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YELLOWKNIFE 1993

Aboriginal Peoples in the Capital of the NWT

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A Study Report Prepared

By the Yellowknives Dene Band

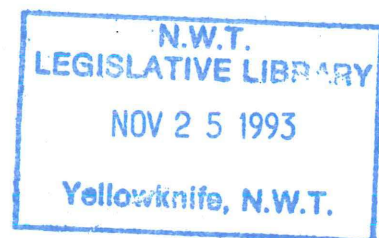
As an Urban Lands Case Study

For

The Royal Commission on Aboriginal Peoples

FINAL REPORT

SEPTEMBER 1993



YELLOWKNIFE URBAN LANDS CASE STUDY FINDINGS

The findings of this study, in brief, are all related to the lack of clarity regarding land and jurisdictional issues in and around Yellowknife.

The historical background of the Dene generally has been neglected in the local public record. Of particular relevance is the fact that it is largely unknown to the southern Canadians who come to Yellowknife to work as public servants and, in that capacity, make decisions that affect the lives of aboriginal peoples here. The aboriginal communities in Yellowknife are not recognised as such except by themselves; public administrations prefer to designate "communities" by physical locations rather than by groups of inter-related people. Certain historical incidents seem to have been suppressed from the public record, namely the deaths of Dene children on Latham Island from water contaminated with arsenic from Giant mine in 1949 to 1951, the improper expropriation of Dene and Métis residents from Old Town in 1959-1960, and the further contamination of Back and Yellowknife bays in the 1970s.

Land ownership continues to be unresolved through the failure to settle entitlement from Treaty 8 -- of which the Wuledeh (or Yellowknife River) Dene are clear signatories, despite administrative errors that place them under Treaty 11. An interim federal solution has been the creation of "Indian Affairs Branch lands" to designate the administrative responsibility for land -- but not for the people living on it. Administration for other land, which is based on EuroCanadian land tenure, is informal, since ownership and jurisdictional issues persist. Métis entitlement to land seems to be resisted by administrative officials. Planning for use by municipal and Territorial land administrators is founded on "urban" principles, even for land beyond built-up areas of Yellowknife. City and Territorial planners have competed for responsibility to plan for Ndilq; neither Dene nor Métis have responsibility to undertake planning of any kind for their peoples.

Jurisdictions also compete to plan economic development -- most of which is for government-subsidised construction projects and large-scale nonrenewable resource exploitation, with the expectation of trickle down effects. Only the City and the Métis Development Corporation give some recognition to small-scale development. Efforts to modernise the north as rapidly as possible have had the effect of perpetuating the dependency of aboriginal peoples on government programs. The aboriginal economy receives little support.

Governance is complicated legally, politically, and functionally. Aboriginal councils and the NWT government derive their jurisdiction from federal laws; the Band council and GNWT are administered by the Indian and Northern Affairs ministry. None of them has autonomy at present. The NWT administration has created several laws for local public councils, under which the City of Yellowknife has incorporated as a municipality. Aboriginal self-government is opposed for NWT aboriginal peoples, since constitutional status would grant them a jurisdiction higher than that of the NWT government.

Intergovernmental relations generally are not satisfactory to any party on any issue: all existing public administrative entities would prefer to sustain or improve their current responsibilities and none seems willing to give any up. Current "consultation" practices are inadequate to resolve even minor difficulties: flexible conflict resolution processes are badly needed to arbitrate among entrenched positions and to evaluate arbitrated decisions.

Both Dene and Métis are moving toward negotiations with federal authorities on land and other integral matters. Meanwhile, better approaches are required to meet the socio-cultural, economic, and political needs of aboriginal peoples in Yellowknife: those for whom the area has always been home and those more recently attracted to the NWT capital.



For generations, the Wuledeh Dene camped and fished along this
the Yellowknife River. (Photos taken up the Yellowknife River from
under the road bridge of the Ingraham Trail.)

YELLOWKNIFE 1993:
Aboriginal Peoples in the Capital of the NWT

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YELLOWKNIFE 1993:
Aboriginal Peoples in the Capital of the NWT

SOMBAK'É: CAPITAL OF THE NWT

To some Canadians the capital of the Northwest Territories is the starting point for a vacation in the northern wilderness. Many are surprised to see high-rise office towers and fast-food chains. To some Canadians, the NWT capital is a place where the short warm-weather seasons offer employment in construction when jobs down home have become scarce. To others, Yellowknife is the location of their government posting. Yellowknife, to some of the NWT's 58 000 residents, is that far-away place where most of the decisions are made about their communities. To others, it is the place for fresh beginnings: school, training, job, medical treatment, alcohol counselling, outlets for selling art to tourists. To those who stay home, it is the unfamiliar place where family members have gone for an unknown time to attend school, to be jailed, to be married, to have a baby or an operation, to work, to return to alcohol centres, or to represent their community in some capacity.

Research studies conventionally rely on written records -- most often from public or government sources -- that provides evidence for the analysis and conclusions reached by the reporter. Much of this report conforms with this convention, for it describes the issues surrounding lands and aboriginal peoples in or near Yellowknife through official, mostly archival records. This description is augmented by interviews with people holding positions of authority who present political and administrative concerns of their governments or organisations. Consequently, parts of this report represent the ways of thinking, which some people call the worldview, of the dominant, non-aboriginal Canadian society: that is, the ways of thinking in which issues are divided into specialised areas, and the views of them that are considered most valid are those expressed by experts with appropriate authority. As a result, conventional research generally disregards the views of people who are not regarded

as experts. The researchers for this report are four members of the Yellowknives Dene Band and a non-Dene community development planner working with the Band. We decided that this report ought to include more than the official views about land in this area. Dene elders tell us that where the legislative assembly and other downtown office buildings now stand is where their families used to camp and pick tea and berries. The site of the Giant gold mine and the neighbouring empty pits mark land where people hunted moose. This is Dene ancestral land. As researchers, we regard other aboriginal peoples as experts about patterns that have affected their forms of settlement and lifeways. Consequently, this report includes the views of aboriginal peoples who now live in the Yellowknife area, as well as some of those who have gone. This is part of continuing efforts to show other views of the public record regarding aboriginal peoples.

To the Yellowknives Dene Band, the capital city of the NWT is a place that has grown in the past six decades in their ancestral homelands. The land is home and has been for generations. This land has assumed values other than the spiritual respect of the Dene, resulting in complex and often fierce conflicts. The Yellowknives Dene Band has sanction within Canadian federal law to occupy only three pieces of land, including Trout Rock, west of Yellowknife along the Tucho (Great Slave Lake) shoreline, and two in the environs of the municipality of Yellowknife. These two pieces of land are known to Band members as **Ndilq** (pronounced "Dee-lo[n]" and translated as "tip of the island" [that is, Latham Island: see map 15]) and **T'èhda** (translated as "black point", in reference to the appearance of the land after a fire, and pronounced "Deh-tah"). (See maps 1, 2, 12, and 14.) Many Yellowknife residents know Ndilq as Rainbow Valley, a name given it reportedly by the British monarch who, during a visit in the 1970s, remarked on the multi-coloured paint on homes built by the federal government in 1959. The same paint can still be seen on these homes.

The officially surveyed and invisible boundary across Latham Island sets Ndilq off from the settlement of Yellowknife. This boundary, which a senior administrative official for the City calls "the property line", has been there informally since the 1938 survey of the settlement of Yellowknife (CLRS 1940). It reappeared on subsequent plans, including the survey done at the request of the settlement's Trustee Board in 1951 (see map 16) and the first survey produced by Energy, Mines and Resources in 1961 (Lots 500 and 501, Group 964, EMR plan 50638). The City of Yellowknife official sources refer to Ndilq as "Lot 500". The first official survey plan for T'èhda, also done by Energy, Mines and Resources Canada, appeared in 1963 (Lot 859, Group 964, EMR plan 51512).

The official federal boundaries of these two land areas remain unchanged in 1993.

Both pieces of land are within the invisible boundary of the Commissioner's Land for Yellowknife. Commissioner's Land consists of parcels of land surface for NWT settlements with a non-urban buffer around each one; the Commissioner's Land block transfer to the Government of the Northwest Territories (GNWT) for Yellowknife, shown on map 1, was made in the early 1970s, when the town declared itself a City. Title to Commissioner's Land is retained by the Crown, which administers northern Crown lands through the Territorial Lands Act (1950, as amended). The Ingraham Trail, a highway that crosses the Yellowknife River to recreational activities and pockets of residences, passes through Commissioner's Land and Crown-only land. The present boundary of the municipality of Yellowknife includes part of the Ingraham Trail, the City, and the settlement called Lot 500 -- but not T'èñehda (Municipal Ordinance 1982, RRNWT-122). In the 1960s, the municipal area was reduced; it was reduced again in 1982, so that the present boundary excludes the Dene settlement at T'èñehda.

This situation confuses Dene Band members who stay in different physical locations that have differing, overlapping, and competing jurisdictions administered from offices in downtown (known in Ndilò as "uptown") Yellowknife. Officials in these jurisdictions do not have a consistent perception of the Band as a "community". While some recognise the different physical locations as separate "communities", some public institutions do not; among these are the telephone company and a local association promoting tourism.

In any Canadian place, the telephone directory is a necessary key to essential services and people dear to us. In the NWT telephone directory, Ndilò and T'èñehda do not have, together or separately, telephone listings as distinct communities. The reason cannot be the short length of their telephone listings, since some other places distant from the capital city cover no more than a single page of numbers. The directory lists all NWT communities on page 10: on this list neither Ndilò nor T'èñehda appears, not even with a cross-reference to Yellowknife, although directory users are alerted that Edzo numbers are under Rae-Edzo.

Visitors to Yellowknife are encouraged to stop at the tourist information centre, which presents the town as a centre of northern aboriginal cultures. When our researchers called, the centre had no maps of Ndilò or T'èñehda. A complimentary booklet for tourists about Yellowknife has a photograph on its cover of an unidentified Dene elder at work in the

Ndilq cultural camp (Type Unlimited 1993). Inside, the name of the village is mistranslated as "end of the road" (1993: 10). Further, the booklet describes aboriginal peoples entirely in terms of the past, suggests places for people to visit throughout Yellowknife but excludes Ndilq -- and ironically the cultural camp pictured on the cover -- and offers several pages of "historical information" about local place names drawn from European or southern Canadian sources (1993: 14-18, 34-37). Ndilq is not identified on the map in the booklet (copied for this study as map 13). T'èñehda's location is briefly noted, but is omitted from the description of places to visit outside Yellowknife, such as the Ingraham Trail (1993: 30-33). Overall, aboriginal residents are barely mentioned, as if their presence is merely an attraction for tourism and their cultural pursuits reduced to the enhancement of a tourist's holiday.

By contrast, the 1992 annual report for the City of Yellowknife does not mention aboriginal residents at all, even though they comprise at least 17% of the total population (about 3500-4000 people). Dene who are members of the Yellowknives Dene Band also live uptown in Yellowknife, as do Dene who are members of Bands elsewhere in Denendeh or beyond NWT. Numerous Yellowknife residents whom Indian Affairs had stripped of their Treaty "status" are regaining it, under Bands in this area and elsewhere. Aboriginal people of other cultures also live in Yellowknife, including Inuvialuit and Inuit from the Arctic, and Métis who identify themselves either as descendants of the Yellowknife Dene or as Métis from elsewhere, some of whom have lived in town for 30 or more years. In general, the policy of the City and Territorial governments is to refer to all residents, regardless of their cultural background as "northerners". While in some ways a commendable policy, it may disregard fundamental aspects of the north's -- and Yellowknife's -- First Peoples.

The majority of Yellowknife's approximately 15 000 residents are non-aboriginal people, most of whom work for governments. The blue pages in the NWT telephone directory are substantial, reflecting the presence of government located in the NWT capital. As elsewhere, the telephone numbers are organised by government jurisdiction and according to the organisation of each ministry, rather than by the program or service members of the public might recognise. One of this study's researchers was in a GNWT office one day when a staff person responded to a telephone request for a federal government program; she insisted that the caller could get the number in the telephone directory, then spent the next few minutes becoming increasingly confused herself trying to find it. In the smaller NWT communities, it is easier to identify which of several people might represent programs for different levels of government, but in Yellowknife the presence of all the agencies results in

considerable confusions for members of the public. These experiences are more puzzling for aboriginal people who may speak several languages but are not fluent in the peculiar terminology of government English.

According to census data, aboriginal people represent more than 60% of the total population of the NWT, but in Yellowknife they comprise only 17% of the population (GNWT 1993: 4: June 1991 estimates). The next largest NWT population centre has about 12 000 fewer residents than the capital. The concentration of population in Yellowknife assumes considerable significance, since policy making is devised here for the largest town as well as for the smaller and much less prosperous communities of NWT -- including the community of the Yellowknives Dene Band. This role is assumed by City of Yellowknife officials, as reflected in the "Goals and Objectives" for the 1988 General Plan:

To reflect the role of the City as the Capital of the Northwest Territories, as the focal point for Government and Government Program development and action, for the provision of support services for the Northwest Territories, as the central focus for commercial activity, and the centre from which most daily life activities are influenced or controlled. The City must reflect its central and dominant role in the NorthWest Territories which provides the primary focus for business, employment, government and social activities in the Northwest Territories.

(City of Yellowknife 1988a: G.1.1.8)

The presence of government in Yellowknife is overwhelming. In March 1992, a total of 9262 people in NWT were employed by federal, Territorial, and municipal governments (GNWT 1993: 25), and the majority of them lives and works in Yellowknife. The effects of such government dominance, especially on aboriginal peoples, cannot be underestimated. Yellowknife is no longer the mining town it was established to be; since 1967, the primary employer in Yellowknife has been government.

The City of Yellowknife in its 1988 General Plan was projecting economic diversity and growth for the municipality toward a population of 35 000 (1988a: Goals and Objectives, Municipal Boundaries, G.2). Five years later, population growth has not materialised, development of City land use has not expanded as projected, and the financial restraint throughout Canada has strained efforts to diversify the economy. In 1993, the main employers in Yellowknife have been cutting back, and few other opportunities are available. The completion of the new legislative assembly building marks the last of several major construction projects, office rental space is widely available, and business closures are common. Despite evident challenges for sustaining them in what is a comparatively small population distant from export markets with tiny margins for competition, the Chamber of

Commerce in Yellowknife continues to promote policies for diversification and growth suitable for a conventional market economy:

In a diversifying local economy, the Yellowknife Chamber today reflects all sectors of the business community. Small service businesses, particularly, are taking on a much higher profile. With Yellowknife as home to one-quarter of the N.W.T.'s population, the Chamber properly exerts considerable influence on the development of the larger territorial business environment. (Chamber application form)

The Chamber, like the City, assumes that its role is to influence economic development throughout the NWT, despite the enormous dissimilarities between Yellowknife and the much smaller and less well-off communities elsewhere -- including the aboriginal communities in and around Yellowknife.

As in other places that dominate a region, the residents of Yellowknife represent a range from wealthy and comfortable to poor and uncomfortable. As in other such places, the policies and services that drive opportunities are devised by people in the comfortable parts of the spectrum. And, as in similar places with a substantial aboriginal population, the majority of the residents in the less comfortable parts of the range are Dene and Métis. This finding is not a surprise: it is familiar and widely accepted as if it is the unchangeable status quo. The lack of policy to mitigate the poverty of Canada's aboriginal peoples has been described with monotonous repetition. In Yellowknife, conditions common on southern reserves can be found, as well as conditions common for aboriginal peoples off reserve in towns. At the 1993 NWT Treaty 8 Assembly, the GNWT housing minister acknowledged that homelessness in Yellowknife is a troublesome problem: some people sleep in the lobbies of office buildings and eat from the dumpsters outside apartment buildings. The minister was responding to questions raised by the Yellowknives Dene Band Chief about the razing by City and federal officials of shacks near the municipal landfill site and along highway called the Ingraham Trail that were built by homeless aboriginal people or by hunters (reported by Chief and in media reports). People from all over the NWT decide to come to and to leave the capital for as many reasons as anyone can think up. Why few aboriginal people, for whom this place is not their home, stay or fail to feel welcome is not a concern of the policies of municipal, Territorial, or federal governments.

The promotion of policies for economic growth and modernisation are new to this municipality, whose population if it were in southern Canada would not be sufficient to be

called a "city". Thirty years ago when the population of Yellowknife was just over 3000, a federal report rejected the idea that this small place could become the NWT capital (Bourne 1963: 87, 126). Sixty years ago, the only sign that a non-aboriginal settlement might grow here was the discovery of gold by a surveyor in the bush. The first seven or eight non-Dene who came at this time to this area were told by Chief Joseph Drygeese to leave, and they did so (1993 JUL: interviews with Dene elders). The first log home to appear on Latham Island was built by Pierre Liske, a Dene hunter (1993 AUG: interviews). Sixty years ago, hunting, fishing, and trapping were the dominant ways of living.

Women used to pick berries in the area where the present town is now. The men used to portage to Long Lake to hunt for caribou. We would set up camps to make drymeat and look for berries. This was back in the 1930s, I think, and in the early 1940s.
(JUL 1993: translated interview with Dene elder)

A hundred years ago, the settlement of a Treaty was being urged by missionaries and the Indian Agent, who felt that the federal government had to intervene on behalf of aboriginal peoples who were suffering as a result of the rising numbers of non-aboriginal arrivals in the north. The Yukon gold rush prompted the federal government to establish the Yukon Territory and to hasten the transfer of "ownership" of northern traditional hunting grounds of "Indians" in favour of the Crown.

For hundreds of years before this century, the Wuledeh Dene stayed along the Yellowknife River and in shoreline sites from Old Fort Rae to Gros Cap (see map 2). During summers and winters they fished from these sites. Since at least the 1800s, they have been building their own log homes in these settlements, from which they travelled inland for country meat, ducks, berries, tea, and medicinal plants. At times, they moved across the rock of the land where the dust and snow now swirl along the paved streets between the office towers. At times, they built camps there. At times, they built log cabins near caribou and moose hunting areas, such as Long Lake. These forms of Dene settlement were the first in the place, ironically named for them, that became the capital of the NWT. The Dene call it Sòmbak'è, which means the "money house" or "money place".



Log cabins like this one on Tibbett Lake at the end of the Ingraham Trail, were built by Dene families at lake edges throughout the Yellowknife area.

WHICH TREATY?

Any community of people which has remained together within one area for a long time holds an accumulated memory of the changes that have swept over it. Dene elders hold their community's memory about the waves of non-aboriginal officials who have visited (or, more recently, called), and about the impact to their lives of non-Dene activities and the attempts to regulate or standardise Dene activities. The officials and the policies change through the years -- and each replacement may not be fully informed about earlier events. But elders and younger leaders who have always stayed here remember. This situation is aptly demonstrated by the contrasting versions of Dene and governing officials about the treaties.

As a result of aboriginal political activity since the mid-1960s, detailed research studies have been done of the early meetings between Dene and officials regarding treaties in the NWT. Treaty signatures were solicited by the party of officials consisting of the Indian Agent acting as Treaty Commissioner and later Pay Officer, RCMP officers, local hired interpreters (usually Métis), Catholic bishops of the Oblates of Mary Immaculate (OMI) missions, which had been in the NWT since 1845, with assistance from local fur trade factors. The terms of each Treaty had been prepared in Ottawa for signature by Dene designated as Chiefs or Headmen, few of whom spoke English, the sole language of the Treaty texts. Métis, identified as such by priests or fur trade factors, were offered a piece of land or cash in lieu through a "Half-Breed Commission" described later in this paper.

Many records, oral and written, indicate that substantial negotiating was demanded by aboriginal parties at every stop by the commissioner, and that designated signatories would not sign Treaty 8 until verbal guarantees about hunting and traditional lands had been given to the aboriginal peoples (Fumoleau 1973: 65). In 1920, the Wuledeh (Yellowknife River Dene) signatories of Treaty 8 demanded a revision of the terms. Officials in Ottawa gave Commissioner Conroy strict instructions not to deviate from any terms of Treaty 11 (Fumoleau: 165). Records of these events were documented in research prepared for court cases from 1967 to 1976 by the Indian Brotherhood of the NWT, some anthropologists and lawyers, and Dene volunteers with the Company of Young Canadians.

Research was conducted through interviews with elders and members of the Treaty parties still living, as well as supplementary testimony given during the 1973 *caveat* court

case (*Re Paulette et al.*) brought by Dene Chiefs. An outcome of this case was that Dene and Métis were permitted to pursue a land settlement through the federal comprehensive claims process -- as if treaties had not been signed -- rather than specific claims against existing treaties. Drawing on this testimony and on archival records in the Dene Nation Library/ Archives, the Public Archives of Canada, and the OMI, Father René Fumoleau meticulously chronicled events surrounding the Treaty meetings and aboriginal peoples' understanding of them (Fumoleau 1973). The detailed research was initiated because substantial differences existed between federal officials' and aboriginal elders' recollections of Treaty discussions and verbal guarantees of benefits by officials, as well as supplementary Treaty documents.

According to federal officials, Treaty 8 was signed by Dene in a small area of the NWT south of Great Slave Lake in 1900, the year after the rest of the Treaty 8 signatures had been gathered. And, in 1921 and 1922, the Treaty 11 party secured signatures from Dene in places west of Great Slave Lake and north to the Mackenzie River delta. Interview and court testimony by Dene in 1973 persuaded Mr Justice Morrow that the aboriginal parties at Treaty meetings had not perceived the paper documents nor their terms as land transfers; neither the appellate court nor the Supreme Court of Canada contested this finding, and federal officials as a result changed their claims policy in the NWT (see page 19). Dene recall the Treaty party visits to Denínu (called Fort Resolution) in 1900 and to Bèchokò (called Fort Rae) in 1921. They recall events that produced other Treaty documents and maps that do not seem to have been kept within the federal public record.

Aboriginal people who call themselves "Wuledeh" (Yellowknife River people) and "Tatsonottine" (Yellowknives people), are described by the Indian Agents at Fort Resolution in their reports as "Yellowknife Indians". Conroy, who served as commissioner for both Treaty 8 and Treaty 11, did not differentiate among the Tłı̨ Chò (Dogrib), Deh Cho (Slavey), Chipewyan, or Wuledeh Dene. Elders from among each of these cultural communities, sometimes called tribes, recall that some of their families paddled to Denínu to meet with the Treaty 8 party (Fumoleau 1973: 88-99). Unlike some of the numbered treaties, Treaty 8 makes no attempt to identify Dene hunting bands as "Indian Act Bands" by name or number, likely because reserves were not set aside for the northernmost peoples by the Treaty party. In later records (ie, Indian Affairs 1957), Bands that moved to or near settlements around Tucho (Great Slave Lake) were referred to by letters, so that the Treaty Dene registered in or near Yellowknife became members of the "Yellowknife B Band". Maps printed by the government of Treaty 8 show the Treaty territory entirely south of Tucho.

Conroy, Card, and Bourget (the Indian Agent/doctor from 1923 to 1935) were Treaty Pay Officers for Fort Resolution. In reports of their once-a-year visits, they attempted to identify the travelling Dene families, or hunting bands, by a central place by which they could call people as Indian Act "Bands" (Fumoleau 1973: 230-233). Of particular interest to this study are the Dene the Agents refer to as the "Yellow Knife River" people. Two prominent speakers for these people were named Drygeese, a name borne by family members in Yellowknife and T'èqehda to this day (Fumoleau 1973: 88-99, 125-130). Very clearly, the Dene represented by "Old Drygeese" from "Yellow Knife River", which is north of Great Slave Lake, were participants in the Fort Resolution Treaty 8 discussions.

In 1920, when Indian Agent Card arrived in Fort Resolution to pay out Treaty moneys, he was greeted by Dene expressing dissatisfaction, among other things, about a series of laws passed that prevented them from hunting freely -- as they believed the Treaty commissioner had guaranteed them in 1900. Dene expect verbal agreements to be honoured, in the way that non-Dene expect written legal agreements to be honoured. During the 1920 Treaty discussions, the Wuledeh spokesman was Chief Joseph (called "Josey" written as "Susie") Drygeese. The Dene seem to have grasped for the first time that the government wanted to exchange their land for the Treaty money in 1900; they refused to accept the money offered in 1920 and instead demanded the renegotiation of the Treaty (Fumoleau 1973: 124-130). According to the Dene, a new Treaty was drawn up through the intercession of Oblate Bishop Breynat, along with a map outlining the hunting territory used not only by the Wuledeh but also by the Rae people (Fumoleau: 127-128). According to the testimony of elders, Chief Joseph Drygeese insisted that the terms be written down and translated into his own language, so that he could be certain this time of what the agreement was and could convey this certainty to the elders and other people for whom he was speaking. These terms are vividly and consistently remembered by elders:

"So the Agent wrote down on four sheets, and signed four copies of the paper of what Susie Drygeese said ... Susie Drygeese took one copy, and they gave one copy to the Bishop, and one they were going to leave at the Hudson Bay Company, and one went to the Agent. Susie says, 'So if one copy is lost, we will still have it.' So there were four copies."

(Testimony of Henry (Honoré) Drygeese,
translated and cited in Fumoleau 1973: 129)

Further testimony suggests that the copy Susie Drygeese took of the 1920 Treaty might have been burnt during efforts to stem the 1928 influenza epidemic. None of the other three copies has been located.

The same conditions were demanded during the Treaty 11 meeting with the Dogrib at Rae in 1921: there, Monfwi (called Murphy), the man designated as Chief to sign the Treaty, also demanded that a map of the Dogrib hunting territory be drawn and copies of the map and supplementary documents be attached to the Treaty paper brought by Conroy (Fumoleau 1973: 192-196). Bishop Breynat was also a supportive witness to these events. Likewise, no trace of this map nor the Dene Treaty documents have endured in the public record.

The description of the area covered by the maps demanded by Dene in 1920 and in 1921 are identical: not surprisingly, as the people, who were related, shared traditional hunting lands. In 1923, when the Great Slave Lake Indian Agency was established at Fort Resolution, letters between officials -- including the Agent and doctor, Bourget -- indicate that people in Rae and in "Yellowknife River" were registered under Treaty 11 (Fumoleau 1973: 231, and 258, note 13, referring to a DIAND file in Ottawa, #191/28-3, Vol 1, letter from McLean to RCMP Commissioner dated April 20, 1923, and to Bourget, dated May 4, 1923). This would seem to be a straightforward administrative error: the area covered by each Treaty as described in the official printed versions would place Dene at the "Yellowknife River entrance" (as Bourget said in his 1923 report) within Treaty 11. In fact, they had been receiving Treaty 8 moneys since 1900, and had met with Indian Agent Card in 1920 at Fort Resolution to take Treaty after the terms had been renegotiated to their satisfaction -- the year before Treaty 11 was signed. Bourget himself recommended in 1927 that the Wuledeh no longer receive Treaty payments in their own settlements, but be encouraged to return to Fort Resolution "so they would not lose the little spirit learned by frequenting other people and the Forts" (cited in Fumoleau 1973: 233). While the Indian Agent who was there recognised the connection of the Yellowknife River Dene with Treaty 8, Ottawa administrators continued to place them in Treaty 11 territory. The error persists to the present.

In 1925, Dr Bourget's Treaty report for "Yellowknife River" and Rae noted that: "The chiefs asked me to procure them a copy, for each, of the Treaty passed, as was given them by Mr. Conroy in the passing of the Treaty. They seem to attach great importance to having a copy of that document if at all possible" (cited in Fumoleau 1973: 232). Given the Chiefs' suspicions about Treaty discussions, their wish to be reassured about the actual documents taken to Ottawa does not seem surprising. Bourget may not have known about the events before his arrival. In the early 1950s, Dene elders were still concerned to clarify with federal officials the Wuledeh and Dogrib maps of their hunting territory, and their interpretations of the Treaties as they affected Dene in the Rae and Yellowknife areas.

In speaking about the treaties, Dene to this day say they are "taking Treaty" on the day when the Pay Officer arrives. In the Dene languages, the words for "Treaty" translate as "money is given out" and the words for "Indian Agent" translate as "one who gives out money": in Tłı̨ Cẖò, these are "Samba Nazja" and "Samba Nalle", respectively (Fumoleau 1973: 212-213). (Readers may recall that the Dene name for Yellowknife is Sòmbakè, "money camp".) The legal concepts of the agreement, as in the official printed version of the treaties, were not comprehended by Dene at the time; they were non-Dene concepts that had no equivalence in Dene thinking. The taking of "Treaty" -- that is, of the money -- is still considered by the Dene to be a symbolic gesture reinforcing the nature of the discussions as they saw them: agreements of peace and friendship, in which the Dene were guaranteed the continuation of their way of life.

Reserves for the NWT?

Concerns about the setting aside of land as reserves for Treaty people north of fertile agricultural lands were expressed to authorities in Ottawa by McKenna, one of the Treaty 8 commissioners in 1899; he felt that the size of reserves set aside in the southern prairies would be unsuitable for the northern hunting peoples (cited in Fumoleau 1973: 61-62). In response, Clifford Sifton, the Minister of the Interior who at that time was responsible for Indian Affairs and for the North-West Territories Council, gave the Treaty 8 Commissioners the discretion to permit Bands to select reserves or to hold land in severalty. That is: "any Indian family could have its own small reserve, set apart from those of other families or bands [but] these discretionary powers would assure the best possible bargain for the Government" (Fumoleau 1973: 62). In the NWT, no lands were set aside at Treaty meetings. As noted, aboriginal peoples at every place firmly demanded their right to continue their hunting lifeways on their traditional lands.

For people north of the provinces in the NWT, the early twentieth century brought years of hardship, including epidemics and competition for animals by non-aboriginals. The newcomers competed first for furs and later for food. Policy makers in Ottawa, starting to take some notice of the northern lands, recommended passage of some laws and regulations reportedly to save dwindling wildlife stocks, and others to help assess the potential value of subsurface assets (Quirk 1992, 1993). The earliest surveys of Mackenzie District settlements, such as one for 1908 in Fort Good Hope (more than a decade before a Treaty

gave the Crown title to the land, under Canadian law), bear I.R. (Indian Reserve) numbers. Until the 1990s, when some aboriginal land settlements have been completed, the ownership of lands in and beyond settlements in NWT has remained unresolved.

Land-use conflicts erupted where newcomers overexploited traditional aboriginal hunting territories. One policy response was the creation in 1923 of the "native game preserves", including the Yellowknife preserve (Privy Council order 1862; Hunt 1976). The Yellowknife game preserve boundaries are strikingly like descriptions of the mapped territory the Dene Treaty negotiators demanded for the Yellow Knife River people in 1920 and for the Dogrib of Rae in 1921 (see map 3, Figure 1 in this report). Since the mining town called Yellowknife did not exist in 1923, the Yellowknife Game Preserve must have been named for the Band whose hunting territory it is. Presumably, the federal authority that created the native preserves -- the Advisory Board on Wild Life Protection, a member of which was Duncan Campbell Scott of the Indian Affairs Branch (Gottesman 1983: 74-80) -- had a copy of the Wuledeh and Dogrib maps in 1923.

Three years later, the Advisory Board requested the Privy Council amend this federal Game Act regulation to allow licensed mineral prospectors to hunt for food in "native game preserves". In 1926, a further amendment allowed authorised corporations, new or existing, to be located in these preserves if their "purposes [are] not incompatible with the interests of the natives" (PC 1146). The 1930s gold rush in Yellowknife took prospectors and surveyors into the bush, where they competed for wildlife with Dene hunters. The disease, starvation, and inequitable application of hunting laws among the NWT Dene and Métis were reported by Indian Agents, RCMP, and missionaries; Oblate Bishop Breynat felt profound misgivings about the way government authorities had used his influence to persuade the Dene to sign treaties (Fumoleau 1973: 280-292). During the 1930s especially, Breynat wrote innumerable letters to government and, for additional pressure, articles to the press (see Appendix 1, from Fumoleau 1973). Chiefs too sent letters of complaint to senior authorities in Ottawa, who replied by indicating that situations would be addressed but who seemed not to have conveyed these messages to their field staff (Fumoleau 1973: 292). In 1949, jurisdiction for wild animals and hunting was transferred to the NWT Council: at the time simply a transfer within the Department of Resources and Development; in the next year, the Indian Affairs Branch was moved away to a different ministry. Under pressure from non-aboriginal hunters in 1955, the NWT Council deleted the Yellowknife game preserve (Hunt 1976; see map 3, Figure 2 in this report).

In the 1950s, public pressure and conflicts over "Indian" sites in NWT settlements prompted renewed federal interest in setting aside lands for northern Treaty people. Federal staff expressed concerns about the status of existing lands in NWT settlements, whether they had been "set aside for 'Indians' " or "set aside for the Indian Affairs Branch" (archival memos, Indian Affairs, Ottawa). Elders in Rae and Yellowknife recall meetings in 1951 with federal officials about the map and Treaty obligations their people had discussed in 1920 and 1921. Also in 1951, government officials were seriously planning a reserve for Yellowknife (see next section). No action was taken on either. On 1956 NOV 13, the Indian Affairs Branch director sent this memo to the Citizenship and Immigration deputy minister:

Re. Indian Reserves in the Northwest Territories

On June 27th and July 17th, 1922, Treaty No. 11 was negotiated with the Indians occupying the territory north of the 60th parallel and along the McKenzie River to the Arctic Ocean.

One of the terms of the Treaty provided that Her Majesty agreed to set aside Reserves for each band of the Indians adhering to the treaty, the same not to exceed in all one square mile for each family of five or in that proportion for larger or smaller families. To date no Reserves have been established in the Northwest Territories, although the creation of reserves has been considered from time to time. The geography of the Territories and the nomadic habits of the bands are such that the establishment of Reserves such as exist in other parts of Canada is not considered practical. Reserves hardly meet the needs of the Indians who depend on hunting, fishing and trapping for their livelihood.

In certain areas lands required by the Indians for housing sites have been taken care of with the cooperation of the Department of Northern Affairs and National Resources who have reserved from sale or settlement the small parcels or groups of lots in surveyed settlements for the exclusive use of the Indians so long as required. Housing assistance has been provided by the Branch and, in addition, freezer plants have been constructed in several locations.

- [page] 2 [of memo]-

Nevertheless, the question of providing Reserves and fulfilling Treaty obligations in that connection is brought up by the Indians from time to time and has been discussed with the Northwest Territories Administration. **The attitude of the Administration is that they have no objection to small areas being made available for Indian use but they are opposed to establishing large Indian Reserves.** While I am inclined to agree with this attitude, we are still faced with the problem of an obligation to the Indians under the terms of Treaty No. 11.

The Fort Simpson Slave Band Council considered the problem at a meeting held on June 25th last, and at that time suggested that the Department should consider a cash settlement with each band in lieu of land entitlement, the monies to be considered as a Band Fund. This suggestion has been considered in the past and it seems to have merit. However, the manner in which cash settlement might be reached is a subject that requires detailed study and, of course, the consent of all the Indians who were a party to the Treaty.

It is our opinion that the Department of Northern Affairs and National Resources are responsible for fulfilling land entitlement under the Treaty and likewise should provide the monies required for a cash settlement in lieu of land. It is, there-

fore, recommended that the Department of Northern Affairs and National Resources be approached on the subject. If you agree with the general principle of a cash settlement in lieu of Reserves, a letter will be prepared for your signature to the Deputy Minister of the Department of Northern Affairs and National Resources, for purposes of arranging discussions between appropriate officials of each Department.

(Indian Affairs 1957; emphases added)

This memo is quoted in full because it is so insightful. The Indian Affairs director neglected Treaty 8 provisions and cited only the dates of the addendum for Treaty 11. But, the memo indicates that Dene themselves had been asking for movement on Treaty land entitlement, and that, while Indian Act Band Councils existed, they as yet had no funds -- a situation that would remain unchanged until the Indian Brotherhood of the NWT lobbied for Band Council CORE funding in 1973 (see also Indian Affairs 1957: 8). The memo above also reveals the policy attitudes of the NWT Council (still mostly appointed and controlled by Ottawa). And it reveals which federal department had responsibility for land north of the provinces: the department called the Interior until 1936, Mines and Resources until 1949, and Resources and Development until 1954. Subsurface assets seem to have preoccupied national policies, with a higher priority than land entitlement for the ancestral land holders. The Indian Affairs director feels that the Branch's obligations -- specifically that moneys for Indian lands be held in trust and managed by the Branch for the use and benefit of Indians -- can be transferred to another ministry.

In July 1957, following some conflicts between aboriginal and non-aboriginal residents in the settlement of Fort Smith, federal authorities met for several days with the Chiefs from throughout Athabasca and Mackenzie districts (ie, northern Alberta and Denendeh). Chief Joe Sangris of the Yellowknife B Band -- father of the present Chief in T'ènehda -- attended this "Conference of Indian Delegates" and J.M. Johnny Beaulieu represented the Yellowknife B Band of Fort Resolution as a "delegate" (Indian Affairs 1957: July 29th list of those present). This representation provides further evidence of the relationship of the Band in Yellowknife to Treaty 8. Chief Sangris was one of several to submit a brief to the Indian Affairs delegates and, during the meeting, he expressed a need for more adequate housing. The November memo notes that the Indian Affairs Branch was providing "housing assistance". This meeting had been intended by the federal authorities to discuss only Treaty land entitlement, but the Chiefs gathered the day before the conference and passed a series of motions about their own concerns, which they presented to the Indian Affairs departmental delegates (Indian Affairs 1957: Appendix 'A'). These motions dealt mostly with hunting and fishing, wage schedules and training, provision of nursing stations and hostels, fuel and wood rations especially for widows, annual meetings with all Chiefs, and the stature of the Chief.

After discussion of the motions, the departmental delegates introduced the topic of reserves for Treaty 11; again, Treaty 8 is not mentioned (Indian Affairs 1957: 8-9). The federal delegates hoped to hear the opinions of those present, and expected them to take the issue to their people to solicit their views:

It was pointed out that the Indians at present have hunting and trapping rights over the whole of the Northwest Territories and it should be determined whether they also want that entitlement to set up reserves on land on which they have hunting and trapping rights or in fulfilling this provision what would serve the Indians better under present day conditions.

[Recognising that not much land was suitable for farming, as stipulated by the Treaty, the delegates noted that:] There were three alternatives to the problem:

1. Take out land as provided in the Treaty.
2. Forget about land and take cash settlement which would be placed in band funds.
3. Take a small piece of land credit and a cash settlement for the remainder of the land credit.

Chief Cazon [Fort Simpson] said that Treaty Indians should get the same deal for land that was surrendered to the Crown and he hoped that if this was ever done, that it would be done through a legal process. He said that this was too complicated a question for the Indians themselves to handle. (Indian Affairs 1957)

On 1957 DEC 30, an inter-departmental meeting discussed NWT reserves (DNANR 1958) regarding the options raised by the Chiefs in Fort Smith; attending this meeting were staff from the Department of Northern Affairs and National Resources, with representatives of the Territorial Division, and the Department of Citizenship and Immigration, including the Indian Affairs Branch. An outcome of this meeting was a recommendation for a commission to help make decisions about the reserves. Remarkably, the Indian Lands Commission reported not to the minister responsible for northern lands but to the Citizenship and Immigration minister, responsible for Indian Affairs. The Commission was formed to travel through NWT between July 4 and 20 in 1959. In June 1959, a federal Order-in-Council stressed that land entitlement in the NWT, estimated as 576 000 acres, must not be delayed, in case Treaty people insisted on full entitlement. On grounds that the Dene do not seem to be united in their views of land entitlement, and noting the rapid development of the NWT, this Order-in-Council suggests the treaties be renegotiated on a different basis.

The Indian Lands Commission completed its tour in Yellowknife on July 20. Members of the commission were Nelson (a lawyer from Prince Rupert), a representative for each of Indian Affairs Branch and Northern Affairs and National Resources, and Dene Chiefs Cazon

and Koe of Fort Simpson and Fort McPherson. respectively. The commissioners had found all Bands suspicious of government motives for changing the treaties, but the Nelson Report made recommendations that included terms for fee simple ownership and cash compensation for the rest of individual entitlement if people wanted to take that route, as well as annual royalty payments from subsurface assets removed from land within treaties 8 and 11 (Nelson Report 1959). The only recommendations acted on were those dealing with adjustment of certain administrative programs previously coming from Alberta.

Although Chiefs had been assured that Treaty land entitlement was a pressing matter in 1959, nothing was settled. A decade later, the federal government issued its White Paper on Indian Affairs, widely perceived as an abdication of Crown fiduciary responsibilities (see Weaver 1981); in the NWT, Indian Affairs attempted to transfer its obligations to the NWT Council, as if enacting the White Paper. It was after a meeting in 1969 at Fort Smith, at which this intention was announced by Indian Affairs officials, that Dene elders and Chiefs decided to form an organisation through which they could protect their rights. The Indian Brotherhood of the NWT was formed a few months later, and research into the treaties commenced. Government-provided research funds were loans to be repaid in contrast to government's nonrepayable grants for academic or medical and scientific research. (Funding throughout negotiations was problematic.) On 1972 JUN 12, Indian Affairs Minister Jean Chrétien made a speech in Inuvik, during which he stated that these funds had been "provided" but did not mention their status as loans; further he announced the appointment of an Indian Claims Commissioner: a member of the Territorial Council (DIAND 1972: abstracts) that had opposed large reserves in the NWT (see memo page 15).

On 1972 JUN 19, Minister Chrétien announced that Indian Affairs would take back the responsibility for paying out Treaty moneys in the NWT (DIAND 1972: abstracts): such delegation from the Indian Affairs Branch is surely a historical anomaly. On 1972 JUN 28, he announced that a land settlement of treaties 8 and 11 would be negotiated:

He further stated that Indians covered by the two Treaties would be offered the opportunity to select lands which would then be set aside as reserves within the meaning of the Indian Act; land would be on a scale provided in the Treaty and based on the 1971 census of the Bands. (DIAND 1972: 2)

A further option offered by the minister was for Treaty people to surrender land rights in exchange for an "equitable evaluation of their surface and sub-surface rights"; regardless of the option chosen, people would be "offered full possession of their homesites - the land and

buildings which they now occupy and that any cash payments involved in the settlement will be subject to the provisions of the Indian Act" (DIAND 1972: 2, 3). In a background sheet attached to the communiqué issued for this announcement, the Yellowknife Band is listed among the "signatories to Treaty 11", a perpetuation of the administrative error.

In 1973, the Chiefs of the Indian Brotherhood of the NWT went to court to request and win their right to register a *caveat*, their prior interest in 450 000 square miles of the western NWT, which represented Dene ancestral hunting lands as supported by the Treaty research. The request to register the *caveat* was denied by higher jurisdiction courts, and the right to do so was removed by the devolution of land title registration to the Territorial administration in 1993 through Bill C-103 -- although *caveats* can be registered in provinces. However, since no court challenged the evidence that Dene did not perceive the treaties as land transfers, the Indian Affairs Branch agreed in 1976 to begin negotiating a single, collective land settlement in the NWT through a comprehensive claims procedure, with Dene and Métis who are descendants of the Dene. In 1990, the federal Cabinet decided to stop negotiations following the rejection of the initialled final agreement by aboriginal Assemblies, mostly on the issue of extinguishment of Treaty and aboriginal rights. Negotiations were pursued with aboriginal groups requesting them: Gwich'in (in 1992) and Sahtú (in 1993) settlements have included Dene and Métis beneficiaries, based on the 1990 Dene-Métis initialled final agreement. In 1993, the Yellowknives Dene Band, as a member of the NWT Treaty 8 Tribal Council, have been discussing the possibility of pursuing a form of Treaty entitlement rather than a settlement based on the Dene-Métis final agreement.

A Reserve for Yellowknife?

An editor-publisher who wrote a serial history of Yellowknife in his newspaper throughout the 1940s printed a column in 1949 about a visit to the town of the Indian Affairs Regional Superintendent from Calgary. This column recalled that, since 1947, Dene from all around Great Slave Lake had been coming to Yellowknife, with subsequent problems "arising from the mingling of natives and white" (*The Yellowknife Blade* 1949 MAR 02 and AUG 27); the solution to these problems advanced by the Board of Trustees for the Local Administration District of Yellowknife was that "the north end of Latham Island was examined, approved and recommended as a site to be set apart for the use of transient Indians" (*The Blade* 1949 AUG 27: 1-2). This situation was, in the opinion of the Regional Superintendent, consistent with

conditions in similar centres in the Dominion and the solution elsewhere had been "to set aside ... a certain locality, in which the natives could camp without interference, which could be kept sanitary by local authorities" (The Blade 1949 AUG 27: 2). The "Indian encampment" at the northern end of Latham Island was referred to in an article in another paper in December 1950 (*News of the North* 1950 DEC 15: 5). Archival memos suggest that federal officials were thinking about creating a reserve in Yellowknife from about 1948.

The earliest survey plans of Latham Island were part of surveys done for mineral claims or for the local authorities of the Yellowknife settlement. They consistently separate Ndiloq from the rest of the island at or near the boundary that exists today. In August 1951, three letters were sent regarding the establishment of an "Indian" reserve at the northern end of Latham Island by the agent in Yellowknife for Northern Administration and Lands (of the Department of Resources and Development), who evidently had authority to make decisions about these lands. The letters were sent to the chairman of the Yellowknife Trustee Board, to the superintendent of Indian Affairs in Yellowknife, and to the agent's director in Ottawa (DRD 1951). With the letters was a map, the original of which is quite large; two portions of it have been reproduced for this study: one actual size of the tip of the island and a photo-reduced copy of the map section with the two boundary lines referred to in the letters. (Both are included as map 16. The "Permission to occupy" note on the map for what is later called Lot 501 is likely for storage of huge oil drums for Discovery Mines, which were not removed until the late 1960s.)

In the letters, the Northern Lands Agent proposes to divide the area -- which is Ndiloq -- that is north of the boundary line (called line A in the letters) into two parts by a new boundary line (called B in the letters). Line A is described as "the boundary established by the survey carried out by arrangement with the Department [ie, Resources and Development] and the Trustee Board" (DRD 1951: Agent to the Yellowknife Trustee Board) and as "the *approximate* boundary as established by the survey carried out by arrangement with your Department [ie, Citizenship and Immigration]" (DRD 1951: Agent to Indian Affairs; emphasis added). Line B is described as "the proposed boundary agreed to at the Trustee Board meeting held on July 19th" (Agent to Trustee Board) and as "the *revised* boundary of the proposed Indian Reservation on the north end of Latham Island as agreed to by the Trustee Board at its meeting of July the 19th" (Agent to Indian Affairs; emphasis added). Use of the word "revised" is interesting; an examination of the map accompanying these letters shows a line established by the surveyor Brown just beyond the last of the

Yellowknife settlement lots (see map 16: the photo-reduced copy). Brown's survey line, which is clearly west of the "revised" line A, is discussed further in a later section.

The Agent's two letters are fairly brief and note that line B is to be surveyed so that "the area lying north be *transferred to the Indian Affairs Branch* as an Indian Reservation" (Agent to Indian Affairs, emphasis added), affirming that Indian Affairs was not holding lands in trust for people under NWT treaties at that time. The agent's letter to his director in Ottawa is more detailed and, reproduced here in full, indicates the proposed use for the land between lines A and B:

Re. Indian Reservation Northerly Part of Latham Island
Your files - 21006 and 9-10-148 Lands

This will acknowledge receipt of your memorandum of August 10th, dealing with the proposed Indian Reservation on Latham Island.

It would appear from discussions with members of the Trustee Board and other interested parties that the original proposal that the north part of Latham Island be **reserved for Indians and transients** was designed to enable the local authorities to maintain a section of the town for the **use of persons visiting Yellowknife and** [crossed out and changed by hand to "who"] **wish to establish temporary camps**, and also to provide a place where the Indians and half-breeds could be encouraged to maintain a decent standard of sanitation and more or less permanent camp sites for use in the town proper.

The proposal was sent forward to the Department and the Department pointed out that a reserve of this nature could only be setup [*sic*] if a properly constituted Indian Reserve were established. Should this be done the area set aside would be exclusively for the use of Treaty Indians and the Indian Affairs Branch would only be able to accept responsibility for the area if it was handled on that basis.

The local authorities and Mr. A. H. Gibson, who was then the local representative of our Department, pointed out that **this arrangement did not meet the needs of the settlement** but that it might be well to establish an Indian Reserve on the north end of the Island and that **additional space could be made available for camp purposes either adjacent to the Indian Reserve or in some other section of the town**. A survey was therefore made and the proposal sent forward for final approval.

The Trustee Board, at a recent meeting, took exception to the size of the area to be made an Indian Reserve as it would occupy almost all of the suitable parts of Latham Island that could be made available for camp site purposes. A counter proposal was therefore sent forward that the boundaries of the reserve be re-aligned [*sic*] and that the central part of the Island be left as an area where a camp site for transients could be established. This area [is] to be controlled by way of by-law and proper supervision.

-[page] 2 [of memo]-

In the discussions it was realized that the location of the Indian Reserve and the open camp site area adjacent one to the other was not an ideal arrangement. It is, however, a **very much better arrangement than the existing one of having Treaty Indians, non Treaty Indians, Half-breeds and irresponsible whites setting up squatter rights in scattered sections of the town site and in such a manner that it is extremely difficult for the local administration to exercise any adequate control**.

It is felt by the Trustee Board, and the Indian Agent, that no serious difficulties will arise and that in general the conditions under which the Indians live will be greatly improved if the present plan is adopted. Should the Indian Reserve be established with the revised boundaries the **Indian Branch can take all the area and fence it and maintain proper controls within its boundaries.** The balance of the available ground will be reorganized into [a] **camp site area somewhat along the lines of camp grounds in the National Parks and properly supervised.** It is not felt that any serious difficulties will arise from this arrangement and it is therefore recommended that the Indian Reserve be set up with the revised boundaries and that **the balance of the land be transferred to the Administrative District and placed under its direct supervision and control.** (DRD 1951: Agent to Director, emphasis added)

Despite all the meetings and discussions that appear to have occurred, Treaty Dene and non-Treaty people participating in Dene lifeways do not seem to have been consulted. As well as tent frames, Dene had built and occupied houses on Latham Island; two families built homes before 1940, and some present housing stock dates from 1943 (as noted on MACA 1989: map 5): These homes, which are not on the map sent to officials, had this plan become reality, would have been part of the proposed camp ground rather than the proposed reserve.

The ground between "line A" and "line B" would have been familiar to the officials in Yellowknife but not to the director in Ottawa; the map shows no topography and the agent's letters do not describe the land. In fact, the ground proposed for a "camp site for transients" is steeply sloped, mostly rock outcrop, and covered in trees (see map 17 in this report for slopes in Ndilq). Very little of it is suitable for the long-term camping envisaged by local authorities.

The entire land area north of "line A", the existing boundary for Ndilq, is just over 56 acres, which is well below the Treaty land entitlement for a single family or individual. Under Treaty 8, the minister of the Interior allowed the option of "land held in severalty to the extent of 160 acres to each Indian" and Treaty 11 allows "reserves not to exceed one square mile for each family of five or in that proportion for larger or smaller families" (DIAND 1972: Background). Regardless of which Treaty this proposed reserve was to be established under -- and none of the agent's letters mentions a Treaty -- the diminished area on Latham Island north of "line B" would have been far from a fair entitlement for the Band. In fact, this proposal seems to be an administrative answer for land-use conflicts in the Yellowknife settlement (discussed in a later section) than Treaty fulfilment as a "properly constituted Indian Reserve" under the Indian Act. It is useful to recall that the Indian Act defines "reserve" as "a tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band" (s. 2, definitions).

