

## CHAPTER SEVEN: QUEBEC AND ABORIGINAL ISSUES



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**I. BACKGROUND TO FRENCH-ENGLISH RELATIONS, 1600-1944**

Up until the end of the Seven Years War in 1763, what is now Canada was the French colony of New France. As you might recall, the Seven Years War was a global conflict involving Britain, France, and their colonies. In Canada, the British defeated the French forces at the Battle of the Plains of Abraham. With the arrival of British ships for reinforcement, the French troops were forced to agree to conditional surrender. Under this agreement, they were given the right to maintain their Catholic religion and their French culture. With the Treaty of Paris in 1763, France gave up New France, and was left with only a few islands off of Newfoundland. As a result, the French Canadians felt betrayed.

In 1774, the Quebec Act was passed by the British, which entrenched the rights of French Canadians. This was Canada's first constitution. In 1867, Quebec joined Confederation based on the understanding that the rights of French Canadians would be protected.

Between 1885 and 1944, a number of events occurred to exacerbate tensions between French and English Canadians: Métis leader Louis Riel was executed for leading a second rebellion; Prime Minister Laurier compromised French interests in the Manitoba Schools controversy, the Boer War, the Naval Crisis and Quebec became dissatisfied with conscription in both the First and Second World Wars (refer to pages 49,58,96,108).

**II. MODERN FRENCH-ENGLISH RELATIONS****A. FRENCH-ENGLISH RELATIONS IN THE 1950s AND 1960s****1. THE GREAT DARKNESS**

**Maurice Duplessis** served as the *Union Nationale* premier of Quebec from 1936 to 1939 and 1944 to 1959. Duplessis was a staunch Roman Catholic and political conservative. He became known as *le chef*—the boss. Duplessis avoided English influence at all costs. He even refused any money from the federal government as he was a strong supporter of provincial rights. The Duplessis era was also known for bad working conditions, as Duplessis discouraged unions and used strong arm tactics against them. For these reasons, the period of his rule is sometimes referred to as *la grande noirceur*—the Great Darkness. By 1959, with the advent of the “swinging sixties,” people started to want social change, and therefore, no longer supported Duplessis who was considered to be old-fashioned.

**2. THE QUIET REVOLUTION**

From 1960 to 1966, **Jean Lesage** of the Liberal Party was premier of Quebec. Lesage campaigned under the slogan *Maitres chez nous*—masters of our own house. Lesage wasn't seeking independence for Quebec, but he wanted more control over decisions affecting its future. Essentially, Lesage sought to create a new and equal partnership with English Canada. Lesage also recognized that although English Canadians amounted to a small percentage of Quebec's population, they controlled a large percentage of the business in Quebec. During this time, Quebec went through a period of rapid reform and modernization called *la revolution tranquille*—the **Quiet Revolution**. The Quiet Revolution was characterized by secularization (a move away from the Catholic Church in political affairs); the strengthening of the welfare state; massive investments in public education; the unionization of the civil service; measures

to control the economy; and the nationalization of hydroelectric production and distribution (the development of Hydro-Quebec). Lesage also sought "special status" for Quebec in order to protect the French language and culture. The federal government allowed Quebec to run its own pension plan, loans, and medical insurance. However, arguably the most drastic change that occurred during the Quiet Revolution was a huge increase in Quebec nationalism—French Canadians became "*Québécois*."

### 3. "VIVE LE QUÉBEC LIBRE!", 1967

During Expo '67 in Montreal, the French President Charles DeGaulle ended his speech with "*Vive le Québec libre!*"—Long live a Free Quebec! This statement encouraged French-Canadian nationalism and enraged English Canadians, as this slogan had been scrawled on the wall at the site of the 1963 FLQ firebombing in Montreal (refer to the upcoming section).

### 4. THE OFFICIAL LANGUAGES ACT, 1969

In 1969, Prime Minister Trudeau signed the **Official Languages Act**, giving all Canadians the legal right and ability to deal with the federal government in either French or English. Additionally, all products sold in stores across the country had to be labelled in both French and English. Also as a result of this act, French Immersion programs were implemented across the country.

