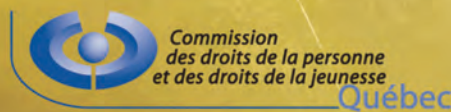


# Aboriginal Peoples

Fact and Fiction

PIERRE LEPAGE



3<sup>rd</sup> edition updated and expanded




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Fact and Fiction

PIERRE LEPAGE



  
INSTITUT  
Tshakapesh

  
Commission  
des droits de la personne  
et des droits de la jeunesse  
Québec

3<sup>rd</sup> edition updated and expanded



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## M ESSAGE FROM THE PRESIDENT

Our commitment to human rights and freedoms in Québec would be meaningless if we ignored the rights of Indigenous peoples. As an institution dedicated to the promotion of human rights and freedoms, the Commission des droits de la personne et des droits de la jeunesse is proud to present the third edition of *Aboriginal Peoples: Fact and Fiction*. This edition demonstrates the importance and popularity of previous editions, since the first publication in 2002. It also reminds us of all the work that remains to be done for a better mutual understanding between Aboriginals and non-Aboriginals.

In recent years, Aboriginals have increasingly made their voices heard regarding recognition of their rights. In presenting this publication, the Commission wishes to participate in the dialogue and understanding between peoples in Québec. This is all the more important in a context where Aboriginal peoples are still today victim of discrimination, prejudice and human rights violations in Québec and in Canada, a situation that is totally unacceptable in 2019.

The publication of *Aboriginal Peoples: Fact and Fiction* also draws on the United Nations Declaration on the Rights of Indigenous Peoples, which affirms that "States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society."

Moreover, to mark the 10<sup>th</sup> anniversary of this Declaration, the Commission presented in 2017 a special edition of the Rights and Freedoms Award which was dedicated to the rights of Indigenous Peoples. It honoured eight initiatives that fostered the recognition and respect of these rights throughout Québec.

In closing, we would like to acknowledge the exceptional work of the author of this publication, Pierre LePage and of the Tshakapesh Institute. We hope that *Aboriginal Peoples: Fact and Fiction* can help combat prejudice and discrimination and foster full respect for the rights of Aboriginal peoples in Québec.

*Philippe-André Tessier*



## A WORD FROM THE CHAIR OF THE BOARD OF DIRECTORS OF THE INSTITUT TSHAKAPESH

KUEI!

On behalf of the board of directors and executive of the Institut Tshakapesh, I wish to express the great pride the institute takes in its ongoing commitment to the production and promotion of the publication *Aboriginal Peoples: Fact and Fiction*.

That pride is heightened by the institute's celebration of 40 years of history in 2018, one of the highlights of which is our involvement with the Commission des droits de la personne et des droits de la jeunesse. A significant result of this collaboration was the creation of the *Sous le Shaputuan* (Under the Shaputuan) program – an invaluable joint initiative to tour Québec schools and raise awareness about Aboriginal issues. This initiative would not have been possible without the vision of our predecessors, such as Luc André, a former executive director of the Institut Tshakapesh. The actions taken and the resources made available throughout this undertaking led to productive, respectful discussions with countless Québec youth in more than 120 visits "under the shaputuan."

Moreover, the program was the 2017 recipient of the Rights and Freedom Award – dedicated that year to the rights of Indigenous peoples – presented by the Commission des droits de la personne et des droits de la jeunesse.

We are proud, we are here. *Aboriginal Peoples: Fact and Fiction* continues to be an indispensable tool in our quest for recognition and respect. The importance of the publication will only grow once it becomes available digitally.

In the meantime, place and circumstance are key to our continuing efforts to raise awareness about the realities of First Nations people. We take the future of our nations and the generations to come to heart!

*Alexandre McKenzie*



# A CKNOWLEDGEMENTS

We wish to express our gratitude to the people and organizations that contributed to the success of the previous two editions of this publication. We also thank the Institut Tshakapesh, which agreed to co-publish this third edition with the Commission des droits de la personne et des droits de la jeunesse (Québec).

This substantial update required numerous interviews. The author would like to thank the following people for their valuable input: Maurice J. Kistabish, Benoit Croteau, André Mowatt, Louis Pesemapeo Bordeleau, Réjean Gascon, Jo-Ann Toulouse, Manon Cyr, Diane Marois, Andy Baribeau, Ralph Cleary, Dave Sergerie, Marie-Pier Nolet, Mireille Blais, Suzy Basile, Janet Mark, the late France Robertson, Prudence Hannis, Pierre Lainé, Odile Joannette, Bernard Hervieux, Véronica Stacey, John Stacey, Nancy Stacey, Lisa Koperqualuk, Marco Bacon and the Centre des Premières nations Nikanite team, Patricia Auclair, André Dudemaine, Éric Cardinal, Robert Dominique, Marie F. Raphaël, Widia Larivière and Catherine Bolduc. The author is also grateful for the comments, information and advice received from the following people: Isabelle Picard, Donat Savoie, Caroline Hervé, Patrick Courtois, Pierre Trudel, Nicole O'Bomsawin, Jean-François Richard, Claude Picard, Marie-Claude André-Grégoire, Valérie Courtois, France Gagnon, Caroline Lantagne and Robert Sylvestre.

A prominent place was given to photographs and illustrations in this third edition, thanks to the following people and organizations: Stéphane Picard, Eva Ottawa, James Cananasso, Jo-Ann Toulouse, Marie-Soleil Laquerre, Johane Lacasse, Gino Carrier, Jean Tanguay, Francine Lemay, Daniel Lacasse, Pierre Vicaire, Annabel Francoeur, Steve Dubreuil, Madeleine Dominique, Évelyne St-Onge, Marjolaine Tshernish, Mathias Mark, Marjolaine McKenzie, Jean-Claude Therrien-Pinette, Ghislain Picard, Véronique Rankin, Jean-Louis Régis, Caroline Montpetit, Denyse Wilde, Shirley Sarna, Pierre Maurais, Josée-Anne Riverin, Monique Bouchard, Johane Lacasse, Institut Tshakapesh, First Nations Education Council (FNEC), Conseil des Innus de Mashteuiatsh, Kativik School Board, Quebec Native Women (QNW), Chibougamau Eenu Friendship Centre, Kiuna Institution, Bibliothèque de l'Université du Québec en Abitibi-Témiscamingue (UQAT), Assembly of First Nations Quebec-Labrador (AFNQL), Centre de formation professionnel Val-d'Or, Sabtuan Regional Vocational Training Centre in Waswanipi, Musée régional de la Côte-Nord, Innucadie Stories and Legends Festival, Université du Québec à Montréal (UQAM), Innu Meshkenu, Ungava Peninsula Caribou Aboriginal Roundtable (UPCART), Grand Council of the Crees, Eeyou Istchee James Bay Regional Government and the event *KWE! Meet with Indigenous Peoples*.

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Thanks also go to the Musée de la civilisation in Québec City for authorizing the reproduction (Chapter 7) of a brief presentation of each of the Aboriginal nations, excerpted from its new permanent exhibition *This Is Our Story: First Nations and Inuit in the 21<sup>st</sup> Century*.

Lastly, the author is deeply grateful to his spouse and trusted adviser, Carole Fiset, for her patience and support.



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# PREFACE

At a time marked by an emerging movement of reconciliation between the past and present of Aboriginal peoples, *Fact and Fiction* seeks to break down the walls of prejudice and create a space for dialogue and openness and, in particular, for understanding this history that has played a fundamental role in the realities facing our peoples today in Québec and across North America. This publication focuses in large part on the legacy of our ancestors and on the many aspects of our traditional knowledge and know-how that western societies drew on in first settling and then developing our unceded ancestral lands. For more than twenty years, through its author and its experienced and committed collaborators, *Fact and Fiction* has sought to explain why and how to make a difference today in order to build bridges and put intolerance, ignorance, racism, discrimination and xenophobia behind us.

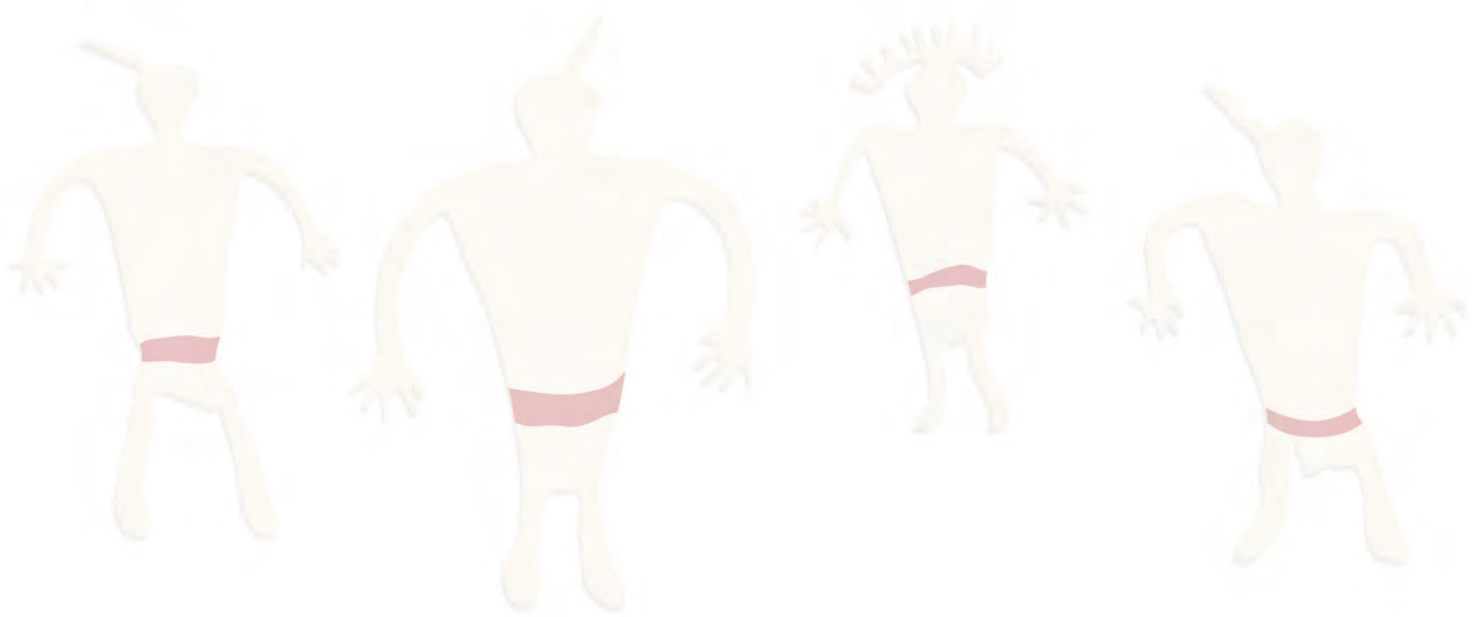
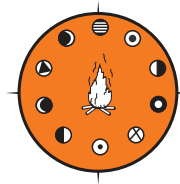
There is still much work to be done, but it is crucial and highly stimulating work, because we are building a better future through education and awareness. *Fact and Fiction*, a vital publication, indicates a way forward and proposes avenues for solutions, but it is not enough on its own. Those who read it must be inspired to engage, speak out and take concrete action.

*Fact and Fiction* will be useful in helping bring us closer together in schools and in political, legal, social and commercial institutions – everywhere the lives of our peoples intersect – as it has been doing for years already.

We are grateful to everyone who has taken part in the writing and dissemination of this publication, which has become a reference and which sows a seed of hope and tolerance for humanity today.

