, bigger pore expensive
26 and as unproductive as when it began. It is a habit,
27 an administrative habit.

28 Surely there can be no
29 justification for this pattern. Whether the Dene accept
30 it or not, the fact of the matter is this. So long as

1 | there is this administrative wedge between them and their
2 | aspirations, they will never be free people.

3 | One of the ironies is the
4 | belief that some Indian people have that they need
5 | to be in wardship. And after 100 years, who can
6 | blame them? That is all they have been permitted to
7 | know.

8 | After so much muffling about,
9 | backed by a history of broken promises, government lack
10 | of action (note, I do not say funds) lack of action or
11 | realization, the bureaucracy is consigning generation
12 | after generation to second-class status, while on all
13 | hands extending privileges of citizenship to landed
14 | immigrants.

15 | What have the Indians done to
16 | deserve this perpetual supervision? Why don't we
17 | accept them and extend to them the choices to which
18 | they are entitled? Given the opportunity of taking
19 | responsibility for their own actions, the Indians are
20 | as capable as any other group.

21 | Why has their struggle for
22 | self-government always resulted in failure? Very
23 | simple. There is no incentive for anyone in Indian
24 | Affairs to relinquish authority, for by so doing there
25 | goes his occupation.

26 | There is no incentive for an
27 | Indian to follow this ever-proliferating bureaucracy.
28 | For by doing so he legitimizes his own dependency.
29 | This frustration leads to despair and inertia which
30 | again gratifies and reassures Indian Affairs that they

1 | are needed.

2 | How unenlightened are we in
3 | 1976 that we consider a pipeline proposal and neglect
4 | the political rights of our indigenous people?

5 | Thank you, Mr. Commissioner.

6 | THE COMMISSIONER: Thank you.

7 | (SUBMISSION OF R.W. DUNNING MARKED EXHIBIT C-481)

8 | (WITNESS ASIDE)

9 | MR. ROLAND: Sir, the next
10 | brief is from Mr. and Mrs. Hardy of Kingston, Ontario.
11 | Mr. Hardy himself can introduce the third member of
12 | their panel. He has also provided me with signatures
13 | of persons supporting their brief, who I am told are
14 | parishioners from St. Joseph's Roman Catholic Church in
15 | Kingston, Ontario, which I will file with the Inquiry
16 | secretary.

17 | JOHN L. HARDY

18 | MRS. GLENN A. J. HARDY sworn:

19 | MR. HARDY: Her name is
20 | Monica. Mr. Justice Berger, members of the press, and
21 | fellow Canadians, the following is a brief which
22 | includes about 70 signatures from the parishioners of
23 | St. Joseph's Roman Catholic Church of Kingston,
24 | Ontario.

25 | We believe that a negotiation
26 | of just land settlements in the Northwest Territories
27 | is mandatory in order to secure justice for the Dene,
28 | Inuit, Metis and other native peoples. This would show
29 | respect for the cultural integrity of the northern
30 | native peoples.

1 Realizing that these native
2 peoples comprise 70% of the population of the Northwest
3 Territories and that many of the remaining 30% are
4 temporary dwellers, we believe that future decisions
5 involving the Territories should receive considerable
6 input from the native peoples.

7 We believe that it is
8 mandatory to postpone the development of the Mackenzie
9 Valley Pipeline until the claims of the native peoples
10 of the north have been lawfully settled, and until
11 alternatives to contemporary usage of our energy
12 resources have been thoroughly investigated. Even
13 though the postponement of the Mackenzie Valley
14 Pipeline will result in economic losses, we feel that
15 these losses are more than justified if they allow us
16 to safeguard the vital interests of the northern
17 peoples. The postponement will also give us time to
18 plan for the energy needs of future generations.

19 We believe that all Canadian
20 citizens have a responsibility to preserve the northern
21 energy resources. This responsibility should be
22 reflected by personal commitments to conserve energy in
23 our everyday lives -- by lowering our home thermostat
24 settings, by limiting our use of electrical devices,
25 and by returning to buses, bicycles, and walking. Not
26 only must we reduce our energy consumption (since
27 supplies are limited) but also we must postpone rapid
28 development of non-renewable resources until our real
29 energy needs have been identified and until a
30 reasonable long-term energy policy has been defined.

1 In addition to our concern
2 that the rights of the native peoples be respected, we
3 are also concerned that jointly with the native
4 peoples, we will develop the northern resources wisely
5 and will hold some undeveloped resources in trust for
6 future generations. We sincerely hope, Mr. Justice
7 Berger, that the supporting signatures which we will
8 bring to you can help the Federal Government to reach
9 just decisions in these matters.

10 Thank you.
11 (SUBMISSION BY MR. & MRS. HARDY MARKED EXHIBIT C-482)

12 (WITNESSES ASIDE)

13 MR. ROLAND: Sir, I next call
14 upon Sean McLean from the Is 5 Foundation.

15
16

17 SEAN MCLEAN sworn:

18 THE WITNESS: Mr. Justice
19 Berger, I'm very pleased to have the opportunity to
20 address the Commission today.

21 The Is 5 Foundation of which
22 I am a member is a non-profit environmental research
23 and educational organization. The name of our
24 organization comes from a synergistic approach to the
25 equation $2 + 2$. The idea is that people working
26 together can accomplish more than just adding
27 individual efforts. Hence our efforts to restore
28 healthy environment, $2 + 2$ is 5.

29 We at Is 5 would first echo
30 our support for the native people. No work should

1 | if you would pull the microphone a little closer to you
2 | I've got everything you said, but I don't want to lose
3 | anything.

4 | A O.K. I was saying that
5 | this technology is most efficient on a small scale.
6 | We'll supply and conserve our energy right in the home,
7 | the office, and in the factory.

8 | 2. Generally this technology
9 | is easily understandable. The average person will be
10 | able to install and maintain his windmill or his solar
11 | collector. In contrast, oil and gas development in the
12 | north means complicated large-scale centralized
13 | technology. This technology is understood by precious
14 | few. That means that very few make decisions that
15 | affect so many lives. Even though we have such noble
16 | Inquiries as this one, Mr. Commissioner, how can either
17 | northerners or southerners exercise democratic control
18 | over such complicated large-scale development as the
19 | Mackenzie Valley Pipeline.

20 | In the north I hear a cry for
21 | independence from centralized bureaucracy, be it
22 | government or corporate. Shall we ignore this cry and
23 | drown it in the noise of a huge technology, or shall
24 | the south assist northerners and southerners, in a
25 | search for more control over their own lives? We can
26 | do this by employing renewable energy technology
27 | Because such technology is small-scale and is
28 | understandable, it has much greater potential for
29 | democratic control of the how, why, when and where of
30 | supplying energy. Just in conflict, technology

1 | also encourages irresponsible energy consumption. If
2 | southerners only bear a narrow financial cost of
3 | supplying energy, they are more likely to leave lights
4 | on or to drive four blocks to the grocery store. But
5 | in contrast, when your energy supply comes from your
6 | own back yard, you will be more likely to treat it
7 | responsibly. For example, if a northern village is
8 | supplying itself with energy from wind-powered
9 | generators, and they want more electricity, they will
10 | have to weigh the benefits against the costs of
11 | building another windmill. In this situation
12 | conservation alternatives will be seriously considered.

13 | Increased political
14 | centralization is also related to the issue of northern
15 | development. When people depend on energy sources which
16 | are located thousands of miles away, there's an
17 | understandable desire to control the sources of supply.
18 | In terms of this Inquiry, this would lead to speculation
19 | of a Mackenzie Valley Pipeline Authority, another
20 | tentacle of the colonial octopus will thus establish
21 | itself in the north. Renewable energy, on the other
22 | hand, is found everywhere the sun shines, the wind
23 | blows, and the water flows. This means that no region
24 | has to depend on any other region for its energy supply.

25 | Political centralization to
26 | ensure adequate energy supply will disappear. In terms
27 | of environmental impact, renewal energy technology
28 | means that you do not remove gravel from fish-spawning
29 | beds, nor do you erode the slopes and soils of the
30 | tundra, nor do you threaten with catastrophic blowouts

1 A You haven't tried it.

2 Q Pardon me?

3 A Have you not? Have you
4 seen it before?

5 Q No, I haven't.

6 A I don't think too many
7 people would get it anyway. O.K. I'll just draw the
8 answer here. The first line down beyond the point, a
9 the second line follows up to this corner right across,
10 and then --

11 Q Maybe you'd just hold
12 up.

13 A Yes. O.K., I'll
14 explain why I think that's relevant. Did anybody
15 get it? It's out of the square made by the nine
16 dots. at I think that this represents is that
17 western man doesn't look beyond his immediate point
18 of reference tends to fragment reality into small
19 pieces and al with each of them in isolation. He
20 loses sight reality as a whole. Native cultures,
21 on the other hand, take a holistic approach, they
22 consider every problem as merely a part in a larger
23 system, and us they can integrate their behaviour
24 in harmony with their environment. Western man, by
25 abstracting part the whole, distorts the
26 relationships between the different parts of the
27 system and thus ends up by polluting and destroying
28 his environment.

29 I think it is time we shed
30 our arrogant attitudes and opened ourselves to learn

1 | nothing from the wisdom of the native people. It's
2 | time we considered pipelines and energy planning in
3 | terms of the whole system of the earth's ecology.

4 | Thank you.

5 | (WITNESS ASIDE)

6 | MR. ROLAND: Is the See
7 | School of Experimental Education present? Sir, the
8 | next brief is from Mrs. Ross of the Thornhill United
9 | Church. It's all right, the See School has arrived.

10 |

11 | LAURIE MacLEAN, sworn:

12 | THE WITNESS: Mr. Justice

13 | Berger and members of the press, I'm Laurie MacLean
14 | from the See School of Experimental Education in
15 | Etobicoke, and through our native studies course at the
16 | School of Experimental Education and our involvement
17 | with the native community in Toronto, through our
18 | tutoring program with the Native Children's
19 | Association, we have become increasingly concerned with
20 | the treatment of our native people and of our
21 | wilderness resources, and consequently have asked to
22 | speak before the Inquiry.

23 | There are many issues that
24 | bother us, issues such as the land settlement question
25 | the role of the oil interests, and the lifestyle and
26 | culture of the natives of the Northern Territories.
27 | The problem that distresses us most is the idea that
28 | construction of a northern pipeline may take place
29 | before adequate studies are undertaken to determine
30 | whether our country urgently needs the northern oil and

1 gas, at the environmental and cultural impact of the
2 development will be, and before any land settlement
3 with the native people of the area takes place.

4 In the James Bay area,
5 construction preceded the land settlement and pushed
6 the issue to a hasty and badly thought-out settlement,
7 much to the ultimate detriment of the whole country.
8 Surely even a cursory look at our earlier treaties with
9 native people shows over two centuries of duplicity,
10 fraud and neglect, stemming largely from an arrogant
11 assumption that the needs of the white and
12 industrialized communities are more valid than those of
13 the aboriginal people.

14 In the name of progress our
15 wilderness resources have been plundered and wasted
16 with little concern and with amazingly little benefit.
17 In notes for a statement by the Honourable Judd
18 Buchanan to the Steering Committee on Indian Affairs
19 & Northern Development of March 13, 1975, it was
20 stated:

21 "The government's view is that resource develop-
22 ment can and should take place while land claims
23 issues are being resolved, and not that develop-
24 ment should be delayed while land settlements
25 are being worked out."

26 This is the last opportunity
27 we will have to bring some honesty into our relations
28 with our native owners, and to proceed with caution to
29 reserve intact the national heritage of this country
30 which is mine as well as my countrymen's. The pressure

1 | being exerted on the government and on the public
2 | through the media by the erroneous reports of the major
3 | oil companies is pushing the matter to a hurried and
4 | ill-considered conclusion. The government has an
5 | obligation to take the time to conduct its own studies
6 | and verify the statistics now provided by the
7 | multinational oil consortiums, for these are the same
8 | companies that five years ago set its figures that
9 | predicted oil and gas resources stretching well into
10 | the 21st century.

11 | Recent statistics show that
12 | oil companies spending on oil exploration and
13 | development has not increased since 1971, while oil
14 | revenues have climbed to dizzying heights.

15 | The James Bay development
16 | gavel us the example of money from the Chase Manhattan
17 | financing of power projects well in excess of any
18 | projected needs of Quebec, so that the surplus power
19 | could be cheaply purchased by Con Edison, which exists
20 | as a sub-group of the Chase Manhattan consortium.

21 | Is this the same scenario
22 | that we are about to play again at the expense of our
23 | native people and our combined national heritage?
24 | Multinational corporations in law exist as individuals,
25 | but they are, however, individuals devoid of compassion
26 | and humanity, and committed to shareholder profits.
27 | The public relations organizations and the money
28 | available for advertising campaigns, along with the
29 | political and economic access routes to power, command
30 | much more influence in the public media, and in the

1 notice of the government than does a scattered native
2 population existing on the poverty line and spread over
3 thousands of square miles. This is why the rest Canada
4 has such a burden of obligation to see that justice
5 prevails. The fact that 90% of all Indian families
6 live on or below the official poverty line, that the
7 rate of slum housing for Indian people is eight times
8 higher than for non-natives in Canada, or that 95% of
9 the Indian male population in the oil rich Province of
10 Alberta is unemployed, should be ought to light to
11 equalize this imbalance.

12 These are the individuals
13 whom we owe a debt and to whom we owe the obligation
14 compassion. We do not owe a debt to Gulf or Imperial.
15 The Dene and Inuit, by virtue of their aboriginal title
16 are still the legal owners of the Northwest Territorial
17 lands. Aboriginal title refers to the property rights
18 which native people have through their occupation of
19 these lands from time immemorial. If the validity of
20 this concept of aboriginal title has en upheld by
21 Canadian Courts, why then has there been significant
22 decisions granting title to this land the native
23 people?

24 The Dene people never
25 intended relinquish title to their land when they
26 signed treaties and 8 and 11. The terms of the
27 treaties as interested were very vague. Metis
28 interpreters sworn to them that they were never asked
29 to interpret anything resembling the written treaties.
30 They were only instructed to tell the people that these

1 | were treaties peace and friendship, with no mention of
2 | land, surrender, or restrictions on hunting or
3 | trapping. These people were the unwilling victims of
4 | the gross fraud perpetrated by the Government of
5 | Canada.

6 | Even though the Federal
7 | Government is unwilling to negotiate a land settlement
8 | with the Dene based on extinguished aboriginal title,
9 | the Dene continue to fight for legal recognition of
10 | their title to the land upon which their very survival
11 | as a people depend. That land is being invaded and
12 | destroyed by people who, according to the Government of
13 | Canada, have a legal right to do so.

