



# **The Saskatchewan First Nations Veterans' Association**

## **Issues Paper**

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## **Introduction**

First Nations veterans were actively advocating against discrimination in the disbursement of veterans benefits almost immediately after the conclusion of WWI, and have been doing so every since. In 1982, The Saskatchewan Indian Veterans Association (now the Saskatchewan First Nations Veterans' Association, SFNVA) was incorporated under the umbrella of the Federation of Saskatchewan Indian Nations (FSIN). The SFNVA was mandated, by the FSIN Chiefs-in-Assembly, to: identify First Nations veterans and their dependents, research claims and ensure veterans and their families receive full benefits and entitlements.

For the past 25 years, the SFNVA has attempted to meet its mandate through advocacy, information sharing and research, and has sought redress through a variety of forums including the Royal Commission on Aboriginal Peoples (RCAP), the Senate Standing Committee on Aboriginal Peoples, the Human Rights Commission and the National Roundtable.

In 1996, after lengthy consultations with Aboriginal Veterans and the federal government, the RCAP concluded that Aboriginal Veterans were “placed at a serious disadvantage” (554) when attempting to access benefits available to war veterans. Similarly, a report commissioned by the National Roundtable designed to redress Aboriginal Veterans' issues concluded that ‘overall, First Nations faced systemic disadvantages, not faced by most other veterans, in obtaining information, counselling, and applications for all the options that were open to them” ( *A Search for Equity* 93).

Despite a multitude of reports indicating that First Nations Veterans were at a “disadvantage” and that many did, in fact, not receive the benefits available to non-First Nations Veteran, little has been done to redress First Nations Veterans grievances.

## ***Project Summary***

This project was commissioned by the SFNVA in early 2007, and funded through the FSIN's Treaty Rights Protection Fund. The primary purpose of this project is to draw together information derived from the plethora of studies, reports and forums on Aboriginal Veterans issues in order to determine the best course of action to redress their grievances.

This paper is not intended to develop new archival research, but rather to identify First Nations Veterans' priority issues requiring redress, present a summary of the research and evidence currently available, and highlight areas that require further research, including recommendations for further action.

While there are many ways in which an issue paper can be organized, since this study may result in a renewed class action suit, it will be divided into sections representing specific groups of individuals who may become party to legal action. Each section will identify the possible group, present the issues of that specific group, and provide a brief summary of the types of evidence that is available to support the claim presented by each group. In addition, where applicable, suggestions for further research will be provided.

## ***Treaty Issues***

Although any action, taken by the Saskatchewan First Nations Veterans and their families, will not necessarily result in a challenge based on breach of Treaty, it is important to provide a brief summary of the Treaty issues that result from the treatment of First Nations Veterans before, during and after their military service. In fact, Canada has argued that Veterans' issues are not Treaty issues because many of the Veterans volunteered for service. Many of these issues will be discussed at length in this paper, and this section is only intended to provide a brief overview.

1. **Conscription:** The fact that First Nations people were subjected to conscription is a breach of the Treaty promise of exemption from being called to participate in the "Queen's wars."
2. **Land Surrenders:** The issue of coerced surrenders can be addressed through the Specific Claims process. However, money acquired by Indian Affairs when they sold this land to the Soldier Settlement Board was then used to fulfill Treaty Promises. Therefore, First Nations actually had to purchase their Treaty Rights using the money they received for land sold or surrendered for the use of Non-First Nations Veterans.
3. **Location Tickets/Certificates of Possession:** Although for many bands this is a Specific Claims issue, for the Veterans themselves this is a Treaty issue based upon the fact that land that they already held by virtue of Treaty was presented as a "benefit," effectively requiring them to purchase their Treaty Right to reserve land through military service.
4. **Justification of Lack of Benefits:** Evidence suggests that Indian Affairs and Veterans Affairs cited the benefits that First Nations Veterans received under Treaty as a reason to give them less Veterans benefits. This meant that Treaty was used to inhibit Veterans re-establishment, which is clearly against the spirit and intent of the Treaty promises.
5. **Indian Agents:** Many of the issues faced by Veterans and their families are a direct result of incompetence, indifference and outright dishonesty perpetrated

upon them by the Indian Agents. Since the entire Indian Agent system was the Canadian Governments administrative process set up to administer Treaty Rights, the behaviour of the Indian Agents can be directly related to a breach of the Treaty promises.

6. **Use of Benefits to fulfill Treaty Obligations:** There is significant historical evidence that IAB used veterans' benefits to avoid having to fulfill their obligations under Treaty. For example, Indian Agents refused to allow First Nations veterans to use their Re-establishment Credit to invest in a business, forcing them to instead use it to build a home, thereby reducing the IAB budget for housing. Similarly, there is evidence to suggest that money that was paid to Bands for land surrenders (coerced or not) was held in Trust and then used to provide Treaty obligations to all First Nations. It is the position of First Nations that fulfilling the Treaty promises is an obligation of the Crown in right of Canada, and that using proceeds from the sale of First Nations lands or from veterans' benefits is a clear violation of the spirit and intent of Treaty.

## ***Conscription***

Before presenting the issues of each group, it is important to note the debate surrounding conscription of First Nations Veterans, and the Treaty issues that surround that debate. This information may have a bearing on any further action taken by the SFNVA.

There is, in fact, no specific wording in any of the written Treaties that exempts First Nations from conscription. Nevertheless, there exists ample evidence that First Nations were given assurances that they would not be forced into military action on behalf of the Queen. In fact, Alexander Morris specifically addressed First Nations Leaders' concerns regarding conscription at a meeting with the Cree Chiefs at Fort Carleton on 23 August 1876, and again on 7 September 1876 at Fort Pitt. Indeed, the historical record indicates that the Chiefs were anxious to ensure that their people could not be drafted, and Morris was equally anxious to provide those assurances:

...I know that you have been told that if war came you would be put in the front, this is not so. Your brothers at Carlton asked me that they might not be forced to fight, and I tell you, as I assured them, you will never be asked to fight against your will; and I trust that the time will never come of war between the Queen and the great country near us  
(Morris, 234).

Notwithstanding these Treaty promises, the Canadian government, led by Deputy Superintendent Duncan Campbell Scott, enacted the *Military Service Act (1917)* without an exemption for Treaty First Nations. First Nations people were initially conscripted for service in WWI. The policy was reversed in 1918, but by that time the war was almost over. Further, there

is evidence that those who were already serving overseas were not informed that they could return home if they chose. Finally, it is important to note that the government 's decision to exempt Treaty First Nations (in 1918) was not based upon the Treaty promises, but by designating them as conscientious objectors, which effectively ensured that Treaty people could not claim the vote.