## B. FRENCH-ENGLISH RELATIONS IN THE 1970s

### 1. THE OCTOBER CRISIS (THE FLQ CRISIS), 1970

#### a) *The Front de Libération du Québec (FLQ)*

The *Front de Libération du Québec (FLQ)* was a Canadian separatist group founded in the 1960s and based primarily in Montreal. The FLQ was a virtually unknown group of young French Canadians who occasionally spoke of Marxist objectives, and of Quebec's separation from Canada. The FLQ was committed to using violent actions if necessary to achieve their goals. They had a number of very secret cells within Québec. Throughout the 1960s, members of the FLQ were trained by revolutionaries who were supporters of the Cuban revolutionary, Che Guevara. Also, a few FLQ members also received guerrilla training in selective assassination from Palestinian commandos in Jordan.

From 1963 to 1970, the FLQ committed over 200 political actions including bombings and bank hold-ups, resulting in at least three deaths by FLQ bombs, and two deaths by gunfire. Targets included English-owned businesses, banks, McGill University, and the homes of prominent English-Canadians. By 1970, many members of the FLQ were in jail.

#### b) *The Kidnappings*

On October 5, 1970, four men of the FLQ's Liberation cell kidnapped the British Trade Commissioner **James Cross** at gunpoint in Montreal. The FLQ demanded a ransom of \$500,000; transport to Cuba; that they be allowed to read the FLQ Manifesto in public; as well as the release of FLQ "political prisoners" who were jailed for terrorist bombings. Five days later, on October 10, the Chénier cell kidnapped the Quebec Vice-Premier and Minister of Labour, **Pierre Laporte**.

#### c) *Laporte's Letter*

Pierre Laporte wrote the following letter to the Premier of Quebec during the October Crisis. **Robert Bourassa**, Liberal premier of Québec

has since acknowledged that determining the proper course of action in response to this letter was the “toughest challenge he ever faced.”

October 11, 1970

(translated from original French)

Mr. Robert Bourassa

My Dear Robert,

I believe I am writing the most significant letter of my life. For the moment, I am in perfect health. I am treated well, even with courtesy. I insist that the police stop all searches to find me. If they found me, it would result in a shootout, which I would certainly not live through. This is absolutely urgent.

You have, in short, the power over my life. If there were nothing else to it but that, and if my sacrifice might bring good results, one could think of it. But we are in the presence of a well-organized uprising, which will finish only with the release of the “political prisoners.” After me, there would be a 3<sup>rd</sup>, then a 4<sup>th</sup> and then a 5<sup>th</sup> person. If all the politicians get protection, it will strike elsewhere, in other classes of society. Act immediately and thus avoid a quite useless bloodbath and panic.

You know my personal situation merits some attention. I had two brothers; they are both dead. I remain alone as head of a large family which includes my mother, my sisters, my own wife and my children, as well as Roland’s children, to whom I am the guardian. My death would create an irrevocable grief, as you know the ties which bind the members of my family. It is not just me in question, but a dozen people, all of them women and young children. I believe that you understand!

If the release of the “political prisoners” is organized and completed, I have a guarantee that my personal security will be assured. Mine...and that of the others who could follow.

This could be done quickly, as by taking more time I continue to die little by little in captivity. Decide... on my life or my death... I depend on you and thank you.

Sincerely,

Pierre Laporte

P.S. I repeat, put an end to the search. And also ensure that the police are warned not to continue without you knowing it. The success of this search would be a death sentence for me.

([cbc.ca/news/indepth/october/laporte\\_letter.html](http://cbc.ca/news/indepth/october/laporte_letter.html))

#### d) The October Crisis

On October 17, 1970, Laporte’s dead body was discovered in the trunk of a car. The Canadian government, under Prime Minister Trudeau, agreed to

broadcast the FLQ Manifesto over the radio, and to transport five FLQ terrorists to Cuba in exchange for Cross' release. Cross was released, and the FLQ terrorists were allowed passage into Cuba. Over the years, most of these terrorists eventually returned to Canada and received light sentences. In total, 23 people went to prison as a result of the October Crisis. The October Crisis was the first political kidnapping in Canadian history.

#### e) The War Measures Act, 1970

In response to the October Crisis, the Canadian government invoked the **War Measures Act**, which gave the government the power to take away certain civil rights. As a result, thousands of searches were conducted, and over 400 arrests were made. Membership in the FLQ became criminal, and all political rallies were banned. The government now had the ability to arrest, question, and detain suspects without charge for a period of 90 days.

The War Measures Act was invoked based on the belief that there was a widespread conspiracy to overthrow the Canadian government. When asked by a reporter how far he would go (in terms of the restrictions of the War Measures Act), Prime Minister Pierre Trudeau responded, "Just watch me." Trudeau showed no sympathy: "There's a lot of bleeding hearts around—go on and bleed."