No Treaty land entitlement was officially settled with the Yellowknife Band in 1951, but the boundary line to Ndilo surveyed then was confirmed by Energy, Mines and Resources in 1961 (CLSR 1961). However, these proposals provide insight into policy makers' attitudes toward northern land jurisdiction and aboriginal land entitlement. The tone of the remarks about Dene and Métis citizens is indicative of the value judgements underlying public administration affecting aboriginal peoples at the time. An interesting note is captured in the statement regarding the transfer of the proposed camp site to the Territorial administration (part of the Department of Resources and Development). Indian Affairs had been claiming that sites occupied by "Indians" in NWT settlements were for their use as long as required, but the sites remained with the Crown, through the Northern Administration Branch (rather than Indian Affairs). At that time, no legal mechanism existed for transferring land not under the Indian Act to the Indian Affairs Branch for the use of "Indians". This letter shows that in 1951 Ndilo was under the Northern Administration and had not been designated officially for the use of "Indians".

The issue of whether a Yellowknife "Indian" could be "off-reserve" arose in a court case in 1967. A Dene named Drybones was arrested and convicted of being drunk off-reserve, an offence under the Indian Act at that time (which was subsequently repealed when this case went to the Supreme Court of Canada); Drybones appealed partly on grounds that he had no reserve to be off of and partly because the section of the Indian Act went against the Canadian Bill of Rights. Mr Justice Morrow allowed the rights appeal, but disallowed the appeal on the "off-reserve" issue because it had not been decided in law -- that is, by elected legislators (*R. v. Drybones* 1967: 324-328). The Yellowknife Chief gave testimony, saying that Drybones had moved from "the previous Indian settlement to the present village, how he had been raised there from infancy" (323). The "previous settlement" may refer to a camp on the Yellowknife River or one of the lakeshore fish camps; the "present village" refers to T'èrèhda, where the Chief had had his house since the 1920s at least (Fumoleau 1973: 232). Both Chief Sangris and the regional director of Indian Affairs in Yellowknife testified in the *Drybones* case that there were no reserves in the NWT (324).

The Energy, Mines and Resources surveys in the early 1960s of Group 964 included Lots 500 and 501 (Ndilo) and Lot 859 (T'èrèhda). The 1961 survey of Lots 500 and 501 has no notes on it about the jurisdiction of the land (CLRS 1961); however, the survey plan for T'èrèhda (CLRS 1963a) has the following hand-written note on the lower right margin:

Lot 859 - Group 964. reserved for
INDIAN AFFAIRS BRANCH.
- Yellowknife Indian Village Settlement
see letter 20 Sept. 1963 file 83-12
BA/24/9/63

Researchers for this study requested a copy of this letter from the Ottawa survey offices of Energy, Mines and Resources, but staff there were unable to find it. Still, the note suggests that federal departments had sorted out jurisdiction for part of the land occupied by the Yellowknife Dene Band. Federal officials remain less certain in their declarations about Ndilo. Staff in a variety of administrative offices representing the City, GNWT, and federal departments interviewed or spoken to as researchers requested information for this study were inconsistent in their statements about whether T'èQehda or Ndilo are lands "set aside for 'Indians' " or "set aside for the Indian Affairs Branch": often individuals said both during a single conversation. Even greater inconsistency was apparent regarding Métis land entitlement. Regardless of official policy, there is little clarity among public officials who work on a daily basis with lands that affect Yellowknife's aboriginal peoples.

THE YELLOWKNIVES DENE BAND

In 1993 the Yellowknives Dene Band has close to a thousand members, 2% of whom regained their status through Bill C-31. Band members stay in T'èrèhda, Ndilq, Yellowknife, and in other settlements near their relatives; those who are employed for wages full-time generally work in Yellowknife. At a workshop held with Band council, the study researchers were told that the main reasons Band members do not stay in the same place are lack of housing and economic opportunities in a single place Band members call their community's location. The Band's land base, as it is perceived by Band members, has yet to be recognised by the non-Dene governments operating in Yellowknife. Likewise, Band members' sense of "community", which is associated with Dene cultural and family relationships, and with the spiritual link to their traditional lands, goes unrecognised by the non-Dene governments.

Within Denendeh, the Band is a member of Dene Nation. There have been Chiefs since Treaty 8 was signed: Andare Wetah (Old Man Drygeese), Joseph Drygeese, Jean Baptiste Drygeese, François Drygeese, Willie Crapeau, Joseph Sangris and Antoine Liske, Joseph Charlo and Vital Abel and Morris Sangris, Isadore Tsetta and Edward Lacorne, and Jonas Sangris and Darrell Beaulieu (1993: interviews with elders). The Band is now affiliated with the NWT Treaty 8 Tribal Council, which in turn holds membership in the Treaty 8 Grand Council; until the Tłı̨ Chò (Dogrib) Tribal Council began separate comprehensive claims negotiations, the Yellowknives Dene Band sat with Chiefs from that Tribal Council as part of the North Slave region of Dene Nation. Chiefs and council pass Band Council Resolutions, which are sent to the NWT Regional Director for Indian Affairs.

In terms of local administration, the Band manages few programs and services either directly or through their Band corporation: that is, few by comparison with NWT municipal administrations or with Bands on reserves in the provinces. An outline of Band jurisdiction is shown on the chart on page 27. The Band receives CORE funds from Indian Affairs based on a formula determined in Ottawa; this year, CORE funds were less than an MLA's basic salary of \$122 000. Outside of land settlement areas, NWT Bands are not eligible for the Alternative Funding Arrangements available to Bands in the provinces. At the 1993 Dene National Assembly, the NWT Regional Director for Indian Affairs announced that the formula for funding NWT Bands had been altered so that differences with southern Bands had been removed (reported by Chiefs); the change, however, fails to consider that NWT Bands still do not have comparable eligibility for program responsibility.

All other funds are to be acquired through proposals submitted to government-run programs available in NWT, encouraging the Band to compete against other Bands, aboriginal and non-aboriginal agencies, organisations, and businesses. Criteria for programs -- which GNWT may adjust from the original federal criteria -- are expressed mostly in terms of financial accounting acceptable to government and the benefits government can derive; criteria do not consider Dene values or community-determined goals. Language programs, for example, seem to require academic or museum standards for projects and emphasise government retention of products (such as tapes of Dene stories), rather than offering opportunities for long-term language development and useage or community ownership of Band members' knowledge. Economic development criteria seem to focus on individual profit generation and competition rather than on small-scale, local collaborative initiatives. Yet, community support is a requirement for proposals: one Chief was asked to send along three letters from community residents to support a recent oral history project proposal.

Furthermore, since all programs have the same fiscal year, Band and Corporation staff spend much of their time and energy preparing reports and financial statements all due at the same time, in addition to writing proposals for the new fiscal year. Regardless of the extent of programs governments offer, Band access to them is piecemeal and bound by each program's individual criteria. Proposals are not approved as submitted and sometimes the intent of the proposal may be changed without warning, so that funds are made available but not for what the Band requested (personal communications from staff). Approval of proposals signals the arrival of multi-page contribution agreements written in legal jargon -- still in English only, although aboriginal languages were declared official languages by GNWT in 1992. Unlike contracts, these agreements are not negotiated; their similar wording suggests they are standard forms which word processing allows to be adjusted for individual project details. Opportunities for the Band to develop a cohesive plan for the benefit of its membership are confounded by this fragmented and wholly government-determined approach.

The Band has been told that it is an advantage to have access to funding here rather than having to go to Ottawa. A major disadvantage is that, if Indian Affairs in NWT or GNWT decide not to establish a program, the Band cannot acquire the funds for it. The CAEDS (Canadian Aboriginal Economic Development Strategy), for example, was not implemented in NWT as it was elsewhere and, once the ministry managing the program left Yellowknife in 1993, aspects of the CAEDS program were distributed to Indian Affairs and two other programs. In a CBC radio news report on 1993 JUL 21, an Ottawa-based Inuk

YELLOWKNIVES DENE BAND (1993)

Chief in T'èqehda

Chief in Ndilq

BAND COUNCIL

<i>Band Staff</i> (in T'èqehda & Ndilq)	<u>BAND RESPONSIBILITIES</u>	Done Naawo (Band housing corp.) <i>Manager</i>	<u>Band Corporation</u> <i>Corporation Staff</i>
	Gyms & Canteen concessions (<i>Staff</i>)		We Le Dai Corporation (Boarding home) (<i>Staff</i>)
	Recreation program (<i>Staff</i>)		Naocha Enterprises (excursion boat) (<i>Staff</i>)
	Schools		
	Baseball Diamonds		
	Band roads		Ndilq Cultural Camp (<i>Staff</i>)
	Fire hall (T'èqehda only)		
	Satellite (T'èqehda only)		

Other Agencies/Organisations Located on or near Band Lands

(in T'èqehda only)

Nursing Station

Church

Rehabilitation Centre

(in Yellowknife)

Hunters and Trappers Association

manager of the five-year Brighter Futures program for aboriginal children indicated that First Nations in the NWT were the only ones in the country not benefitting from this program. She noted that elsewhere, including Yukon Territory, individual First Nations were funded directly from Ottawa, but in NWT, the Territorial administration insists on managing health programs through its devolution agreement, the aboriginal component of which is currently being tested in court. Since GNWT has not set up the Brighter Futures program, the first year's funding allocation to NWT First Nations was returned to Treasury Board. In late August, GNWT had reached an agreement with federal officials about Brighter Futures, and the "Indian-Inuit" component is to be handled separately, from Edmonton.

If being closer to program-providers is to be an advantage to the Band, the council feels that much better communications need to be in place -- between Dene governments, between Dene and Métis councils, and between the Band and non-Dene governments and their administrators. With the present situation, the Band council feels that non-elected public servants and corporate representatives derive unfair benefits by dividing Dene interests and forcing them to compete against one another: Dene values promote sharing and joint efforts for collaboration. Some councillors and Chiefs expressed frustration that many public servants, and even some elected officials, know little of past events involving the Band or their people. This view was confirmed by a City councillor who indicated that, when issues affecting the Band are discussed, the longer-term councillors had to inform more recent members about the history (personal communication). Communications among the thirty small and scattered settlements within Denendeh is expensive and not easily accessible. The Band itself does not have a radio station or newsletter; the only means of reaching its membership are telephoning people, placing public service announcements with local radio and television stations, and holding community meetings. Establishing equitable and consistent communications with non-Dene governments poses similar challenges.

The current word used for such intergovernmental communications is "consultation". The greatest challenge for the Band is that every separate department within every ministry of each of the non-Dene governments has varying ideas or procedures for its own type of consultation. For instance, if the Band wants to discuss its Ndilq land-use plan, staff put in a call to the Rae planning office of MACA, which gets in touch with the Fort Smith regional planning office, where someone gets back to the Rae office; now, as the land-use plan is to be revised, the MACA headquarters in Yellowknife will be handling that, but all other matters are referred to Rae. Another example is provided by the system for land-use permit

applications. If the permit is for land within Commissioner's Land, MACA handles the permits; if the land is beyond Commissioner's Land, Northern Affairs (DIAND) handles it. Copies of permit applications are sent by MACA to the Band and Métis locals and by Northern Affairs to the national offices of Dene Nation and Métis Nation. If no negative response is made about an application, it is approved: officials assume that each organisation has the staff and time to respond to permit applications. Officials interviewed in Northern Affairs admitted that their land-use permit consultation process is not satisfactory to the communities, but that it was the most efficient way for them to handle it (1993 JUL: interview). The Northern Affairs permits are of especial interest to communities such as the Yellowknives Dene Band, because their customary hunting territories may be affected.

These examples indicate the need for much more meaningful intergovernmental communications processes. Issues of interest to the Band are inter-related; the non-Dene governments' handling of those issues is fragmented among jurisdictions, ministries, and programs. The Dene National Chief, Bill Erasmus is a Band member; he suggested three reasons why non-Dene governments have not improved "consultations". First, there is reluctance to recognise either the Band as a jurisdiction or aboriginal rights; Chief Erasmus pointed out that, by obeying each other's laws, the non-Dene governments protect one another and persist in closing out aboriginal governments. Second, non-Dene policies often over-rule the Treaties or reflect a lack of will to implement aboriginal rights that are supported by the constitution and Supreme Court rulings. DIAND and GNWT, for instance, both support the extinguishment of aboriginal rights in land settlements; Revenue Canada, the GNWT payroll tax, and City school and property taxes contravene Treaty rights. Third, there may be some fear that, if aboriginal people get self-government, they may have greater autonomy than some existing jurisdictions (1993 JUL: interview).

Dene government and self-determination are aspirations of the Yellowknives Dene Band now; they are not new: rather, they are consistent with Dene customary laws. Dr Bourget, the Indian Agent who visited the Wuledeh, reported in 1930 that: "Many of the Chiefs seem to believe that they should administer the country [ie, the bush] as well as their small groups of men, and are becoming bold and arrogant in their transactions at the agencies" (reprinted in Fumoleau 1973: 391). In 1957, Chief Joe Sangris was among those submitting requests to Indian Affairs officials at Fort Smith (DIAND 1957). Apparently, Dene leaders felt not only that they ought to have greater local jurisdiction, but that, if government was going to do things for people, it ought to provide what people need.

With such unreliable funding and poor access to government planning of programs, the Band cannot afford full-time staff to respond to all government consultations, such as land-use permit applications, nor can it afford to establish effective communications systems of its own. Further, it cannot afford to employ its most highly qualified Band members. Many of them work for the largest employers in the NWT: the GNWT or federal public services. At the workshop held for this study, Band councillors pointed out the irony that so many of their Band members have to rely on jobs that are keeping their own people dependent on government programs. At a recent council meeting, plans had been made to celebrate the graduation by Band members from secondary and post-secondary programs, yet the Band had no funds to offer these graduates the chance to use their skills and training for the benefit of the Band. Most Band members are, according to conventional socio-economic measures, "unemployed" (YDB nd/1986?); that is, most are not working full-time for someone else. Many do work informally for themselves -- many women continue to make beaded slippers and other hide garments -- or work seasonally to supplement hunting productivity or to work on Band projects.

People who are hired for short-term projects seem to be expected -- unrealistically, by government -- to have skills ranging from English and Dene language fluency, financial accounting, courteous relations with elders, managerial and supervisory competence, report writing ability, and detailed knowledge of government programs, criteria, and procedures. Councillors deplored the lack of adequate funding for every kind of training, for housing, for Dene languages, and for a curriculum in their own schools that reflects Dene values. (Students in Ndiloq are bussed uptown to separate and public schools.) Government programs tend to be devised uniformly for all users, regardless of local or cultural appropriateness. The greatest obstacles that limit the Band's ability to offer plans of its own strategies are public service programs and services.

In brief, time and funding are not made for Band members to determine their preferred development strategies, as an alternate to the complicated systems and programs that non-Dene administrators have devised. Nor are funds available for them to plan and implement such strategies, drawing on the skills of Band members: a common situation in Canadian aboriginal communities (Wolfe 1989). One Band member commented that government sees the Band the way people look at winos on the street: they see them as people but not as capable people (1993 JUL: interview).

Delivery of services such as housing and municipal-type infrastructure to Band members has been inconsistent, given the neglectful attitudes and differing jurisdictions ascribed to the physical locations of Band members. Since 1974, Band members who live in Yellowknife may be eligible for GNWT-run public housing programs (which are not exclusively for aboriginal people). Before then, a housing assistance program for NWT existed in conjunction with the Canada Mortgage and Housing Corporation, mostly for the non-aboriginal people taking government posts; some aboriginal housing was provided through this program. Before that, housing assistance was prompted at times by requests to Indian Affairs (see memo on page 15) and at times by town planning for Yellowknife (described later). People who had moved into the settlement during the 1940s and 1950s built their own homes, from which they were moved in 1959 and the early 1960s; this forced move from their homes is described later. Two decades later, the opposite policy was in effect: rather than provide housing in Ndilq, it was expected that people should live in Yellowknife. Dene from other places in NWT have to stay uptown, because the Yellowknives Band cannot accommodate them. Aboriginal people who stay in Yellowknife receive running water and piped sewage disposal, for which homeowners pay City rates based on use, and apartment tenants pay as part of their rent.

Band members who live in T'èñehda receive housing through the Band's housing corporation (Done Naawo Society), which allocates existing spaces and new ones transferred through the NWT Housing Corporation. Elders recall that people were building their own homes in T'èñehda since at least the 1800s (1993 JUL: interviews). The Indian Agent Bourget, when he visited the Wuledeh in the early 1920s, was offered the temporary use of the Chiefs's house (Fumoleau 1973: 232). Now, people can build homes of their own through an NWT housing program (HAP) in place since the mid-1980s: eligible applicants are placed on a waiting list and approved applicants receive building supplies; the completed home, after 5 years, is their own. People who always built their own homes are encouraged to now only through a government program or by meeting government standards. As in most places in NWT not on an expensive utilidor system or located where the rock and permafrost resist efforts to pipe services, in T'èñehda trucked water and sewage service is handled through a private contract, held by a Band member, which is tendered by MACA. Households pay a fee that is set rather than based on use, and GNWT pays the balance.

Band members in Ndilq have had various jurisdictions arguing about who should be providing what. Existing housing stock -- which is shared with stock in T'èñehda -- has

been allocated through the Done Naawo Society since 1992; before, the Sòmbak'è Housing Corporation, an agent of the NWT corporation, handled Band stock. The oldest existing homes in Ndilq were built by people for themselves, and MACA records show that they were in better shape than government-built homes provided 20 years later (MACA 1989: Map 6: Housing Condition). In the 1940s and 1950s, Dene who were not camped on Latham Island generally stayed in Old Town. In 1959, a row of 10 small houses was built by government for people in Ndilq when government officials were moving Dene not only away from the Yellowknife townsite but from all the outlying fish and hunting camps. Those who were not accommodated may have stayed on Burwash Point, Jolliffe Island, and T'èqehda. Ten years later, another 10 homes were constructed by the first housing program of the GNWT; one home burned and was not replaced. Not until the 1980s, when a Yellowknife MLA became housing minister, was an effort made to resolve what had become a housing crisis in Ndilq.

The GNWT Homeowners Assistance Program (HAP) was permitted in Ndilq but not elsewhere in Yellowknife where Band members (and other aboriginal people) were living. The HAP house packages considered to be suitable for Dene communities apparently did not meet the housing standards set for the municipality. The first HAP houses approved for Ndilq were simply shells: they had no inner wall divisions or closets, no furnace, no water or sewage tank for truck service. One homeowner had to pay an architect to redesign the house package and spend thousands of dollars without compensation to make the house suitable for their family (1993 AUG: interview). Further, the City and MACA each referred home-builders to the other, repeatedly, since neither was ready to issue a building permit (1993 AUG: interview). Improvements have been made both to the building permit process and to the HAP packages, although they are still not available to Band members or Métis beyond Lot 500 in Yellowknife. The former housing minister told us that the normal criteria for housing allocations had to be circumvented to increase the 3-4 homes a year for Ndilq, in order to fill the backlog (1993 AUG: interview). With public housing being taken seriously, there are now about 50 homes in Ndilq, where need still far outstrips availability. Although housing provision has tripled in the past 10 years, it needs to triple again.

Water and sewage services are trucked in Ndilq, but residents pay City rates on an individual user basis. Historically, water delivery, in particular, has been a controversial issue for Band members, not solely because of jurisdictional squabbles. In the mid-1970s, unions representing miners and city residents generally were concerned about the arsenic content of water in Back Bay and Yellowknife Bay. Several studies were undertaken, by

unions and by federal health and environmental officials (see CLC [1977] and Bell et al. [1975], with references to Grange [1973] and Grange and Slupsky [1967]). The Yellowknife 'B' Band wrote the following letter in 1973 addressed to federal, Territorial, and City officials in the midst of these renewed concerns about arsenic, to remind them about similar concerns 20 years before:

The Dogrib Band lives at the end of Latham Island in Yellowknife. The City of Yellowknife is cutting off all water delivery to the people who live in the Rainbow Valley who can't pay their water bill. There are many poor people in the Valley and many families will be affected. This means we will be forced to drink the water of Yellowknife Bay which is full of aircraft and skidoo oil and gas and is unsafe.

In the early 1950's, our band lost four children from drinking arsenic poisoned water which was ruined by the mine. Many others were sick.

At the time the fish and trees were dead and I went and asked Dr. Stanton to see it. When he saw it I asked him to make a law that no Indians would ever pay for water again.

He said "sure I will do that. I will fight for you". From that time on, we never paid for our water.

Now for the last few years they are after us to pay. Why should we pay others who poisoned our water?

Most of us in the valley don't get enough [sic] welfare to have food; we can't pay \$5.00 a month for water too. None of use [sic] have the money, and even if we did, we should not be forced to pay after all this trouble.

Starting tomorrow people will begin having to drink the water from Yellowknife Bay and soon our people will be sick and maybe some will die again. No one should have made these rules to push us this far like this. I want you to fight for us and make sure we receive clean, safe water delivered to us free.

-[page] 2 [of letter]-

Please act fast because we will be running out of safe water tomorrow.

Others have become rich in our settlement of Yellowknife who can afford to pay for clean water which comes out of their taps, but we, the owners of the land, have only barrel water delivered to count on. (YDB 1973; emphasis added)

In 1974, public officials posted warning signs around Back Bay and Yellowknife Bay so that residents would not drink the arsenic-contaminated water (CLC 1977). More than a year later, the Band was still experiencing water delivery difficulties. A meeting between the Band, with the President of the Indian Brotherhood of the NWT, and the DIAND minister was held in January 1975; the minister apparently agreed to guarantee free water delivery to the Band. The IBNWT President, however, had to prompt GNWT to carry out this agreement in a letter on the Band's behalf on 75 FEB 06; his letter indicates that the federal Health and Welfare Minister also supported this guarantee (IBNWT 1975). When federal ministers got involved in the Dene water delivery issue and so much general concern was being raised about arsenic levels in the water, the southern Canadian media reported the story (Braden 1976: 83-84). Federal officials commissioned a report in 1972 to study the

economic impact on Yellowknife of closing the mine. The mine has not been closed. With the passing of time, and many changes of public officials, the promises made to the Band have been forgotten: people are being charged for their water delivery.

The arsenic discharge in 1949 and its effects were not reported in local newspapers until it was investigated by federal officials; however, a Yellowknife mine union report on arsenic, basing its information on the 1967 Health and Welfare report, stated that a herd of cattle had died and several children were sick from drinking contaminated meltwater during the spring of 1949 and, further, that "Indians" living on Latham Island had died and became sick in April 1951 (CLC 1977: 25). While local newspapers did not report these incidents, they did carry public health warnings by Dr Stanton for the two springs following the arsenic discharge (see Appendix 5 for the article and public warnings.) As well as being Yellowknife's public health official, Dr Stanton had been elected in January 1950 to head the Local Administration District; he was, therefore, able to make the guarantee of free drinking water. The brother of one of the researchers for this study was one of the Dene children who passed away; their parents were reportedly paid a thousand dollars by Giant mine. An informant who wishes to remain anonymous asserts that government records about the discharge and its impact on the Dene have been shredded (personal communication). Certainly, the Northern Administration land and environment officials we interviewed for this report had no knowledge of these incidents (1993 JUL interview).

The switch from federal to Territorial responsibility to provide services -- undertaken without discussion with any aboriginal organisation -- resulted in poor services to people, while officials argued about jurisdiction. Three years ago, the Chief wrote this letter to the DIAND minister, distributing copies to federal and Territorial officials:

On behalf of the Yellowknife "B" Band Council I would like to draw your attention to an ongoing problem of services for my people.

My Council has been requesting adequate infrastructure services in Lot 500, Yellowknife, for many years. As late as last summer, I wrote to Mr. Pierre Cadieux of our needs. His response was that the Federal Government transferred all responsibility for Housing and other infrastructure to the Government of the Northwest Territories under an agreement that was signed in 1974.

The situation as we see it is that the senior government is disavowing any responsibility for services, and the Territorial Government is saying that they are only responsible for housing under the G.N.W.T. Housing Corporation. ...

It has been [20] years since this agreement was signed and still no one is accepting the responsibility to deliver all services. ... I do not care what system of Justice is in place, but it [i]s obvious to me that there has been a breach of trust. No one can tell me that both governments have been negotiating this agreement for [20] years

because it had been dated and accepted by both parties in 1974.

-[page] 2 [of letter]-

We would like to secure a copy of the agreement in order to properly assess responsibility and determine our course of action. Therefore, I formally request a copy of the said agreement and all associated attachments and parts of the agreement. I remind you, sir, of your fiduciary responsibility to my people. I would also like answers to the following questions;

1. If an agreement for housing and other infrastructure services was signed, why have we not received the full services?
2. If both parties agreed to this transfer of responsibility, why was there no action taken when it became obvious that the services were not being delivered? (Surely after [20] years of negotiations, someone noticed the lack of action.)

When can we expect some form of action especially in terms of infrastructure? We are getting by with minimal services and this severely hampers our ability to carry out our community development plan, particularly in seeking road access to all parts of Lot 500 in Yellowknife. We have received notice that the Yellowknife "B" Band will be receiving [60] housing units over the next [5] years and a lack of road access is becoming a major stumbling block.

I urge you to take action and ensure that the [GNWT] is reminded of its obligation to ensure infrastructure services to my people.

(YDB 1990; underscoring in original)

The Band has been building its own roads while governments debate. Not only is this situation frustrating. It may seem to Band members unfamiliar with the complexity of the jurisdictional tangles that Band leaders are repeatedly disappointing them. In 1993, MACA has a waiting list of 130 Band members wanting HAP residences for Ndiloq alone (1993 JUL: interview). The different housing policies for different Band members is a separate challenge from the main one: there have not been enough houses or services for people since the Indian Agent in the late 1950s coerced the Dene from their settlement camps to move where they were told services would be provided for them. Instead, service delivery has been neglected and provided piecemeal in response to such events as children's deaths.

The fear that Dene express of death resulting from non-Dene activities cannot be dismissed lightly: it has happened too many times before to the Dene in this area. In 1823 -- the year of the legendary peace treaty between the leaders Edzo and Akaitcho -- the only fur trading post near the Wuledeh, Old Fort Providence, closed. (It had operated for about 30 years.) Few non-Dene stayed in the region throughout much of the following century, but their diseases stalked the nomadic hunting bands. Traders and Indian Agencies recorded large numbers of deaths among the Tłı̨ Chō and the Wuledeh in 1833, 1834, 1859, and 1866 (reported in Fumoleau 1973). A measles epidemic in 1902 killed 60 Dene and Métis in Rae and Resolution. In 1925, tuberculosis and malnutrition were widespread at Rae and at the Yellowknife River settlements (Fumoleau 1973: 232). In 1936, two years after the mine

opened on Burwash Point, Bishop Breynat reported that 6 people of 100 had died in one month at Yellowknife River settlement not far from Burwash (Fumoleau 1973). In 1950, tuberculosis was sufficiently widespread that federal officials were hospitalising Dene without their consent (*News of the North* 1950 DEC 16: front page). Local newspapers reported that a flu epidemic in 1951 in Yellowknife was affecting Dene worse than non-aboriginals.

But, in 1928, an influenza epidemic raged throughout Denendeh, killing an estimated 10 to 15% of the whole aboriginal population (Fumoleau 1973: 262-268). Entire families were taken. Up to a third to half of each settlement might have been taken. Many hunters and medicine people, who were also the Dene leaders, were lost before they could transfer much of their knowledge; without the people whose skills and knowledge could find food, family members who might have survived the flu died of starvation. Elders who now live in T'êñehdá, who survived the 1928 flu, remember with sadness the terrible summer in the fish camp at Gros Cap. Only two children in one family survived, because they were in the bush that summer (personal communications). One elder who was a girl at the time recalls the stop at Gros Cap to collect children for the trip across Tucho to the residential school:

I remember seeing a lot of houses at Gros Cap, Goulet Bay, Drybone Bay, and also at Wool Bay. In the summer of 1928 when the epidemic went through that area, I remember travelling with the priests, RCMP, and other school children. We stopped at Gros Cap. There was nobody there, just some dogs running around. The RCMP told three young men to shoot all the dogs, so they did. Then we looked around the area checking houses and other things there. ... But Saraphine Betsina's house had a padlock on the door so we looked in the windows. We could see caribou meat hanging. Caribou legs and arms meat and also ribs were hanging in there. Besides that house, all the rest were empty. During that time, my parents had sent word through the priests to have me go to T'êñehdá with them the next time [the priests] made a trip to this area; so it was in the 1928 summer time when I was travelling with them. That's when we stopped at Gros Cap. But we did not go to Fort Rae. I remember thinking that my family lives close by, but this time I won't get to see them. At that time, I think, they were living at Kli-Ká, which is just past Ptarmigan Point on the way to Fort Rae. (1993 JUL: translated interview with Dene elder)

This woman's parents survived, but Chief Joseph Drygeese was taken. The suffering people had little hope of the usual support or assistance from relatives, because they were in the same situation. The impact of these tragedies was felt long after that summer cooled. Just five years later, non-Dene began to arrive and set up permanent-looking facilities near the Yellowknife Dene settlements. It is not to be wondered that most Dene in the area initially kept their distance: giving non-Dene arrivals the idea that the area was empty of people.

THE MÉTIS

Government officials tried to extinguish Métis claims to "Indian" title during the Treaty process. For Treaty 8, a "Half-Breed Commission" accompanied the Treaty party, which in any case was ferried from place to place mostly by Métis rivermen and was assisted at every stop by Métis interpreters (Fumoleau 1973: 75-77). It was left to the judgement of the Commissioners to decide which persons could sign a Treaty "as an 'Indian' " and which could receive *scrip*, a grant of either \$240 or 240 acres of land (Fumoleau: 58). Métis in northern Alberta in particular had expressed active interest in land entitlement (Fumoleau: 62-68, 75-77), but traders following the Treaty and Métis commissions bought the land *scrip*, often selling and reselling the land. Métis *scrip* was extended to Fort Resolution in 1900. Angus Beaulieu, interviewed about his recollections, reported that at Fort Resolution, "the priest could tell who was a Half-Breed and who wasn't"; he also said that "They gave scrip paper [worth \$240] to half-breeds. We didn't know what those were about either, but we took it. There was a trader, Hislop and Nagle, who gave the scrip money, \$75.00, to the half-breed" (cited in Fumoleau 1973: 93 and 99). Representatives of the Métis whom we interviewed said they knew of no-one who was granted scrip land in the Yellowknife area (1993 JUL); that would be consistent with oral testimony.

For Treaty 11, Commissioner Conroy advised a change of policy toward Métis, mostly to avoid land speculation by the traders. Instead, he proposed that only *scrip* money be handed out, while Métis practising Dene lifeways were to be offered Treaty (Fumoleau 1973: 207). Removing the land *scrip* option, however, meant that the Dominion Lands Act, s. 76(b) had to be amended and this amendment was not accomplished before the Treaty party left Ottawa in 1921. Although promises were made to pay people whom the Treaty party listed as Métis, no funds were available until the Act was amended. When they were, in March 1924, one of the agents distributing the *scrip* reported that "in many cases the money was not expected, in most cases they did not know why they were getting it" (Fumoleau 1973: 207-209; cite: 209).

Not only were decisions about who was eligible for *scrip* and who should accept Treaty apparently arbitrary, Indian Agents later reported their difficulty in establishing who had received *scrip* (Fumoleau 1973: 209, 273-275). This official inconsistency has resulted in part in unnecessary conflict between local families, and in ongoing challenges to land

settlement negotiations already made difficult by federal claims constraints. Until 1983, when a Métis negotiator was included, the federal negotiators had insisted that the Dene also represent the Métis at the claims table. At least one prominent aboriginal family accepted neither Treaty payments nor *scrip*.

Fumoleau reports that, after Treaty signings:

A total of [164] Métis were admitted to Indian Band lists in the Northwest Territories between the years 1930 and 1943. The practice was never well received by the Indian Affairs Branch, however, where the view was expressed that the "admission of this class of persons to band membership was a backward step and should be avoided except where special circumstances existed. (Fumoleau 1973: 274)

While some other countries recognise culturally and biologically (or, mixed blood) peoples as distinct -- for instance, in Latin America, where they often form the majority of the population -- Canada has striven to identify aboriginal peoples within biological and racial administrative definitions (Peterson & Brown 1985). In 1968, DIAND was reporting births for aboriginal people it served as legitimate or illegitimate, and marriages in four categories: same Band, different Band, non-Indian male, or non-Indian female (DIAND 1968). Children whose parents in one Band became married were officially "legitimated" in DIAND records in order to keep Treaty status clear, according to their definitions. Interestingly, the beneficiaries in the Inuvialuit (1984) and Nunavut (1993) land settlements faced no such differentiation: Inuit and the Canadian government have no term comparable to Métis. The issue of identity among non-Inuit aboriginal peoples in the NWT has complicated land negotiations and has produced deep rifts in some communities. In Yellowknife, for instance, there have been two Métis locals: Local 55 which, until Bill C-31 permitted most members to regain their Treaty status and apply for Band membership, represented people closely related to Dene families from the area, and Local 66 that still represents Yellowknife Métis.

Much of the discussion in this report relating to land, political, and administrative issues for the Band applies to the Métis in Yellowknife. Representatives of the Métis whom we interviewed pointed out that they share Band aspirations for a land base that offers economic potential. They noted that some Dene Chiefs understand that Métis also need a land base and may allow for joint use or co-management of lands in the Treaty 8 region; they also thought that government recognition of Métis land entitlement in NWT had improved since the time of Treaty signings, likely because of the inclusion of Métis in the single comprehensive claim procedure (1993 JUL: interview). The major difference seemed

to be a Métis interest in rights to the economic potential in large water bodies, with an acknowledgement of third-party interests (that is, interests not represented in land settlement agreements). Métis Nation at present is putting together an option paper toward its land settlement, and felt that its policy recommendations would be best expressed there. In terms of a land base in Yellowknife, Métis representatives noted that they have always supported the Band in its efforts, and expected the same kind of support in return:

This is all a total part of a comprehensive claim that we may get into with the government as the Métis Nation. If it's joint then it's joint; and if it's separate then it's separate. As far as jurisdiction goes, we'd have to negotiate with the Band depending on the location of the land base. If we're side by side, for example, then we could have shared jurisdictions, shared harvesting and hunting: resources things. The main point, I guess, from our perspective, is one of support and co-operation that we would like to give to the Band. Shared jurisdiction is something we can talk about, look at different models for land-use planning and use of the land.

(interview JUL 1993)

Métis representatives noted that extent of land use by themselves and the Dene, including that of the Yellowknife area, had been documented during the single settlement procedure -- initially by the Dene Mapping Project, augmented by the Dene-Métis Negotiations Secretariat (1993 JUL interview). Others reminded us that Métis thinking about and regard for land is similar to that of the Dene, and that shoreline sites for fishing and trading were preferred by Métis custom (separate interview). There seemed to be consensus that traditional land-use management could be maintained by Dene or Métis -- rather than southern administrative systems -- to continue caring for the land and its living resources.

Métis local representatives indicated that MACA makes some effort to include them in land administration, for instance, by sending copies of land-use permit applications handled by them and by inviting Local 66 to participate in the Ingraham Trail planning study. The lands administration officials we consulted did not seem well versed in issues relating to Métis and did not differentiate between the two locals. Generally, neither Local has had much formal contact with public officials from any of the non-aboriginal governments. The Indian Affairs Branch in Yellowknife deals strictly with "Treaty people" -- many of whom, as noted, are Métis -- and yet has refused to recognise either Local. The City attributes no special recognition to any group of Yellowknifers (see Appendix 3); however, there does seem to be a favourable economic relationship through the Métis Development Corporation. Local 66 noted that Métis are involved in the full range of economic activities, but some maintain strong traditional land use. The Local also recommended that aboriginal organisations be guaranteed seats on City council, in order to represent Métis interests adequately.

Métis representatives were in agreement that tough and serious negotiations would be needed with City officials in order to acquire a land base. They felt that MACA would likely go along with whatever aboriginal groups suggested, but that -- as in the past -- the City would be reluctant to concede any of its land (1993 JUL interviews). Métis recalled the few occasions when a joint committee had met to discuss land issues during the Dene-Métis negotiations: representatives of the Band, Local 55, and the City had begun discussing the moving of the municipal boundary to exclude Ndilo and the selection of lands where the City has plans to build a marina -- and the City withdrew from the committee, which has not met since (1993 JUL interview). Métis collectively have not entered separate negotiations with the City, although a few individuals have tried to secure land for themselves.

Métis organisations expressed concern that they and their culture are not described well, especially in school materials. They noted that native or northern components tend to focus on Dene and Inuit; they recommended that school boards co-ordinate curriculum development with aboriginal heritage and cultural institutes to produce materials that are more sensitive and accurate (1993 JUL: interviews). Michif, spoken in various forms in NWT, is not taught or used in schools in Yellowknife; unlike Dene languages, Michif has not been recognised as an official aboriginal language. All NWT French programming and funding -- which is substantially higher than for aboriginal languages -- meets the needs of federal employees transferred to Yellowknife rather than Métis, few of whom speak French. Métis representatives suggested also that Yellowknife could use a boarding home for Métis, a centre for programs to appeal to Métis youth, and much better medical translation services at the Stanton hospital. Other concerns are presented in the final section of this report.

Representatives of the Métis Nation throughout Canada have expressed their concerns that the Royal Commission on Aboriginal Peoples has not paid sufficient attention to their issues. Representatives of the Métis Nation in the NWT plan to submit a detailed report of their own to the Commission and preferred to articulate their approach to land and other issues for their people in Yellowknife in that report.

POLITICAL & ADMINISTRATIVE JURISDICTIONS

In the present NWT, the political and administrative jurisdictions reflect patterns from the past -- when the land area was much larger and managed by a single council reporting to a federal ministry -- as well as the ongoing struggles to adjust constitutional representation since the interest in the land north of the provinces quickened in southern Canada. In 1868, after Rupert's Land had been purchased by the four provinces of Canada from the Hudson's Bay Company for about \$1 million (by obtaining a loan guaranteed by the Imperial government), it was transferred through legislative Act from Britain to the confederation. The colonial administrators of Canada, who had been negotiating for Rupert's Land since the 1840s, had already made provisions in the British North America Act to anticipate additional land areas. In sections 146 and 147 of the 1867 Act, Canada made allowance for the colonies of Newfoundland, PEI, and British Columbia to become provinces -- but for Rupert's Land and the North-West Territories (a small land area in what is now part of Manitoba and Ontario whose boundaries were disputed by the Hudson's Bay Company) to become simply Territories, which were to remain directly under the control of the federal government in Ottawa (Thomas 1956; 1978: ch 1). While large blocks of land have been removed from these Territories -- and some of them have become provinces under the BNA Act -- in the intervening 125 years, the political status of the surviving area of the Northwest Territories within the Canadian constitution has remained unchanged.

With the Imperial transfer of this vast land area, the government of Canada -- the former colonial administration -- assumed the Imperial Crown's responsibilities toward the indigenous peoples, through the common law and the Royal Proclamation of 1763, which referred collectively to these peoples as "Indians". Much of the traditional "Indian" hunting grounds to be respected by non-aboriginal governments was in the North-West Territories and Rupert's Land. An Indian Affairs superintendency, which had operated in the British North American colony since 1775, became part of the Canadian Secretary of State ministry when it was created in 1868; in 1876, with the creation of the Indian Act, the Indian Affairs Branch was transferred to the Department of the Interior. Responsibility since 1867 for the entire land area, which came to be called the North-West Territories, went to the same ministry. In the intervening 125 years, while the names of departments and ministerial responsibility for branches have changed, federal jurisdiction has been split for aboriginal peoples and for the land which has traditionally been theirs.

When the North-West Territories became part of the Canadian confederation, federal authorities passed temporary legislation in 1869 to administer it through an appointed council with a lieutenant governor located in Fort Garry (Winnipeg) reporting to the Secretary of State (Thomas 1956, 1978; Braden 1976). By 1871, following the events that resulted in the formation of the tiny province of Manitoba, the unrevised temporary legislation for the NWT council was made permanent. By 1873 federal responsibility was transferred to the Department of the Interior and the lieutenant governor was moved to Battleford; two years later, a council was appointed to work with the lieutenant governor. In 1876, the Keewatin District was outlined and a temporary council was appointed to deal with an epidemic; when it was dismissed later the same year, jurisdiction returned to the single council in Battleford. In 1882, the southern NWT was divided into districts called Assiniboia, Saskatchewan, Alberta, and Athabasca -- the rest of the northerly lands remained unnamed -- and some of the NWT council members were elected. By 1888, the council was replaced by an elected legislative assembly in Regina, with an appointed lieutenant governor, who still reported to the Minister of the Interior. In 1895, a provisional Yukon District was outlined, as a result of the rapid migration there of southern mineral prospectors. Two years later, the government surveyor in the Yukon District was appointed Commissioner: no lieutenant governor was appointed and a council was not appointed until 1898, when the district became a separate Territory. The Yukon council was located in the Yukon.

Throughout these years, as Europeans gradually settled in the NWT districts, they had requested local governing bodies, which federal authorities were reluctant to approve (Thomas 1956; 1978). From 1869 to 1939, no local authorities existed throughout the changing land mass of the NWT; in 1939, a Trustee Board was approved for the Local Administration District of Yellowknife on the insistence of some of the more permanent non-aboriginal residents. Studies of the development of "responsible government" in the NWT focus on EuroCanadian models, and disregard both the customary laws by which aboriginal peoples governed themselves before Europeans attempted to change them as well as the Indian Act councils. Band Councils were not established in the NWT until an appropriate degree of advancement was deemed to have overtaken the peoples affected by the numbered treaties (Daugherty & Madill 1980: 6-20). Indian Agents seem to have carried policies and laws from Ottawa to the Treaty-appointed Chiefs, and to have carried Chiefs' numerous and reasonable requests to Ottawa. In other words, federal authorities seem to have been as reluctant to organise and fund politically and administratively active Band Councils as they were to establish local or municipal elected councils throughout the NWT districts.

Southern Canadian interest in the lands north of the agricultural prairies was not sparked until mineral prospecting attracted government and itinerant citizen alike. And, although this interest did not attract the volume of immigration experienced in the more southerly parts of the former NWT, the arrival of many southerners initially imperilled available fish and wildlife for aboriginal peoples. Life patterns that rely on food and fur -- which required access to wide expanses of land -- were drastically altered in a few decades. Federal jurisdiction over land, the resources on land, aboriginal peoples, and non-aboriginal government structures has been and remains fragmented; delegated or devolved jurisdiction to GNWT for lands and some renewable resources is also fragmented and -- from an aboriginal perspective -- arbitrary (Quirk 1993). Jurisdictional mandates conflict.

Northern areas only became visited by treaty and Métis commissions when awareness of the mineral and fossil fuel potential was recognised, and federal authorities sought legal control of the land. Treaty 8 and Métis *scrip*, accordingly, were extended in 1900 to the lands shared by Dene and Métis around Tucho (Great Slave Lake). Government surveyors searching for minerals surveyed the small settlements along Dehcho (called the Mackenzie River) before a treaty was thought necessary there, measuring lots according to the southern Canadian or British land tenure system. At the time this land was, under the 1763 Royal Proclamation, legally traditional "Indian" hunting grounds. When the US company Imperial struck oil in Dehcho at Norman Wells in 1920, federal authorities moved on Treaty 11.

In 1937, a non-aboriginal settlement grew among the Wuledeh settlements near the mouth of the Yellowknife River. Several small settlements, which clustered around mines, collectively expanded into a single town called Yellowknife, which became the capital of the current land area of the NWT in 1967. The Wuledeh would not and could not have foreseen the ways in which those first clusters of tents and log cabins would affect them. As noted above, a Trustee Board appointed in 1939 held responsibility for local matters, while since 1906 the NWT Council had had jurisdiction over some local matters. In the few NWT settlements where non-aboriginal people were the majority of the population, some interests demanded local elected councils, but Treaty people were ineligible to vote. (The story of the development of the local council in Yellowknife is described in Appendix 2.)

From 1905 until 1967, the NWT Council -- unlike the Yukon Territory council -- was located in Ottawa, as a branch of the federal department that also had jurisdiction for northern lands held by the Crown. In 1905, when the prairie provinces were created, the

political status of the remaining NWT districts returned to that of 1871. For the first time since 1871, a lieutenant governor no longer represented the NWT; instead, a Commissioner was appointed. The first NWT Commissioner was already a federal employee, the controller of the Northwest Mounted Police, who reported to the Minister of the Interior. While provision was made for an appointed council, no one was named to it until 1921. Not until the 1950s were any NWT councillors elected and not until the 1970s was the entire NWT legislative assembly elected. (See Appendix 4.) The Commissioner remains the senior official of GNWT and an employee of the federal government. It does not seem inappropriate to speculate that substantive policy decisions about the NWT continue to be made by influential administrators in Ottawa.

In 1993, Yellowknife is the location of multiple political jurisdictions:

- the Yellowknives Dene Band Council (under the federal Indian Act)
- two Métis Locals (under the Territorial Societies Act)
- the City Council (the local governing body under the Territorial Municipal Ordinance/Act and the Cities, Towns and Villages Ordinance/Act); for the submission to this study by City Council, please see Appendix 3
- the Territorial Legislative Assembly (under the federal Northwest Territories Act with federal ministerial jurisdiction under the DIAND Act)
- the constituency offices of the three MLAs for Yellowknife
- the constituency office of the federal MP for the Western Arctic
- the NWT national offices of the Dene Nation and the Métis Nation (both incorporated under the Territorial Societies Act but perceiving their own jurisdictions as derived from customary laws and aboriginal rights)

Yellowknife is also the location of the administrative (public service) offices of the City, the GNWT, and the federal ministries operating in NWT. The Indian and Inuit Affairs Branch employs just under 30, while the Northern Affairs Branch (which includes the Lands office) employs about 300; the two regional directors report to deputy ministers in Ottawa. Taxation on federal lands in NWT is assessed in Ottawa. As a result, the political and administrative jurisdictions in Yellowknife for land and for people have overlapped, competed, and become unnecessarily complex. Processes for resolving conflicts about land and aboriginal peoples have been inconsistent; consultations have been focused on specific issues, as they are perceived by government administrators, and rarely included all parties.

The majority of the NWT land area is now either aboriginal land settlement areas or federal Crown land. Block transfers of Commissioner's Land including and immediately surrounding the settled places -- which through repeated useage have become known as "the

communities" -- have become the administrative responsibility of GNWT. A senior GNWT official with responsibility for municipal land administration sees the situation this way:

[T]he federal government has always had the philosophical viewpoint that the Territorial government is supposed to look after things that are related to people and ... should have an area of land around each municipality to provide those services related to people ... and the federal government sees [itself] as more responsible for resource-oriented activities: mining, oil and gas, land management of the hinterlands, environmental assessment and so on. (interview JUL 1993)

This view neglects federal fiduciary responsibility for aboriginal peoples throughout Canada. In fact, the mandate of the federal ministry responsible for aboriginal lands and aboriginal peoples in the NWT is contradictory. The relation of the Department of Indian Affairs and Northern Development (DIAND) Act (1966, as am.) to the Indian Act (1876, as am.), or of the DIAND Act to the Northwest Territories Act (1870, as am.) may be clear to senior administrators, but has not been expressed to the general public or to Bands or aboriginal citizens. The administration of aboriginal lands and peoples in the area of and within Yellowknife seems particularly troublesome. Here's the opinion of one Yellowknife public servant:

[For] Ndilq, it is a little bit complicated, as far as all the jurisdiction goes, especially when you compare it to other areas in the North Slave, where things do seem to be working a lot easier. It seems as soon as you cross that boundary line into Ndilq, ... everyone says "Well, that's not my responsibility -- it's not your responsibility" ... [L]egally, it's within the municipal jurisdiction of the City of Yellowknife: it's within their municipal boundary at the present time. So when property assessors do their assessments for the City of Yellowknife, they include Ndilq. ... [T]he Territorial government has started to recognise [Ndilq's political organisation] and is certainly willing now to deal with the people down there in Ndilq, with [the Ndilq] Chief -- although respecting all along the overall structure that it's only one Band. (interview JUL 1993)

The relationship between the federal government and aboriginal peoples north of the provinces have varied considerably from the relationships in the provinces. This situation is complicated by long-standing efforts by the NWT Council and the GNWT to take over the management of aboriginal peoples and to ensure that the autonomy of aboriginal governing bodies does not exceed that of the Territorial administration. For example, in 1965, the 31st session of the NWT Council declared a list of constitutional changes it would prefer to have implemented in its favour; among them was "The Territorial Government must take over Indian Affairs in the Northwest Territories and do away with all Indian Agencies" (Council of NWT Debates, 1965 OCT 18-21, page 5, item 5). Since the 1966 Carrothers Report on local governance for the NWT, the Territorial administration has assumed that it has the task of teaching non-aboriginal structures and management styles to aboriginal communities (Franks

1984; Graham 1990). This attitude is strikingly similar to that of the Indian Affairs superintendency since colonial times: that aboriginal peoples need to be coached and trained to learn municipal styles of governance (Daugherty & Madill 1980). The current administration is taking this attitude one step further: its policy is for NWT communities to acquire styles of management typical of Territorial administration through contractual agreements with its "Community Transfer Initiative" (GNWT 1992).

As a result of the Carrothers Report, a Territorial ministry, called the Department of Local Government and (now) Municipal and Community Affairs (MACA), was created and saw "as its prime objective the development of political and social awareness, capability and expertise at the community level in the Northwest Territories" (Gerein 1980: 71). MACA has been encouraging NWT settlements to accept municipal-style councils; in the western Arctic, this may mean adding a council to a community's existing Band council and, if there is one, the Métis local -- as in Yellowknife. Efforts were first made to discredit and, then, to transform the Band councils. The advantage to GNWT of municipal-style councils is that their jurisdiction would be delegated from Territorial legislation (which resembles provincial municipal Acts), whereas Band councils, like their counterparts throughout Canada, derive their jurisdiction from federal legislation. The matter of aboriginal governance in the NWT has been a struggle between supporters of constitutional recognition of aboriginal governments alongside federal and provincial governments against the supporters of Territorial-run councils without constitutional recognition -- because the GNWT does not have such autonomy itself. Since 1989, Territorial officials have claimed that aboriginal "self-government" is encompassed within GNWT-determined public government (see Commissioner's remarks cited in Graham 1990: 197). MACA's solution is an NWT hybrid creation, a "charter community council":

The Territorial government created [in 1987, the charter community] legislation to get around [the multiple local councils in some NWT settlements, such as a Band council, a Métis Local, and a municipal council]. We recognised that 90% of the people in the community are aboriginal and the Band Council is essentially the governing body of the community but, ... they are formed under the Indian Act, and ... community governments are under Territorial legislation. We had to try to find an Act so that the Band Councils could incorporate themselves under Territorial legislation as a charter community, make their own rules about who's going to be on Council and if they automatically want the Chief to be the head of the community council -- that's fine -- or if they automatically want to designate so many seats for the Band, so many for the Métis, so many for anybody else, they do that in their charter. And then they become a charter community. ... We do see that as a way of solving these jurisdictional problems. (interview JUL 1993)

Clearly, the charter community council would not satisfy proponents of full recognition of federal-to-First Nations or constitutional relationships. The idea of somehow absorbing the competing jurisdictions of the Band council, two Métis locals, and the Yellowknife City council into a charter community council is repugnant to all parties: only MACA recommends this solution. The process of developing local governance within the NWT and the relationship of local councils to federal and other potential or existing Territorial governments has been continuing for more than two decades. The outcome of the debate regarding aboriginal and public government -- along with further aboriginal land settlement -- could affect future styles of land-use management, planning, and administration in NWT.

Lands & Land Administration

Dene use of land has always been extensive. Before the Indian Agent moved Dene into the two sites designated for them, the people were staying all around the Yellowknife area, making occasional trips inland. Here are the words of elders born around 1910:

We used to go to the barrenlands every year for hunting and trapping. We had a camp at Discovery Lake; from there my husband travelled to hunt and trap. ... I remember a lot of people living at Burwash Point. We used to pass by there on our way to the barrenlands for caribou. My father and family were living at Kli-Ká that time. A lot of families used to live there [names of five families, including several men who later became Chief]. Also a lot of people were living at Trout Rock [names of families], but my family lived there only for one year. These men and their families had homes [log cabins] there. ... I remember when I was a young girl in the 1920s, my grandfather [name] had a log house near the dock close to the present fire hall. I remember only three log houses in T'èñehda at that time. My grandfather's [name] near the church and [another name and location]. Some families were living in tents as they were always travelling either in the barrenlands or to the Gros Cap area or towards the Trout Rock area. [When this woman returned from residential school in the early 1930s, fifteen families had homes in T'èñehda.]