14 | During the past two centuries
15 | increasing numbers of non-native people have settled in
16 | the Northwest Territories bringing with them the latest
17 | aspects of western culture and technology. In spite of
18 | this, the Dene still make up the majority of the
19 | population, and are trying to retain much of their
20 | traditional cultural values and lifestyles.

21 | The Dene seek a settlement
22 | which will ensure their survival as a people by
23 | recognizing their right to their homeland. Through a
24 | land settlement the Dene seek an economic base within
25 | Canada under their control, therefore ensuring their
26 | autonomy, cultural and economic, and at the, same time
27 | being able to participate as equals in discussion and
28 | decisions that affect their lives.

29 | As minimum conditions for
30 | their survival, they seek self-determination, guarantee

1 | long-term political security, economic independence and
2 | cultural survival. Only the people who have a genuine
3 | concern for the future of the north and those who have
4 | chosen this. land for their permanent home should be
5 | able to decide what development will take place.

6 | Native people who are permanent residents of this land
7 | and know the socio-economic and environmental condition
8 | are certainly more highly qualified than people who are
9 | ignorant of these concepts, to determine the policies
10 | which will be more beneficial to northern development.

11 | The Dene view themselves as a
12 | distinct people with an identity based on their
13 | relationship to the land. When the Dene refer to
14 | themselves as a nation, they are using this word to
15 | describe their unity as a people, and not in the
16 | political sense of an autonomous state.

17 | The Dene are seeking the
18 | opportunity to share in the building of a new northern
19 | society to meet the needs of all the northern people.
20 | Continuous failure to negotiate a satisfactory
21 | settlement means continuous social and economic
22 | problems for the Dene people, as well as the
23 | deterioration of relations between native and non-
24 | native Canadians. The land settlement proposed by the
25 | Dene would give them an opportunity to be involved in
26 | the economic, social and political life of Canada. No
27 | matter what precautions are taken in terms of
28 | sociological and environmental concerns we emphatically
29 | believe that construction of the Mackenzie Valley
30 | Pipeline is a hazardous and, fatal endeavor. If there

1 | appears to be no alternative course of action to take,
2 | as Canadians it appears that we are trapped into
3 | building this pipeline.

4 | Firstly, as the government
5 | has told us, to fill the projected energy requirements
6 | of our future domestic scene.

7 | Secondly, to meet the deficit
8 | of our national balance of payments.

9 | Thirdly, to honor our
10 | relationship of economic commitments in North America.

11 | Evidently it seems this
12 | pipeline must be built, but we begrudge its very
13 | construction. We begrudge its construction on six
14 | counts:

15 | 1. This pipeline signifies the beginning of the great
16 | rape of our Arctic, sub-Arctic land, land which
17 | traditionally represents the virgin invisibility of
18 | our north, and thus the strength and youth of our
19 | nation.

20 | 2. Its construction is ironic because we as Canadians
21 | are more responsible per capita for oil and gas
22 | consumption than any other nation in the world except,
23 | the United States. Yet shamefully we of North
24 | America have not taken any effective measures to
25 | alleviate our growing demand on the world's oil and gas
26 | supply.

27 | 3. The building of the Mackenzie Valley Pipeline
28 | bothers us because it epitomizes our addiction to high
29 | consumption level and our dependence on foreign
30 | interests who, in their zeal to obtain our resources,

1 | exert pressures that our Federal and Provincial
2 | Governments seem unable to resist.

3 | 4. The pipeline represents a startling lack of insight
4 | on the part of earlier Federal Governments ho once
5 | flamboyantly predicted that Canada had enough fuel
6 | available to see us safety for years. This
7 | responsibility shakes our confidence in the government
8 | of today and those that will succeed it in the future.

9 | 5. The pipeline is giving us a false sense of
10 | security for the future because it is diverting
11 | attention away from the real issue behind construction.
12 | The real issue is that 90% of our Canadian energy
13 | supply based on the consumption of non-renewable
14 | resources, namely, oil, gas and coal.

15 | 6. This pipeline will displace many people and
16 | interrupt wildlife migration patterns . This, it
17 | appears, is only the first of several pipelines which
18 | ill inevitably be built.

19 | North Americans should be
20 | actively concentrating our main effort and financial
21 | effort on the research, development and implementation E
22 | other renewable energy resources, such as hydroelectric
23 | and atomic power, and thus de-emphasize our resent
24 | policy of exploration and exploitation of our natural
25 | gas, oil and coal in the north.

26 | The government had better
27 | start making plans and taking measures, arousing the
28 | public and generally preparing us for the de-emphasis
29 | of natural gas and oil consumption. We need stringent
30 | measures, decisive action, positive guidelines, and

1 | most of all governmental frankness with us, the
2 | public.

3 | Thank you.

4 | THE COMMISSIONER: Thank you
5 | very much.

6 | (WITNESS ASIDE)

7 | MR. ROLAND: Sir, we have a
8 | very short presentation from Mrs. Ross of the Thornhill
9 | United church.

10 |
11 | MRS. ROSS sworn:

12 | THE WITNESS: Your honor,
13 | ladies and gentlemen, I think it's going to be the
14 | shortest brief that will be submitted this afternoon.

15 | Thornhill United Church,
16 | Thornhill, Ontario, has given considerable thought to e
17 | Inuit Tapirisat of Canada's proposal for a settlement
18 | of Inuit land claims in the Northwest Territories and
19 | the Yukon Territory. This has resulted a resolution by
20 | the Council of Thornhill United Church to publicly
21 | support the Inuit in their proposal the Government of
22 | Canada, and to encourage the government to come quickly
23 | to an agreement in principle to a land claims
24 | settlement on the basis of the Inuit proposal, and
25 | before any government decision go ahead with the
26 | Mackenzie Valley Gas Pipeline.

27 | I am pleased to make this
28 | submission this afternoon to you on behalf of the
29 | Council of Thornhill United Church.

30 | Thank you for this

1 opportunity.

2 (SUBMISSION BY COUNCIL OF THORNHILL UNITED CHURCH - M.
3 ROSS MARKED EXHIBIT C-483)

4 (WITNESS ASIDE)

5 MR. ROLAND: Sir, that
6 concludes the evidence for this afternoon.

7 As our rules provide, I have
8 canvassed the two applicants, Arctic Gas and Foothills
9 Pipe Lines Ltd., as well as the major participants, o
10 determine if they wish to respond to evidence heard
11 this afternoon. I am told by Mr. Genest, counsel or
12 Arctic Gas, that Mr. Horte, president of Arctic as,
13 wishes to exercise the right to respond, which right is
14 permitted for a maximum period of ten minutes.

15

16 VERNON HORTE resumed:

17 THE WITNESS: Thank you, sir,
18 or this opportunity to appear before you again. I
19 will certainly try and keep my remarks within the
20 ten-minute period. If I go over, it won't be for
21 long.

22

23 As I said to you in
24 Vancouver, sir, I had not expected to appear in the
25 southern hearings. As you have already heard a great
26 deal from us in your 14 months of formal and informal
27 hearings in the north, and will be hearing a good
28 deal more from us at those formal hearings when you
29 return to the north, the only reason, therefore, for
30 my appearing again is that it seems important for us
to periodically appear in these southern hearings and

1 set the record straight with regard to our position
2 on some issues.

3 Unfortunately, the people in
4 southern Canada have not had an opportunity to listen
5 to our detailed testimony under which we have been
6 subject to lengthy cross-examination at your hearings.
7 I think that what we have heard in Southern Canada has
8 been well-intentioned, but some of this has been based
9 more on good intentions than any real knowledge of the
10 issues in the north, or the energy issues in Canada as
11 whole.

12 So let me, sir, try to
13 respond first, with respect to the native peoples of
14 the north et me make it very clear that Arctic Gas has
15 repeatedly and publicly urged an equitable and just
16 settlement o the native land claims question at the
17 earliest possible Late. We understand the native
18 concern in this area, and are completely sympathetic
19 with their desires to have this question settled -- and
20 it must be settled, in our opinion, whether a pipeline
21 is built or whether pipeline is not built.

22 While we are hopeful that
23 these claims will be settled before a pipeline is
24 proceeded with, we do believe it is a separate issue.
25 settlement is a matter between the natives and the
26 federal Government. With all parties acting in good
27 faith it should be possible, in our opinion, to reach
28 settlement before a pipeline is built. We are
29 optimistic that a prompt and fair settlement can be
30 reached in view of the negotiations now taking place

1 | between the government and the Yukon natives, and the
2 | Inuit of the Northwest Territories.

3 | We also understand that the
4 | Indians and Metis of the Northwest Territories plan to
5 | submit their proposal to the government by November of
6 | this year.

7 | Secondly, with respect to the
8 | effect of the pipeline itself on the environment and
9 | the native culture of the north, as you know, we have
10 | spent many years now studying both of these aspects.
11 | We have been adjusting our design, construction plan,
12 | construction activities, routing, and plans with
13 | respect to the operations of the pipeline, so as to
14 | minimize and make acceptable the impact in both these
15 | areas. Frankly, we think that properly handled, the
16 | pipeline impact can be of significant benefit in
17 | providing those who wish to partake in jobs and other
18 | opportunities afforded by development the ability to do
19 | so without taking away the ability for those who do not
20 | wish to do so, but wish to utilize the land in the
21 | traditional way.

22 | Let's not kid ourselves. The
23 | natives in the north wish to participate in both. One
24 | only has to go into the north and look at the situation
25 | as it exists today to recognize the feeling of
26 | hopelessness and frustration over their present
27 | situation. I do not believe for one minute that this
28 | atmosphere is conducive to building the strength and
29 | confidence of a people to maintains their culture and
30 | the things they hold most dear.

1 The transition from what is
2 there today to something better is not going to be
3 accomplished overnight. But in our opinion, sir,
4 economic opportunities such as the pipeline, properly
5 handled, will provide an essential step in commencing
6 this process.

7 Thirdly, you have heard a
8 good deal about the fact that we do not need
9 additional energy in this country, and that we can
10 accomplish all our goals through conservation and
11 through the use of alternate forms of energy. We
12 agree that the goals of those -- we agree with the
13 goals of those who advocate conservation and
14 alternate forms of energy, because these goals are
15 sound, and I do not believe anybody in the energy
16 business would disagree with this. Where the
17 disagreement occurs, sir, is the fact that all of the
18 studies I have seen -- and there have been a great
19 many -- would demonstrate that conservation measures,
20 while effective in slowing our rate of growth in
21 energy usage can in no way eliminate growth in a
22 nation that is growing and in a climate such as we
23 have in Canada.

24 Furthermore, I think it is
25 unrealistic to believe that this can be suddenly
26 accomplished without major increases in unemployment
27 and other economic disruptions. There must be a
28 transition period. With respect to alternate forms of
29 energy, such as solar, wind power, nuclear and others,
30 they will simply not be developed in the next 10 or 15

1 | years in quantities that can make any significant dent
2 | in our total needs for the conventional forms of
3 | energy, regardless of our research effort.

4 | In its recent report on
5 | "Energy Strategy for Canada, "
6 | the Department of Energy, Mines & Resources forecast
7 | that at best, renewable energy can meet no more than
8 | 6% of Canada's energy demand in 1990, and this was on
9 | their best scenario estimate, the estimates vary from
10 | 1% to 6%. In the longer term, these forms of course
11 | must all be utilized to provide our needs. We must, how-
12 | ever, survive as a healthy economic nation in the mean-
13 | time.

14 | In this year 1976 we again
15 | became net importers of crude oil. Even assuming that
16 | our efforts with respect to conservation and alternate
17 | uses are effective, we will, by 1980 require the import
18 | of close to three billion worth of foreign oil, growing
19 | to five billion annually by 1985.

20 | Let me add that these trade
21 | deficits in oil are all based on the assumption that
22 | the price for OPEC oil stays as at its present level,
23 | and we all know that negotiations are now under way for
24 | even higher prices for OPEC oil,

25 | Let us also consider the
26 | situation that the OPEC nations choose to cut off these
27 | energy supplies, and let me ask those who, from an
28 | environmental standpoint, oppose northern energy
29 | development, just what consideration they give to this
30 | movement of energy by ship across our ocean and into

1 | our ports as compared to developing energy supplies in
2 | Canada under our own environmental control?

3 |

4 | Let me also ask, sir, what the
5 | attitude would be of those whose jobs depend on adequate
6 | energy supplies under circumstances of interruption or
7 | of pricing completely beyond our control? You know,
8 | we've heard many expressions of mistrust, even
9 | accusations of deceit, the record of findings of the
10 | government and its agencies such as the National Energy
11 | Board as to Canada's present energy situation I think we
12 | are often all guilty of finding someone else to blame
13 | and criticize, but let me say that by and large I have
14 | not found those elected officials or our civil servants
15 | to be anything but sincere and responsible in their
16 | respective areas of expertise in honestly trying to
17 | properly assess the situation.

18 | We may disagree with their
19 | conclusions, and that is part of the democratic
20 | process. But I must say I for one do not agree with
21 | the concept that they have sold us down the river, nor
22 | that they work hand and glove with the corporate
23 | enterprise sector interests. You know, one's attitude
24 | in this regard all depends upon where you sit. The
25 | corporate interests often feel that their voice is a
26 | very small one, and that they have become the whipping
27 | boy for all the ills of this country with little or no
28 | credit for some of the good things.

29 | The other thing, sir, and
30 | I mentioned this in Vancouver, is that we feel it

1 | unfair for us to be continually branded as solely
2 | profit-motivated people with no social conscience.
3 | This is simply not true. We have social
4 | responsibilities which we take seriously. If I
5 | believed that the building of a pipeline would
6 | result in the destruction of a people and their
7 | land, I would not be here.

8 | With respect to profiteering,
9 | let me re-state what I said in Vancouver. The rate of
10 | return for an investor in a pipeline will be completely
11 | regulated, as are all other public utilities in Canada.
12 | We will be permitted only a fair and reasonable return
13 | for the risk involved. I would further point out that
14 | when you consider profit you must also consider where
15 | that money is coming from. It is the investment of
16 | millions of Canadians through Pension Funds, through
17 | insurance funds, and through direct investment that
18 | will provide much of the money that will build such a
19 | project. The return on that, on a reasonable and
20 | regulated basis should carry no connotation of
21 | profiteering.

22 | Finally, you have heard
23 | expressions of concern regarding the adverse impact of
24 | this large investment on the Canadian economy. Our
25 | detailed studies, sir, which addressed this question,
26 | have been filed with the National Energy Board and will
27 | be exhaustively examined. They simply do not show this
28 | adverse impact, and let me ask those who suggest such
29 | consequences where they would obtain this amount of
30 | energy for less investment or further, whether they

1 prefer instead to pour billions of dollars into OPEC
2 oil.