This exemption was accomplished by way of an Order in Council (P.C. 111) which added two regulations to the *Military Service Act*. Section 14(a) entitled any British subject who was disqualified from voting to exemption from combat duties, exempting First Nations not as a result of the Treaty promise, but, as some suspect, to ensure that First Nations would not be able to lobby to receive the vote (RCAP 55). A second new section, section 18(a), noted that Indians must register, but the Indian agent could apply for exemption on behalf of "particular Indians" without having to go to a tribunal. Scott only sent Regulation 18(a) out to the agents, never informing them of the new 14(a). Further, Scott's assistant, J.D. McLean, wrote to Commissioner William Morris Graham, in Saskatchewan, that "there is no truth that enlisted Indians are to be allowed to return to civil life on account of not having the privilege of franchise." His stated reasons, in that same letter, were that non-Indian people would become dissatisfied if the Indians were allowed to return home.

It is estimated that 107 Saskatchewan Treaty First Nations men and women enlisted in WWI. Records indicate that of the 107, 28 were wounded, 5 were gassed, 1 was both gassed and wounded, 2 became sick and 5 were killed in action.

When WWII broke out, conscription of Treaty First Nations was again confusing and problematic. First Nations people were required to register for service and then claim exemption on an individual basis. There is evidence that Treaty First Nations people were fined and jailed for failing to register, including one woman from Cote reserve, Irene Severight, who was fined \$5 and jailed for 30 days.

In 1942, the policy was once again reversed and First Nations were exempt from conscription if they stayed on reserve. By June 1943 the policy had changed again, and the federal court ruled that First Nations were subject to conscription, but could not be sent overseas. Finally, in 1944, Privy Council announced that only tribes under Treaties 3, 6, 8 and 11 would be exempt from overseas duty.

By 1947 there were 443 Saskatchewan First Nations who enlisted, of which 27 were killed.

It should be noted that some First Nations veterans have indicated that conscription was used as punishment for veterans who challenged the Indian agent, since it was the agent who applied for exemption on behalf of the individual Treaty First Nation person. In fact, a 1944 report from the Battleford Indian agent includes the suggestion that "a few of the lazy young Indians did nothing all winter and these should be called up for military service." (Ostrander report for March 1944).

While the issue of conscription is a Treaty issue, in terms of the breach of Treaty promise, that affected all First Nations people who were between the ages of 18 and 34, the Canadian governments vacillation over the issue, frequent and poorly publicized policy changes, and deliberate dissemination of misinformation provide a snapshot of the way in which First Nations veterans were treated, and the frustration they faced in trying to obtain accurate information. This frustration would continue until well after the war, and is still apparent today.

## ***Legislation***

The University of Saskatchewan's Native Law Centre prepared a report on Indian Veterans' Rights in 1979. This document identified the relevant legislation regarding First Nations Veterans benefits. They are:

1. *Army Benevolent Fund Act*
2. *Children of War Dead Act*
3. *Civilian War Pensions and Allowances Act*
4. *Veterans Rehabilitation Act*
5. *War Service Grants Act*
6. *War Veterans' Allowance Act*
7. *Soldier Settlement Act*
8. *Veterans Land Act*
9. *Indian Act Amendments (1919) making First Nations Veterans the responsibility of Indian Affairs.*

Of course, there is relevant legislation that has been enacted since 1979, including the new *Veterans Charter* (Bill C-45) enacted in 2005 and the *Canadian Constitution* (1982) particularly section 35.

With regards to benefits legislation, the Native Law Center examines each piece of legislation with respect to two issues:

1. Was the Act itself discriminatory?
2. Was the Act followed consistently in terms of its application to First Nations Veterans?

The report concludes that "whether in fact Indian veterans received many of these benefits, upon application, would depend upon how the authorities exercised their discretionary powers" (16) and recommends that further research be conducted into the actual number of applications made by Indian Veterans and the actual benefits received. The report recommends that:

If in fact a form of procedural discrimination took place in the

consideration of applications made by Indian veterans and in the distribution of benefits, then it is imperative that appropriate remedial action be taken by government (17).

Whether or not there was a “form of procedural discrimination” is answered, in part, by the fact that no Indian veteran ever received a free land grant.

## ***Benefits***

Certainly, the number and range of benefits available to Veterans was varied and complex, ill understood by even the agents tasked with benefit administration. A brief summary of the various benefits provided to all veterans may help to understand what First Nations should have received, and therefore help to determine whether or not discriminatory practices and policies were in place. The list below represents a simplified version of benefits, and many research documents, including the Native Law Centre Report and the report commissioned by the National Roundtable provide a detailed explanation of each benefit.

It is important to note, however, that with the exception of the first level, all benefits required an application from the veteran and, in the case of First Nations Veterans, approval and recommendation by the Indian Agent.

### **First Level:**

1. Medical Exam
2. Dental Exam
3. Discharge Papers
4. Clothing allowance
5. Rehabilitation Grant
6. Transportation
7. War Service Gratuity

### **Second Level:**

1. Re-establishment Credit (\$2,320.00)  
**OR**
2. One of:
  - a) VLA Land Grant
  - b) training provisions

### **Third Level:**

1. Return to job held prior to service

2. Preferment for civil service employment
3. Awaiting returns grants
4. Unemployment Insurance
5. Veterans Insurance
6. Health benefits
7. Pensions
8. Out-of-work benefits

In order to grasp the First Nations veterans' frustration, the following information is reproduced from a chart prepared in 1949 by Saskatchewan Indian Affairs:

- 439 First Nations Veterans enlisted in WWII
- 249 qualified and 145 did not qualify for benefits under the VLA, based on length of service
- 55 of those who qualified were deemed, by the Indian Agents in most cases, as "not interested"
- A further 20 qualified but were not recommended by the Indian Agent
- 41 qualified but did not receive benefits because their Bands refused to grant a location ticket
- 145 were established on small holdings (2-3 acres by location ticket)
- 1 was established in the fishing industry
- 21 were awaiting further action
- 2 were approved but there is no evidence that any action was taken
- 1 was approved but his benefits were later cancelled due to "misconduct"
- 1 died immediately upon receiving benefits

In total, only 146 of 439 Saskatchewan First Nations Veterans received any actual benefits, and these benefits were, of course, not a part of that veterans estate and thus could not be inherited by his/her family.

In addition, the only available list of Saskatchewan First Nations veterans who received a VLA grant (2,320.00 instead of land) is one made on 31 March 1947, and shows that there was approximately \$161,142.00 in money still not paid out to the First Nations veterans who had been awarded grants. No evidence has been found to determine whether or not these veterans ever received the balances outstanding, and some evidence exists to demonstrate that some of the funds paid out (in the form of goods) were fraudulent. Research indicates that approximately 112 Saskatchewan First Nations veterans received at least part of the VLA \$2320.00 grant.

