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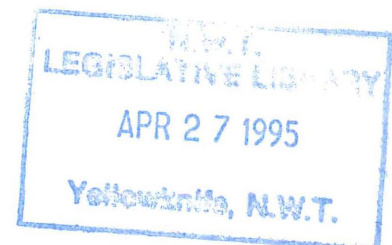
SUBMISSION
TO THE HOUSE OF COMMONS
STANDING COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REGARDING
BILL C-68

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OTTAWA



Mr. Chairman...along with my Legislative Assembly colleagues ...I am here to talk to you today about the very serious concern that many of my constituents – and people across the Northwest Territories – have expressed about Bill C-68.

Before travelling here, I discussed the proposed legislation with several regional leaders among Western Arctic people...and, especially, with many of the elders who share with us the wisdom they have acquired over the years.

And I can assure you, Mr. Chairman, that the people of the North *do understand* the need to address serious problems surrounding violent crime in Southern Canada. We look at the satellite-television broadcasts from larger centres in this country and the United States and...like you...we are shocked and dismayed by the illegal use of firearms for crime.

We understand the feelings that people who live in large, urban centres must have. We understand the reactions of victims who have had loved ones taken from their lives through senseless violence or the inappropriate storage and use of guns. And, we understand the pressure that this situation has created to take some political action...to enact some law...that will address these chilling

features of our modern world.

Mr. Chairman, we *do* understand these things. But, by the same token, we don't know why it is so difficult for other Canadians to *understand our situation!*

For a large part, the people of the Northwest Territories live under conditions that are different from anywhere else in Canada. Our small communities...our aboriginal lifestyle...and our special relationship with the land are all factors that define who we are.

Bill C-68, as it presently exists, will change that...and it will change it in ways that are more significant and far-reaching that I believe most Canadians in the Big Southern Centers can understand.

I mentioned earlier, Mr. Chairman, that I discussed my presentation here with many Dene leaders and elders.

The concern...and the underlying anger...that they have expressed about the impact that this proposed legislation would have on their lives was something I could not miss.

I can recall clearly, one of our most respected elders looking me in the eyes and saying...first, we have been told that we are not to use the trapping methods we grew up with...now, we are having more and more restrictions put on the way that we put food on the table for our families. *What are they trying to do to us? Are they trying to force us on welfare? Are they trying to destroy us?* That's what he said, Mr. Chairman.

Canadians have to understand the role that the responsible use of firearms plays in all facets of our Northern lifestyle, especially for aboriginal people.

Within our culture, we believe that the Creator placed us here on this earth and surrounded us with the animals of the land so that we could survive. And, in return, we are to care for the environment and to behave responsibly with the tools we have been given for that purpose.

And that's the way we have looked at our use of firearms over the years. They are, to us, tools that we use to fulfil our responsibility to feed our family...to bring food to the community...and to protect ourselves from predators when we are on the land or travelling across the mountains or in the bush.

Mr. Chairman, we tend to use different firearms to serve different purposes:

2=22 for hunting small game such as chicken, rabbits, beaver, ducks, geese

1=30x30 big game such as moose, woodland caribou, barrenland caribou, bear

1=300 savage

1=30-06 bolt action

1=30-06 semi-auto gift with a 3 shot clip

1=12 gauge shot gun for ducks and geese

4/0 for chicken and rabbit

These guns are used by the whole family: myself, my wife, 2 sons and 1 daughter. Our firearms, in this way, are like the "tools" we use to ensure our subsistence.

But, they are also more than that. I know that, after I served as the Chief of the ^{Lidle} Lidle Koe First Nation for 13 years, my people asked me to serve as their Member of the Legislative Assembly. When I resigned as Chief, the Dene of Fort Simpson honoured me with a feast and...at that time...they presented me with a rifle as a gift.

To me...to them...that gift symbolized more than just a gun. It was a

statement about what is important in our culture...it was a statement about my own continuing responsibilities as a "provider" for my community. It was an honourable thing.

And I remember when the Agreement-in-Principle was initialed of the comprehensive claim, the federal Minister of the day honoured the aboriginal leaders involved in the negotiation with the gift of a firearm.

Mr. Chairman, the elder about whom I spoke a few moments ago told me last week that he presently owns twenty-two rifles. He shot his first moose when he was 12 years old. To him, those rifles are not a "gun collection". To him they are valued possessions that were left to him by other elders and loved ones who have passed away. Someday, he will...in turn...leave them to his own children and grandchildren - and they will remember his teachings and the teachings of those who have gone before him. He wonders why other Canadians can't understand why this is so important to us.

For that honourable old-man to have to take a written test to use...to keep...the rifles that mean those things...is an insult!

The way we live in our traditional aboriginal communities is different from the way you live in Southern Canada, Mr. Chairman. We do not use application forms...and registration certificates...and training curricula...in the same way.