3 Sir, I thank you very much
4 for this opportunity to appear before you again, and
5 try and set forth some of the issues as we see them.

6 There was one further point
7 which I understand this morning when I was not present
8 the hearing that arose, regarding our government
9 involvement in the financing of our project. I wish
10 advise that our financial advisors have given
11 testimony that the project can be financed from funds
12 available in the private sector. The financing would
13 include a provision of approximately 25% of the
14 initial capital cost in the event that there were cost
15 over-runs, in other words we will over-finance to tune
16 of approximately 25% to cover possible cost over-runs.
17 We cannot, however, exclude the real possibility that
18 in financing the project when we to that point, that
19 the lenders will require protection against cost over-
20 runs which might exceed the sibility, the amounts
21 raised for that purpose, and protection against the
22 unlikely event of an extended age during operations.
23 It may be that this form of assurance would only be
24 obtained from governments.

25 No proposals have been made
26 Arctic Gas to the government to request such financial
27 support. Thank you, sir.

28 THE COMMISSIONER: Can I
29 just you a question, Mr. Horte? The guarantee that
30 might be sought from the government would relate to

1 | the over-runs in excess of 25%, and then you said
2 | "relate to the possibility of cost over-runs in
3 | excess" then you said, "and relate to outages." Would
4 | you mind elaborating on that, sir?

5 | A Yes, the other possibility
6 | that the lender -- and it's a very unlikely
7 | possibility -- but the debt money, if you like, that's
8 | comes at the fixed interest rate on 20-year bonds,
9 | such that really they take practically no risk in
10 | sting that money, and in a project of this sort
11 | going through a new territory and where pipelines
12 | haven't been built before, our financial advisors
13 | state (and they can't be sure of this until we go
14 | to financing) that those lenders may request that
15 | in the unlikely event that once the pipeline were
16 | built for some reason it didn't operate, that there
17 | assurance that they --

18 | Q That is an outage that
19 | resulted in --

20 | A -- a lengthy outage.

21 | Q -- interruption of flow.

22 | A Right.

23 | Q I follow you.

24 | A Yes.

25 | THE COMMISSIONER: Well,
26 | thank very much, sir.

27 | (WITNESS ASIDE)

28 |

29 | MR. ROLAND: Sir, Glen Bell,
30 | Counsel for the Metis Association of the Northwest

1 Territories, who--- the Metis Association being one of
2 the major participants at our hearings in Yellowknife,
3 informs me that Mr. Charles Overvold, vice-president of
4 the Metis Association of the Northwest Territories,
5 wishes to exercise his organization's right to comment
6 on evidence, again for the maximum period of ten
7 minutes.

8 THE COMMISSIONER: Fine.

9

10 CHARLES OVERVOLD, resumed:

11 THE WITNESS: Mr.

12 Commissioner, I would simply like to respond to Mr.
13 Vern Horte's comments and remind this Commission of the
14 realities of what is happening in the north.

15 The plight of the native
16 peoples in the Northwest Territories -- and I'm
17 speaking of the Dene and the Inuit -- is a direct -- is
18 not their own bringing, is not a result of their own
19 doing. It is a result of loss of control of all
20 aspects of our individual and our community lives, and
21 this loss control is the result of an imposition of a
22 new system, a new system of values, a new system of
23 controls by people from the south moving into the
24 north, and we don't see, you know, massive development
25 projects such as a pipeline project rectifying this
26 situation.

27 The only development type
28 projects we see benefiting us are those projects that
29 the native people have a real say in, and we will not
30 have any real say in the pipeline project until after a

1 | eight o'clock tonight.
2 | (PROCEEDINGS ADJOURNED TO 8 P.M.)
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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 ladies and gentlemen, I'll call our hearing to order,
4 this evening.

5 The Mackenzie Valley Pipeline
6 Inquiry is holding hearings in the main centers of
7 southern Canada to listen to the views of people like
8 yourselves. We have spent 14 months in northern Canada
9 listening to the opinions of experts who given evidence
10 at our formal hearings in Yellowknife and listening to
11 the views, listening to the evidence of the peoples of
12 the north who give evidence at the community hearings
13 that we have held in the north.

14 We've taken the Inquiry to 28
15 cities, towns, villages, settlements and outposts in
16 northern Canada to give the people who live there an
17 opportunity of telling me and telling the Government
18 and telling all of us what their own lives and their
19 own experience lead them to believe the impact of a
20 pipeline in the north will be.

21 The Inquiry's job is to
22 examine the social, economic and environmental impact
23 of the construction of a gas pipeline to bring gas
24 from the Arctic Ocean to the mid-continent. There are
25 two companies, Arctic Gas and Foothills Pipe Lines that
26 want to build such a pipeline, The Arctic Gas proposal
27 is one that would entail the transportation of gas |
28 from Alaska across the Arctic coast of the Yukon,
29 across the Mackenzie Delta and there the line would
30 join a line from the Mackenzie Delta, carrying Canadian

1 | gas and then the main trunk pipeline would travel south
2 | along the Mackenzie Valley to deliver the gas to
3 | markets in southern Canada and the U.S.A.

4 | The Foothills proposal is to
5 | build a line that would carry Canadian gas from the
6 | Mackenzie Delta to markets in southern Canada.

7 | At the hearings in northern
8 | Canada, we have provided funds to the native
9 | organizations that represent the peoples of the north,
10 | the native peoples of the north; the Indian, Metis and
11 | Inuit people to enable them to participate at our
12 | hearings on an equal footing with the pipeline
13 | companies . We have provided funds to the Canadian
14 | Arctic Resources Committee which heads a coalition of
15 | environmental organizations that participate in our
16 | hearings and we have provided funds to the Northwest
17 | Territories Association of Municipalities and the
18 | Northwest Territories Chamber of Commerce to enable all
19 | of them to participate at our hearings when we are
20 | considering matters that affect them.

21 | So, we are here today to
22 | listen to what you have to say. That is because it is
23 | the patterns of energy consumption of people who live
24 | here in southern Canada that have given rise to calls
25 | for the construction of a gas pipeline from the arctic
26 | to deliver gas to southern Canada.

27 | I should say that the
28 | Government of Canada has made it plain that we are not to
29 | consider this proposed gas pipeline in isolation. The
30 | government has laid it down in the expanded guidelines

1 | for northern pipelines that we are to proceed on the
2 | assumption that if a gas pipeline is built then an oil
3 | pipeline will follow. So what we have before us for
4 | consideration is the idea of an energy corridor bringing
5 | fossil fuels in gas and oil pipelines from the Arctic.

6 | We are dealing with a range
7 | of environmental questions affecting the future of many
8 | species in the north; caribou, beluga whales, a variety
9 | of birds that nest each summer in the Mackenzie Delta
10 | and on the perimeter of the Beaufort Sea. We're
11 | dealing with a host of engineering and construction
12 | problems that are unique in construction anywhere in
13 | the world and most important of all, we are dealing
14 | with the future of northern peoples and that is why the
15 | Inquiry has given people throughout the north an
16 | opportunity to tell us what they think about all of
17 | this.

18 | So, we are here tonight to
19 | consider what you think about all of this.

20 | Let me just say that we have
21 | spent 14 months in northern Canada. We have set aside
22 | a month to travel to the main centers of southern
23 | Canada and we must return to northern Canada in mid-
24 | June to complete our work there by the end of the
25 | summer and that means that we have only a limited time
26 | to spend in each of the cities that we are visiting in
27 | southern Canada, and that in turn means that there is
28 | simply not enough time to hear all of you who have
29 | signified that you wish to speak to the Inquiry.

30 | All that I can say is that I

1 on behalf of the more than 160, 000 organized working
2 people of metropolitan Toronto. We have decided to
3 present to you our opinion on the development of a
4 Mackenzie Valley corridor because the decision taken by
5 our government will have irreversible impact on our
6 energy supply, our environment and on the native people
7 of the north.

8 As Canadians and trade
9 unionists, we have a responsibility to make our deep
10 concern known to this Inquiry in the hope that the
11 decision made on the pipeline will only be made after
12 the needs of the native peoples are met, The trade
13 union movement is founded on the right of people to
14 justice and dignity. In simple terms, this means
15 control over their lives. It is on the basis of this
16 principle that we have come to our conclusions on the
17 matter before this Commission.

18 We regard with great alarm
19 the pre-empted decision by the Federal Cabinet to allow
20 drilling in the Beaufort Sea and the recent scurrilous
21 attacks by the Minister of Indian Affairs and Northern
22 Development on the legitimate representatives of the
23 Dene, and we are unwilling to accept bad faith
24 bargaining on the part of management. We are also
25 unwilling to recognize anything but real negotiations
26 by the Federal Government with native people.

27 The remark of the Minister
28 and the actions to date of the Federal Government make
29 us conclude that this government at this point in time
30 is not prepared to carry on good faith negotiations

1 | with native people. We must therefore demand that the
2 | federal authority's first and foremost settle, in a
3 | just manner, the land claims put before them by the
4 | representatives of the native people of the north
5 | before any development takes place on the Mackenzie
6 | Valley corridor, We are not -- I am not coming here,
7 | sir, as an expert in the area of energy development and
8 | environment.

9 | However, as a representative
10 | of working men and women, we feel we have a special
11 | expertise about the effects of development that does
12 | not have regard for people. Too many of our brothers
13 | and sisters suffer and die from diseases and accidents
14 | resulting directly from the blatant disregard of
15 | corporations and governments for the environment of
16 | their work place. We share with our native brothers
17 | and sisters their concern over the destruction of their
18 | environment by the same corporations and governments
19 | that have displayed so little for ours.

20 | Native northerners have
21 | already made substantial concessions in their lifestyle
22 | as a result of the entry of white man's technology to
23 | their lands. In spite of this, an economy dependent on
24 | hunting, fishing and trapping exists. We must guarantee
25 | that the land, the environment and wildlife essential to
26 | this economy is protected so that the survival of native
27 | people as a unique group within Canadian society is
28 | guaranteed. Any pipeline development along the
29 | Mackenzie Valley corridor will bring with it
30 | additional development that we feel will destroy the

1 delicate ecological balance on which the native economy
2 is dependent.

3 For the Federal Government
4 to expect native people, Dene and Inuit, to sit back
5 while their whole way of life is destroyed is absurd.
6 or the same government to expect that other Canadians
7 nil sit back while unfettered development takes place
8 demonstrates little understanding of Canadian's sense
9 of justice and fair play. We are not convinced that
10 development of the Mackenzie Valley corridor is the
11 only way to meet Canadian energy needs. We feel that
12 we have time to develop an energy policy for the
13 north that will have as its cornerstone the just
14 settlement of native land claims. As Canadians, we
15 regard the treatment we have afforded -- we regard
16 with shame the treatment we have afforded Canada's
17 first inhabitants. We have a unique opportunity put
18 before us now to take one firm step to change this
19 traditional pattern of paternalism and exploitation.
20 here must be no development, we feel) in the
21 Mackenzie alley
22 corridor until a just settlement is made on native
23 land claims.

24 We would hope therefore Mr.
25 Commissioner, that our presentation before you today
26 will help to make it clear that this a matter E great
27 concern to us and to all Canadians, northerner and
28 southerner alike.

29 Respectfully submitted on
30 half of the Labour council.

1 (SUBMISSION OF THE LABOUR COUNCIL OF METROPOLITAN
2 TORONTO MARKED EXHIBIT C-484)

3 (WITNESS ASIDE)

4 MR. ROLAND: Sir, the next
5 presentation is on behalf of the Canadian Association
6 in Support of Native People, Toronto Chapter presented
7 by Ms. Hope McLean.

8 MS HOPE McLEAN, sworn;

9 THE WITNESS: Good evening,
10 Mr. Commissioner. I speak to you as the president of
11 the Toronto Chapter of the Canadian Association in
12 support of the Native Peoples. The Association is
13 national body of concerned citizens who have organized
14 to throw their support behind Canadian native people in
15 their expressed concerns.

16 The Toronto Chapter
17 represents the 450 members of the Association who live
18 in Toronto. We in the Toronto Chapter of the Canadian
19 Association in Support of the Native Peoples are
20 pleased and happy to be able to address the Commission
21 at this hearing. We welcome the hearings and are
22 particularly pleased that your Commission has scheduled
23 meetings in southern Canada where urban Canadians can
24 make their opinions known to you.

25 We had hoped when the mission
26 was established that it indicated the Federal
27 Government was going to take a more progressive and
28 enlightened attitude towards native rights.
29 Recent events have made us less sure of government's
30 good intentions. Its rash and unwise decision to

1 permit drilling in the Beaufort Sea over Inuit
2 objections makes us wonder. The spectacle of he
3 Minister of Indian Affairs and Northern Development
4 misleading the public by deliberately misrepresenting
5 the Indian's position on land claims is not helpful to
6 negotiations) but downright harmful. The Minister's
7 clumsy attempts to create division between Inuit and
8 Dene organizations makes us doubt his professed
9 intentions. Perhaps the two parts of his portfolio,
10 Indian Affairs and Northern Development are
11 incompatible.

12 Let us hope that our scepticism
13 is unfounded and that the government has truly decided to
14 take a position quite different from that of past federal
15 authorities. The history of past pressure by Canadian
16 authorities on native land and native culture is not one
17 of which non-native Canadians can be proud. Let us hope
18 that this time things will be different.

19 We would urge you, sir, to
20 recommend that no pipeline be built until native land
21 claims in the Northwest Territories are finally
22 settled. We would hope that you might recommend that
23 those negotiations be entered into by the government not
24 with the aim of extinguishing native title to the land
25 but with the aim of cooperation based on recognition of
26 Dene and Inuit title to their land.

27 No development of this
28 magnitude in the Northwest Territories are even to be
29 contemplated until there has been a just and equitable
30 land settlement. Any other course of action could be

1 | exploitive and foolhardy. Thank you.
2 | (SUBMISSION OF THE CANADIAN ASSOCIATION IN SUPPORT OF
3 | THE NATIVE PEOPLES - MS. H. McLEAN - MARKED EXHIBIT
4 | C-486)

5 | (WITNESS ASIDE)

6 | MR. ROLAND: Yes sir, the
7 | next presentation is by Mr. David Campbell of Toronto.

8 | DAVID CAMPBELL sworn;

9 | THE WITNESS: Mr.

10 | Commissioner, ladies and gentlemen, my opinion is that
11 | the Dene nation may one of the last groups of people in
12 | the world who are collectively and loudly saying "we
13 | have a different view of the world, a view in which
14 | there must be a harmony between the earth and what is
15 | being done to the earth". This view of the world is
16 | not utopian.