## ***Chronology***

Saskatchewan First Nations Veterans, sometimes on their own, sometimes collectively, and sometimes with the assistance of national bodies representing Aboriginal veterans, have made tremendous, and mostly fruitless, efforts to seek redress for the benefits they believe they should have received following military service. Below is a chronology of the SFNVA's major efforts, and the outcome of those efforts.

<b>Date</b>	<b>Activity</b>	<b>Outcome</b>
1985	SIVA completes Access to Information requesting information related to surrenders to the Soldier Settlement Board	Request denied on the basis that files were transferred to Indian Affairs
1986	Task Force convened with members from DIAND, DVA and NAVA to study Aboriginal Veterans' claims	Task Force concludes that "there was no systemic discrimination or maladministration"
1987	Saskatoon west MP, Ray Hnatyshyn promises to lobby on behalf of SIVA and writes to DIAND and VAC	No response
1987	SIVA attempts to lodge a Human Rights complaint with the Canadian Human Rights Commission	SIVA is informed they are ineligible to register a complaint because the discrimination took place prior to 1978
1991	SIVA attempts to file a Specific claim	SIVA is informed by legal counsel that their claim does not meet the criteria under the federal policy
1992	SIVA requests copies of Saskatchewan First Nations Veterans' files from VAC	Request was denied due to provisions of the Privacy Act.
1992	SIVA meets with DVA, VLA, and INAC to determine a process for redress of grievances	No process identified at that time
1993	SIVA presents to RCAP	RCAP recommends several

		steps for redress
1993	SIVA meets with OTC to request assistance and to have FN Veterans included as part of the OTC mandate	OTC agrees only to provide Treaty Commissioner with an overview of Veterans' issues, but indicates that its mandate can only be changed through bi-lateral (Canada/FSIN) process
1993	FSIN chief requests an amended mandate for OTC	Request denied by DIAND minister based on the response that DIAND had not found any evidence that the federal government had discriminated against Aboriginal Veterans
1993	SIVA presents to the Senate sub-committee on Aboriginal Veterans	Senate publishes a report recommending redress
1993	FSIN Chiefs in assembly pass a resolution to seek AFN support in addressing FN Veterans' grievances	AFN agrees to approach INAC
1994	SIVA submits "A Proposal for Redress and Justice" to INAC	No response
1994	SIVA requests information regarding the debriefing process from the DND history department	No response
1994	Battlefords-Meadowlake MP, Len Taylor, raises questions on FN Veterans benefits in the House of Commons	VAC Minister, Laverne MacAuley promises to look into the issues
1994	Len Taylor again raises FN Veterans issues in the House	Minister MacAuley responds that none of the cases reviewed provide evidence of discrimination

1999	SFNVA files Statement of Claim	Claim led by Delia Opekokew
2000	Federal government announces the creation of the National roundtable on Aboriginal Veterans	Statement of Claim is put in abeyance while in the discovery stage?
2002	Federal government announces “compassionate package” for Aboriginal veterans	SIVA withdraws its claim
2006	SFNVA General Assembly directs SFNVA executive to seek advice on pursuing a new Class Action Suite	SFNVA begins summary report of available research

Despite over 25 years of consistent efforts to obtain an adequate amount of compensation and to have their issues addressed, Saskatchewan First Nations Veterans have yet to receive even a public apology. The so-called compassion package, a maximum of \$20,000 for a very limited amount of Veterans, was woefully inadequate to address the issues raised by the many studies that have been conducted on this issue.

Indeed, the report prepared by Tyler, Wright and Daniel underscored the “poorly controlled discretionary and discriminatory power of Indian Agents” (ii). The RCAP concludes that first Nations Veterans “were placed at a serious disadvantage” (554) when trying to access benefits. Even the report commissioned by the federal government reaches the conclusion, after what the author claims is unprecedented access to government files, that

Overall, First Nations faced systemic disadvantages, not faced by most other Veterans, in obtaining information, counselling and applications for all of the options that were open to them. In addition, the Indian Affairs Branch and the Indian Act added an extra layer of bureaucracy and regulations between First Nations and their reestablishment” (94).

Sadly, these systemic disadvantages were not confined to those who served overseas. First Nations veterans, both those who served during wartime and those who did not, their families and their descendants have all been victims of the practices, policies and legislation of the Canadian government.

## **War Veterans**

Certainly, First Nations veterans who were conscripted, and those who enlisted voluntarily, for the first Great War laboured under the disadvantages represented by the *Soldier Settlement Act*, lack of information concerning benefits, and control of their benefits by Indian Agents. However, since there currently are no surviving veterans of WWI, their issues have fallen to their descendents for redress. These issues will be addressed on the section regarding Veterans' estates.

## **WWII Veterans**

Primarily, all the benefits afforded to veterans of WWII came by way of the *Veterans' Land Act*. Although this Act clearly stated that First Nations Veterans would be treated equally, the benefits provided to First Nations Veterans were different in at least three significant ways:

1. Those receiving the \$2,320.00 grant would have it managed in trust by the Minister of Mines and Resources.
2. The grant approval was dependent upon recommendation by the Indian Agent.
3. First Nations veterans who returned to the reserve would not be eligible for the \$6,000 loan because reserve lands could not be used as collateral.

Evidence also suggests that many First Nations were not informed of their potential benefits, and others were given misleading information about their eligibility, particularly for the \$6,000 loan if they chose to settle off reserve.

The issues surrounding the administration of the VLA are varied and complex, and evidence exists to demonstrate that First Nations Veterans were at a distinct disadvantage with regards to almost every aspect of the benefits contained in this piece of legislation. The major issues can be summarized as follows:

1. lack of information and/or misinformation
2. administration of benefits by IAB instead of DVA
3. location ticket/certificate of possession system
4. coerced enfranchisement
5. Indian Agent handling of the \$2,320.00 grant

Each issue has, in and of itself, created significant hardship for First Nations veterans and their families, and collectively the results of the discriminatory practices of the Canadian government in applying this legislation has been catastrophic.

## **Access to Information**

The study commissioned by the National Roundtable, in 2001, concluded that access to information was “arguably one of the most serious obstacles to [First Nations veterans] receiving the fullest benefit from the Veterans’ Charter” (10). According to Sheffield, gathering information on benefits, for First Nations veterans, was “much more difficult, and in some cases insurmountable for First Nations veterans, particularly on reserve” (50). Sheffield points out, among many others, that often, First Nations veterans were “left with only the Indian Agent as a source of information and advice about veterans’ benefits” (51). Indeed, all information concerning benefits came through the Indian Agents who also addressed the veteran’s eligibility. First Nations veterans had no access to the DVA trained personnel, nor were they able to turn to the Legions, as most other veterans did, because the Indian Act prohibited First Nations people from attending places that served alcohol.