#### 2. BILL 22, 1974

In 1974, the Liberal Premier of Quebec, Robert Bourassa, introduced **Bill 22**. Bill 22 made French the official language of Quebec, and strengthened French in the workplace. Additionally, children had to pass an English proficiency test before being allowed to register at English schools in Quebec. Bourassa introduced Bill 22 because birth rates were declining in Quebec, and immigration was increasing. Therefore, there was reason to fear that the French language might disappear.

#### 3. THE PARTI QUEBECOIS (PQ)

In 1976, the *Parti Québécois (PQ)*, led by **René Lévesque**, defeated the Liberals in the provincial election. The PQ was a non-violent separatist party that was dedicated to winning independence for Quebec by following the rules of Canada's political process.

#### 4. BILL 101, 1977

In 1977, René Lévesque proposed **Bill 101** to replace Bill 22. Bill 101 became known as the Charter of French Language bill. Bill 101 required that French be the language used by governments, courts and businesses in Quebec, and that commercial signs be displayed in French only. Bill 101 also further restricted access to English schools—at least one parent had to have previously attended an English school in Quebec. Bill 101 created enormous backlash within Quebec and across the country. As a result, many English businesses left Quebec for other parts of Canada.

In 1988, a Montreal store owner was charged with violating Section 58 of Bill 101, the section which required that all outdoor commercial signs be in French only. In 1989, the Supreme Court ruled that Section 58 was unconstitutional, as it violated the right to freedom of expression. However, under the Charter of Rights and Freedoms, governments may pass a law that overrides certain sections of the Charter for a period of five years. This is

called the **Notwithstanding Clause** (refer to page 19). In other words, “notwithstanding” the store owner’s right to freedom of expression, the Quebec provincial government can nevertheless pass a law that violates this right for a period of five years. The new law, Bill 178, still requires that outdoor signs be in French, but allows indoor commercial signs to be bilingual, providing French is given priority.

### C. FRENCH-ENGLISH RELATIONS IN THE 1980s AND 1990s

#### 1. REFERENDUM, 1980

In 1980, Quebec held its first referendum on the issue of sovereignty-association with the rest of Canada. A referendum is when a political issue is submitted to a direct vote of all the citizens. The proposal was that Quebec would be an independent state, with control over its own taxes, social policies, citizenship and immigration, but would maintain close economic ties with the rest of Canada. Over 90% of the people in Quebec cast their ballots in this referendum, which resulted in 60% voting “*Non*.” Quebec would remain as part of Canada.

Those who had campaigned vigorously for a “*Non*” vote in the 1980 Quebec referendum promised the people of Quebec a new constitutional arrangement if the referendum was defeated. Pierre Trudeau kept his promise by **patriating the Constitution** in April of 1982.

#### 2. CONSTITUTION ACT, 1982

Canada’s original constitution, the British North America Act of 1867, was an act of British Parliament. Prime Minister Trudeau wanted Canada’s constitution to belong to Canada, and so he proposed the Constitution Act of 1982. Under the Constitution Act, Canada’s constitution was repatriated—brought home to Canada.

The ten premiers met in November 1981 to draft the new constitution. However, on the final night of the meeting all were awakened in the middle of the night to look at last minute revisions except for René Lévesque. While the Prime Minister and nine premiers reached an agreement, Quebec felt betrayed, and did not sign Canada’s new constitution. The new constitution included an amending formula, which gave Canadians the ability to make changes to the constitution (changes which would no longer require the consent of the British Parliament), and also included the Charter of Rights and Freedoms. (Refer to Chapter One for more details)

#### 3. MEECH LAKE ACCORD

In 1987, Prime Minister Mulroney and all ten premiers (this time the premier of Quebec was once again Robert Bourassa) met at Meech Lake to change the constitution to include Quebec. The Meech Lake initiative was Brian Mulroney’s attempt to create constitutional harmony by bringing Quebec into the fold. All ten premiers reached a tentative agreement at Meech Lake. Thus began a three-year race to get unanimous consent from Ottawa and the other nine provinces.

First, however, there were a number of concerns with the **Meech Lake Accord**. It included a clause that referred to Quebec as a “**distinct society**.” In this context the term distinct society meant that French speakers in Quebec wanted a separate definition of what it meant to be **Québécois**. This clause was left open to interpretation, and therefore it worried many English-Canadians. Additionally, aboriginal peoples did not feel that Quebec should have any special



P.M. Brian Mulroney

consideration, if no special consideration was being given to them.