*Christine Picard.*

Chief of the Assembly of First Nations Quebec–Labrador (AFNQL)



*Inside the educative program  
Under the Shaputuan,  
secondary school students  
especially enjoyed elder  
Ben McKenzie (1931-2014)  
and his storytelling  
and drumming.*

*Photo: Rencontre  
Québécois-Autochtones,  
Pierre Lepage*



# INTRODUCTION

The idea of a book on Aboriginal peoples intended for a general readership first emerged in the mid-1990s, a tumultuous period in which anti-Aboriginal sentiment was at an all-time high in Québec. We were experiencing the aftermath of the Oka Crisis. Quebecers were no longer sympathetic to lofty rhetoric on the richness of Aboriginal cultures. Public opinion was dominated by anger and frustration. The perceptions of the day revolved around the same issues: so-called “privileges”, tax exemptions, the sale of cigarettes, and “damn” land claims, to name but a few. In short, *Aboriginal Peoples: Fact and Fiction* sought to address a pressing concern – bridging the vast gulf between Quebecers and Aboriginal peoples by changing negative perceptions and countering the general lack of knowledge about Aboriginal peoples. The first two editions (2002 and 2009) were an unexpected success. However, major developments in Indigenous issues over the past 15 years called for a substantial update of the publication.

While retaining the main themes of the previous editions, this third edition starts with a look at a little-known period in history. What took place between the bygone era of the French regime (followed by the British Conquest) and modern day? This long sequence of events is key to understanding relations between Quebecers and Aboriginal peoples today, yet, until the reform of the history curriculum in Québec in 2006, Aboriginal peoples had mysteriously disappeared from the historical landscape. This mysterious disappearance had previously been referenced at the end of the 1970s by two researchers studying the portrayal of Aboriginal peoples in Québec textbooks. Sylvie Vincent and Bernard Arcand concluded that, at the time, textbooks [TRANSLATION] “recognized the role played by Amerindians up to the end of the colonial wars. As of 1760, there were no longer any Amerindian allies or enemies whose military allegiance or fur trading needed to be controlled. There were only Indians who no longer had any political importance. In fact, there were no longer any Indians at all.” (Vincent and Arcand 1979, 223)

It should come as no surprise, then, that the wake-up call in summer 1990 was a brutal one for most Quebecers. So much so, in fact, that the Commission des droits de la personne et des droits de la jeunesse entitled its report on the events in Oka *A Collective Shock*. During the crisis and in the years that followed, the full range of collective emotions – stupefaction, incomprehension and rage – came to the fore. Against this backdrop of damaged relations, the notion of “privileged Indians” took hold in Québec. The blanket refrains “they take advantage of the system” and “they don’t pay taxes” were brazenly bandied about. Far from being oppressed, Aboriginal peoples had suddenly become “privileged.”

However, underlying this indiscriminate discourse were questions fundamental to the future of relations between Quebecers and Aboriginal peoples: How can a category of citizens claim to have distinct rights? Do Aboriginal peoples really enjoy as many privileges as people claim? If so, do they have more rights than other citizens? Don’t distinct rights and “privileges” run counter to the right to equality enshrined in our charters of rights and freedoms? Shouldn’t everyone in Québec have the same rights? In an era of globalization, wouldn’t it be simpler if Aboriginal peoples integrated into Québec society so that they can fully contribute to building it? Weren’t land claims settled a long time ago? Don’t they pose a new threat to Québec’s territorial integrity?

Without historical references, the reality of Indigenous peoples today cannot be properly understood and some of these questions cannot be answered. That is why, in this update, special attention is paid to this long period of history that had been erased from the collective memory, and beliefs that are prevalent in our society are addressed.

The first part of this edition shines a different light on relations between Europeans and Aboriginal peoples under the French regime. The focus then turns to the crucial period of the British Conquest and subsequent British regime. A look at the Royal Proclamation issued on October 7, 1763 provides points of reference that are crucial to understanding contemporary Indigenous issues. Next, a major shift in the administration of “Indian affairs,” amidst Aboriginal nations’ loss of their military and commercial importance, is examined. Despite the will to protect Aboriginal peoples initially expressed by the King in the Royal Proclamation of 1763, and in the name of that very protection, First Nations were deprived of the right to decide what was in their own interest. This was a dramatic period, one in which First Nations people were treated like children under a restrictive guardianship regime. This period is critical to understanding the “true nature” of the *Indian Act*, which remains in effect to this day. Despite significant progress toward self-determination, we will see that Aboriginal people living on reserve are still denied certain rights. The reader will have a clearer understanding of why self-government is a path that inspires such hope. The specific path and distinct status of the Inuit, who, historically, have been expressly excluded from the application of the *Indian Act*, are also discussed.

An explanation of the importance and nature of the first treaties with Aboriginal nations under both the French and British regimes is followed by an examination of the treaties relating specifically to land and land titles (Upper Canada Treaties, Robinson Treaties and Numbered [or Post-Confederation] Treaties) so that the reader can better grasp the genesis of contemporary land claims. These claims richly deserve to be demystified. They are approached from a perspective of sharing and cooperation in an effort to dissipate many concerns about the future. The Oka Crisis of summer 1990 – its unique, unexpected and spectacular nature, its historical roots, the different perceptions and the inevitable wounds caused by such a major event – is also discussed.

Next, comparative data reveal the true face of Aboriginal communities and the major challenges facing them. Insight is also gained into the Indigenous reality from the angle of its richness and diversity. A brief presentation of each of the Aboriginal nations in Québec was drawn from a new permanent exhibition – *This Is Our Story: First Nations and Inuit in the 21<sup>st</sup> Century* – at the Musée de la civilisation in Québec City. New elements and additional information on the Métis and non-status Indians, as well as on the growing phenomenon of urban Indigenous people, have been added. Lastly, a number of examples should reassure us that, differences notwithstanding, Quebecers and Aboriginal peoples share many of the same aspirations and interests. There are encouraging indications that a common future, marked by mutual respect and harmony, is possible.



Ultimately, our analysis points to a future full of hope for Aboriginal nations, communities and peoples, despite the scale of the challenges to be met. The reality of the Indigenous population these past ten years can be readily compared to Québec’s Quiet Revolution, a time of unprecedented artistic, cultural and political awakening. High-profile people and new leaders are emerging, new ties of solidarity are being forged, Indigenous identity has become a source of great pride, and new movements, such as Idle No More, are appearing on the scene. Canada’s First Peoples were once absent from the historical, social and political landscape. There is no doubt that their situation is now part of the public debate and a major contemporary issue. It’s about time!



#### **NOTE TO THE READER REGARDING TERMINOLOGY**

Numerous representatives of Aboriginal organizations made their wishes known about how to refer to Aboriginal peoples. Where possible, the term “First Nations” is used in this publication, instead of “Indians” and “Amerindians.” However, exceptions were made in specific historical contexts dealing with the *Indian Act*, Indian status, Indian policy and Indian residential schools. Similarly, exceptions were made in the case of quotations, which were reproduced unchanged. The terms “Aboriginal peoples,” “Indigenous peoples” and “First Peoples” refer to First Nations, the Inuit and the Métis.



**“Aboriginal Peoples: Fact and Fiction continues to be an indispensable tool in our quest for recognition and respect.”**

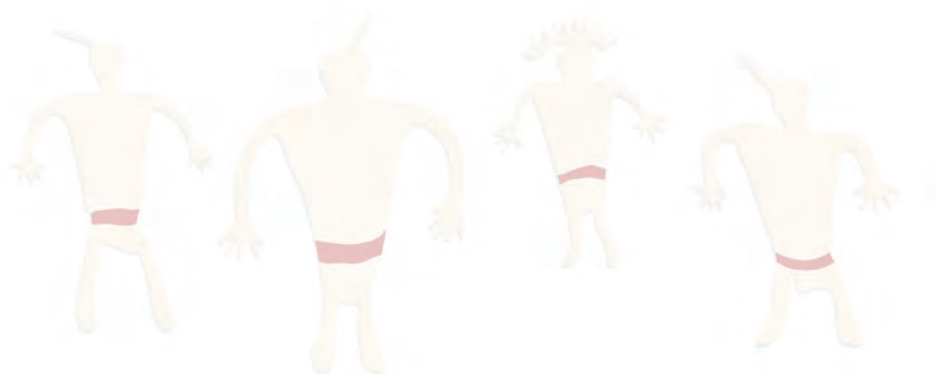
Alexandre McKenzie  
Institut Tshakapesh

**“In presenting this publication, the Commission wishes to participate in the dialogue and understanding between peoples in Québec.”**

Philippe-André Tessier  
Commission des droits de la personne et des droits de la jeunesse

**“Fact and Fiction seeks to explain why and how to make a difference today in order to build bridges and put intolerance, ignorance, racism, discrimination and xenophobia behind us.”**

Ghislain Picard  
Assembly of First Nations Québec-Labrador



Weren't Aboriginal peoples, these peoples we now recognize as First Nations and Inuit, conquered? How? And weren't there a few colonial wars, with their winners and losers? We have all seen the Hollywood westerns; even though things did not happen the same way in Canada, we still tend to think that the fate of Aboriginal peoples must have been decided in 1760.

England clearly scored a definitive victory in North America that year, so there had to have been a conqueror. And if Aboriginal peoples were conquered, shouldn't they just have agreed to integrate and bend to the rules of the majority? There are many who take this view.

Others hold the view that Aboriginal societies had little to offer the Europeans and that their backwardness made them inferior to the societies that invaded America. For those who hold this view, it was inevitable, and even desirable, that Aboriginal societies should abandon their ways of life and integrate into western society – an important step in their progress toward civilization. For those who hold this view, all of this seems self-evident. And yet!



**Title:** Sauvage du Canada (Savage of Canada), 1788.

Author: Desrais, Archives nationales du Québec, Québec City

## CONQUEST AND THE OBLIGATION TO ASSIMILATE

The idea that Aboriginal peoples were conquered is deeply rooted in the collective imagination of Quebecers and probably came from the textbooks of yesteryear. The history of Canada showed us an illustration of Jacques Cartier erecting a cross at Gaspé in 1534, thus taking possession of the territory on behalf of the King of France. We should ask ourselves, however, if we may have placed too much importance on this illustration. It is not at all certain that planting a few crosses throughout the territory should have been enough to ensure France's sovereignty over First Nations and Inuit lands and societies.



**Should planting a few crosses throughout the territory, such as this one Jacques Cartier erected in Gaspé in 1534, as our history books have so often shown us, have been enough to ensure France's sovereignty over the First Nations and Inuit lands and societies? Hardly!**

National Archives of Canada, C 3278

The French would clearly have liked to make the members of First Nations good French subjects. At first, France's objective was to subject the Aboriginal peoples to its authority and assimilate them. But this policy was a failure and had to be abandoned. Things were to take place very differently on the ground.

It was, for the most part, commerce – the fur trade – that shaped relations between the French and the First Nations. This activity required the French to cooperate and maintain neighbourly relations with these trappers and traders. The fur trade could not flourish if the French dominated and subjugated these communities. There was only one way to proceed: the French would have to befriend and maintain good relations with the members of these nations. Rather than proceeding by conquest and by force, the French and the First Nations would have to forge trade and military alliances and sign many peace and friendship treaties to solidify their relations. This was a good thing, and an aspect of our history in which we can take pride.

The signing of these alliances and treaties clearly implied that these peoples were recognized, at least politically, as equal partners who were the masters of their territories. Aboriginal peoples did, in fact, exercise sovereignty over lands newly “discovered” by the Europeans. And it went without saying that if the fur industry was to be nurtured, Aboriginal peoples had to remain free to use their own territories.