Evidence does suggest, however, that at least some information was made available to First Nations veterans while they were awaiting transportation home from the front. Each veteran was also subjected to an exit interview upon their return to Canada, but the evidence is unclear regarding how much information on benefits was provided at this time.

The primary sources of obtaining information on benefits, for all veterans were:

- Newspapers;
- Radio;
- Posters;
- Information sessions; and
- legions

However, “Veterans affairs did not maintain mailing lists of all veterans or circulate information to them via the postal service. This left virtually all the onus on the individual veteran” (Sheffield 27).

Given that First Nations veterans, between the wars, had an average of grade 1-3, that many of them faced a language barrier, that very few First Nations families could afford a radio or travel to information sessions, and that First Nations were prohibited from entering the legions, there can be no doubt that they faced serious disadvantages in attempting to obtain information regarding benefits. Further, the documented behaviour of the Indian Agents, a First Nations veteran’s only avenue of information, it is clear that many veterans received no or little accurate information.

In fairness, most of the Indian Agents were poorly trained, and many did not understand the complex benefits they were supposed to administer. That the Director of Indian Affairs was aware that misinformation was being provided to First Nations veterans is, however, apparent in a circular sent to all field staff in 1946:

Notwithstanding that detailed instructions regarding Veterans' Land Act applications Were issued under date 5 February 1946, applications are being received improperly Completed and in some cases requesting items which are not permissible... Improperly completed applications only result in delays and it is the Veteran who pays in lost time, not the Branch or the Agent (Sheffield 52).

Two years later, the same Director distributed another circular on the same issue:

Applications continue to be received from some agencies without complete Information....Strict observance of the forgoing requirements will avoid a great Deal of unnecessary correspondence and delay (Sheffield 53).

## **Administration of Benefits**

In May 1945, the DVA responded to requests from the IAB to transfer responsibility for the administration for veterans' benefits for First Nations veterans to the Indian Affairs Branch. The reasons for this decision are unclear, but the results were disastrous.

Certainly, the Indian Agents had unprecedented control of the fates of First Nations veterans' benefits and, as will be demonstrated in the discussion of the administration of the \$2,320 grant, that control was clearly abused. In fact, according to Sheffield, "the Indian Agent effectively controlled the gate to the VLA, and allowed through only those he deemed fit" (62); as with conscription, the administration of veterans' benefits was used as a punitive measure against those whom the Indian Agent did not like.

Punitive or not, the Indian Agents were ill trained and/or indifferent, and sometimes outright dishonest. Their attitudes toward First Nations veterans were deplorable and unacceptable or, to borrow the RCAP's words, some Indian agents "consistently undervalued Indian capacities, scorned their ideas, and failed to interpret benefit plans to their advantage" (574).

In short, at the bottom of all overwhelming evidence that First Nations veterans faced systemic discrimination, gross inefficiency, serious disadvantages, and assimilative practices, lies the decision to transfer the administration of benefits to IAB.

## Location Tickets/Certificates of Possession

One of the most grievous errors in the administration of benefits to First Nations veterans was the development of the location ticket or certificate of possession system created after WWI, and applied to First Nations veterans after WWII and Korea. Under this system, First Nations veterans could receive a location ticket or certificate of possession for land on reserve, but this process simply allotted land to the veteran that he already held in common by virtue of the *Indian Act*. Moreover, this allotment was only for the veteran's lifetime and, unlike non-First Nations veterans who received land through the VLA, the location ticket did not provide for inheritance by the veteran's descendants. Certificates of Possession, however, can be inherited.

The fact that this system created serious difficulties for many First Nations communities is evident in the challenges still being mounted against it today. More importantly, the location ticket system

divided some bands dangerously, hindered the easy and rapid reestablishment of veterans, and provided at best only a shaky foundation for the future security of the veteran and his family  
(Tyler et al 62-63)

To further the complications arising out of this system, it should be noted that a location ticket was required for First Nations veterans who wished to apply for other benefits, such as the \$2,320 grant. Although some reserves were adamantly against the provision of location tickets, and refused to grant them, even many of those who were willing simply did not have the land available. This was certainly the case with Standing Buffalo reserve who agreed to grant location tickets to its returning veterans, but who did not have land available. And, although efforts were made by IAB to grant land to Standing Buffalo's veterans, and have that land annexed to the reserve, there is no indication that this ever took place. This was a problem even after the minimum holding required was reduced from 2-3 acres to 1/2 acre in 1950.

Although the issue of location tickets spans both the individual veteran and the Band levels, the issues of concern to war veterans are:

1. They were given land that they already held in common which did not equal to the land grants received by non-First Nations.
2. Location tickets were only for the lifetime of the veteran and thus provided no stability for the veteran's family.
3. A Band's refusal or inability to grant a location ticket could jeopardize the veteran's ability to qualify for other benefits.

## Enfranchisement

The RCAP, in its exhaustive review of First Nations veterans' issues, found that

Some veterans reported having been told that they had to enfranchise in order to enlist. Others reported that they returned home to find that they had been enfranchised in their absence. Still others were subject to persuasion or pressure on their return and encouraged to sign enfranchisement documents in order to receive all veterans benefits (558)

It is true that the documentary evidence on this issue is very weak. Oral testimony provided by First Nations veterans, both to RCAP and the Roundtable indicate that for some First Nations veterans, the threat of enfranchisement was very real.

In addition, it is important to note that, with regards to conscription, First Nations were exempted from overseas duty based upon the fact that they did not have the right to vote. The Canadian government, therefore, seemed to be playing both sides of the issue. On one hand, the exemption from conscription seems to have been designed to ensure that First Nations people would not have a strong claim to the vote in any kind of collective way. On the other, First Nations were enfranchised on an individual basis in order to prevent them from receiving their full Treaty benefits.

## **VLA Grant**

In 1942, the Canadian government, aware that First Nations veterans were not been treated either fairly or equally, amended the VLA by Order in Council to include section 35(a). This section made a special provision for a grant of up to \$2,320.00 (Re-establishment Credit) to a First Nation veteran who chose to return to the reserve following military service in a theatre of war. This grant was supposed to replace the VLA land grant of ¼ section that First Nations veterans were not eligible for due to the Indian Act provision that prohibited them from owning homesteads, and the business loan that First Nations veterans were not eligible for because the loan required a home to be used as collateral, and First Nations could not own land on reserve (collectively held) or off reserve (prohibition against homesteads).