At first, Newfoundland, New Brunswick and Manitoba didn't ratify the Meech Lake Accord, and finally it was Manitoba, led by aboriginal leader **Elijah Harper**, that refused to sign the Accord. There were essentially five parts to the proposed Accord:

- a) Quebec would be considered a "distinct society."
- b) Three of the nine Supreme Court judges were to come from Quebec.
- c) Any amendments to the new constitution would require agreement from all ten provinces.
- d) Provinces could choose to opt out of federal funding.
- e) Quebec would be able to control its own immigration.

The Meech Lake Accord also became known as the **Quebec Round** of constitutional amendments.

#### 4. CHARLOTTETOWN ACCORD, 1992

By 1992, the issue of constitutional amendment again came to the forefront. As a result of the failure of the Meech Lake Accord, Quebec was still not included in Canada's constitution. Again, all leaders met in Charlottetown to try and reach a new agreement. The **Charlottetown Accord** made provisions for aboriginal self-government, Senate reform, universal health care, workers' rights, and environmental protection. This round of negotiations was called the **Canada Round**, as the Accord included a **Canada Clause** in addition to the "distinct society" clause for Quebec. The Canada Clause outlined the values and characteristics that define all Canadians, including a commitment to the equality of men and women, and to the well-being of all Canadians.

In a referendum to decide upon the Charlottetown Accord, only four of the ten provinces approved, as they felt that the provisions were too large and daunting. Once more, aboriginal peoples and many women opposed the accord, as did the Reform Party.

#### 5. BLOC QUÉBÉCOIS

In 1993, the separatist federal party of Quebec, the *Bloc Québécois*, became the Official Party of Opposition in Canada. The *Bloc Québécois* was led by **Lucien Bouchard**.

#### 6. PARTI QUÉBÉCOIS

In 1994, the *Parti Québécois* defeated the Liberals in the Quebec provincial election, and **Jacques Parizeau** became the Premier of Quebec.

#### 7. REFERENDUM, 1995

The rejection of Charlottetown left many French Canadians feeling that the rest of Canada was indifferent to their wishes. In 1995, Jacques Parizeau, Premier and leader of the *Parti Québécois* (PQ), held another referendum on the question of Quebec's sovereignty—whether or not to separate from Canada. In a close and heated campaign, the "Non" side won with 50.6% of votes. After the referendum, Parizeau resigned and was replaced by Lucien Bouchard. Bouchard had every intention of calling for another sovereignty referendum but only "under winning conditions." The question remained—could Quebec legally separate from Canada on a unilateral basis, or did separation require the consent of all of the provinces?



**8. CALGARY DECLARATION, 1997**

In 1997, in a gesture of goodwill, the Canadian government declared Quebec to be a “unique society” as part of the **Calgary Declaration**. However, the leader of the *Bloc Québécois*, Lucien Bouchard, did not attend this meeting.

**9. SUPREME COURT DECISION, 1998**

In 1998, the Supreme Court ruled that Quebec did not have the right to separate unilaterally (it wasn’t allowed to decide by itself) from Canada. In order to achieve independence, Quebec would have to negotiate with the federal government, the nine other provinces, the aboriginal nations living in Quebec, and the other minorities living there. Additionally, negotiations could begin only after a referendum in which a “clear majority” voted “Yes” to a “clear question.”

Both sides hailed the decision. Prime Minister Chrétien claimed that the Court made it clear that separation was a much more complicated process than the PQ had led supporters to believe.

**10. CLARITY ACT, 1999**

The Canadian government passed the **Clarity Act** in 1999, which stated that in any future referenda, Quebec must ask a clear question, and win a clear majority.

**D. SHOULD QUEBEC SEPARATE FROM CANADA?****1. ARGUMENTS FOR UNITY**

*“What we have built together in Canada is something very great and very noble. A country whose values of tolerance, understanding, and generosity have made us what we are: a society where our number-one priority is the respect and dignity of all our citizens...This is what we have accomplished. And I say to my fellow Quebecers, don’t let anyone diminish or take away what we have accomplished. Don’t let anyone tell you that you cannot be a proud Quebecer and a proud Canadian.”*

Excerpted from Prime Minister Jean Chrétien’s national television address, October 25, 1995.

*“The government of Quebec does not have a monopoly on pride. My ancestors also tilled and sowed the land; my maternal ancestors arrived from Ireland during the famine of the 1840s. My ancestors, anglophones and francophones, busted their backs to build this province and this country.”*

Excerpted from Margaret Delisle, Member of Quebec National Assembly, September 1995.