17 | As we watch the Great Lakes
18 | die, as we watch mercury poison the river systems, as
19 | we watch the land destroyed in a way that is not
20 | renewable, a destruction that has happened in less than
21 | 500 years, we see the wisdom of our forefathers who in
22 | the preceding 30 or 40 thousand years with their
23 | balanced, non-acquisitive view of the universe, kept
24 | the earth green and the waters clean.

25 | What the Dene nation are
26 | saying is not the distant whine of a troublesome
27 | people. It is of concern to all Canadian people and
28 | other people of the world , that is to regain our
29 | balance before we topple over the edge of the precipice
30 | that we seem to be heading for unquestioningly in the

1 | belief that money is more important than people and the
2 | earth, that we should be good custodians of he earth
3 | for the ones yet unborn. The rest of the Canadian
4 | people should thank the Dene nation for being in he
5 | vanguard of the fight to preserve Canada for 11
6 | Canadians, present and future. I would like now to sing
7 | a song that, from my view, relates to this issue.

8 | The Song of the People
9 | The Land of the People
10 | The Will of the People must win
11 | A strong Dene Nation
12 | The Sons of Creation
13 | Free in the land they live in.

14 | Hear the People
15 | Who guard the Mother we live on
16 | Look to your own lives
17 | And the ones of this World still unborn

18 | The Song of the People
19 | The Land of the People
20 | The Will of the People must win
21 | A strong Dene Nation
22 | The Sons of Creation
23 | Free in the land they live in.

24 | Black, red and yellow
25 | Colours of the rainbow
26 | The White and the brown - every kind
27 | Want the wheel that we live on
28 | To roll on and on and on
29 | Though onward we stumble, sometimes
30 | Deaf and blind

31 | Hear the last ones
32 | Who lead you to care for the land
33 | For when the Earth Dies
34 | Your gold will be dust in your hand.

35 | Neon and tinsel
36 | Where once the strong eagle

1 | Flew close to the people he knew
2 | As the green turns a pale brown
3 | The water to poison
4 | Say, what will your grandchildren do?
5 |
6 | We wish we could laugh and sing
7 | Spend our days dancing
8 | We would if we only knew how
9 | But money's a poison, Possession's a prison
10 | And maybe it's too late, To turn back now
11 |
12 | But deep is the spirit
13 | And still if we wish it
14 | We might even yet turn around
15 | But if comfort is king to us
16 | Greed and Waste friends to us
17 | The way ahead leads only down
18 |
19 | Ones of the First World
20 | Sons of the conquering ones
21 | Will force save the Green Earth
22 | For the children of all of your sons
23 |
24 | But deep is the spirit
25 | And still if we wish it
26 | We might even yet turn around
27 | But if comfort is king to us
28 | Green and Waste friends to us
29 | The way ahead leads only down
30 |
31 | Before greed came with the gun
32 | Earth moved slow round the sun
33 | Mother of all in her hand
34 | And Red man turned with the wheel
35 | Knowing to see and feel
36 | For the Great Mother
37 | As he walked the land
38 |
39 | The Song of the People
40 | The Land of the People
41 | The Will of the People must win
42 | A strong Dene Nation
43 | The Sons of Creation
44 | Free in the land they live in

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4 (SUBMISSION OF DAVID CAMPBELL, WITH RECORD MARKED
5 EXHIBIT C-487)

6 (WITNESS ASIDE)

7 MR. ROLAND: Sir, I doubt the
8 transcript will do credit to the last presentation.

9 Our next witness is Mr.
10 Michael Arbour of the Newman Center of Toronto.

11 MICHAEL ARBOUR, sworn;

12 THE WITNESS: Good evening

13 Mr. Commissioner, My name is Michael Arbour, I'm of the
14 Newman Center's Congregation of the Catholic Church
15 here in Toronto, about 300 or 400 members.

16 Our community appears before
17 you here today because we are concerned about the
18 social impact of the proposed Mackenzie Valley Pipeline

19 Two reasons compel us to
20 address this issue.

21 1. First, our church has a long history of involvement
22 in northern affairs, for 120 years, that is from the
23 very beginning of the 19th century colonial enterprise,
24 the Catholic church has maintained a presence in the
25 north.

26 There are several ways in
27 which we can talk about this involvement. On the one
28 hand we have seen men such as Gabriel Dreynaud, the
29 Bishop of the Mackenzie who publicly protested against
30 the poor treatment of Indians in the Northwest and

1 | lobbied for recognition of native rights. Others,
2 | insular, utopian communities to resist white incursion
3 | in the Indian settlements, particularly when such
4 | crass-cultural contact meant that the Indians would be
5 | introduced to cheating, drunkenness and promiscuity as
6 | ways of life.

7 | Still others helped to
8 | accelerate the breakdown of native culture by
9 | judging it pagan and hence inferior, by usurping
10 | leadership g roles in the Indian communities and by
11 | introducing certain values such a private property
12 | which were foreign to the customs and beliefs of
13 | native people. Even though a complete account of
14 | our church's involvement in the north has not been
15 | written, it is obviously a very mixed historical
16 | record and one which we feel we must begin to
17 | redress in some ways.

18 | 2. Our second reason for addressing you is that we
19 | fear that the building of a pipeline would occasion the
20 | perpetration of another injustice upon the native o
21 | people. We see it as our Christian obligation to
22 | listen to the voices of those who are to challenge
23 | those injustices which unfortunately are part of the
24 | operation of this country.

25 | The question arises, how
26 | would injustice be done in this situation? Classically
27 | stated an injustice occurs when one social group on
28 | account of its precarious position accepts a social
29 | contract not out of free choice, but out of necessity,
30 | or fear of a worse evil. In this particular case, if

1 | the native people are pressured to surrender their own
2 | well-being for the sake of the economic advantage of
3 | others, then they will be the victims of force and
4 | injustice. If the system operates in such a way as to
5 | coerce the native people to accept a settlement which
6 | results in their own disempowerment then the
7 | transaction cannot be considered legitimate.

8 | There are several forces at
9 | play in the situation which militate against any free
10 | acceptance of agreement by the native people.

11 | 1) First, historical precedent. The recognition of
12 | aboriginal rights in the Royal Proclamation of 1763
13 | notwithstanding, we have established a tradition of
14 | treaty-making in this country whereby aboriginal title
15 | to the land is extinguished and surrendered to the
16 | crown in exchange for a reserve land, treaty money and
17 | a few goods.

18 | Our history demonstrates that
19 | we feel that we can take lands from the native people
20 | whenever we think we need them. This was the operating
21 | assumption behind Treaties 8 and 11. It was the
22 | operating assumption at James Bay where a massive
23 | development was begun without any prior negotiation
24 | with the native communities. Whether we choose to
25 | admit it or not, it is the operating assumption of the
26 | Federal Government, the energy industry and of many
27 | Canadians today as we seek to develop the resources of
28 | the Northwest Territories.

29 | 2. The second force is a legal precedent. Connected
30 | to these historical manoeuvres which considered native

1 | peoples as obstacles to be removed from the path of ill
2 | progress, is the fact that there have been no
3 | significant decisions by Canadian Courts granting title
4 | to native people. To the contrary, documents such as
5 | indeed Treaties 8 and 11 may hold great legal suasion
6 | in depriving native people of the right to occupy and
7 | use lands which has been theirs since time immemorial.

8 | The fact that these treaties
9 | were not negotiated in good faith, that the government
10 | misrepresented the meaning and the import of the
11 | treaties, that ancillary promises were never kept and
12 | that seemingly forged signatures appear on these 311
13 | documents may not even be taken into consideration by
14 | the Courts.

15 | 3. Thirdly, the economic pressures. Having an
16 | economic system in this country which demands and
17 | thrives on production for profit and mass consumption
18 | of goods, our energy requirements are voracious to say
19 | the least. A certain kind of panic has thus been
20 | created, among Canadians with regard to the energy
21 | supply situation. Public opinion aligns with
22 | industrial interests at this point in explaining that
23 | if energy resources exist in the Northwest
24 | Territories, then we've got to get in there and get
25 | them out.

26 | The social costs of such
27 | removal become a very secondary consideration. Thus,
28 | these historically ingrained attitudes, legal
29 | precedents and economic pressures constitute a force
30 | which non-native Canadians employ in bargaining with

1 | the native people with perfect legality and for
2 | ostensibly justifiable reasons an unjust settlement can
3 | be inflicted upon the native people.

4 | The prospect of a pipeline
5 | being built through the Mackenzie Valley has forced the
6 | issue of the settlement of native rights. We fear that
7 | it will be the occasion of the further political
8 | disenfranchisement of native people, that they will not
9 | be given the political authority befitting citizens
10 | with human rights equal to ours.

11 | We fear that it will be the
12 | occasion of the economic disenfranchisement of the
13 | native people, that deprived of their land, they will
14 | have no economic base from which to operate. We fear
15 | that it will be the occasion of greater social
16 | alienation in the north, a brief economic boom after
17 | which social problems such as unemployment and
18 | alcoholism will only be aggravated.

19 | We fear also even greater
20 | estrangement between native and non-native Canadians and
21 | the intensification of existing racial tension if a
22 | large influx of outside non-native workers is permitted.
23 | It should be noted here that this disintegration of the
24 | native people's socio-economic base places a particular
25 | hardship on the women concerned. They would not have
26 | the possible alternative available to men of working on
27 | the pipeline or related projects. Instead, unemployed,
28 | and faced with a devaluation of their skills, the native
29 | women would be used against their own will by those
30 | intent on sexual exploitation.

1 These kinds of social changes
2 need not be wrought upon the north but it is only by
3 transcending historical precedent and promoting
4 qualitatively new relationships between native and non-
5 native people that it can be avoided. A new model of
6 development is essential, one in which the native
7 people are full and equal partners.

8 The observations of the
9 native community on the agenda of this development
10 impress us as being sound. Their demands for an
11 assured land base in the north, for political
12 institutions of their own choice, for the resource base
13 to develop the kind of economy suited to their needs
14 and for protection of their cultural distinctiveness,
15 strike us a demand for the same rights to long-term
16 political security, economic independence and cultural
17 survival which all Canadians should enjoy.

18 We anticipate and support the
19 development of northern resources but we worry about a
20 head-long rush to construct this pipeline when it is
21 unclear whether we currently have a ten or a thirty
22 year supply of energy, whether there are adequate
23 reserves in the delta to justify the project, whether
24 the pipeline will serve Canadian or continental energy
25 needs, and whether any advantage will accrue from it to
26 the native communities.

27 It is obvious that those who
28 inhabit the north want their society to be involved.
29 We think that they themselves should direct its
30 evolution. Their hope is ours, that Indian people can

1 enter the economic, social and political mosaic of
2 Canada in a way that could be a source of pride to all
3 Canadians.

4 Therefore, we fully endorse
5 the motions of the native people that:

6 1. First, there be no pipeline development until there
7 is a just settlement of land claims and;

8 2. secondly, that we break with precedent and arrive
9 at a settlement which does not require the
10 extinguishing of native ownership of traditional lands.

11 We realize that a model of development which protects
12 the fabric of the native community will bring added
13 costs to southern Ontario. It will mean that we will
14 have to reorient our economic, system to more socially
15 useful ends, to alter our consumptive lifestyle and to
16 begin to be serious about the conservation of already
17 available energy resources. We accept these costs for
18 justice itself requires that we, and not the native
19 communities, pay them.

20 Thank you.

21 (SUBMISSION OF THE NEWMAN CENTER OF TORONTO - M.
22 ARBOUR - MARKED EXHIBIT C-488)

23 (WITNESS ASIDE)

24 MR. ROLAND: Yes sir, I next
25 call Mr. Doug Pine, eastern co-ordinator, Wenjack AIM

26

27 MR. DOUG PINE sworn;

28 THE WITNESS: I would like to
29 thank your Inquiry for giving me the opportunity to
30 speak. The people from southern Alberta as well as the

1 | people from the AIM Chapters in Alberta have
2 | expressed or have asked me to ask that this Inquiry
3 | take a moment of silence in respect to Nelson Small
4 | Legs and at this time I would like to take that moment
5 | for Nelson.

6 | First of all, I am one of the
7 | national directors for the American Indian Movement in
8 | Canada and I am representing a chapter of the American
9 | Indian Movement in Canada.

10 | The land claims of the Dene
11 | nation must be settled. The land in question is the
12 | rightful possession of the Dene people. This fact of
13 | possession must be recognized by the government of the
14 | Canadian people. A people whose lands have been taken
15 | from them becomes a people without roots and without
16 | security. The development of Dene land must be
17 | controlled by the Dene people.

18 | Government and big business
19 | have acted in conclusion to steal native peoples land
20 | for as long as white man has been in Canada.
21 | Government and big business recognize that in taking
22 | native land by fraud or by force, they can do damage to
23 | native people's security and dignity and wealth. The
24 | American Indian Movement understands this strategy and
25 | stands against it. For the Dene people, their land is
26 | the opportunity for an economic base and a secure
27 | future for their children.

28 | The American Indian Movement
29 | comprehends the malicious intent of the Canadian
30 | Government and their big business partners. AIM

1
2 perceives clearly that government and big business are
3 not deterred from their greedy desires either by Courts
4 as in the James Bay project or by public opinion as in
5 the proposed Pickering Airport or even by morals as in
6 the scandals in Quebec and the personal behavior of
7 some Cabinet Ministers.

8 The American Indian
9 Movement is observing the Dene situation closely and
10 is waiting for the final government verdict. We are
11 aware that the good intentions of this Inquiry,
12 notwithstanding this whole procedure may be just
13 another government smokescreen.

14 Day by day, the American
15 Indian Movement continues to grow as native people
16 are awakened to their spiritual and cultural way
17 More and more people are taking up the struggle for
18 what is rightfully theirs. The day is coming when
19 native people will be heard and will control their
20 own destiny No more will we be the pawns of the
21 government and big business who seek to exploit the
22 north. Native people demand justice. How much
23 suffering and hate can a nation take before it turns
24 to violence? How long can one stand by and watch his
25 people die?

26 In conclusion, I would like
27 to address the Dene people. We have here a sack of
28 sacred tobacco and we are offering it to the Dene
29 people in the hopes that they will pray to the great
30 Creator to help them to get through these land claims

1 settlement and to also express the support of the
2 American Indian Movement for the Dene people and that
3 we too as spiritual people will be burning tobacco in
4 our lodges and we'll be taking sweat baths for them.

5 To end it all, in conclusion
6 I would like to quote the words of Little Turtle, Chief
7 of the Miami Tribe:

8 "If our people fight one nation at a time, all
9 will be killed. They can cut off our fingers
10 one by one but if we join together, we will make
11 a powerful fist."