Like all other benefits to First Nations veterans, the VLA grant was administered by IAB, through its Indian Agents. There were, as with other benefits, restrictions placed on the ways in which this money could be used. For example, those who received the grant could not receive a loan under the VLA. Initially, the grant could not be used to purchase land, but in February 1946 the policy was changed to include the acceptable use of grant money to acquire the "occupation rights to lands" on reserve. First Nations were therefore allowed to use the funds to purchase land that they already owned as a collective part of their Band. There was, at first, a minimum holding of 2-3 acres required, but after 1950 this was reduced to ½ acre because the Bands

who were willing to grant location tickets did not have enough land left to provide the minimum, since much of their lands had been surrendered or appropriated by the Soldier Settlement Board.

Moreover, the grant had to be approved by the Indian Agent, and approval required information not required for the administration of any benefit to a non-First Nation veteran. In order to apply for the grant, a First Nation veteran had to supply:

1. proof that he met the length of service criteria;
2. a certificate that the veteran was qualified to undertake the profession for which he was going to use the grant money (i.e. that the Indian Agent thought he was a suitable farmer, fisherman, etc);
3. a certificate that the land the veteran would use (he had to have a location ticket to qualify) was suitable for the occupation the veteran chose to undertake; and
4. a recommendation from the Indian Agent regarding how much grant money the veteran should receive and what restrictions should be placed upon those funds.

It is doubtful that the grant was an adequate replacement for benefits available to non-First Nations veterans under the VLA, but that was the least of the problems facing First Nations Veterans. First, because the grant required a location ticket, many veterans were not able to receive it. Second, because the grant required a recommendation by the Indian Agent, many veterans did not receive it. This is clearly demonstrated in a letter from J. Ostrander to Frank Booth, dated 23 April 1949. Booth, a Saskatchewan Indian Agent, had submitted a grant application on behalf of a First Nation veteran. Ostrander, the Regional Supervisor, replied that the veteran in question had

tried previously to obtain a Veterans' Land Act Grant, but [the prior Agent] submitted a very adverse report. The matter was taken up through the Minister's office by Mr. M.C. Shumiatcher [a local lawyer], also the Department of Veterans' Affairs, but [the prior Agent] still would not recommend his application. It was therefore turned down. Before [the veteran] will receive much consideration now, It will be necessary for you to show that his actions now warrant a reversal of The decision passed earlier (Sheffield 62).

Third, the administration of the grant, for those who managed to qualify, was entirely under the control of the Indian Agent, and the money was held in the newly created Indian Trust in Ottawa. This last issue gave rise to a whole host of problems:

1. No receipts were issued to the veteran for money that was spent on his behalf.
2. The DVA did not require the Indian Agent to submit receipts for items purchased on behalf of a veteran.

Of course, without receipts it is impossible to determine if the value of goods the Indian Agent claimed to have purchased for the veteran is equal to the total of the grant money that was spent. Moreover, any goods that were purchased with these funds were owned by IAB for a period of ten years after purchase. For example, all livestock purchased with this grant were branded with the IAB brand, and title was turned over to the veteran after ten years.

In addition to the difficulty in meeting the eligibility requirements (location tickets, Agent's recommendation) and the restrictions placed on the use of funds, the administration of the grant money for those who did qualify was problematic indeed. Many veterans have provided oral testimony that they did not receive the goods listed in their files. In fact, some files contain notations indicating that DVA staff had concerns regarding forged signatures on receipts for goods signed by the veteran. Other evidence indicates that at least a few Indian Agents were dismissed as a result of concerns about their honesty in handling the VLA grant, and an examination of IAB's employment records for the years after WWII would be, perhaps, very illuminating.

In addition, there is evidence, according to Sheffield, that since the veteran could use the grant to build a home (which left nothing left over to establish a business) IAB was using the grant in order to alleviate the housing shortage on reserve. In effect, IAB was approving grants to build homes as a "benefit" rather than meeting its Treaty obligation by fulfilling the Treaty right to shelter. Perhaps more importantly, Indian Agents, through their extraordinary control over veterans' benefits, were refusing to allow First Nations veterans to use their grant to invest in business. One Indian Agent refused to support a veteran's application to use his grant for the purchase of a truck which he could then use commercially. The agent wrote to the Superintendent of Re-Establishment Credit, that

The Indian Affairs Branch at Ottawa are [sic] very anxious that all Indians entitled to a home under the Veterans Land Act take advantage of the opportunity afforded them and with this in view I have been unwilling to recommend the purchase of anything with the Veterans Re-establishment Credit, hoping that someday before to [sic] late he would take advantage of the Veterans Land Act (Sheffield (75)).

Finally, since the funds were not disbursed directly to the veteran, and were instead held in trust by IAB, a complete audit of the trust needs to be undertaken. The most recent information indicates that there was \$161,142.00 still owing to those veterans who were approved, and there is little documentary evidence to indicate, one way or the other, whether this money was ever disbursed.

## ***Korea***

In 1951, the *Veterans' Benefit Act* made most of the benefits under the VLA available to Korean War veterans. Therefore, all the issues raised by, and applicable to, WWII veterans were also faced by those who risked their lives in the Korean conflict. All the extant evidence indicates that

the administration of benefits, again by IAB rather than the DVA, had not improved. There was, however, one additional benefit added to the VLA for the Korean veterans.

In 1954, the Canadian government amended the VLA to include the Farm Improvement Loan benefit, which enabled Korean War veterans to access a maximum of \$3,000 in loans at 5%. This loan was not available to First Nations veterans, like the earlier loans under the VLA, because it required a home that could be used as collateral.

Once again First Nations were left with the \$2,320 grant, and once again the administration of this grant raises all the questions of efficiency and honesty.

### ***Promotions and Advancement***

One final issue needs to be explored with regards to the issues faced by war veterans, and may extend to those who are, albeit unfairly, labelled “Peacekeepers.” This is, of course, the issue of the First Nations veterans’ opportunities for advancement within the services.

Since both the Navy and the Air Force had minimum educational requirements, many First Nations men and women were ineligible for recruitment into those forces. According to the RCAP, “for many Aboriginal recruits, the lack of formal education meant the Army was their only option upon enlistment” (551). The RCAP also found that the lack of education provided a severe handicap on the promotions that were available to First Nation people within the Army as well. Since there exists a Treaty Right to education, one may ask why the average First Nation recruit had between a grade 1-3 level of education at the start of WWII.

It is also important to consider the much quoted Navy prohibition that affected First Nation recruits which read that all Navy personnel must be of “Pure European Descent and of the White Race.” This ban remained in effect until 1943.

### **Spouses and Dependents**

A second group of individuals who suffered from the discriminatory practices and poor administration of IAB is the war veterans’ dependents. Next to the administration of the VLA (especially the \$2,320 grant) the most serious issue facing First Nations was the administration of the Dependents’ Allowance. Once again, First Nation veterans faced the disadvantage of having this benefit administered by IAB rather than the branch of the DVA responsible for its administration to all non-First Nation veterans’ spouses. Further, like the administration of VLA benefits, there is ample evidence of both discriminatory federal policy and of mismanagement by the Indian Agents.