**2. ARGUMENTS FOR SEPARATION**

*“I believe strongly in a future partnership between Canada and Quebec and I think I can speak for an overwhelming number of Quebecers, if not all Quebecers, who will also want this negotiation to succeed after Yes...Sovereignty and the offer of a partnership are the best choices for Quebecers. This Yes vote will provide Quebec with the power and the leadership it needs to achieve its ambitions and its goals but also to refashion its relationship with Canada.”*

Excerpted from Leader of the Opposition, Lucien Bouchard’s national television address, October 25, 1995.

*"Because we are free traders, we export half of what we produce beyond our borders. At present we cannot take proper advantage of this flexibility and openness, because we will always have to wait for the rest of Canada, which often doesn't have the same interests, or quite simply can't come to an agreement on the steps to follow. So we miss out on opportunities. Quebec's great blueprint for society means taking full advantage of our ability to adapt quickly and to be among the most prosperous people in the world."*

Excerpted from *Our Hearts in Our Work*, Booklet issued by the Yes campaign, September 1995.

### 3. THE POTENTIAL IMPACT OF SEPARATION

#### a) The Potential Impact of Separation for Quebec

- (i) Quebec might be forced to renegotiate international trade deals such as NAFTA.
- (ii) Quebec will no longer receive federal grants or assistance.
- (iii) The Anglophone population and big business may move to other provinces.
- (iv) Foreign and domestic investment might drop.
- (v) Economic or social problems such as unemployment or poverty might worsen.
- (vi) Quebec may be asked to repay its portion of Canada's national debt.
- (vii) Quebec may lose land to aboriginal groups.
- (viii) Quebec would be forced to re-negotiate its status in the North American Trade Agreement.
- (ix) Quebec may not receive ownership of federal property owned by Ottawa.

#### b) The Potential Impact of Separation for Canada

- (i) Canada would lose 15.5 % of its land area.
- (ii) Canada would lose up to 25 % of its population.
- (iii) Canada may lose up to 23 % of its GNP (Gross National Product).
- (iv) Canada would lose 15 % of its fresh water, and 14 % of its mineral production capability.
- (v) Atlantic Canada would be physically severed and isolated from the rest of Canada.
- (vi) Canadian defence would become more difficult.
- (vii) Quebec's separation may cause other provinces to consider separating from Confederation.
- (viii) Francophones in other provinces would be left without one of their most powerful allies.

### 4. UNRESOLVED ISSUES

As a result of the failed constitutional negotiations, no provision currently exists in the Constitution Act for a province to legally separate from Canada. Therefore, even if the majority of Quebec were to decide to separate, the prospect of achieving sovereignty may never materialize.

The twin struggles between the French and English, and between Ottawa and the provinces, have made attempts at constitutional reform difficult, if not impossible. Other contemporary developments have further heightened the difficulty. Aboriginal peoples have demanded constitutional recognition and have pursued significant land claims, and multiculturalism has radically

altered the social make-up of both Quebec and the rest of Canada. Nevertheless, those who campaigned vigorously for a “Non” vote in the 1980 referendum, promised Quebecers a new constitutional arrangement if the referendum was defeated. Although Pierre Trudeau signed the Constitution Act in 1982, a new constitutional arrangement including Quebec has yet to be achieved. The failed Meech Lake Accord may have been the closest that our leaders have ever come to reconciling the divisions within our country. Today many pundits (experts) agree that the new generation of Quebec has simply lost interest in separation and are more interested in economic progress than sovereignty.

### III. ABORIGINAL PEOPLES IN CANADA

#### A. DEFINITIONS

Before proceeding with a discussion of the history and current status of aboriginal peoples in Canada, it is necessary to define some of the terms that will be used.

1. In the first half of the twentieth century the following terms were used to refer to aboriginal peoples: Indian, Eskimo, and Métis. However, by the last decades of the century, it was more common and acceptable to use the terms Native peoples or aboriginal peoples. Generally, the most commonly acceptable term used today is aboriginal peoples.

#### 2. ABORIGINAL PEOPLES

**Aboriginal peoples** are the first peoples to live in any nation; in Canada the term refers to **Inuit** (replacing Eskimo), **Métis** (a person of mixed Native and European ancestry who self-identifies as Métis, and First Nations (legally defined Indian nations consisting of Status Indians), and non-Status Indians.

##### a) Status Indians

**Status Indians** are those who have legal rights under the Indian Act. They have rights under treaties, or, where no treaties have been signed, rights as Registered Indians.