We existed for centuries, in our Northern communities, without having to write down regulations in a *Gazette*....without having to apply, in triplicate, for permission to do something...and without "criminalizing" various aspects of our subsistence.

To try to impose those things, now, will erode the very foundations of who we are. That is what the people I talked to want other Canadians to realize.

For you, Mr. Chairman, it makes sense to have "age limits" that determine when someone can begin to use their firearms. *For us*, we know when a young person is ready. My mom gave me my first .22 when I was 15...because that is when she knew I was old enough to be trusted with it. I hunted rabbit and ducks with that rifle...and I learned the value of putting food on the table and sharing it with others in my community.

There is a woman in Fort Simpson who knows that her grandchildren and her nephews are old enough to own a firearm when they become as tall as she is. That is how we have decided these things...not with a law that establishes mandatory age requirements.

For you, Mr. Chairman, it may make sense to place strict limits on the "sharing" of firearms. *For us*, it doesn't. What would you have me do when my brother, Gerry...the Grand Chief of the Deh Cho First Nation Council...tells me that there are caribou nearby and that he needs my .300 Savage to bring some meat for his family? Do I refuse? Do I tell him that he must first wait for the appropriate forms to be processed? Do I tell him that our uncles...our elders...were wrong because they loaned firearms to use when *we* needed to hunt food? Do I tell him he should go to the store and buy packaged meat from an Edmonton slaughterhouse, instead of harvesting the gifts of the Creator placed on the land for us to use? Do I behave in the "honourable way" and let him use my rifle...and then have the RCMP and the Courts say that I am a "criminal" because I offended your Bill C-68?

Mr. Chairman, *you* will never have to face those kinds of questions. *Your constituents* will never have to face them either. But with Bill C-68, I *will* have

to face them. And so will the Dene, Metis and Inuit whom I represent. Why can other Canadians not understand that?

For you, Mr. Chairman, it makes sense to create very specific restrictions requiring the locked storage of all firearms. But, that is because you don't know what it will be like to be fiddling with a key to a metal case...when you are within 100 yards of a grizzly bear. *For me*, that is a very real risk each time I go into the mountains and hunt in the same places my ancestors have hunted. In the Springtime...in the remote mountains of the Deh Cho...when on the land hunting for food -- caribou, moose, bear, beaver, chicken, ducks, geese, etc...you always have to be ready.

Mr. Chairman, the use of firearms *is* a fundamental feature of our traditional life as a Dene. We want you to understand that.

Now, I know that some people have suggested that this is not the case...because firearms were brought to our culture by the Europeans. They would tell you that the "traditional" hunting was done with bows and arrows...or spears.

I'll address that right up-front...and I'll tell you that it is a ridiculous statement.

When we hunt, the important thing in our tradition is *not* what we use to end the animal's life. It is the way we track the animal...it is the way we respect it by killing it quickly and using every part of the animal for food and clothing. For example, when we shoot a moose we use the meat (the head, the liver, the heart, the stomach, and the guts) for food...it is also the way we share the meat with our entire family and with all the people of our community...and it is the way we pass those values along to our descendants. Once we get a moose or caribou, we thank the Creator. That's what we mean by "traditional hunting". And, using a firearm to achieve those outcomes *is* every bit as much a part of our tradition.

In fact, Mr. Chairman, I don't need to remind you that we signed treaties in 1921 which guaranteed that our aboriginal lifestyle would be upheld and protected by the fiduciary role that the Crown offered to undertake. And...at that time..firearms *were* a part of that lifestyle -- *and they had been part of our lifestyle for over a hundred years!*

So, if someone comes before your Committee and tells you that "hunting with firearms is not a traditional part of the aboriginal way-of-life"...I would ask *you* to tell him that he doesn't know what he's talking about. Tell him to come to the Northwest Territories and find out the truth, before he begins to express opinions that are basically unfounded and untrue.

Mr. Chairman, it is not within our tradition to depend on the state. We have been angered...many times...by statements to the effect that "Indian people only look for government hand-outs". That is wrong.

But, I will tell you, that if our ability to engage in subsistence hunting is eroded, there *will* be implications for the way our communities are able to support themselves.

And...here I will speak from my perspective as the Chairperson for our legislature's Standing Committee on Finance...we have known for many years that the "domestic harvest" has been a significant factor in reducing Social Assistance costs in our jurisdiction...and also that funds for sharing in the administration of registration and enforcement systems are just not readily apparent. I wonder what consideration has...or will...be given to the economic

factors associated with this legislative initiative.

Mr. Chairman, I will close by again stating that we understand the necessity for legislation aimed at reducing risks associated with illegal firearm use.

But, I would ask your Committee to understand our concerns...and to ensure that the bill is amended to make it more compatible with regional variation. Such an approach would allow the achievement of the "firearms control" benefits you are seeking...while safeguarding the principles held in high esteem by the people I represent.

Thank you for your consideration.

Mahsi Cho.