Before Dene moved to T'èñehda, they used to set camps where hunting and fishing was good. My family used to go to the barrenlands to trap and hunt. In the summer, we used to set camp at the Yellowknife River or sometimes at Burwash Point. I remember a lot of people living in log homes at Burwash at that time. ... The Dene who were living at Burwash Point moved to the area where T'èñehda is now because of a lack of fish. Some houses at Burwash Point were burned down by the Dene before they moved to T'èñehda.

The Dene have been in this area for thousands of years, as far back as I can remember being told by our ancestors: that is, in the present Yellowknife, to the barrenlands, to Gros Cap, to Goulet Bay, to Drybone Bay, to Beaulieu River, to the Trout Rock area. At the Yellowknife River near [where] the bridge [is now] is where Dene used to have camps where they went fishing for the winter season. Sometimes

they went to Prosperous, then to Prelude, and all the small lakes in the area. Where Latham Island is, Dene used to have camps to go hunting and fishing. I remember people living at Burwash Point but I was a young boy at the time. They were probably our old-timers. (translated interviews with Dene elders JUL 1993)

The descriptions suggest that, although Dene continued subsistence lifeways, by the 1920s they had settlements with permanent homes along the shoreline and around the mouth of the Yellowknife River. Hunters kept their sled dogs on small off-shore islands for the summers. Elders also recalled a fish plant at Ptarmigan Point active in the 1960s, fish camps at Wool Bay and Gros Cap -- revived after the epidemic, evidently, since people were earning \$0.75/h there in the 1950s, and a mink farm near Ptarmigan Point (1993 JUL: interviews). Dene had built log homes on Burwash Point again, by the 1960s (1993 AUG: interview).

The lands of the Yellowknife Dene have been described by many specialists. Of the reports examined for this study, Bourne (1963), Berubé et al. (1972), and Slaney (1975) are sources for technical descriptions of geomorphology, climatic details, and opportunities and constraints for development. These lands now are divided by boundaries and administered by three jurisdictions. But jurisdictional responsibilities have become blurred.

Under the federal Northwest Territories Act, since 1974, all lands acquired by or transferred to the NWT Commissioner remain "vested in Her Majesty in right of Canada" (Pt III, s. 46). Under the federal Territorial Lands Act and the GNWT Commissioner's Land Act, blocks of land around each of the NWT settlements existing in 1970 were transferred to the Territorial administration; the Yellowknife transfer occurred in the early 1970s. The block and some separate lots or areas (such as most of Jolliffe Island) within it are managed by MACA; excluded from the block land transfer were certain federal lots. Territorial lands within any block can be sold only by the Commissioner, although the Lands Division of MACA "acts as the agent for the Commissioner in disposing of lands ... and [MACA has] an administrative agreement with the federal government [to] act as their land agent in those communities where there's no block land transfer" (1993 JUL: interview). MACA also has programs for tax assessment, infrastructure, surveys and mapping, and urban planning.

Within each Commissioner's block of Territorial lands is one (or more) settlement boundary; in the Yellowknife block, there is a boundary for the incorporated municipality, the City of Yellowknife, which has had a town planning department since the 1950s. Near the City is an area that has become increasingly developed, known as the Ingraham Trail, which is partly inside the Commissioner's Land boundary and partly outside. Also within the

block are two sites that have become "reserved for the Indian Affairs Branch": T'èḡehda and Ndilḡ. Nominally, the federal Northern Affairs offices have lands jurisdiction for "lands reserved for Indian Affairs", but disclaim responsibility for related concerns such as municipal-type infrastructure. (See the letter on pages 34-35 of this report.) In other NWT settlements, MACA performs land-use planning administration; T'èḡehda and Ndilḡ are examples of places which MACA regards as individual "communities" for which officials feel they have land-use responsibility. However, each has only a surveyed line, which is not a "community" boundary within the meaning of Territorial policies. The City of Yellowknife, which refers to the survey line as the "property line", in its 1988 General Plan indicates that the City feels it should have full authority over land use throughout the municipality, including Ndilḡ (City of Yellowknife 1988: G.1A.4 and G.15). Other places the Dene have customarily settled, such as Burwash Point or Trout Rock and Gros Cap, are within the municipal boundary and within Crown lands, respectively. The Band feels that the federal government has informally transferred its responsibility and left Band members split by these jurisdictional tangles. Métis land entitlement is not formally recognised by any jurisdiction.

The original settlement boundary for Yellowknife -- before any Territorial Lands had been transferred -- was everything within a 15-mile radius of a specified point in Old Town. At the request of the Territorial administration in 1968, the Town council proposed to reduce this area, accompanying the change with the map we have included as map 7 in this report (City Correspondence 1968a: motion and letter JUN 03). An oddity is that T'èḡehda, inside the proposed municipal boundary, on this map is called "Ptarmigan Village", a name that meant nothing to Dene elders. A letter in response to the proposed change from the Territorial administration (City Correspondence 1968a: JUN 15) reminds the town that its staff would become responsible for the road to T'èḡehda, which had only been turned over to the federal lands administrators by the town in 1967 (City Correspondence 1967). The current municipal boundary has been in effect since 1982, but the Yellowknives Dene Band has been requesting of MACA and the City that it be renegotiated to exclude Ndilḡ and other selected Band lands. Dene and Métis representatives indicated that in the past City officials failed to take a negotiating position, and withdrew from a committee discussing lands. Relations between aboriginal organisations and the City have not been friendly.

The issue of adjusting the municipal boundary arose in different discussions during this study. A MACA representative noted that, during land settlement negotiations, several municipal boundaries have changed to accommodate land selection; so the idea that the

Yellowknife boundary might change as a result of negotiations here would not be setting a precedent (1993 JUL: interview). The other point of discussion involved the Ingraham Trail, which is at present the subject of the second major planning study in 20 years (see Slaney 1975). Since numerous (mostly non-aboriginal) residents are living there permanently now and are demanding more municipal-type services, lands administration officials agreed that one option might be extending the municipal boundary to include those developed lands (1993 JUL: interviews). The current planning study for the Trail is using the previous, very thorough study as background; although aboriginal peoples and their values are discussed in the earlier study, no aboriginal organisations are listed as having been consulted (Slaney 1975). The present study includes all parties interested in lands there -- posing a contrast to the ineffective and awkward processes involving aboriginal lands.

In discussions with lands administrators, we heard the word "informal" repeatedly. Federal officials expressed their attitude toward customary use by Dene and Métis of their traditional lands as "benign neglect" or "hands-off". Trappers are offered leases but, as they cost about \$100, they are rarely taken. Officials remarked that they do like to keep records of who's where and what improvements they might be making, for instance, to outpost or fishing camps, but Northern Affairs does not require any formal disposition of land for "traditional pursuits" (1993 JUL: interview). Officials noted, however, that some areas near Yellowknife -- such as the Ingraham Trail and along the highway to Rae -- are experiencing conflicts that involve more recent arrivals near the customary sites used by aboriginal people. They described the increasing use of land there as "unplanned development" and, agreeing that its character was more rural than urban, suggested that MACA had apparently expressed concern about additional cabin construction (1993 JUL: interview). MACA, too, noted some of its policy administration as informal, especially toward the lands north of T'è ehda:

Right now, [Burwash Point is] Commissioner's Land. Technically it may be within the City boundary, but we're quite sensitive to the fact that you can only access it from the T'èqehda road. ... What [MACA has] done informally, as far as land administration on the other side of Yellowknife Bay, is we have adopted an informal approach that that land is basically ... an area of influence that should be directed and controlled by T'èqehda. [From] the intersection of the T'èqehda road and the Ingraham Trail ... we feel that nothing really should happen unless it's done in conjunction with the community government of T'èqehda. (interview JUL 1993)

T'èqehda and Ndilq are designated "lands reserved for Indian Affairs Branch", a term which, as federal land administrators explained, began with a 1955 Cabinet directive. It allowed the transfer of Crown lands administered by one federal ministry to another; the

status of such lands was to remain unchanged, so that title stayed with the Crown. But, while Crown lands have been reserved for other federal branches, only lands "reserved for Indian Affairs Branch" were surveyed (1993 JUL: interview). As noted earlier, federal archival memoranda indicate that officials had for some years debated whether northern lands settled or occupied by Dene and Métis had been set aside "for 'Indians' " or "for Indian Affairs". The Indian Act definition of a reserve as lands "set apart by Her Majesty for the use and benefit of a band" would seem to describe Ndilo and T'èqehda. Memos from 1956 until after the Nelson Commission report in 1959 make no mention of NWT lands "reserved for Indian Affairs". The book notations for Ndilo and T'èqehda designating them as such were not set until 1961 and 1963 respectively, when Energy, Mines and Resources surveys were undertaken (CLRS 1961 and 1963a). The timing means that, in 1947-1949 and 1959-1960, when officials were coercing Dene to move to these two sites, they were not yet officially "Indian Affairs Branch lands". The City's 1988 zoning by-law refers to Ndilo, Lot 500, as a "Federal Reserve" (City of Yellowknife 1992a: s. 33).

The importance to the federal Surveys Branch of the status of northern lands is reflected in a manual of instructions for surveyors published at about this time: a chart in it, which was sent to Yellowknife town officials in 1968, indicates that, if lands are "Indian lands" -- as determined by the Indian Affairs Branch -- permission to survey would not be approved (CLRS 1963b). Given the number of mineral surveys done in the Yellowknife area, and the significance of mining to the northern economy, officials had ample reason for delaying designation of lands as "Indian", whether under the Indian Affairs Branch or not. A MACA official noted that, since "lands reserved for Indian Affairs Branch" are not held in fee simple, they could not be sold to contribute to MACA's revolving fund, which buys lands developed for public use; neither is DIAND willing to compensate MACA to cover its costs to develop lands, for instance, in Ndilo (1993 JUL: interview).

The Yellowknives Dene Band has decided to clarify its own position, since other jurisdictions seem content not to resolve the differences in perception about their land. Moving toward negotiations for fulfilment of Treaty entitlement, the Yellowknives Dene First Nations in July 1993 passed two inter-related Band Council Resolutions. The first was:

WHEREAS, the settlement of Canada's obligation will involve setting aside lands for the exclusive use of the Dene, and
WHEREAS, the Yellowknives Dene First Nations are signatories to Treaty 8, for as long as the sun shines, the rivers flow, and the grass grows, and
WHEREAS, under the Dene First Nations' version of Treaty, it was our under-

standing the purpose of Treaty was to share the land and resources, and that we did not cede, surrender, and release title to land under the terms of Treaty 8, and WHEREAS, the Yellowknives Dene First Nations are the original inhabitants and owners since time immemorial, and WHEREAS, the current and traditional land of the Yellowknives Dene First Nations are north and east of Great Slave Lake (maps attached), and WHEREAS, the Yellowknives Dene First Nations are currently in discussions with Canada relating to Canada's obligation under Treaty 8 to provide "a portion of land" and other Treaty entitlements --

THEREFORE BE IT RESOLVED THAT, as of July 31, 1993 the land (as per attached map), by this Band Council Resolution will be protected from any alienation whatsoever until such time as a resolution to the Treaty entitlements is completed.

(Yellowknives Dene Band Council Resolution #93-462)

The related BCR warned the federal and territorial governments and third parties, such as mining companies, that "all or any activity at locations on the lands ... must be authorized by" the Band and recommended meetings with officials to establish and implement the authorization process (BCR #93-464). Negotiations are underway at the time of writing.

The creation of "Indian Affairs Branch" lands has not resolved the issue of aboriginal land entitlement -- it has served effectively to delay it. In Yellowknife, federal officials have not taken seriously responsibilities toward people that accompany jurisdiction for such lands, and yet they moved people deliberately onto them. Further, formal responsibility has not been transferred so that the Band or any other jurisdiction is enabled to provide land-use planning and services for Band members who need them -- or, at least, to be held accountable for providing them.

Lands Taxation

In 1906, the federal Northwest Territories Act delegated certain matters, including "direct taxation for municipal or local purposes" to the NWT Commissioner-in-Council. Most NWT revenues were derived from liquor taxes, which a Yellowknife newspaper reported were nearly \$1.5 million for 1950; further, the report noted that since 1939 most of the profits had been spent mostly in public construction such as airports and highways (News of the North 1951 JAN 26: front page & 3). Much of the early administrative work of the NWT Council, at least in Yellowknife, related to the orderly distribution of liquor and ways to handle intoxicated people (City Correspondence, Prince of Wales archives and local news reports). Problems were experienced not only among the transient non-aboriginal population but increasingly, through bootleggers, among Dene and Métis residents. These patterns are

similar reflections of those in other Canadian cities and in rural areas of other countries where European or North American lifestyles have affected indigenous populations: often the people who benefit most from attempts to modernise the local economy are bartenders' families (Knippers Black 1991: 117). By 1953, a "tax rental agreement" was struck between the Department of Northern Affairs and National Resources and the NWT Council, which produced the chief source of Territorial revenue.

In 1951, leasehold in Yellowknife became freehold through a federal agreement and all surveyed lots in the district were advertised for sale (*News of the North* 1951 APR 06: 7). Local administrators sought the assessment of privately owned property for taxation, according to the British-Canadian land tenure system. In this way, the interests of private property owners, as the basis for local revenue, gained the pre-eminence in local administration that they retain to this day -- in Yellowknife and all Canadian municipalities. Property taxes contribute toward the costs of running an incorporated municipality, including salaries of local public employees, maintaining public buildings (such as City Hall, libraries, pools, arenas), roads (cleaning and snow removal), infrastructure (sidewalks, water, sewage systems), waste management, and public safety (fire and local bylaw officers). Some services, such as water delivery and sewage disposal, are also assessed individual user fees. The City of Yellowknife feels that everyone who uses roads and other facilities and services in the municipality ought to pay property taxes, as well as the specific user fees; this would include people living beyond the municipal boundary along the Ingraham Trail and people living on "federal" lands, such as T'ènehda and Ndilq. Property taxes for Territorial (or Commissioner's) lands are assessed by MACA for tax-based municipalities:

All the property taxation is done by the ... property assessors employed by MACA. ... Hinterlands, obviously, which are not developed, are not assessed. ... Within what's called the "general taxation area", outside of the cities, towns, and villages, the assessors do it for the Department of Finance of the GNWT, which sends out the tax bills. [MACA does tax assessment] on behalf of the City of Yellowknife within the municipal boundary; then the City sends out the tax bills.

Property taxes are ... based on the assessed value that each property has, and all pieces of land that are developed are assessed. ... But the taxes that are gained pursuant to these assessments and the mill rate that's applied to the assessment roll ... it's for all services and administration costs that the City incurs. The [City has] their own O & M [operations and maintenance] budget and ... their capital budget, and all of the O & M budget ... and a big chunk of the capital budget is also paid for by the taxpayers of the City; however, the City does have a block funding agreement for capital with the Territorial government, as well. There may be some O & M funding in the block funding as well, perhaps, because we used to have transfer payments to tax-based municipalities. (interview JUL 1993)

Interestingly, up to four administrative offices handle tax bills for "property" in a residential population of about 15 000 people. The basis for property assessment is the market value of property:

"Real property taxes" are levied upon the sum in dollars of the value of (a) land based on its value in the market place which is created by location, land use, etc; and (b) the value of the improvements upon the land. These values are summed and the owner is levied for taxes based on a mill rate (a mill is 1/1000th of a dollar) or a rate of \$1 for every \$1000 of the assessed land value and improvements. A typical mill rate for the N.W.T. might be 40 mills, therefore an owner having \$10,000 worth of real property would pay a municipality $\$10,000 \times 40 \text{ mills} \times \$1/1,000/\text{mill} = \$400$ annually for the provision of municipal services. (Gerein 1980: 122)

Market property value, which can be very changeable, has been challenged as the most suitable basis for generating municipal revenues by aboriginal peoples (and, in recent decades, by many people in Ontario). Many NWT Bands, including the Yellowknives Dene Band, prefer holding land collectively rather than severing and assessing individual lots for private ownership. One Band member remarked that this preference likely causes concern for City administrators, who might wonder about the impact on City market values of a large Dene -- and, possibly, a Métis -- land base nearby where the monetary value of land might be based more equitably (1993 JUL: interview). Until 1984, a grant in lieu of the property tax assessed for "lands reserved for Indian Affairs Branch" was paid by DIAND in Ottawa. For Ndilq, the grant was paid to the City of Yellowknife and, for T'è ehda, to GNWT.

When DIAND stopped paying the grant in lieu of property tax for NWT "lands reserved for Indian Affairs Branch", nothing replaced it. The City of Yellowknife, on federal advice, sent property tax bills to individual homeowners in Ndilq, who refused to pay; after several meetings and an informal hearing into the matter, the City dropped its demands to homeowners and has since been asking DIAND to honour its commitment (1993 JUL & AUG: interviews). This matter is still under negotiation. DIAND has paid some grants in some years and is honouring its commitment in aboriginal land settlement agreements:

[Tax assessment for] the whole of Ndilq is sent to the federal government, although the housing corporation does have some leases within Ndilq as well. So the housing corporation pays their taxes for their share. ... Until a few years ago, the federal government always paid a grant in lieu for Ndilq and any other areas of land [in NWT] reserved for Indians. In a tax-based municipality, they would pay to the municipality; in a non-tax-based municipality, they would pay to the Territorial government. Recently, they have stopped paying that. ... [I]t's definitely put some of the municipalities at a severe disadvantage with their budget.

[In the Gwich'in land settlement area, former IAB lands] have now been turned over

to the Gwich'in Tribal Council as fee simple lands and the federal government has agreed to pay the property taxes for the next 15 years. So, it's interesting to see that ... the federal government is now willing to pay for 15 years [on equivalent-status lands] and they used to pay before, and now there's this little gap, extending to the present day, to areas like Ndilo, where they're not paying. ... So that leaves [GNWT] and the City in a bit of a quandary. (interview JUL 1993)

The taxation situation for T'ènehda is also confusing, as a result of the lands administration tangles. The following statement illustrates some of the difficulties that officials have explaining matters in clear language:

T'ènehda [is not among NWT] tax-based municipalities, so [it is] not self-sufficient as far as property taxes. All [non-tax-based] communities get their budgets from the Territorial government [and] the property taxation is done by [GNWT].

The Property Assessment and Taxation Act says that the registered owner or the occupant is to be assessed property taxes. So, when we get into T'ènehda, where the housing corporation has some leases and they [Done Naawo Society: the Band housing corporation] are the registered occupant, I guess, or the registered land holder -- not owner, but -- they pay property tax. I think they have 7 leases there, or thereabouts. The remainder of Lot 859 is land reserved for Indians under -- -- or IAB, Indian Affairs Branch land. And even the 7 parcels that are leased to the housing corporation were IAB land and they were released through a Band Council Resolution, on the condition that the reversionary interest -- once the housing corporation was ever finished with them -- that they could go back to becoming IAB land, so that the Crown wasn't giving up their claim on the parcels. And, so the remainder of Lot 859 is assessed and [the tax bill] sent to the registered owner of the property, which is the federal government. (interview JUL 1993)

As noted earlier, taxation for people who are now living permanently along the Ingraham Trail has become an issue, since those people are outside the municipal boundary but work there and use City facilities. Property taxes have only been levied on Ingraham Trail lots since 1992, even though federal housing lots have been there since the 1950s:

[W]e now have property taxation on the Ingraham Trail over the last year, and that has got a lot of the cottagers interested in seeing what value they're getting for the tax dollars that they're paying. Property taxation [is] probably more properly named as like a government service charge or a municipal service-type charge. That's what the money is paid in lieu of -- receiving services -- so they're certainly questioning what services we should have out there.

[Along] the Ingraham Trail, there are government services that are supplied to people out there, namely the maintenance of the highway -- in winter, the snow ploughing and in summer the road maintenance. [T]hat's a cost that GNWT incurs for the people out there; it's a service we provide. We don't provide typically [such] services as water, sewer, garbage -- services that a municipality would supply -- to the Ingraham Trail because there is no municipality. ... It's certainly come onto the minds of the residents and lease-holders on the Ingraham Trail, now that they're paying

taxes to the Territorial government where they haven't been paying them for the past 20 years and they don't necessarily see any difference, except that now they're paying. Presumably, we could have been charging them for the last 20 years. Or, if they're going to pay now, they'd like to know what does this actually mean then?

That does leave the Ingraham Trail in a bit of a grey area because anybody that lives on the Ingraham Trail -- whether it be on federal Crown land or Commissioner's Crown land -- probably works in the City of Yellowknife and uses all the municipal streets and the arena and the library and the schools, but they don't pay property taxes to the City who has to maintain all of these services. (interview JUL 1993)

One tax issue that emerges clearly from our study is that citizens do not feel that they are receiving appropriate services for payment of property taxes. Residents of Ndilo, T'èrèhda, and the Ingraham Trail evidently want improved services where they are, rather than to be told that their payments contribute to salaries, library, pool, or communal roads. In southern Canada, many people live in one place but work in an adjacent place; the issue of where their property tax dollar should be spent rarely arises (partly because other residents cover the "communal" costs). In Yellowknife, the operation of a capital city that strives to be like a southern urban centre is costly: its recreation facilities far outstrip those of any NWT community. The issue of outlying residents contributing toward Yellowknife costs arises because Territorial lands jurisdiction was designated along strictly urban lines without enough consideration for future settlement or development of a more rural-residential nature beyond the settlements that existed when the block transfers were made. These designations also ignored customary extensive land use and settlement patterns of aboriginal peoples, which had been deliberately altered only the decade before the Yellowknife block transfer.

From Mining Settlement to Government City

In 1888, a Select Committee of Senate was struck to "investigate the resources of the Mackenzie Basin"; during 1899 and 1900, geologists searched the lands to the north of Tucho. In 1905, gold was reportedly found near the Yellowknife River and another Senate Committee was appointed in 1907 to "determine the potential value of the Mackenzie District", presumably with an eye to mineral exploitation (Fumoleau 1973: 326-339). Dene elders recall small groups of itinerant white people looking for rocks, whom leaders asked to leave, near Dene Yellowknife River settlements. An early newspaper chronicler notes that "Dominion Explorer, pioneer aerial prospecting company, had a camp on Yellowknife Bay in 1929" (*The Yellowknife Blade* 1940 NOV 16: 4). A Dene elder tells this story:

In the Long Lake area, men used to go caribou hunting and the women used to pick berries -- there used to be lots and lots of berries -- and make drymeat, set up camps. Also in the Giant mine area, used to be a lot of blueberries all over. That's the area where [name] and two other women found rocks -- they were gold.

(translated interview with Dene elder JUL 1993)

Non-aboriginal histories credit two prospectors with finding gold -- and staking their claims -- in 1933 at Quyta Lake (on the Yellowknife River), in 1934 on Burwash Point, and in 1935 at one of the Giant mine sites (recounted in Jackson 1990: 14-16; Watt 1990: 26-28). In 1934, the first mine opened at Burwash Point, and subsequent claims were staked on the west side of Yellowknife Bay, three of which had producing mines in addition to the two Giant mines (Bourne 1963: Appendix A; Jackson 1990: 17-23, 182-185, 216-221, 242-246; Watt 1990: 28-43). Burwash mine closed by 1937 and the point was deserted by miners as it had been by Dene a few years before. In 1993, the Con and Giant mines are still active; the Con lease is now completely surrounded by residential Yellowknife. The number of mines in this area are shown on map 8 in this report, while the area of mining claims registered in 1975 is shown on map 10. The Giant and Con mine leases can be seen on map 11, and the extent of tailings from existing and abandoned mines can be seen on map 9.

Prospecting activity, dramatically increased by the rush for gold around the Yellowknife River had an unfortunate impact on Dene and Métis families. Since prospectors were allowed, in 1925, to hunt for food in the "native game preserves", wildlife on which aboriginal peoples relied was becoming depleted (Fumoleau 1973: 235-254, 268-271, 288-301; Hunt 1976; Quirk 1993; also Bishop Breynat's remarks about the 1930s in Appendix 1). Some non-aboriginal hunters express their own views in the Jackson history of Yellowknife (1990: 59, 196). About the situation in the mid-1930s, Fumoleau says:

Mining activity in the gold fields of Yellowknife created additional problems for the Indians of Fort Rae and Yellowknife. Prospectors were overrunning the Indian Game Preserve, trapping and shooting game. The mining itself did not seem to bother the Indians, but it was the abuse of their game preserve that they protested. They saw white prospectors, trappers and traders getting rich on their land

(Fumoleau 1973: 196)

Some Dene were employed at the mines, but perhaps intermittently. While reading this elder's story, bear in mind that a non-aboriginal carpenter earned \$1 an hour for 12-h days in 1936 at the Negus site (Jackson 1990: 222):

The first mine was the Burwash mine and I worked there for the white people, in 1935 or 1936. The first time I remember seeing white people was in 1935 [when I

was about 22 years old]. ... There were 12 of us young men who worked at Burwash mine for \$2 a day. Before we went to work in the morning, we checked our fish nets to eat fish before we went to work. ... I also worked at the Giant mine for three years when they started up. Also at Con Mine for three years. After that Negus mine opened up and it was in operation for one year. I also worked there until they closed.
(translated interview with Dene elder JUL 1993)

Elders and non-aboriginal people recall that Dene cut wood, sold meat to, and did laundry for some of the first arrivals. The first non-aboriginal camps were tents and, later, log cabins followed by frame buildings mostly to house and prepare food for mine workers. In 1937 and 1938, between the Con camp and the Giant camp, a small village of tents and wooden buildings grew very rapidly at what became Old Town (see maps 4 and 8; also Jackson 1990: photos pages 12, 25, and 36). In those years, Dr Stanton arrived as the Cominco mine doctor, joining two nurses at the cottage hospital; he became the local authority on sanitation, public safety, and improved medical facilities (Jackson 1990: 186-189, and frequent mentions throughout; see also page 33 of this report). This was the start of the settlement named Yellowknife.

The early days in Yellowknife were marked by the enthusiasm and energy of the non-aboriginal arrivals who seemed eager to create a community here that was familiar to them, despite the differences and hardships augmented by the post-depression economy. Social events are readily recalled, but the Jackson collection of reminiscences also captures the efforts to organise schooling, banking, religious, and recreational activities. High transience among the arrivals posed challenges to the few officials attempting to keep orderly management of law, public safety, and lands -- both mining concerns and the movement from leaseholds to private ownership (Jackson 1990: 98). In fact, the public administrations of mining, lands, and local matters were virtually indistinguishable. In January 1945, just two months after his arrival in Yellowknife, the federal mining recorder wrote to his director in Ottawa about some Dene at one of the mines:

Mr. Tough of the Frobisher Co., called to see me today in connection with the Indian encampment which has grown up in the vicinity of their camp.

The Company has employed a small number of Indians from time to time, and owing to a shortage of accom[m]odation, they were encouraged to put up tents and board themselves, being allowed additional pay for it. At the present time the Company has accom[m]odation, and is prepared to house and feed any Indians working for them.

Last summer, other Indians joined those working for the Company and a small settlement now exists close to the Company bunk houses, and in the immediate vicinity of the source of the water supply for the Company camp. As their ideas of sanitation are not at all modern, a bad condition exists. The Indians hunt from the

camp and take advantage of the Company's wood supply for their own requirements.

As the area is a Game Preserve for Indian use, I could not give Mr. Tough any assurance of assistance, and informed him I would take the matter up with your department. Could arrangements be made with the Department of Indian Affairs to have this settlement moved[?] (DMR 1945)

In turn, the Lands, Parks and Forests Branch director sent along the above letter when he wrote to the acting director of the Indian Affairs Branch:

This company [Frobisher] is developing the "Giant" mineral claims As you know there is a[n "large" crossed out] Indian settlement about two miles southeast of the [Yellowknife] settlement and Indians from it work from time to time at the Con and Negus Mines, but their families do not accompany them.

The mining property of this company is within the boundaries of the Yellowknife Preserve where Indians are free to hunt and trap but in the interests of the general welfare of the Indians and white people, it is most desirable that the Indians do not live close to mining camps. Possibly Dr. Riopel, Indian Agent, could take up this matter the next time he visits Yellowknife and arrange with the Indians to move their families to a suitable site at a proper distance from the company's camp. Would you kindly let me know if some such arrangements could be made to remedy this undesirable condition[?] (DMR 1945)

Once again, the correspondence between federal officials illustrates official attitudes toward Dene in the Yellowknife area. That these official attitudes spilled over into local administration cannot be doubted: the person employed as mining recorder became in addition the appointed chairman of the Yellowknife Administrative District Council, which held its meetings in his federal office (one tells his own story in Jackson 1990: 93-99). In 1948, the local council consisted of "a representative of the community, and four others representing the mines", one of whom was Stanton, Cominco mine's doctor (Jackson 1990: 94).

There is no awareness expressed in the officials' letters in 1945 about Giant mine's concerns that these lands had been hunted for generations by the Dene, nor that, until they were staked, the mine sites were places Dene families had camped to hunt caribou and moose and to pick blueberries. The "Company's wood supply" undoubtedly came from the same places Dene had used to supply their camp nearby at the mouth of the Yellowknife River. The remarks about the water supply are poignantly ironic, considering the devastating impact of Giant mine's activities on the Dene camped on Latham Island only six years later (see page 33 and Appendix 5). Pollution resulting from rapid development of several mines and unplanned settlement has caused sufficient concern in the decades since that environmental studies of the air, soil, vegetation, and, especially, water have been common.

Federal studies in 1950, 1967, and 1973 at least have investigated air-borne arsenic and its effects on Yellowknife (CLC 1977). Other federal studies 1971 and 1975 warned that the use of Niven Lake as a sewage lagoon filtering improperly treated wastes and depositing them into Back Bay ought to be discontinued; the latter report noted that "no water sample collected in the entire study met the criteria advocated for drinking water" (Bell et al. 1975: 48) and did not recommend transferring the sewage lagoon to Kam Lake. Mine waste, too, has been studied, although scientists asked to report on the Con and Giant tailings systems were specifically instructed not to assess them but only to describe them (Bérubé et al. 1972: 163); still the report details efforts to contain wastes around Yellowknife at operating and abandoned mines. Pollution is acknowledged, in the City's 1992 Annual Report, as a continuing challenge for the municipality. It is of sufficient concern to the Yellowknives Dene Band that they requested extensive Back Bay studies, so far of water quality (completed) and of contaminants in fish (which begins this fall).

A study prepared in 1962 toward a geography master's thesis reported that 18% of the total Yellowknife population of 3200 lived at the sites of the mines: 340 people at the Con settlement, and 260 people at Giant. The Yellowknife Indian Agent reported about 100 Dene staying at "the Indian village" (presumably T'èqehda). From taxation and election lists, an estimated 650 people lived in Old Town and 1900 people were living on the New Town site (Bourne 1963: Table IV). The Dene and Métis staying in and removed to Ndilo are not counted, either in this table or elsewhere in the report; in fact, aboriginal peoples are not directly mentioned anywhere beyond this table. Like the Glassco Royal Commission Report of 1963, Bourne evidently assumed that northern aboriginal peoples had no contribution to make in the future development of their ancestral homelands.

The Bourne study, which was distributed as a report by the department of Northern Affairs and National Resources was cited as a reference by most of the studies we reviewed and is the only work of its kind in the Yellowknife Public Library. In other words, it has been regarded as an authoritative contribution to the public record. Bourne was ambivalent about Yellowknife's future, predicting a gradual decline in gold productivity by 1987 and an increase in government employment (1962: 81-83, 86-87, 125-126). Key informants had advised Bourne that influential interests in Yellowknife had failed in their attempts to bring the NWT capital there (87, 126). Bourne remained sceptical that the economy of the town could become diversified, believing it would rely on even greater government subsidies (126-129). The report recommended that government continue to support the town, improve its

permanence by making it a regional centre for transportation and outlying, temporary mining camps, and thereby create a model for planned northern resource development centres (110-123, 129-134). Apart from one or two overspecific predictions, Bourne's analysis of the economic situation of Yellowknife retains insight even to 1993. He characterised Yellowknife's economy as including public economic assistance (in the "form of building construction and property taxes, employment, outright grants, grants in lieu of taxes, sub-sidized community services and cost-aid to the mining industry" [86]), public stimulation of local service industries (87, 127), some increase in transportation services and tourism ("marked seasonality and low personal expenditure ... will limit its significance" [126-127]), some commercial fishing ("limited potential", to be rivalled by Hay River [127]), and "little possibility of any major industry or service activity locating in Yellowknife" (127). Like other analysts with an urban regional focus, Bourne seems to consider only large-scale productivity and neglects small-scale local economic initiatives that could contribute to the well-being of local people. As noted, aboriginal peoples are not part of Bourne's analysis.

The 1963 Glassco Royal Commission, too, dismissed aboriginal peoples from northern development, as Franks noted: "administration of the north was to be controlled by the south. Natives were in a position of tutelage. Programs were not to be controlled by the clientele they served. Natives would not influence or participate in goal-setting and program development. The intention of administration was to ensure the provision of basic health, welfare and education services, and to change natives. Change was to make them like the southern labour force" (Franks 1984: 217-218). When Yellowknife began its transformation from several mining villages to a government town -- and Bourne reports that this was happening in 1962 (87) -- non-aboriginal people were recruited. An initial combination of former northern managers from the RCMP and the Bay, with professional administrators trained in southern public services gradually changed to move aside the "insiders" or "old-timers"; by the mid-1980s, the GNWT, federal, and City staffs were dominated by "the new breed of professional technocratic managers [who] are naturally eager to modernize public administration with the implementation of the high tech, rationalist systems which prevail in other Canadian jurisdictions" (Whittington 1984: 250; also 249, 251). Some officials have been anxious to draw aboriginal peoples into the public services, partly to increase representivity and partly to mitigate high unemployment rates, particularly among aboriginal young adults. Some officials have also been anxious to transfer dominant styles of administration to the local level in NWT communities (Franks 1984: representivity 229-231; Whittington 1984: indigenization 245-247; decentralization 243-245, 246-247; GNWT 1992:

current administrative transfer plan to communities). However, the perceptive and detailed article by Franks observes repeatedly that these efforts are often insensitive to aboriginal cultural values and practices (1984: 210, 219-221, 234-237). Transfers of knowledge -- that is, non-aboriginal administrative styles -- to communities where aboriginal peoples dominate has inhibited the development of distinctly aboriginal administrations.

In Yellowknife, the overwhelming presence of public servants, still asserting their role as tutors of aboriginal peoples, obscures the tremendous increase in political capacity of local Dene and Métis. Opportunities for managing themselves according to their capabilities -- rather than being trained to outsiders' capabilities and assumptions -- are severely limited. This situation resembles that of the micro nation states of the world that are predominantly rural and are struggling with unwieldy, oversophisticated public administrations bequeathed to them by major urbanised colonial nations (Baker 1992). Keeping links to dominant administrations is vital (see Ickis in Korten & Alfonso 1983); however, emerging aboriginal nations in Canada, like micro nation states, face similar challenges to shape public services that function to meet their needs and cultural assumptions.

Everyone Wants the Jurisdictional Problems Resolved

The political and administrative officials in Yellowknife, although they dislike the existing problems, seem reluctant to improve them formally. The Territorial lands and community planning officials in particular seem to be waiting for aboriginal land settlements:

[W]e have the outstanding land claims and aboriginal rights, which are always hanging over our heads. One would always have to assume that those are probably a greater priority than some of these other things, which would probably all fall into place if claims were settled. (interview JUL 1993)

Increasingly technical sophistication of lands management has not resulted in greater certainty for Dene and Métis, because policies are not implemented or conveyed to them in ways that are satisfactory to aboriginal communities. Neither have they been offered a share of the technical sophistication for their own use: decisions for locating equipment and training in Yellowknife favour Territorial and federal staff.

Although some lands are said to be "reserved for Indian Affairs Branch", Indian Affairs have sidestepped most associated responsibilities and seems reluctant to either enable

the Band to look after its own membership or get the jurisdictions to which responsibility was transferred to take them seriously. Both federal and Territorial officials claimed to be relaxing their policies to take informal approaches -- a Yellowknife MLA takes credit for initiating them (1993 AUG: interview) -- even though this attitude caused difficulties:

If we're going to do something, we should do it right and finish it off, and not say on the one hand that this is land within the City but informally MACA considers it to be something else. ... We do tend to deal with [Ndilo] unofficially, and that doesn't always put us in good stead with the municipality. It's an awkward situation.

[T]here have been a lot of informal comments about the need to examine the jurisdiction. The City has not made any movement to the Territorial government. ... It is coming a little bit from the Band. (interview JUL 1993)

The City, which has few reasons to find MACA's informal recognition and activities favourable, does seem to have taken more formal and less relaxed approaches than either of the senior jurisdictions. (See Appendix 3 for the submission to this study by City Council.) MACA characterises itself as a diplomat moving among the parties at the local level, but aboriginal organisations are wary of the roles MACA has assumed for itself; many Dene still do not recognise GNWT as their government. All non-aboriginal jurisdictions told us they felt they were each consulting the Band regularly and had tried to maintain dialogues. Band staff, Chiefs, and council disagreed with these assertions. Clearly, the ideas of what constitutes acceptable flows of information and discussion of issues vary from one jurisdiction to another. No amount of informal policy can substitute for a genuine process of communications that includes ways to resolve conflicts and to make and assess recommendations.

In Yellowknife, municipal and Territorial officials are striving to modernise their economy and their management of public administration, perhaps to alert federal officials that NWT and its capital are ready for provincehood. But aboriginal land settlements and political relationships in Yellowknife are yet to be completed. Suggestions were made that a ward electoral system established in Yellowknife might guarantee Dene, and possibly Métis, a seat on City council; other suggestions included a guaranteed seat on City council for aboriginal organisations, and the transformation of City council into a charter community council. A further suggestion was that T'èqehda could also become a charter community, a change that would effectively split the Yellowknives Dene Band as well as bring its separated parts under Territorial jurisdiction (1993 JUL: interviews). NWT constitutional development has not yet determined the relevant structures and relationships for the western Territories and, the way the process is scheduled, local-to-GNWT relations are supposed to be considered before

federal relations. The impending division of NWT was raised in interviews by aboriginal peoples. They wondered what the impact on Yellowknife might be, particularly on the economy and market values for land, and whether these factors would be considered in the City's revised General Plan (1993 JUL: interviews).

Aboriginal peoples, including the Dene, have expressed preferences to participate more actively in governing themselves. An essential part of governance will necessarily be planning and managing aspects of development their communities determine as their goals, and to do so according to the thinking suited for each culture. One MLA, who agreed generally with these ideas, seemed to think the Territorial administration might evolve into an aboriginal government, with changes to the administration flowing from having senior-level aboriginal officials so that non-aboriginal and aboriginal values could be mixed (1993 AUG: interview). Models and styles for aboriginal politics and administration in Denendeh have been widely and enthusiastically discussed for two decades, and are likely to continue.

Non-aboriginal administrations so far in NWT have sought standard socio-economic policies, uniform concepts for planning land use and settlement layouts, and regulations reflecting EuroCanadian thinking to promote consistent and orderly procedures in local administrations. Not only have these styles of management been applied to settlements with mostly aboriginal NWT communities, but aboriginal graduates and local councils have been urged to adopt them as their own (Franks 1984; Whittington 1984). Some policy makers promoting these administrative policies and knowledge transfers are themselves aboriginal, perhaps persuaded of the inevitability of assimilation. The present Territorial plan, the Community Transfer Initiative, offers NWT communities a choice of which GNWT programs and services to administer locally, but no opportunity to shape, plan, or decide on financing (GNWT 1992). The plan will transfer knowledge of rationalist management rather than have communities develop local programs that they might actually need or want.

MACA, for example, evidently feels that the Band is resisting the "sensible" route that has been taken by other aboriginal groups and should be willing to remove itself in favour of a public government under Territorial delegated authority:

It's too bad that Ndilq̄ and T'è̄nehda can't -- well, haven't -- been able to get to that state of evolution/devolution like those Nunavut communities have. The way is now clear for the Gwich'in and Sahtú -- and eventually Dogrib -- communities to get that, to move toward that way. [Perhaps] Ndilq̄ and T'è̄nehda would take a look at those options. Obviously, they have to select their own land, first, before we can decide

how they're going to own their land, in whatever fashion, and then what land is left for the Crown to turn over to them -- that is the [postulated future] "community government" rather than the [existing] aboriginal organisation.

The world has changed for the Territorial government in land administration for all these Nunavut communities; there's no more Commissioner's Land. There's no reason why it can't change for the Western Arctic. [T]hat definitely fits in with the mandate of MACA to make communities more self-sufficient, more financially and politically independent, so that they can have control over all their own local issues.
(interview JUL 1993)

This notion of "control over all their own local issues" assumes that the style of control will be according to the administrative systems found in non-aboriginal Canada. Some aboriginal leaders reject the idea that administrations can mix cultural values or thinking. For the Band, full recognition of aboriginal governance, including Dene styles of administration and land management, and retaining federal fiduciary obligations, are not unrealistic concepts. However the challenges are met, some links between aboriginal and non-aboriginal jurisdictions will be needed; positive links would be flexible processes for conflict resolution rather than more formal structures or court cases.

Everyone does want the jurisdictional problems circling around land in Yellowknife to be resolved but -- perhaps learning from federal NWT land settlement negotiations over the past two decades -- everyone wants them resolved in favour of their own interests.



Dene elders spoke of camping in this area, where women picked tea and berries and made drymeat from moose and caribou; the men shot near Long Lake and the current airport. The building to the right of the office and shopping mall complex housed the NWT Legislative Assembly until 1996.

TOWN & OTHER DEVELOPMENT PLANNING

As the written histories and Bourne's study indicate, the settlement of Yellowknife with constructed buildings was clustered first around the air and water transportation access in Old Town and around the Giant and Con mine sites, and later in New Town, which became downtown (Jackson 1990, Watt 1990, Bourne 1962). The initial physical development of land in Old Town and around the mine sites was haphazard or arbitrary. People built where they wished to, not being bound by hook-ups to water and sewage or electrical services or by roads. Many early residences were tents, log cabins, or what were described as shacks; hotels often doubled as rooming houses for itinerant prospectors. The land uses tended to be as mixed as those of any small and rapidly growing "boom" town. Surveys were being conducted for mining claims throughout the area, and some of the residents, who may have wanted the sense of permanence in land ownership familiar to them, requested surveys of lots on which they had built. The first survey, in 1938, was done for the entire site of the Yellowknife settlement, which then consisted of Old Town and Latham Island (as far as Block VII, shown on map 16, the photo-reduced copy). The arbitrary layout of buildings combined with the rocky topography to present surveyors with challenges for creating consistent lots and blocks in Old Town. Even by 1968, town officials were asking the surveyor contracted for Yellowknife to clarify the process for securing titles, owing to complaints from citizens who were being kept waiting (City Correspondence 1968b). Surveying of individual lots has been resisted within Ndilo and T'èqehda, where the Dene community preference for holding land collectively rather than being owned by individuals has been maintained.

The rock outcrops, dry climate, and extreme cold also presented challenges to conventional engineering for piped water and sewage disposal, for garbage disposal, and for extinguishing the many fires. Along with services and public safety, Canadian municipal officials since the 1920s have evolved planning tools for regulating land use, development, and growth (Hodge 1986). In Yellowknife, the orderly regulation of land use began with the surveying of lots, with efforts to discourage land speculation, and with zoning by-laws: the tools familiar to property owners from non-aboriginal communities.

The earliest planning acts in Canada called for "community plans" intended as town planning schemes, which were used mostly for new housing subdivisions. In the 1920s and 1930s, municipal planners moved toward the drafting of zoning by-laws alongside the com-

munity plan (Hodge 1986: 127-128). The community plan was a general description of long-term goals and objectives for orderly expansion and land development (Hodge 1986: 201-248). The zoning by-law was more of an outline of the regulations for developers to follow, and for municipal inspectors to determine land uses that met community goals and those that did not. A zoning by-law establishes certain surveyed, privately owned lots of land as zones for particular uses, such as residential (housing and small shops), commercial (stores and offices), industrial (often separated into light and heavy industry), transportation (roads, airports, parking lots, and docks), or institutional (schools, hospitals, government buildings). Adjoining land uses, according to good planning principles, should not conflict (Hodge 1986: 204-205). For example, schools should not be planned next to factories or airports.

The NWT Planning Act allows for the creation of community (or general) plans and for zoning by-laws. The Yellowknife settlement's first zoning by-law (Bylaw 62) was passed in 1947, but the first general plan was not approved by council until 1982. In between, with the decision to make Yellowknife the NWT capital and the arrival of southern styles of public administration, town planning became influenced by trends in southern municipal planning.

Old Town in the 1930s and 1940s saw many diverse businesses set up to meet the needs of a population that was changing quickly, not only demographically but through in- and out-migration. (See maps 4, 6, and 15.) The Hudson Bay store and warehouse, the Wildcat Café, and the Old Stope Hotel (where Drybones was arrested) were cornerstones of Old Town activity. Of marked significance were the float plane bases and docks, which linked the town to southern Canada, an ice road across Back Bay, which linked Old Town to the Giant mine site, and a water taxi across The Narrows to Latham Island until the bridge was built in 1947-1948. Foot and dog-sled trails, rather than roads, carried traffic.

The Bourne report notes that the "settlement pattern of Yellowknife reflects a combination of planned and unplanned developments. The Old Town exists as a remnant of the past and is an example of the absence of town planning controls and community services. The New Town ... is a 'model' of communities to the south and is adequately supplied with modern urban services" (1962: 132). Bourne also suggests that the two mine camps were so well planned that they were inhibiting the growth of the "model" part of the community.

By 1947, when Yellowknife passed its first zoning by-law, the New Town site had been laid out. (In the spring of 1946, only three families had bought lots in New Town

[Jackson 1990: 81].) New Town was a squared grid of roads, although the highway that would draw vehicles to Yellowknife was not completed until 1950. Map 5 is a reconstruction that shows what Bylaw 62 stated: the New Town site was zoned for a commercial/residential downtown and the rest of the entire town, including Old Town was zoned residential. This by-law ignored the commercial, industrial, and transportation land uses in Old Town. In 1962, although Bourne praises New Town as an attempt to bring what he perceived as a positive southern town "model" to the north, he recognises that "in many respects [it lacks] the characteristics expected from a sound community planning program" (1962: 132):

The New Town has no distinctive regional character, and its general design does not consider environmental restrictions. The street system is based on a grid pattern which ignores topographic limitations and advantages, and residential densities are similar to those in southern cities despite the severe climate and the high cost of providing basic services. (Bourne 1962: 132)

A major disadvantage of settlements planned by specialists is that they lack individuality. Bourne's critique of New Town is not balanced by a recognition that Old Town's popularity as a place to live might reflect its distinctive character; it certainly had a vitality that still draws residents -- and tourists -- that New Town lacks. Still, the vitality of Old Town now is non-aboriginal: the aboriginal presence, removed by government policies, is not even commemorated by street names. Most streets in New Town's grid are numbered and the few with names recall non-aboriginal people rather than the land's original residents.

In August 1966, the town planning department sent the NWT Commissioner, who was at that time with the Department of Northern Affairs and National Resources, a copy of a "Master Development Plan for Yellowknife"; on the map of this plan, New Town is still zoned for commercial and residential, but Old Town is entirely zoned for industrial land uses and Ndilo is zoned as "open space" (the letter: City Correspondence with Commissioner, YKCC 3/158; the map: City of Yellowknife Records, kindly retrieved by staff planner). Generally, local town planning has focused on zoning; a full general plan was not approved by council until 1982. It was revised in 1988 and is slated for review in 1993.

"Urban Renewal" & Growth

The post-war urban housing boom in Canada produced several advancements in town planning: subdivision designs, urban renewal, and development control (Hodge 1986: 132-

134). New Town and subsequent trailer park designs in Yellowknife are examples of such subdivisions, which tend to focus on a layout of roads and housing in a variety of densities. The term "urban renewal" was used in the 1950s and early 1960s to describe the removal of run-down or older buildings in older parts of rapidly expanding cities, and their replacement with new buildings. As the methods for "urban renewal" (or, its less formal term: "slum clearance") frequently meant bulldozing whole blocks of homes where low-income families lived, the concept became unpopular and other strategies were devised for rebuilding cities (Hodge: 133). By the mid-1960s, urban renewal was replaced by "shared-cost planning", through which the federal government paid half and the provincial and municipal authorities each paid a quarter of city rebuilding programs (Hodge: 133). In Yellowknife, a share-cost program assisted the provision of housing for the Territorial and federal employees arriving from southern Canada during and after 1967: CMHC paid 75% of construction costs (City Correspondence with Commissioner, Prince of Wales Archives, YKCC 3/158). As well, the mayor wrote in 1965 to the NWT deputy-commissioner about rebuilding Old Town:

We have had discussions with the Indian Affairs Branch concerning their wish to find sites for Indian Housing. We are anxious to integrate this housing with our normal development, at least to the extent that the Indian people themselves desire it. In connection with this we are wondering about shared Territorial-Federal programs for slum clearance and redevelopment. We have parts of the Old Town in mind.
(City Correspondence 1965)

A companion of urban renewal from the 1950s was public housing, intended to replace the older buildings of low-income families. Yellowknife was no exception. A report on "Proposed Native Housing" called for a three-part plan: first, repairs to existing water facilities and housing on Latham Island at an estimated cost of \$9000 and, second, a five-year housing and infrastructure plan estimated at \$200 000 a year (City Correspondence n.d./1950?). The first plan, as reported by the Superintendent of Public Works, "should take care of the itinerant native", while the five-year plan "would satisfy the needs of the steady wage-earning type of native, for the more we can encourage this type, the sooner they become integrated with our social and economic system". A third component called for repairs to an old hospital to become an old people's home, although the superintendent recognised that people would resist such a facility. An additional intention of these plans was to develop "the Old Town Flats and Rock, and the School Draw Area, [so that] we would be preventing what is rapidly becoming a slum area" (City Correspondence n.d./1950?). Interestingly, housing and facilities for the aged -- specifically for aboriginal people -- were then responsibilities of the town, rather than, as now, of the territorial council.

The areas that first clustered around the Giant and Con mine sites were housing for workers. And much of Old Town was inexpensive and fairly temporary building for people who, from their own accounts, seemed to have been fairly transient (Jackson 1990). Federal surveyors and mining company geologists flew in and out of the settlement, and the bush seems to have attracted hunters, trappers, missionaries, and freelance prospectors. Archival records for early Yellowknife administrations hold numerous requests (including one for the town's surveyor) for local property taxes owing, sent to Vancouver, Halifax, Edmonton, and Toronto; in one year, as much as \$10 000 was outstanding (City Correspondence, Prince of Wales archives, YKCC 3/454). In an effort to curtail land speculation, the town required that a building be constructed on a lot, thereby "improving" it, and discouraging rapid or repeated reselling of real estate. Many of the resulting buildings were rudimentary and, with owners going south, not well maintained. During the prospecting and mining boom years, Old Town and School Draw resembled the poorer areas of southern industrial towns, described as workers' "shack-towns" (Hodge 1986: 94) and which the mayor of Yellowknife called "slums". Still, Old Town attracted residents even after New Town was laid out.

Throughout the middle decades of this century, Indian Affairs officials were coercing Dene and Métis families with children to leave their bush life and move to the settlements. The thinking, particularly given the disease and wildlife depletion experienced, was that, if aboriginal peoples were in settlements, they could receive more consistent services such as health care, schools, housing, and welfare distribution. Without doubt, the assimilationist ideas expressed by the Superintendent of Public Works with regard to "Indian" housing were also part of the thinking. During the northern summer months, rations including meat were given out by the Indian Agent from a freezer located on Latham Island near Rex's Café beside The Narrows; the freezer apparently was stocked not by Dene hunters but by wildlife management schemes (personal communication and federal archival records). Yellowknife Dene recall having had their welfare, old age, and family allowance payments withheld until they moved to town from the bush and sent their children to school (personal communication); further verification of these matters would require more intensive interviewing of elders than permitted for this study. As noted earlier in this report, this coerced movement of people into the Yellowknife area began a housing crisis that has not been resolved.