##### b) Non-status Indians

**Non-status Indians** are those who have given up their legal status as Indians, while still retaining their cultural identity.

##### c) Indian

The term **Indian** is used only when referring to legislation (e.g., the Indian Act), when used in a historical sense (e.g., the National Indian Brotherhood), or when referring to legal status (e.g., Status Indian).

##### d) First Nation

In the 1990s, **First Nation** came to be used in place of “Indian band” or “Indian nation.”

#### B. THE HISTORY OF ABORIGINAL PEOPLES IN CANADA

Archaeological evidence confirms that some aboriginal peoples have been living in Canada for at least 11,000 years. Before contact with Europeans, 53 aboriginal languages existed. Geographical diversity added to the broad range of cultures. However, leading up to Confederation, European settlers decided that the aboriginal way of life was inferior to the Euro-Canadian one. The Canadian government forced aboriginal peoples from their land, put their children into residential schools, and made aboriginal peoples live according to its laws.

**1. THE ROYAL PROCLAMATION, 1763**

The **Royal Proclamation** was a remarkable document for its time. It prevented any further settlement across North America until treaties had been negotiated with aboriginal peoples, and it recognized that aboriginals were organized nations on their own lands. This law is the basis for many modern aboriginal land claims, because in several provinces, including British Columbia, treaties were never signed.

**2. THE RESERVE SYSTEM, 1830**

By 1830, aboriginal peoples were seen as blocking the future settlement of the British North America. Therefore, they were pushed onto **reservations** managed by agents of the government. The federal government passed legislation which granted the government control and management of the lands and property of the Indians in Canada. Although these reserves were originally located within the areas which various tribes had long occupied, the actual size of the enclosures was greatly reduced from their previous territories. Today, only 0.4% of Canadian land is set-aside for Indian reservations.

Living on reserves limits the ability of aboriginal peoples to fully participate in the Canadian economy, as the key to generating wealth is in using individual property as leverage for loans and wealth creation. However, all of the land on reserves is technically owned by the federal government. Additionally, because all federal money is distributed through band councils to disperse as they choose, the Chief and council are given a tremendous amount of power and control over community members. This power isn't always used wisely, and often there are a few people who are very wealthy, while the rest of the population lives in conditions of poverty. As a result, living conditions on reserves are lower than in the rest of Canada—life expectancy is lower by six years, and suicide rates are over eight times higher.

**3. BETWEEN 1864 AND 1867**

In the last years leading up to Confederation, no aboriginal leaders were invited to Confederation negotiations. During this time, the goal became to **assimilate** aboriginal nations into the Canadian mainstream. This meant that the Canadian government hoped to have aboriginal peoples adopt the same culture, and essentially become the same as European Canadians.

**4. THE INDIAN ACT, 1876**

The **Indian Act of 1876** was the Canadian government's official way of encouraging aboriginal peoples to give up their own culture and traditions, thereby assimilating them into the mainstream culture of Canada.

**a) Benefits of the Indian Act**

The Indian Act provided schools, medical care, hunting and fishing rights, and annual treaty payments to aboriginal peoples across the country. It also exempted aboriginal peoples from paying income and sales taxes. Finally, the Indian Act gave "Special Status" to aboriginal peoples, and as a result, many aboriginal peoples eventually wanted to keep the very legislation that "colonized them," because they claim that it provides recognition of their special status.

**b) Disadvantages of the Indian Act**

According to Matthew Coon Come, National Chief of the Assembly of First Nations, the Indian Act "says we are children, wards of the state.

This is a colonial mind set." Aboriginal peoples were denied the right to take up land as others could, and were denied the right to vote in provincial elections. As well, being aboriginal was perceived to be incompatible with being a Canadian citizen. If aboriginal people wanted to vote, they had to trade "Indian status" for voting rights. Aboriginal peoples or "Indians" lost their status (and benefits) if they lived off reserves, joined the military, obtained higher education, or married a non-Indian.

Additionally, traditional activities such as the potlatch were outlawed, and aboriginal art and memorabilia were shipped to museums across North America thereby removing these articles from the people for whom the art had the most meaning. Furthermore, reserves have been consistently made smaller, and offer fewer economic opportunities than original aboriginal territories.