12 Thank you.

13 (SUBMISSION OF WENJACK AIM - D. PINE - MARRED EXHIBIT
14 C-489)

15 (WITNESS ASIDE)

16 MR. ROLAND: Sir, I'd like to
17 call on Ms. Barbara Seldon of Dundas, Ontario.

18 MS BARBARA SELDON, sworn;

19 THE WITNESS: Mr.

20 Commissioner my name is Barbara Seldon. I'm presently
21 a student in the Graduate School of Social Work at
22 Wilfred Laurier University, but in speaking tonight, I
23 am just speaking for myself.

24 I would like to begin by
25 thanking you for this unique opportunity of addressing
26 the Mackenzie Valley Pipeline Inquiry. What I have to
27 say will be kept brief as I am sure that you have heard
28 these words in one form or another many times before.
29 However, what I say comes from a great deal of thought
30 and emotional conviction based upon a year long

1 residence in the north and subsequent study of the
2 issues being considered by this Inquiry.

3 My main contention is that
4 the land claims of northern Dene and Inuit must be
5 settled in a fair and just way before further
6 development of their land takes place. A fair and just
7 land settlement requires a great deal of intensive
8 study. The decisions that will be made will have a
9 great impact on contemporary northerners, generations
10 of their descendants and the future of Canada so time
11 must be allowed for meaningful and informed
12 participation by all concerned.

13 There have been many mistakes
14 made in the past on this continent in treaty
15 negotiators on land settlements with native people, and
16 perhaps today we have a unique opportunity to prevent
17 some of the same mistakes.

18 As a Canadian living in
19 southern Ontario, I can see that our present style of
20 living is greatly dependent upon petro-chemical fuels.
21 I have great faith in the ability of our technologists
22 to develop alternate and probably better energy
23 sources, but in the meantime, it seems that rushing
24 into scientifically unknown territories could prove
25 disastrous for us all.

26 I feel that as long as there
27 is a reasonable doubt as to the safety of extracting
28 fuels from the north, then it shouldn't be done. Here
29 in southern Ontario, the adverse effects of rapid
30 industrial development which does not allow for the

1 THE WITNESS: Mr.
2 Commissioner, my name is Heather Mitchell. I am counsel
3 to the Canadian Environmental Law Association which is a
4 national coalition of lawyers, scientists and lay people
5 who are concerned in promoting law and law reform and
6 trying to avoid through the structure of law,
7 environmental problems.

8 The Canadian Environmental
9 Law Association, known as CELA, has not participated in
10 the main hearings before and for that reason we are
11 delighted that you've come to the south so that now we
12 can.

13 We have a great deal of praise
14 for your Inquiry and we have some concerns as well,
15 chiefly the lack of evidence on some aspects that have
16 been presented to the Commission. We are also concerned
17 about the future of the Commission's recommendations
18 once made. I have four suggestions that I hope the
19 Commission will consider when writing its report which
20 I'll come to in a moment. But first let me praise the
21 Inquiry because it has been unique in many ways.

22 Of particular joy to us is
23 the fact that there were community hearings that were
24 held in the native languages. We have often seen
25 projects where they are assessed at all, assessed
26 without any context whatsoever. We feel that your
27 Inquiry has avoided this problem.

28 There are a lot of reasons to
29 praise the Commission. It's been informal and
30 unlegalistic enough. It's encourage participation;

1 throughout the time you've been in Toronto, people have
2 been coming into our office and saying what a wonderful
3 experience this has been and that they are delighted
4 that you are here.

5 In fact, while giving out
6 praise, perhaps we should praise the Federal Government
7 for establishing your Inquiry. Undoubtedly from the
8 government's point of view, the Inquiry has not been
9 the comfortable ride that it had imagined it would be.
10 You've insisted the government produce documents that I
11 did want to produce. You have reprimanded the
12 Territorial Government for telling its employees not to
13 cooperate with you. You've refused to make a snap
14 decision on the pipeline despite enormous pressures to
15 get on with it. We are delighted that you've taken
16 those decisions.

17 It is however the tact that
18 you've been this fair that has made it so uncomfortable
19 for: the government. We don't think that the government
20 will ever again establish an Inquiry like this which will
21 encourage informed public debate on a national issue. We
22 had hoped that the establishment of this Inquiry meant
23 that the Federal Government was at last serious about its
24 promises of participatory democracy which we began
25 hearing in the early '70's. We hope that an era of
26 maximum public information and debate was opening on all
27 issues of national importance. Of course this was the
28 wildest of fantasies.

29 Since the Inquiry began, we
30 have seen, the government take the decision to drill in

1 | the Beaufort Sea despite all the technical information
2 | and representations from highly competent people that
3 | there was no technology available to clean-up or to
4 | minimize environmental damage. We've seen the Minister
5 | of Indian Affairs say on television that there were
6 | environmental studies done before he decided to go
7 | ahead with the Strathcona Sound Mine. There were 71 no
8 | environmental studies. On neither of those two issues
9 | was there anything like the amount of public
10 | information that there has been on the Mackenzie Valley
11 | Pipeline. We could not have hoped to participate as in
12 | a democracy we should be able to do.

13 | It's in the context of
14 | being the sole example of a participatory democracy
15 | that CELA urges the Commission to be aware that the
16 | recommendations you make will be the benchmarks
17 | against which any future public debate on a national
18 | issue can be measured. Groups such as ours will
19 | continue to press for goals so amply reached by your
20 | Commission; access to information, time for
21 | participants to prepare, or funding of poor
22 | participants so they'd be on an equal footing with
23 | wealthy corporations, evidence in understandable lay
24 | language, community organization and participation.
25 | But your recommendations, if cognizant of the unique
26 | nature of this Commission can stand as beacons for
27 | the future.

28 | Notwithstanding thee positive
29 | remarks that I am making, we have two serious concerns
30 | with the Inquiry. The first is the inability by reason

1 | of your terms of reference to consider alternatives,
2 | even not proceeding with the pipeline at all. There is
3 | much to be said for each of these three alternatives
4 | and would be more complete if the Inquiry could
5 | consider those. I understand that this is a problem of
6 | the terms of reference the government gave you and not
7 | a problem of your own making.

8 | The second concern that we
9 | have is the fact that the hearing has been divided into
10 | phases and many of the environmental questions cut
11 | across these phases. They've been referred by some
12 | witnesses before you to witnesses later to appear.
13 | This is very frustrating for an environmental group
14 | such as ours and we hope that the answers will
15 | eventually be forthcoming.

16 | On the subject of
17 | recommendations, I want to make suggestions in four
18 | areas.

- 19 | 1. The first is the terms of reference for a Mackenzie
- 20 | Valley Pipeline regulatory agency.
- 21 | 2. The second is the timing for the commencement of
- 22 | the project.
- 23 | 3. The third is economic participation by native
- 24 | Canadians.
- 25 | 4. The fourth is settlement of native land claims.

26 | With respect to a regulatory
27 | agency, it seems clear to us that the pipeline will
28 | create so many unique problems that a new independent
29 | regulatory agency will be set up to oversee not only
30 | construction but also throughput and tariffs. We hope

1 | that you will recommend that it be established by
2 | statute. Such a statute should include at least the
3 | following provisions. Independent inspectors, necessary
4 | to ensure that environmental guidelines are being
5 | followed. Inspectors with the power to issue stop orders
6 | if the environmental guidelines are not being followed.
7 | Publicity of the inspectors' reports. Our submission is
8 | that they should be made public at the end of each month
9 | of the project's life. We're suggesting the reverse of
10 | the process when usually picking members of such an
11 | agency because there's such a strong possibility of
12 | irreparable harm. We're suggesting that instead of
13 | choosing simply fair-minded citizens which is usual that
14 | in this case, fair-minded people with definite competing
15 | interests be selected for an agency.

16 | We would like to see an equal
17 | number of economists and technologists, and of
18 | environmentalists and native people. Too often those last
19 | two groups are not represented on regulatory agencies.

20 | The statue setting up such an
21 | agency, it's our submission, should make provisions for
22 | public input and funding of groups such as you have
23 | made in your Inquiry.

24 | My second area for comments
25 | with respect to recommendations is the timing of
26 | construction. We're suggesting that the construction
27 | not start until all of the technology which will be
28 | used has been properly tested and until the settlement
29 | of the native land claims, though I am coming to that
30 | in a moment. We were alarmed to read in the transcript

1 | the following examples of technological problems:

2 | "Erosion control techniques have not been field
3 | tested in any way."

4 | "No sites for disposal of surplus material have
5 | been selected."

6 | "Few of the streams to be crossed by a pipeline
7 | have been gauged as to water volume. Apart from
8 | the Mackenzie , no measurements of the sediment
9 | carrying capacities of the streams have been
10 | made."

11 | "The depth of scour has never been measured at
12 | any of the major river crossings."

13 | The witness who stated this also stated that:

14 | "The model used to predict scour depth was 'two
15 | dimensional' and did not properly take into ac-
16 | count the scour causing ice jams."

17 | There are a whole number of examples which I won't
18 | carry on with that one reads throughout the transcript.
19 | Perhaps these will be answered later on.

20 | THE COMMISSIONER: Have you
21 | got them written down?

22 | A The references? Yes.

23 | Q Well, at any rate, your
24 | brief should be circulated among counsel for all
25 | parties, and in particular I know Dr. Pimlott of
26 | Canadian Arctic Resources Committee will be examining
27 | his copy of it, and Commission Counsel staff will also
28 | be looking at your particular examples, as well as the
29 | other matters you have raised.

30 | So, though you're not giving

1 me all of the examples, you can rest assured that they
2 are being -- they will be examined.

3 A All right. Thank you.

4 Our submission is that the
5 technology available from the project's proponent must
6 prove itself capable before the project begins. It's
7 our submission that the Commission should not accept
8 the attitude of the technical witnesses who say:

9 "We don't have an answer for that problem, but
10 we're sure our technology will be able to pro-
11 vide an answer once we get on the site."

12 We just don't think that that
13 is good enough. We also think that the technology
14 should be adapted to the people. In this, we take a
15 different view from Simon Ranio who in his book
16 "Century of Mismatch" says:

17 "We must now plan on sharing the earth with ma-
18 chines....We are becoming partners. The ma-
19 chines require, for their optimum performance,
20 certain patterns of society. We too have pre-
21 ferred arrangements, but we want what the ma-
22 chines can furnish and so we must compromise.
23 We must alter the rules of society so that we
24 and they can be compatible."

25 It's our submission that it's the machines that must
26 change. Why we value our society and why the machines
27 must change to conform to that higher value is really a
28 metaphysical question that technology cannot answer.

29 Economists who are great
30 disbelievers in metaphysics have been making

1 | calculations purely on the base of the economic factors
2 | to show the pipeline's viability. It's a waste of time
3 | to talk to economists I found about values such as
4 | beauty, tradition and the serenity of a way of life.

5 | Economic analysis is also
6 | tied in to power, and by definition, it must ignore the
7 | powerless such as the individual trapper. We were
8 | interested to note in the transcript that there has
9 | been evidence that the trappers whose traplines are on
10 | the route were not consulted by Arctic Gas.

11 | Nonetheless economists of
12 | course, and others will also try to quantify
13 | metaphysical values to arrive at what is called a
14 | "tradeoff" position. Although we disagree with this
15 | approach it's our submission that if it has to be that
16 | approach, that the appropriate trade-off in terms of
17 | compensation is an award of a minimum of 1/3 of the
18 | voting stock of whatever company becomes a holder of
19 | the right-of-way.

20 | With respect to native land
21 | claims, we are -- at CELA, we are mostly a group of
22 | southern Canadians and as such don't want to put
23 | forward any views on the value placed on land by native
24 | Canadians. What we can say about land is this. From
25 | our experience as environmental lawyers, many, many
26 | environmental problems have at their center the use of
27 | land. Often it's ownership which defeats sound
28 | environmental planning. That's the case in our most
29 | recent case of the Rockcliffe Park where a person owned
30 | a marshland and filled it in to build a house. It was

1 sought to stop him from doing that, but the Court of
2 Appeal ruled that he could do whatever he wanted with
3 his land as long it did not directly and immediately
4 affect his neighbors, but that was the loss of a marsh
5 which is the beginning of the important lifecycle and
6 the ecosystem.

7 The opposite environmental
8 land use case is where someone wants to preserve the
9 land, to use it as he found it, to live with it and to
10 be part of it. It's this philosophy that we find
11 through the submissions of native Canadians to, our
12 Inquiry. As southern Canadians and as I regret to say,
13 we have to take the responsibilities of the designers
14 of the laws of Canada. We can only see a way of
15 fitting this land use philosophy into existing laws if
16 there is native ownership of the land in question, In
17 law, land is treated differently than other
18 commodities. It is one of the few things that law
19 recognizes as not being capable of being translated
20 into money.

21 In legal cases other than
22 land cases, the law gives money compensation for
23 interference with rights a person has over things. In
24 land cases, law can give specific performance. The
25 very land is awarded to the person who makes out his
26 case and the holder of the land is forced to transfer
27 it to him. In this way, the law recognizes the
28 finiteness of the land the special status of land as a
29 good in the society. It's our submission that the
30 existing system of law is capable of dealing justly

1 | with native Canadian land claims. It's therefore our
2 | submission that to preserve the integrity of the law,
3 | the possibility of specific performance must not be
4 | denied to native Canadians, and it will be if the native
5 | land claims are not settled before the pipeline is
6 | built. We must realize the practicalities, that no
7 | Court will award specific performance if there is
8 | already a pipeline on the land in question. Only money
9 | will be awarded and money is not what a land claim is
10 | about.

11 | Let me draw an analogy from
12 | the Pulitzer Prize winner, Annie Dillard. In her book,
13 | "Pilgrim at Tinker Creek", she says she saw in her
14 | creek a frog:

15 | "He was a very small frog and just as I looked
16 | at him he began to sag. The spirit vanished
17 | from his eyes as if snuffed. His skin emptied
18 | and drooped...I watched the taut glistening skin
19 | on his shoulders ruck and rumple and fall. Soon
20 | part of his skin formless as a pricked balloon
21 | lay in floating folds like bright scum on the
22 | top of the water. It was a monstrous and terri-
23 | fying thing. An oval shadow hung in the water
24 | behind the drained frog, then the shadow glided
25 | away. The frog skin bag started to sink.

26 | The frog had been the victim of a giant
27 | water bug which seizes its victim with its
28 | grasping forelegs, hugs it tight and paralyzes
29 | it with enzymes injected during a vicious bite.
30 | That one bite is the only bite it ever takes.

1 | Through the puncture shoot the poisons that dis-
2 | solve the victim's muscles and bones and organs
3 | -- all but the skin and through it, the giant
4 | water bug sucks out the victim's body, reduced
5 | to a juice."

6 | It is my submission that
7 | without the settlement of native land claims, the
8 | native people will be in the same position as that
9 | frog. Thank you.