And so the Europeans had to deal with “allies” rather than “the King's subjects.” Under the French regime, the Aboriginal populations were not subject to taxation, nor were they subject to French penal or civil legislation. Furthermore, at the time of the capitulation of Montréal in 1760, the French governor, Vaudreuil, demanded that his English counterpart protect these Aboriginal allies. Article 40 of the *Capitulation Act of Montreal* is eloquent in this regard, stating: “The Indian allies of his most Christian Majesty, shall be maintained in the Lands they inhabit; if they choose to remain there they shall not be molested on any pretence whatsoever, for having carried arms, and served his most Christian Majesty; they shall have, as well as the French, liberty of religion, and shall keep their missionaries.” It is a matter of historical record that there was a conquest in North America in 1760. But we must not forget that this represented the victory of England over France, not over the Aboriginal nations. Moreover, it is interesting to note that during the period preceding the capitulation, several First Nations were anxious to affirm their neutrality in the war between the French and the English. A *wampum* belt, preciously conserved in an Aboriginal milieu since this period, attests to this. Unfortunately, our history textbooks accorded little importance to First Nations archives.

### COOPERATION RATHER THAN DOMINATION

[TRANSLATION] “The fur trade differs from the other systems of colonial exploitation. Contrary to agriculture and industry, which necessitate environmental disturbance, land ownership and rights-of-way, the fur trade requires preservation of the environment and cooperation with local populations. This cooperation is somewhat at odds with the prevailing colonial strategy of domination. At no other time in history were Europeans so close to the environment and the Indians. From this forced osmosis, an original character, caught between two cultures, was born: the clerk, the *coureur de bois*, the trapper — the ‘fur men’ who could not control production without maintaining friendly relations with the Indians, relations that were all the closer since they had to confront unknown natural surroundings.”

(Jacquin 1996, 13)





### ALLIES RATHER THAN THE KING'S SUBJECTS

[TRANSLATION] "It was implied that at the Conquest, the Indians, who were subjects of the King of France, would become subjects of the King of England. The *Capitulation Act of Montreal* set out that the Indians, allies of His Most Christian Majesty, would remain on the lands they inhabited, if they chose to remain on them. Moreover, history shows us that, from Champlain to Vaudreuil, the French authority in America never attempted to subjugate the Amerindians against their will, since alienating them would have meant for the French the end of their lucrative fur trade, of which the Amerindians constituted one of the most significant driving forces."

(Dionne 1983, 11)

*Watercolour of an 18<sup>th</sup>-century Algonquin couple (artist unknown).*

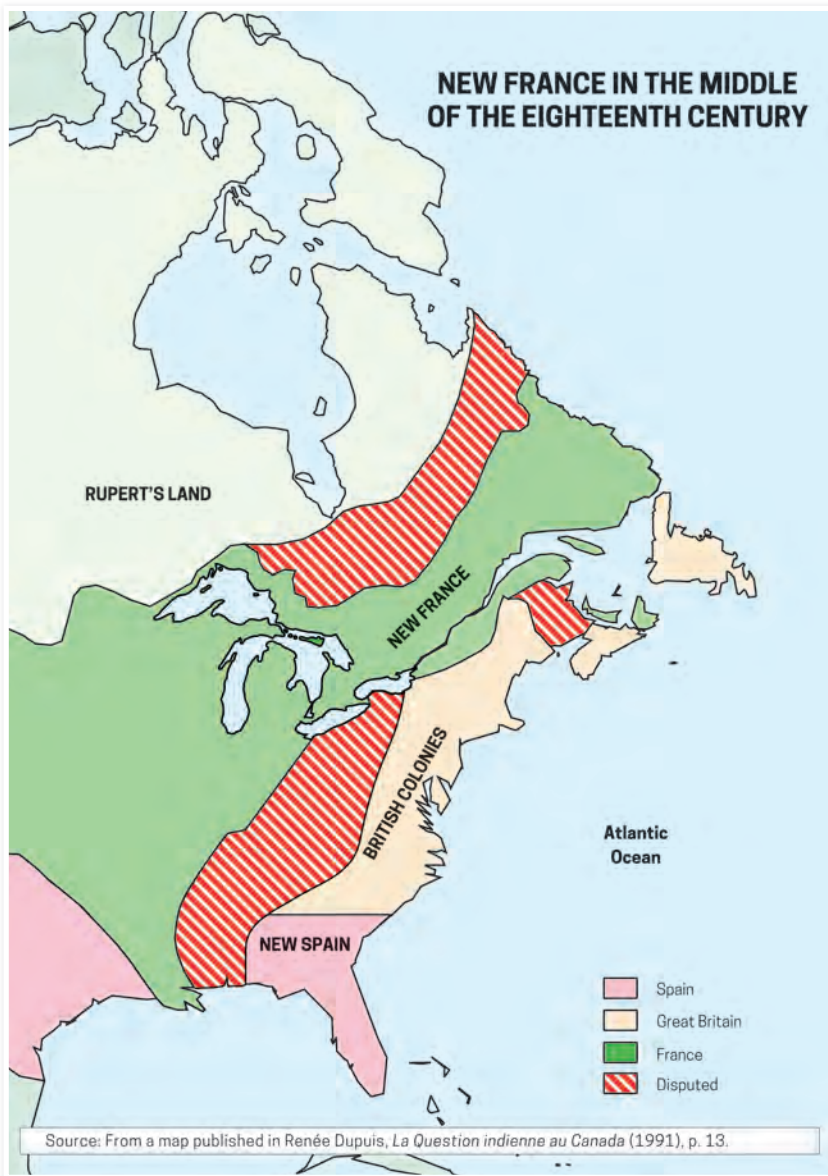
*Gestion des documents et archives, Ville de Montréal*

So it was the French who were conquered in 1760. Were the French and their descendants required to integrate and assimilate with the English as a result? History has shown us that this was not the case at all. The French were able to maintain their customs, their religious tradition and their own institutions, as well as their legal tradition, derived from the French civil code. If this was so, why should Aboriginal peoples, who were not conquered in the war, have been required to assimilate?

### SAVAGERY AND HIGHER CIVILIZATION

As a result of a serious lack of understanding of Aboriginal civilizations, Aboriginal peoples have often been seen as primitive nomads, so disadvantaged that they welcomed the newcomers with open arms. We have, unfortunately, considered them as savages to whom we imparted everything.

We often forget that the truth was that the French colony in North America needed Aboriginal people in order to survive, because it was smaller than the English colonies and, as previously mentioned, focused on the fur trade. The sociologist and historian Denys Delâge affirms that [TRANSLATION] "in the inter-imperial conflict between the French and English empires, the English empire benefited from a stronger navy, better prices and, above all, successful emigration to North America. Outclassed, the French had no other choice but to draw their strength from an alliance with the Aboriginal nations. This alliance constituted a decisive factor in the ability to maintain a French colonial enterprise in America despite an enormous numerical disadvantage compared with the British colonization" (Delâge 1991). This is a very different reading of our history.



But above all, New France was an immense territory, extending from Acadia to New Orleans. It was unfathomable that the presence of a few Frenchmen and a few small forts erected here and there could have maintained this “French empire” on the continent. In reality, New France corresponded to the territory covered by the set of alliances with the Aboriginal nations. Of this vast network of alliances, we now acknowledge that the relationship was reciprocal and that the maintenance of good relations was both the rule and an imperative, especially for the fur trade.

[TRANSLATION] “The traders learned the Aboriginal languages and customs and carefully maintained the good dispositions of their clients to incite them to trade the greatest possible number of furs. The agents who went to live among the Indians often adopted Indian ways of life, married Indian women and joined the Indians to hunt, fish and wage war” (Delâge 1991).

The Aboriginal peoples, far from living in unenviable conditions and wanting to integrate and assimilate with the French colony, fascinated the Europeans. For example, at one time mixed marriages were performed somewhat

to the consternation of French society. Indeed, as Mother Marie de l’Incarnation observed, it was easier to make an Indian out of a Frenchman than to attempt the reverse.

### BIRTH OF A CANADIEN IDENTITY

In many respects the influence was reciprocal, and this clearly made a specific contribution to a real *Canadien* identity that was distinct from that of the French from France. The ability to adapt to winter, familiarity with geography, flora and fauna, and the mastery of guerrilla warfare long ensured the superiority of the *Canadiens* over the British despite their numerical disadvantage (Delâge 1991). It is amazing to realize that the “*Canadien*” could have had so much “Amerindian” in him.

Exploration and the discovery of land and its resources could not have been achieved without the contribution of the Aboriginal peoples – and not only at the very beginnings of the colony. Less than 50 years ago, an Innu from the Schefferville region made an important contribution to the discovery





### CONTRIBUTIONS AND LITTLE-KNOWN FACTS

In 1985, an Innu from the Schefferville region was honoured for his participation in the discovery of large iron-ore deposits on the Labrador plateau. Mathieu André, a trapper and hunter, gathered samples of high-grade ore during his hunting expeditions. In 1937, he reported the discovery of these samples to the geologist J. A. Retty. Intense prospecting followed, encouraged by the industrial thrust of the Second World War, and in 1947 another Innu named Pierre McKenzie contributed to the discovery of the deposit of Schefferville located on his family's hunting grounds. In 1950, the Iron Ore Company undertook the construction of the mining town of Schefferville. In the same year, the company began building a 600-km railway to transport the ore between Schefferville and the port of Sept-Îles. Once again, a number of members of First Nations contributed [TRANSLATION] "to the initial surveying and clearing work in this region, which they knew to perfection." (Radio-Québec 1984, 39-40).

During the 1950s, these discoveries and the mining of major iron deposits on the North Shore and in Labrador would even justify the construction of the St. Lawrence Seaway. Thus, Québec, along with several Great Lakes industrial cities, was to experience enviable prosperity.



*Mathieu André, nicknamed Mestenameu ("The Big Man"), was honoured in 1985 for his role in the discovery of the iron-ore deposits on the North Shore and in Labrador.*

*Photo: Pierre Grégoire*



of iron deposits in Labrador and along the North Shore. The industrial prosperity that resulted from this discovery can certainly be attributed at least in part to that Innu. The Innu Nation, however, derived very little from this contribution, particularly in terms of employment and economic development.

We may owe much more to the First Nations than we realize. New foods, from maple syrup to squash, beans, corn and even tomatoes, and medicinal plants are underestimated contributions. It is almost impossible to believe that the very idea of the equality that lies at the heart of our charters of rights and freedoms could have been influenced by Indigenous peoples. They have contributed to our sporting traditions as well. Authors have pointed out that colonists followed the example of the Aboriginal peoples [TRANSLATION] "and hence learned to develop a team spirit that was not valued in European games" (Côté, Tardivel and Vaugeois 1992, 130).

As for diplomatic protocol, we would be wrong to think that the French and the English were able to impose their own procedures on the First Peoples. History has shown us that, contrary to what we have been taught, the diplomatic protocol that long governed relations between Europeans and First Peoples remained essentially Aboriginal in nature, even if it was amended a few times. This was particularly evident at the time of the signing of the Great Peace of Montréal, an auspicious moment in Franco-Aboriginal relations. When this treaty was signed, in 1701, 40 First Nations and 1,000 ambassadors of these nations assembled in Montréal at a time when the city had only 3,500 inhabitants. The French authorities agreed to respect every aspect of the numerous subtleties of Aboriginal diplomacy (Havard 2001).