### c) Residential Schools

Under the Indian Act, the federal government assumed responsibility for the education of aboriginal children in Canada. Children were taken from their homes and forced to abandon their own language and culture. Sometimes the children were even criminally abused. The **residential school** system was administered by Protestant and Catholic missionaries across the country. Before residential schools were introduced missionary educators roamed freely and taught various religious beliefs on a (mostly) ad hoc basis. The residential school was designed to have the native children live in dormitories away from their parents and their reserves. By 1930, only 3% of native students progressed beyond grade six, and by 1950, only one-third of native pupils progressed beyond grade three. It wasn't until 1951 that aboriginal children were allowed to attend schools within the public school system.

In the 1990s, the United Church of Canada and several Catholic religious orders accepted responsibility for the harmful practices in residential schools. Some people have since been awarded compensation for the sexual abuse that was suffered in residential schools, and many lawsuits are still ongoing.

## 5. TURN OF THE CENTURY

The following quotations serve to highlight the general attitude of both the Canadian government and the European population around the turn of the century.

*"The [residential] schools should be located in centres of white settlement. Not only would this sever familial connections but it would surround the children with the wonders of white civilization. And it would have the further advantage that Indians would be less likely to cause trouble if their children were under direct control of the state."*

J. Macrae, Inspector of Protestant Schools, 1886

*"Before the Gospel was preached by the Missionary, the natives were ignorant, superstitious, degrade, wild and cruel."*

Reverend W. Pierce, 1896

*"The prime purpose of Indian education is to assist in solving what may be called the Indian problem, to elevate the Indian from his state of savagery."*

F. Pedley, Deputy Superintendent of Indian Affairs, 1906

"[the purpose of the Indian Act is] to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question and no Indian department."

Duncan Campbell Scott, Superintendent of Indian Affairs, 1920

## 6. SUFFRAGE

In 1960, aboriginal peoples were finally given the right to vote in federal elections in Canada.

## 7. THE WHITE PAPER, 1969

Until 1960, aboriginal peoples living on reserves did not have the right to vote, own land individually, or consume alcohol. Enfranchisement was encouraged, which meant that they would gain the right to vote and have rights as a Canadian citizen, but lose Indian status and the right to live on a reserve.

In 1968, Prime Minister Pierre Trudeau and Indian Affairs Minister Jean Chrétien, wanted to make changes to the reserve system. Unemployment, ill health, and poverty were common on many Native reserves. Subsequently, the Canadian government introduced a **white paper** (an official statement of policy) to address the issues facing aboriginal peoples in Canada. In 1969, the White Paper proposed the abolition of reserves and an end to special status for treaty Indians. The premise was that equality (or non-discrimination) was necessary for a solution to the problems of Indians, and that special status had been the major cause of difficulties.

The government believed the solution was for aboriginal peoples to assimilate into the mainstream culture—to be "citizens like any other." The aboriginal community rejected the proposal on the basis of it amounting to "cultural genocide" (deliberate extermination of their culture). According to **Harold Cardinal** in the *Unjust Society*, "For the Indian to survive, says the government in effect, he must become a good little brown white man...the only good Indian is a non-Indian." Harold Cardinal was elected president of the Indian Association of Alberta from 1968 until 1977. Cardinal wrote the *Unjust Society* in 1969, which was strongly critical of federal Indian policies and supported a renewed emphasis on the protection of aboriginal culture in Canada.

There was an overwhelmingly hostile response in reaction to the White Paper. The **National Indian Brotherhood (NIB)** was formed to represent Status Indians, and the **Native Council of Canada** was created to represent non-Status Indians and Métis. The reaction of these and other aboriginal organizations caused Trudeau's government to withdraw the White Paper in 1971.

## 8. LAND CLAIMS

During the 1970s, the federal government funded programs to support local government initiatives among aboriginal peoples. As well, the **Office of Native Claims** was created in 1974 to deal with the issue of land rights. However, despite these measures, the federal government did not contribute as much to the development of aboriginal peoples during the 1970s as it did for the general Canadian population. Therefore, during the 1980s, the NIB, renamed that **Assembly of First Nations**, stepped up its efforts to work towards and demand better conditions for aboriginal peoples in Canada.

The new Office of Native Land Claims dealt with both specific land claims,

and comprehensive land claims. **Specific land claims** were based on existing treaties, while **comprehensive land claims** were based on traditional use and occupancy. These comprehensive land claims usually occurred in areas where no treaties had been signed. As a result of all of the work that the Assembly of First Nations put into raising awareness among aboriginal peoples, **aboriginal rights** became more clearly recognized, and aboriginal peoples began to submit hundreds of land claims. By 1975, the **Declaration of the First Nations** was adopted, which included the rights of nationhood and self-government.