10 | (SUBMISSION OF THE CANADIAN ENVIRONMENTAL LAW
11 | ASSOCIATION H. MITCHELL - MARKED EXHIBIT C-490)

12 | (WITNESS ASIDE)

13 | THE COMMISSIONER: Ladies and
14 | gentlemen, I think that I would like to comment on some
15 | of the things that have been said this evening and
16 | after that, I think we can adjourn for a cup of coffee
17 | and then see if we have time to hear a few more
18 | presentations before we adjourn.

19 | But perhaps you might allow
20 | me to say one or two things about the briefs that have
21 | been presented this evening. I know you will bear in
22 | mind that the Government of Canada established this
23 | Inquiry, an Order-in-Council was passed on March 21,
24 | 1974 and by the terms of that Order-in-Council this
25 | Inquiry was given a mandate that is unique in Canadian
26 | experience, to examine the impact of a large scale
27 | frontier project before and not after the fact.

28 | Now, it is true that there
29 | are limits to that mandate. The proposal the
30 | Government had before it was to build a pipeline, so

1 they asked this Inquiry to examine the impact of a
2 pipeline and did not ask the Inquiry to consider
3 whether it would be more appropriate to transport the
4 resources from the north by rail or by some other
5 means. But the 21, power to consider alternate means
6 of transporting the resource from the north to the mid-
7 continent lies with the National Energy Board. The
8 National Energy Board is bound to consider alternate
9 means of transporting the gas from the north by rail,
10 by highway transport, or by whatever other rational
11 means are brought forward, so it would not have been
12 appropriate to ask this inquiry to do that.

13 The point I think should also
14 be made that the Government of Canada has provided this
15 inquiry with the funds to do its job and on the
16 recommendation of this Inquiry has provided the funds I
17 to enable the native organizations, the environmental
18 groups and northern municipalities and northern
19 business to participate with the assistance of lawyers,
20 economists, biologists and other staff. That is an
21 entirely new departure in the Canadian experience and
22 it is one for which the Government of Canada deserves
23 the credit.

24 The Government of Canada Ii
25 invested this Inquiry with the power of subpoena to get
26 the evidence it needed. Those things should not be
27 overlooked.

28 May I also say that for the
29 industry in this case, the pipeline companies, this has
30 been I dare say a unique experience, and let me just

1 say that they have cooperated fully with the Inquiry in
2 this attempt to assess as best we can the impact of the
3 project they wish to undertake.

4 We are told that the Arctic
5 Gas Pipeline would be the greatest undertaking in terms
6 of capital expenditure that private enterprise has ever
7 been engaged in anywhere or any time in history, and
8 they have cooperated with us, and so of course has
9 Foothills Pipe Lines.

10 Let me also just say
11 something else about what the pipeline companies have
12 done in this instance that should be remembered.
13 Arctic Gas and Foothills, before this Inquiry was ever
14 established themselves established a group of
15 scientists that they called the Environment Protection
16 Board. Now this was established under the aegis of
17 the industry but the board, it's simply a group of
18 scientists. It has no standing under Statute. They
19 were called the Environment Protection Board and the
20 industry said to them, "Will you look at our pipeline
21 project and turn in and make public an environmental
22 assessment of it?" Now this is something that has
23 never occurred before in any industry.

24 That Environment Protection
25 Board was headed by Mr. Carson Templeton of the
26 Templeton Engineering in Winnipeg, an outstanding
27 Canadian engineer. It consisted of seven other
28 scientists, including Dr. Ian McTaggart-Cowan, one of
29 Canada's leading figures in biology, Dr. Norman
30 Wilimovsky, Dr. Lawrence Bliss, Dr. Kenneth Adam and

1 | others. These gentlemen were provided with something
2 | like \$4 1/2 million by the industry, and they hired
3 | their own staff and they conducted an environmental
4 | assessment and then published it in four volumes and
5 | then they used the money that they still had left to
6 | come to the Inquiry and tell us in Yellowknife their
7 | opinions about this project.

8 | I think that it's fair to say
9 | that the industry was not altogether pleased in all
10 | respect with the opinions they expressed. I think that
11 | is a credit to the industry because they did not seek
12 | in any way to interfere with the group of scientists
13 | that they funded to carry out that assessment. They
14 | provided them with as much money as, in fact, the
15 | Inquiry itself has so far been provided with by the
16 | Government of Canada, and I urge you to reflect upon
17 | that because you heard Mr. Horte of Arctic Gas this
18 | afternoon, Mr. Blair of Foothills has spoken to this
19 | Inquiry on a number of occasions and they have in good
20 | faith and throughout the history of the project sought
21 | to determine in, a way that would be true to scientific
22 | principles, the likely impact of this project,
23 | notwithstanding the interests they have in building it.
24 | That's their business, building pipelines, delivering
25 | gas and fossil fuels to market.

26 | Now, the Environment
27 | Protection Board, I could summarize in a sentence their
28 | report, said that the project was not environmentally
29 | acceptable in its present form. That is I think doing
30 | rough justice to their verdict, and they came before the

1 Inquiry with funds provided by the industry and spent at
2 least two weeks telling us about their views and were
3 cross-examined by counsel for the industry, for the
4 Canadian Arctic Resources Committee, by commission
5 counsel too.

6 I suggest that while the
7 Inquiry is happy to acknowledge the truth of the things
8 that Ms. Mitchell said on behalf of the Canadian
9 Environmental Law Association, I hope that you will
10 remember that this Inquiry is unique in a number of
11 ways, and in a great number of ways that is attributable
12 to the attitude with which the Government of Canada and
13 the pipeline companies have approached our task.

14 So, having said that, I
15 suggest we adjourn for coffee for ten minutes and then
16 reconvene to hear further briefs.

17 (PROCEEDINGS ADJOURNED FOR A FEW MINUTES)

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1 (PROCEEDINGS RESUMED PURSUANT TO ADJOURNMENT)

2 THE COMMISSIONER: Well,
3 ladies and gentlemen, we'll call the hearing to order
4 again so that in the hour that's left to us we will have
5 an opportunity of hearing as many of you as we can; and
6 once again I ask you to bear with us. It's simply no
7 possible to hear everyone and I'm afraid in Toronto it's
8 not even possible to hear nearly everyone, so we'll just
9 have to do the best we can as we move along.

10 MR. WADDELL: Mr.
11 Commissioner I'd like to file some briefs at this
12 point. The first one is from Mr. R.W.F. James of
13 Toronto.

14 (SUBMISSION OF R.W.F. JAMES MARKED EXHIBIT C-491)

15 MR. WADDELL: The second one
16 is from the Sudbury Mine, Mill & Smelter Workers, Local
17 Union No, 598, That's from Sudbury, Mr. Commissioner,
18 and they have filed a resolution.

19 (SUBMISSION OF SUDBURY MINE, MILL & SMELTER WORKERS
20 UNION MARKED EXHIBIT C-492)

21 MR. WADDELL: The next brief
22 to file is from the Toronto-Dominion Bank from Mr. it
23 Allen T. Lambert, the chief executive officer. I'd
24 like to file that,

25 (SUBMISSION OF TORONTO-DOMINION BANK MARKED EXHIBIT
26 C-493)

27 MR. WADDELL: Then from
28 Leonard C. Foster, who is an engineer, from Toronto;
29 and not to be outdone, there's one from Mrs. Foster.

30 (SUBMISSION OF L.C. FOSTER MARKED EXHIBIT C-494)

1 (SUBMISSION OF MRS. L. FOSTER MARKED EXHIBIT C-495)

2 MR. WADDELL: Finally from a
3 Group of Concerned Citizens of the Guelph Community, a
4 number of people and I'd like to file that.

5 (SUBMISSION OF GROUP OF CONCERNED CITIZENS OF THE
6 GUELPH COMMUNITY MARKED EXHIBIT C-496)

7 MR. ROLAND: Sir, the next
8 brief is by Mr. Malcolm Wilkinson.
9 Mr. Wilkinson?

10 MALCOLM WILKINSON, sworn:

11 THE WITNESS: Mr.
12 Commissioner, it's been suggested that I don't praise
13 you because that's been well done tonight, although I
14 fully concur in the remarks along that line,

15 THE COMMISSIONER: Who told
16 you not to do that?

17 A I understand time is
18 running short.

19 My purpose in presenting this
20 brief is because studies of past history cause great
21 concern about some of the proposed arrangements for the
22 Mackenzie Valley Pipeline. It has been said that those
23 who do not study history are bound to repeat it. I
24 Much has been said about the preservation of cultures.
25 I believe cultures can and should change. Let us
26 discard the bad aspects of cultures and nourish the
27 good.

28 How we plan and manage these
29 northern facilities will affect the northern people,
30 their children and grandchildren for hundreds of years,

1 as we all know. Do we want them to look back at the
2 rusty remains of a pipeline as a reminder of a couple
3 of decades during which the hydrocarbon resources were
4 transported out of the north, or will these decades
5 mark the time in which the northern peoples surged
6 forward in pride and self-reliance and improving their
7 existing way of life?

8 With respect to native land
9 claims, I feel that it would be a grave mistake to
10 create different classes of Canadians based on race or
11 any other factor. The reservation system, I do not
12 believe, has served the Indians well. I believe it is
13 important that we all work together, whether our
14 forefathers crossed the land bridge from Asia to
15 America thousands of years ago, came from France 300
16 years ago, from Britain 200 years ago, or from anywhere
17 else in the world last year.

18 If some evil genius were to
19 set out to deliberately destroy a people, a good start
20 would be to first make them dependent on monthly cash
21 handout, or give them exclusive control over certain
22 areas so they can sell off the resources and live high
23 with little effort. This would surely destroy a people
24 as effectively as slow poison.

25 I suggest that the pipeline
26 companies should be a common carrier for transporting
27 oil and gas and that Canadians should provide 100% of
28 the equity financing. The remainder of the financing
29 should be debt financing from the U.S.A., who will use
30 the pipeline to transport Alaskan gas to the Central

1 States.

2 I also suggest that the
3 Canadian Government contribute a significant portion of
4 this equity capital to buy shares for the northern
5 people. The company should, of course, be operated
6 under sound business principles and should charge a
7 fair rate for gas transportation; it should plan to
8 retire the debt before most of the present proven
9 resources are removed; and it should provide reasonable
10 profits for the equity shareholders. In this way our
11 descendants will inherit a mortgage-free operating
12 common carrier company.

13 I believe the native leaders
14 should set their sights higher than they are doing.
15 They should make sure and concentrate on fully
16 participating in the management and operation of the
17 pipeline company at all levels. It should be a charter
18 provision of this company that these people have
19 representation on the Board of Directors.

20 Another concern I have is the
21 diameter of the pipeline to be built. I made a rough
22 calculation which may be erroneous. I hope it is,
23 because it indicated that a 48-inch high-pressure gas
24 pipeline could transport all of the proven reserves
25 out, of the north in less than 15 years. Do we really
26 want such a boom and bust operation? Do we really want
27 to repeat the history of the Klondike?

28 To this Commission and to the
29 northern people I submit the following for consideration:

30 · That the Canadian Government not proceed until

1 | documented separate studies have been made which
2 | project in some detail the financial and social effects
3 | over each decade for at least the next 100 years.
4 | Social effects are particularly important. Several
5 | task teams of 6 to 10 people could be set up, including
6 | representatives of the northern people, people skilled
7 | in business management, education, the oil industry,
8 | and public utilities and so on. Some of the necessary
9 | talent could well be supplied by people who have just
10 | retired from these activities.

11 | Draft reports in four
12 | months and completed reports in six months seems a
13 | reasonable objective. This would give the northern
14 | peoples and the government not just one or two, but a
15 | broad range of alternatives from which to choose the
16 | best portions,

17 | I believe the report should
18 | include the effects of selecting a pipeline diameter
19 | such as the proven reserves are capable of all being
20 | removed in 20 years, also in 50 years, and also in 100
21 | years.

22 | Let's look at these three
23 | cases and assess the effects. To the leaders of the
24 | northern peoples I would suggest that you plan to
25 | participate fully in such task teams and in any and all
26 | northern developments. This will be part of developing
27 | the know-how which we will all need for the future; and
28 | of course the best training is in doing.

29 | Perhaps what is needed for
30 | the Mackenzie Valley Pipeline is another Sir Adam Beck

1 For those of you who don't know who Sir Adam Beck is,
2 his statue sits out here on university Avenue and he
3 founded the Ontario Hydro shortly after the beginning
4 of this century.

5 Thank you.

6 MR. WADDELL: Sir, I should
7 mention that Mr. Wilkinson has a more extensive brief
8 which he has graciously cut down this evening because
9 of the time constraints, and I'll file the more
10 extensive brief with the Inquiry secretary.

11 (SUBMISSION BY M. WILKINSON MARKED EXHIBIT C-497)

12 MR. WADDELL: The next
13 presentation is by Miss Mary Ness of Ten Days for World
14 Development. Sister Michael is going to make the
15 presentation, and Sister Michael has been good enough
16 to file her brief with us as well, and because of the
17 time constraints she is going to simply read the
18 recommendations.

19

20

21 SISTER MICHAEL, sworn:

22 THE WITNESS: Mr.

23 Commissioner, we would like to thank you for letting us
24 take this time for the opportunity to speak this evening
25 and for being able to share with you our concerns. We
26 are members of the Mississauga Branch of Ten Days for
27 World Development. It is an ongoing ecumenical project
28 made up of the five Christian denominations Anglican,
29 Lutheran, Presbyterian, Roman Catholic and United.

30 In the past we have held

1 public seminars ranging in topics based on development
2 issues. We feel that the question of northern
3 development parallels other global issues, and we are
4 very much concerned with the needs of the native people
5 at this time. Due to the large number of briefs, we are
6 quite happy to stand aside for the Native Women of
7 Canada, and I've met Mrs. Margaret Thomson and I know
8 she has a very unique and important message to all of
9 us.

10 Much of what we would have
11 liked to say has been said already, and we would
12 simply like to reinforce and lend our support to the
13 briefs like Project North, by the Canadian church
14 leaders, by the Committee for Justice and Liberty,
15 and the S.C.M. group. I would like to emphasize our
16 support for self-determination of our native people.
17 I feel in the past native people have not really been
18 listened to and we're pleased to see that this is
19 happening now.

20 The death of Nelson Small
21 Legs, I believe, speaks to us of some of the tragedy of
22 not being heard.

23 In conclusion, I would
24 simply like to read the recommendations we have
25 summed up our brief with, and they are in three main
26 areas.

27 A. That there be a 10-year moratorium of all pipeline
28 construction and gas and oil exploration. During this
29 time there should be environmental research, a clear
30 definition of land use regulations, and their

1 | enforcement, and we recommend that the Environment
2 | Canada have full jurisdiction and funding for that.
3 | And an examination of alternate routes.