Initially, the spousal allowance was set at \$35.00/mth for a spouse or mother, \$12.00/mth per child up to a maximum of two children. Further, the veteran could request that the equivalent of 15 day's pay be provided to his family (Assigned Pay). This would amount to \$55.00/mth for a woman with no children, \$67.00/mth for a woman with one child, and \$79.00/mth for a woman with two or more children. The funds were to be administered by the newly created Dependents' Allowance Board (DAB).

As with the administration of benefits, IAB almost immediately requested that responsibility for the administration of the Spousal Allowance for First Nations women be transferred to IAB. As early as 1939 the Inspector of Indian Agencies in Saskatchewan, Thomas Robertson, was writing to his superiors in Ottawa that "this is a great deal more money than they [First Nations women] have ever received and a great deal more than they actually need" (Tyler et al 40). Robertson goes on to request that the DA cheques be made payable to the Indian Agent because it "would permit our agents to look after these people [and] see their money is not squandered" (Tyler 40). First Nations women, it seems could not be trusted.

IAB took up this request, and sent several letters to National Defence, urging that that cheques be made payable to his Indian Agents, or at least sent in care of the agent.

In 1941, their request was granted. The sequence of events regarding the Spousal Allowance followed a familiar path:

- Initially, cheques were mailed out in care of the Indian Agent, who then passed them on to the spouse or mother.
- In 1941 the decision was taken that the money would be paid directly to the Indian Agent to be held in trust for the women. The Indian Agent required the permission of the veteran to receive the money directly.
- By 1942, there were 52 cases in which the cheques were made payable to the Indian Agent.
- In March, 1942, the DAB set a lower rate of Spousal Allowance for those First Nation women who did not agree to have the money held in trust. These women could only receive a maximum of \$25.00/mth.
- The reduction met with much resistance from First Nation women and even some Indian Agents.
- A new scheme was devised whereby the rates were the same for First Nation and non-First Nation women, but the First Nation women were required to invest a certain amount in War Savings Certificates.
- The Savings were then put under IAB's control.

- Money held in trust was paid into an Indian Savings Account created for the purpose of saving a portion of the Spousal Allowances to help re-establish the veteran upon his return.
- In 1945, there were 220 cases of First Nation women making War Savings deductions and a further 48 who were contributing to the Indian Savings Account.

The Indian Agents were distressed to discover that some dependents had already received cheques directly, and were unwilling to agree to have them redirected to the agent. That did not, however, stop the agents from trying, and in 1942 J. Ostrander, the Indian Agent for Battleford wrote to IAB headquarters that

We seem to be going around in circles and getting nowhere...few Indian women (one might almost say no Indian women) have the stability to handle from \$59.00 to \$94.00 a month, in cash, purchase what they actually require, and save the balance for a rainy day, or till their husbands return from the war (Tyler 42).

Ostrander goes on to reveal his feelings regarding those people under his care. First Nations women who receive the DA “are followed about by all sorts of scum of the land, while they are known to have money, not having the experience in withstanding such pressure, they are easy victims” (Tyler 42). Ostrander has an easy solution, however, because “the better Indians, who know their own weaknesses, prefer to have their money handled in the Agency offices” (Tyler 42). Ostrander lists among the things that the women are squandering their money on “ill-advised legal advice” (Tyler 42). To Ostrander’s surprise, the DAB responded to his complaints, and those of others, by simply reducing the amount of Allowance paid to First Nations dependents to \$25.00/mth. According to Ostrander, “the Board has decided now...the wives of Indians are not worthy of equal consideration by the Government, as that given to the wives of white men and half breeds who enlist” (Tyler 43) and later wrote that the DAB’s justification of the reduction-basically that Indian women were used to poverty- was ridiculous and “contrary to the principles for which this war is being fought” (Tyler 43).

As with the Veterans’ files, there is little documentary evidence to explain what happened to this money, nor to adequately document who was receiving the Spousal Allowance and how much was actually forwarded to the women.

There is, however, clear evidence that the Canadian government knew there were problems with the administration of these funds, and that Canada knew that First Nations veterans were facing eligibility issues, based upon both culturally different ideas of “spouse” and poor record-keeping at reserve churches.

For example, three years into the war the DAB Chair, R. Bennett, wrote to IAB outlining his concerns:

It is suggested that Indian agents should be requested to pass all Dependents’

Allowances in administration through their Indian Agency Trust account which we understand is subject to government audit and at the same time we think that they should be advised that cheques sent merely c/o the Indian Agent should be handed over to the Dependent and not partly withheld by the Indian Agent without accounting as trust funds as we understand is being done in some cases at present (Sheffield 42).

Further, the letter stated that Indian Agents did have the option of making a case to the DAB for compulsory Assigned Pay, which forced the veteran and his spouse/mother to allow the agent to administer the allowance and Assigned Pay. The decision, of course, would be based upon the report of the Indian Agent, who had the power to monitor the behaviour of the spouse and to judge whether she was to be trusted with the money.

In addition, one letter provided by a Saskatchewan First Nation veteran to the SFNVA indicates that he was never able to even qualify for the Dependents' Allowance for his spouse, due to the fact that the reserve church has lost his marriage certificate, even though he provided affidavits from family members and the Indian Agent attesting to his marital status.

Finally, parents who had children in Residential schools, and those who were in hospital or the sanatoriums, were not eligible for the DA for those children, despite the fact that they were responsible for their support, at least during the summer months.

Sadly, the National Roundtable report concluded that even though "some First Nations lost out on money that was rightfully theirs" through the Dependents' Allowance, "it is impossible to determine how much" (90) as a result of the lack of the requirement for Indian Agents to account for this money, and the DAB's slowness to require either receipts, accounts or audits regarding the disbursement of these funds. Basically, his argument is since IAB neglected to document their mismanagement and fraud, nothing can be done about it. Further, many veterans have indicated that the war savings certificates and the Indian trust accounts simply disappeared after the war, and the money that was being saved to assist in their reestablishment was never provided.

## **Peacekeepers**

A further group of individuals are the so-called "Peacekeepers;" those veterans of the Canadian Forces who did not serve during war time. This class of people includes those who served during what has become known as "the Cold War," and includes both First Nations and non-First Nations veterans. It is suggested that any legal action on behalf of this group would benefit from a partnership with veterans' organizations that are not exclusively First Nations.