Yellowknife settlement officials did not encourage aboriginal peoples to remain on town lots unless they could purchase them. Oldtime residents who have lived comfortably among aboriginal Yellowknifers recall that officials in the early 1940s had planned for public

"Indian" housing on Latham Island, beyond the settlement lots. [This area is apparently the one between the line surveyed by Brown (that appears on map 16, the photo-reduced copy) and the "revised" boundary line A for the "Indian" reservation and camp ground proposed in 1951 (see pages 19-22 of this report). Line A represents the current boundary line for Ndilo.] They also recall that, after the Second World War, that area was surveyed for lots to be offered to returning soldiers under the resettlement program, but few accepted them and the town sold the lots (1993 AUG: interview). Now, this area -- Otto Drive -- has many fashionable homes abutting the rock that separates them from Ndilo.

Since the late 1930s, some Dene and Métis families had built their own homes in Old Town, School Draw, and Latham Island. With the town's public policies of "urban renewal" and the federal policies for moving people, these families and their homes were removed without the procedures typical for expropriation (YDB 1992). Called "squatters" by local authorities, the families report that, starting in 1959, they were harassed by the Indian Agent to leave their homes, which were destroyed, often when people had left them temporarily. Evictions were carried out by the RCMP. Here are some of the families' stories:

"I was working at Discovery Mines [north of Yellowknife (see map 2)]; when I returned, I came to an empty house with smashed windows and broken doors. And found out that my parents had moved [at the insistence of the Indian Agent]."

"We lost our house and land because they said we owed them thirty years of back taxes which we could not afford to pay right away, so they evicted my parents who were old-age pensioners and destroyed our home."

"Purchased a home on McAvoy Road by the hill and was constantly bothered and harassed to move. In 1959, we moved to Rainbow Valley, Lot 500. When we returned to the old place, we found that all our belongings were destroyed and gone."

[Four by-law officers destroyed their house with sledge hammers while my daughter was sleeping in it and her husband was at work.] "I feel that my daughter would still be alive today if city by-law officers did not evict my daughter from her home and forced her to sleep in a tent, which caught fire and burned."

"The City of Yellowknife ploughed our home down and used it as fill for a new road. ... How can a home stand this long and disappear overnight by inconsiderate authorities? ... How can they call us squatters when land and native people belong to each other?"

"Indian Agent insisted we move -- but we refuse for one year, finally gave in. Dad ... was away on a visit in Fort Resolution. House was gone when he returned. Indian Agent pestered us to move. [One of our kids] lives in Fort Rae, because he's got no place to live in Yellowknife. He does want to live in Yellowknife."

"My brother and I were working in the bush when our shack burned down. There was no one home. The door was locked, but the Fire Marshall says that it started by a cigarette." [This home was on a waterfront lot the City wants to develop.]

"I live in Fort Rae because I don't have a home in Yellowknife now, but the Government ... keeps sending me tax bills every year [on land his parents had occupied in Yellowknife before they were evicted]."

"My old man got a thousand dollars for our house and never saw anything from it [because he was forced to pay property taxes owing, despite Treaty status]. ... When I returned from [the TB] hospital, I had no home to come to."

"My house burned down and I wanted to rebuild it, but the city will not give me a development permit because they claim that I am a squatter on my own land, which I took over from my dad years ago."

(Excerpts from YDB 1992: 7-12)

As noted, many of these evictions were carried out because residents had not paid property taxes. At the time, the territorial public administrator was authorised to take possession of properties of deceased people whose estates could not cover taxes owing to the municipality; for instance, in 1963, a gentleman who had lived on an unsurveyed property on Jolliffe Island had owed \$85.55 in back taxes and \$10.00 in current taxes [this may have been the poll tax imposed on individuals in Yellowknife for a few years]; the public administrator had applied the funds of his estate against expenses for a funeral paid for by the municipality, and turned the property over to the municipal district for the settlement of the taxes (City Correspondence 1963). In 1975, the Regional Representative for NWT Indian Affairs assured the Indian Brotherhood President that he had written to Yellowknife's Mayor "requesting specific information in relation to Treaty Indians living in Old Town who are being assessed Municipal Land Taxes" (DIAND letter 191/18-21). Under Treaty 8, Dene are relieved from tax payments, which should have exempted registered Treaty people from property and poll taxes, and should have prevented the evictions from Old Town, School Draw, Jolliffe Island, and southern Latham Island as well as subsequent treatment of remaining "squatters".

The surveying of land into lots allowed for leaseholds and gave way to demands for individual private property ownership by 1951. This non-Dene concept began to be imposed on Yellowknife's Old Town after Dene and non-Dene had built on the site (see Jackson 1990: 98). Likewise property taxation was gradually applied without adequate explanation, as if conventions familiar to the newcomers should not need to be. Throughout non-aboriginal Canada, the primacy of private property has been the foundation for the majority of community interests in land and in land-use for town planning: developers, businesses, home owners, real estate dealers, and public agencies responsible for land development (Hodge

1986: 95). In early Yellowknife, the predominant community interests in developing land, as for other Canadian municipalities, were non-aboriginal, and town planning focused on development driven by private property owners. Thus, Yellowknife residents -- regardless of cultural background or understanding of land ownership conventions -- who were living on unsurveyed lots, for which they had no title, but who legally owned their homes, were called "squatters". In September 1977, City Council adopted a policy in which only individuals who had stayed in a squatter dwelling "continuously since 1967 or prior" could qualify as squatters (City of Yellowknife 1977-1989). A qualified squatter, whose name is kept on a list by the City, could remain in residence for his/her lifetime, although the City would try to persuade individuals to move, especially those living near the waterfront. Some qualified squatters have had trouble getting permission to make repairs to their homes.

In 1977 and 1984, City Council outlined its policy, in order to limit squatters to those who were "qualified", to discourage anyone else from becoming an assigned or new squatter, to negotiate purchase of squatters' land on lots that had been surveyed, and to prevent building additions on squatters' land (City of Yellowknife 1977-1989). The City's General Plan lists one of its goals as continuing "to adhere to current squatter policy in an effort to phase our [*sic*] squatter development" (City of Yellowknife 1988a: G.4.4.1); our researchers were told that the squatter policy had been under review for years, but consensus among councillors for making changes has not been reachable (personal communication). The City lost one court case over a lot held by a Métis family, who had been called squatters. People called squatters on Jolliffe Island, which is partly City and partly Commissioner's (ie, GNWT) land, are -- according to a recent Council motion -- to be "incorporated" into the public park proposed for the island in the City's Old Town Development Scheme (City of Yellowknife 1992b). This scheme was a recommendation in the City's 1988 General Plan.

In 1988, the City revised its first General Plan in accordance with the NWT Planning Act. While consultants were working on this revision, the Dene-Métis land settlement was moving toward the initialling of the Agreement-in-Principle (April 1988). The 1988 General Plan (City of Yellowknife 1988a) included these goals and objectives:

Notwithstanding the need to resolve and finalize land claims negotiations, the Council of the City of Yellowknife wishes to address the growth and development of the City as a whole. (G.1 Overall Goals and Objectives, page 13)

Municipal Boundaries / Objective

To ensure that the municipal boundaries of the City are adequate for the long range planning and development of the community. (G.1A page 14)

[Municipal Boundaries] The Policy of this Council shall be:

To support the retention of the areas now encompassed within the City's municipal boundaries. (G.1A.1 page 14)

To request that the Territorial Government ensure that full review of servicing, economic and management constraints be undertaken for any residential development/communities proposed outside of municipal boundaries. (G.1A.3 page 14)

To ensure that the City has full jurisdiction within the Legislation to control and manage land use and development within its boundaries. (G.1A.4 page 14)

The boundary objective seems sensible for a municipality projecting growth for a population of 35 000, more than double the number of 1988 residents. However, Ndilo falls within the present municipal boundaries, as do lands the Yellowknives Dene Band and Yellowknife Métis had expressed an interest in selecting during negotiations. The 1988 policies about the municipal boundaries asserted the City's position on lands that were under its jurisdiction at the time, as well as lands within its boundaries that were not (ie, Ndilo); some of these lands would have been transferred to the jurisdiction of aboriginal peoples had the Dene-Métis land settlement become law. To remove concerns that future development of aboriginal or other non-municipal lands, such as the Ingraham Trail, beyond its boundaries might compete for City services, the General Plan expressed Council's notice to GNWT of its responsibilities through MACA. Presumably, the City was displeased that MACA was at the time planning land use and development within the municipal boundaries: for Ndilo.

The 1988 Yellowknife General Plan's goals and objectives regarding Ndilo were:

Lot 500 / Objective

To consider that residents of Lot 500 are residents of the City of Yellowknife and as such should be subject to the same rights, privileges, rules and regulations governing development, taxation, services, safety and protection as any other landowner.

[Lot 500] The Policy of this Council shall be:

To work with the native People and the Federal Government on a mutually acceptable system of planning, access, development control, servicing and protective service system applicable to Lot 500. (G.15.1)

To negotiate an acceptable system of payment for services rendered and to review the arrangement annually. (G.15.2)

To investigate the establishment of a second access point to Lot 500. (G.15.3)
(City of Yellowknife 1988a: G.15 page 31)

The stated objective for Lot 500 is not only contrary to the Band's perspective, it contradicts the hands-off practice of jurisdiction by City administrators. The planning and development policy, apparently to be negotiated between the Band and the federal authorities was to clarify the actual land-use planning responsibilities for Ndilq. The second access point, which was requested by the Band, was being dealt with by mid-1993. This section of the City's General Plan demonstrates the tensions among the political jurisdictions in their attempts to control the 56 acres at the tip of Latham Island. In 1988, while the land settlement was moving toward its final negotiation stages and the City was revising its General Plan, MACA was devising its first land-use plan for Ndilq.

Land-Use Plans for Ndilq & T'èqehda

The Department of Local Government, early in its administration, recognised that NWT aboriginal peoples had their own forms of settlement by saying that "urban form has existed in the north for many years" and by referring to "small camps of both the Eskimo and Indians" (Gerein 1980: 91). Evidently the writer either did not recognise or dismissed the log cabins constructed by Dene on particular sites for long periods of time as "settlements"; several are not far from the Department's Yellowknife offices: at Trout Rock, Kli-Ká, Ptarmigan Point, Burwash Point, Wool Bay, Gros Cap, and T'èqehda -- where homes have been built on the site by Dene since the 1800s (1993 JUL: elders interviews). Gerein credits the fur trade and missions with bringing "the more familiar form of settlement", which was "permanent" to the NWT. The Department clearly felt that its planning ought to continue with these types of settlement, but deplored the early random arrangements of buildings; instead, the Department hoped to promote what planners in southern Canada call "rational" decisions for land use to provide "modern methods of servicing and road systems *familiar to most of us*" (Gerein 1980: 91, emphasis added; 97-101). Consultations with communities, most of which in the NWT are aboriginal, were perceived as ways in which urban planners could educate and advise community councils in rational land-use planning (Gerein: 97). The making of the 1989 land-use plan for Ndilq by a MACA planner reflects these assumptions.

Band members who were on council in 1988 remember the MACA planner coming to no more than two meetings; they are certain no other community members were formally consulted. The background report prepared for the plan claims to reflect "the vision of the social, environmental and economic future development of Rainbow Valley as seen by its

residents" and to have been "prepared in close cooperation with the Yellowknife "B" Band after thorough survey and analysis of existing conditions and assessment of the development potential of the site while enhancing its natural features" (MACA 1989: "The Land Use Plan"). This background report contains detailed demographic data, for which no sources are offered, as well as the typical technical information, much of which is shown on maps (see, for example, maps 17 and 19 in this report). In conversation, while we were trying to discover the process by which information about the community had been collected for this plan, the present director of MACA's Community Planning division admitted that it is now the division's practice to have communities "do the legwork" for their land-use plans.

No land-use plan by MACA exists for all of T'èᑕehda, although discrete subdivision plans have been done. Although politically MACA recognises T'èᑕehda as part of a Band which has "community" members staying elsewhere, when community planning is discussed, MACA considers Ndilq and T'èᑕehda to be separate "communities" (1993 JUL: interview). And MACA's perception of Ndilq is as a "community": the plan in 1989 shows a full range of land uses, including light industrial and institutional (see map 19 of this report). One of this study's researchers was working for the Band when the City requested a copy of MACA's plan for Ndilq: the Chief denied the request.

Yellowknife town planning, as indicated earlier, had tended to zone large areas of the townsite fairly uniformly; in 1966, Ndilq was zoned "open space", even though residences had been built there. Until the first General Plan was devised and approved by City council in 1982, the town commissioned numerous plans of the entire site, including Ndilq, which were not approved by council. Map 18 is an example produced by town and urban planning consultants from southern Canada; although it was not approved, the plan surely reflects instructions given the consultants by the town planners: it shows Ndilq as entirely residential (Makale/Holloway: n.d./1970s?). We enquired, during our study, whether City officials continue to regard Ndilq as simply part of Yellowknife, where residential land uses ought to predominate, and were informed that "there's never been any formal statement by council to that effect. ... Council may well support, you know, independence for Ndilq, you know, to become its own community. There's certainly been discussions on it, but there's been no decisions made on it" (1993 JUL: interview). A Territorial official pointed out that, if Ndilq is federal land, the City cannot really expect detailed planning that it might do to be adhered to by the senior jurisdiction (1993 JUL: interview).

The MACA Community Planning Director explained how it was that the Territorial administration was planning land use on the lands in Yellowknife designated for the federal Indian Affairs Branch:

In the late 1980s ... Northern Affairs was getting quite concerned about how development was taking place in Ndilo. ... [It] was sort of unorganised. ... [A]lthough people were getting Band Council Resolutions, [development] wasn't going in a planned and organised way so that the service trucks ... could all get in there. And the roads weren't an appropriate standard for the trucks. ... So the federal government, I believe, probably in conjunction with the Band, approached MACA and said, "The federal government doesn't have any community planners and this is basically a Dene community here; would you mind assisting us -- working with the Band -- to come up with a land-use plan?" Certainly, it's the community's plan: we just acted as facilitators. The community decided what they wanted. We only provided professional expertise and advice, and the ability to draft a document in a nice format, and so on. (interview JUL 1993)

The recollection of Band Chiefs and councillors differ, as noted earlier. In fact, although a Band Council Resolution was passed approving the MACA land-use plan, the Band has not followed it. Residents have continued making requests to Band Council, which relays the approved BCRs to the Indian Affairs Branch; none has been denied. In the spring of 1993, the Band formally requested that MACA revise the unused 1989 plan which does not reflect residents' views; the MACA office in Yellowknife (rather than the North Slave MACA office in Rae) is to handle the revision. So -- as in 1988 -- in 1993, aboriginal land settlements are being negotiated, the City General Plan is being revised, and MACA is planning land uses in Ndilo. Improvements in intergovernmental sensitivity would be appreciated by the Band.

Other Planning for Development

The principles and processes of planning that predominate in Canada -- and have been imported into the public administration for NWT -- are called "rational"; their evolution and theoretical underpinnings have been described in detail (for Canada by Hodge 1986: 172-199). The basis for rational planning is thinking derived from the worldview of Europeans. What seems "rational" and therefore appropriate to EuroCanadians (who dominate senior administrative positions and the planning profession) may not be "rational" or appropriate to aboriginal peoples, whose worldview expresses different thinking.

Could the movement of the Yellowknife River people from their customary settlements and lifeways into a town of mining workers have seemed rational? Could the movement of

these people as well as those already living on the town site into a few homes built hastily by other people have seemed rational? Could the lack of opportunity to be fully occupied or even to obtain the training to become fully occupied have seemed rational to people who were highly skilled and hard working in their own settlements? Could a life dependent on government moneys and things made by strangers have seemed rational to people who had always judged their goodness and respect by their ability to be self-reliant? Could the hundreds of rules and regulations -- apparently known to their non-aboriginal neighbours -- have seemed rational to people who had not needed land tenure, surveys, leases, mortgages, taxation, building or development permits, housing standards, home occupation development permits, business licences, road standards ... ? Dene were moved several times to one place within this town, rather than being free to choose where they wanted to stay and how they wanted to develop their own community. Now, no aboriginal council has any formal jurisdiction over any kind of planning for their people, and their concerns are marginalised within non-aboriginal planning approaches. The federal government approves of MACA as planning agent for NWT settlements; MACA representatives cited a lack of education in Bands for planning and felt that federal officials would be reluctant to fund what was seen as parallel, rather than distinctly aboriginal, planning (1993 JUL: interview).

Dene who had stayed mostly on the land in family groups were clustered together in a town organised unlike their own settlements, for the convenience of town and federal officials, and with the approval of Territorial officials. The lands on which the Dene and Métis now stay are divided among several jurisdictions. City and MACA planners focus, and to some extent compete, on "urban" land-use planning for municipal and Commissioner's Land, even within what MACA calls the "hinterlands". MACA is developing its own squatters policy in readiness for the time when land settlements are finished, but federal officials we consulted doubted that it could be enforced (1993 JUL: interviews). Further, MACA has been given federal funding for 10 years to train someone in each Nunavut municipality in existing, southern land administration (1993 JUL: interview). Inuit, it seems, are not to be given a choice about how they want to administer their municipal lands.

One MACA official we interviewed seemed to think that, once aboriginal lands are settled throughout the NWT, the federal government would devolve responsibility for Crown lands administration to MACA; however, Northern Affairs officials pointed out that, if such devolution were to occur, the GNWT ministry with jurisdiction for non-municipal lands parallel to that of provinces would be Renewable Resources (1993 JUL: interviews). In fact,

in the late 1980s, a regional land-use planning program was under way for NWT Crown lands and it was handled jointly by DIAND/Northern Affairs Branch and GNWT/Renewable Resources; this program had its funding cut by the DIAND minister in 1991 before all the plans had been completed, and it has not been replaced (Quirk 1992). This program, although the technological equipment and training went exclusively to DIAND and Renewable Resources, involved aboriginal organisations and brought together all parties with an interest in Crown lands -- elders, hunters and trappers, administrators, scientists, industrialists -- so that people were starting to gain an awareness of one another's differing perspectives (Quirk 1992). For regional planning on Crown lands, the focus is necessarily "rural" rather than "urban". Successful planning integrates socio-cultural, economic, and environmental interests through conflict resolution processes that involve all parties. "Involvement", however, needs to be far more meaningful than we have yet seen.

Both community "development" and "planning" were referred to as if they were the same thing: physical layouts and zoning devoid of socio-cultural issues. Non-aboriginal officials we interviewed insisted that roads and proximity to existing municipalities are crucial for future settlement planning (1993 JUL: interviews). Roads are needed so that trucks can move water, sewage, and garbage between individual homes and places for supplying water or collecting and treating waste. As long as settlement planning approaches are conventional, aboriginal communities in Yellowknife (and elsewhere) will be encouraged not to stray from existing municipal or urban lands; intermediate or appropriate technological approaches that may offer alternate options for settlement and the handling of wastes are not being attempted in the NWT. Similarly, while settlement planning in NWT continues to reflect southern approaches to planning urban land uses, rather than the expressed preferences of residents, aboriginal communities will not retain or develop their distinctive character.

Non-aboriginal "rational" planning processes are useful for the fragmented approach to policy making found in EuroCanadian administrations; they are not as useful for communities of people who are mostly concerned with the overall improvement of their living conditions. As part of a "developed" nation -- so called as if the process of development has halted -- the NWT strives for development that is conventional elsewhere, thereby perpetuating the marginalisation of the majority of its residents, the aboriginal peoples. If any non-aboriginal planning concepts must be applied to lands customarily used by aboriginal peoples, those that seem most suitable are rural, rather than urban, and those that are centred on the development of people, rather than on physical or profit-motivated develop-

ment (Wolfe 1989; Quirk 1992; Quirk 1993). Even in settlements, aboriginal peoples may be better served by integrated rural planning and development concepts than by urban land-use planning. Magnusson points out that "most of the municipal governments in Canada are in the rural areas, whereas most of the people are in the urban areas" (1985: 597); in this sense, Yellowknife is a microcosm for Canada as well as for the NWT: a settled place being treated by officials as an urban area, despite being surrounded by rural landscapes and despite having a basis in primary industries (subsistence hunting/trapping and mining) and aboriginal communities.

The planners brought to this place focus their attention on only one aspect, the one that matches their expertise: urban, mostly physical, planning. The Canadian Institute of Planners issued a statement of ethical conduct in 1991: in part, it states that "professional planners have always understood that [they] must respect the land, because it is more than a mere commodity. ... professional community planners have a special responsibility for growth management and the use of natural resources which respect the natural ecology **and social equity**" (CIP communiqué, Québec, July 9; emphasis added). Planners in Yellowknife would do well to recall this special responsibility. When planners define what kind of development dominates a region, they should be prepared to consider the impact their determination will have on people and their environment that is their home. Government intervention into people's lives, an idea that is generally acceptable in EuroCanadian society, is not as willingly accepted in Dene thinking. When planning experiments with people's lives, the people should have a lot to say, from their way of thinking, about the planning.

The Yellowknives Dene Band has consistently expressed its preference for community-determined development, since the Indian Brotherhood of the NWT and the Company of Young Canadians began speaking of these ideas in Dene communities in the 1960s. This kind of people-centred development appeals to aboriginal communities because it allows for the integration of local concerns and priorities as well as for the planning of strategies with a sensitivity for aboriginal values. One aspect of people-centred development, for instance, is community economic development in which collaborative initiatives emphasise local self-reliance for the local labour force and markets, within market economies; the CAEDS program was supposed to support and encourage community economic development for aboriginal communities, but this program has not been effectively implemented in NWT (as noted on page 26 of this report).

Community economic development is not intended solely for aboriginal peoples. It is being successfully carried out in rural towns and cities throughout Canada and could benefit Yellowknife as much as the smaller and less prosperous NWT communities. After all, how diversified can an economy become when the majority of the employed people works for government, and the majority of the unemployed has few opportunities to be entrepreneurial?

Incorporated municipalities in Canada tend to promote "local public economies" through the functions they are delegated by higher jurisdictions (Magnusson 1985: 589-594); the local public economy in Yellowknife is amplified because the two higher jurisdictions are also active in financing businesses and in contracting out for goods and services. The vitality of the less prosperous NWT communities -- including the communities of Dene and Métis people in the Yellowknife area -- is unlikely to be greatly enhanced by conventional market economics that rely on individual competition and job creation more familiar to non-aboriginal values and thinking. This is the Dene homeland: when aboriginal people cannot get work, they do not migrate to another place where there might be some, as non-aboriginal Canadians have been urged to do through conventional market economic thinking. When Dene retire from wage-earning, they are unlikely to move south. NWT aboriginal peoples need their own economic and other development strategies, planned with their values and aspirations in mind.

ABORIGINAL PEOPLES STAYING IN YELLOWKNIFE

As noted in the introductory section of this report, aboriginal peoples come from the smaller and less prosperous NWT communities to Yellowknife for a wide variety of reasons. Some stay for years, others for the length of their hospitalisation or their jail term; still others come for schooling or to escape an abusive relationship temporarily or permanently. Many discover that the services and facilities in their home communities that were easily accessible and identifiable, in Yellowknife are not so easy to find. Neither are they likely to specialise in or be sensitive to aboriginal needs and cultural perspectives. The City's "community services" are entirely recreational and none offers activities specifically to appeal to aboriginal peoples. Local aboriginal organisations deplored in particular the lack of programs for youngsters and young adults, as well as the absence of language programs (1993 JUL: interviews); language and day care programs at the friendship centre, the Tree of Peace, were recently cut by GNWT after 20 years of operations. There are no recognisable Métis facilities, and T'èñehda and Ndilq̄ each have only a small gym which is supposed to double as a community hall. When we asked of MACA officials about improving recreation facilities or having separate community halls, we were told that approvals are made according to MACA's priorities: requests for communities with few facilities are met before requests from Bands and Métis locals located near larger communities, like Yellowknife, with existing facilities.

An aboriginal representative noted that "GNWT politicians are leaning quite heavily toward decentralisation of programs and services; therefore, not enough attention is being paid to Yellowknife to meet the needs of people in Yellowknife" (1993 JUL: interview). Many government social and economic services provided in small communities are not available in T'èñehda and Ndilq̄ because people there are expected to go to Yellowknife. When the ice road between Yellowknife and T'èñehda is out, the return taxi fare is \$70. Vehicle and motor boat owners can obtain fuel only in Yellowknife; there are no food or drug stores in either. The decentralisation to communities does not include T'èñehda and Ndilq̄. When existing facilities, programs, and services in Yellowknife are intended to serve the majority of the population, they may not serve aboriginal peoples who are here temporarily or because this is their homeland. The provision of government services in aboriginal languages -- guaranteed now by the Territorial Official Languages Act -- was a pressing need expressed by all aboriginal organisations who spoke to us: especially medical translation services at the Stanton Hospital.

More than one aboriginal organisation told us that many well-intentioned people work in the public services in Yellowknife. Some wished their own qualified people could work directly for their own aboriginal communities rather than for the non-aboriginal governments. Most commented that many good people who have gone into public services that should help people have left in frustration because of the perceived failure of government to address issues (1993 JUL interviews and Band council workshop). Government solutions have been to spend money on public servants to devise programs "for" people perceived to be in need based on studies, usually prepared by non-aboriginal consultants, that identify those needs. A woman in one organisation said that studies are fine but they tend to be shelved and do not bring change. She felt that a better approach would be ongoing monitoring of programs by government; program effectiveness and managers' performances in delivering them -- rather than just cost-benefit and financial accounting -- need to be continually evaluated (1993 JUL: interview). Accountability was raised repeatedly in interviews: aboriginal people felt that the accountability of public servants was not sufficiently monitored, while elected aboriginal representatives too often find themselves being held more accountable to public administrators' criteria than to their own constituents (1993 JUL: interviews and Band council workshop). Public officials felt their accountability guidelines are warranted. Many people wondered why governments do not ask aboriginal communities directly, in person rather than through surveys, what they want instead of continually experimenting with their own ideas.

In several discussions we had with government officials, we were told that policies for northern communities needed to have "common sense". Our impression was that the sense public officials had in mind were not common to aboriginal perspectives. Because there are no distinct land bases or political jurisdictions for aboriginal peoples in the Yellowknife area, socio-economic conditions are decided by non-aboriginal administrations.

Housing & Day Care

Issues relating to housing in Ndilq and T'è'ehda are discussed in the section of this report on the Band. Notably, housing has been provided through a series of federal and GNWT programs (supported financially by the federal agency, CMHC), but with lengthy gaps. No government housing was built, for example, in Ndilq before 1959, between 1959 and 1969, and between 1969 and 1985. Elected and administrative officials directed our attention to

how much housing had been provided since 1985 (1993 JUL & AUG: interviews). The reason given for the backlog was a regrettable but not malicious neglect. As long as financial institutions require individually held land tenure for mortgages and loans, people living on collectively held land -- such as Ndilq and T'èqehda -- have few options for building their own homes outside of government programs. Because of inadequate housing where they would prefer to be, many Band members stay uptown in Yellowknife, where Métis and aboriginal peoples from elsewhere also live.

Housing in Yellowknife is expensive: a one-bedroom apartment averaged \$850/month in 1992, which is a 20-year low; heating and utility bills for homes are high throughout the dark, cold months. The executive director of the Native Women's Association of the NWT, Riki Sato, told us that many aboriginal women who are single and have children with them are turned away from rental units; drawing on her extensive experience in programs for public housing and for native women, Sato indicated that reasons for this pattern stem largely from assumptions by owners and landlords that the children or the women's partying will cause a lot of damage, and that these tenants will not pay rents punctually (1993 JUL: interview). Sato, Métis representatives, and the Band council cited many problems with the way public housing is handled in Yellowknife. Public housing has long waiting lists, too few units to meet needs, and yet some units are known to be empty. For people arriving in Yellowknife, it is very difficult to get onto waiting lists. There are few incentives for people already in public housing to leave and many have held their units for years; we were told of instances in which people in public rental units who became government employees retained their housing, while others in genuine need waited. Riki Sato strongly advocated giving priority to single aboriginal mothers, pointing out that government employees -- with their \$5400/year housing allowance -- may be paying a lower percentage of their net income for their shelter than a single aboriginal mother in public housing (1993 JUL: interview).

The plight of single aboriginal mothers in Yellowknife was of particular concern to Riki Sato and her organisation. She spoke eloquently and forcefully about situations that are typical for too many aboriginal women. Because of the expense and difficulties in getting reasonable shelter, they and their children may have to crowd into a small place, at times with relatives and at times with conditions that may not be healthy for themselves or their children. Relatives cannot afford to keep them indefinitely; and should not be expected to supply reliable daily care for the children without payment. On the other hand, organised day care in Yellowknife is prohibitively expensive for unemployed women and for many

women employed in low-paying jobs. Concern for her situation and for the well being of her children may mean that a woman cannot concentrate on her job properly. Sato noted that many such women are continually under stress; once a woman gets a steady job, she often still needs emotional and some financial support but social services offers little understanding and support. She said that pleas with government for inexpensive day care have been met with a lack of action; more research or discussions are the extent of government responses. She felt that governments in Yellowknife could make more of an effort, perhaps by providing day care in their office towers for their own employees (1993 JUL: interview). In 1993-94, the local Catholic school will set up a day care for its students.

To illustrate her points, Riki Sato quoted some typical finances. For an employed single woman in public housing, 25% of her income goes to rent and about 30% goes to taxes and other employment deductions. Organised day care averages \$600/month per child in Yellowknife. If an interpreter working for GNWT earns a gross income of about \$45 000 annually, and if she is a single mother with 2 children, she might pay

\$11 250 on public housing (25% of income)

\$13 500 on taxes and employment deductions

\$14 400 on day care (@ \$600/month/child x 2 children)

And that leaves her \$5850 -- less than \$500/month -- for food and clothing. To cover the basics for her family and pay for decent day care for 3 children, a single aboriginal mother would have to gross \$56 000. The majority of aboriginal women do not have a university degree; most aboriginal women hired by the government work as secretaries or clerks, taking home an average of \$23 000, clearly insufficient to meet basic needs. Women who come to Yellowknife likely arrive with expectations of avoiding these problems; Riki Sato says that many get frustrated with the continual discouragements and poor choices and may return to abusive men in their home communities (1993 JUL: interview). Sato emphasised that, when so many women and children have stressful problems, then solutions from society at large need to be found because, when parents are continually stressed, emotionally and financially, their children learn poorly and become socially unhappy. What kind of adults does society want these children to become, Sato asks: community parasites or treasures?

Education & Training

Aboriginal people discussed in general ways the impact of residential schools, of religious-centred education, and of current systems. Individuals recalled sitting in classes conducted entirely in English, not a single word of which was comprehensible to them, and noted,

without rancour, the efforts made to provide English-language classes for immigrants. Much has changed in NWT schools in the past 20 years, but the school year keeps aboriginal students off the land for customary hunting seasons, the time when they would be learning cultural values from elders. With dropout rates averaging 90% for NWT aboriginal students, many young aboriginal adults find themselves ill equipped for either cultural world. The Yellowknives Dene Band would prefer to have its own schools, as Bands on reserves do.

We were told some disturbing facts about education in Yellowknife. It is, for example, the only community in the Territories not pursuing an aboriginal teacher training program, apparently because the public school board is not at all receptive to the idea (1993 JUL: interview). Aboriginal students are still being screened for a general rather than an advanced diploma, so their chances for college entrance, business or management training are limited. Schools are rarely staffed with a counselling specialist; usually, counselling is done by a teacher who may be busy with other concerns. While the Catholic school was felt to be more sensitive to the needs of aboriginal students, we were told that better counselling was needed. Elsewhere, NWT aboriginal parents are participating in their kids' schooling through "community counselling", but Yellowknife school boards have shown some reluctance to get involved (1993 JUL: interviews).

There are no universities in NWT. The only post-secondary programs are offered by the various campuses of Arctic College. In Yellowknife, Arctic College has no permanent campus, buildings, or residences or day care -- even though the majority of its students are mature, parents, and from out of town. Each year, staff must prepare submissions to the federal Pathways boards (an Employment Branch program) to obtain the funding to offer courses (1993 JUL: interview). We speculate that funding allocations for courses are highly political, and are reflected in the numerous courses offered in business management and administration while the Native Studies program gets intermittent support. Because of this funding uncertainty, instructors are hired on a contractual basis. No full-time instructors are aboriginal, an irony considering how closely tied the College is to federal Employment policies. A director, who is Métis, assured us that counselling is sensitive to aboriginal students but could be improved, particularly for mature students.

All aboriginal organisations we spoke to deplored the inadequacy of training. As noted earlier, funds tend to be available for business administration and management training but not for upgrading. Funds are available for such jobs as heavy-duty equipment operators

but not for community development. The Band has experienced difficulty obtaining funds for computer training programs shaped to meet needs determined by Band members; funding programs would prefer the Band to accept packages designed for general business offices that are offered by local companies (1993 JUL & AUG interviews). Issues relating to the suitability of the content of training were raised earlier regarding lands administration; other such issues are discussed later.

Whatever issues we touched regarding aboriginal peoples in Yellowknife, some government office was involved. Some non-aboriginal people in Yellowknife think that's the way things should be. One young woman said that, if people are homeless or hungry, "There are lots of programs." Maybe aboriginal people would feel better about government programs if they were handing out dignity, self-esteem, and self-reliance.

What Is "the Government"?

To citizens of Yellowknife, "the government" often means public service programs and the people who handle them. Yellowknife has a population in which the majority of non-aboriginal citizens work in public administration and the majority of aboriginal citizens are recipients of government programs and services. Consequently, in Yellowknife, many government employees are now dependent on keeping aboriginal people dependent on government programs. When aboriginal people become public servants in non-aboriginal governments, they are promoting this continued dependence of their people.

In 1991, the NWT had 165 public servants per thousand residents. The average ratio for developed nations is 77 per thousand, and for micro or small developing nations the average is 29 per thousand (Schahczenski in Baker 1992: 37-38). Small developing nations must provide staff for such matters as diplomacy that NWT does not. The scale of public administrations in NWT is out of proportion by either standard. Since the economic tightness of the mid-1980s, GNWT has launched innumerable studies of the NWT economy. Most have suggested reduction of public services, genuine devolution to the communities, and options for economic growth other than government-job creation.

In Yellowknife, only about 5% of City Hall staff is aboriginal and none is managerial; the City, deferring to the merit system, does not practice affirmative action (1993 JUL: interview). Franks warned a decade ago that aboriginal people hired to work for GNWT find

they have to substitute their cultural thinking for the "culture" of the public service (1984: 229-231). Further, few aboriginal citizens have sufficient schooling and training for the increasingly technical and higher educational requirements for management (ie, policy making) jobs; aboriginal women and young adults are especially unlikely to be hired, to stay long, or to be promoted (Franks 1984: 221-229; 1993 JUL: interviews). So, although GNWT has an affirmative action program, it does not seem to be effective.

The executive director of the Native Women's Association of the NWT was highly critical of the way the Territorial affirmative action program has been implemented. She felt that the original intent of the program had been to encourage women and cultural minorities to become more productive members of society. Instead, the program is being used as a policy for management training: the minimum education entry level is grade 12 while, in Riki Sato's experience, most aboriginal women looking for employment average a much lower level (1993 JUL: interview). The executive director, and representatives of other aboriginal organisations in Yellowknife, pointed out that a high proficiency in English is preferred not only for employment but for training and affirmative action programs, and that few dollars are available for upgrading to grade 12 or for training generally (1993 JUL: interviews). They recommended that upgrading and training programs be run not by government but by NGOs (non-government organisations) to encourage aboriginal women and young adults to take some responsibility for themselves and the community at large, rather than depending on government to take care of them (1993 JUL: interview).

What causes confusion for many citizens in Yellowknife is the location of local staff for federal and Territorial programs, as well as the headquarters offices. The presence of higher jurisdiction agencies operating at the local level is familiar throughout Canada: for example, school boards and similar agencies have staff in municipalities that do not answer to municipal governments. Magnusson points out that "functionally, if not politically, municipal councils appear to be just one set of public agencies among many at the local level" (1985: 577). To try to illustrate the way government agencies function in Yellowknife, our researchers compiled the chart shown on the next page. Note that federal as well as Territorial agencies function alongside municipal and aboriginal councils, in addition to special interest and volunteer organisations.

YELLOWKNIFE

Political Jurisdictions Located in Yellowknife

DENE NATION	MÉTIS NATION	FEDERAL MINISTRIES	GNWT <i>City of Yellowknife</i>
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Government Functions in Yellowknife Offices

BAND COUNCIL <i>(see page 27)</i> [under Indian Act]	MÉTIS LOCAL 66	Indian Affairs Offices	MACA*
		Northern Affairs Offices	Social Services
		RCMP	Health/Mackenzie Health
[under laws administered by MACA]		Justice/Courts	Education/School Bds
* MUNICIPAL COUNCIL			Tourism/ Visitors' centre
City Hall Staff			
Fire Department	Bus Service	National Defence	Renewable Resources Officers, HTA
Public Works	Recreation Services	Climate Station	Tourism
		Employment Offices	
			NWT Housing Corporation /North Slave Hsg Corp
		Airport/Highways	
Friendship Centre		CBC	Museum & Archives
Churches		Federal Business Development Bank	Economic Development /North Slave Rgl Board
Special-Interest and Volunteer Agencies (including Native Women's Association		Cdn Polar Commission	Science Institute

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		Employment Offices	
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Special-Interest and Volunteer Agencies (including Native Women's Association		Cdn Polar Commission	Science Institute

The presence of government in Yellowknife has been documented in this report at length because its impact extends beyond program delivery. The combination of employment and public support of economic endeavours in the NWT means that government services rank second in level of contribution toward total Territorial Gross Domestic Product (GDP), behind the mining, quarrying, and oil well industry (GNWT 1993: 36). Any reduction of government services would reduce NWT's contribution to Canada's total GDP, which in 1991 was about 0.3% (GNWT 1993: 33). The pursuit of large-scale economic development -- the strategies of modernisation policies -- depends on investment by corporations heavily subsidised by government and on markets beyond NWT. Arguably, governments as generators of economic opportunity in NWT through employment, spending, and subsidies do not contribute to the overall well being of Canada nor to that of the majority of small communities in the western Territories, mostly peopled by Dene and Métis -- including the aboriginal communities within and near Yellowknife.

The modernisation policies of the NWT are reminiscent of development policies offered in previous decades by agencies from colonial and developed nations for so-called developing nations. Parallels between the situation of northern aboriginal peoples and people receiving development programs elsewhere -- while commonly mentioned -- are not entirely relevant. Northern Canadian rural communities with customary lifeways centred on subsistence hunting have small populations, which are widely scattered: patterns that contrast with densely populated cities or with rural villages adjacent to their crops or customary pastoral lands. The similarities that seem most relevant are the situations of rural people, particularly other indigenous populations, which can be described as dependent:

The assumptions that underpin dependency theory are in many ways opposites of those that underpin development and modernization theory. ... First, economic interest has primacy over culture or attitudes determining the distribution of power and status in national and international arenas. Second, the causes of underdevelopment are not to be found in national systems alone but must be sought in the patterns of economic relations between ... dominant powers and their client states. The perpetuation of the pattern of inequality within client states is managed by a clientele class, which might be seen as the modern functional equivalent of a formal colonial apparatus. Third, both within and among states, the unfettered forces of the marketplace tend to exacerbate rather than to mitigate existing inequalities.

Implicit here are the convictions that development will not take place through the trickle-down of wealth or through the gradual diffusion of modern attitudes and modern technology; that the upward mobility of individuals expressed by their gradual absorption into the modern sector is no solution to the impoverishment of the masses; and that stability is no virtue in a system of pronounced inequality.

(Knippers Black 1991: 28)

Development agencies working internationally have recognised that modernisation policies -- especially those that are insensitive to differing cultural values and perspectives -- have not been effective or acceptable to recipient nations (Rondinelli 1983). Instead, much international development has been evolving people-centred strategies, which recognise that rural communities benefit most when people identify and contribute to their own development goals. Development agencies and local non-government organisations more often work in supportive roles with rural communities to promote their own and local awareness of initiatives relying on people's capabilities and cultural knowledge, rather than importing standards and practices that belong to other people and other cultures (Korten & Alfonso 1983; Rondinelli 1983; Knippers Black 1991). Such ideas are as significant to northern Canada as they are elsewhere.

Objectives of eradicating government dependency and social inequities in aboriginal communities could give substance to northern modernisation. Some NWT politicians and administrators embrace the rhetoric of such ideas, yet do not move to decrease their own control; many Bands consider Territorial jurisdiction problematical because it casts doubts over Crown fiduciary obligations and because it is a non-aboriginal administration.

The issue of transience among non-aboriginal policy makers was raised during several interviews for this study. Generally, there was agreement that non-aboriginal officials are ill-informed not only about aboriginal values and practices, but also about previous inter-governmental relations and events (1993 JUL: interviews). Local communities recall their accumulated involvements with government officials but newly arrived or newly posted government staff do not. Band councillors remarked that having a large transient population of public servants in Yellowknife is not a noticeable improvement over having to deal directly with Ottawa; proximity has not enhanced awareness or co-operation among public servants. Further, such officials rarely contact aboriginal organisations to inform themselves about the previous involvement of their office, apparently preferring to rely on longer-term government colleagues. While this practice is better than ignoring what has happened before, it may perpetuate unreliable versions of events or relationships. During our study, for instance, one official told us his anecdotal version about some land in early Yellowknife, which he said he had heard from aboriginal people, with whom he urged us to verify details (1993 JUL: interview). We did: the people were horrified that a senior government official had so distorted or misremembered these events (1993 AUG: interview). The point of this example goes beyond unravelling the accuracy of the details.

Northern aboriginal cultures until recently were wholly oral societies; even today, the retelling of events and having one's word honoured are vital to respectful interpersonal relations, as well as the transmission of cultural values. Speaking together to reach consensual decisions is at the heart of northern aboriginal governance. For these reasons, aboriginal perceptions of what public administrators call "consultation" are bound to differ. Public servants spend much of their work time in meetings and feel that these kinds of discussions are a significant aspect of their job contribution. Meetings between public officials and aboriginal organisations, at which the government people bring an agenda to exchange information -- in English and without a translator -- of interest only to them, acquire a greater importance to the public officials than they do to aboriginal representatives; conversely, when aboriginal leaders request meetings to deal with issues of concern to their communities, they do not feel that such discussions are treated with gravity by public officials. When northern aboriginal peoples meet together, everyone expects to be able to speak and be listened to respectfully, they expect to exchange opinions and reconcile their differences. They expect to make decisions to be acted on, and they expect to feast and celebrate. Public meetings in the non-aboriginal style hold little meaning in such a context.

The subject of intergovernmental relations, perhaps, brings out most clearly the major differences between the cultural worldviews, the different cultural thinking, in Yellowknife. Non-aboriginal governments are highly interventionistic; northern aboriginal cultures avoid interventions between individuals. The changes governments have attempted in order to modernise the north focus on activities and lifestyles. Even attempts to recognise the worth of aboriginal lifeways have been limited to hunting and trapping or art production as activities, and have ignored the underlying values and principles that have always guided them. Many non-aboriginal observers feel that Dene ways are now in the past because some Dene now use motorised vehicles and modern guns to hunt, live in settlements of prefab homes with hydro, wear manufactured clothes, and buy some commercial foods.

Changes to lifestyle involve changes to activities and the technologies that support them. But lifestyle changes do not by themselves erase the values by which people have been taught to live. Canadians who go to church by car are not assumed to have changed their value system from those who went to church on horseback: not their religious or any other societal values. Yet, the assumption is widespread that aboriginal northerners have left their cultural values on the doorstep of manufactured houses and places of employment. It is also assumed that, with education and the influence of television, the most recent generations

would ignore the cultural thinking and values of their parents' and grandparents' lifeways, except (as other Canadians do) for ceremonies, heritage festivals, and tourism. These assumptions are derived partly from the narrowness of "culture" within Canadian society and partly from the narrowness of non-aboriginal perceptions of northern cultures -- that is, as a set of activities rather than as a coherent worldview.

Until more tolerant awareness of this worldview is developed among non-aboriginal people, until more equitable political, administrative, and economic relationships are developed through formal protocols, and until the capital of the NWT becomes perceived by aboriginal and non-aboriginal northerners as the heart of the ancestral homeland of the original inhabitants -- the development of northern communities of aboriginal peoples throughout NWT will continue to be the frustrating struggle it is now.

REPORT SUMMARY

This report, as a Royal Commission on Aboriginal Peoples urban lands case study of Yellowknife, documents the views of aboriginal and non-aboriginal administration of lands, as well as the situation of aboriginal peoples in the Yellowknife area that result from the blurring of existing jurisdictional responsibilities. The accumulated memory of the Dene and Métis communities are the basis of this report, augmented by archival records and interviews conducted in Yellowknife by researchers for the Yellowknives Dene Band.

Elders recall that the Wuledeh, the Yellowknife River Dene, have for generations stayed in camps from what is called Old Fort Rae around the northern shore of Tucho to Gros Cap, and up Yellowknife Bay and the Yellowknife River, travelling inland when they needed to. Gradually, some of these camps became settlements with log homes. In 1823, the only fur trading post in the area closed, after only 30 years of operation. From 1823 to 1933, very few non-aboriginal people visited the camps of the Wuledeh.

In 1900, the Wuledeh joined their relatives at Fort Resolution to participate in Treaty 8. Twenty years later, Wuledeh leaders demanded a revision of the Treaty, this time with a map and recognition of the hunting territory they shared with their Tłı̨ Chò kin in Bèchokò; the following year, the Tłı̨ Chò handled their Treaty 11 negotiations in the same way. The area of a "native game preserve", created two years later and named for the Yellowknife people, matches the area described by Wuledeh and Tłı̨ Chò elders as their customary hunting grounds: persuasive testimony that federal officials had the Dene maps. The supplementary Treaty documents do not seem to have survived in the official public records. Federal officials similarly misplace the Yellowknife Dene, putting them at times under Treaty 8 and at times under Treaty 11: a crucial identification for land entitlement.

Treaties for NWT were not considered necessary until federal officials realised the potential value of subsurface assets. On the signing of treaties 8 and 11, the Crown took possession of the former traditional "Indian" hunting territories, but no lands were set aside as reserves, as the treaties stipulate. In the 1930s and 1940s, a gold rush and mines drew several hundred southerners escaping Depression economies to Yellowknife Bay. A highly transient population built three tent-log-frame settlements, which collectively became the town called Yellowknife. Lots in the settlement were surveyed by 1938; at first, lands were held by leasehold rather than private ownership. Some Dene and Métis families built homes in Old Town and School Draw; aboriginal people continued camping on Jolliffe and Latham islands, as they were accustomed. In 1945, a federal official in Yellowknife asked his Ottawa director to ask Indian Affairs to move Dene, some of whom were working at the mine, who had settled near the Giant camp -- on land where Dene families had camped and hunted for generations. By 1947, New Town had been laid out in a squared grid beside Old Town.

In the early 1950s, non-aboriginal interests among the more permanent Yellowknife residents succeeded in persuading federal authorities to permit an elected council; Ottawa had been reluctant to allow district or local councils throughout the NWT since the much vaster territory had become part of Canada in 1868. Even Band councils for NWT Treaty signatories were not established -- nor were they funded until the Indian Brotherhood lobbied DIAND to provide CORE funds by 1974. In 1951, an NWT council was appointed, although it was little more than a committee of federal employees in Ottawa.

In the early 1950s, town planning ideas from southern Canada were tried out in Yellowknife, among them public housing and "urban renewal" (or slum clearance) in Old Town. In 1951, local appointed officials in Yellowknife requested that the federal land agent propose to Ottawa that half of Latham Island become partly an "Indian" reserve and partly a

camp ground for "halfbreeds" and "irresponsible transient whites". These proposals were not implemented. Other NWT settlements were also receiving demands by new arrivals for lands occupied by Dene and Métis families. Archival evidence shows that Indian Affairs officials debated whether such lands, administered by Northern Affairs, were "set aside for 'Indians' " or "set aside for Indian Affairs". In 1955, the federal Cabinet allowed for Crown lands to be transferred between federal branches or ministries as long as the status of the land was unchanged; for NWT, this meant that Northern Affairs lands could be "reserved for Indian Affairs Branch" without becoming "Indian" reserves according to the Indian Act definition, although the difference is not apparent. In 1949-51, cattle, fish, trees, and four Dene children died of arsenic poisoning on the "Indian" half of Latham Island across Back Bay from the Giant mine; the Settlement council chairman, also the medical authority, told the Dene their people there would continue to be supplied with free drinking water.

For several more years, federal administrators attempted initiatives to fulfil Treaty land obligations, working closely with the Territorial Branch of the Northern Affairs ministry; the NWT council expressed a preference that large reserves not be set aside in NWT. In 1959, an "Indian" lands commission recommended the renegotiation of the two treaties and the payment of subsurface asset royalties to aboriginal peoples. Neither occurred. In 1959, the Indian Agent and RCMP began moving Dene and Métis from their out-lying settlements and from their homes on the Yellowknife townsite -- so that the people would be more conveniently located for government service delivery. Archival memos by officials discuss the merits of promoting dependence of aboriginal peoples on consumer goods, as a way to build them into an industrial labour force. In 1959, ten small homes were built by the federal government for the resettled families staying on the tip of Latham Island (Ndilq̄). Some people in Ndilq̄ and people in T'èq̄hda, who had building their own homes there since the 1800s, continued to do so. In 1961 and 1963, Ndilq̄ and T'èq̄hda were officially surveyed to be officially "reserved for the Indian Affairs Branch". Designating lands as "reserved for Indian Affairs Branch" carried no formal responsibilities for housing, infrastructure, schools, or socio-economic development that governments have enabled Bands on southern reserves and municipal-style councils in NWT to provide. The failure to establish jurisdiction for these responsibilities is a major source of the present political and administrative tangles surrounding lands and aboriginal peoples in the Yellowknife area.

In 1967, Yellowknife became the capital of the NWT and the partly-elected Legislative Assembly, along with southern-trained public administrators, was transferred from Ottawa. Much of the housing and settlement planning for Yellowknife anticipated the arrival of many non-aboriginal public servants accustomed to the facilities Canadian cities offer. The Territorial administration (GNWT) began establishing settlement and municipal councils, based on southern Canadian, non-aboriginal models, with the intention of training local aboriginal people to learn non-aboriginal public administration: just as Indian Affairs had been attempting to do since 1869. In 1968, the municipal land area of Yellowknife was reduced. In 1969, ten more houses were built in Ndilq̄. In 1969, with the announcement of its Indian Affairs White Paper, federal officials met with Dene Chiefs in Fort Smith to inform them that they were handing over Indian Affairs jurisdiction to GNWT; the Chiefs formed their own advisory committee and, with the guidance of elders, established the Indian Brotherhood of the NWT (IBNWT: later, Dene Nation) to protect Dene land and rights. They continued research begun the year before, documenting Treaty negotiations.

In the early 1970s, the federal government transferred a block of Territorial land including the municipality of Yellowknife and a non-urban buffer around it to the NWT Commissioner; the town declared itself a City. In 1972, the federal government announced it would settle land entitlement for treaties 8 and 11 through reserves. In 1973, the Dene Chiefs went to court to register a *caveat*, a prior interest in the 450 000 mi.² of their

ancestral homelands: much of the testimony by elders researched by IBNWT supported the Dene claim that their leaders had not understood the treaties to be land transfers. By 1976, when the Supreme Court of Canada ruled against the *caveat* registration but did not contest the Dene version of the treaties, federal officials agreed to proceed with a single comprehensive claim for all Dene and Métis descendants of the Dene.