### MEDICINAL PLANTS: LABRADOR TEA UNDER THE RESEARCH MICROSCOPE

In an interview with Chantale Potvin, a journalist for the *Innuvelle* newspaper, Pierre Haddad, a professor in the Department of Pharmacology, Faculty of Medicine, at the Université de Montréal, said that [TRANSLATION] “to combat the deleterious effects of diabetes, the most effective plants for regulating glucose transport into the intestinal wall are the Labrador tea plant and black spruce cones.”

Lisia Nistor Baldea, a master’s student in the same department, was interested in how the James Bay Crees used traditional medicine to treat symptoms typical of diabetes. The study identified 17 plants that were then tested in vitro for their ability to lower blood sugar levels. Mr. Haddad said that, to the surprise of many, [TRANSLATION] “seven of the plants yielded results that were comparable, if not slightly better, than conventional synthetic drugs... In subsequent animal studies, Labrador tea leaves came out clearly ahead of black spruce cones... They reduced glucose absorption by around 50%, roughly the same rate as phlorizin, a drug used for the treatment of diabetes and hyperglycemia.” That is excellent news! (Potvin 2011, 12)



Labrador tea plant,  
Kuujuuaq area.

Photo: Pierre Lepage



Marie-Louise Fontaine (left) and Kathleen André (right) are traditional healers from the Innu communities of Uashat and Mani-utenam on the North Shore. In 2011, Dr. Stanley Vollant, Aboriginal program director in the Faculty of Medicine at the Université de Montréal, invited them to share their knowledge with students in a traditional medicine course. To Dr. Vollant’s knowledge, it was the first time that Aboriginal people had shared their science with medical students: [TRANSLATION] “When the class was over, the students came up and smelled the herbs and tasted the herbal teas, even the teas made with beaver kidneys and testicles. I was surprised and it made me laugh. There was a lot of interest.”

Photos: Jean-Louis Régis



Before the Europeans arrived, Aboriginal societies were organized societies that had political systems and complex commercial trade systems. The Aboriginal societies were – and still are – neither inferior nor superior to other societies. They have their own intrinsic character. Our failure to understand these societies has long prevented us from assessing their grandeur and complexity, which extend to their systems of land ownership, their intimate relationship with the land, knowledge of fauna and flora, and much more.



## WHAT WE OWE THE FIRST NATIONS

### Democracy and Equality

The anthropologist Jack Weatherford wrote that the modern notion of democracy, based on principles of equality in an egalitarian state with separation of powers, is a product of the blend of political ideas and the European and Aboriginal institutions that prevailed on the Atlantic coast from 1607 to 1776. He went on to say that “[m]odern democracy, as we know it today, is as much the legacy of the American Indians, particularly the Iroquois and the Algonquians, as it is of the British settlers, of French political theory, or of all the failed efforts of the Greeks and Romans.”

(Weatherford 1993, 146)

### Sports

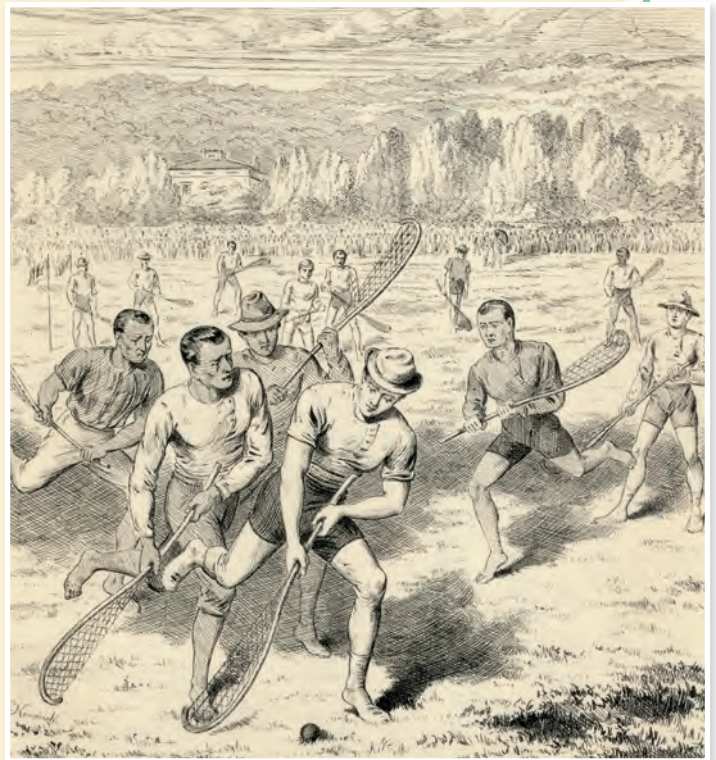
[TRANSLATION] “Among the Amerindians, the sports tradition goes back a long way, and athletic prowess has always been a source of pride. When the Europeans arrived on the continent, the Aboriginal peoples played hundreds of outdoor games, including some that could have up to 200 participants.

“Moreover, Warren Lowes maintains that the Europeans developed their love of sport and healthy competition when they came into contact with the Aboriginal peoples. Without pushing this too far, it should be noted that prior to the voyages of Columbus, Europeans played sports that were very different from the sports they play today. Before the discovery of the Americas, Europeans were primarily familiar with three types of games: intellectual games – chess, cards, charades, and checkers – which were mentally stimulating; games requiring physical dexterity – fencing, archery and javelin – which were closely related to the art of war; and games involving man’s domination over animals – such as hunting with hounds, dogfights, cockfights – and fights between other animals.

“Given this, the first European observers were very surprised at how the Amerindians spent their leisure time. The number and especially the ardour of the participants, as well as the atmosphere of collective excitement and joy surrounding each sporting event, never failed to impress them. Settlers followed their example and learned to develop a team spirit that was not valued in European games.

“It can truly be said that North Americans owe part of their love of the outdoors and competitive sports to their Amerindian companions.”

(Côté, Tardivel and Vaugois 1992, 129-130)



An engraving showing a lacrosse match in 1872 between Mohawks of Akwesasne and the Montreal Shamrocks.

L'Opinion publique, collection of Pierre Lepage



### THIRTY-THREE MOHAWK WORKERS PERISH IN THE COLLAPSE OF THE QUÉBEC BRIDGE

On August 29, 1907, the Québec Bridge, which was still under construction, collapsed. Seventy-six workers lost their lives in the catastrophe: 33 Mohawks from Caughnawaga (now Kahnawake), 26 Canadians and 17 Americans (L'Hébreux 1986, 61-63).

Renowned for high-steel construction, Mohawks have participated in most of the major projects in North America, including the Victoria Bridge in Montréal, the Québec Bridge, the Empire State Building, the World Trade Center in New York and many more – a contribution that deserves to be better known.

In a book devoted to the history of the Québec Bridge, an early worker attested to the good reputation of the Mohawk workers and their families:

[TRANSLATION] “I knew several Indians who worked on the bridge. About fifteen families spent the summer with us in New Liverpool, and they were good people. The Indians enjoyed an excellent reputation and were good workers. Even though a lot of alcohol was sold at the time, the Indians demonstrated exemplary sobriety. The Indians of today have reason to be proud of their ancestors” (Georges Charest, cited in the preface to L'Hébreux 1986, 13)



At the St-Romuald cemetery, on the south shore of Québec City, a piece of the Québec Bridge that collapsed in 1907, recalls that 76 workers, including 33 Mohawks, lost their lives in the event.

Photo: Pierre Lepage



In 2007, the community of Kahnawake erected an important memorial in memory of all those men who had died a hundred years earlier when the Québec Bridge collapsed. Four brothers of the d' Aillaboust family (Diabo) lost their lives in the disaster, including Veronica Stacey's maternal grandfather (see photo), Angus d' Aillaboust and his brothers Joseph, James and Louis.

Photo: Pierre Lepage



The collapse of the Québec Bridge in 1907.

Archives nationales du Québec à Québec, Québec City



## LEARNING CONTEMPT: THE HISTORY TEXTBOOKS OF YESTERYEAR

Up to the 1960s, the textbooks used in Québec schools conveyed a less-than-glowing picture of Aboriginal peoples. In particular, this is the case of the textbook written by Fathers Farley and Lamarche, which was highly successful in Québec. Their history of Canada was read for over 30 years by thousands of students (Smith 1979, 87).



Looking at the textbook of Canadian history written by Fathers Farley and Lamarche, Marie-Louise André of Matimekush, Madeleine Dominique of Pessamit, and Ben McKenzie of Mani-utenam are astounded by the contemptuous image of Aboriginal peoples that it transmitted to several generations of Québec students.

Collection of Madeleine Dominique

### Portrait of the Indian

[TRANSLATION] “The American Indian was generally strongly built, tall and muscular, and had very acute senses. Despite his hard features and bony face, he was often good-looking on the whole. He painted unusual designs on his body and face and often used very painful processes to make them adhere to his skin. These tattoos served as both decoration and protection against the cold.

“Morally, the Indian had a certain superficiality, which nonetheless endeared him to the white man. He willingly endured deprivation, cold and hunger, and he often manifested admirable courage when confronted with death. He was very cordial in extending his hospitality. He was sensitive to the trials and sufferings of his neighbours, willingly offering them his own possessions to help them out.

“But these qualities could not mask very serious defects. The Indian had boundless arrogance, believing himself to be much superior to the white man, and this disposition often prevented him from accepting civilization and the Gospel.

“The Indian had a sensual nature. He easily slipped into immorality. His taste for alcoholic beverages was another one of the principal obstacles to the work of the mission-

aries. Finally, he had no moral strength and no character...” (Farley and Lamarche 1945, 13-14).

First published in 1934, by 1944 this textbook had become virtually the only history of Canada used at the senior secondary levels (Smith 1974). Up to the 1960s, *L’Histoire du Canada* by Fathers Farley and Lamarche was seen as “the history textbook par excellence.” The extract provided above says a great deal about the contempt that was transmitted about the First Peoples as well as the extent of the ignorance about them.

After the Conquest, the British authorities acknowledged the military and strategic importance of the Aboriginal peoples as well as the importance of maintaining good relations with them, as the French had done. That was the only way to maintain peace in the colonies. In the next chapter, “Discovering Ancestral Rights,” we will see how the country’s first constitution, the *Royal Proclamation of 1763*, confirmed that Aboriginal nations enjoyed special status and significant rights, things that are still important today.