At its foundation, the major issue regarding this group of veterans is what they term an artificial distinction between veterans who served during periods of declared war and those who did not. These veterans were ready and willing to offer their lives on behalf of their country, and feel they are being penalized for serving during a time that Canada was not officially at war. Further, First Nation oral testimony is rife with stories of the dangers they faced while in Europe after the official cessation of the conflicts and of being on “peacekeeping missions” that were fraught with danger. Some recall being called to arms in the middle of the night during the “Cold War;” others recount injuries sustained while on peacekeeping missions in Europe and other countries to which Canada committed troops.

These veterans, however, have been mostly ignored. RCAP did not hear from them, nor did the Standing Senate Committee, and the National Roundtable dealt only with the issues faced by those who served in the Great Wars and Korea. These veterans were, and are, ineligible for even the few, mishandled benefits received by war veterans, despite the fact that many of them were in Germany, “keeping the peace” immediately following the end of WWII.

In addition, many of these men and women suffered injury as a result of their service, but have had little luck in their efforts to seek compensation. Some have been told that they are not eligible for compensation or disability because they were “off duty” when the injury occurred, such as one Saskatchewan veteran who was injured while riding in a jeep in Germany in the late 60s. One wonders what circumstances, other than military service, might have led him to be in a jeep on a poorly maintained German road. Others suffer from hearing loss and other injuries as a result of training or manoeuvres, and have had difficulty in obtaining disability benefits from Veterans’ Affairs Canada (VAC).

Since no one has been willing to champion their grievances, these veterans have been left out of what few attempts there have been to assist First Nations veterans in their struggle for benefits. Moreover, very little quantitative research exists to even determine the number of veterans with disabilities and/or the number with unaddressed grievances. The larger issue – that of the separation in all VAC policy and legislation – has not been addressed in any formal way.

## **Descendents**

Probably the largest group of individuals is the descendents of those veterans who have already passed away. Many of these individuals are the wives, children and grandchildren of veterans of both Great Wars and of the Korean War. As has already been noted, while non-First Nations veterans were provided with land grants and loans to start businesses, which have since become part of their estate, First Nations veterans had nothing to show for their military service, and no way to build an inheritable holding for their future generations.

The National Roundtable “compassionate package” refused to consider descendents of veterans, and determined that only the surviving spouses of veterans would be eligible to apply for the compensation, and only if their husband/wife had passed away in a very specific time period.

This group would encompass all the legitimate heirs of veterans, and would be of particular importance to the descendents of First Nations WWI veterans, since there were no surviving veterans of this war when the compassionate package was reached. Effectively, Canada has not had to provide any redress for its shameful treatment of WWI First Nations veterans despite the intergenerational losses their families have endured.

The issues faced by WWI veterans who sought benefits upon their return to Canada are nearly identical to those outlined in the section on war veterans above. *The Soldier Settlement Act* contained grants of ¼ sections of land, and First Nations veterans were ineligible because of the prohibition against homesteads. They were, instead, granted location tickets for small parcels of land they already held in common, and which was available to them through the existing provisions of the *Indian Act*. There were some loans available for agricultural development, and those few who did receive them were given funds out of the money held in trust as a result of land surrenders. To borrow Tyler’s words, “it was a case of buying Indians with their own money” (33). Moreover, the RCAP concluded that WWI veterans were at a serious disadvantage when it came to receiving equal benefits, and that this disadvantage was due mostly to a combination of the *Soldier Settlement Act*, *Indian Act* provisions against homesteads, the location ticket system and limited approvals of loans. It was exactly the same thing that was to continue unabated after the next Great War.

The descendents of these veterans, many of whom are associate members of the SFNVA, are concerned that “Canada has gotten away with” their treatment of war veterans who have passed away, simply by delaying redress until there are no veterans left, and then placing arbitrary restrictions on the little compensation they finally agreed to give.

## **Statement of Claim**

On 23 April 1999 the Saskatchewan First Nations Veterans Association filed a Statement of Claim on behalf of all Saskatchewan First Nations veterans, but specifically defined the class as WWI, WWII and Korean War veterans.

The Claim includes their dependents and descendents, and the SFNVA Executive members of the day were listed as plaintiffs. The defendant was identified as the Attorney General of Canada.

The Claim was filed on the basis that these veterans have been “wrongfully deprived of veterans’ benefits” including:

- Loss of valuable free land grants;
- Land purchase loans and grants;
- Home purchase and improvement loans;
- Professional and other training assistance; and
- Various other benefits.

The Claim is based upon the United Nations Declaration of Human Rights, signed by Canada in 1948 and the United Nations Charter.

The Statement claims that the discriminatory practices of the Canadian government “had the effect of impoverishing Indian Veterans and enriching the Crown” and that Indian veterans were denied benefits contrary to:

- *The U.N. Declaration of Human Rights (1948)*
- *The Soldier Settlement Act (1917, 1919)*
- *The Veterans’ Benefit Act (1954)*
- *The Canadian Bill of Rights (1960)*
- *The Veterans Land Act (1942)*
- *The War Services Grants Act (1944)*
- *The Veterans’ Business and Professional Loans Act (1946)*

The action claims that the granting of location tickets was contrary to the Treaty and legislative right to collective ownership of reserve lands, and that the Indian Affairs policy of advising Indian Veterans to pursue the Re-establishment Credit instead of the economically superior off-reserve benefits breached legislation designed to provide benefits to veterans. It notes that female veterans were not even eligible for location tickets and finally, it cites the arbitrary reduction of the Dependents’ Allowance in 1942.

The Statement of Claim was put in abeyance upon the announcement of the National Roundtable in 2000(?) and withdrawn upon the announcement of the \$20,000 compassionate package in 2002 (?). The legal counsel for this action, Delia Opekokew, has indicated that there is no legal reason that the SFNVA could not launch a new class action suit, and cites only the waiver signed by those who accepted the compassionate amount as a hindrance.

## **Compassionate Package**

The National Roundtable on Aboriginal Veterans was launched on 10 November 2000. During the course of the negotiations, two forensic audits were conducted. One (Patrick Grady Global Economics Ltd) was commissioned by VAC and assumes that it is impossible to determine the value of lost benefits. The other (Kalasmikoff, Kingdon and Associates financial Investigators)

was commissioned by the FSIN and does reach loss of benefit figures calculated over 55 years. After lengthy discussion, on 21 June 2002, the Canadian government announced that it had allocated \$39 million for First Nations veterans or widows of WWI, WWII and the Korean War. Each applicant was eligible for a maximum of \$20,000. All costs of administering the package would be deducted from the \$39 million allocation.

Canada began accepting applications on 31 October 2002, and veterans and their widows had only four months to complete the process; Canada would not consider applications received after 15 February 2003. A veteran's estate could be eligible, but only if the veteran and/or his widow passed away after the Roundtable was announced on 1 February 2000. Surviving spouses who were also veterans could only receive one settlement.