In 1982, the Yellowknife municipality was reduced again, and T'ènehda was outside the City's boundary. The lands occupied by the Yellowknife 'B' Band was then split among several jurisdictions: the City managed lands within the municipal boundary, including Ndilò and Band members and their Métis relations staying uptown. GNWT (through MACA, the ministry of Municipal and Community Affairs) managed lands within the Territorial buffer around the municipality, and Northern Affairs managed lands customarily used by Yellowknife Dene and Métis. By the mid-1980s, conditions in Ndilò had become critical and, since neither the federal nor City officials seemed willing to act, the Band was assisted by an MLA who was also GNWT housing minister by circumventing administrative criteria by informal strategies to get badly needed housing and services to Ndilò. A homeowners' assistance program (HAP) was permitted in Ndilò, although the housing packages did not meet City standards; Dene who received HAP packages got little co-operation from City and MACA officials, and were resented by Band members and Métis living outside of Ndilò because of the housing shortage, who were not eligible themselves for HAP housing. The provision of municipal-type services for Band members and Métis, as well as other aboriginal peoples in Yellowknife, differs depending on the physical location of people. Informal or relaxed approaches, called benign neglect by some administrators, are interim measures that have become normal for Yellowknife lands jurisdictions but no one is satisfied with them.

The taxation of lands in the Yellowknife area is as differentiated as the provision of services. Like federal lands elsewhere in Canada, the payment by the Crown of a grant in lieu of property tax for "lands reserved for Indian Affairs Branch" in Yellowknife has lapsed intermittently since 1984; attempts by the City to charge Dene residents -- whose Treaty 8 status exempts the payment of taxes -- were unsuccessful, and the matter is still under negotiation. Band members and Métis, as well as other aboriginal peoples, staying in homes in Yellowknife pay City property taxes as assessed by MACA. In 1992, MACA began assessing property owned by residents on the Ingraham Trail beyond the municipal boundary, and they were charged taxes for the first time. Band members in T'ènehda and Ndilò do not pay property taxes, although assessments are done on individual properties.

The planning for lands focuses on urban approaches to rational land-use zoning and the provision of physical infrastructure, following practices in municipal planning in southern Canada. Surveying and land tenure are founded on private property ownership and lands administration common in southern Canada. In fact, all lands jurisdictions in Yellowknife have non-aboriginal perspectives on land planning, use, and management; further, since the jurisdictional boundaries focus on settled or "developed" urban lands, the essentially rural nature of the majority of the NWT and the customary use of land by aboriginal peoples are ignored. Even the rural-residential character of the Ingraham Trail is being studied and planned by staff trained in urban planning.

While higher-level jurisdictions are aware that aboriginal peoples in the Yellowknife area would prefer different approaches, no accommodation is made for them within administrative policies. Some staff assumed that aboriginal land settlement organisations would become trained in southern land tenure administration and management. More serious criticisms of the predominant styles of land planning are that the standardised layouts of settlement planning neglect opportunities for people to give their home community a distinctive character, that intermediate or appropriate technological approaches to water-and-

waste services -- which could allow for more flexible settlement locations and layouts -- have been ignored by planners, and that planning pertains almost exclusively to physical concerns. People-centred development, which is of primary interest to aboriginal peoples within their land base, is unrelated to the urban planning of either MACA or the City. The development of communities of people, for aboriginal organisations, inter-relates issues that non-aboriginal governments separate into unrelated jurisdictions. And, differences in cultural thinking and values mean that aboriginal perspectives become marginalised or unrepresented by non-aboriginal policies.

In 1988, the Dene/Métis single land settlement agreement-in-principle was initialled, the City of Yellowknife was revising its General Plan and Zoning Bylaw, and MACA was conducting its first land-use plan of Ndilo, despite the City's strong stance that Ndilo as part of the municipality should be planned for development by City planners. In 1993, the Dene and Métis in Yellowknife are separately pursuing land settlement negotiations, the City is revising its 1988 General Plan and Zoning By-law, MACA and Northern Affairs have invited all interested parties to be involved in a land-use planning study of the Ingraham Trail, and MACA is preparing to assist the Band to revise its unused 1988 land-use plan. Political jurisdictions are still complex and unsettled.

The political capacity of aboriginal peoples has grown enormously in the past two decades but has not won them noticeable support or recognition from non-aboriginal jurisdictions. Federal and City attitudes toward the Band and Métis locals are barely amicable, and GNWT attitudes are mostly competitive. The Band has consistently resisted giving up its federal status by becoming incorporated as a "charter community" with delegated authority from GNWT; rather, the Band and Métis locals advocate aboriginal governance with full constitutional status alongside federal and provincial governments. Neither the municipality nor GNWT support these aspirations because neither has such constitutional autonomy: the City has authority delegated from GNWT, and GNWT has authority delegated through the federal Northwest Territories Act, devolution legislation, and federal-Territorial agreements that have no legislative standing. As a result, funding to enable the Band and the Métis locals to pursue community-determined development strategies is severely limited and tied to the political and administrative jurisdictions competing with them. In 1992, GNWT offered to delegate administrative, rather than political, authority to local councils -- preferably to GNWT-sanctioned councils -- for selected Territorial programs and services, while GNWT continues to plan and finance them.

The Territorial administration is located mostly in Yellowknife, alongside federal ministries operating in NWT, the municipal administration, and the aboriginal councils. This report focuses on administration rather than political jurisdictions and styles for various reasons. The presence of public servants in Yellowknife has an overwhelming impact on all aspects of life and governance to the extent that the economy of both the City and the NWT is public rather than private. The City and the local Chamber of Commerce feel that the capital city should provide a model for urban planning, for public administration, and for economic development throughout the Territories. But Yellowknife is unique among NWT communities, by its government dominance, by its prosperity, by its much larger population (the next nearest population centre has about 3000 people), and by the facilities provided for its mostly southern residents with southern-city expectations. The large-scale economic strategies to modernise the north postulated for Yellowknife -- where the majority of people work for government and the majority of the unemployed are not about to become entrepreneurs -- seem curiously unrealistic. The small and less prosperous NWT communities, including the communities of aboriginal peoples in Yellowknife, need opportunities to determine their own strategies for their socio-economic development within their own lands, based on their rights, according to values and thinking appropriate to their cultures.

Policy Recommendations

Regarding Aboriginal Jurisdiction

- 1 All non-aboriginal governments -- that is, federal provincial, and territorial governments -- should recognise the existing inherent right to aboriginal self-government for NWT aboriginal peoples.
- 2 NWT First Nations should be able to obtain funding and to negotiate self-government without being at the comprehensive claims negotiations table.
- 3 Land settlement agreements in the NWT should include a framework for aboriginal self-government instead of the negotiation of self-government within the framework of NWT public government.
- 4 First Nations should not have to settle land agreements by extinguishing their Treaty and aboriginal rights.
- 5 Aboriginal organisations and councils strongly recommend the establishment of fair processes for resolving conflicts between governments in the NWT to replace current "consultation" practices; processes for conflict resolution should be flexible, able to arbitrate decisions, and evaluate decisions at intervals to assess possible need for adjustment.

Regarding Land Management, Planning, & Use

- 1 The municipal and the Commissioner's Land boundaries for Yellowknife must be adjusted to remove aboriginal lands, including Ndilq and lands north of T'èqehda to the Ingraham Trail.
- 2 Aboriginal councils should be given responsibility for the development of land administration within NWT aboriginal settlement areas and communities that is more sensitive to the peoples' cultural and spiritual use of land, rather than having training focused on the land administration system considered suitable in southern Canada imposed on them.
- 3 The current focus for land-use planning by MACA should be transformed from urban to rural for tax-based and non-tax-based municipalities; all land-use planning should reflect the integration of people's socio-cultural, economic, and environmental issues, recognising that an aboriginal "community" comprises people and their land, not just a surveyed location. Aboriginal peoples need greater involvement in NWT industrial resource planning.
- 4 For areas dominated by aboriginal communities and settlement, land-use planning should be by the aboriginal jurisdiction, based on customary land use and management.
- 5 The administration of land-use permits should be changed so that local approval is registered, rather than the current system whereby approval is granted if no one objects; aboriginal communities require appropriate funding to administer land-use permits.
- 6 Alternate technologies ought to be investigated for waste management and service delivery to reduce dependence by NWT settlements on roads and physical infrastructure that limit the development of distinctive communities and the location of new settlements.

7 The Canadian Institute of Planners should add academic requirements and ethical guidelines to its professional requirements so that planners are prepared for greater cultural sensitivity, for better methods of citizen participation in planning processes, for greater recognition of the differences between urban and rural planning, and for more integrated local planning.

Regarding Socio-Cultural & Economic Conditions

1 A public enquiry should be held into arsenic contamination in the Yellowknife area and other environmental health impacts from mining that have affected aboriginal peoples, with special attention to the deaths of Dene children on the tip of Latham Island in 1951.

2 A community-based study should be conducted for a comprehensive history of the Yellowknives Dene Band, to be founded on the oral evidence of elders and on all existing archival documents pertaining to the people and their relations with non-Dene.

3 More affordable and more accessible housing is needed to accommodate aboriginal peoples staying in Yellowknife.

4 Better, more affordable, and more accessible day care with the participation of Dene and Métis elders is needed for aboriginal families in Yellowknife.

5 More funding and more non-government programs are needed for upgrading and for every kind of training; of especial importance are ways to encourage adults and high-school dropouts to regain faith in themselves and their ability to participate in wage-earning as well as culturally appropriate economic activities.

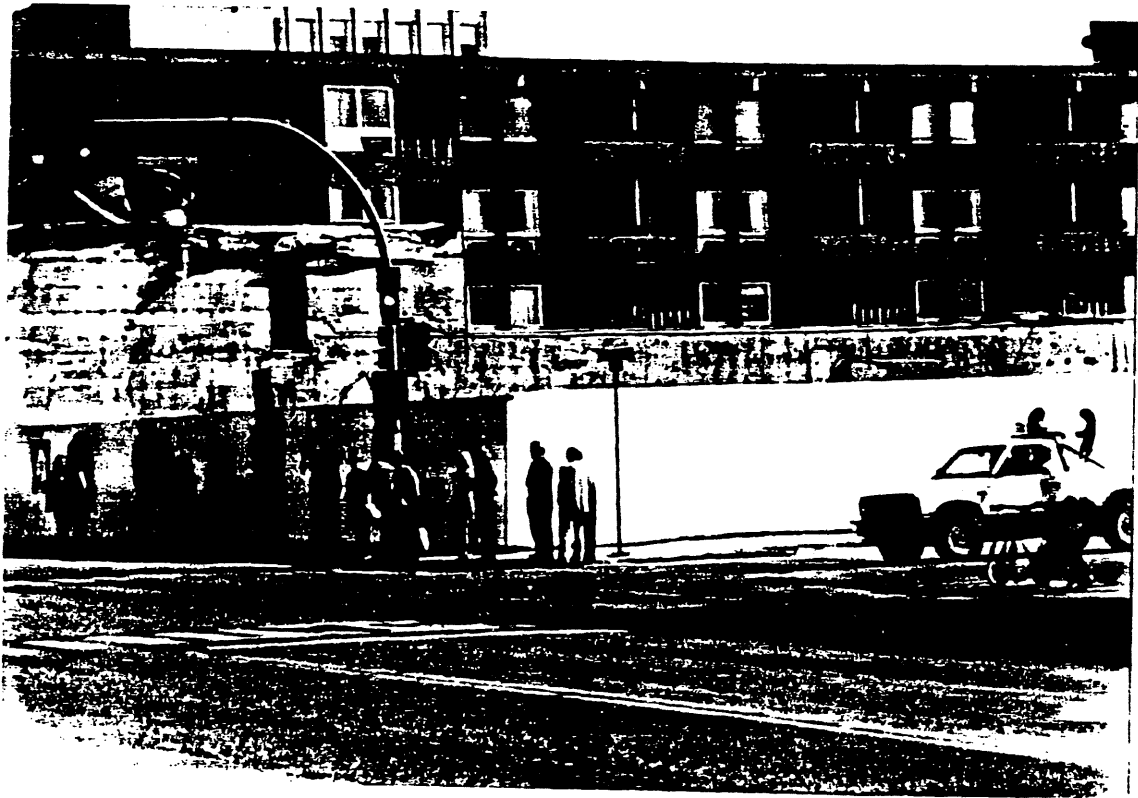
6 The aboriginal economy should get stronger support, including accommodations by public institutions (such as schools) to give Dene and Métis families the opportunity to pursue customary pursuits. Greater involvement of elders is needed in the education of children and in planning generally. Ideally, aboriginal communities should have their own schools where their children can learn their own and non-aboriginal practices and values.

7 NWT aboriginal communities need their own lending institutions for collective economic development initiatives within community-determined development.

8 Collaboration is needed between financial institutions in NWT and aboriginal peoples or their development corporations to develop alternate arrangements that do not rely on surveyed and titled land tenure to support business investment.

9 The NWT Official Languages Act should be fully implemented, especially by the Territorial administration and by the NWT Stanton Hospital. Greater emphasis needs to be placed on the use of non-government interpreters for translation services, and on the development of aboriginal languages (rather than strictly on documentation and preservation).

10 The recommendations made to the Commissioners in Yellowknife on 1992 DEC 08 by the Yellowknives Dene Band Chiefs should be implemented, especially those regarding land and the direct distribution to the Band of royalties and other revenues currently held "in trust" by Indian and Northern Affairs Canada, which determines use of those revenues.



The centre of the downtown Yellowknife street grid: 50th Street and 50th Avenue. A Dene elder who still has a cabin at Wool Bay told us he shot two moose on this site just over 30 years ago. Until 1992, this part of the Yellowknife Inn (one of the first buildings in New Town) housed the Miner's Mess, the town's most popular casual daytime meeting place. As the conference centre projected for this site continues to be delayed, its boardings become an impromptu art gallery for Youth on the Move.

YELLOWKNIFE 1993

Aboriginal Peoples in the Capital of the NWT

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Appendices

- 1 Bishop Breynat's letters and articles about Dene in 1930s
- 2 Description of the development of local government for Yellowknife
- 3 Submission to this study by 1993 Yellowknife City Council
- 4 Description of the NWT Council, 1921 to 1951
- 5 Newspaper article and notices, 1949-1951

Written Materials Consulted

HOW THIS REPORT WAS DONE

HOW THIS REPORT WAS DONE

The Royal Commission on Aboriginal Peoples approached the Dene National Chief about the possibility of including Yellowknife among its urban lands case studies. In the Northwest Territories, no reserves have been set aside within Treaty 11 and neither of the two NWT reserves in the Treaty 8 area are in the Yellowknife area. Thus, the situation of Dene and other First Nations north of the provinces appears to be similar to that of aboriginal peoples off reserve and in urban settings (that is, in towns: in NWT, that means small towns). In some respects, however, the challenges facing aboriginal peoples in Yellowknife differ from those in southerly cities and may be unique even in the Territories.

When the offer to contribute to the Royal Commission's urban lands report was extended, the Yellowknives Dene Band was about to review its own situation. Although Band members have been subjected to many research studies -- and one tracing contaminants in Band members' diets was about to begin -- the Band council could see benefits from the urban lands study. The study findings might help to persuade non-Dene in Yellowknife and Ottawa that outsiders' perceptions of the Dene community contrast markedly with the views of Band members. Some background material could be gathered for the Band review.

To counter negative feelings evoked by the numerous studies done in this community, a participatory research process focusing on qualitative methods was chosen. A team of four Dene researchers, all Band members, was selected to conduct the study, co-ordinated by a non-aboriginal community development planner the Band council had decided to work with earlier in the year. The non-Dene researcher contributed a social studies background with training in methods of participatory research. The Dene researchers, two of whom speak their elders' language fluently, had been attending post-secondary programs and had some experience in research methods and analysis. More important, they have lived in their people's land as members of their community and represent several of the large families: thereby being the most comprehensive sort of participant observers. They are themselves powerful authorities on the inter-related and complicated issues facing aboriginal peoples in the Yellowknife area. This description of the methods by which the study was done is lengthy, in part so that other communities that wish to conduct their own research can trace some of our steps and improve others.

The study began with several informal meetings of the researchers, in which we explored our collective knowledge: what the Commission had requested, what the major issues are, what our understanding of the jurisdictions in Yellowknife was, how individual people's views of a single issue are likely to differ and some of the reasons why, and where existing information on the issues is likely to be in Yellowknife. The first weeks were spent finding existing studies, reports, maps, photos, archival records, and identifying sources of information. We continually reassessed our expectations, particularly about information sources, and requested interviews of key people we met or were advised to contact. Part of our assessment meant recognising that each of the researchers had a different level of comfort with the tasks to be undertaken: after the first few weeks, members of the research team concentrated on areas they preferred, so that one speaker fluent in Tłı̨ Ch̄ conducted and transcribed the interviews with elders with some assistance from another researcher, while another participated mostly in the interviews with administrative officials. As a result of frequent requests from potential interviewees, we devised a set of prepared, standard questions for interviews (presented at the end of this section). Some participants wanted strict adherence to these questions; others were pleased to answer non-standard questions.

Information Sources

The researchers carefully recorded both the reception we received when requesting information and the advice given us about where appropriate information might be found. One pattern emerged almost at once: nearly all officials in municipal, Territorial, and federal administrative agencies with an interest in land competed for information. Others seemed either unaware of precise sources or reluctant to share information in their records: these officials urged us to go elsewhere. Some archival records of correspondence and land administration documents are not available directly to the public but information from them can be requested; as long as researchers know what to ask for, this system is satisfactory. The GNWT land titles office had recently changed its policy regarding public requests to view historical survey plans: now, requests by plan number must be made to staff, who need seven to 10 days to gather the plans for viewing; a charge of \$10 per plan is levied for viewing, regardless of the viewer's intentions. After waiting 3 weeks for the plans we selected for viewing to be made available, we had to cancel our request because our report deadline loomed and we no longer considered the expense worth bearing.

When requesting information for this Royal Commission study in person, each researcher presented a letter on Yellowknives Dene Band letterhead from the Chiefs explaining our purpose. One professional, on reading the letter, asked if Dene Nation had gone out of business, adding that she had "never heard of the Yellowknives Dene Band". The lands library for Indian Affairs and Northern Development Canada refused one of us access on her first visit, suggesting she go elsewhere. An official in the City Planning and Lands Department was quick to steer our inquiries for records about Ndilq̄ to the Land Resources Division of DIAND. She also wondered why, when she had called them, the staff in Land Resources had not heard about our study. The day before, her department manager had been especially rude in response to our telephoned inquiry about access to City plans, belittling our request and disparaging the personal motivation of one of our researchers for doing the study. Subsequent visits found other planning staff very helpful in both acquiring archival and policy information, and in clarifying some of our findings. Many of the earliest archival records of the non-aboriginal Yellowknife settlement and municipality have not survived; those that have are stored in the NWT Archives at the Prince of Wales Heritage Centre (see Appendix 2) or at City Hall. The NWT Archives are open to the public, while City Hall's are not. Similarly, the records held by Northern Affairs lands offices are not open to the public, although staff are willing to search for answers to specific requests.

Early in the study, the Yellowknife (headquarters) office of Municipal and Community Affairs (MACA) informed one of us that it had no background information about Yellowknife -- although that office was working on a mini subdivision plan for Ndilq̄ at that time -- and gave him a department publication that is a decade out of date. A subsequent call to the Fort Smith regional office of MACA resulted both in the information that, two days before, the archival records for Ndilq̄ and T'èṛehda had been transferred to Rae; it also resulted in a call from the Community Planning Director in Yellowknife. The director explained that, while regional responsibility for Ndilq̄ and T'èṛehda is now with MACA's Rae office, the headquarters department was looking after the mini subdivision and the revised land-use plan requested by the Band for Ndilq̄. The director did not know that the archival records had been transferred from Fort Smith to Rae, but, since the planning officer in Rae was on vacation, agreed to be interviewed for the Commission report.

Federal officials in the Survey Branch of Energy, Mines and Resources -- both in Yellowknife and Ottawa -- were very helpful, although curiously all the historical records for T'èṛehda, including those we requested, seemed not to have been in their files. Northern Affairs Branch land administration officials in Yellowknife were also helpful, giving not just information but contextual background that assisted our analysis; however, one official said there was no reason for documents regarding T'èṛehda to be in Ottawa. The Indian Affairs

Regional Director in Yellowknife redirected to a staff member our request for responses to our questions for this study; we indicated that we required the responses from the regional director, but heard nothing more. Our requests for interviews with City councillors resulted in a written submission from them responding to our standard questions (see Appendix 3). Our experiences are an indication of the difficulty for any non-specialist to get straight-forward information about land from official sources in Yellowknife. Given the political sensitivity of our subject, defensiveness on the part of some officials is perhaps understandable. Attempting to divert researchers for a Royal Commission or for a First Nation from public information is not.

Literature Review

Finding information from written sources is a method that, by research convention, is unobtrusive. However, the source and perspective of writers of material has to be taken into account, as much as the source and perspective of a person being interviewed is a factor in assessing the authenticity of and assumptions underlying their information. All archival, academic, consultants, and administrative materials were read critically, with an awareness of the context in which they were written and of the insight they offer into their possible impact on aboriginal peoples in general or in Yellowknife in particular. Much literature on aboriginal peoples, and especially on the impact of government policies on them, has been produced in recent decades by academics. Some of this work is referred to directly in this report and is listed among the written materials consulted.

Few academic writings are available specifically about events and developments in the Yellowknife area. Even the public library held fewer than a dozen items on Yellowknife, most of them of a biographical nature. Written histories tend to exclude aboriginal peoples. Olive Dickason's 1992 history of First Nations in Canada is a welcome work long overdue, but cannot be expected to provide detailed analyses of one northern area. Father René Fumoleau's exhaustive study of Treaties 8 and 11 provides much useful background to federal policy and to the texture of the times, through the documents deposited with the public and private archives on which Father Fumoleau drew (1973); his archival study was augmented by excerpts from transcripts of translated interviews with Dene elders as described in the report. The richest source of Dene knowledge lies with the elders, and we relied on their memories for the most meaningful tracings for Dene patterns in their ancestral lands, among which are their camps and settlements in the Yellowknife River area.

Aboriginal peoples and their issues are not foremost in public documents. Records that do contribute toward policy must be discovered through lengthy searches in archives. Fortunately, several archival searches for policy background information about the Dene in general and treaties in particular had been underway for some time when this study was proposed. The Dene Nation Library/Archives, the Prince of Wales Northern Heritage Centre Archives, and federal departmental archives from Ottawa yielded many useful records. Some challenges researchers face when searching for relevant documents include the shifting of administrative responsibilities brought about by numerous changes to federal departments and branches, and the reclassifying of records during switches to more sophisticated storage and filing systems, which one regular user confessed was in itself confusing.

A few histories of Yellowknife have been written. They are almost exclusively non-Dene: so much so that a careful reading is required might detect the aboriginal presence. The legend of Yellowknife as a rollicking mining frontier clings to this town that now strives for both legitimacy and modernity. The myth persists and is perpetuated even by elected representatives that nothing was here before non-aboriginal people arrived. In the Jackson compilation (1990), the history of Yellowknife is told through the stories of non-Dene, several of whom say they are glad of the chance to tell the tale accurately, after having read spurious versions elsewhere (1990: 9, 17). Most histories are interpretations, part of the

social construction of knowledge; no doubt a history of the churches in this town would present a perspective rather different from that of the people preoccupied with mining or flying and, by all accounts, fairly unrestricted social activities. This report has no intention of discrediting or disregarding histories of the place non-aboriginal people feel is "their" town. But we assert that those histories have marginalised the presence and the contribution of the original inhabitants of this, their ancestral homeland.

Mindful of the omission of aboriginal perspectives from most histories of Canada, the discovery that they are left out of histories of Yellowknife should not be startling. Dene elders can locate the former sites of log cabins -- for instance where the airport is now -- throughout this area, but apparently the "historians" did not seek their recollections. One history suggests in the early pages that the Dene were entirely wiped out in the 1928 influenza epidemic (Watt 1990: 22); this history does not mention the Dene again, not as the town developed nor today. Métis and Inuit likewise are rendered invisible.

Interviews

The researchers conducted many unstructured and structured interviews. In our initial meetings, we listed individuals and organisations we agreed might provide background information or insights. We decided that, whenever possible, we would work in pairs so that two impressions of each interview could contribute to our analysis. Topics to be raised for response were discussed before interviews, sometimes with the chiefs and Band council in order to avoid disturbing current political negotiations. Whenever possible, interviews were taped so that researchers who had not attended an interview could hear it and so that excerpts quoted in the report could be verified for accuracy. We informed all participants about the nature and intent of the study and asked for our consent form to be signed. Some people did not wish to sign consent forms but were happy to speak with us: to maintain confidentiality, their remarks or observations are referred to as "personal communications".

Unstructured interviews included those conducted with elders, Band members, aboriginal organisations, and non-aboriginal officials who felt comfortable with that approach. For them, we outlined ahead of time the subjects about which we wished to become more aware, such as patterns of settlement and land use throughout the area. Elders were offered tea and tobacco as an expression of courtesy for their time and knowledge. The interviewers of elders spoke at times in English and at times in their own language. Subsequently, taped interviews were transcribed or, when elders disliked being taped, interview notes were put into clear order; the preferred method for recording elders' interviews was to translate word-for-word, at times requiring the assistance of other knowledgeable people for locations of Dene place names or for translations of words that were unfamiliar or of an older usage. Finally, a version of the translation was prepared by the translator into idiosyncratic English. These versions were the basis for analysis and excerpts were taken from them for quotation. This process was not uniformly acceptable to the researchers who spoke Tłı̨ Chò; one insisted on following a different method which was less effective in producing materials that could be used for the report but which might prove useful in some ways to the Band. Because of the time involved for the preferred process, only a few interviews were conducted with elders for this study. However, elders seem to have appreciated the efforts of one of the Band's researchers to listen and learn, since several others have requested that she interview and tape them for the Band. Much of the content of elders' interviews was more relevant to Band use than for this report. The tapes and transcripts are likely to continue contributing to Band histories and cultural transmission, and we are very grateful that the elders participated to and beyond the scope of this study.

For untaped unstructured interviews with administrators, paired researchers each took notes. The pattern of questioning followed prepared ideas, augmented by questions derived from some responses, as well as opportunities to verify information acquired from written

documents or other interviews. One researcher typed the interview notes, which were then compared with the second researcher's notes and adjusted where necessary. For taped unstructured interviews, one researcher posed questions and the other took notes in case the tape recorder malfunctioned. A typed verbatim transcript was prepared from, and checked against, the tape and then distributed for discussion and analysis. One two-hour interview transcript was edited for relevant excerpts, which as a courtesy were verified with the person interviewed and requested adjustments were made (this process required about 40 hours).

For the far fewer structured interviews, participants were offered the option of responding in writing or meeting with related participants in order to prepare a group response. This unorthodox approach was taken because some officials expressed concerns about the potential impact of their participation in the study on future intergovernmental negotiations. Clarification of the intent and documentary nature of the study mitigated some of these concerns and encouraged greater participation. City council, for instance, met to discuss their collective responses to prepared questions; their responses were compiled by the City Clerk, checked by council and the mayor's office, then submitted to us (after our report deadline for the Commission). Because we were unable to test and verify information gathered through this process, we decided -- before we received the materials -- to include them as a single document (Appendix 3) rather than to import pieces of it into the report.

Workshop

When reporting our progress to a Band council meeting, we asked the chiefs and Band councillors whether they would prefer us to interview them separately or altogether. They chose a workshop. The researchers gathered the day before to prepare for the workshop. On hearing that some councillors assumed we would be doing a survey or questionnaire, we had decided to demonstrate a more participatory method, so that the councillors would be better prepared to inform community residents about the process being used and to respond to outside researchers wanting to do studies in the community. We devised a one-page survey using Likert scales for the councillors to fill out, then discussed how to facilitate a discussion of the items on the survey. We assigned different tasks to the researchers, such as guiding the discussion, recording the discussion on flipchart paper, and documenting as participant observers the degree of involvement of each councillor. A summary discussion was held comparing the effectiveness of the individual-response surveys, including certain studies for which surveys might be appropriate, and the collective discussions of the Band council workshop.

Analysis and Writing

Analysis was ongoing, as researchers discussed their findings whenever they met, in pairs and threes or altogether, and in telephone conversations. We tried to meet once a week to keep one another informed of our findings; we were generally successful despite the workload and the distance between Sombak'è and T'èheda. With so many of us, ensuring that everyone read every document or heard every interview was not possible; also, each researcher had varying skills to contribute and differing comfort levels with the tasks to be undertaken. In addition to tasks which each agreed to complete individually or with the co-ordinator, the local researchers contributed their findings and observations, but were reluctant to share writing: the brief time allowed for this study would have made writing and editing by committee very difficult. Drafts of the report were reviewed by several aboriginal and non-aboriginal long-time residents with varying interests and expertise. The Band researchers each evaluated what they learned or wished they could have learned on the project the council had sponsored, so that the Band had some record of individual accomplishments as well as the finished report. All materials derived from the study, such as transcripts and archival documents copied, have been deposited with the Band. Findings, draft, and final reports were circulated among chiefs and interested parties for review.

A Word about Objectivity

This report is not objective, in the sense that its primary intent is to document and present an aboriginal perspective on the topics commissioned for study. "Objectivity" in qualitative research is an elusive factor, especially when the subject focuses on people who are marginalised from the dominant interests in our society, from our political, administrative, and economic systems. Researchers working "from the margins" are aware that:

1. knowledge is socially constructed;
 2. social interactions form the basis of social knowledge;
 3. different people experience the world differently;
 4. because they have different experience people have different knowledge;
 5. knowledge changes over time;
 6. differences in power have resulted in the commodification of knowledge and a monopoly on knowledge production.
- (Kirby & McKenna 1989: 26)

Having an awareness and approval of these ideas, our researchers accept aboriginal peoples and their view of the world, their ways of thinking, and their perception of the past as valid "information" to contribute to this study. Thus, when non-aboriginal officials urged us repeatedly to contact former mayor and commissioner John Parker as their notion of an authority about early Yellowknife, we relied on three different sources: Dene and Métis who were here then and before, as well as archival correspondence by John Parker and his colleagues, which we deemed reliable, and the recollections of early Yellowknife residents as written by themselves (in Jackson 1990). Rather than record the reality of the situation in Yellowknife, our intent was to show a reality many people here want to change.

While aboriginal peoples with whom we worked had no difficulty accepting our approach, we found that some non-aboriginal people did. Three areas of concern about objectivity were raised often enough during this study that we wish to address them here. First, are the underlying assumptions free from bias? No: our contention is that **no research is free from bias because all research has underlying value-laden assumptions**. In Canada, the dominance of Western or European-based ways of thinking and operating is so pervasive that their assumptions are rarely considered: by researchers themselves, by their readers, or by policy makers. If ideas about "objectivity" flow solely from a EuroCanadian or dominant worldview, then the views of people from outside this worldview risk being interpreted in ways that ignore the context from which those views are taken. Thus, the marginalisation of people who do not fit into or who do not accept the dominant society's assumptions can persist, even in research about them. Consequently, the research methodology (or, its perspective) for this study assumes that the knowledge of aboriginal people holds its own validity; as such, we have tried to adjust the analysis to incorporate the aboriginal views of the reality we were documenting alongside the EuroCanadian. This process is consistent with the legal sense of fairness: that we must listen to the other side before judging a case.

Second, do the research methods used follow conventional standards? As research co-ordinator, I took the responsibility to ensure that the study was conducted by academic standards of social science methodology, for which I have been trained to the master's level (combined with scholarly standards in the arts, to which I have been trained to the doctoral level). Information told to us or read by us was, wherever possible, verified by other sources. For instance, details in elders interviews were used when several elders agreed about them; oral descriptions of planning or policy were verified by comparison with statutes and regulations, with written documents, or with other officials. Archival and other written information was assessed for its historical context and for possible assumptions underlying it -- that is, whether the author was reflecting a non-aboriginal (or mainstream Canadian) or an aboriginal perspective. A process was established so that participants who wished to could review the prepared report and request adjustments to the way information from them

was handled before the report was considered final. This report is free from political ideology. Considering the brief time for conducting this study and the necessary selectivity of the information gathering -- particularly the archival government evidence -- we feel that this report is a fair representation and analysis of the situation facing aboriginal peoples in the area of Yellowknife.

Third, is the report presentation neutral? The style of the report is narrative, mostly for clarity and partly to encourage a readership beyond scholars. My personal experience in the presentation of information is extensive, having for more than a decade edited school-books approved by ministries of education. This report does not present deliberately biased findings; rather, it seeks to enter the views and voices of aboriginal peoples in and around the capital of the NWT into the public record -- a place from which their perspectives have been routinely neglected. Our report may seem unbalanced to some readers; for us, it strives toward reaching a balance.

YELLOWKNIVES DENE BAND / ROYAL COMMISSION ON ABORIGINAL PEOPLES

URBAN LANDS STUDY OF YELLOWKNIFE

Thank you for participating in this study. Your participation is intended to assist the Commission with its enquiries. Please feel assured that information you give for this study will be reported without reference to your name or position. The source of your information can remain confidential.

LAND ADMINISTRATION

1. Administrative jurisdiction for land within Yellowknife's Commissioner's Land boundaries is complex and planning often overlaps.
 - a) What do you think should be the extent of each jurisdiction?
 - b) What sorts of land planning do you think each jurisdiction should be doing?
 - c) What kind of jurisdiction do you think aboriginal peoples should have over lands in Yellowknife?
 - d) What ways would you recommend as most suitable for aboriginal peoples to plan their own use of lands?
 - e) Please add remarks that reflect your own views or concerns about these issues.

LIVING CONDITIONS

2. Yellowknife is home, permanently or temporarily, to one-quarter of the NWT population and to one of the largest populations of aboriginal peoples in a single place. Economic opportunities and living conditions for aboriginal peoples in Yellowknife are generally poor.
 - a) What measures do you think could be taken to improve these situations?
 - b) What improvements do you think could be made to public housing, day care, education, and training to assist aboriginal peoples in Yellowknife?
 - c) Please add remarks to reflect your own views or concerns on this issue.

POLITICAL PARTICIPATION

3. A suggestion has been made that City Council guarantee seats to Yellowknife aboriginal organisations. How would you respond to this suggestion?
4. In what ways do you think the autonomy of aboriginal councils can be improved?
5. How might greater autonomy for aboriginal councils improve relations between them and other governments in Yellowknife?

Please add remarks of your own about this issue or any other about which you want to comment.

PEOPLE AND ORGANISATIONS CONSULTED

The Yellowknives Dene Band expresses gratitude for the participation of the following people and organisations who graciously assisted the researchers in their gathering and presentation of information.

Al Arseneault, Historical Survey Division, Energy, Mines and Resources, Ottawa

Richard L. Ashton, Director, Community Planning Division, Municipal and Community Affairs, Government of the Northwest Territories

Michael Ballantyne, MLA for Yellowknife (who represents Ndilo)

Charlie Beaulieu, Band member and resident of T'èrèhda and Sòmbak'è

Chief Darrell Beaulieu, Ndilo, Yellowknives Dene Band

Frank Betsina, Band councillor and resident of Ndilo

Muriel Betsina, Band member and resident of Ndilo

Gail Charlebois, Planning & Lands Department, City of Yellowknife

Liza Charlo-Pieper, Band councillor and resident of T'èrèhda

Michael Cheeks, General Manager, Yellowknife Dene Band Corporation

Lena Cleary, Band councillor and resident of Ndilo

Dan Daniels, representing Yellowknife Métis Local 66

Marina Devine, freelance journalist specialising in NWT public administration, and long-time resident of Sòmbak'è

Doreen Drygeese, Band Corporation staff, Band member and resident of Ndilo

Eileen Drygeese, Band member and T'èrèhda resident

Lena Drygeese, Band member and T'èrèhda resident, speaker and translator of Tłı̨ Chò

Bill Erasmus, Dene National Chief, Band member and resident of Ndilo

Joanne Erasmus, Band Projects Co-ordinator, Band member and resident of Ndilo

Maurice Evans & Don Ellis, representing the Fort Smith regional office of Municipal and Community Affairs, Government of the Northwest Territories

Marion Hollingshead, Lands Officer, City of Yellowknife

Douglas B. Lagore, City Administrator, City of Yellowknife

Ethel Liske, Executive Director, Denendeh National Office of Dene Nation, Band member and resident of Ndilo

The Yellowknives Dene Band expresses gratitude for the participation of the following people and organisations who graciously assisted the researchers in their gathering and presentation of information.

David Livingston and Jim Umpherson, Environment and Lands Division, Northern Affairs Program, Indian & Northern Affairs Canada, Yellowknife

George Martin, Band councillor and resident of Ndilq

Barney Masuzumi, Environment Manager, Denendeh National Office, Dene Nation, member of Sahtù Tribal Council, independent studies student at University of Waterloo, and resident of Sòmbak'è; former staff of IBNWT, community development fieldworker, and resident of Ndilq

Benny Noel, Dene elder, Band member and T'èṛehda resident

Thanh Nguyen and Gillian Burles, Prince of Wales Northern Heritage Centre Archives

Varick Ollerhead, Land Surveyor, Energy, Mines and Resources Canada, Yellowknife

Michel Paper, Dene elder, Band member, and T'èṛehda resident

Mike Paulette and Jack Poitras, representing Métis Nation

Dennis R. Peck, Senior Planner, Planning & Lands Department, City of Yellowknife

Sophie Pipefighter, Dene elder, Band member, and T'èṛehda resident

Susan Quirk, Community development planner resident in Sòmbak'è

Fred Sangris, Band councillor and resident of Ndilq

Chief Jonas Sangris, Yellowknives Dene Band, resident of T'èṛehda

Mary Adele Sangris, Dene elder, Band member, and T'èṛehda resident

Riki Sato, Executive Director, Native Women's Association of the N.W.T.

James Tobie, Band councillor and resident of T'èṛehda

Fred, Jim, and Jenny Turner, long-time residents of Ndilq; Jenny Turner also represented Métis Local 55

Andrew Webster, researcher, NWT Treaty 8 Tribal Council, Denínu

Nora Williamson, Band member and resident of Ndilq

Yellowknife City Council: R. Brooks, M. Byrne, G. Cyr, Dr R. Findlay, Dolten, D. Lovell, B. Lyons, P. McMahon (Mayor), J. Wallace

The researchers are particularly indebted to the Dene Nation for permission to search and refer to materials, especially those deposited by community fieldworkers for the Indian Brotherhood of the NWT and early Treaty researchers such as Père René Fumoleau, in the Dene Nation Library/Archives.

YELLOWKNIFE 1993
Aboriginal Peoples in the Capital of the NWT




MAPS

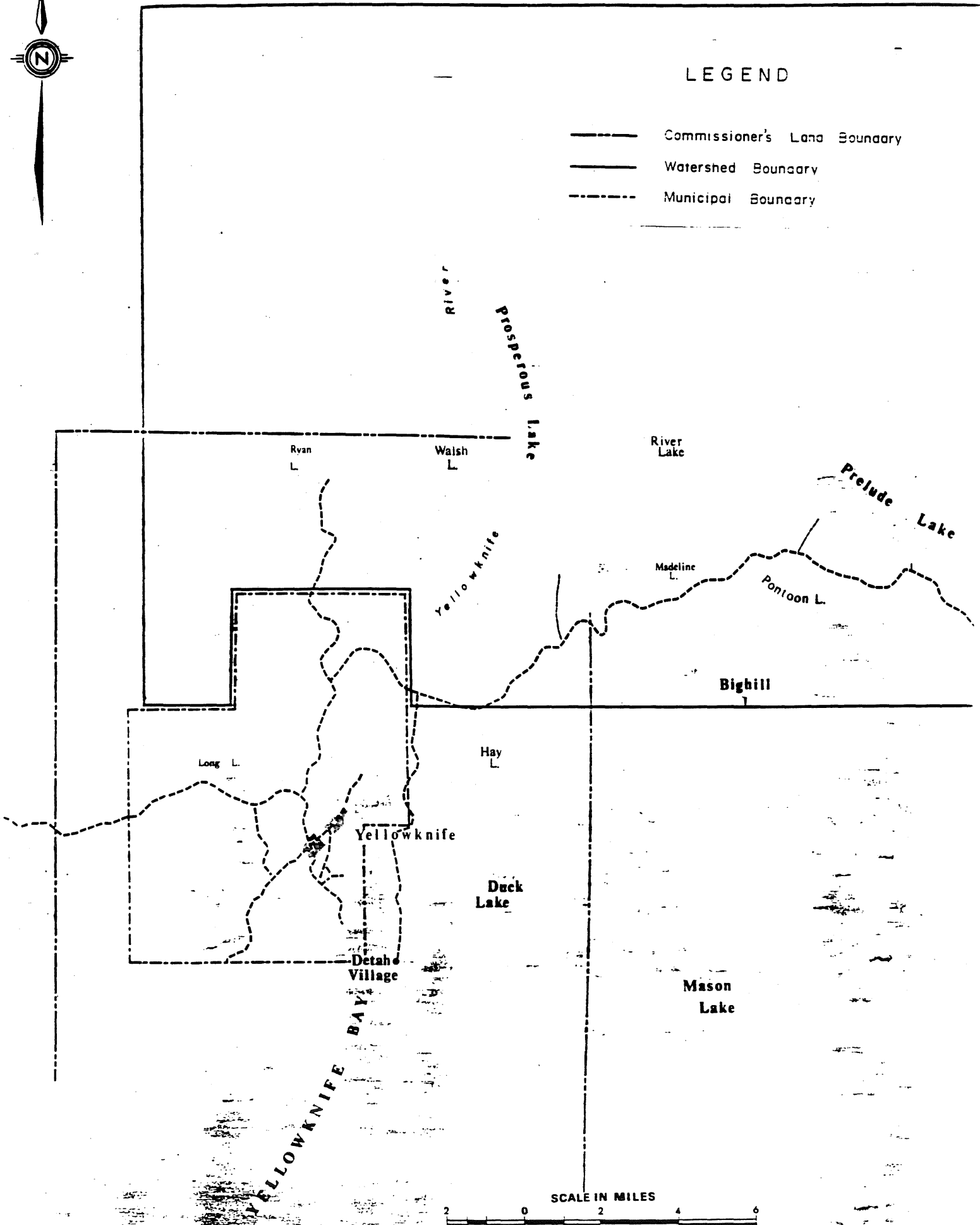
MAPS

- 1 Boundaries in 1975 of Commissioner's (GNWT) and Municipal Land within "Crown" Land [from Slaney/DINA (1975): Map 1 following page 10]
- 2 Yellowknife area 1975 [from NSC topographic map 1 : 1 000 000 series, NP-11/12 Ed 1, Slave River], with some additional locations important to Dene on second copy
- 3 Yellowknife "native game" preserve established by Privy Council (federal) 1923 and deleted by NWT Council in 1955 [from Hunt (1976): 41 & 62, Figures 1 & 2]
- 4 Old Town Yellowknife, showing popular names of areas [from City of Yellowknife (1992b)]
- 5 New Town map showing 1947 Bylaw 62 (land use zones) [as depicted on map provided by City Planning Department (1993)]
- 6 Yellowknife 1962, showing location of selected urban functions [from Bourne (1963): Figure 7]
- 7 Site plan 1968 for municipal boundary change for Yellowknife [from City Correspondence (1968a)]
- 8 Sketch map of Yellowknife area, with mine sites (no date) [from Jackson (1990): 7]
- 9 Yellowknife 1972, showing the tailing disposal systems of the Cominco Mine (near New Town) and the Giant Mine [from Bérubé et al. (1972): 25, Figure 8]
- 10 Yellowknife 1975, mining claims and mineral occurrences [from Slaney/DINA (1975): map 8, following page 50]
- 11 Yellowknife 1975, showing municipal land uses and mine leases [from Slaney/DINA (1975): 41]
- 12 Yellowknife 1988 provided by City [General Plan Map 1]
- 13 Yellowknife 1993, map intended for tourists identifying streets [from Type Unlimited (1993): 22-23]
- 14 T'èqehda no date (likely 1980s) [from Northern Frontier Visitors Association]
- 15 Ndilq location map [from MACA (1989): map 2]
- 16 Proposed boundaries of "Indian reservation" on northern end of Latham Island, drawn from Yellowknife Settlement map 1947; first map is actual size, second is photo-reduced [from City Correspondence (1951)]
- 17 Ndilq map showing slopes [from MACA (1989): map 3]
- 18 Ndilq portion of consultants' design concept for redevelopment plan no date (likely 1970s) [from Makale, Holloway (n.d./1970s)]
- 19 Ndilq concept for land-use plan 1989 by GNWT [from MACA (1989): map 10]

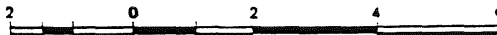


LEGEND

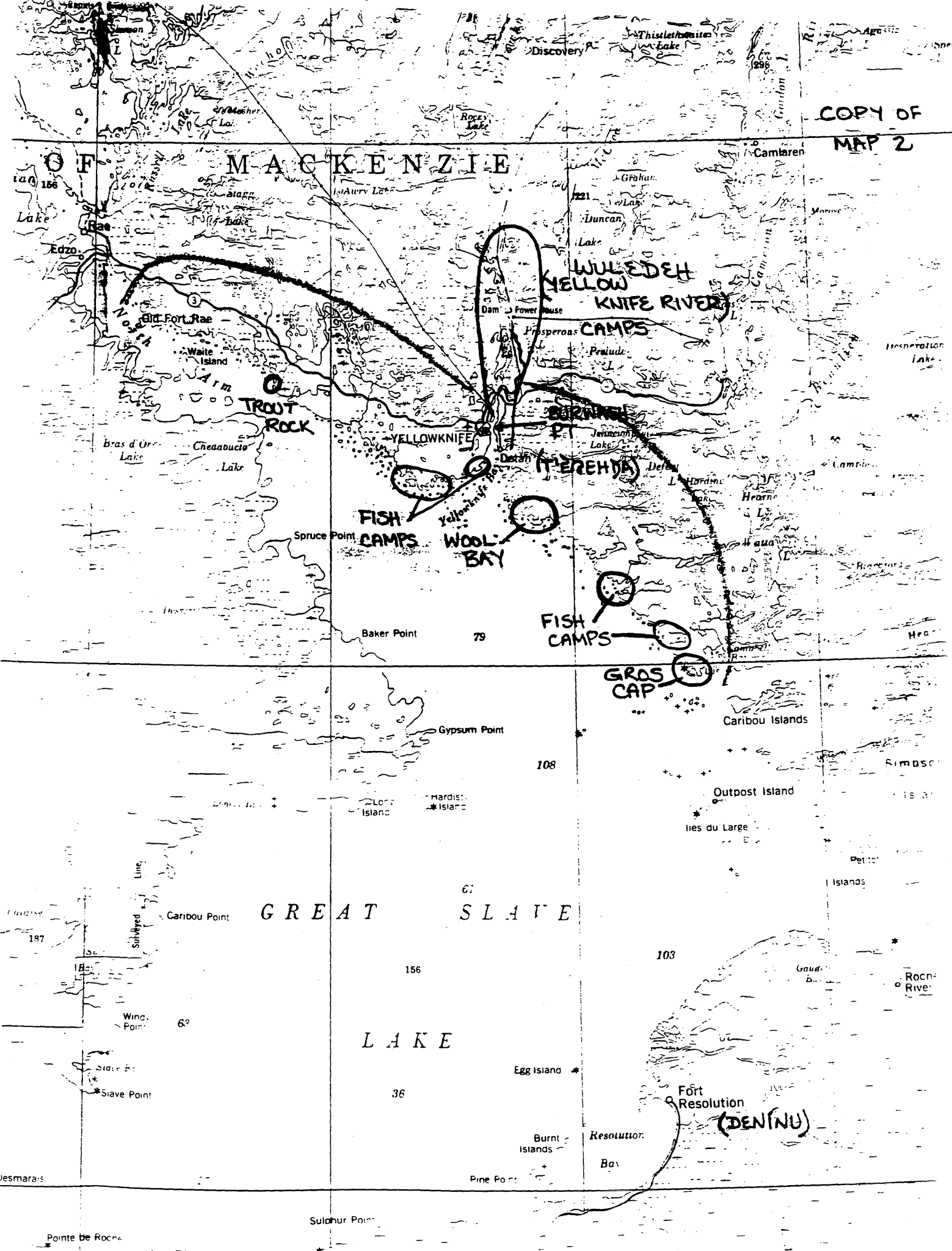
-  Commissioner's Land Boundary
-  Watershed Boundary
-  Municipal Boundary



SCALE IN MILES



COPY OF
MAP 2



OF MACKENZIE

WULDEH
YELLOW
KNIFE RIVER
CAMPS

TROUT
ROCK

FISH
CAMPS

WOOL
BAY

FISH
CAMPS

GRAS
CAP

GREAT SLAVE

LAKE

FORT
RESOLUTION
(DENINU)

Pointe de Roche
Hav River

Sulohur Point

Pine Point

Resolution
Bay

Burnt
Islands

Egg Island

36

156

103

108

79

Desmarais

Chaise

Des

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3 Yellowknife "native game" preserve established by Privy Council (federal) 1923 and deleted by NWT Council in 1955 from [Hunt (1976): 41 & 62, Figures 1 & 2]