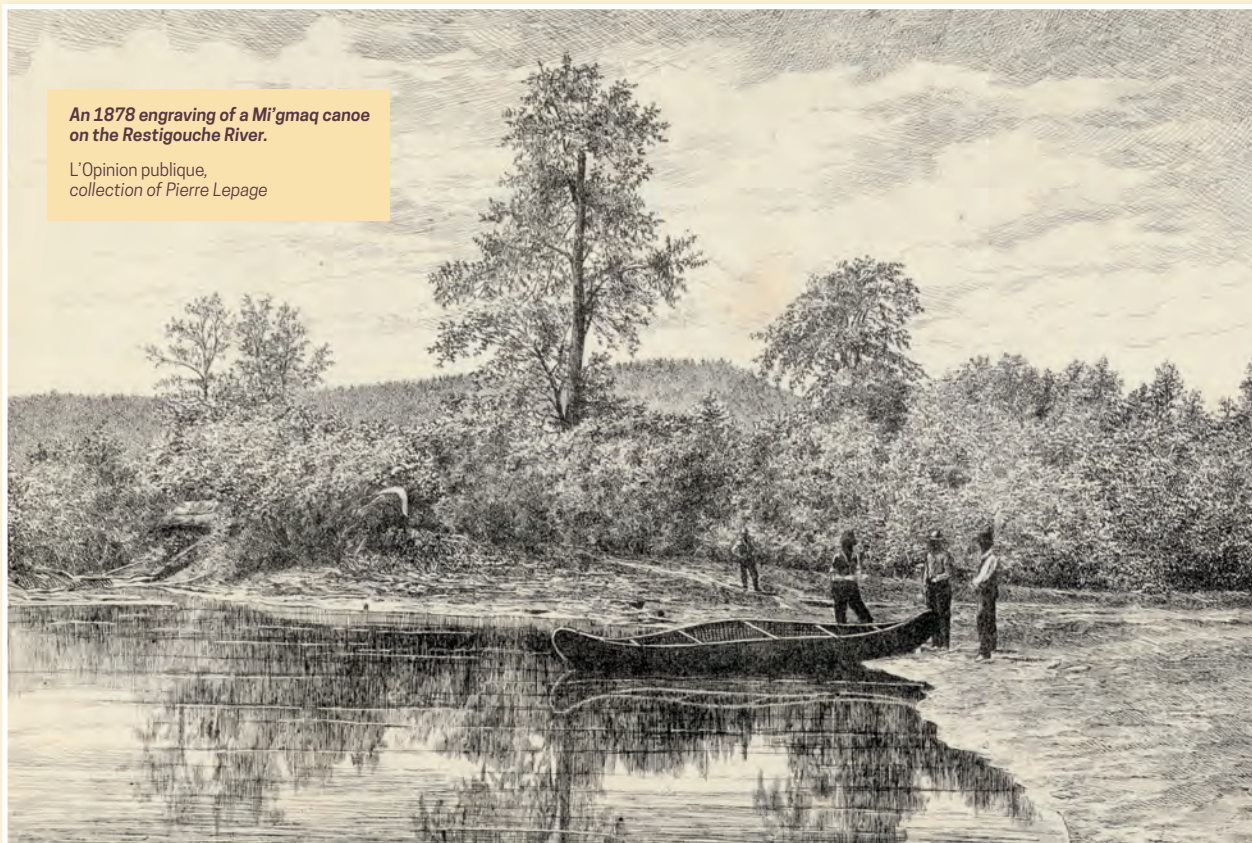
## **SUPERIORITY COMPLEX? A MI'GMAQ CHIEF TEACHES THE FRENCH A LESSON**

The Chief of the Gaspesians responded to Father Le Clerq, who spoke on behalf of some Frenchmen when he invited the Mi'gmaq to build houses and live in the French way, in the following terms:

[TRANSLATION] "I am very surprised that the French have as little sense as they appear to have, based on what you have just told me about them and their desire to persuade us to transform our poles, our bark and our huts into stone and wood houses as high as trees, as they say. How utterly ridiculous! Is it necessary for men five or six feet tall to have houses that are sixty or eighty feet high? For you know very well, Patriarch, that our houses have all the conveniences and that they offer the same benefits as yours do, such as providing a place to sleep, drink, eat and even enjoy ourselves with our friends when we so wish."

Then addressing one of the Frenchmen present:

"And that is not all. My brother, do you have as much skill and sense as the Indians, who carry their houses and huts with them so that they can settle anywhere they like, independently of any seigneur? You are not as brave or valiant as we are because when you travel you cannot carry your buildings on your shoulders; therefore, you must construct new dwellings whenever you move or else live in borrowed houses that you don't own. We are protected from all this inconvenience, and we can always say more truthfully than you that we are always at home, because we can easily build huts wherever we go, without asking permission of anyone.



**An 1878 engraving of a Mi'gmaq canoe on the Restigouche River.**

L'Opinion publique,  
collection of Pierre Lepage







You criticize us quite wrongly in saying that our country is a small hell compared to France, which you compare to paradise on earth, especially since it provides you, you say, with all sorts of provisions in abundance; you also tell us that we are the most miserable and unhappy of all men, living without religion, without civility, without honour, without society, and, in a word, without any rules, like the animals in our woods and forests, deprived of bread, wine and a thousand other delicacies you have in excess in Europe.

Well, my brother, if you do not yet know the real feelings that we Indians have about your country and your entire nation, it is simply because I am telling you about them for the first time today. I therefore urge you to believe that as miserable as we appear to be in your eyes, we nonetheless consider ourselves much happier than you, because we are very satisfied with the little we have; and once again I believe you are very wrong if you profess to persuade us that your country is better than ours. For if France, as you state, is a piece of heaven on earth, why do you leave it? And why do you abandon wives, children, relatives, and friends? Why do you risk your life and property every year and, regardless of the season, venture recklessly into the storms of the sea to come to a foreign, barbarian country that you consider to be the poorest and most miserable in the world?

Since we are fully convinced that the opposite is true, we would certainly not take any pains to go to France, because we rightly comprehend that we would find very little satisfaction there, seeing through experience that the French leave every year to seek wealth on our coasts. We also believe that you are incomparably poorer than we are and that you are simply companions, valets, servants, and slaves, as much as you appear to be masters and great captains, since you prize our old rags and our wretched, discarded beaver dress that you find here, and since you fish for cod in these parts, in order to relieve your misery and the poverty that overwhelms you. We find all our wealth and conveniences at home, without problem and without exposing our lives to the dangers you face every day in your long expeditions at sea; and we admire, offering you compassion as we rest comfortably, the concern you show and the care you take in loading your ships; we even see that all your people generally live only on cod: cod in the morning, cod at noon, cod in the evening, nothing but cod, even to the point that, if you want something good to eat, we must provide it, and you are obliged to beg the Indians you hold in such contempt to go hunting so that you can have a good meal.

Now, tell me, if you have any sense, which of the two is the wiser and the happier: he who works incessantly and only just manages after much effort to find something to eat or he who rests comfortably and finds what he needs in the pleasure of hunting and fishing? Then learn, my brother, once and for all, since I must open my heart to you, that there is no Indian who does not consider himself infinitely happier and more powerful than the French.”



Title : *Deux Sauvages (Two Savages), Gaspé, Qué.*

Photo: Ernestine L'Espérance, Gaspé Bassin, postcard, circa 1910, collection of Pierre Lepage

(Le Clerq, undated, cited in Vachon 1968, 87-91)



## F OR FURTHER INFORMATION

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A Geological Survey of Canada team with their "Indian guides" at Lac Chibougamau in 1892.

Photo: A. P. Low, Courtesy of the Geological Survey of Canada



The year 1760 marked England's victory over the French in North America. At that time, King George III issued his instructions on the administration of the new colonies by means of an official document, the *Royal Proclamation of 1763*. This edict of the King and the various treaties concluded with the Europeans are constantly cited by Aboriginal peoples in their movement to assert their ancestral rights and distinct status.

Should Aboriginal peoples be referring to such old documents? Some would say that it is opportunistic to resort to dusty old texts like proclamations and treaties. Nothing could be further from the truth.

### THE ROYAL PROCLAMATION AND THE DOCUMENTS OF THE PERIOD

The *Royal Proclamation of 1763* was actually the country's first constitution. A constitution is a set of basic texts that determine a country's form of government, and hence the Proclamation contains the historical foundations or basis of Canada's relations with the Aboriginal peoples. In the eyes of the British, these peoples were of the utmost importance, and for this reason more than a third of the Proclamation is devoted to a detailed description of relations with Aboriginal peoples.

Moreover, the highest courts in the land have often referred to the Proclamation as the "Magna Carta," the "Great Charter" of Aboriginal rights. Many Aboriginal chiefs have also considered it as such.

*The province of Québec following the Royal Proclamation of October 7, 1763.*

*A map by Jonathan Carver, published in The American Atlas, London, 1782*



Although certain provisions of this royal edict are no longer valid today (the limits of the colony of Québec as it existed in 1763, for example), the provisions concerning Aboriginal peoples have never been abolished. Hence, in legal jargon, they still have force of law in Canada. In addition, the treaties, which we will come back to later, were derived largely from instructions expressed by the King in this official document.

Given the importance of the Proclamation, it is not surprising that more recent texts make reference to it. The *Canadian Charter of Rights and Freedoms*, enacted in 1982, for example, speaks of the “rights or freedoms that have been recognized by the *Royal Proclamation of October 7, 1763*” and the “rights or freedoms that now exist by way of land claims agreements” (s. 25). In addition, the Canadian Constitution of 1982 recognizes and affirms the “existing aboriginal treaty rights of the aboriginal peoples of Canada...” (Part II of the Constitution).

In short, the documents of the time, regardless of how old they are, are still current. Recent documents have confirmed their value and importance as the constitutional basis of our relations with Aboriginal peoples. Therefore, Aboriginal peoples are not referring to them opportunistically. They are right to refresh our memories.

### EXTRACTS FROM THE ROYAL PROCLAMATION 7 OCTOBER 1763

“... And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that **the several Nations or Tribes of Indians** with whom We are connected, and who live under our **Protection**, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds...

“And whereas great Frauds and Abuses have been committed in purchasing Lands of the Indians, to the great Prejudice of our Interests and to the great Dissatisfaction of the said Indians: In order, therefore, to prevent such Irregularities for the future, and to the end that the Indians may be convinced of our Justice and determined Resolution to remove all reasonable Cause of Discontent, We do, with the Advice of our Privy Council strictly enjoin and require, that no private Person do presume to make any purchase from the said Indians of any Lands reserved to the said Indians, within those parts of our Colonies where We have thought proper to allow Settlement: **but that, if at any Time any of the Said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie...**” (Royal Proclamation of 1763; our emphasis)

But what is so important about this precious 1763 document? Above all, the Proclamation acknowledges Aboriginal peoples as organized societies with which treaties must be negotiated. The key elements of the document are as follows: the acknowledgement of the status of “nations and tribes,” and thus as politically distinct groups; the acknowledgement of the Crown’s responsibility to provide “protection”; and the establishment of a treaty procedure to obtain “consent” for land settlement.

Thus, the wishes expressed by King George III would give rise to the conclusion of numerous treaties and deeds of conveyance affecting Aboriginal lands. This was precisely what would happen after the creation of the Canadian Confederation in 1867, for such a vast country could not be established without negotia-

tions with and some form of consent from the First Nations occupying the territory. We will see a little further on that this “consent” was very relative and most often obtained through confusion and ignorance. Despite this, the construction of the railway, the massive arrival in the West of colonists from the East, and the development of certain resources necessitated the conclusion of treaties.

We should not forget that the Aboriginal peoples are not the only ones to refer to very old documents to affirm their distinctness. For Francophone Quebecers, in particular, the *Quebec Act of 1774* is just as important a reference in the history of their political and legal institutions as the *Royal Proclamation of 1763* is for the Aboriginal peoples. It should be noted that, despite the conquest by the British, the *Quebec Act* guaranteed the French-Canadian colonies their freedom of religion and permitted the re-establishment, in particular, of French civil law. In short, there is nothing bad about having a good knowledge of your history. Moreover, the first colony of Québec was created by the *Royal Proclamation of 1763*.

## A RELATIONSHIP BASED ON ALLIANCES AND TREATIES

The conclusion of treaties is both a very old and a very modern way of establishing peaceful relations between peoples and nations. A treaty implies consent, voluntary adherence, reciprocal acknowledgement and mutual respect by the parties. In North America, the conclusion of treaties was a well-established practice in the history of relations between European and Aboriginal nations.