INAC would be responsible for judging eligibility, and VAC would administer the benefits. If there was more than one surviving spouse, the settlement would be split between them. A figure less than the maximum would also be given if there were more than 1,800 applicants who met all the criteria.

Applicants must have settled on reserve, so the package did not address issues of enfranchisement, loan ineligibility, etc, and they must have served in the Canadian Forces between:

- a) 4 August 1914 – 11 November 1918; OR
- b) 3 September 1939 – 31 March 1946; OR
- c) 2 July 1950 – 27 July 1953

Eligible applicants must also have served in active service for a minimum of 30 days or been wounded or killed during the first 30 days of active service. There was a maximum of \$20,000, even if the veteran had served in more than one war. Finally, despite lengthy negotiations on the issue, there was no appeals process, although a veteran who had been denied could seek a departmental review.

Issues regarding this package may be difficult to address, given that in order to receive the \$20,000, applicants were required to sign a waiver promising that

I release the government of Canada, its employees and its servants of and from all manner of actions, causes of action, suits, debts, covenants, contracts and demands, whatsoever, which I have had, now have, or may have in the future in any way concerning benefits or allowances available during the veteran's service, and demobilization benefits arising from the discharge or release of the veteran from the Canadian Armed Forces following service during either World War I, World War II or the Korean War.

Successful applicants also had to agree and promise that they had no lawsuit pending, that if they did have a lawsuit pending they would file a Notice of Discontinuation (and enclose a

copy), and that they would not participate “in any current or future court action against the Government of Canada” related to

benefits or allowances available during the veteran’s service,  
and demobilization benefits arising from the discharge  
or release of the veteran from the Canadian Armed Forces following  
service during either World War I, World War II or the Korean War.

In April 2007, the Department of Veterans Affairs released the following statistics with regards to the compensation package:

Total funding available	\$39,000,000.00
Administrative costs for compensation package	\$3,000,000.00
Salaries	\$1,161,200.00
Total number of applicants	2,743
Total number of applicants issued payments	1,250
Amount approved for each applicant	\$20,000
Newfoundland and Labrador	1
Nova Scotia	50
Prince Edward Island	2
New Brunswick	70
Quebec	63
Ontario	440
Manitoba	123
<b>Saskatchewan</b>	<b>172</b>
Alberta	98
British Columbia	205
Yukon	9
Northwest Territories	1

Outside Canada	16
<b>Total payouts</b> <b>\$25,000,000.00</b>	<b>Total approved applicants</b> <b>1,250</b>

It should be noted that figures indicate that there were 107 First Nations enlisted in WWI and 443 in WWII. Many more First Nations men and women enlisted during the Korean War. Yet, only 172 received any kind of compensation at all, and even that does not even begin to compensate for the value of land, goods Dependents' Allowance (especially if invested), business opportunities and education that they lost. It should also be noted that less than one half of those who applied for the compensation package were approved, and no clear reasons have been provided for this small number.

As with any other group of veterans, there are several issues that pertain to the group that applied for the compensation package. These issues are:

1. Veterans felt that they were signing the waiver under duress due to their age and infirmity.
2. Veterans felt that the amount did not reflect what they had lost, but signed because they felt they may not live long enough to receive anything if they did not.
3. The window of opportunity to apply was very short.
4. The compensation was not available to descendents or estates of deceased veterans.
5. There is no independent appeals process for the over 50% of applicants who were not approved.

## **Conclusion**

There are many other historical facts that could be examined, such as the fact that William Morris Graham used unsold surrendered Indian lands for what he called "Greater Productivity Farms" reaping bumper crops with no benefit to the First Nations. Or, that the Last Post fund was prohibited by regulations from burying Indian veterans and was only allowed to supply a simple headstone. Or, that by the end of WWI there was a significant amount of Indian land that had been surrendered that was never allocated to veterans; it was simply pooled with new lands being appropriated from reserves. Or, that there is no definite evidence to suggest that money raised by First Nations for the war effort, such as the Red Cross, was ever turned over to the charity by the Indian Agent. Or, that there is no accounting for the \$17,096,489.68 that was still in the Indian Trust Fund in 1946, even though there are only records of \$30,562.00 of loans

being made to First Nations people for the purchase of livestock, farming equipment, land and/or buildings.

The evidence, however, that systemic discrimination was a daily part of First Nations veterans' lives is the simple fact that Canada's records clearly demonstrate an attitude of assimilation, indifference and outright racism. The evidence further shows that there is overwhelming evidence of unequal distribution of benefits to First Nations veterans, that policies and practices surrounding the Dependents' Allowance were discriminatory and shameful, and that veterans' efforts to seek redress have been ignored and dismissed for the past 100 years.

Perhaps the best evidence can be found in the simple fact that no First Nation veteran ever received Veterans insurance benefits, post secondary education, land grants off reserve or the \$6,000 business loan.

It should be noted that any type of action, whether it be litigation or negotiation, will require significantly more research and analysis, and no one has yet compiled a completely accurate list of Saskatchewan First Nations. The First Nations University of Canada is close, with its list of veterans for its memorial tipi. Further, while there are many helpful documents, they seem to be scattered and, at times, difficult to access. Documents in the FSIN archives are the easiest to obtain, but neither VAC or INAC have been forthcoming with their records, and documents that in the possession of individual veterans have, in many cases, been lost or misplaced.

To grossly oversimplify, First Nations veterans have faced discriminatory practices and policies which prohibited them from accessing benefits in three ways:

1. They did not receive complete or accurate information regarding benefits so they did not apply.
2. They did apply, but were not approved because of discriminatory eligibility criteria or because of the indifference, incompetence or hostility of the Indian Agent.
3. They did apply, and were approved, but the proceeds of the benefits were mismanaged or misappropriated by IAB and its agents.

It is difficult to comprehend how Canada, particularly IAB, could have treated the First Nations Veterans the way that it has. It is more difficult to realize that senior levels of government knew that the Indian Agents were misappropriating and mismanaging funds, but did nothing about it. It is incomprehensible that Canada thought \$20,000 distributed to a fraction of the veterans who served would be adequate compensation.

In the conclusion to his report, Commissioned by Veterans Affairs Canada for the National Roundtable, Sheffield explains that some of the problems in receiving benefits "were to be expected, given the corporate culture of the [Indian Affairs] Branch at that time, its purpose of assimilating First Nations people, and the oppressive nature of many Indian Act provisions" (94).

While Sheffield seems to be offering an explanation for the discriminatory, fraudulent, racist and incompetent actions of IAB and the DVA, this statement could just as easily provide the basis for legal action as an excuse for Canada's shameful legacy.

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