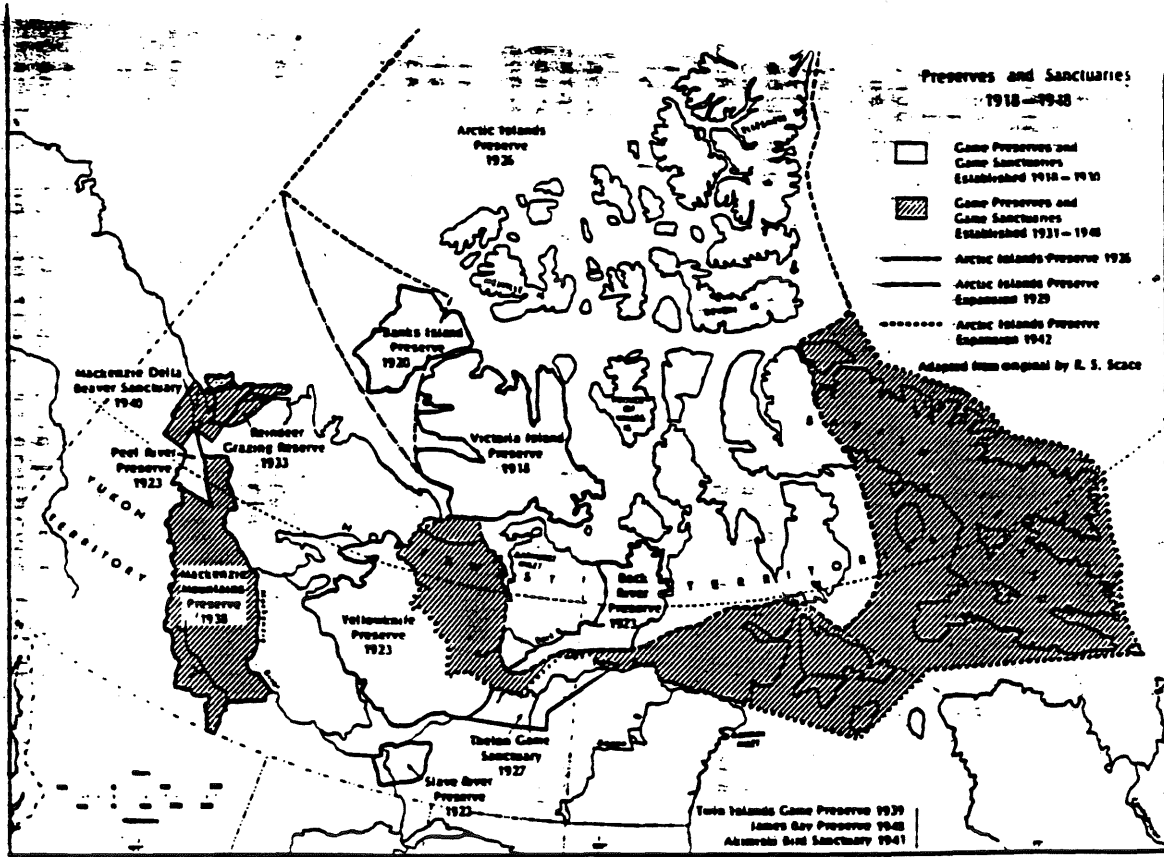


Figure 1

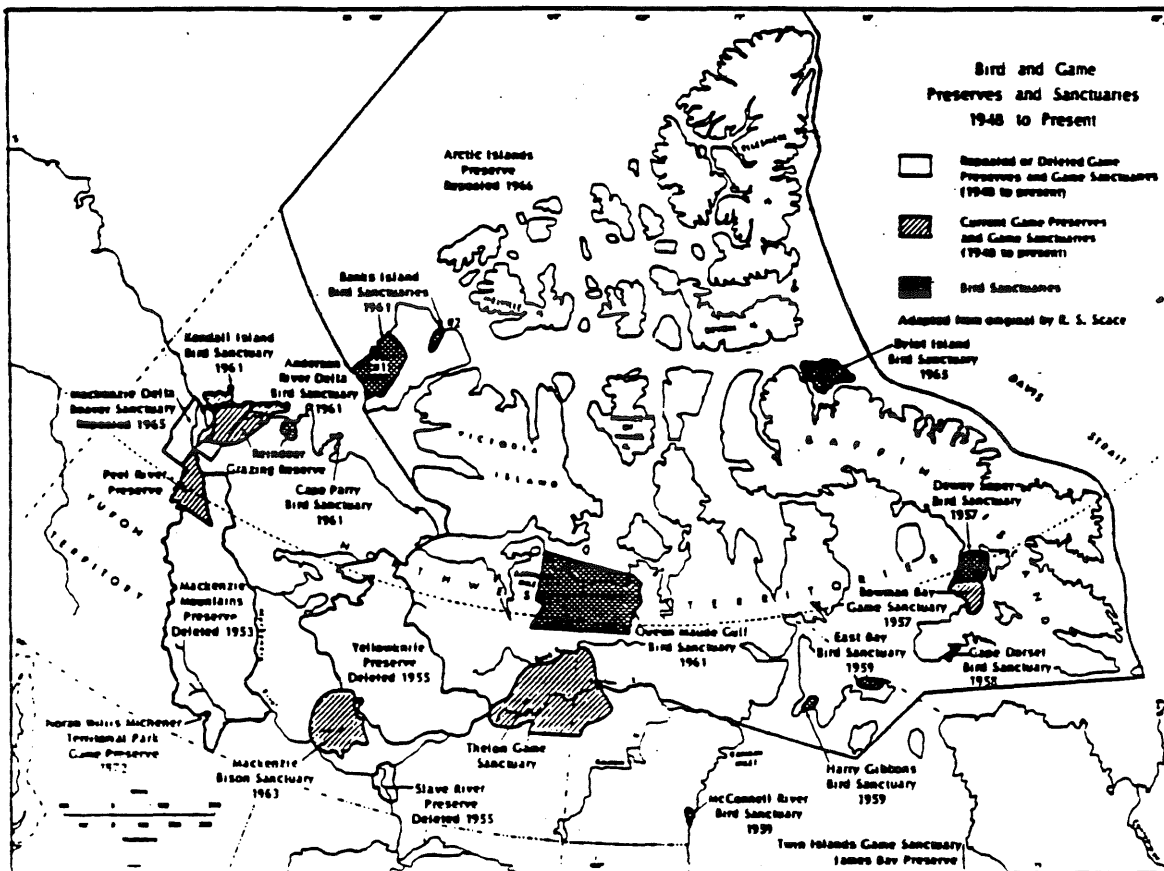
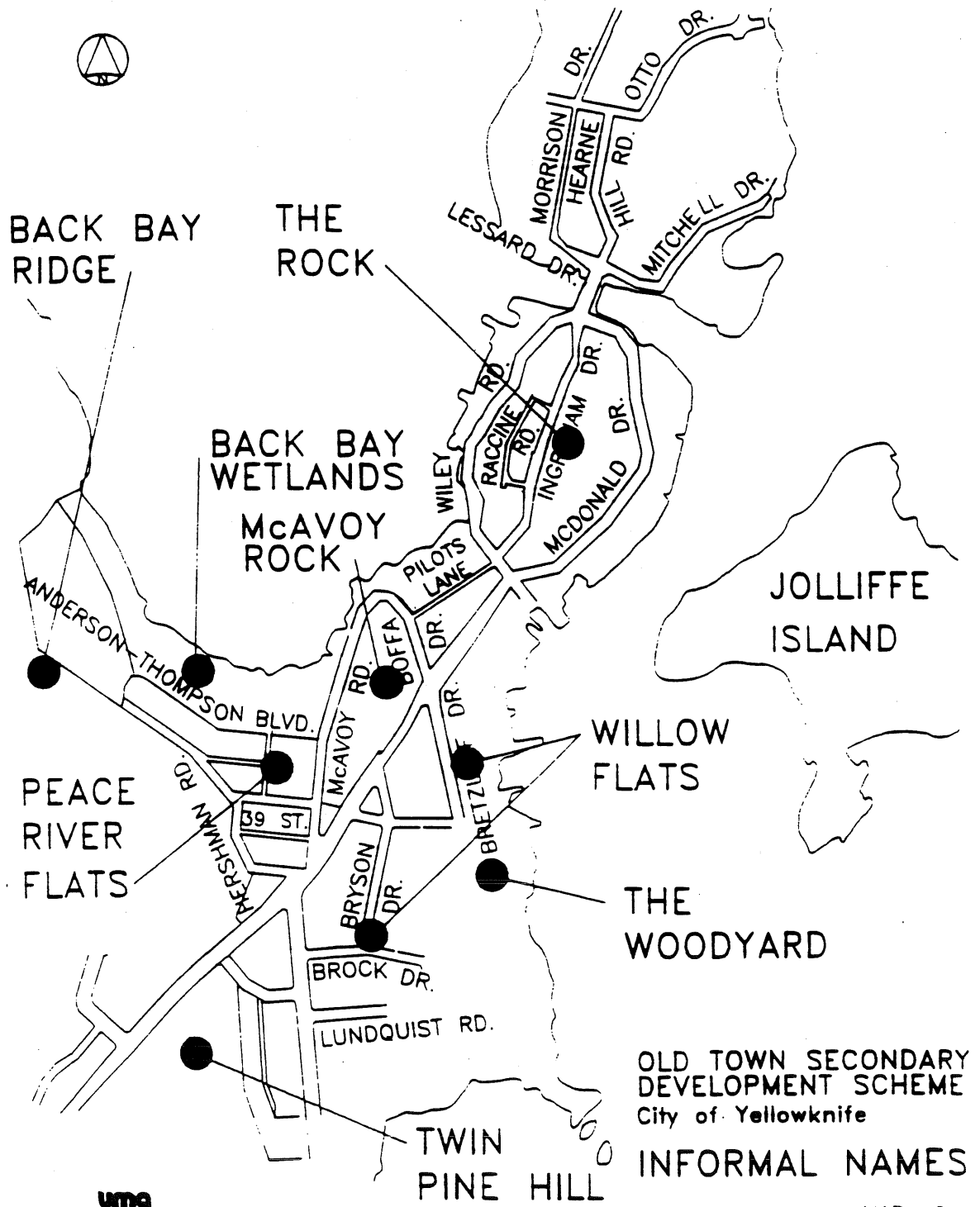
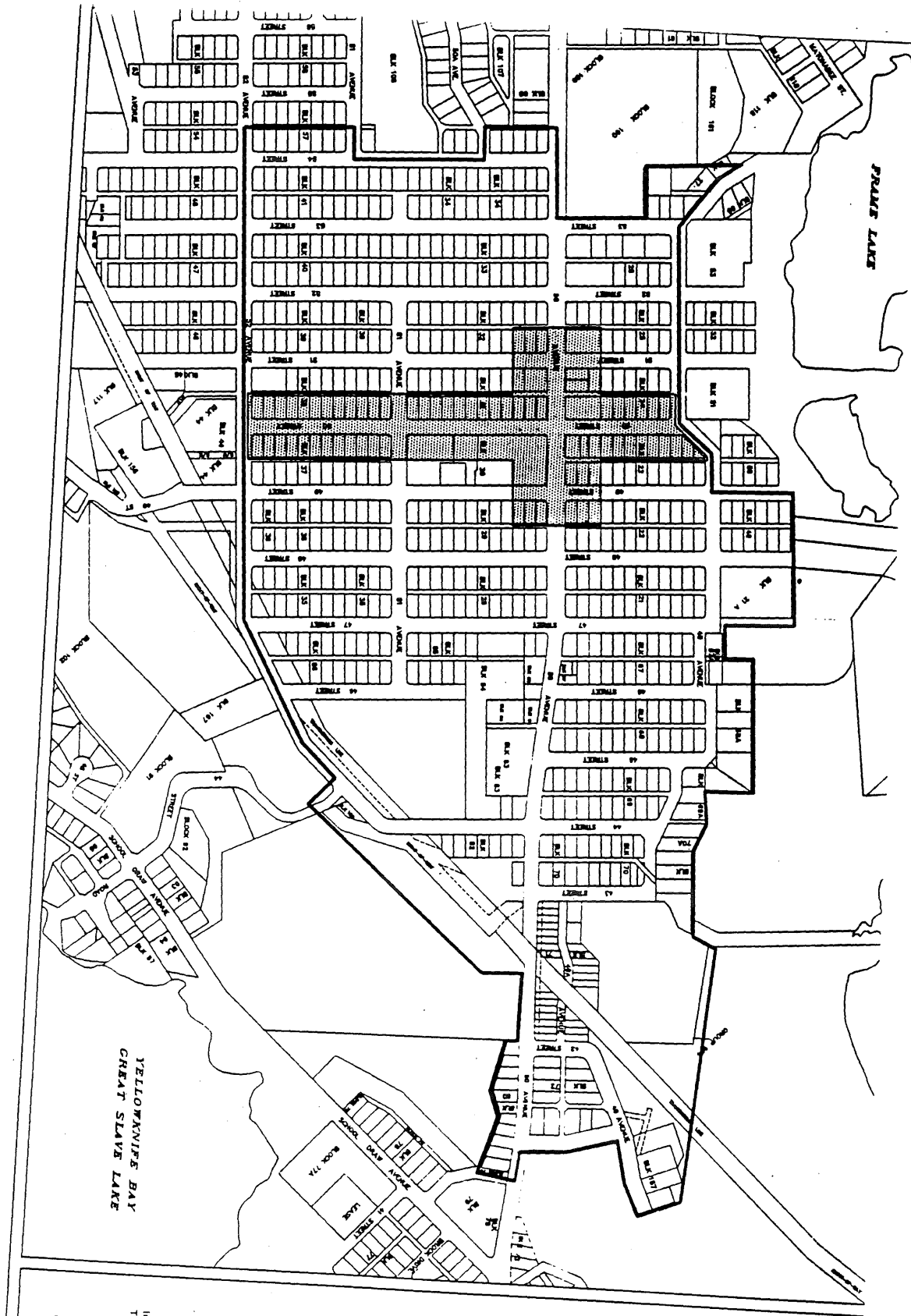


Figure 2



uma

5 New Town map showing 1947 Bylaw 62 (land use zones) [as depicted on map provided by City Planning Department (1993)]



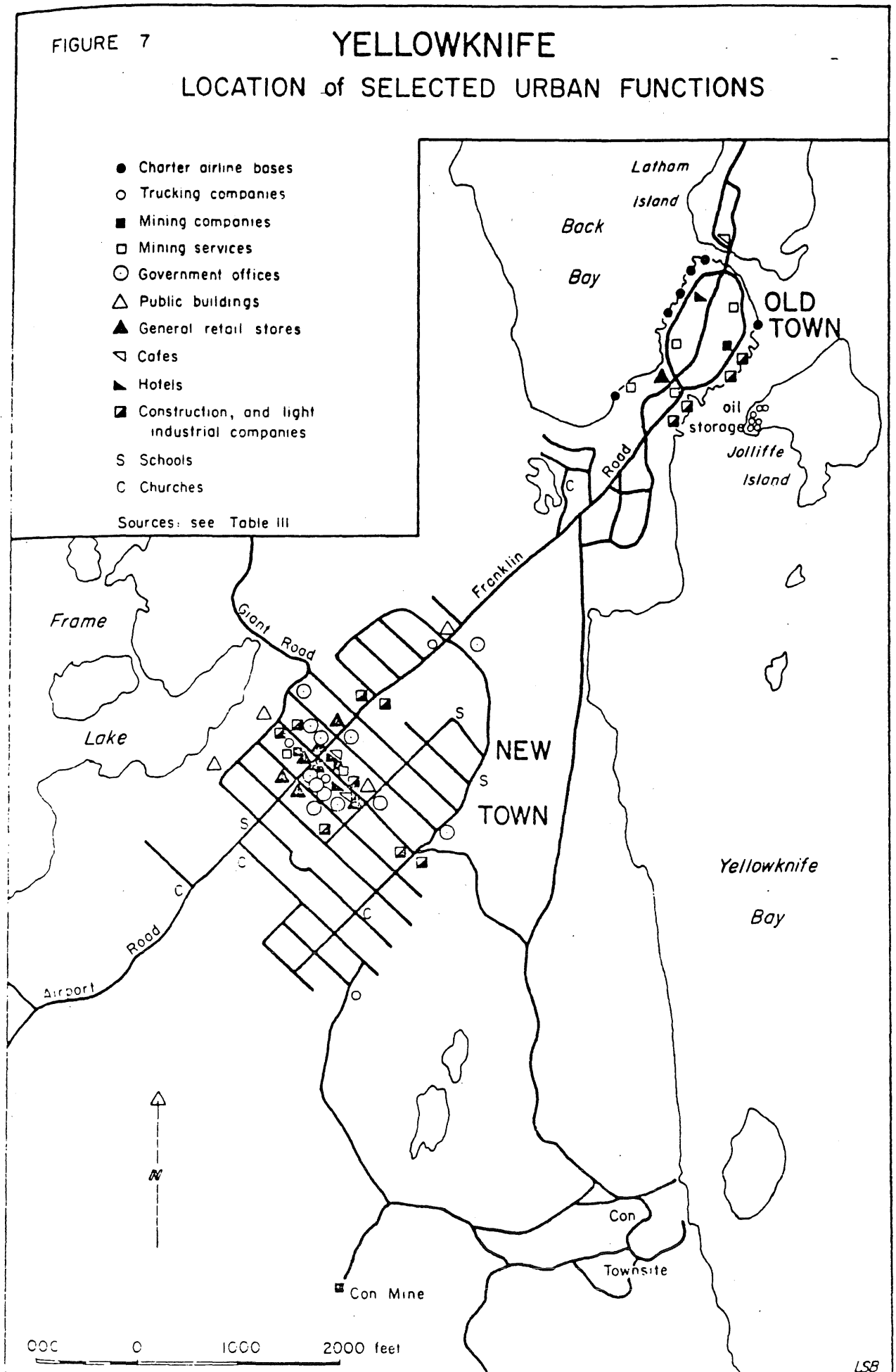
Information on
Town Planning

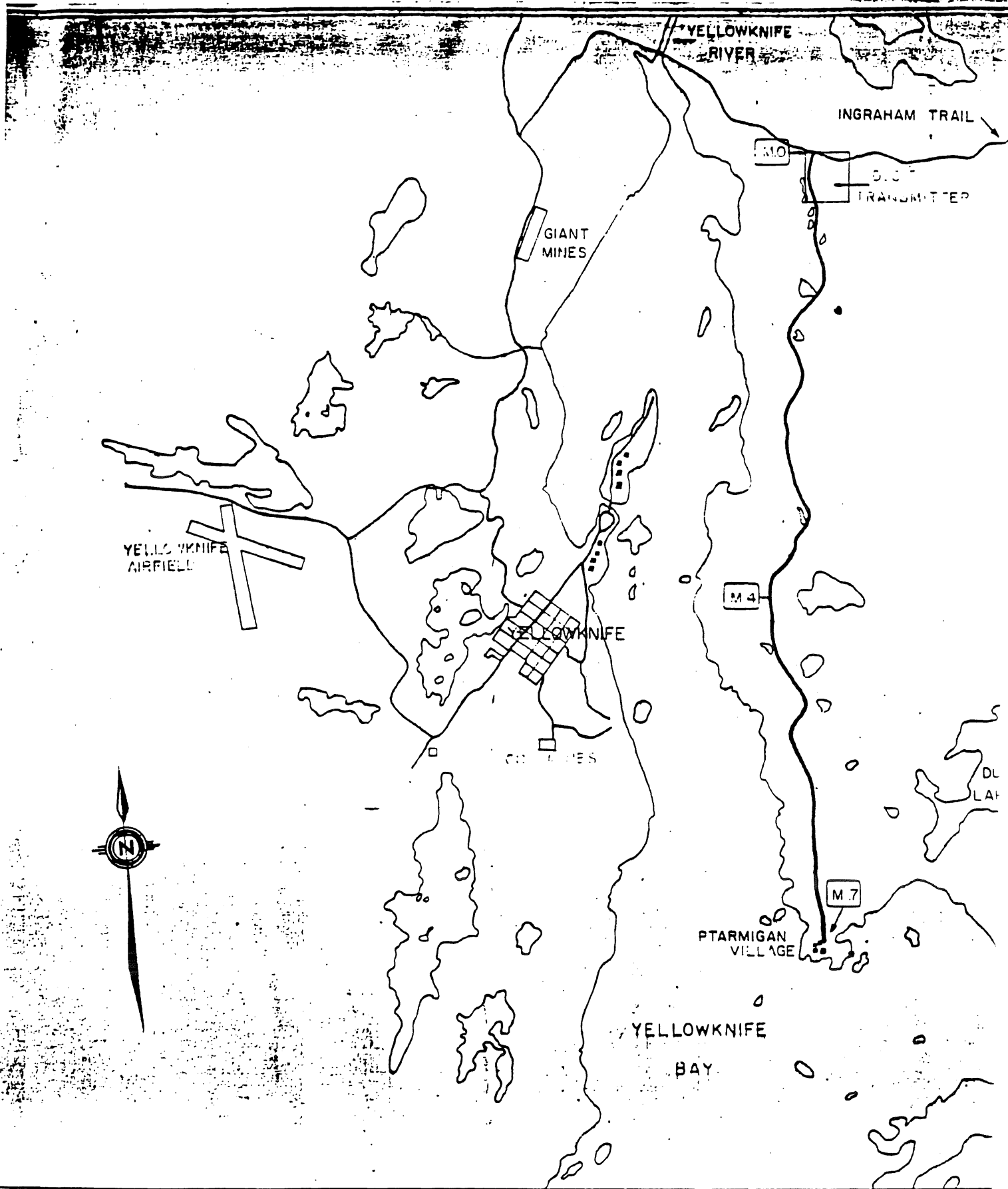
REMAINING ARE
DESIGNATED F1

AREA
COMM.

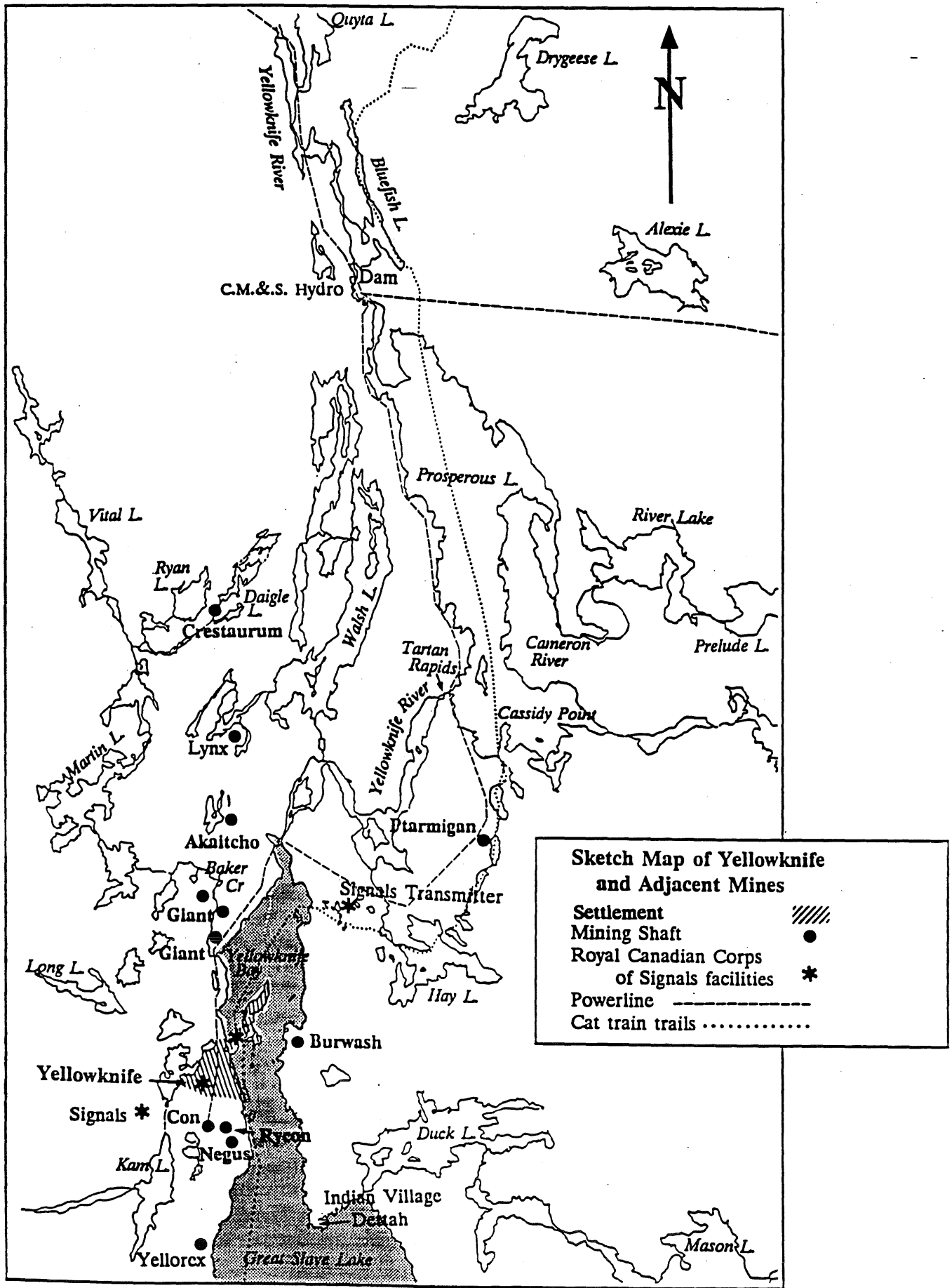
FIG. 51

Yellowknife





SITE PLAN
SCALE 1" = 1 MILE



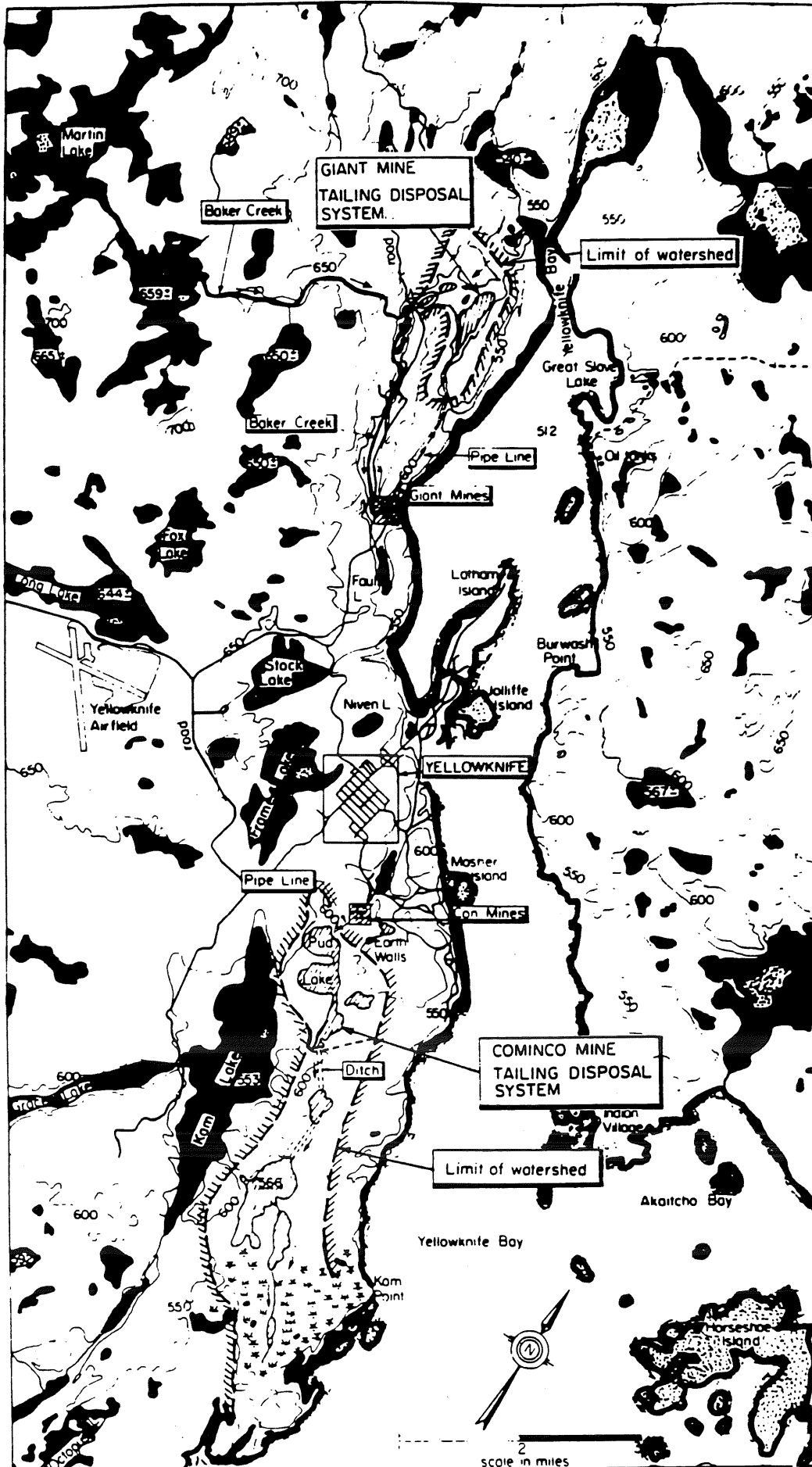



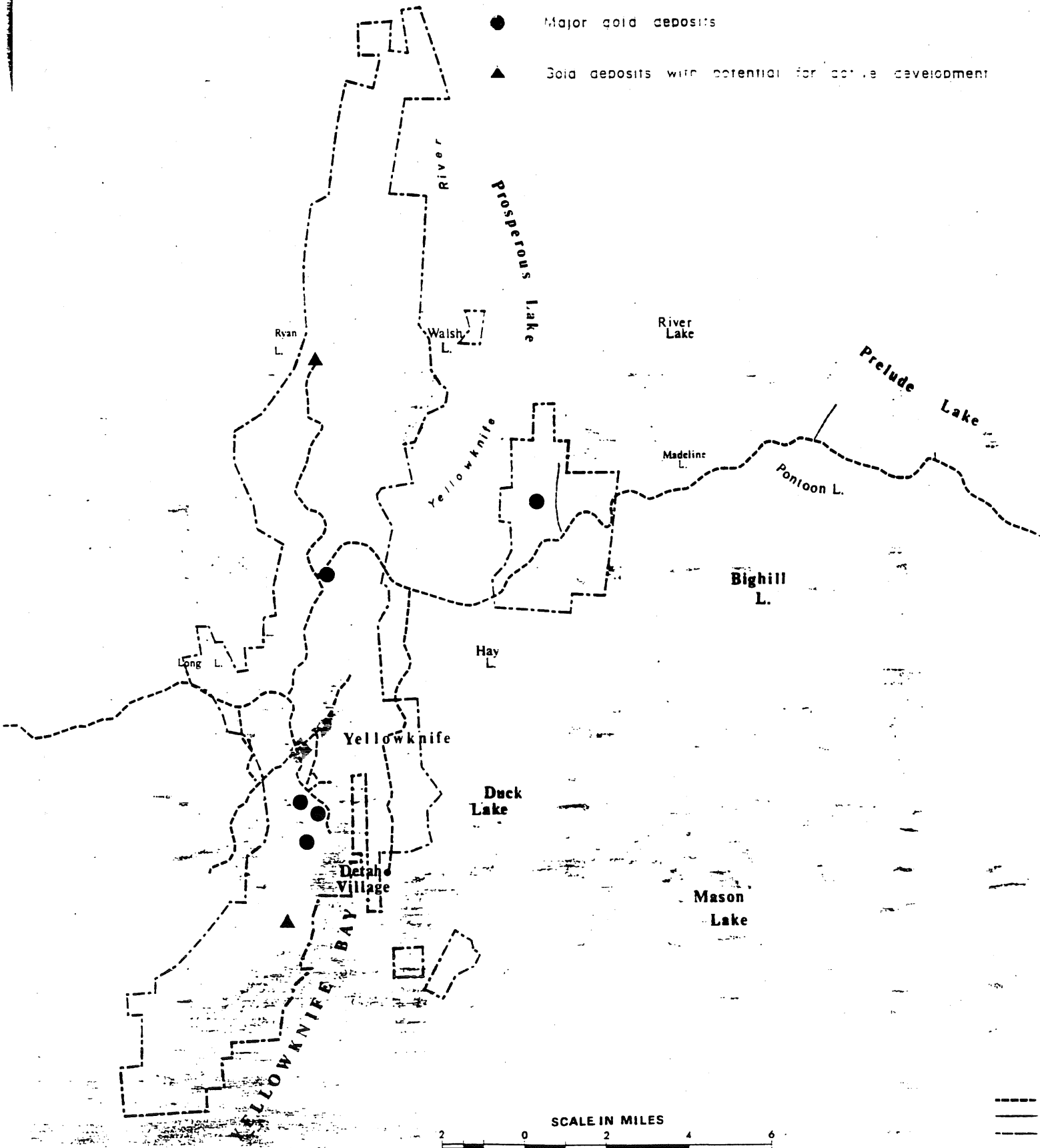


Fig. 8 - TAILING DISPOSAL SYSTEM OF GIANT & COMINCO MINES OF YELLOWKNIFE, N.W.T.






LEGEND

-  Principle areas in which mining claims are presently registered
-  Major gold deposits
-  Gold deposits with potential for active development

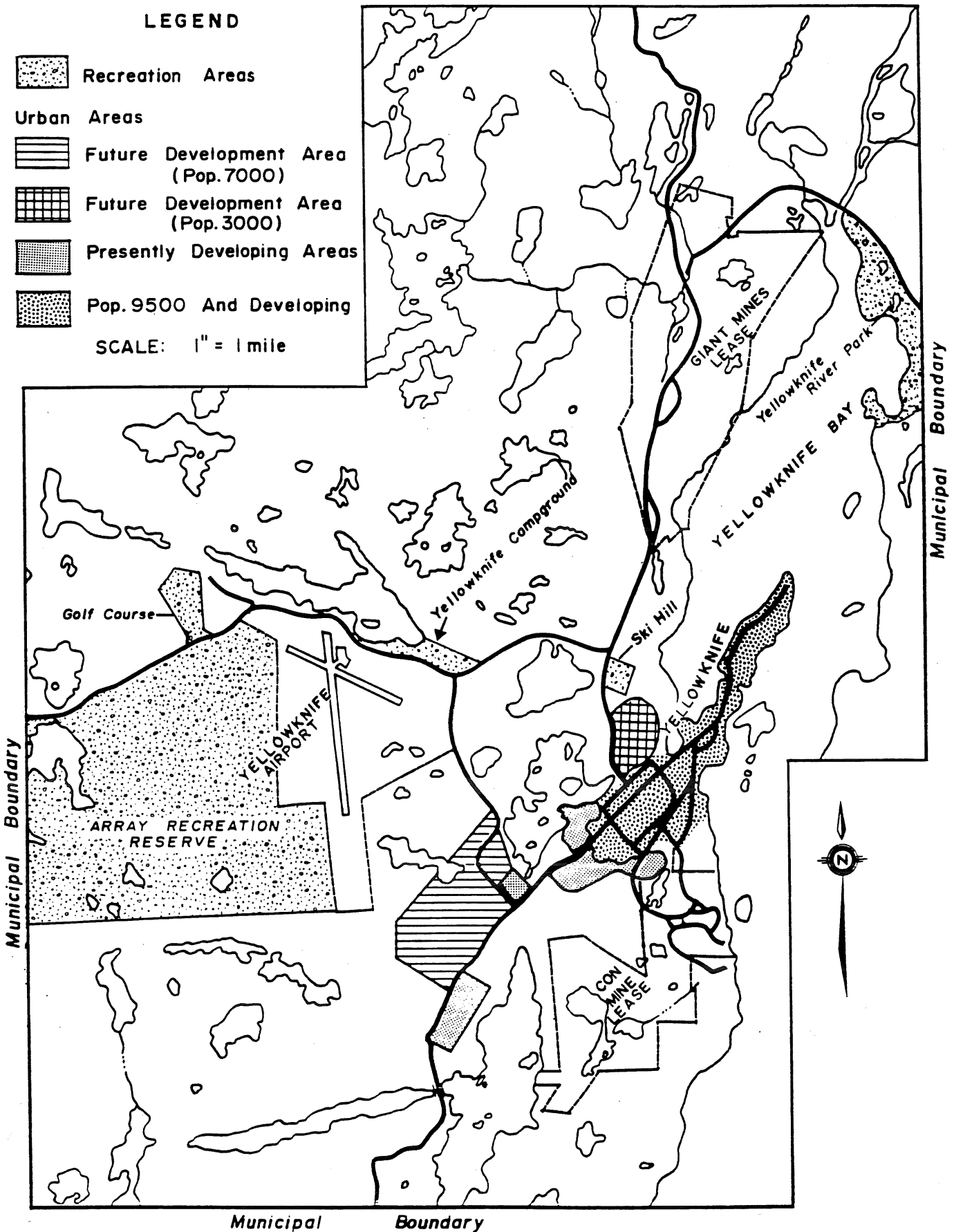


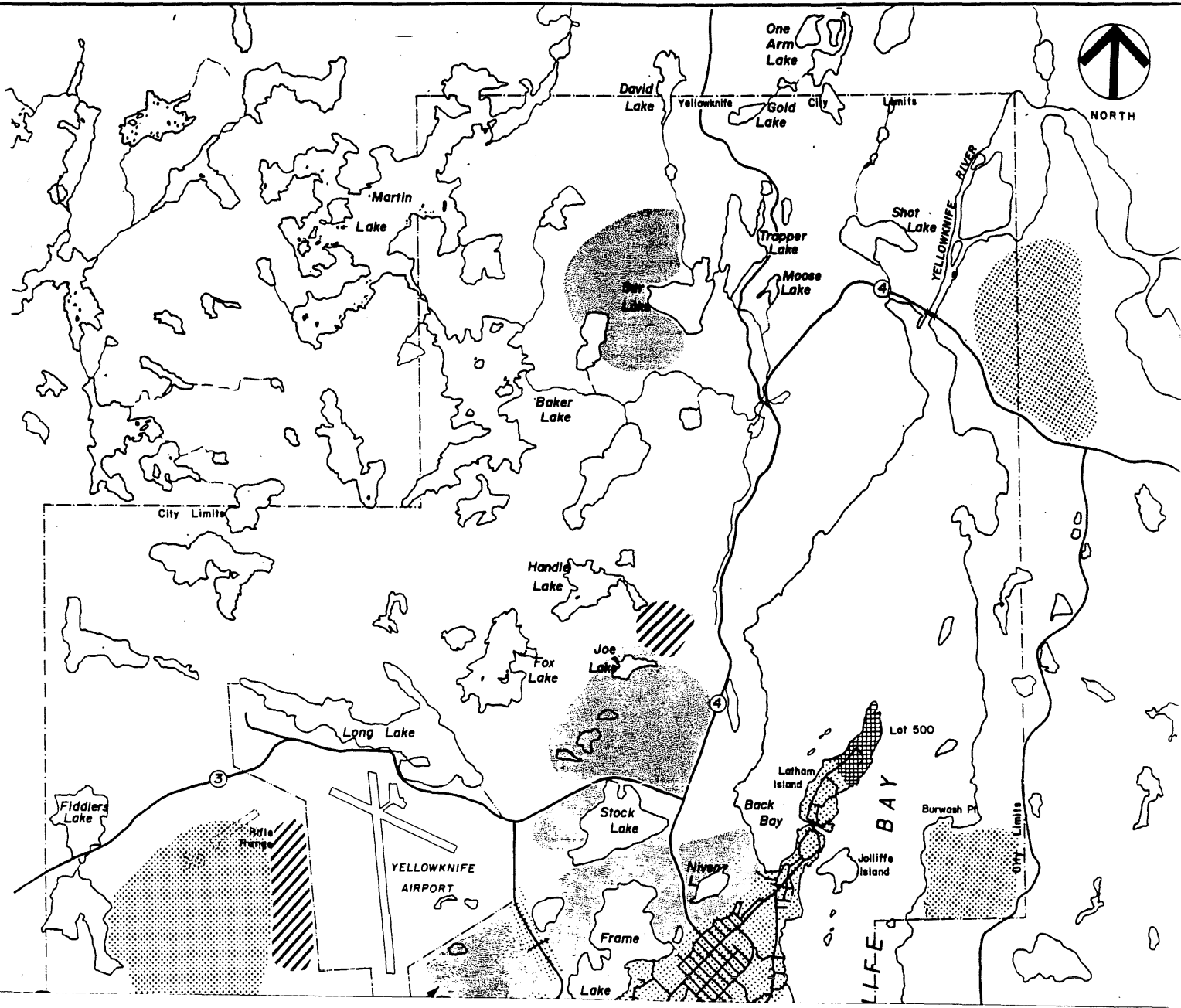
LAND USE AREAS OF YELLOWKNIFE MUNICIPALITY

LEGEND

-  Recreation Areas
- Urban Areas**
-  Future Development Area (Pop. 7000)
-  Future Development Area (Pop. 3000)
-  Presently Developing Areas
-  Pop. 9500 And Developing

SCALE: 1" = 1 mile





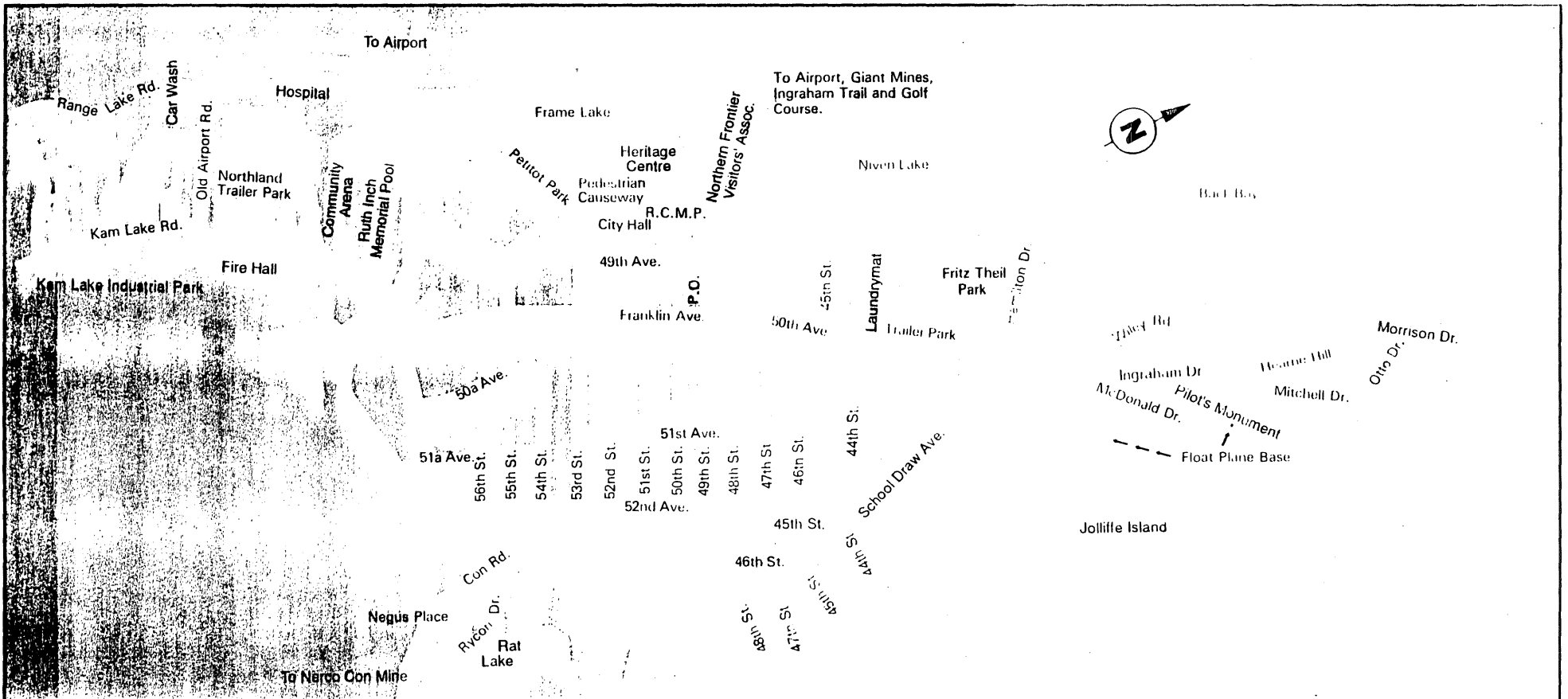
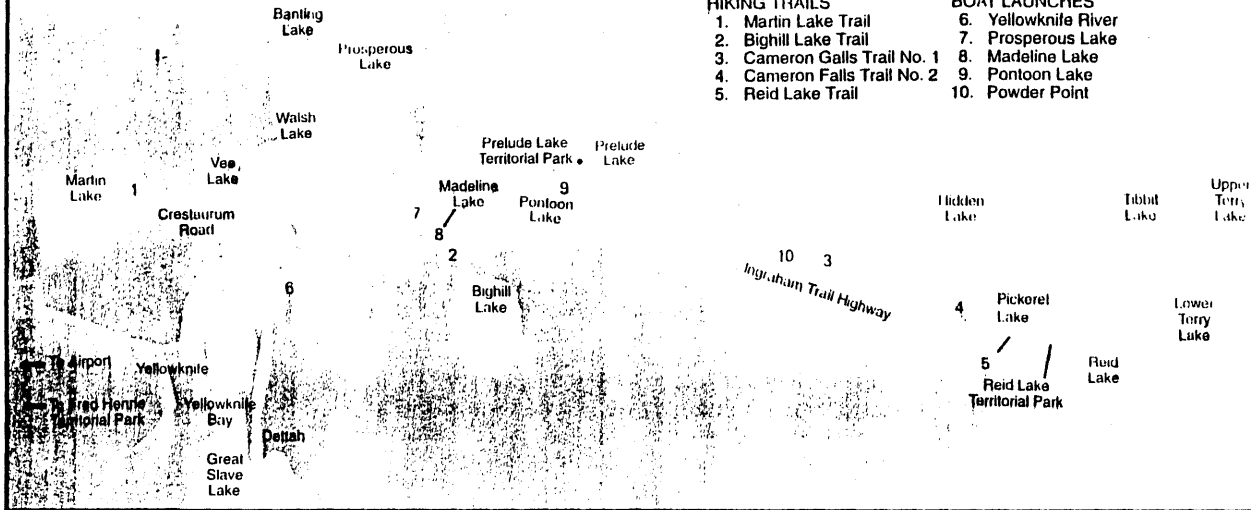
Map of Ingraham Trail and City of Yellowknife

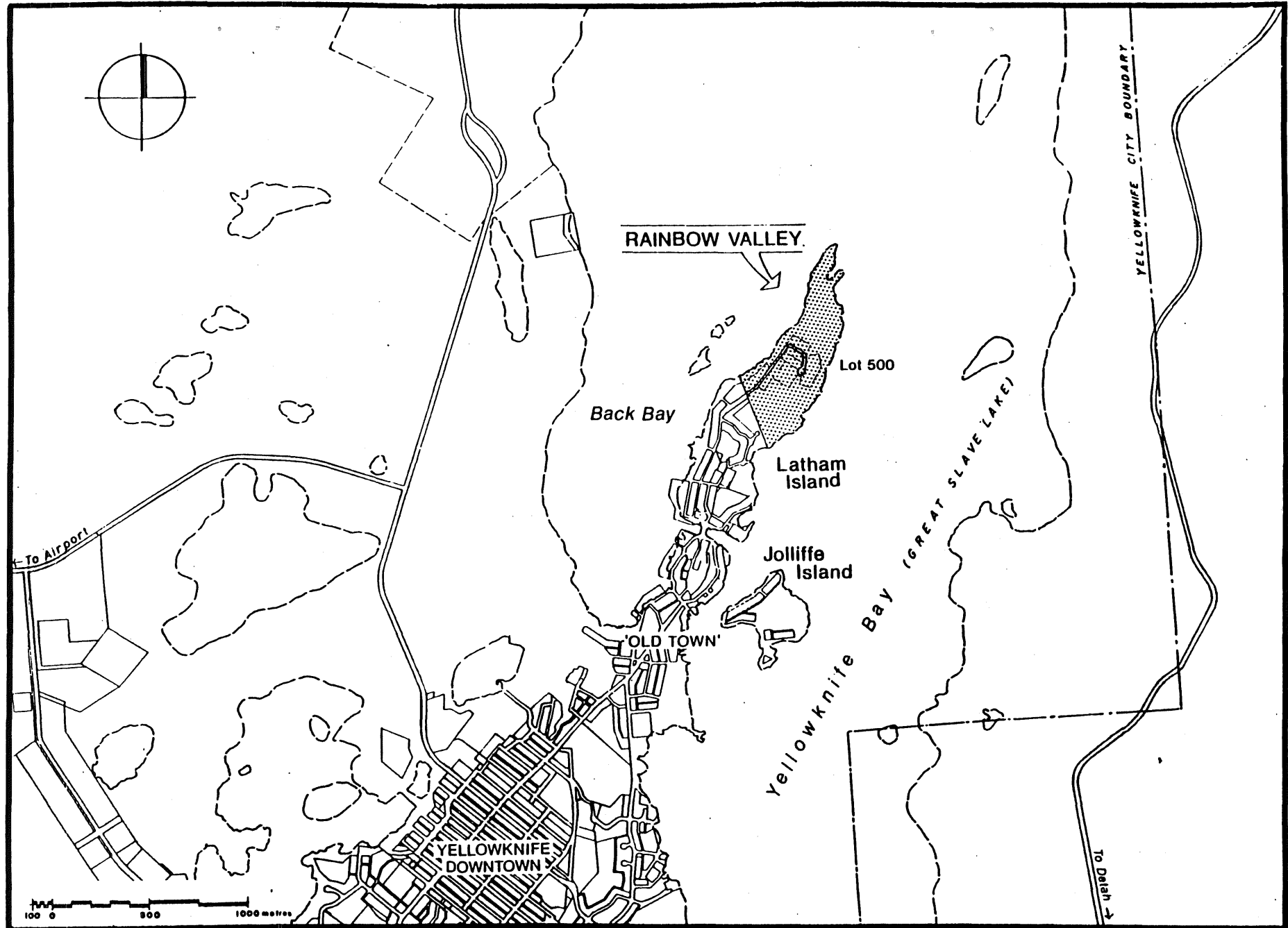
HIKING TRAILS

1. Martin Lake Trail
2. Bighill Lake Trail
3. Cameron Falls Trail No. 1
4. Cameron Falls Trail No. 2
5. Reid Lake Trail

BOAT LAUNCHES

6. Yellowknife River
7. Prosperous Lake
8. Madeline Lake
9. Pontoon Lake
10. Powder Point





RAINBOW VALLEY

LOCATION

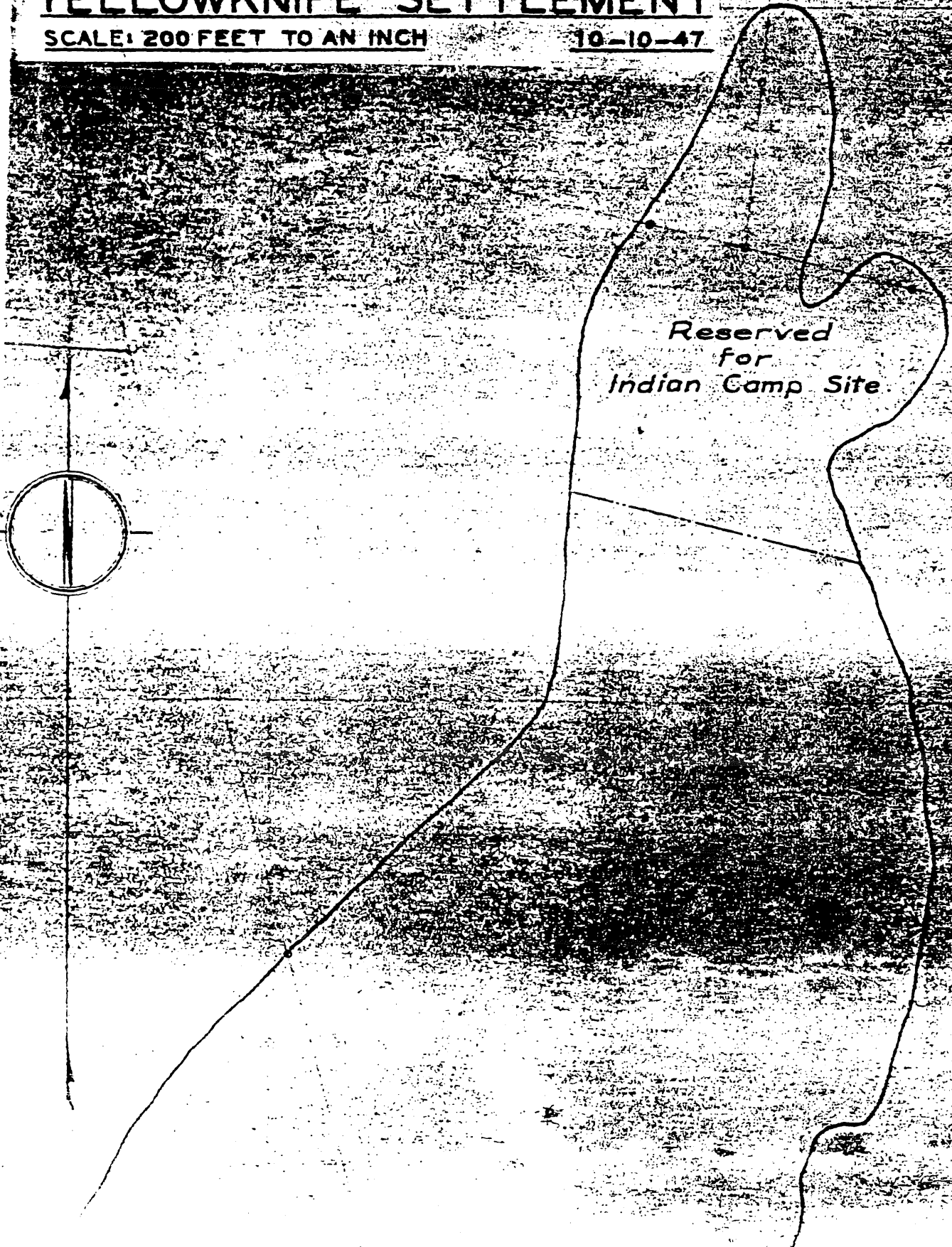
16 Proposed boundaries of "Indian reservation" on northern end of Latham Island, drawn from Yellowknife Settlement map 1947; first map is actual size, second is photo-reduced from City Correspondence (1951).