### MONTRÉAL CELEBRATES THE 300<sup>TH</sup> ANNIVERSARY OF THE GREAT PEACE OF 1701

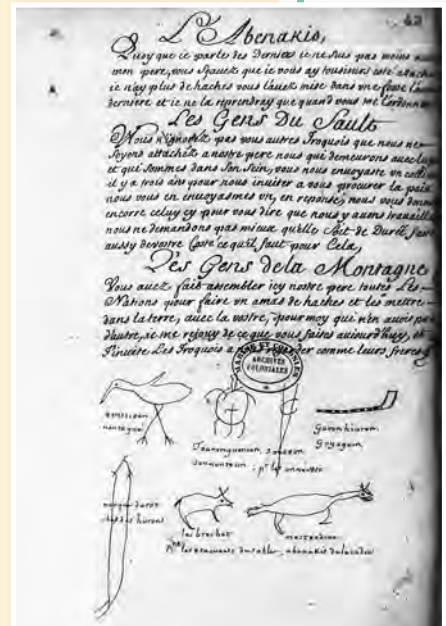
On August 4, 2001, Montréal was the scene of large-scale festivities to mark the 300<sup>th</sup> anniversary of the signing of a major treaty concluded in 1701 between Governor Callière, representing the French Crown, the representatives of the Five Iroquois Nations and the representatives of over 30 First Nations allied with the French. This peace and friendship treaty ended 100 years of war with the Iroquois.

Known by the name of the Great Peace of Montréal, this treaty was signed at a grandiose event attended by over 1,000 First Nations ambassadors held in a town of just 3,000 inhabitants. Among the principal markers of the Great Peace, the Huron-Wendat Chief Kondiaronk played a decisive role, and then passed away during the event. A state funeral was celebrated in his honour.

In a work on the Great Peace of Montreal, the historian Gilles Havard (2001) admirably describes a great moment in French-Aboriginal relations that deserves to be restored to our collective memory.

An extract from the peace and friendship treaty signed in Montréal on August 4, 1701. The totemic emblems of 39 First Nations appear at the bottom of the document; the signature of the architect of the Great Peace, the Huron-Wendat chief Kondiaronk (also known as The Rat), is at the bottom left.

National Archives of Canada, C 137797



A First Nation chief and the Sieur Louis-Hector de Callière exchange wampum necklaces during a ceremony commemorating the 300<sup>th</sup> anniversary of the Great Peace of Montreal.

Photo : René Fortin, Corporation des fêtes de la Grande Paix de Montréal



“Treaty” means a formal agreement or accord between nations or states that are seeking to reconcile their interests and aspirations. Treaties have often taken the form of military alliances in which the parties undertake to support and assist each other. Several treaties were concluded to end hostilities and set out the method of establishing peace and amicable relations. Commerce was also a major concern, since war and commerce were closely linked in the battles waged by the large powers (the French, English and Dutch) to ensure their hegemony over the territory. As Chapter 5 will explain, treaties would cover Aboriginal lands and land titles at a much later date.



From the initial contacts, the practice of alliances and treaties was essential. To settle the lands and develop the fur trade, close and harmonious relations with the various Aboriginal peoples had to be developed.

The French expedition in Canada in the spring of 1603 gave rise to the very first intercultural alliance. (Girard and Gagné 1995). Champlain met the Montagnais (now known as the Innu) nation at Saint-Mathieu Point near Tadoussac. Whether it was an alliance, a pact or an actual treaty matters little, for there was certainly a mutual commitment between the parties. The French wanted to obtain the authorization to settle on Aboriginal lands and organize the fur trade, in which the First Nations would play a crucial part. It seems that this authorization was obtained. In exchange, the Innu chief Anadabijou obtained assurance of French military support in the campaigns led by his nation against its enemies, the Iroquois.

Such an alliance was not an isolated event. In the ensuing months, the King of France conferred the



Nicolas Vincent Tsawenhohi, Grand Chief of the Lorette Huron-Wendat, holds the wampum necklace that he presented to King George IV of England in 1825.

Archives nationales du Québec, Québec City



### CELEBRATION OF THE GREAT ALLIANCE OF 1603

In May 2003, the village of Baie-Sainte-Catherine near Tadoussac celebrated the very first alliance made in 1603 between Samuel de Champlain and the Innu chief Anadabijou. In commemoration of the event, a huge caribou antler, the combined work of Innu sculptor Christophe Fontaine and Québécois sculptor Pierre Bourgault, now stands in the small village of Baie-Sainte-Catherine.



In the photo on the left, a huge caribou antler erected in the centre of the village of Baie-Sainte-Catherine celebrates the very first alliance and trade treaty signed between the French (represented by Samuel de Champlain) and the Montagnais (Innu) Nation more than 400 years ago. In the photo on the right, the sculptors, Pierre Bourgault of St-Jean-Port-Joli and Christophe Fontaine of Uashat (Sept-Îles).

Photos: Pierre Lepage



following powers on his lieutenant general, the Sieur des Monts, who had the charge of representing him: [TRANSLATION] “to deal with and contract for the same purpose peace, alliance and confederation, good friendship, correspondence and communication with the said peoples and their princes or others having power and commandment over them, and to maintain, keep and carefully observe the treaties and alliances concluded with them, provided they observe such treaties and alliances on their part” (Grant 1904–1911, 491).

### A POLICY THAT CONTINUED UNDER THE BRITISH REGIME

The procedure advocated under the French regime was perpetuated under the British regime. In fact, the British authorities had followed the same procedure for a long time. A tradition of friendship pacts had developed in the colonies of New England and New York and was symbolized by the so-called “covenant chain.” Even today, representatives of the Mohawks and other members of the Iroquois Confederacy remind



us of this early alliance, which was renewed several times and founded on a relationship of equality among nations.

Just before the Conquest, a series of peace and friendship treaties was also concluded by the British, in what were later to become the Maritime provinces. A treaty concluded with the Mi'gmaq of Nova Scotia in 1752 renewed certain promises made in 1725 and 1726 and affirmed the Mi'gmaq "free liberty to hunt and fish as usual." Only a few years ago, the Supreme Court of Canada confirmed that this document, despite how old it was, was still valid as a solemn undertaking that the parties had never renounced. The word given must be respected.

Similarly, the Huron-Wendat Nation in Québec won a landmark victory in 1990 when the Supreme Court of Canada ruled that a document signed by General James Murray in Longueuil at the time of the British Conquest in 1760, assuring the Huron-Wendat the freedom to exercise their religion and customs and to conduct trade with the British, qualified as a treaty under the terms of the *Indian Act* and, therefore, took precedence over provincial laws of general application, including the *Parks Act*.

The climate of uncertainty created by the Conquest of 1760 also led the British authorities to expend extra effort on the conclusion of treaties. William Johnson, an important figure who was appointed Superintendent of Indian Affairs, increased the number of congresses and held councils that would result in numerous treaties: Oswegatchie (August 1760), Caughnawaga (September 1760), Fort Pitt (September 1760), Detroit (December 1760), Albany (June 1761), Niagara (July 1761), and again in Detroit (August-

### THE COVENANT CHAIN

The tradition of the covenant chain began at the time of the initial contacts between the Dutch colonists and the River Indians of the Hudson River region. In 1618, these two groups entered into an alliance, represented by a Dutch ship attached to a tree, first with a cord and later with an iron chain. The cord represented an alliance between equals, and the iron emphasized the alliance's solidity. Even though the Mohawks took the place of the River Indians and the British replaced the Dutch, the covenant chain remained the symbol of the political alliance established in the region. But the iron chain became more refined in the language of ceremonial practices and, by the beginning of the 18<sup>th</sup> century, it had become a silver chain.

(Fredrickson and Gibb 1980, 10-11)

### IN 1761, "WONDERFUL" PROMISES TO THE MI'GMAQ

"Protection and allegiance are fastened together by links, if a link is broken the chain will be loose. You must preserve this chain entire on your part by fidelity and obedience to the great King George the Third, and then you will have the security of this royal arm to defend you.

I meet you now as His Majesty's graciously honoured servant in government and in his royal name to receive at this pillar, your public vows of obedience to build a covenant of peace with you, as upon the immovable rock of sincerity and truth, to free you from the chains of bondage, and to place you in the vast and fruitful field of English liberty.

The laws will be a great hedge about your rights and properties. If any break this hedge to hurt or injure you, the heavy weight of the laws will fall upon them and punish their disobedience."

Nova Scotia Governor Jonathan Belcher  
addressing the Mi'gmaq at Halifax, 1761,  
at ceremonies renewing the Treaty of 1752

(Reported in Richardson 1989, 73)



Title: *Indians from Québec Vicinity.*

Engraving: Augustin François Lemaitre, 1848, collection of Pierre Lepage

September 1761) and Caughnawaga (July 1763). These meetings gave rise to intense diplomatic activity. At the Niagara Council of July 17 to August 4, 1761, for example, 24 First Nations were present. Numerous treaties were signed, and former alliances renewed at the council.

Under the British regime, however, as previously mentioned, the *Royal Proclamation of 1763* would mark a turning point in the nature of the accords concluded. First, the Proclamation would confirm that the Aboriginal peoples had an incontestable right over the lands. Here was recognition, in black and white! However, despite the apparent generosity of the document, the colonial authorities would use it as an instrument of dispossession. From that point on, treaties would become the process used by the Crown

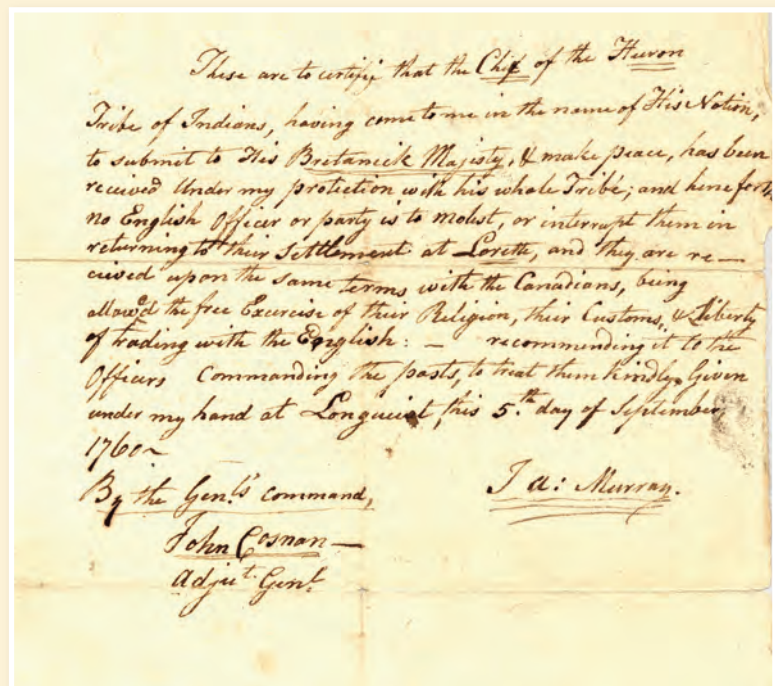


### THE HURON-BRITISH TREATY OF 1760 STILL VALID!

On May 9, 1982, brothers Régent, Konrad, Georges and Hugues Sioui of Wendake were accused of cutting down trees, camping and making fires in the Jacques-Cartier National Park located near Québec City. The Québec government charged them with violating a provincial regulation adopted pursuant to Québec’s Parks Act. The accused argued that the right to exercise their customs in the park was protected by a document signed in Longueuil by General James Murray at the time of the British Conquest of 1760. After being found guilty by two lower courts, the Sioui brothers were acquitted by the Court of Appeal of Québec and then by the Supreme Court of Canada in a unanimous ruling. Talks are ongoing between the Huron-Wendat Nation’s band council and the governments of Canada and Québec on the scope of the ruling and how it applies in today’s world.