4 | Also during this time the
5 | government should acknowledge the land claims of the
6 | native people in four ways: By recognizing the
7 | aboriginal title to the land they've always used and
8 | lived on; by realizing the primacy of land as opposed
9 | to cash settlements in any negotiations; by respecting
10 | the right of self-determination and active
11 | participation in the development of this land; and by
12 | guaranteeing royalties for all natural resources
13 | extracted from the native land.

14 | Finally, in the area of
15 | energy we recommend that the government clearly define
16 | a national energy policy with full public
17 | participation, and first, take firm steps to regulate
18 | the use of energy and to reduce its waste. We'd like
19 | to commend the Federal budget, which has introduced
20 | incentives for solar and wind power, and higher taxes
21 | on the larger cars.

22 | Secondly, in this energy
23 | policy we would like the government to make a rational
24 | effort to continue to develop alternate forms of energy
25 | and put more emphasis on these. Third, to regulate the
26 | rate of extraction of energy resources from the north
27 | to prevent rapid depletion of non-renewable resources.

28 | Finally, consider a reduction
29 | of the amount of gas and oil now being exported to the
30 | United States.

1 Thank you.
2 (SUBMISSION OF TEN DAYS FOR WORLD DEVELOPMENT - -
3 SISTER MICHAEL - MARKED EXHIBIT C-498)
4 (WITNESS ASIDE)
5 MR. WADDELL: Sir, the next
6 brief is a short one presented by Jeanette Corbiere-
7 Lavell and Margaret Thomson on behalf of the Native
8 Women of Canada.

9
10 MRS. JEANETTE CORBIERE-LAVELL
11 MRS. MARGARET THOMSON sworn:
12 WITNESS CORBIERE-LAVELL: Mr.
13 Commissioner, ladies and gentlemen, I have been asked
14 to speak to you here tonight as president of the
15 Ontario Native Women's Association. It is quite
16 appropriate, we feel, that these hearings should be
17 taking place here in this hotel as we, as native women,
18 are also having a meeting here It is our second annual
19 assembly, and we are having our meetings in one floor
20 above these meeting rooms here.

21 Earlier this evening you had
22 with you tonight approximately 80 native women from all
23 over Ontario, native women representing various tribes
24 from the small isolated communities in the far north to
25 the large urban centres in the south here. It was
26 they, upon hearing that these hearings were taking
27 place, requested that I present the following to you
28 here tonight.

29 Our presentation is quite
30 short but it is presented with much sincerity and a

1 | great concern for the future of our native people, our
2 | children, and our children's children.

3 | The Ontario Native Women's
4 | Association at our Second Annual Assembly strongly
5 | support the Dene and Inuit people in their struggle to
6 | maintain their way of life for the present and future
7 | generations. We as native women know and we can see
8 | the result of the past negligent attitudes and
9 | performances by political and industrial interests who
10 | continually ignore the feelings and values of native
11 | people, and especially our environment.

12 | Traditionally we have been
13 | taught by our native elders that land is not to be
14 | owned, bought or sold. Land is our mother earth, and
15 | here for the use and respect of all human beings. For
16 | without this respect for mother earth and her children,
17 | how can we all as human beings survive? Therefore we
18 | strongly reject the claim that corporations can buy and
19 | own our mother earth, as it is against our basic
20 | spiritual beliefs.

21 | We shall no longer remain
22 | silent when our native culture is at stake. You
23 | continue to destroy mother, earth and you destroy all
24 | living things created by a Great Spirit, Manitou.

25 | To further support our
26 | statement that I just made, we will be submitting a
27 | more detailed brief in the very near future.

28 | In closing I would just like
29 | to say that we thank you on behalf of all the native
30 | women that are here in the building for the opportunity

1 | to make this presentation to you here tonight.

2 | Thank you, Mr. Commissioner.

3 | WITNESS THOMSON: I would
4 | like to congratulate Jeanette. She also is our vice-
5 | president of the Native Women's Association of Canada
6 | and I might say she always has a good speech prepared.

7 | Good evening, Mr. Justice
8 | Berger, people of Canada; on behalf of the Native
9 | Women's Association of Canada we would like to state we
10 | are concerned about the development of Northern Canada
11 | and especially in the area of the pipeline. It
12 | involves the preservation of all native peoples'
13 | lifestyles.

14 | I also have a particular
15 | interest having been born in Fort McMurray where the
16 | oil sands have been developed, and now I reside in the
17 | Yukon, so now that's my priority and that's my cause.
18 | We, as the Native Women's organization are concerned
19 | about the inclusion of native people's historical
20 | ownership and heritage, especially as what may happen
21 | in the north may serve as a precedent on how the
22 | Canadian Government negotiates with the people, the
23 | native people in Southern Canada.

24 | There must be more than a
25 | tokenism towards all these concerns. Therefore the
26 | Government of Canada and the Canadian people must start
27 | recognizing the people of Indian and Inuit or Eskimo
28 | ancestry as equal to all other cultures. We as native
29 | people know this, but many Canadian people haven't
30 | recognized it, and we want to sensitize the Canadian

1 public as well as have a hearing in this Berger
2 Commission. We want equal recognition, equal
3 opportunities, in the economic, political, social and
4 cultural development of this great land, that once
5 belonged to our forefathers. Recognition must be given
6 to all native organizations. We as native
7 organizations must not be influenced by vague promises
8 made by large corporations. We must also be aware of
9 the commitment by all levels of government. In this
10 light, native organizations must become unified in
11 their efforts. I'd like to direct this particularly to
12 the native people in Northern Canada. We as native
13 people cannot afford to be divided by anyone,
14 regardless. We must put personal feelings aside. When
15 native people recognize the natural leadership within
16 their own organizations land see the leaders are
17 dedicated for the good of their Indian or Inuit
18 peoples, they must not put them down.

19 Native Women's Association
20 of Canada is concerned for the northern native
21 womens' involvement in the issues of northern
22 development, especially towards future policies,
23 legislation and all areas of life. This includes
24 land, health, housing, education, employment, to
25 name a few. Native women are developing leadership
26 and are establishing a credibility of their own. In
27 the past years we have been looked upon as a second-
28 class citizen being doubly disadvantaged, first as a
29 woman and secondly as native, She is the lowest on
30 the totem pole.

1 We as native women must
2 become involved for our own sake in a political arena
3 if

4 The native woman is the
5 preserver of traditional Indian-Inuit cultures and at
6 the same time has to help her family choose the
7 important values of Canadian life as it is today. This
8 is, to me, our challenge. We have an expertise of our
9 own, and as Canadians to also recognize this.

10 I would like to read out we
11 just attended a Standing Committee on Indian Affairs in
12 Ottawa and made a presentation on the status of Indian
13 women and so on. We understand further that Canada
14 last week signed and ratified the International
15 Covenants on Human Rights, and this Act will allow
16 Canadians to have legal recourse to justice in all
17 areas affecting political, civic, economic, social and
18 cultural rights. In this light we would like to see
19 the government's international action translated into
20 domestic policies to alleviate the double standard of
21 treatment of native women.

22 As it stands, Indian women D
23 have ho guaranteed Indian rights and they have no
24 avenue to which to address their grievances. We made
25 six recommendations, and we were well received by the
26 government, and I think we just got our foot in the
27 door, so to speak.

28 Then to finally state, we
29 would like recognition, equality, commitment, and
30 action on behalf of all concerns of native peoples in

1 | the north especially, and also Southern Canada. We
2 | appeal to the people of Canada for you are in effect
3 | the government, and to support our native peoples'
4 | concerns which we don't want to see develop into a
5 | crisis situation.

6 | Thank you.

7 | (WITNESSES ASIDE)

8 | MR. ROLAND: Sir, the next S
9 | presentation is by Mr. Hans Fronius, of Outreach &
10 | Action Committee, St. Matthews United Church.

11 |

12 | HANS FRONIUS sworn:

13 | THE WITNESS: Good evening,
14 | Mr. Commissioner. My name is Hans Fronius. I'm the
15 | intern minister of St. Matthews United Church, a
16 | congregation of 800 people here in Downtown Toronto.
17 | I'm submitting this brief on behalf of the Outreach &
18 | Action Committee.

19 | Prime Minister Pierre Elliot
20 | Trudeau has stated that a society is judged by the
21 | manner in which it treats its minority groups. Canada,
22 | a country that has repeatedly affirmed its belief in
23 | the principle of multiculturalism, has 1. been put to
24 | the test as never before. By means of the proposed
25 | Mackenzie Valley Pipeline and their resultant land
26 | claims, the native peoples of Canada today are
27 | challenging our system of justice, our concept of
28 | development, and the rights of a people to self-
29 | determination.

30 | Our country is not a

1 homogeneous one, but a rich mosaic of peoples of various
2 heritages, cultures and values. St. Matthews United
3 Church is located in a community that boasts the
4 existence of 58 different nationalities within its
5 boundaries. Historically our community has been a
6 receiving area for wave upon wave of newly arrived
7 immigrant groups. Therefore, we can say from first-hand
8 I experience that the influx of various ethnic groups
9 into our country has not only enriched our society but
10 also broadened our understanding of a variety of
11 cultures with their differing value-systems, lifestyles,
12 and world views. We have in Canada benefited from
13 opening our doors to people from other countries. We
14 should welcome and treat our own native peoples with no
15 less consideration than our immigrant groups. It is of
16 major importance then, that if we strongly believe in
17 the principle of multi-culturalism, we must firmly
18 support the struggle of our native peoples faced with
19 the possibility of cultural extinction.

20 As a Christian church, and as
21 citizens of this country, we feel we must make our
22 position clear. A loss of our native peoples'
23 distinctive culture and lifestyle due to economic
24 expediency threatens the whole fabric of our society
25 and its belief in multi-culturalism and justice. We
26 believe that the native peoples should have a
27 determining voice over any future resource development
28 because they are the ones most affected by it, and must
29 live with its consequences. We believe, too, that this
30 will ensure that any future resource development will

1 | be in their best interests and so enhance their
2 | cultural survival and thus strengthen the great mosaic
3 | fabric of our Canadian society.

4 | The reason for this point of
5 | view is straightforward. Land represents life itself
6 | for the native peoples. It is the key to their social,
7 | cultural and economic well-being. Governments and
8 | corporations have demonstrated repeatedly that their
9 | 311 concepts of land and stewardships conflict with
10 | those of the native peoples. In some parts of Canada
11 | ready the ecological well-being of the land and
12 | consequently the cultural survival of the native
13 | peoples have been threatened. For the above reasons we
14 | believe that the native peoples have a right to
15 | determine future northern resource development, not
16 | only because they are its inhabitants and will be so
17 | long after the potential reserves have been exhausted,
18 | but also because their concept of development implies an
19 | ethical dimension which presupposes a concern for human
20 | values. Development means more than the economic
21 | exploitation of resources; but a total social process
22 | which includes economic, ecological, social, political
23 | and cultural factors. The native peoples are
24 | challenging Southern Canadians to think of the north
25 | not just as an area to be exploited for its resources,
26 | but as the home of a distinctive people. It is our
27 | understanding that the native peoples are not against
28 | development per se. They are in favor of the kind of
29 | development that will benefit and enrich the total
30 | society. They are opposed to that kind of development

1 | that ignores the ecological and social costs in order
2 | to satisfy the interests of corporations operating
3 | under a different set of values and goals.

4 | We are not under any
5 | illusion that the native peoples of Canada have had
6 | and will continue to have the most difficulty
7 | assimilating 411 into our Canadian society. They
8 | have been consistently at the bottom of the
9 | socioeconomic ladder in this country. We hope and
10 | pray that a just settlement of their land claims will
11 | go a long way in giving these people a share in the
12 | decision-making process that affects their land and
13 | their survival as a people. We believe that the
14 | native peoples themselves are the best ones to
15 | determine the future destiny of the north their
16 | homeland. Therefore as a congregation within the
17 | United Church we strongly stand behind the official
18 | policy of the United Church of Canada in calling for
19 | a moratorium on major resource development projects,
20 | such as the Mackenzie Natural Gas Pipeline, until the
21 | native land claims are justly settled the Courts of
22 | our land.

23 | In conclusion, let it be o
24 | emphasized that in the overall debate over the
25 | construction of the Mackenzie Valley Pipeline and all
26 | its implications, the future of the native peoples and
27 | the viability of their culture is of the utmost
28 | importance. We would insist that sufficient time be
29 | granted so that a fair and knowledgeable decision is
30 | reached, rooted in justice, not political or economic

1 | expediency. In summary then, let me stress the
2 | following points:

3 | (1) Our believe in a multi-culturalistic Canadian
4 | society propels us to guard against the cultural
5 | extinction of any ethnic group. We believe that
6 | northern resource development poses such a threat to
7 | our northern native peoples at this time.

8 | (2) The native peoples should have a determining voice
9 | over any future northern resource development.

10 | (3) We call for a moratorium on major resource
11 | development projects until further studies are done to
12 | determine their environmental and social impact on
13 | native society and until the native land claims are
14 | settled in our Courts.

15 | Let me just add that on
16 | behalf of myself and the congregation at St. Matthews,
17 | we think you've done a terrific job and we're very
18 | grateful to you for making your Inquiry so accessible
19 | to Canadians across this country. Thank you very much.

20 | (SUBMISSION BY OUTREACH & ACTION COMMITTEE OF ST.
21 | MATTHEWS UNITED CHURCH H. FRONIUS MARKED EXHIBIT
22 | C-499)

23 | (WITNESS ASIDE)

24 | MR. ROLAND: Sir, we have
25 | just a few short presentations left. Jumping around a
26 | bit I'd like to call Mr. Martin Pick of Otto Pick &
27 | Sons Seeds Limited o Richmond Hill, and Mr. Tom Anders
28 | of Tib Szego Association Limited, Mr. Anders may want
29 | to correct my pronunciation.

30 |

1 TOM ANDERS, MARTIN PICK,
2 sworn:

3 WITNESS PICK: Mr. Berger, I
4 think you'll find this presentation somewhat less
5 philosophical and attempting more to deal with one of
6 the specific and pragmatic problems that you touched on
7 in some of your intermediate remarks just before the
8 break. We are very pleased to hear your reference to
9 the research work that has been done by the various
10 consortiums involved in presenting the industrial side
11 of the case.

12 I was also pleased to hear
13 some of the references by some of the other presenters
14 of briefs here tonight about their concern for the
15 environment, and particularly the natural conditions
16 which they are attempting to protect. This
17 presentation, sir, is a joint effort by Tib Szego
18 Associates and Otto Pick & Sons Seeds Limited, which
19 are two wholly Canadian owned seed companies with
20 rather diverse roles in the seed segment of Canada's
21 agricultural industry. Perhaps we should say a few
22 words here about the companies we represent and
23 our connection with the proposed Mackenzie Valley
24 Pipeline.