LATHAM ISLAND

YELLOWKNIFE SETTLEMENT

SCALE: 200 FEET TO AN INCH

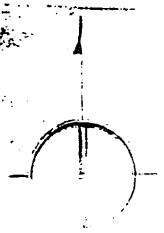
10-10-47



The map shows the northern portion of Latham Island. A large, irregularly shaped area is outlined with a solid line, representing the proposed boundaries of an Indian reservation. Inside this boundary, the text "Reserved for Indian Camp Site" is written in a cursive font. A small circle is drawn in the upper right corner of the map area. On the left side, there is a vertical line with a circle at its base, possibly representing a north-south axis or a specific landmark. The background of the map is heavily textured and grainy, suggesting it is a photocopy of a historical document.

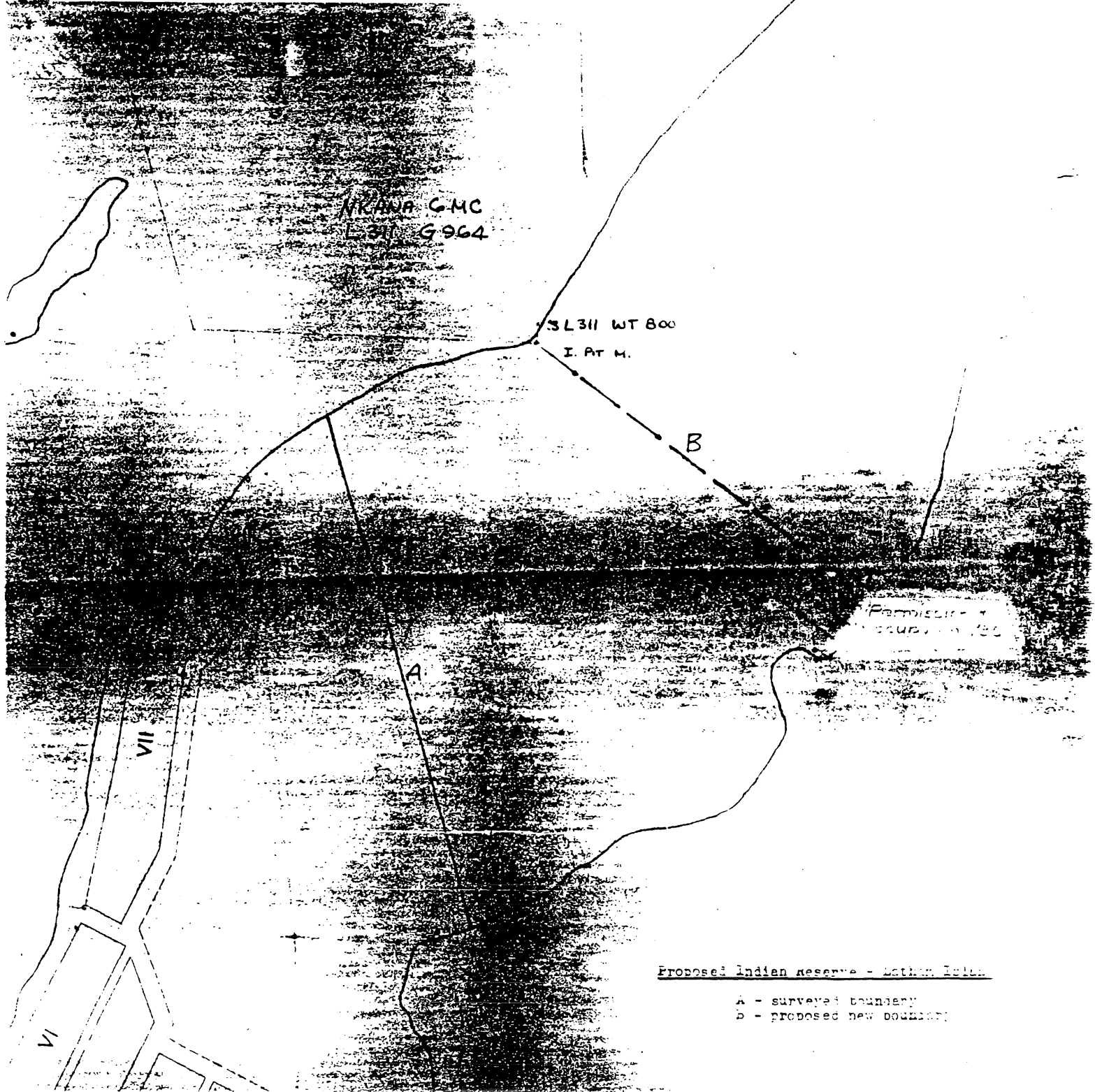
*Reserved
for
Indian Camp Site*

LAND
OFFICE
CALC.



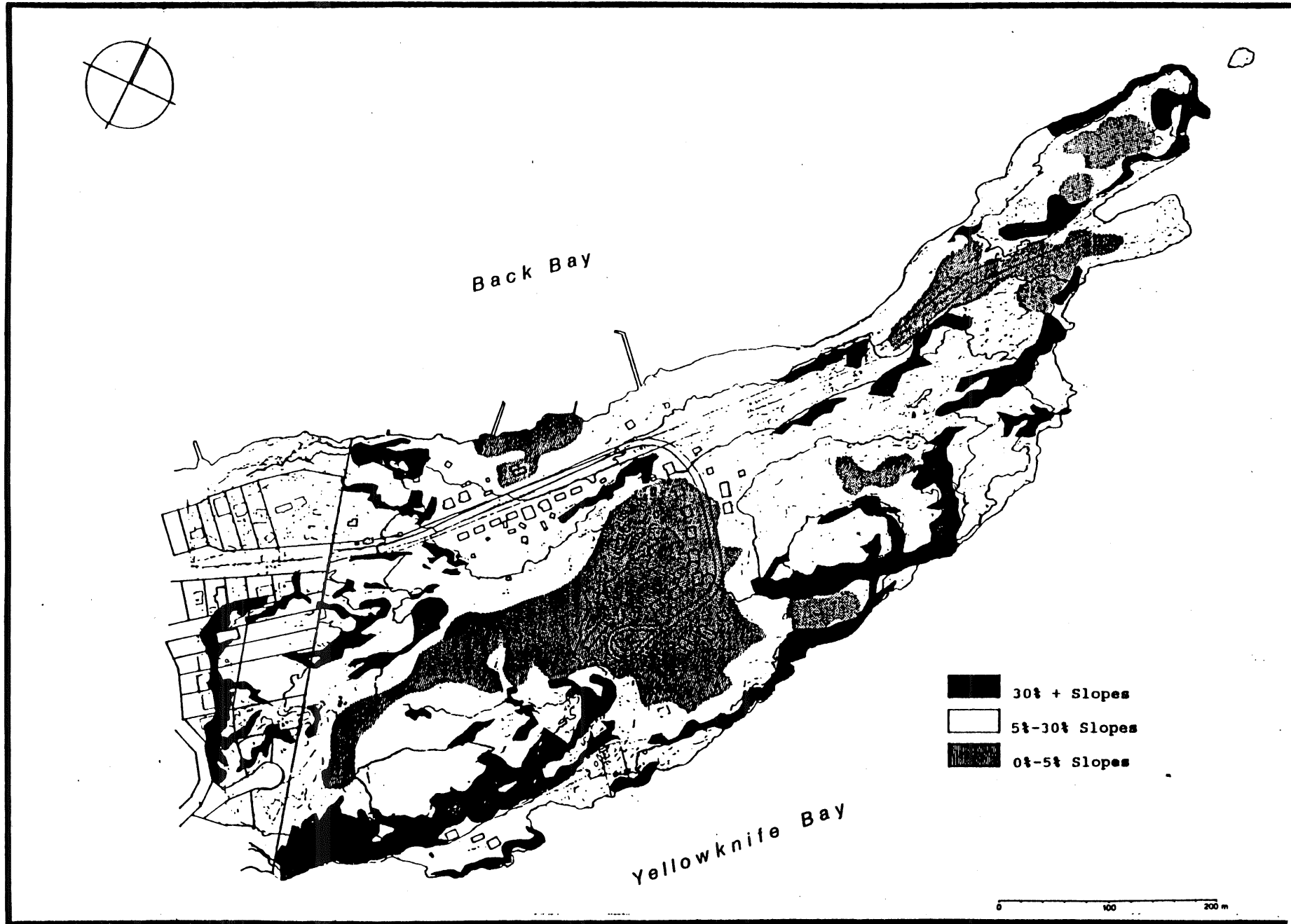
- Compiled from:
1. Second Edition Plan of Yellowknife Settlement;
 2. Plan of Survey of Parcels "A", "B", and "C";
 3. Survey of Nkana Mineral Claims by T.W. Brown, D.L.S.
 4. Survey of Aye Mineral Claims by W.P. Dunbar, D.L.S.

Monuments erected by T.W. Brown, D.L.S. a
 Monument erected by W.P. Dunbar, D.L.S. e



Proposed Indian reserve - Lathen Indian

- a - surveyed boundary
- b - proposed new boundary

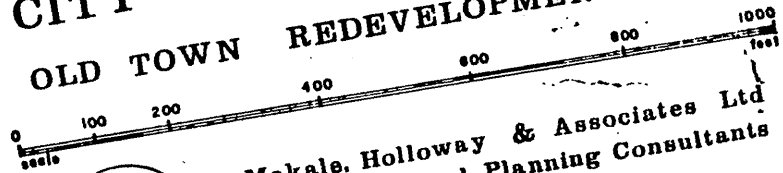


RAINBOW VALLEY

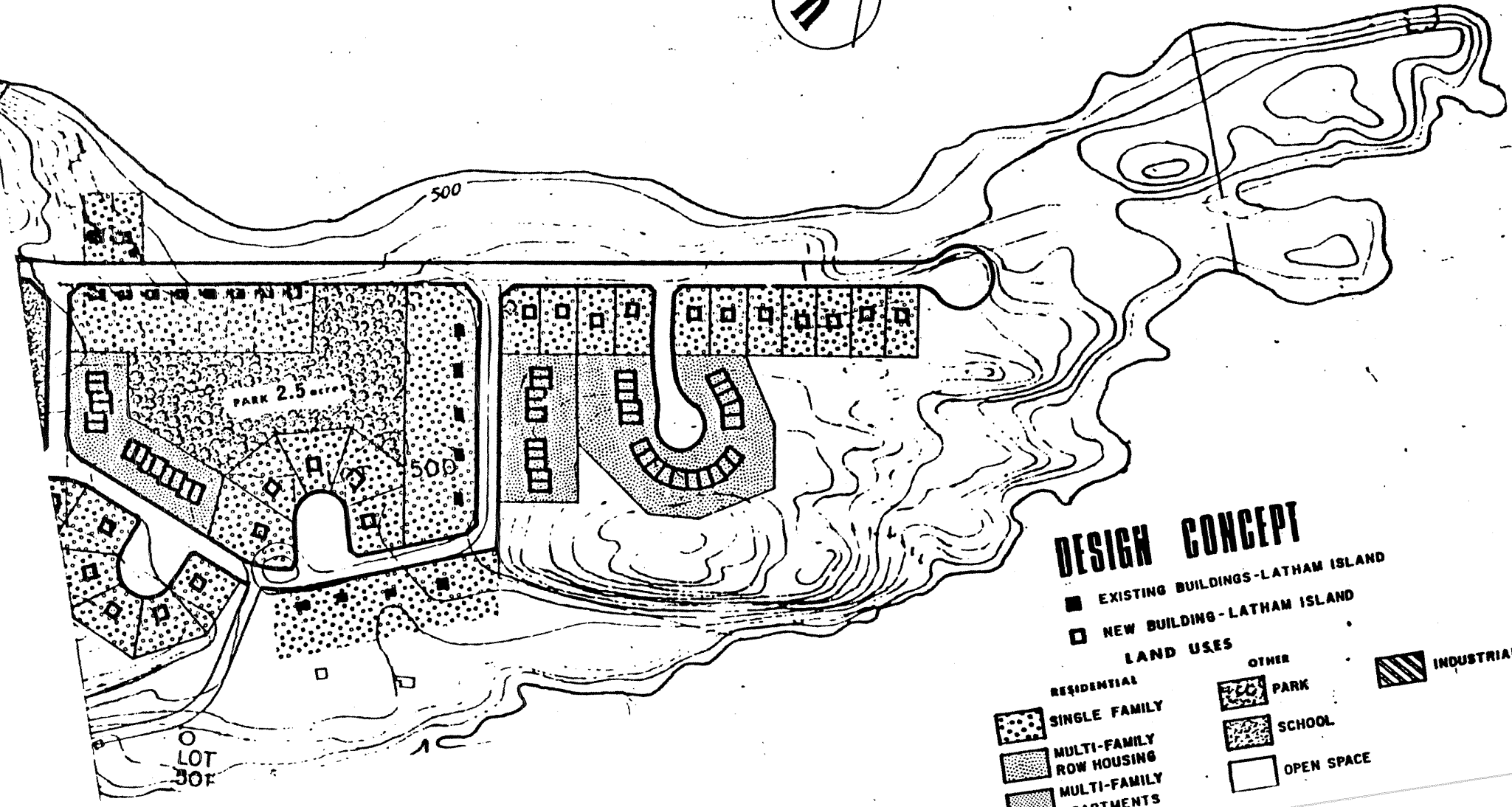
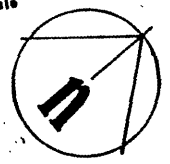
SLOPES

Partial portion of consultants' design concept for redevelopment plan no date (likely 1970s) [from Makale Holloway (n.d./1970s)]

CITY OF YELLOWKNIFE OLD TOWN REDEVELOPMENT PLAN

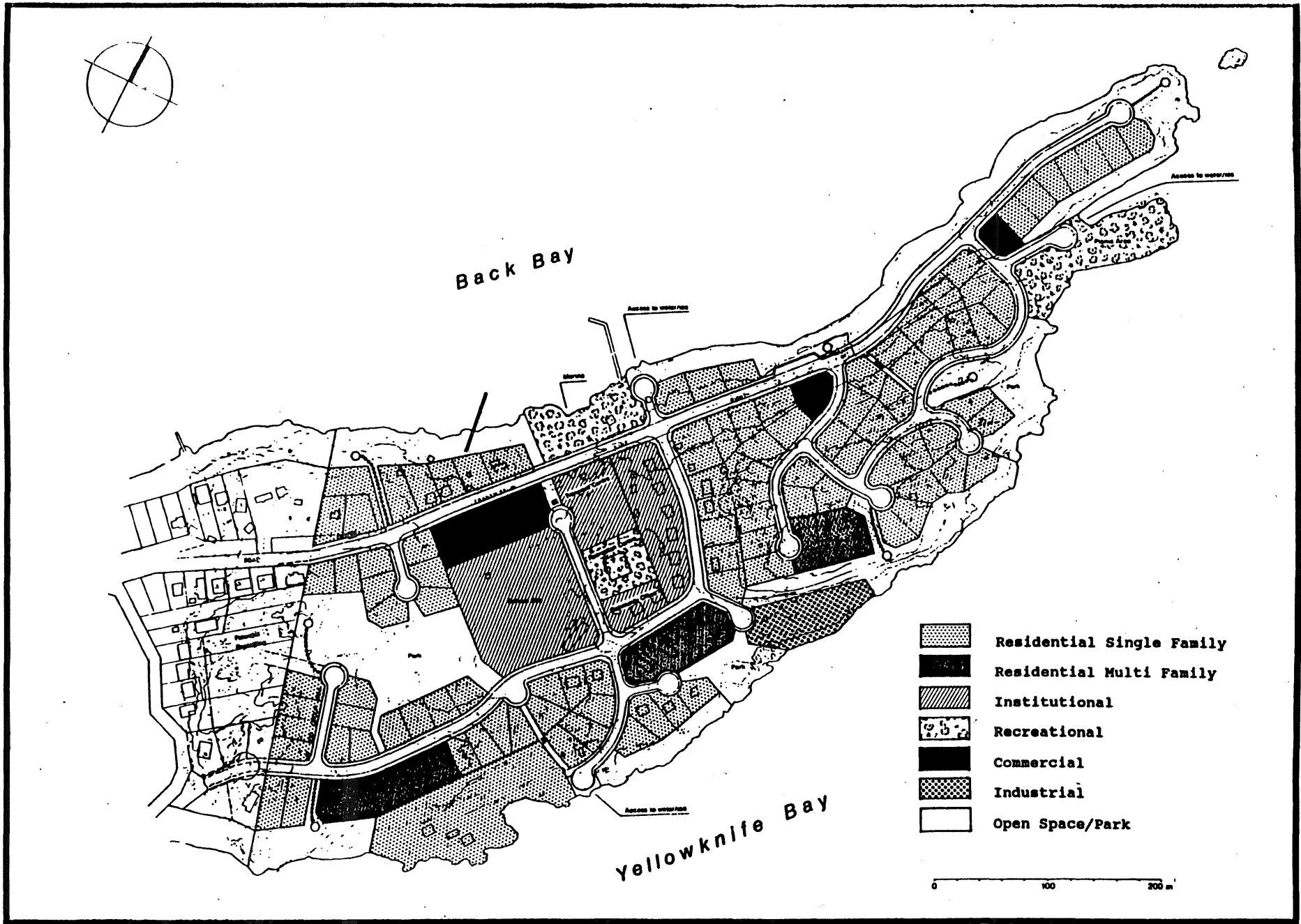


Makale, Holloway & Associates Ltd
Town & Regional Planning Consultants
Edmonton - Regina



DESIGN CONCEPT

- EXISTING BUILDINGS - LATHAM ISLAND
 - NEW BUILDING - LATHAM ISLAND
- LAND USES
- | | | |
|-----------------|--------------|--------------|
| RESIDENTIAL | OTHER | INDUSTRIAL |
| ● SINGLE FAMILY | ■ PARK | ▨ INDUSTRIAL |
| ■ MULTI-FAMILY | ■ SCHOOL | |
| ■ MULTI-FAMILY | □ OPEN SPACE | |
| ■ APARTMENTS | | |



RAINBOW VALLEY

PROPOSED LAND USE PLAN

YELLOWKNIFE 1993
Aboriginal Peoples in the Capital of the NWT

APPENDICES

Appendix 1

Memorandum of Bishop Breynat, November, 1936

and

"Canada's Blackest Blot", May 28, 1938

From

Appendices 14 and 15, Fumoleau 1973: 370-389

then I think it is a matter for Prime Ministers to deal with.

The crying need of the Indians in the Territories, apart from justice in hunting rights, is the building up of their health. To a layman this is startlingly evident and I think some special attention should be given by our Medical Branch to this important situation. If we cannot give the Indian his full freedom to live the life of an Indian at least we should make a serious effort to preserve his health. This is a matter for professional inquiry and action and I suggest some movement along this line.

Appendix XIV

Memorandum prepared by Bishop Breynat, and presented to the Government in November, 1936. Complete text can be found in the Public Archives of Canada, RG85, Vol. 267, file 1003-2-1.

Re the physical and economic conditions of the North West Territory Indians.

Having lived among the Natives of the North as a Missionary for well over 40 years, I feel that I am reasonably well qualified to give an opinion as to their physical state and their means of support of life.

Convinced as I am that their conditions are so serious, I would be remiss in my duty towards them and the Government of Canada if I did not make an effort to bring it to your attention. It is a long story if told in its entirety, which I will not attempt to do in this Memo, but will merely try to cover the situation in a general way and hope to be able to make the picture clear enough so that it can be easily understood. If I succeed in doing that, I will be satisfied and will hope that some attention will be given to the situation, so that relief and improvement of the Natives' condition will follow.

During the period since Treaty was made with the Territory Indians, a matter of 30 years and over, their physical condition has gradually deteriorated, until, at the present time, it is quite alarming - whole families die off, bands containing many families have been wiped out, infant mortality is so high that it is difficult to believe. One often meets old people who have had from ten to fifteen children, of which none is surviving.

When I was at Fort Rae, last September, the Priest in charge of our Mission there told me he had already registered 60 deaths for the year and at Yellow Knife River they had six deaths in one month, out of a population of a little over one hundred. At Fort Rae, the population must be somewhere around seven hundred.

In every camp widows may be found, more or less derelicted, and often the conditions of orphans, if made known in the Press, would bring nothing

but discredit to the Government. Tuberculosis and scrofula are very prevalent, and a fever, peculiar to Northern Natives breaks out at times and a great number die - the resistance of the people to any kind of sickness is gradually becoming less.

The low physical condition of the people is quite noticeable to strangers passing through the country and is a subject of public comment in the Press on their return to the outside. Only this summer, a Member of Parliament, Mr. James A. MacKinnon, M.P. for West Edmonton, passed through the North as far as the Arctic. When interviewed by the Press, he especially mentioned the poor physical condition of the Indians that he had observed throughout the North.

The foregoing facts, as stated, should give sufficient information for the purpose of this Memo.

As the economic conditions are effected by the physical, especially for hunters and trappers, as their work is strenuous and out of door during the winter season, sickness of any kind that prevents a trapper or hunter from following his vocation during the proper season directly affects his living - a great part of the lives of these people is spent hunting for meat and when they do not kill, they do not eat.

Their health is of vital importance; if the head of the family is unable to secure any food, they are all hungry together. When bush people are in distress, due to sickness or hunger, they cling together, they contract any disease that may be around and the whole camp or village becomes contaminated.

Many factors have contributed to the present health state of the Indians. Prior to Treaty, he was more or less of a nomad in summer, going to his hunting and trapping ground in the fall, coming to the trading post in the spring. They were a loosely banded people, divided up into several bands - Treaty brought them into union under a Chief, annuity kept them at the posts longer than formerly and they contracted many white habits and ways - they could buy anything their childish fancy craved or that the keen traders suggested to them, so long as they had the fur. Their only curb was a poor fur year.

In time they became physically susceptible to illnesses that were all strange to them. The white trappers (not all) were a big factor in many ways that helped to bring them down. Many things they were allowed to purchase have helped to undermine their physical resistance. They also learnt to brew and this evil is one of the biggest factors that has brought them to their present state, yet practically nothing has been done in order to check such an abuse.

With the opening up of the Territories to mining, white men will over run the trapping and hunting ground of the Natives. There is already intensive prospecting being carried on in the Yellow Knife preserve.

I believe it is imperative that the Government take steps at the earliest possible moment to control the Indian population and to protect them. The time has arrived when they should be subject to regulations and restrictions, they should be kept separated from the whites as much as possible.

This can be done through intelligent governing regulations and supervision and it should be done as soon as possible in order to protect his future existence. He is a hunter and trapper by instinct and heredity, it is the only life he or his ancestors ever knew and there is no other way in which he can make a living. He cannot, like his more southern kin, become a horse, cattle or land man; his is a rock and bush country.

If left in possession of the hunting and trapping privileges and if his health and living conditions are given some sensible attention by the Government, the situation that now exists can be rectified and improved.

He can be reclaimed and with guidance he can get back to his natural state and preserve his ability to hunt and trap and become more or less self sustaining.

Even now he is not without his financial place in the business life of Canada, as a fur trapper his importance is vital to the future of the fur trade. The North West Territory is the largest extent of virgin fur country left in North America.

We found him in possession of the country, he received us peacefully and by Treaty he gave the Crown legal possession. He became a Ward of the Crown and Canada is his Guardian.

As stated in the beginning, this was to be a brief Memo. I feel that I have but barely sketched the story, but hope however that the situation can be realized and that it will receive the serious attention I most earnestly believe it warrants.

The following suggestions will, I hope, be of some help in an effort to formulate a plan to permanently improve the conditions, of the Treaty Indians, as outlined in my Memo.

First it must be emphasized that the Northern country is not and never will be, with the exception of some small areas, an agricultural country. As it has been mentioned, for the Indians, the only means of making his living is fishing, hunting and trapping. It has been the way of living of his forefathers; it was his only way of living when the Government stepped in to acquire his heretofore undisputed rights to the land of that immense territory.

In order to induce him to sign the Treaty, through which he was asked to abandon all his rights to the Queen Victoria, he was promised that the Queen and her Successors would take care of them as would a Mother and, that, as long as the sun would shine, they would keep their right to live their own way of living by fishing, hunting and trapping and that they would be protected.

Personally having had the honor to act as an Interpreter when the Treaty No. 8 was solemnly discussed and, at the special request of the Indian Department, to accompany and help the Royal Commissioner in the MacKenzie District. I perfectly well remember the alluring promises of all kinds which were made, in the name of the Queen, in order to bring the Indians to agree to the Queen's demand. A great many of these promises, not all, (as not a single word has been altered in the text submitted for discussion), are now contained in the official text of the Treaty.

Consequently the least that might be expected by an Indian would seem

to be that such promises be always kept in sight whenever a new regulation is proposed which may add new and unnecessary hardships to his old way of living.

In view of such an achievement to be obtained and which would be of such credit to the Government of Canada, the North being the only place where Indians, while being gradually civilized, could be kept living their old way of living, even with the arrival of white miners,

Owing to the special conditions of our Indians in the North, who would soon become a heavy burden to the Government, if they are not given a chance of continuing to live on fishing, hunting and trapping, as they always did.

Owing also to the immensity of the country and the difficulties of communications:

There should be, with headquarters at Fort Smith, and in charge of all Indians of Treaty No. 8 and No. 11, a Government Official, a man of thorough experience of the North, a man with a real heart for the Indian and not afraid to occasionally remain in their camps and live their lives when necessary. He should be invested with enough authority so as to allow him to take immediate action in emergency cases, especially while he would be visiting camps, such action to be taken according to a general policy and general instructions issued by Ottawa.

He would be the man to gather and forward to Ottawa as much information as possible in order to help frame the most reasonable and most appropriate regulations to promote hygiene, education and economic and special welfare among the Indians, with the strict exclusion of any unnecessary interference with their aboriginal way of living. He should always have in mind that his very office is to help and protect the Indians, as Government Wards, and to see that their rights are respected by the white man, also seeing that the latter is not molested by the Indians.

HYGIENE

1. - As all the Doctors have to attend not only to the Indians but also to the White men, whose number is increasing every year, it appears that better results and better co-operation would be obtained if they were all under the same jurisdiction, with one of them as Health Superintendent for the whole North.

2. They should be young enough and of enough activity to be able to visit Indian camps, summer and winter, and to endure any hardship such a devoted life may entail.

3. - As soon as possible a general survey of the actual conditions of the Indians should be made, at least by a summary examen of as many as possible, when Treaty is paid or on the occasion of a camp visit. Reports to be kept on file for further reference.

4. - One of the first steps to be taken would be to arrange for a meeting, in some central point, of all the Doctors operating in the North, and have them to discuss the actual conditions of the Indians. They would bring in

dian typhoid fever. They should also make a special study of the advisability of making a larger use, as a preventative, of those Serums which are giving such wonderful results all over the world.

With the Schooners actually in the North for the use of the Agents, the meeting of the Doctors could be arranged without entailing any extraordinarily big expense. They could meet every two or three years.

5. - In their meeting the Doctors should investigate the advisability and the possibility of establishing one or two Sanatoriums to take care of such cases of tuberculosis, especially among the children, which may afford good hope of complete cure or serious relief. Any experiment should be started with a few well defined cases, more development to follow according to the results obtained and also according to the line which would prove the most adapted to the prevailing conditions in the North.

6. - Within the limit permitted by the Northern conditions, as much relief and comfort as possible should be afforded to desperate cases of tuberculosis, especially when the patients have no one to look after them and are a too heavy burden, as well as a danger, to the community.

7. - Try and have some registered nurses, of some experience, at one or two places, and, if the results are satisfactory, have one in each important place. They would attend to emergency cases, teach hygiene and would be responsible for calling a doctor when necessary, or sending patients to Hospitals.

8. - In any case prompt action should be taken to dispel the impression given by some heartless white people, who are always objecting to spending money for the protection of the Indians, claiming that it is just as well to let them die out.

EDUCATION

1. - The schools in the North West Territories, notwithstanding special and great difficulties, have achieved quite satisfactory results. The children who have spent some time in schools are stronger. They, especially the girls, have brought home principles and habits of cleanliness, hygiene and housekeeping to such an extent as to cause a real surprise to the whites and to be a credit to the Government and to the Churches.

Boys, when they have not been kept too long in school, generally are better trappers and better hunters and are pretty hard to cheat in business and quite a few of them occasionally prove to be intelligent interpreters.

2. - Yet, owing to the nomadic character of the life our Indians have to live and to the difficulties of communication, it is not an easy job to induce the parents to send their children to school, although they gradually realize the advantages of a good school training.

Better results would be obtained if all the Agents would give a little more of their time and of their heart to recruiting, or at least to help the recruiters.

future the Northern schools will receive a more fair share in the funds of the Department disposed for that end.

It should not be any more objected that the schools are owned by the Churches and that the Department cannot spend money on improvement of schools which are not its property. On the very contrary, the Department should be the more generous, as the Churches have done, for many years, at their own cost, what should have been done by the Government, as promised at Treaty Time.

4. - Day schools would be of no satisfactory avail in the North West Territories. Indians do not stay long enough at the trading posts. When they do ask for such a school, it is generally on the suggestion of some white men who have some children of school age. Another Department should attend to the needs of the increasing white population.

Whenever some Indian family is resident at the Fort the children could attend the school, the Indian Department paying for the attendance, as it is done in other places under the same conditions.

5. - There are enough residential boarding schools in the districts, which this Memo is covering, to reasonably meet all the actual needs. The upkeep of small boarding schools is too great on account of the general expenses, and experience shows that should the Indians have a boarding school near to every trading post, they would still feel slow in sending their children, especially when they have plenty of Caribou around their camps. There always will be the difficulty of transporting the children on account of the great distances where the parents live and the difficulty for the latter to visit them as often as they would wish—one or two hundred miles, more or less, would not make a great difference. No school is actually filled to capacity.

Unless the Government is ready to enforce compulsory education, a system which I would not recommend, before opening new schools it would seem wise to wait until such time when our Indians show a better appreciation of education.

6. - A good system of encouraging parents to send their children to schools would be to give some post scholar assistance to those who have been giving satisfaction and have stayed five years in the school. The boys would be given a rifle or a gun, with some traps, the girls a hand sewing machine, etc. As a rule the children should not be kept in school, the boys when they are over 13 or 14 years of age, the girls when they are over 16, unless when they are orphans and they ask to be kept until they are married.

7. - When the children are sent home for holidays, the Agents should adopt the practice, which is generally followed in the southern districts, to see that the children are sent back in time to their school, unless their parents are in a real need of their assistance.

8. - Too often poor orphans are kept in the camps as servants to greedy Indians, they are half clothed, even in winter time. They are also the last to be fed and they never are given any chance to enjoy any sympathy around

them. They do not even draw one cent out of the Treaty annuity they are entitled to and which is fully claimed by their guardian.

In order to remedy such a pitiful condition, education should be made compulsory for all the orphans of school age and the Treaty annuity should be directly given to them as pocket money for little fancies.

When they leave school, the Agent or the Church should see that they are placed with some reliable and good people who would train them to make their living by fishing, trapping and hunting.

A few years ago, on my recommendation, the Department of Indian Affairs sent a circular to that effect to his Agents in the North. The circular has been a dead letter so far.

SOCIAL AND ECONOMIC WELFARE

It would be the main work of the Government Official I have suggested to have at Fort Smith, and who should be appointed without any delay, to personally see to the very much needed development of economic and social welfare among our Indians of the North.

In the meantime, I would respectfully take the liberty of making the following suggestions:

1. - A Treaty has been agreed upon by the Indians with the Crown. If the Indians must be ready to submit themselves to such regulations as it may seem advisable to the Crown to issue, for their own protection and for the good of all, it must not be forgotten that with the Crown remains the solemn obligation to see that the promises made to the Indians are faithfully kept. The more so as the Indians have nothing to say and no way to protect themselves when new restrictions, which they could not foresee when the Treaty was signed, are imposed on them.

Would it not be a good thing, in order to put an end to often heard complaints that too much money is spent for the benefit of the Indians, to occasionally and publicly remind the newly arrived, whatever country they may come from to avail themselves of the wonderful richness of this land of Canada, that the Indians of this very Canada have, as first inhabitants of this country and also as Wards of the Crown, the first and imprescriptible right to be protected in every possible way in full accordance with the stipulations contained in this Treaty. The Crown and with the Crown all the newly arrived population must be ready to pay the cost - it is a debt of honor.

2. - After having been a witness to the Treaty and seeing the way the Indians' interests have been handled since, I often wonder how many officials, in the various spheres of the Government, who have dealt or may have to deal with the Indians, may have ever read the text of the Treaty.

Would it not be more advisable to have a copy of the Treaty handed over with every new appointment, with a strong recommendation to fully comply with the spirit of the Treaty, which is a spirit of a motherly attendance to the moral, physical and economic needs of the Crown Wards, which the Indians are, as they have been accepted forever in the name of Queen Victoria.

3. - Conscious of the responsibility imposed on the Federal Government, the latter has organized a special Department in order to properly take care of the Indians, to help them in full accordance with the Treaty stipulations and to see that their rights are not encroached upon by anybody.

Unfortunately, other Departments completely absorbed by other responsibilities, of which the responsibility of preserving the wild life animals, have stepped in and dictated regulations which would not fit in the conditions of the Northern Indians and would impose on the latter unnecessary restrictions in their old way of living.

And how could they have been protected when the Head of the Indian Department could not find time to go to the North and get acquainted with the special conditions of the district, until last year when Dr. H. W. McGill made a flying trip to Aklavik.

4. - It should be understood, once for all, that every new regulation caused to be necessary by the increasing influx of white men, prospectors, miners, etc., will generally not fit the conditions of the Indians and would rather prove to be a new encroachment on their legitimate rights. Consequently, provision should carefully be made so as not to impose any new unnecessary restriction on them.

In any case, one should ask for the advice and recommendation of the Government Official, who would reside at Fort Smith, to look after the Indians and their interests and to forward all useful information to Ottawa. He himself, before forwarding any advice on matters of greater importance, would be wise, and it would be but fair to the Indians to have a friendly talk with the Chiefs, hear what they have to say, explain to them the mind of the Government and secure their hearty co-operation.

5. - It would be adopted as a definite policy of the Government not to grant any more trapping licenses to white men in the North West Territories. The trappers who actually own a license would be allowed to keep it with such a restriction as they could make use of it only on a well determined and registered line, said line to be respected by the Indians as well as by the Whites. This would be the best means of stopping trapping by plane, with all its disastrous consequences.

6. - On account of the mining development in the North, it would be wise to protect the interest of the Indians:

- (a) By having a small plot of land reserved and surveyed around every actual Indian village on which no white man could put up a building or stake a claim, without the agreement of the Chief and the approval of the Indian Agent.
- (b) By issuing regulations providing that no deed entered upon with an Indian concerning discovery of minerals, staking claim and disposing of same will be valid unless signed before the Indian Agent or some other Government Official.
- (c) By having the mining act section, which reserves all timber on a claim to the owner of the claim, to read as follows: provided that any Indian may be allowed to cut any wood or timber he may need for personal use.

7. - Indian Agents should be directed to have every infected Indian

house put down as soon as possible, to supply floor and roof lumber for erecting new more sanitary building and, on their visit, to see that elementary rules of cleanliness and hygiene be strictly followed.

8. - There might be some possibility of grouping a certain number of Indians, at least among the poor and the derelicted, in one or two villages somewhere, in or near the Buffalo Park, where they could be trained to support themselves with Buffalo meat and fish. Gradually might be developed some kind of industry to prepare dry meat for the Police of the North, the schools and the destitutes all over the North. There may be found some way to tan the Buffalo hides improved from the old way of tanning, as it has been in practice among the Indians for many generations.

It would be one of the duties, and an important one, of the Superintendent residing at Fort Smith, to make a full investigation to start some experiment with one or two families, good willing families may be found for the experiment, and to report to the Government for further improvement

9. - Something should be done to encourage fur farming among the Indians. It will be slow work because they will have to be induced to settle down a little more, but the very moment one or two have been induced to try, they will soon have followers when success crown their efforts.

But there again, there must be somebody, with experience and patience, to show them how to do it. The above suggested Indian villages might be good places where to make the first experiments.

However, some efforts have to be made, before it is too late, to organize some kind of trade which would fit in with the way of living of our Indians and would help them to support themselves whatever may happen in the future.

10. - Time may have come when the policy of having only Doctors as Agents be gradually abandoned. The policy has proved a good one so far, but the conditions are changing so rapidly in the last three years.

With so many white men rushing into the North, a Doctor Agent has and will have more and more to give a good share of his time to the care of the white men and the economic side of the Indian problem is more or less bound to be lost sight of.

At Fort Chipewyan, by instance, the great majority of the population is white and should not be attended to at the Indian Department cost, while Indian interests are necessarily neglected. It is, or it will soon be more or less the same everywhere, the more so as social duties are now imposed on the Doctors of which there was no thought of a few years ago.

On the other hand, an Indian Agent, if he fully realizes the seriousness of his vocation, will have ample work to keep him busy to promote, among the Indians, hygienic, educational and economic welfare in the full measure they are entitled to, as Government Wards, from the Federal Government.

11. All half breeds, living an Indian life, at least the children, should be included in the Treaty and have the same rights as the Indians.

Having spent nearly half a century in the North and, more and more, having at heart the interest of our Indians, I have thought it my duty to respectfully submit the above remarks and suggestions to the most serious

and favourable consideration of the Government.

On quite a few unsolicited occasions, I have been told by Government Officials in Ottawa, how much they appreciated my interest and hearty co-operation in their hard task to meet, as generously as possible, the ever increasing needs of such an immense territory. Nothing but the same desire of a hearty and interested co-operation has prompted me to prepare this Memorandum.

Whatever may be my long experience, I am not foolish enough to pretend to an exclusive knowledge of the Northern conditions, nor of the most appropriate means to improve such conditions, but I am trying to be second to none in my hearty and perseverant efforts to assist in the immense task which is falling upon the Government.

Whatever is undertaken to help correct the present conditions of the Indians must be adapted to their actual moral and mental state, as well as to their physical and economic welfare. There is nothing theoretical about the problem. The fact is that the Indians must be protected and helped and immediately, while it is still time. It is a case of correcting and trying to eliminate the known causes of their present conditions and leading them into channels where their ability can be used to help themselves - they have a natural ability of a high order. They can sustain and develop themselves by following their vocation as bush men, trappers and hunters. All they need is protection, advice and reasonable help; it is not necessary to go to great expense to get a start. First, a general and well defined policy must be adopted, without ever losing sight of the Northern conditions nor of the privileges and rights of the Indian, under Treaty. Then the work should be started on at once on a small scale and gradually carried out by men of a thorough experience, with firmness, human understanding and common sense. What is necessary and urgently desired to do for these poor people can and will be done.

Appendix XV

Article written by Bishop Breynat and printed in the *Toronto Star Weekly*, May 28, 1938. Under the title, "La Tache La Plus Noire du Canada", it appeared in a newspaper in Quebec City, *Le Soleil*, on July 3, 1938. Copies of it are retained by the Public Archives of Canada, RG85, vol. 310, also vol. 267, file 1003-2-1, and in the Minutes of the Northwest Territories Council, pp. 1363-1360.

"CANADA'S BLACKEST BLOT"

by Bishop Breynat

The story of the white man's invasion of the Canadian Northwest may be named by future historians as one of the blackest blots on the pages of Canadian history. It is an ugly story. A story of greed, of ruthlessness and bro-

ken promises. It is the story of the degradation of our Northwest Indians.

Never before has the whole story been told. Canadians have heard only of the fortunes in furs and the gold and silver and radium ores of this stern country. Occasionally they have seen newspaper reports of starvation and suffering among the Indians.

But Canadians should know all the facts of our Northwest. Because, unless they act at once they will some day bear the scorn of all peoples for having blindly allowed a noble race to be destroyed.

For 46 years I have lived and labored among the Indians of the Northwest. Their troubles have been mine; their misfortunes my burdens. Teaching them the Christian philosophy of unselfishness and trying to better their conditions has been my life work. As a priest and bishop I have lived very close to them.

I have seen during those years the coming of the white man—my race. I am not proud of the things I have observed. When I first went into the north I found a proud race of healthy, virile tribesmen. Unspoiled by the white civilization, they lived their natural lives as people of another age. In the remote parts of the north they still hunted with bow and arrow.

Most of them lived in skin teepees. They wore skins and furs. They were honest without the white man's laws. Men respected other men's property. I have seen the day, even as late as 1900, when an Indian who had received treaty money for himself and his family at Fond du Lac, placed more than \$100 under a rock in full sight of a whole tribe. That was his cache. He and his family went away. When they returned, although dozens of persons had seen the money buried, it was still there.

In the early days we never dreamed of locking our cabins. We could go away for weeks or months. The Indians would come and go as they chose. They would hold services in the mission chapels. But never did they remove anything that did not belong to them. To-day the story is changed. The white man taught dishonesty by example. To-day we would never leave anything of value even in a locked cabin.

The Indians I found hunted only for food and the trade goods they needed. By the white man's standard they were lazy. He taught them to take all there was of everything. They became apt pupils.

A BLACK PICTURE

In those early days 80 miles of dangerous rapids on the Athabasca river barred the gateway to the country. There were practically no white trappers. But when the railroad was built to Fort McMurray the country was opened to men from all parts of the world. Drawn by the lure of the easy money, the northland swarmed with white trappers and traders.

In fairness, some of these whites made excellent citizens. But too many of them were unscrupulous men whose one idea was to make money. How they made it went unconsidered. They brought whiskey and taught the Indians how to brew. Some of them turned trapping "wholesalers". They spread poisoned bait to kill the fur-bearing animals. They trapped the country "clean" of game.

If the picture seems black to you, imagine how black it has been to me. I

have watched my own race come into a country that was once a rugged paradise. I have seen my own people claiming Christianity bring sorrow and unhappiness to these poor people of the north. You Canadians of the south have your own problems. But let me remind you that these Indians are wards of yours. By treaty you promised them protection and a livelihood in return for the land that was once their heritage.

I was present at nearly all places in the north when the treaties were signed. In many places it was my influence which resulted in the Indians signing these documents. I assured them repeatedly that whatever the government commissioners promised in the name of the Great White Mother and the Great White Father would be done. The Indians believed me. It has been a great personal disappointment to see my word broken by the thoughtlessness of a nation.

In 1899 and 1900 the government made treaties with the Indians living south of Great Slave Lake. Everywhere the commissioners went they found unwilling signatories among the tribesmen. At Fond du Lac they failed utterly. Finally Hon. David Laird, treaty commissioner, came to me with tears in his eyes. He told me he had decided to pack up and leave, regretting that his best arguments had been unable to sway the Indians. I then offered to act as interpreter. My offer was accepted.

The treaty which the commissioners presented had been drawn up at Ottawa by men who had no knowledge of conditions in the north. Terms were too vague to satisfy the Indians who were afraid they would be placed on small reserves as the prairie Indians had been. They were bush Indians. They faced different problems.

PROMISES NOT KEPT

They made special demands, which although not included in the treaty, the commissioners promised would be granted. These demands the commissioners mentioned in their reports, but they failed to state that the demands had actually been granted. Promises in the name of the Crown were the following: 1. That nothing would be allowed that would interfere with the Indians' way of living. 2. That old and destitute Indians would always be taken care of, their future existence would be carefully studied, every effort would be made to improve their living conditions. 3. That they would be protected, especially in their way of living as hunters and trappers, from white competition.

In order to prove that these promises had been made, and to give the government ground for action, in the summer of 1937 I visited more than 50 old time residents of the northwest and received sworn statements from them. They were all men who had been present when the treaties were signed and the promises made. These affidavits to the number of 46 have been handed to the federal authorities that they may know the promises were authentic and to give the government grounds for action.

The average Canadian believes that Canada has been generous in her treatment of native peoples. It is true the plains Indians in many districts are economically secure with prosperous ranches and farms. It is equally true that the Indians of the northwest are dying of starvation and disease.

The government has made an attempt to keep the definite terms of the treaty which set out regular annual payments and gifts. There are Indian agencies, there is the annual five-dollar treaty payment. But the indefinite clauses of the treaties and the promises have not been kept.

Some money is spent for medical services and education. Largely at the suggestion of myself preserves have been set aside where only Indians may hunt. Trapping and hunting regulations have been established to conserve game. Restrictions have been placed upon the activities of white trappers and the number of licences issued to them.

In the year 1935-36, latest period for which figures are available, the department of Indian Affairs spent \$137,085 on the Indians in the Northwest Territories. In that year the number of treaty Indians was estimated at 3,854. These figures represent about \$35 apportioned for each treaty Indian, or about \$175 for each family of five, the average family among these people.

Of this total, administration charges were \$27,812, education claimed \$37,694, medical services took \$45,566, and direct aid to destitute Indians amounted to \$26,011.

By treaty the government agreed to educate the Indians. They do this by giving grants to the churches to aid them to maintain schools. But the churches have had to build schools at their own expense, while elsewhere in the Dominion palatial structures are built out of government funds.

FEW DOCTORS AND HOSPITALS

There are 11 schools in the Territories. Five of these are day schools. Six are residential schools. The Anglican church operates five of these, the Roman Catholic church has six. And despite much criticism levelled at residential schools by persons making short visits to the north, they are the only way in which satisfactory work can be done with these children. Much of the agitation for day schools originates with white men who want educational facilities for their own children. These facilities should be provided by the Northwest Territories department which receives all revenues from hunting and trapping licenses, and royalties from furs and minerals.

For those who still criticize at long range I suggest a year's residence in the north. Let them visit the camps. Let them travel the 100 miles that usually separate villages. Let them make these journeys behind a dog team when the temperature ranges between 40 and 60 below zero. Then their opinions will be of some value.

Children from the residential schools are usually healthier than the average Indian child. They have received proper food, medical attention and lessons in hygiene and cleanliness. The boys have learned how to use tools. They are equipped to do business with white men on their own footing. The girls learn to cook, sew and look after a home. Most of these boys and girls grow into successful men and women. As in any other case, some of them do not.

More important than education, however, is health. Good health is the Indian's fundamental requirement. A sick man cannot run a trapline, hunt or stand for hours fishing through a hole in the ice. Yet in 1935-36 the Do-

minion government spent only \$45,566 in bringing medical aid to nearly 4,000 of the unhealthiest people in Canada, living in an area covering more than 1,000,000 square miles.

In the district of MacKenzie, which together with the Chipewyan agency, covers about 600,000 square miles there are only three Indian department doctors. These men fill the dual role of physician and Indian agent. They have far too much work if they attend their duties as they should be done. Besides these men, the Northwest Territories department has three doctors who act as health officers for all residents of this vast district. Two further medical men are stationed farther north at Chesterfield on the shore of Hudson Bay and at Pangnirtung, Baffin Island. Group these six and wonder how they can attend patients spread over at least 1,000,000 square miles.

In the same area are five hospitals, four of them maintained by the Roman Catholic church, the fifth operated by the Anglican church. Even under ideal conditions it would be impossible for so few doctors with these hospitalization facilities to properly handle sickness.

When Indians become sick they huddle together in their little huts. Communicable diseases - measles, typhoid, whooping cough, influenza and worse - assume epidemic proportions whenever they appear.

COAL \$120 A TON

Let me tell you of the Caribou Eaters at Stony Rapids, at the east end of Lake Athabasca. Measles broke out in their camp last December. There was no way to take the news to medical authorities. Those who were well were hard pressed to feed and care for the sick.

Measles may be a minor disease in your community. Among the Indians it is serious. When one of our priests arrived at the village, 12 had died, six of whom were mothers. Nine more Indians died within a few days. There were only three mothers left in the camp. The priest had to cut fuel, fish through the ice for food, and nurse these poor people. The settlement had no meat or flour. Except for a few half-rotten fish caught the previous fall and intended for dog food, there were no supplies but those provided by the priest.

A messenger was finally sent for aid, and for five days the priest travelled among the camps. When the doctor arrived from Chipewyan, 200 miles away, the worst was over and 26 had died. Now there is the problem of providing for the orphans left by those six mothers. But the government will not give us money for rebuilding or enlarging our schools. The result is that these orphans are adopted by other tribesmen whose only interest is to collect additional treaty money for these children.

The Indians of the Northwest are the most wretched people in Canada. Taking carefully compiled figures for 12 months during 1935-36 (an exceptionally good year), it is estimated that the per capita income of these Indians was \$110. This sum includes money earned as a result of trapping and hunting. Compared with them the most miserable relief recipient elsewhere in Canada lives like a king. In all cities families on relief receive food, clothing, shelter, medical, ambulance and hospital services, full educational fa-

cilities and the use of all public utilities.

Bear in mind that these Indians are the original owners of the land that denies them a living. Bear in mind, too, that the purchasing power of the dollar in the northwest is often only a fifth of the dollar's purchasing power in the south. On the Arctic coast we pay \$120 a ton for coal for our missions. Canadians in cities and towns buy this same grade of coal for from four dollars to \$10 a ton. Freight rates to Aklavik are \$110 a ton. From Edmonton to Fort McMurray, 300 miles, freight rates average about \$1.50 per 100 pounds.

Coal might be emeralds as far as the Indians are concerned they never have it. But they need flour, sugar, rice, lard, oatmeal, tea, tobacco and ammunition. It costs four dollars to ship 100 pounds of flour from Fort McMurray to Fort Simpson; five dollars to Fort Norman; \$8.50 to Cameron Bay. Add to that the rate from Edmonton and you have a pound of flour worth as much as 25 cents. Traders and transportation companies have been criticized. But most of them operate on a slim margin. Remember that a trader extends credit for a whole year to his Indian customers. If anything happens to an Indian before he has discharged his obligations, the trader has no means of collecting the debt.

The past winter has been one of the worst in the history of the north. The Indians have actually been starving. One unfortunate was an old man from Liard country. Found near to death, he was rushed by an aeroplane pilot to hospital at Simpson. But he was too far gone. He died shortly after being admitted to the hospital.

Last February an Eskimo died on the trail in the Barren Lands near Coppermine on the Arctic coast. He was travelling to the Coppermine mission to obtain food. His companions were too weak to help him. They barely dragged themselves through to the rescue post. Behind them they left a once strong hunter to perish in the snow. He was found frozen to death by police sent from the post on a rescue party.

At one trading post only one fox skin had been traded up until Christmas. In another part of the country a trapper covered 150 miles of traplines and brought home only one wolf skin. Near Chipewyan, once a rich fur country, the Indians lived on gray squirrels last year. This year even the squirrels were gone.

Fur is scarce and getting scarcer. And the Indian cannot turn to agriculture because the land is unsuited to it. He cannot work in the mines because he is not fitted to any kind of labour where sustained effort is required. He must depend on fishing, trapping and hunting for his living. There are no soup kitchens, no relief camps, no bread lines, "work-with-wages" plans or old age pensions for Indians.

Picture what happens to an Indian family 100 miles away from an agency, police post or mission when the fish supply fails - when there are no foxes, caribou or moose. You have a picture of death by starvation - stark, unpleasant.

How many Canadians distinguish between Indians and halfbreeds? Halfbreeds are the children of two races. Bullied and cheated, they occupy a

cruel position. They are not classed as Indians; they are not white men. All too often they rank as nonentities.

When the treaty commissioners went north they were accompanied by a "scrip commissioner" who was to deal with the halfbreeds. He offered these unfortunates a choice between "cash scrip" or "land scrip" in return for their signing away forever their heritage in the north. The cash scrip, valued at \$240, could only be used to pay dues to the government. It was not a straight cash payment. The land scrip gave any halfbreed the right to choose 240 acres of land and secure registered title to his choice.

Most halfbreeds chose the land. They were flattered by the offer that acceptance of scrip gave them the status of white men. They could vote at elections. They could buy all the whiskey they wanted. Like children they traded their northland resources for a handful of acres that were soon taken away from them by white sharpers.