Copy of the document signed in Longueuil by General James Murray on September 5, 1760, three days before the fall of Montreal.

Photo: Archives of the Council of the Huron-Wendat Nation, collection of François Vincent



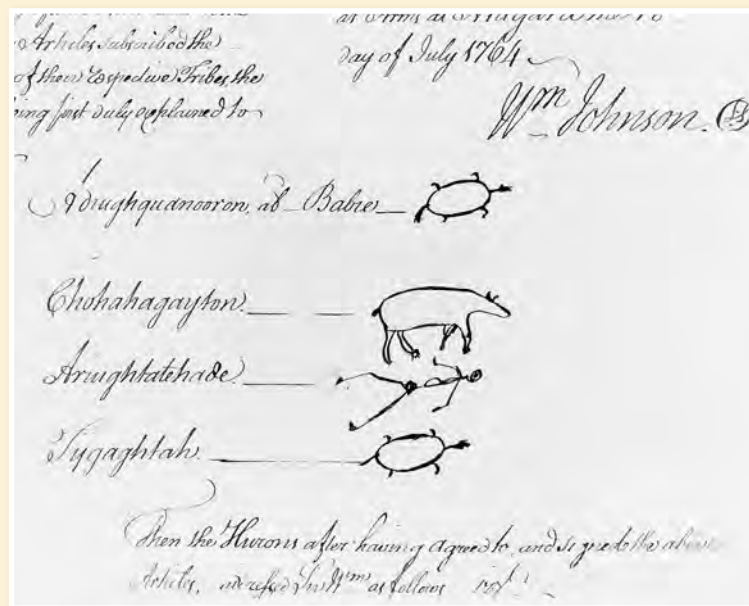


to extinguish the land titles of the first inhabitants. Once this extinguishment was obtained, the territories could be opened to settlement. And the Crown reserved for itself the right to conclude treaties. After the “peace and friendship treaties,” a new generation of treaties, the “land treaties,” took shape. In Chapter 5, “Sharing Territory,” we will see how it was possible to conclude numerous land treaties bearing on a large portion of Canadian territory, but not the territory of Québec, with one exception. This glance back at history will provide us with more information on the origin of current land claims and give us a better idea of their scope. But before doing this, we should look more closely at how the British Crown, and later the Canadian government, absolved themselves of their responsibility to ensure the “protection” of the Aboriginal nations. We will see that a major shift had occurred in the administration of Indian Affairs.



### MORE TREATIES AT THE TIME OF THE BRITISH CONQUEST

Below is an extract from a peace and friendship treaty concluded in Niagara between the Huron of Detroit and William Johnson, representative of the British Crown, on July 18, 1764. At the time of the 1760 Conquest, the British authorities stepped up their efforts to conclude treaties. William Johnson, who was appointed Superintendent of Indian Affairs, increased the number of congresses and councils, and this would result in numerous treaties like this one. The document consisted of five articles spread over just four pages.



National Archives of Canada, C 135290





## THE SEVEN FIRES CONFEDERACY OF THE ST. LAWRENCE VALLEY

### A Valuable Political Alliance



A street in Kahnawake (formerly called Caughnawaga) at the turn of the century.

Post card, collection of Pierre Lepage

[TRANSLATION] “At the time of the French and English regimes in Canada, Amerindians from Québec forged a singular political alliance known by the written Euro-American tradition as the Seven Nations of Canada. This alliance consisted of the Catholic Amerindians from the villages of the St. Lawrence Valley: Wendake, Long Point, Wôlinak, Odanak, Kahnawake, Kanehsatake and Akwesasne. This Confederacy represented the alliance among the nations, that is, between the Aboriginal councils or governments of each village. The pact was federative because there was a central political organization, the Grand Council of Kahnawake, which shared various jurisdictions with the various Confederacy members, which in turn were assured in principle of both cohesion and self-government, without jeopardizing the identity of the allied communities. Hence, when these Amerindians referred to the Confederacy, they were alluding to unity and common representation. The political organization of the Amerindians of Québec was structured in the 17<sup>th</sup> century, circa 1660. The alliance was broken in the 19<sup>th</sup> century, circa 1860” (Sawaya 1998, 14)

The recent work of the historian Jean-Pierre Sawaya (1998) reveals to us this little-known facet of the political history of Aboriginal peoples. The Seven Fires Confederacy consisted of the “domiciled Indians,” so named under the French regime and denoting Aboriginal peoples of the missions established in the proximity of Montréal, Trois-Rivières and Québec City. In this alliance, the “Great Fire of Kahnawake” held a central position leading political and diplomatic relations with the other governments of north-eastern America (*ibid.*, 167). The Confederacy played a valuable role, in particular in the settlement of several territorial disputes. Internally, the member nations also used the Confederacy to settle their own disputes. This was the case of the territorial sharing among Confederacy members and the respective use of hunting grounds and resources. Regarding the actual importance of the Confederacy, the researcher has noted that the Seven Fires maintained continuous political and diplomatic relations, first with the French and then with the British, and also with the Wabanaki Confederacy, the Iroquois Six Nations Confederacy and the various Great Lakes confederacies (*ibid.*, 167).



Aboriginal people of Lower Canada.

Author: Th. Kammere according to C. Krieghoff (A. Borum), Archives nationales du Québec, Québec City





### FIRST NATIONS ARCHIVES

Wampum beads were used as official archival documents and served to officialize treaties between First Nations or treaties that these nations concluded with European nations. They were also used to mark various Aboriginal social and political events. Wampum is a bead made of sea shells. By extension, necklaces, belts and other objects made of these beads are also called wampum.

The colour of the beads used, the number of rows, their length, as well as the symbols and motifs reproduced all have their own significance. These genuine First Nations archival pieces are also guarded preciously. With the Seven Fires Confederacy of the St. Lawrence Valley, for example, Kahnawake acted as wampum keeper (Sawaya 1998, 113). Wampum belts could also be guarded by individuals to whom the power to interpret these agreements or historical facts was transmitted. This is the case of William Commanda, an Algonquin elder from Kitigan Zibi (Maniwaki), who remained the carrier of three wampum belts up until his death in 2011. He was vested with the title of “keeper of the wampum.”

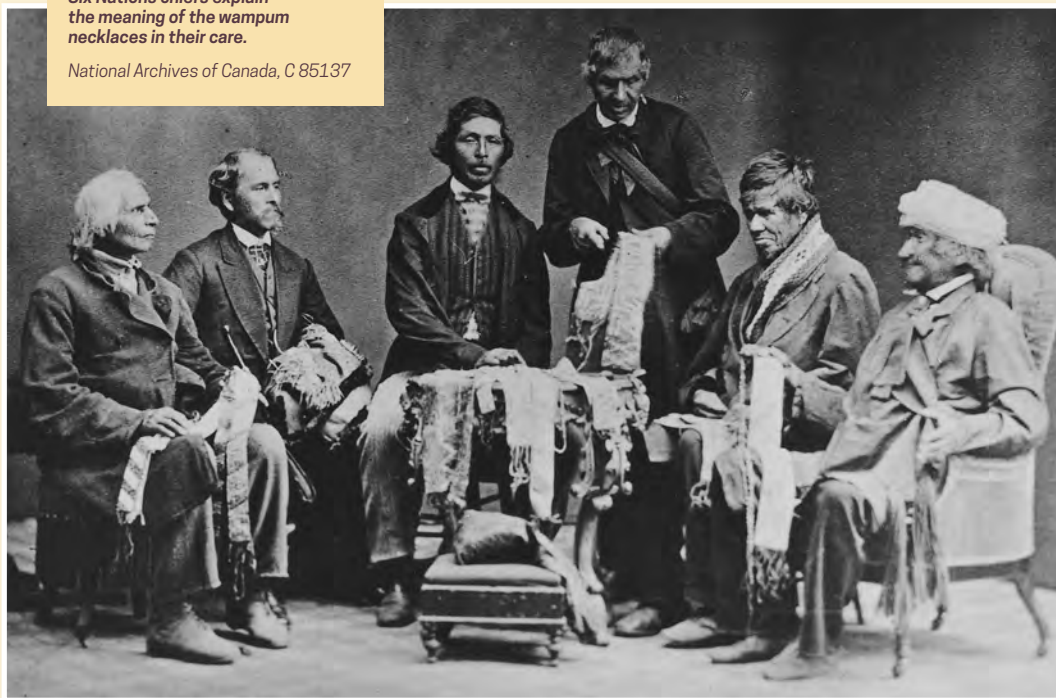


William Commanda (on the right) explaining the meaning of one of the wampum belts in his care, during a gathering in Kitigan Zibi in 2009.

Photo: Pierre Lepage

Six Nations chiefs explain the meaning of the wampum necklaces in their care.

National Archives of Canada, C 85137



# F OR FURTHER INFORMATION

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SAWAYA, Jean-Pierre. *La Fédération des Sept Feux de la vallée du Saint-Laurent, XVII<sup>e</sup>–XIX<sup>e</sup> siècle*. Sillery: Septentrion, 1998. 222 p.



Presumably, Louis Newashish (right) chief of Manawan, photographed in Weymontachie (Wemotaci) in July 2013 with an unidentified person.

Photo: photographer unknown, collection of Pierre Lepage



Title: Montagnais de la Pointe-Bleue (Mashteuiatsh).

Photo: photographer unknown, collection of Pierre Lepage



Atikamekw woman and her children in the vicinity of Sanmaur (Wemotaci), 1933.

Photo: Canadian National Railways, collection of Pierre Lepage

For the average individual, it is difficult to understand how a particular category of citizens can be governed exclusively by the federal government. Is this a historical anomaly or an attack on the equality of all citizens? The answer is not obvious, and to find it the historical facts must be consulted.

### INDIANS: EXCLUSIVELY UNDER FEDERAL JURISDICTION

To begin at the beginning, it is a fact that “First Nations people (“Indians”) and lands reserved for them” are governed exclusively by the federal government, unlike other citizens. This is one of the characteristics of their special status. First Nations peoples are distinct citizens and have been distinct citizens ever since the French regime. However, the federal government has governed their lives by means of a special act, the *Indian Act*, since 1876. As we will see further on, this law of exception does not apply to all Aboriginal people, since Inuit in particular are excluded from it.

The federal government’s exclusive responsibility for First Nations people is derived from the *Proclamation of 1763*, that famous document in which the Crown affirmed its responsibility to provide “protection” for the “several Nations or Tribes of Indians with whom We are connected”, in the words of the King.

However, in reality, the *Indian Act* distorted this responsibility of protection by essentially making the nations and tribes to be protected *wards or children of the state*. In the name of protection, the government would decide what was in their best interests.

### FROM PROTECTION TO COERCION

We have seen that, in the struggle that the great colonial powers carried on to ensure their hegemony on the North American continent, war and commerce were indissociable and the First Nations were needed for both of them. Up until around 1820, the fur trade ranked first among the components in Canada’s foreign trade and was of the utmost importance to the very existence of the colony (Bilodeau and Morin 1974, 6). However, things changed in 1814, after the



Members of the Mohawk Nation at a lacrosse tournament in 1869 (an engraving of a photograph by Inglis).

*The Canadian Illustrated News*, collection of Pierre Lepage



Inuit setting out on the spring hunt (photographed during a 1911 expedition by Captain Bernier).