25 Otto Pick & Sons Seeds Ltd.
26 are dealers of clover, grass and hybrid corn seed, and
27 are engaged in wholesale, retail and export operations
28 with plants at various locations in Ontario, Manitoba,
29 and the Province of Quebec, and also an affiliated,
30 company, Pickseed West Inc., located in the Lamath

1 Valley, Oregon. Some of the seeds which H Pick's
2 market are produced especially for them by seed growers
3 located principally in Western Canada.

4 Tib Szego Associates Ltd. of
5 Lindsay, Ontario, are seed brokers as well as
6 consultants serving the seed industry in North America
7 and abroad. Szego's clients are major wholesalers of
8 clover and grass seeds, who are assisted by Szego in
9 securing their needs and/or in disposing of surpluses.
10 Szego's are involved also in so-called seed
11 multiplication agreements where seed companies arrange
12 to have special kinds or special varieties of seeds
13 planted and grown to meet specific needs.

14 Briefly, that is the
15 background of the two companies making this submission.

16 You might ask what does
17 Arctic Gas have to do with the seed industry?

18 For a number of years, as
19 you've mentioned earlier, scientists have been
20 experimenting in the Mackenzie Delta region and some
21 of these experiments have been conducted on different
22 species and varieties of grasses and legumes to
23 determine their suitability for revegetation. In
24 other words, they are looking for plants that were
25 capable of growing and providing perennial and
26 persistent vegetative cover on the fragile Arctic
27 land disturbed by traffic or construction. These
28 experiments were conducted both by the Department of
29 Indian Northern Affairs and by Arctic Gas, and we
30 understand that these results and findings have

1 an extremely winterhardy and persistent cultivar of the
2 bluegrass family. It was selected and developed by the
3 United States Department of Agriculture Research
4 Station located at Palmer, Alaska. The original plants
5 were selected at the old gold mining community of Hope,
6 and were found growing on the seashore. Pick seed West
7 Inc., an associated firm of the principals, negotiated
8 production and marketing rights to the variety in 1970
9 with the Alaska Crop Improvement Association. Reliable
10 seed production of Nugget has now been established in
11 Manitoba and Northern Minnesota, areas which closely
12 approximate Southern Alaska growing conditions in terms
13 of day length and climate in the arable sea-growing
14 areas. This variety has been identified by recognized
15 authorities, such as Dr. Jams; Beard, formerly of
16 Michigan State University, and currently at Texas A. &
17 N., as being one of the most hardy and persistent
18 varieties of the specie.

19 Engmo timothy is a variety
20 developed in Norway from landrace collections made in
21 mountain meadows in Troms County. In Alaskan tests it
22 has exhibited superior winter hardiness. It is a
23 vigorous strain well suited to northern climates.
24 Again seed production has been contracted in Central
25 Manitoba.

26 Arctared creeping red fescue
27 originates from a single plant collected in 1957 in the
28 Matanuska Valley, near Palmer, Alaska. In the
29 reference handbook,
30 "Grass Varieties in the United States, "

1 it is described as follows:
2 "Outstanding winter hardiness surviving without
3 injury when all introduced varieties were damaged
4 very seriously or completely eliminated."
5 The principal companies have contracted seed production
6 with growers in both the Peace River areas of Alberta and
7 British Columbia, and in the United States State of
8 Oregon. Because of the unique persistent and winterhardy
9 characteristics of the variety, it unfortunately exhibits
10 difficulty in seed-setting; however, by contracting
11 production over a broader area we have been able to
12 successfully accumulate and produce seed.
13 Another most interesting
14 specie, meadow foxtail, has been contracted for
15 production by Arctic Gas. The outstanding feature of
16 meadow foxtail is its very rapid establishment and rapid
17 growth in short growing seasons. It is particularly
18 well-adapted at high altitudes and northern latitudes
19 and tolerates extremely wet ground. Seed production of
20 this species is very difficult because of its easy
21 shattering tendency. This production has been
22 contracted with Messrs. Cottingham Brothers of Teulon,
23 Manitoba, who are possibly the leading and most
24 experienced seed growers in that province.
25 We have gone into this
26 description of some of the technical problems to
27 underscore the uniqueness of the seed species required
28 to adequately revegetate the disturbed areas. With the
29 exception of only a few items, this seed is being
30 produced specifically for the use on the proposed

1 project. Additionally, none of the species being
2 produced are simple or straightforward in terms of seed
3 production. They exhibit difficult characteristics in
4 terms of production, availability, or usage patterns
5 However, because they possess the necessary and
6 desirable characteristics for their end usage, Arctic
7 Gas has recognized the need to collaborate with
8 progressive seed growers and companies and tackle the
9 technical problems required to successfully produce
10 their seed supplies.

11 Otto Pick & Sons Seeds Ltd.
12 have been able to meet many of the demands
13 established by Arctic Gas. Otto Pick & Sons Seeds
14 Ltd. have a reserve of experience and expertise on
15 which to draw to tackle these problems. In Canada,
16 the company has many years experience in supplying
17 seed to organizations and corporations associated
18 with reclamation and revegetation problems. Many
19 corporations in the mining industries in Northern
20 Ontario and Quebec are counted amongst our clientele.
21 In all cases, we have worked closely with these
22 corporations not only as purveyors of seed, but we
23 have also served them in a consultancy like capacity.
24 While we are not acquainted with the specific
25 problems of Arctic revegetation in the Mackenzie
26 Valley in particular, we feel that the experience we
27 have gained in our relationships with other
28 reclamation projects can serve Arctic Gas and
29 ourselves in good stead in identifying problems and
30 supply decisions for such a complex project.

1 | Because building of the
2 | pipeline has been postponed and delayed beyond the
3 | original expectations of Arctic Gas, some of the grass
4 | seeds procured specifically for the Mackenzie Valley
5 | had to be resold, Commitments have been made, however,
6 | to provide the project with fresh viable seeds through
7 | to 1981.

8 | At this time we would like to
9 | take the opportunity to change the direction of our
10 | presentation. We are certain the Commission is
11 | interested in the technical problems besetting the
12 | Mackenzie Valley proposal. From media reports, however,
13 | and some of your opening comments, we are certain too the
14 | Commission is also interested in the opinions and
15 | observations of the people of Canada to this project.

16 | We are constantly made aware of
17 | articles in the media, on television, and in and as
18 | witnessed here, personal discussions, concerning the
19 | energy crisis. We are exhorted by the Minister of
20 | Transport to drive smaller cars, turn down our
21 | thermostats, and be prepared to make many other
22 | sacrifices. Little, however, has been said outside of
23 | the agricultural press on the effect of energy to
24 | agriculture and the food machine of North America, and
25 | indeed the world. We can live with smaller cars, cooler
26 | homes and fewer lights.. However, we are all dependent
27 | on the fragile food chain which exists in North America.
28 | In fairness to the media we should mention there has been
29 | considerable reporting on the lack of food surpluses
30 | which now will exist on a global basis. I believe in the

1 last reference this was less than 100 days.

2 Probably no element is more
3 critical to an efficient food production chain than
4 natural gas, for natural gas is the key to the
5 production of nitrogen fertilizer and nitrogen
6 fertilizer is the key to production of food. An acre of
7 corn, an acre of grass seed, an acre of barley, -most
8 require at least 100 pounds of actual nitrogen for
9 successful crop production. Production of a ton of
10 nitrogen fertilizer requires many thousand cubic feet of
11 natural gas. Some researchers have criticized 20th
12 century agriculture as being wasteful of fossil fuels.
13 However, in a recent summary of many of these energy
14 oriented agricultural discussions it was concluded that
15 20th century agriculture maintains an efficient 16
16 conversion ratio of fuel kilo calories to food kilo-
17 calories.

18 Agriculturists are objectives
19 oriented people. We know with the tools we can produce
20 food. We know too that people whether they live in the
21 Golden Horseshoe of Ontario here or in the great
22 northern regions of the Arctic, need food. We
23 recognize the political considerations and
24 deliberations which must be made in the pursuit of
25 equality and justice, as is witnessed by this
26 Commission. We recognize too, though, that a hungry
27 world is a most dangerous world.

28 The north has gas, but unless
29 it is converted into useful products it is useless to
30 the north. The south has the lands and the ability to

1 | make this conversion, but without the gas the land and
2 | the abilities will become useless too. We each
3 | recognize the objectives we are trying to achieve. Our
4 | modest role in helping to overcome some of the obstacles
5 | in the path of these objectives is a challenging one, as
6 | must be that of every individual involved in the
7 | project. It is the challenge of obstacles, however,
8 | which has led pioneers to Canada and made it the great
9 | country it is today, and it is this challenge of
10 | obstacles facing us today which will maintain Canada's
11 | greatness.

12 | Thank you very much, sir.

13 | (WITNESSES ASIDE)

14 | MR. ROLAND: The next
15 | witness, sir, is Miss Linda Pim,

16 | THE COMMISSIONER: Mr. Roland
17 | you might see if any of the participants want to make a
18 | closing statement.

19 |
20 | MISS LINDA PIM, sworn:

21 | THE WITNESS: Justice Berger,
22 | although I am only speaking for myself, I believe that
23 | I am speaking also for a significant group of nonnative
24 | southern Canadians with a deep concern for justice in
25 | affairs between native people and government. It is
26 | not my fault or your fault that Canada's native people,
27 | are in the precarious and unenviable position they hold
28 | today. Our ancestors made the worst of the mistakes
29 | and we have inherited them.

30 | Although we may not be

1 directly guilty, I think we are responsible. We have an
2 obligation to right past and present wrongs. The
3 Federal Government is about to be given an excellent
4 opportunity to demonstrate its willingness to do just
5 this, namely over the issue of industrial development in
6 the Northwest Territories. If the decision on the
7 Beaufort Sea oil drilling is any indication of what to
8 expect in the future, I am not at all optimistic. Over
9 50% of Canada's land mass consists of territory where
10 bona fide treaties were never negotiated, and hence
11 where aboriginal rights have never been officially
12 extinguished. The validity of Treaties and covering
13 large parts of the Northwest Territories leave in
14 considerable doubt, according to Justice William
15 Morrow. Therefore it would appear to me the Federal
16 Government has no justifiable right to make unilateral
17 decisions regarding land use and industrial development
18 in the Northwest Territories.

19 The Dene nation and Inuit
20 have a definite moral claim, if not also a valid legal
21 claim to a large part of the Northwest Territories. It
22 is my understanding that native people in the north are
23 not opposed to development per se, but they are opposed
24 to development in which they are denied an active
25 part. The latter situation is precisely what happened
26 in Quebec, Many Cree and Inuit there had almost no-
27 knowledge of the James Bay power project until the
28 bulldozers rolled in. It is clear why northern natives
29 do not want the Quebec settlement to set a precedent.
30 They have an indisputable right to have their land

1 title formalized, not taken away in return for monetary
2 compensation. They have an indisputable right to a
3 majority share in the royalties resulting from the
4 extraction of natural resources.

5 Democratic government is
6 intended to be aimed at the good of the governed, with
7 the participation of the governed in the decision-
8 making process. Any government approval for a major
9 northern development scheme, most notably the proposed
10 Mackenzie Valley Pipeline, without settlement of land
11 claims to the satisfaction of the native people
12 affected is the antithesis of democratic government, it
13 is utter tyranny.

14 Approval of either of the
15 two applications for the pipeline without serious
16 consideration of the report of this Inquiry would be
17 yet another reason for concerned Canadians to
18 question the credibility and integrity of our Federal
19 Government Self-interested Ottawa bureaucrats cannot
20 be permitted to make third-class citizens out of the
21 races of people that were here hundreds of years
22 before own ancestors. Furthermore, native people
23 must not have their lives manipulated by
24 multinational corporations.

25 The Canadian north is
26 almost certain to be developed at some time in the
27 near or distant future. The question is how it will
28 be developed. At what scale, on what terms, and for
29 whose benefit? If concomitant native land claims
30 are not adequately settled, the history of northern

1 | development will be a tragedy in the fight for
2 | social, economic and political justice for Canada's
3 | original peoples. This is the plea to stop the
4 | colonial imperative. I do not want the
5 | proliferation of the Canadian Fourth World.

6 | Justice Berger, I want to
7 | close with a remark about the direct role of Southern
8 | Canadian consumers in northern development. Many of us
9 | seem to think that this development must take place The
10 | only reason we see it this way is because we assume
11 | that our resource consumption pattern will demand it.
12 | It does not have to demand it. Small is beautiful. We
13 | can learn to enjoy living more simply. Thank you.

14 | (SUBMISSION BY MISS L. PIM MARKED EXHIBIT C-500)

15 | (WITNESS ASIDE)

16 | THE COMMISSIONER: Ladies and
17 | gentlemen, I think the time has come to close our
18 | session this evening. I know some of you haven't had a
19 | chance to be heard, and I regret that, but we have some
20 | briefs to hear tomorrow morning as well and I can
21 | assure you that those of you who have taken the time
22 | and trouble to prepare briefs should not think that
23 | your efforts go unexamined or unappreciated, because we
24 | are examining all of the briefs and we do appreciate
25 | the trouble you have taken to put your thoughts
26 | together about these very important questions

27 | We have heard from a number
28 | of points -- we have heard a number of points of view
29 | expressed tonight and I think that it has been an
30 | interesting and useful evening for all of us. I want

1 to thank you for attending and I want to thank
2 especially those of you who prepared briefs but didn't
3 get an opportunity to present them. We'll try to work
4 in as many people as we can in the morning, but as I
5 said earlier, this is an imperfect world and we simply
6 have to do the best we can.

7 I appreciate the co-operation
8 you have all given to the Inquiry, and I think that
9 your presence itself is as good an indication as any of
10 us would wish of your interest and concern in the
11 problems that we're all going to have to sort out in
12 this Inquiry, You've had an opportunity to participate
13 in the decision-making process insofar as a country of
14 23 million can afford an opportunity to all of its
15 people to participate, in the examination of the future
16 of a river valley and its people and its future, I
17 think that the Government of Canada, notwithstanding
18 some of the things that have been said here today,
19 expected that we would receive this kind of
20 participation in the Inquiry. I know that I expected
21 it, though I may say not in quite the numbers and not
22 with the enthusiasm that happily we have observed.

23 So thank you all again and I
24 think that I -- I think the Inquiry will start at nine
25 in the morning, so the Inquiry will start at nine o'-
26 clock tomorrow morning and we'll hold a hearing until
27 around 11:30 and we'll hear the remainder of the briefs
28 of Ontarians who wish to present them at that time.

29 So thank you and good
30 evening.

1 (PROCEEDINGS ADJOURNED TO MAY 28, 1976)
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