Few of these natives had ever seen a dollar bill. One of my missionaries told me of a halfbreed who traded a large catch of fish for one of those colorful tags sewn on a pair of overalls. Men like him sold their land to business sharks for from \$35 to \$50. I have no certain knowledge of it, but it is related that some halfbreeds traded their scrip for a single bottle of cheap whiskey. And in many cases these white sharks ended the trading with a poker game. Nearly always the cash went back into the white man's pocket. The land scrip was later sold at rates from \$1,000 to \$3,000.

Our halfbreeds frequently take offence at being classed as Indians. They are proud of their white antecedents. But most of them should be regarded as non-treaty Indians. They should be protected under treaty regulations. Happily, arrangements between Alberta and the Dominion government are near completion for the resettlement of many of these people . . .

Canada has a just debt to pay her northern natives. It is well to remember that the most solemn promises were made to the Northwest Indians. "So long as the grass grows and the waters run and the sun shines" ran the treaty terms, the Indians were to have undisturbed rights, to earn their livings by hunting, trapping and fishing. They were to be protected from white competition.

And from a purely materialistic side, if white trappers are not controlled it will be only a short time until there is no wild life for either white or native trapper . . .

The administration of Indian and Eskimo affairs in the north should be remodelled to suit existing conditions. It should be under a highly competent district superintendent who should have wide powers and a free hand, guided only by general policies outlined at Ottawa. Increased medical services are a vital necessity. Trapping and hunting regulations that will fit the natives' scheme of things rather than the whites' are equally necessary. Education and relief facilities are important.

I do not suggest that the Indian and Eskimo should be civilized. Only yesterday, figuratively speaking, they were in the stone age. It will require decades before they are ready for the white man's civilization.

They should be encouraged to retain their old customs and dialects. They

should be taught pride of race and history. Gently they should be encouraged to become self-supporting. If these things are done, then Canada will point with pride to her natives in the north. The debt of honor will have been paid.

At the 81st session of the N.W.T. Council, on June 21, 1938, Dr. Camsell, Commissioner of the N.W.T., reported he had received another letter from Breynat, making "supplementary comments" to the *Star Weekly* article. It read:

Having regard to an article which appeared in the "Star Weekly" of Toronto under the headline of "Canada's Blackest Blot", I think it advisable to add supplementary comments which did not find their way into the condensed article which appeared in the "Star" but which additional notes are of great importance in order to give the previous article its full value.

I retain full responsibility for the article published in the "Star Weekly" but I desire stating that the article, far from being intended to complicate the task of government, had on the contrary no object other than to assist it in an effort to awaken the public opinion of Canada and to place before our good Canadian people the grave responsibilities, contracted in its name, towards our Indians who were the first inhabitants of the country; responsibilities the thoughts of which tend to disappear as we get farther and farther away from the events which were the cause of its judicial base.

The different governments in power obtained legal possession and the right of free disposition of these natural resources through regular treaties made with the Indians.

Like all treaties, these successive treaties, stipulated the respective rights and obligations for the two contracting parties. The main obligation imposed upon the Indians was that they should abandon their right to the Natural Resources and promise to respect the rights of the government as acquired from them; to obey the laws and to be peaceful with the Whites who would not be long in coming to exploit the Natural Resources of the country. It is a fact that the Indians, generally speaking, have faithfully fulfilled all their obligations but can we say as much about the various governments sent to Ottawa by the white population to take in hand the direction of its own interests? . . .

Those Indians find themselves in conditions totally different from those of the south. With the exception of a few districts in the Peace River area, there is no land fit for cultivation on a large scale and, even though there were, the long distances from transportation would present a formidable obstacle to successful operation. Our Indians of the North, up to now, have lived by hunting and fishing - the former includes both food and fur-bearing animals.

When the Royal Commission arrived from Ottawa to negotiate with them the terms of a treaty - which terms were prepared in advance to be imposed upon them rather than freely discussed in a spirit of reconciliation and mutual concessions as often happens in the negotiation of treaties, the Indians placed as their first formal condition that they would retain intact all their rights to fishing and hunting and that the government would pro-

tect them in their mode of life, which they insisted upon continuing, and against competition of the Whites. They feared the arrival of the latter which they expected would soon invade their country.

That condition was fundamental with them. Without doubt they appreciated the promises which the government was making them to assure the education of their children, to furnish medical services and to take care of their old and destitute people, but the liberty to continue, without unfair competition on the part of the Whites, their hunters' and fishermen's life took first place in their thoughts, and the recognition of that liberty for themselves and their children was to be the primary condition of their abandoning their right to the lands and the Natural Resources of their country to the government.

I was, personally, present at the treaty of Fort Chipewyan, which I signed as a witness. As interpreter, I took part in the discussion of the treaty with Caribou Eaters at Fond du Lac, Athabasca. I was begged by the Superintendent of Indian Affairs himself, as bishop having under his jurisdiction the greatest number of Indians, to join myself to the Royal Commission charged with *negotiating* - that was the expression employed in the Letters Patent - the treaty with the Indians who lived along the banks of the Mackenzie River to the Sea. The report of the Royal Commission makes mention of the services which I was able to render. I know whereof I speak and I weigh the value of my words when I affirm and declare publicly as bishop, just as though under oath, that our Indians would never - no never - have consented to sign any treaty *if they had not received the solemn guarantee, given in the name of the Crown, not to be molested in their habits of life as woodsmen, living through hunting and fishing, and that they would be protected against competition by the Whites and their methods of exterminating fish and game.*

Forty-six affidavits given by Indians and by friends of Indians serve in support of the foregoing statement.

Unfortunately for the Indians, when the natural resources were transferred by the federal government to the provincial governments no express reserve was made to protect the rights of the Indians. It is true that the provinces in accepting the transfer of the Natural Resources could not avoid assuming at the same time the Indians' mortgage insofar as it concerned their right to continue their mode of life through hunting and fishing.

But the Indians had no right to vote and the voters, newly arrived, would not agree that it was the provinces' duty to guarantee the life of the Indians. "The Indians are the charge of the Federal government", it was cried aloud. On the other hand the goodwill of the federal government has been made more and more difficult through the objections of politicians who ever protest against the "too high" figure of the Budget of the Department of Indian Affairs, even though they never cease to ask for millions upon millions to assist their electors and to rehabilitate colonists who no doubt are worthy of interest and pity but of which a good number are not even Canadian subjects and work more or less under cover against the constitution of our country.

I must, in all fairness, say that in those unorganized territories of the Canadian Northwest our Indians are far better protected. Large reserves have been created for them and serious restrictions have been enacted in the granting of permits for hunting, to new comers.

According to official records of trappers and hunters which I have before me for the year 1934-35 the comparative status of trappers and hunters was as follows:

	Whites	Indians	Indians & Eskimos
Northwest Territories:	507		9,000
Manitoba:	3,755	12,900	
Saskatchewan:	10,245	11,800	
Alberta:	3,792	10,900	
British Columbia	2,597	23,500	

It is to be noted, however:

1. That the greater number of Indians in the Provinces live in the southern parts and consequently those do not get their living through hunting.
2. That the permits granted by the provinces are individual and personal and represent as many persons as there are hunters for fur.
3. That the number of Indians given above represents, on the contrary, the total population of the Indian men, women and children, which means for the purpose of comparison that it would be necessary in order to have correct figures to deduct from the total number of Indians those who were established in the large reserves of the south, then again reduce the number by two-thirds if not three quarters, in order to find the number of Indian trappers and hunters who are operating in opposition to white trappers and hunters.
4. It is to be noted finally that in certain districts situated in the Northern parts of the provinces it often happens that there are two, three, four or five white trappers in competition with a single Indian and those white trappers have very superior equipment to make the competition more severe.

In order that the comparison may be made with the minimum amount of fairness one must take into account particularly the desire and greed of the white trapper; his modern methods - including poison much too often in addition to the aeroplane, which is being used more and more by the latter. The Indian has the additional disadvantage of having to spend the best part of his time in the woods, on the lakes and rivers, in order to assure his family's daily food, whilst, generally speaking, the white trapper has no family with him and has taken the precautions of obtaining, at a much lower price than an Indian would pay, his full winter's provisions. Why be surprised if, in spite of the restrictive laws, very hard indeed on the Indians, the fur-bearing animals tend to disappear? The necessity for those laws never would have existed if the solemn promise of protection given to the Indians had been kept. One may go further and say that it is doubtful if those laws have a sound basis when they are made to apply to Indians, in

view of the promises which were solemnly made to them in the name of the Crown.

I leave to the readers of this article the conclusions to be drawn therefrom. May I express the hope that our good population, our truly good Canadian population, will feel moved and will hereafter bring pressure to bear upon its representatives at Ottawa and upon the members of the various provincial governments so that at an early date means will be taken to assure to our Indians the full measure of protection guaranteed to them by treaties, in the name of the Crown, and also that there may be voted as large sums as possible by way of necessary subsidies to take care of the needful and destitute Indians who are to be found in all northern tribes, particularly the victims of the tuberculosis plague.

It is well that it should be known that it is with the full approbation of the Rt. Honble. Mackenzie King, Prime Minister of Canada, that I have undertaken this campaign to awaken public opinion and to solicit the necessary sympathy with the object of assuring for our northern Indians the maintenance and improvement of their peaceful life as hunters and trappers living side by side with the Whites who are exploiting the Mineral Resources of our country.

Appendix XVI

Excerpts from the Treaty payments in the Fort Resolution Agency for the year 1930, prepared by Dr. Bourget, Indian Agent. The complete text can be found in IANDO, File 191/28-3, Vol. 1. Report 23-9-1930.

The meeting [at Fort Resolution] was long and tedious; the Indians having many complaints to make. . . The main question discussed at Fort Resolution, and for hours, was the beavers. The claim, legitimate as far as we know, was that the wrong time had been chosen to close the beavers, first because they were rather on the increase at present, and second they were closed at a time when all other fur was practically out of the North, thus creating a serious condition for the Indians in making their living. This, combined with the very poor price received for what fur they had procured last winter, and the abolition of debts by the traders, specially since the fall of 1928, made the claims of the Indians stronger, in favor of obtaining the reopening of beavers for next spring, or at least permission to procure a certain number. In this we promised to do our very best, realizing the necessity of the reopening for a few years. So during the visit of Mr. C.C. Parker, our inspector, this question was taken, and we believed Mr. Parker is also in favor of this movement.

Appendix 2

Description of the development of local government for Yellowknife

From

Edwin Welch (1983)

City of Yellowknife Records (also entitled: "Archives of the City of Yellowknife")

Northwest Territories Archives, Prince of Wales Northern Heritage Centre

Sources of N.W.T. History #3

Introduction

INTRODUCTION

Yellowknife

The first settlement at Yellowknife began about 1934. In that year work began on the rich gold claims just south-east of the city and the Con and Giant gold mines were first staked. This was followed by a rush of prospectors to the area and a rapid increase in the population. By 1939 ten claims had been staked in the immediate area and about as many again within a sixty-mile radius of Yellowknife. In 1940 four groups of mines were in progress - Ptarmigan, Negus, Giant, Con and Rycon. The rapid rise of white population in an area which had previously supported only a small population of natives created problems never before encountered in the Northwest Territories. From the summer of 1939 the Royal Canadian Mounted Police were coping with an increasing amount of crime and requests for assistance from the Yellowknife area. This underlined the need for some kind of local organization and an increase in all kinds of facilities and administration. The Territorial Council and the Department of Mines and Resources (profiting by their early experiences with the development of the Norman Wells oilfields) were soon aware of these needs, but hampered by financial restraints.

In May 1938 the settlement was sufficiently large for the Department to survey the immediate area and make provision for leases to be issued to those already squatting on Crown lands. An Order in Council of 3rd May 1939 defined the area of the settlement. It included Latham and Jolliffe Islands (called islands A & B) and an area of 410 acres on the mainland which stretched inland as far as the present 45th Street on the south. This is the area now known as Old Town. The leases to be issued to squatters and to new settlers were not to include mineral rights and the working mines were not included in the area. However, the establishment of a settlement made no provision for local government or facilities of any kind. Although the rents received for the lots provided some additional revenue for the Territorial government, it was clearly insufficient to provide much help.

As early as 1937 the Minister of Mines and Resources was expressing concern about conditions in Yellowknife Settlement. At that time (and until the outbreak of World War II) there was no public school, no public water or electricity supply, no hospital and few other facilities. It is clear from the minutes of the Territorial Council that the more permanent residents of the Settlement were greatly concerned about the lack of a local council. Drunkenness and prostitution were serious problems in the area which the small Royal Canadian Mounted Police detachment were unable to control. The absence of cells or guardroom for detaining prisoners made their task especially difficult.

INTRODUCTION cont'd

At the beginning of 1939 the Territorial administration in Ottawa began to grapple with the problem of providing local government services in Yellowknife. There was no provision for the establishment of district or settlement councils in the Territories at this time, so the first requirement was to establish whether this should be done under federal or territorial legislation. On 11th April 1939 the Territorial Council was informed that it had the right to legislate in such matters. A report from the Royal Canadian Mounted Police submitted to the same meeting underlined the need to take action. There had been great difficulty in enforcing the Liquor Ordinance, but it was hoped that the establishment of a liquor store in Yellowknife (to be operated by the Saskatchewan Liquor Board) would help. The police were trying to reduce the incidence of prostitution by sending women out of the Territories. Efforts were being made to rent accommodation for the police and to relieve them of some non-judicial duties. It was hoped to prevent an outbreak of typhoid by various precautions including a summer piped water supply to be installed by the Department of Public Works.

The Council was also informed that the inhabitants of Yellowknife were divided in opinion about the type of council which was needed. A proposal for a council of five or seven persons (two or three elected and two or three nominated) meeting under the chairmanship of the local magistrate was accepted by the Council and steps were taken to prepare an Ordinance to this effect. It is indicative of the situation that although the Ordinance was to be called the Local Trustee Board Ordinance and could be applied to all parts of the Territories, the minutes of the Territorial Council repeatedly called it a Yellowknife Local Affairs Ordinance. In the draft submitted to Council on 2nd June 1939 there was to be a local trustee board to advise the Commissioner "on local questions of self-government". After giving public notice the Commissioner could establish the boundaries of a local district, arrange for the annual election of two members, and appoint three other members (of whom one would be nominated as chairman). The voters were to be all adult British subjects who had resided in the district for at least 30 days. Although described as advisory the Board had the right to levy taxes on property and persons and to carry out a wide range of municipal duties similar to those listed in most provincial legislation. On 26th June, after further consideration, the Council decided that the Board should also act as the Public School Board for Yellowknife.

On 3rd July the draft reappeared as the local Administrative District Ordinance and with a few amendments was passed into law.* The most important of these were the provision of health and welfare services, a water supply and fire department, and the right of the Commissioner to veto any by-law. It was for this reason that the Territorial Council minutes include copies of the Board minutes and by-laws for many years. On 19th July the

* *Early Ordinances were not assigned chapter numbers and are distinguished by dates of enactment. Later Ordinances are given their original chapter numbers (which may be changed on consolidation).*

INTRODUCTION cont'd

Deputy Commissioner visited Yellowknife with a group of officials representing Mines and Resources, Public Works, the Royal Canadian Mounted Police and Wood Buffalo Park to talk with a committee representing the residents of the settlement. The usual complaints were aired and the committee suggested that some of their financial problems would be solved if the Board was allowed to run a community club where beer might be drunk. Although the opening of the liquor store had helped to combat drunkenness, there was still nowhere in Yellowknife for public drinking. Further consideration of this unorthodox proposal was deferred by the Territorial Council. On 11th September the Council agreed to establish a district to extend three miles from the Yellowknife post office in all directions. It also agreed to the election of a School Board for Yellowknife with a membership separate from that of the Board.

There was some opposition from officials of the Consolidated Mining and Smelting Company who did not wish to have their property assessed for municipal taxes. One expressed the opinion that the Yellowknife Settlement should be closed down - presumably intending it to be replaced with a company town operated by themselves. Their objections ceased when the Deputy Minister reminded the company that many of the local costs were being met by Ottawa and that the "two mining companies should have no difficulty in electing one member of the council, and I can assure you that the position of the mining industry will be kept in mind when the three members are being appointed". On 5th December 1939 the superintendent of Negus Mines and the district manager of Consolidated were in fact returned at the head of the poll. Two weeks later the Commissioner appointed a lawyer as chairman and two storekeepers as members. From 1st January 1940, Yellowknife had its own council - the first in the Northwest Territories. The first meeting of the Board took place on 17th January when Albert F. Totzke was appointed Secretary-Treasurer. He was the manager of the local liquor store and so considered qualified to keep accounts and minutes.

The outbreak of World War II in September 1939 had a depressing effect on Yellowknife. Many of its inhabitants volunteered to serve in different capacities in the south and overseas. As a result the mines found it difficult to recruit sufficient staff and two of the mines - Ptarmigan and Negus ceased production. Yellowknife began to expand again in 1946 when the end of fighting stimulated the demand for gold.

There were no further changes in the constitution of the Settlement Board until 1947 when two amending Ordinances were passed (15 April and 22 October). The first regulated elections and gave additional powers to the Board. The second, which came into effect in 1948 gave the Board an elected majority for the first time - five out of a total of nine members. In 1950 (chapter 1) the number of nominated members was reduced to three and an Ordinance (chapter 9) was passed to protect the water supply of Yellowknife from pollution.

INTRODUCTION cont'd

In 1951 the general Ordinance for local administrative districts was replaced by a Yellowknife Local Administrative District Ordinance (chapter 12). By this Ordinance the number of board members was reduced to eight, of whom five were elected and three appointed by the Commissioner. The Yellowknife District was also defined as being all the land within a fifteen mile radius of lot 1, block 2.

In June 1953 the Legislative Assembly passed a Municipal District Ordinance (chapter 53). Although the general ordinance repeated the early provision of five elected and three appointed members to each council, the Yellowknife Ordinance amended it to a mayor (instead of a chairman) and eight elected members, all of whom served for two years. This Ordinance also repeated the 1951 definition of Yellowknife's boundary. Minor changes were made to the Municipal District Ordinance in 1956 (chapter 6), 1957 (chapter 6) and 1959 (chapter 7), but there were no major alterations until 1963.

The Municipal Ordinance (1963, chapter 19) effectively repealed both the 1953 Ordinances and gave every municipality a mayor and eight elected councillors. A provision allowing the Commissioner to change this to a mayor and six elected councillors was not to apply to Yellowknife.

In 1963 another comprehensive Municipal Ordinance was passed (chapter 19). It categorised municipalities as cities, towns, villages and hamlets, and gave the Commissioner powers to establish them in specified circumstances. The councils of cities and towns continued to be the mayor and eight councillors, elected for two years. Under this Ordinance Yellowknife remained a town for the next seven years.

In 1967 the Territorial Government removed from Ottawa, which had been the Territorial capital since 1922, to Yellowknife. On 1st January 1970 Yellowknife became the first city in the Territories. The first change was part of the Canadian Centennial celebrations. There have been no legislative changes of importance to Yellowknife since 1970.

The Records

Two major accessions and several minor are listed here. In August 1979 City Council transferred the council minutes from 1946 to 1962 to the Northwest Territories Archives, and in August 1982 it added the minutes from 1963 to 1971 as well as a large quantity of files and other papers stored in the basement of old City Hall. Both groups of minutes were in good physical condition, but it was soon discovered that the minutes from the establishment of municipal government in January 1940 until September 1946 had been lost. The records from old City Hall had been kept for several years in an unheated building and had suffered from dampness and mould. Arrangements were made to clean and treat these documents.

INTRODUCTION cont'd

It was fortunate that until 1967 copies of all minutes, by-laws and monthly financial statements had to be sent to the Territorial Commissioner in Ottawa. These are now preserved in the Public Archives of Canada (RG 85, 1403, 520-2-1,1). Copies of the missing minutes were obtained from Ottawa. They are to be found in section 1 of this finding aid. It should be noted that these are not part of the city records, but are listed here for the convenience of users. Copies of later council minutes, which are not in the Public Archives of Canada, can be found in the Territorial Government records in the Northwest Territories Archives. A few other early minutes can be found in the Territorial Council minute books (GCOO 1/9).

Other series of records listed here are also not part of the city's archives, but were transferred at different times to the City Clerk for safekeeping. They are:

- a) Section 4. The 1967 Centennial Committee included members of the town council as well as other organizations in Yellowknife. It was administered from City Hall and the records were left there after the committee was dissolved.
- b) Section 12. For a period between 1956 and 1961 the Board of Trade operated out of City Hall, but its records are clearly distinguished from those of the city.
- c) Section 22. The records of the committee which organized the annual children's Christmas Party were given to the City Clerk on 6th October, 1965 for safekeeping.
- d) Section 24. Some of the historical miscellanea was probably donated to the City by interested citizens.

Correspondence

Very little correspondence of the Board before 1946 has survived. The earliest extant files (listed in 23/4) were arranged on a similar plan to that then used by the Territorial Administration until about 1953. It is distinguished by numbers preceded by the letters AD (for Administrative District). It used the same file covers as Northern Affairs. Since the first Secretary-Treasurer of the Board also worked for the Territorial Government it is hardly surprising that he used Federal stationery for files and for financial records. After he resigned in 1946 a new system was introduced. Files were arranged alphabetically by subject heading and then numbered within each sequence (e.g. C 12). A list of these files can be found in 23/4. After about two years it was replaced by a system arranged alphabetically by subject headings, but without any file references. In 1963 it was decided to

INTRODUCTION cont'd

close most of these files each year, but otherwise the system remained unchanged until 1970, after which date few files have yet been transferred to the Northwest Territories Archives.

The use of subject headings suffered from the usual lack of definition, so that a subject can be found in more than one file. As far as possible all the surviving files have been arranged in one alphabetical sequence. Titles have been standardized where possible and cross-references added where this was not possible. Cross-references have also been added where papers in later sections related to the subjects of correspondence files. Where a series of files relate to the same subject the cross-reference is to the first file only. Few correspondence files (usually only empty file covers) have been destroyed.

Financial Records

The principal, and only complete, series of financial records eventually proved to be the summary accounts (section 19). These are copies of the monthly and annual statements sent to the Territorial Commissioner in Ottawa from 1940 to 1967. Unlike the early minutes mentioned above these are part of the City's archives and original documents. Seven of the files contain correspondence between Ottawa and Yellowknife about discrepancies in the accounts. As noted above, other copies of these statements are available at the Public Archives of Canada (RG 85).

Only incomplete series of assessment rolls, account books and cash books have been transferred to the Northwest Territories Archives. Considerable quantities of receipt books, cancelled cheques and other vouchers have been destroyed and only those for the first few years of the municipality's existence have been kept (sections 17 and 18).

By-Laws

The original sealed copies of the by-laws have been retained by the City Clerk for administrative reasons. However, some copies of early by-laws have been preserved in the Territorial Council minutes (GCOO 1/9-20) now in the Northwest Territories Archives and many others at the Public Archives of Canada (RG 85). Section 20 of this handlist includes four compilations of by-laws current at different periods in the sixties, but there is no complete set of by-laws, only a list at the beginning of 20/2 and 3.

Appendix 3

Submission to this study by the 1993 Yellowknife City Council

NOTE: This submission was prepared in response to our researchers' request for interviews with a sample of City councillors. The entire council decided to meet and discuss their collective and agreed responses to our research questions. The City clerk was directed to prepare the responses from this meeting; several drafts of the responses were checked by councillors and the mayor's office before being submitted to us. It is reproduced here, unedited, in the form it was received by our researchers.



OFFICE OF THE
MAYOR

THE CITY OF YELLOWKNIFE

P.O. BOX 580
YELLOWKNIFE, N.W.T.
X1A 2N4
TELEPHONE: (403) 920-5693
FAX: (403) 920-5649

August 26, 1993

242-C1

Susan Quirk
Yellowknife Urban Lands Study Coordinator
Yellowknives Dene Band, Dene Nation, &
Royal Commission on Aboriginal Peoples
Yellowknives Dene Band Office
Ndilo

Dear Ms. Quirk:

Attached is the response of Yellowknife City Council to the questionnaire which you sent to me last month.

We feel many of the issues raised in your questionnaire, particularly those dealing with jurisdiction over land within municipal boundaries, are being addressed in the context of aboriginal land claim negotiations.

We also wish to take this opportunity to convey our surprise that the Royal Commission on Aboriginal Peoples chose to designate one of the stakeholders in the matter of urban land issues as they relate to aboriginal concerns to undertake what should be an objective and independent study. Nevertheless, City Council met on several occasions to discuss and develop our collective response to your questions, and our position is reflected in the attached brief.

Please feel free to contact me should you have any questions regarding our response. We hope our input will be useful to the Royal Commission in its examination of aboriginal peoples on urban lands.

Yours truly,

P.A. McMahon
Mayor

attachment

PM/bc

YELLOWKNIVES DENE BAND/ROYAL COMMISSION ON ABORIGINAL PEOPLES

URBAN LANDS STUDY OF YELLOWKNIFE

CITY OF YELLOWKNIFE RESPONSE TO QUESTIONNAIRE

LANDS ADMINISTRATION

Under the present administrative regime, lands situated within the City of Yellowknife Municipal Boundary are subject to various jurisdictions. This situation has been frustrating to all parties from time to time, as naturally happens when different groups must apply to separate administrations which have both distinct and blended responsibilities for planning within the City. However, this rather confusing scenario is not very different from most municipalities in the Northwest Territories.

The City of Yellowknife believes that while the issue of aboriginal land ownership within the City will be resolved in the context of land selection and settlement of land claims, the issue of jurisdiction and land use regulation should be addressed. The City of Yellowknife believes that irrespective of individual land tenure, any and all land planning and development which occurs within its municipal boundary must be subject to the provisions of the City's General Development Plan By-law and the City's Zoning By-law. These By-laws are passed by Yellowknife City Council, who are the elected representatives of the City of Yellowknife. Moreover, they are passed only after a very extensive public consultation process and a series of open, public hearings which are a requirement of the *Planning Act of the Northwest Territories*. Any planning of lands within the City of Yellowknife that ignores the General Development Plan and the Zoning By-law would be illegitimate in the City's view, as it would not take into consideration input received from the general public, and in this sense would not be community-based. Land use planning within the municipal boundary can take place in an orderly fashion only if these municipal regulations regarding land use are applied equally to all residents of the community. This recommendation is not meant to imply that City Council is any more democratic than any other elected body such as a Band Council or Metis Local. Rather, it simply reflects our experience in the area of land development and administration under a system that guarantees public input.

It is recognized that aboriginal people represent a significant percentage of Yellowknife's population, and as such they should have the same rights and responsibilities as every other resident in the community. Therefore, as private land owners either through individual or collective title, aboriginal people should have the same rights as any other land owner in the City. These rights include access to a full range of municipal services. Therefore, all privately held land within the municipal boundary, irrespective of ownership, must be subject to municipal taxation to pay for these services. The City is aware that under land claim agreements, special provisions may be negotiated for the

payment of municipal taxes applicable to aboriginal lands. However, the method of payment is less of a concern to the City than the fact that, in fairness to all the City's taxpayers, everyone must pay their fair share of the costs of municipal services.

The City of Yellowknife recognizes that Ndilo is a community within the boundaries of the municipality with unique jurisdictional circumstances. For this reason, we feel that planning for this community should be collaborative in nature, taking into consideration the views and interests of all neighbouring and affected people. Furthermore, this collaborative planning approach should take place within the context of the ongoing review of the City's General Development Plan and Zoning By-law. Having said this, aboriginal peoples should have the same opportunity as any other private property owner to plan the use of their lands within the municipal boundary. Their planning should involve public consultation with all parties who might be affected by development. In addition, aboriginal land use planning should include dispute resolution mechanisms similar to the development appeal process which is required under the *Planning Act of the Northwest Territories* and the City's Zoning By-law.

LIVING CONDITIONS

The City is disappointed that such a negative scenario is portrayed of the living conditions and economic opportunities for aboriginal people in Yellowknife. While it is acknowledged that there remains room for improvement, considerable strides have been made in the last ten years for aboriginal people in Yellowknife. Frankly, the City disagrees with the subjective nature of the introductory clause in Section 2 of the questionnaire, which states "economic opportunities and living conditions for aboriginal peoples in Yellowknife are generally poor". The City can only presume that this assertion represents the personal perception of the consultant, and as such has no place in what is supposed to be an objective study. Moreover, many of the areas of responsibility outlined in this section of the questionnaire are beyond the purview of the City's mandate. The City feels senior governments have been remiss in the delivery of social services and are continuing their efforts to download to local governments the responsibility for providing social services without providing adequate long-term funding.

Having expressed these concerns, the City feels there are measures which can be taken to enhance the living conditions of aboriginal people. The City recognizes that housing for some aboriginal people is a problem, but the City has neither the legislative mandate nor adequate financial resources to initiate programmes of its own. However, the City does participate on a Joint Committee on Housing Affordability with senior levels of government which do have the responsibility to provide safe and adequate housing for aboriginal people. In this forum the City has suggested that federal and territorial housing programmes could be made more accessible to aboriginal people, and more

housing corporation funding should be directed to Yellowknife. For example, more CMHC and Territorial Housing Corporation programme funds could be allocated for use in Yellowknife to construct a range of housing for aboriginal people. From a municipal perspective, the City is exploring how the General Development Plan and Zoning By-law could be modified to allow for more affordable single and multiple unit housing designs. It is important to point out that any such modifications would still have to meet the minimum building standards of the Canada Building Code which the City enforces in the application of its local Building By-law.

POLITICAL PARTICIPATION

The City is very familiar with the issue of aboriginal participation in the local government process and in this regard encourages the local Dene people to take a more active role in local politics. There is no bar to the election of aboriginal people to City Council, as has been demonstrated over the years by a number of successful aboriginal candidates. It is not correct, therefore, to assert that aboriginal people have not been elected to Yellowknife City Council. It is more accurate to observe that local Dene people, for whatever reason, have not actively participated in the municipal political process.

Upon reflection as to why local Dene have not become more actively involved in municipal elections, Council feels there may exist an institutional bias in the present political system which prevents some aboriginal residents from participating in the electoral process, and that the City should take positive measures to remove these barriers, whether real or perceived. However, it also must be pointed out that voter turn-out for municipal elections is historically low across Canada, and Yellowknife is no exception. Therefore if aboriginal people were to put forth and support their own candidates, their percentage of the population (estimates run between 15 and 20 percent) would almost certainly guarantee their election.

The City addressed a proposal for guaranteed representation for the Yellowknives Dene Band two years ago. As City Council observed at that time, the majority of the Yellowknives Dene Band reside in a community (Dettah) located outside the City's municipal boundaries, and in responding to the request from the Band, City Council felt it would be inappropriate for guaranteed representation to be afforded to individuals who are not residents of the community. In the course of reviewing this matter Council also considered a ward system which would have designated Ndilo as a separate ward for the purposes of a municipal election. This approach was also deemed unworkable, as it would have resulted in 1.4% of the eligible voters in the municipality controlling 12.5% of the seats on City Council. In the end, Council could not support adopting an electoral system that would have resulted in such a high degree of disproportional representation.

City Council is of the opinion that guaranteed representation should not be viewed as a panacea that will solve the problems which some aboriginal people have with the present political structure. In our view, guaranteed representation is a short-sighted, paternalistic approach which does not serve to solve the real problem, whether real or perceived, of why Dene people are under-represented on Yellowknife City Council, and does not encourage personal initiative. Moreover, the City believes guaranteed representation represents a policy of resignation--resignation to the fact that the existing institutional barriers cannot be removed and that aboriginal people are incapable of acquiring the skills necessary for successful election to local Councils. Rather than abandon the desired goal of increased Dene representation, Dene participation on Yellowknife City Council should be achieved through identification and removal of the social and institutional barriers that appear to be discouraging local Dene people from presenting themselves as candidates for election.

At its annual meeting last year, the Board of Directors of the Northwest Territories Association of Municipalities, which is comprised of a majority of aboriginal people, discussed the issue of guaranteed representation, and came to the conclusion that the residents of communities in the Northwest Territories, be they aboriginal or non-aboriginal, should be represented by the candidates most qualified to represent them and who are elected through a free and democratic process. In conclusion, the City feels that options other than guaranteed representation should be pursued to encourage a higher degree of participation by aboriginal people in local politics.

In the City's view the autonomy of aboriginal councils is an issue which should be negotiated between aboriginal organizations and the federal government. In this regard, however, the City feels the settlement of aboriginal land claim agreements will determine to a large extent the future autonomy and powers of aboriginal band councils. In any event, any concerns the City of Yellowknife would have regarding autonomous band councils would be limited to those decisions which would have an impact on land use and/or services provided concurrently by the municipality which might adversely affect neighbourhoods and/or the community as a whole. This is why the City promotes consultation and co-operation among all parties.

Appendix 4

Description of the NWT Council, 1921 to 1951

From

Edwin Welch (1981)

Archives of the Northwest Territories Council 1921-1951

Northwest Territories Archives, Prince of Wales Northern Heritage Centre

Sources for N.W.T. History #1

Introduction

INTRODUCTION

North-West Territories, 1870 - 1905

The original North-West Territories were created in 1870 when the Hudson's Bay Company sold to the British Government all the lands which it governed under the letters patent of Charles II. These lands were immediately transferred to the Government of Canada. They included all the country drained by the rivers flowing into Hudson Bay including most of Saskatchewan and Alberta, part of Manitoba and the Keewatin District of the present North-west Territories. It did not at that time include the greater part of the Arctic, to which the United Kingdom had some claim arising from the various naval expeditions of the early nineteenth century. Although the Hudson's Bay Company abandoned its jurisdiction in 1870, it retained its trading posts and expanded its commercial activities into other parts of Canada.

In 1873 the Canadian Parliament established a form of government for the North-West Territories - a Lieutenant-Governor and a nominated Council. In 1880 the British Government transferred any rights which it had over the Arctic Islands (which were still not completely explored or mapped) to the Canadian Government. As the population of the North-West Territories grew, elected representatives and a Cabinet were added to the Legislative Council. The Territories were governed by English law as it existed at the time of the transfer to Canada. This was amended by a considerable body of Ordinances passed by the Council. Increasing demands for political independence led to the dissolution of the Territories. Saskatchewan and Alberta became Provinces and the Provinces of Manitoba and Quebec were extended northwards.

The records of the original North-West Territories, its ordinances and copies of the Orders in Council by which it was governed are now in the Saskatchewan Provincial Archives at Regina. A brief list appears on page 261 of Territorial Government in Canada by C.C. Lingard (Toronto, 1946). No original records for this period are at the Territorial Archives in Yellowknife.

North-West Territories, 1905 - 1921

The present Territories were constituted by an Act of the Canadian Parliament (4 & 5 Edw. VII, C. 27) in 1905. This provided for the appointment of a Commissioner and a nominated Council of four. A Commissioner for the Territories was appointed in August 1905 but for the next fifteen years the Commissioner ruled without the assistance of a Territorial Council. The two Commissioners during this period were Frederick White (1905 - 1919), who was also Comptroller of the Royal North West Mounted Police, and W.W. Cory (1919 - 1930), who was Deputy Minister of the Interior. The entire administration of the Territories was, therefore, in Ottawa, eleven hundred miles away from the nearest settlement (Port Burwell in the Eastern Arctic) and twenty-six hundred miles from Aklavik in the Western Arctic. Administration of the Territories was the responsibility of the Federal Minister of the Interior, to whom both the Commissioner of Police and the Commissioner of the Territories reported.

The population of the North-West Territories was very sparse in 1905 and the northern islands still largely unexplored. It was not until 1911 that the first complete census was organized throughout the area. Since the area to be covered was vast, administration was limited to essentials, and these duties were of a municipal type - the relief of the destitute, care of the sick and the prevention of crime. The police posts and patrols provided the local personnel and they were supplemented by the voluntary efforts of missionaries and Hudson's Bay Company post managers. The police reported to the Mining Lands and Yukon Branch of the Ministry of the Interior (the Mines Branch until 1909) in all matters concerning the Territories. For the administration of justice, the relevant ordinances of the old North-West Territories were applied. A few amendments and additions were made by Order in Council at the end of this period, but a decision of the Department of Justice in April, 1921 stated that these were invalid because no Council existed. Any justices appointed for the original Territories were apparently considered capable of hearing cases, and few justices were appointed. Appeals could be made from their decisions to the nearest Provincial Court of Appeal (Acts 6 & 7 Edw. VII, c. 32 and 7 & 8 Edw. VII, C.49).

Northwest Territories, 1921 - 1951

Canada's interest in its Arctic territories has been stimulated from time to time by geological discoveries (gold, other metals and oil) or by war. Each of these events has been followed by changes (and an increase in volume) of administrative and judicial activity. The first of these changes occurred at the end of the First World War when oil was discovered at Norman Wells. The need to provide for the registration of land and mining claims in the Mackenzie District and for the amendment of the old Ordinance led to the appointment of the first (and last) Territorial Council on 20 April, 1921. The councillors (all senior members of the Department of the Interior, including the Commissioner of the Royal Canadian Mounted Police) met only once, on 28 April 1921, to hear a report by their Acting Secretary, Mr. O.S. Fannie. A party of twenty-two employees had been sent from Ottawa to Fort Smith (just across the Alberta border) to organize a government office for the Mackenzie District.

The councillors expressed considerable doubt about the legal position of the administration. The Ordinances needed revision and the validity of some was referred to the Department's legal advisers. Consideration was given to raising territorial revenue by charging fees for trading and business licences. It was agreed to ask for an amending Act to increase the number of councillors to six.

The amending Act (11 & 12 Geo. V, c. 40) was passed on 13 June 1922 and the new Council met on the next day in a flurry of legal activity. The City of Ottawa lawfully became, for the first time, the Capital of the Northwest Territories. The Entry and the Beverage Ordinances (issued by the Commissioner's sole authority) were declared ultra vires, and various official duties relating to the Territories were re-assigned. A North-West Territories and Yukon Branch

was organized within the Department of the Interior with Mr. O.S. Finnie as its Director. He, and the Superintendent General of Indian Affairs became the two new councillors added by authority of the 1922 Act. By agreement with the Quebec Government, the Branch was also responsible for New Quebec and its native people. In 1936, when the Department of the Interior was abolished, the Branch and its duties were transferred to the Department of Mines and Resources. It was renamed the Bureau of Northwest Territories and Yukon Affairs and placed in the Lands, Parks and Forest Branch of the Department. In 1950 and 1951 the duties of the Bureau were re-arranged and it was renamed several times.

Until the outbreak of the Second World War, the Territories continued to be governed in the same fashion as before 1922. The police (now re-organized as the Royal Canadian Mounted Police) provided the local administration with assistance from the handful of local territorial government employees as well as the missionaries and Hudson's Bay post managers. However closer control was maintained by the Ottawa office and the Territorial Council. Increased efforts were made to list and control the native peoples. This in turn led to further demands for welfare services and an extension of law enforcement. Progress was slow. It was not until 1942, as a result of wartime problems, that Inuit were listed and issued with disc numbers. For many years the only magistrate in the Territories was an Alberta provincial judge who made an annual visit to the Territories.

The Discovery of gold in the Great Slave Lake area was followed by the Second World War and further development of the oil resources of Norman Wells. Although these events did not produce any legislative and administrative changes, their impact on the Northwest Territories is clearly shown by the increased number of meetings of the Council and the increased volume of business generated by the administration. During almost the whole of this period the appropriate Deputy Minister acted as Commissioner:

Mr. W.W. Cory	(1919 - 1931)
Mr. H.H. Rowatt	(1931 - 1934)
Dr. Charles Camsell	(1935 - 1946)
Dr. H.L. Keenleyside	(1947 - 1950)

In 1935 Mr. R.A. Gibson, the Deputy Commissioner, presided at meetings of the Council. All the members of the Council were Federal public servants. However, by 1951 it was quite clear that this colonial style of government was unsuitable for the increased population and industrial activities of the Territories.

North-West Territories since 1951

In 1951 the first of the changes which were to revolutionize the government of the Territories in the next twenty-five years occurred. Three elected members were included in a Council of eight - the first elected representatives since 1905. The proportion of elected members grew until by 1975 all appointed members disappeared. Occasional meetings of the Council were held in the Territories, and in 1967 the decision was taken to move the entire administration to Yellowknife which became the Territorial Capital.

The Records of the Council, 1921 - 1951

Until the end of World War 2 the Council met in the Commissioner's office in Ottawa, although occasional emergency meetings were held by telephone. For the last few years the meetings were held in larger meeting rooms on Parliament Hill or government offices in Ottawa to allow the public and press to be present at the open sessions. All secretarial services were provided by the Branch (Bureau after 1936), and the Council records were kept with those of the Branch. Although a complete set of signed minutes was kept and sessions numbered moderately satisfactorily until 1950, there is a lack of the accompanying records in the present archive group. It is possible that those were not kept on a regular basis, but the survival of a number of empty files and references to a (now missing) index of the minute books suggests that some records were destroyed by the Department in 1950 or 1951 when its own records were systematically weeded.

The records listed here were presumably transferred to Yellowknife with the other records of the administration in 1967, and were transferred to the Territorial Museum and then to the Archives after 1978. They are all in good condition although the binders used for the signed minutes are unsuitable for prolonged use and will be replaced.

Other records relating to the government of the Northwest Territories between 1921 and 1951 can be found in the Archives - GFNB 1, 2 and 3. The records of the appropriate Federal Government Departments at the Public Archives of Canada also contain relevant material - RG 18 Royal Canadian Mounted Police, RG 22 Department of the Interior and RG 85 Northern Affairs.

These files can be consulted at the Territorial Archives, Prince of Wales Northern Heritage Centre, Yellowknife, N.W.T. X1A 2L9 Tel: (403) - 873-7698. Enquirers are recommended to make an appointment for their first visit.

Edwin Welch,
Archivist,
Prince of Wales
Northern Heritage Centre.

Appendix 5

Newspaper article and notices, 1949-1951

Regarding a discharge of arsenic that affected water for Yellowknife residents

From

(Article)

News of the North 1949 DEC 02, page 8

(Notices)

News of the North 1950 APR 21 and APR 28

The Yellowknife Blade 1950 APR 29, Vol 7, # 11, page 6

News of the North 1951 APR 06, page 6 & APR 20, page 3

Art Inch from Thompson-Landmark is spending his Christmas holidays outside.

Mr. and Mrs. D. Collins left Yellowknife for Edmonton a week ago.

Jim Crawford of the Hudson's Bay staff is outside on a holiday trip.

Captain Cluett of the Porphory was an outbound passenger on CPA last week-end.

Jack Amos is in Yellowknife after spending some time at Coppermine.

Lee Gauvreau returned to eastern Canada on Wednesday

the north 11 years ago. Bro. Korpel has been stationed at Fort Rae, Fort Smith, Fort Simpson and McMurray.

Painting on local DPW houses are a group of men who spent the summer painting for the same department at Aklavik. Pilot Birch brought the men on Tuesday. They are A. Kossman, foreman of the crew, H. Holman, W. J. McMartin, V. J. Aldred and Mike Krill.

Returning on Monday from Coppermine on his first schedule trip since freeze-up was Ernie Boffa. He left for the settlement and for Holman Island again on Wednesday to take the doctor from Eldorado on his inspection trip of the natives and white people living in that part of the country.

Rev. Canon J. W. Webster of Coppermine is in Yellowknife this week, looking after some long-needed dental work. Mr. Webster is still enthusiastic about the north and has with him a collection of pictures he has taken on many of his trips across the Arctic and inland.

Mr. Webster's pictures have been published in such magazines as the National Geographic and in a number of British publications. He has also copyrighted some of them.

Ladies' Curling Will Start Sunday

Sunday night will see the start of the ladies' tournament at the curling rink here.

Draw for Sunday is as follows: 7.00 p.m. Johnson vs Christopherson.

News of the North

1949 DEC 02

page 8 (last page)

Copy is actual size.

charges were dismissed but the court acted on the third one to

This Year With No

We have a great
**OUTDOOR
TREE LITE
BUBBLE LITE
TREE TOP**

Come in and look over our ON perfect answer to the Xmas gift

Hudson's Bay

INCORPORATED 21
YELLOWKNIFE

Discharge of Arsenic Being Probed

Federal government officials are in Yellowknife this week probing complaints from Yellowknife that arsenic from local roasters is poisoning live-stock and is effecting vegetation.

Chairman of the investigating committee is Ken J. Christie, chief inspector of mines.

Others with him are R. J. Traill, chief of the metallurgy division, bureau of mines and Dr. K. Kay, chief of the Industrial Hygiene Laboratory, department of national health and welfare.

It is not expected reports will be made public immediately on the findings.

The group of citizens who have been—or never were hockey players, which is known as the Mercantile hockey league—are preparing for an 18 game schedule this winter.

Exact details have not been learned—but the three mines and town are said to be preparing entries for the season of competition. Efforts are being

Fram

24 H

General

GOODYEAR


MOTOR REPA

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 o learn something Mr. I. T. M. Pink, Commande
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 C. Pangman, Cap
 Storrs, Mr. S. M.
 R. G. Kingstone.
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 dier J. P. E. Bern

TOO LATE TO CLASSIFY
FOR SALE
 120 BASE PIANO ACCORDION
 Italian make. Bargain
 cash. Apply News of the North
 49


 A regular meeting
 Yellowknife Lodge No. 1
 A.F. and A.M. G.R.A., will
 held in the Masonic Hall Y
 lowknife on Monday evening
 May, 1 at 7:30 p.m.
 Visiting Brethern Welcome

Recordings made of you
 for greetings.
Yellowknife Radio & Record Shop

WARNING!

Residents are warned NOT TO USE
 melted snow or snow water for any pur-
 pose, particularly cooking and drinking.
 At this time of the year run-off pools of
 water may contain a highly dangerous
 arsenic content. Residents of Latham Is-
 land who may not be using the Town
 water delivery system are particularly
 warned NOT to use water from pools, or
 melt down snow for domestic purposes.

O. L. Stanton M.D.
 Medical Health Officer.

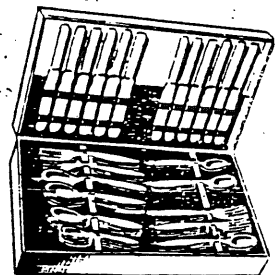
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 Only

News of the North 1950 APR 21
 and 1950 APR 28

A similar message, handwritten appeared
 in The Yellowknife Blade 1950 APR 29
 Vol. 7, No. 11, p. 6

EVENING STAR, MORNING STAR,
 FIRST LOVE

Costume Gems
 ings — Necklaces — Pendants
 ockets — Chains — Bracelets —
 Watchstraps
 to fit every occasion



Open stock pieces in
 any pattern available.
 Four day service

Rolex Watches -- Birks, Bridal Wreath, Crown Gems

THIS TIME OF YEAR REPORT "TOO MANY PEOPLE" ON THE HUNT.
SEEMS STRANGE THAT IT SHOULD BE SO CROWDED IN A COUNTRY AS BIG AS THIS. FACT OF THE MATTER IS THAT THE AIRPLANE SEEMS TO HAVE DESTROYED ALL AMBITION FOR OVERLAND TRAVEL IN BOTH INDIANS AND WHITES.

AL. GREATHOUSE LEFT ON THURSDAY FOR THE FIRST LAP OF HIS JOURNEY BACK HOME TO WEST VIRGINIA, ACCOMPANIED BY HIS BROTHER "DOC" WHO CAME IN ABOUT THREE WEEKS AGO. AL HAS BEEN AILING FOR THE PAST YEAR AFTER A LIFETIME OF EXPERIENCES WHICH WOULD HAVE KILLED OF ANY ORDINARY MAN.

VETERAN OF THE SPANISH AMERICAN WAR, WHERE HE SAW SERVICE IN THE PHILIPPINE ISLANDS AND OF THE MORO INSURRECTION IN THE ISLANDS (HE HAD SOME GRUESOME TALES TO TELL OF THE TACTICS OF THOSE HEAD-HUNTERS,) AL. ALSO SERVED IN CHINA & CAME TO THE NORTH 95 YEARS AGO.

HE WAS A TRAVELLING COMPANION OF JACK HORNBY ON SOME OF HIS TRIPS INTO THE THELON COUNTRY, IS MENTIONED AS AN "OLD MAN" IN THE BOOK PUBLISHED FROM THE ACCOUNTS OF CAPT. CRITCHELL-BULLOCK DEALING WITH HORNBY'S 1924 TRIP.

AL'S ACTUAL AGE HAS LONG BEEN A MATTER OF CONJECTURE AMONG THOSE WHO KNEW HIM.....ACCORDING TO DOC, HE WAS BORN IN 1861 WHICH WOULD MAKE HIM 89 YEARS OLD AT THE PRESENT TIME.

TAKEN ANY WAY YOU WANT, HE IS A REMARKABLE MAN..... INDEPENDENT AS THEY COME AND MORE ABLE RIGHT UP UNTIL THE LAST YEAR THAN MANY MEN A THIRD OF HIS AGE.

LEN PECKHAM AND BLACKIE LAVIGNE ARE LEAVING DURING THE COMING WEEK FOR TALTHELEI NARROWS TO CARRY ON WITH THE SETTING UP OF CAMPS IN ANTICIPATION OF THE POSSIBLE INFLUX OF TOURISTS INTO THE COUNTRY WHICH MAY WELL START WITH THE ESTABLISHING OF THE CROSS-LAKE FERRY SERVICE AND THE IMPROVEMENT OF THE GRIMSHAW-HAY RIVER ROAD. MORE WILL BE PUBLISHED ABOUT THIS PROJECT AT A LATER DATE.

DENIS O'CALLAGHAN IS BACK FROM A TRIP OUTSIDE AND REPORTS THAT THE HAY RIVER ROAD, THE MACKENZIE HIGHWAY, STILL NEED PLENTY OF FIXING.

HOWEVER, IT IS IMPOSSIBLE THAT SUCH A LONG STRETCH OF ROAD THROUGH VIRGIN COUNTRY SHOULD BE PERFECT SO SOON. TIME WILL TELL.

COMPLETE CIRCULAR

with the

NORSEMAN V

"The Jon Truck of the Air"
Schedule Flights to the Arctic

YELLOWKNIFE AIRWAYS
Limited

Spring Cleaning? ~

You'll Need some
FULLER BRUSHES

Call

Mildred McMeekan
The Only Fuller Agent in a Million
~ Square Miles ~

WARNING

RESIDENTS ARE WARNED NOT TO USE SNOW OR SNOW WATER FOR ANY PURPOSE, PARTICULARLY COOKING OR DRINKING.

RESIDENTS ARE WARNED NOT TO USE SNOW OR WATER FOR ANY PURPOSE, PARTICULARLY COOKING AND DRINKING

AT THIS TIME OF YEAR, RUN-OFF POOLS OF WATER MAY CONTAIN A HIGHLY DANGEROUS ARSENIC CONTENT. RESIDENTS OF LATHAM ISLAND WHO MAY NOT BE USING THE TOWN WATER

DELIVERY SYSTEM ARE PARTICULARLY WARNED NOT TO USE WATER FROM POOLS OR MELT DOWN SNOW FOR DOMESTIC PURPOSES.

D. L. Stanton, M.D.,
Medical Health Officer

W A R N I N G

During the Spring Run-off Period, standing pools of water are likely to be highly contaminated with

A R S E N I C

Residents are warned NOT to use snow water for any purpose and to keep children and animals from drinking same.

O. L. Stanton, M.D.
Medical Health Officer

We Set the Pace :: Equipped to

ASSOCIATED AIRWAYS, LI

ed to his chores for the remain
minute or so of play.
The fifth game of the series

Copy is actual size.

*News of the North 1951 APR 06, page 6
and 1951 APR 20, page 3*

WRITTEN MATERIALS CONSULTED

WRITTEN MATERIALS CONSULTED

Note: Many archival materials being examined by Bands in the NWT Treaty 8 area, including the Yellowknife Dene Band, are contributing toward ongoing negotiations with federal authorities; they were surveyed for this study but materials that are cited here are necessarily selective.

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