#### 9. ABORIGINAL PEOPLES IN THE 1990s

During the 1990s, frustrations grew alongside growing rates of poverty, addiction and suicide on Native reserves. Aboriginal peoples were frustrated not only by these conditions, but by the failure of the federal government to honour treaties and settle land claims. A number of protests were organized during this time period to challenge government responses to these issues.

##### a) The Oka Standoff, 1990

By 1990, tensions between aboriginal peoples and non-aboriginal peoples in Canada began to flare up. In the Municipality of **Oka**, Quebec, officials decided to extend a nine-hole golf course originally built in 1959, onto land that the Mohawks claimed had always belonged to them. In response, the Mohawks set up blockades of major roads that lasted for more than six months. The police stormed the barricades and one police officer was killed. The Canadian Army was called in, and there was a tense standoff between the army and the Mohawk Warriors.

Finally, an agreement was reached, and the federal government bought the disputed land and negotiated its transfer to the Kanasatake First Nation.

##### b) Other Protests

Other protests were soon to follow at **Gustafsen Lake** in British Columbia, when aboriginal people re-occupied land that they claimed was sacred ground, and at **Ipperwash** in Ontario, when aboriginal people occupied land on a former army base that had been taken during the Second World War but never returned.

##### c) The Meech Lake Accord

In 1990, as we saw in the previous section, the Meech Lake Accord was opposed by Elijah Harper, an aboriginal leader from Manitoba, because he believed that aboriginal peoples deserved special status alongside Quebec. He believed that the Meech Lake Accord did not recognize the distinct status of aboriginal peoples in the same spirit as it recognized Quebec.

##### d) Self-government

Aboriginal peoples believe that they have an inherent right to **self-government**. Self-government arrangements would recognize aboriginal peoples' right to make decisions about matters internal to their communities, integral to their unique cultures, traditions and languages, and connected with their relationship to the land and resources.

The Constitution of 1982 guaranteed that the existing rights of aboriginal peoples would be recognized and affirmed. According to aboriginal peoples (and increasingly the Supreme Court) their rights include the right to control traditional land, to protect beliefs and culture, and to have self-government.

Under self-government, the relationship with the federal government would be similar to provincial governments. Aboriginal governments would be responsible for their own policing, health care, and education, but would also have equal access to the institutions and benefits provided by the federal government.

**(i) Self Government in Manitoba**

In the 1990s, aboriginal peoples took over the responsibilities of the Department of Indian Affairs and Northern Development in Manitoba and assumed self-government.

**(ii) The Nisga'a Treaty**

In 1998, the **Nisga'a** people of British Columbia signed a unique treaty with both the provincial and federal governments. The Nisga'a were given wide powers of self-government pertaining to issues of culture, language and family life. Additionally, the Nisga'a were given ownership of 1,922 square kilometres of land, including all resources, fishing and hunting rights, and \$190 million dollars. Under the Treaty, no non-aboriginal settlers were forced from the territory that the Nisga'a control; however, non-aboriginal settlers do not have the right to vote for the councils that govern the region.

**(iii) The Creation of Nunavut**

In 1999, the new Canadian territory of **Nunavut** was created, where aboriginal peoples were given the right to self-government over natural resources, education, and justice systems. In the political system of Nunavut there are no political parties—people run for election as individuals, and then the elected members vote for the member who they want to lead the government.

**e) The Statement of Reconciliation**

In 1998, the federal government issued an official **Statement of Reconciliation** to the aboriginal peoples of Canada. In this statement, the Canadian Government recognized that policies which sought to assimilate aboriginal peoples were not conducive to building a strong country.

**10. THE LEGACY OF CANADIAN POLICY TOWARDS ABORIGINAL PEOPLES**

As a result of the policies adopted by the Canadian federal government in relation to aboriginal peoples over the years, a massive state of inequality now exists. The 500,000 aboriginal people in Canada face far worse living conditions than do the rest of Canadians. For instance, the average income on reserves is about half the national average. Close to 50% of reserve families live below the poverty line, and 66% are either unemployed or on welfare. Fewer than 50% of aboriginal houses are fully served with sewer and water connections, compared with a national rate of 90%. As we learned earlier, suicide among aboriginal people is six times the national rate, and in fact, exceeds the rates for all other racial and ethnic groups in the world.

It is only through the process of negotiating and resolving outstanding land claims, setting up self-government, and abolishing the reservation system, that we can hope as a country to address some of the inequalities that have resulted from over a century of mismanaged federal policy.