Archives nationales du Québec, Québec City

American Revolution and the end of the hostilities between the Americans and the British, because First Nations were no longer needed to wage war. In addition, the fur trade was in decline. As a result, Aboriginal nations lost their position as strategic allies. However, even though these nations were no longer needed for war or commerce, their lands remained indispensable.

### IN 1869, REPUDIATING ONE'S ABORIGINAL NAME WAS A CONDITION OF ENFRANCHISEMENT

In 1869, section 16 of the *Act for the gradual enfranchisement of Indians, the better management of Indian Affairs, and to extend the provisions of the Act* set out the following duties of Indians with respect to their enfranchisement:

“Every such Indian shall, before the issue of the letters patent mentioned in the thirtieth section of this Act, declare to the Superintendent General of Indian Affairs, the name and surname by which he wishes to be enfranchised and thereafter known, and on his receiving such letters patent, in such name and surname, he shall be held to be also enfranchised, and he shall thereafter be known by such name and surname, and his wife and minor unmarried children, shall be held to be enfranchised; and from the date of such letters patent, the provisions of any Act or law making any distinction between the legal rights and liabilities of Indians and those of Her Majesty’s other subjects shall cease to apply to any Indian, his wife or minor children as aforesaid, so declared to be enfranchised, who shall no longer be deemed Indians within the meaning of the laws relating to Indians...”

(Act assented to by the Parliament of the United Kingdom, on June 22, 1869)

Against this backdrop, an extensive assimilation plan was developed. As pointed out by the anthropologists Savard and Proulx, starting in the 1840s, government authorities would in effect endeavour [TRANSLATION] “to acquire the powers necessary to accelerate Indian territorial dispossession and to decrease the number of Indians by way of assimilation into the white man’s way of life. Such objectives required that the government claim the right to determine who was an Indian and, especially, at what time this status would expire.” (Savard and Proulx 1982, 86–87) The two authors indicate that the plan to progressively extinguish the First Nations population of Canada was developed between 1840 and 1867 and that it met cost-reduction objectives. The plan also gave rise to the establishment of a special vocabulary, of which we can still find vestiges today in words such as *enfranchisement*, *registered Indian*, *non-status Indian*, *Métis*, and *treaty Indian*. (*ibid.*, 87)

An “Indian affairs” administrative framework was thus established as Aboriginal-occupied lands were progressively appropriated. When the Canadian Confederation was formed in 1867, First Nations were neither present nor consulted. Unbeknownst to them, an even more significant shift had occurred in the administration of their affairs: in discussions on power-sharing between the federal and provincial governments, the federal government obtained exclusive jurisdiction over Indian affairs. In so doing, it acquired the power to enact legislation on “Indians and Lands reserved for Indians” (section 91(24) of the *British North America Act*). From “protection,” the door was now open to coercion.

The exclusive responsibility of the federal government was set out in the Indian Act of 1876, a law enacted by the Parliament of Canada that established Native persons as wards of the federal government, as pointed out above. In fact, the law enshrined the legal incapacity of Indians in virtually all areas and completely undermined their autonomy.

## THE REAL NATURE OF THE *INDIAN ACT*

In the beginning, Indian status was seen as temporary and for the ultimate purpose of full integration and assimilation into Canadian society. In fact, the Aboriginal populations were in decline in the middle of the last century and expected to disappear, particularly under the pressures of colonization and development. The *Indian Act* was intended to facilitate this transition toward assimilation.

Until very recently, the notion of enfranchisement was the very essence of the *Indian Act*. The central provision of the Act was expressed as follows:

Section 109: “On the report of the Minister that an Indian has applied for enfranchisement and that in his opinion the Indian (a) is of the full age of twenty-one years, (b) is capable of assuming the duties and responsibilities of citizenship, and (c) when enfranchised, will be capable of supporting himself and his dependents, the Governor in Council may by order declare that the Indian and his wife and minor unmarried children are enfranchised.”

Enfranchisement was therefore the method endorsed by the *Indian Act* for eliminating legal Indian status and acquiring all the attributes of citizenship. In Québec, however, the Civil Code has



Title: *Jeune fille indienne de la tribu des Hurons*  
(Young girl from the Huron Indian tribe).

Postcard, ND Phot., circa 1906, collection of Pierre Lepage



Cree women making snowshoes at Grand Lac Mistassini, 1950.

Photo: M. G. Bédard, Archives nationales du Québec, Québec City

established the age of majority at 18 years since 1971. As can be seen in the above extract from the Act, 18 was not the age of majority for First Nations people. Until 1985, First Nations people were required to have attained the full age of 21 before applying for enfranchisement. And although for the majority of people the acquisition of citizenship was automatic and unconditional from birth, First Nations persons were subject to different requirements. The Minister of Indian Affairs, as guardian, had to be of the opinion that the First Nations person concerned was capable of assuming the duties and responsibilities of citizenship. The Minister also had to believe that the First Nations

person was capable of supporting himself and his dependents. In addition, until 1985 the *Indian Act* went much further by providing that an entire community could apply for enfranchisement:

Section 112: “Where the Minister reports that a band has applied for enfranchisement, and has submitted a plan for the disposal or diversion of the funds of the band and the lands in the reserve, and in his opinion the band is capable of managing its own affairs as a municipality or part of a municipality, the Governor in Council may by order approve the plan, declare that all the members of the band are enfranchised, wither as of the date of the order, and may make regulations for carrying the plan and the provisions of this section into effect.”

From the standpoint of human rights and at a time when equal rights are being promoted, such measures appear to be rooted in another century. However, as previously mentioned, and as unbelievable as it may seem, this outdated enfranchisement provision was not abolished until 1985. In fact, the only choices open to First Nations peoples have always been permanent guardianship or assimilation. First Nations populations that wished to maintain their identities and survive as communities had no choice at all: maintaining collective identity meant living under guardianship. However, most non-Aboriginal citizens were kept in the dark regarding these regressive dimensions of the *Indian Act*, believing that the Act conferred special status and numerous privileges on First Nations people.



Gathering at Fort George, 1869. Note the curved shape of the Cree-built bark canoe.

Photo: A. P. Low, Courtesy of the Geological Survey of Canada



Some forty canoes gathered at Grand Lac Victoria, circa 1930.

Post Card, collection of Pierre Lepage

## PATERNALISM, LOSS OF AUTONOMY, AND DEPENDENCE

The paternalism of the *Indian Act* can be measured by a few historical events. The initial laws pertaining to Native persons gave the government extensive powers to control Indians living on reserve.

First of all, First Nations communities lost the political ability to determine who their members were. The government decided that only Indians entered in the register of the Department of Indian Affairs would be legally considered as Indians. Because the federal government established the rules determining who was and was not an Indian, the categories “status Indian” (or registered Indian) and “non-status Indian” (or non-registered Indian) assumed enormous importance.



Moreover, we have seen that the ultimate objective of the Act was enfranchisement, or rather the loss of status through enfranchisement. Different measures were proposed at different times to achieve this objective. Very early on, it was discrimination based on sex. As of 1869, any Indian woman who married a non-Indian man automatically lost her status as an Indian. Consequently, she had to leave the community and was denied participation in its political life and even the right to be buried among her own people. In addition, she was deprived of another fundamental human right – the right to maintain and pursue her own cultural life with the other members of her group. This exclusion applied to her and her descendants, but did not apply to Indian men who married non-Indian women. Those women moreover gained legal Indian status. It is often said that the *Indian Act* constituted a “denial of identity” for thousands of persons and their descendants (Jamieson 1978). It was not until 1985 – following relentless battles by Aboriginal women’s associations and a decision of the UN Human Rights Committee – that Canada was required to terminate this discrimination based on sex.



**A Naskapi with a 3-metre-long toboggan at Fort Mackenzie, 1941.**

Archives nationales du Québec, Québec City, Fonds Paul Provencher

### FUNDAMENTALS OF THE ASSIMILATION POLICY

“The assimilation policy was founded on four hypothetical (and incorrect) dehumanizing assumptions regarding Aboriginal peoples and their cultures:

- They were inferior peoples.
- They were unable to govern themselves, and colonial authorities were in the best position to know how to protect their interests and well-being.
- The special relationship based on respect and sharing enshrined by treaties was a historical anomaly that was no longer valid.
- European ideas of progress and development were obviously correct and could be imposed on Aboriginal peoples without taking into account the other values, opinions or rights they may have.”

(Reported in Canada, Royal Commission on Aboriginal Peoples 1996a)



**Young Cree from Waswanipi proudly displays a swallow that he hunted with a slingshot, 1955.**

Photo: M. C. Laverdière, Archives nationales du Québec, Québec City

HOW INDIAN STATUS WAS ELIMINATED			ENFRANCHISEMENT FROM 1955 TO 1975		
Period	Voluntary Enfranchisement (Adult Indians enfranchised upon their application, along with their unmarried minor children)		Involuntary Enfranchisement (Indian women enfranchised following their marriage to non-Indians, along with their unmarried children)		Total Number (Enfranchised Indians)
	Adults	Children	Women	Children	
1955-1965	1 313	963	4 274	1 175	7 725
1965-1975	263	127	4 263	772	5 425
Subtotal	1 576	1 090	8 537	1 947	
<b>Total</b>	<b>2 666</b>		<b>10 484</b>		<b>13 150</b>

Certain loss-of-status provisions were shocking. In 1880, for example, an amendment to the Indian Act decreed that Native persons who obtained university degrees would be automatically enfranchised. From that point on they, their families and their descendants would no longer be considered Indians. A 1933 amendment went even further, empowering the Governor in Council to enfranchise Indians without their consent, upon the recommendation of the Superintendent General of Indian Affairs. Compulsory enfranchisement, although little used, remained in the Act until 1951, despite protests from Aboriginal people.

TOTAL ENFRANCHISEMENTS FROM 1876 TO 1974		
Period		Total
From	1876 to 1918	102
From	1918 to 1948	4 000
Fiscal years	1948 to 1968	13 670
Fiscal year	1968 - 1969	785
Fiscal year	1969 - 1970	714
Fiscal year	1970 - 1971	652
Fiscal year	1971 - 1972	304
Fiscal year	1972 - 1973	7
Fiscal year	1973 - 1974	460
<b>Total</b>		<b>20 694</b>

(Source: Jamieson 1978)



**IN 1923, A MOHAWK WOMAN WAS EVICTED FROM HER COMMUNITY**

On April 15, 1923, a Mohawk mother from Caughnawaga (now Kahnawake) was evicted from her community because she had married a white man 25 years before. With no money and speaking no French or English, Mrs. Joseph Boyer sought refuge in Montréal with her four children in tow. The description of this archival photo indicates that she was the first Indian woman married to a non-Indian to have been evicted from a reserve by the federal government.

Photo: Atlantic Photo Inc., New York City, Press Photo, 1923, collection of Pierre Lepage

## INDIAN PARENTS LOSE RESPONSIBILITY FOR EDUCATING THEIR CHILDREN

“Recent amendments gave control to Indian Affairs and withdrew from Indian parents the responsibility for the care and education of their children, and the best interests of Indian children were promoted and fully protected.”

(Reported in the 1921 Annual Report of the Department of Indian Affairs and in Goodwill and Sluman 1984, 134)

Title: *Famille indienne (Indian family), Val-d'Or, Québec.*

Photo: Val-d'Or Studio, circa 1945, collection of Pierre Lepage



### IN ACCORDANCE WITH THE TIMES, THE LAWS RESPECTING FIRST NATIONS PEOPLES HAD EVOCATIVE TITLES

1857

*An Act to Encourage the Gradual Civilization of the Indian Tribes in the Province and to Amend the Laws Respecting Indians*

1859

*An Act Respecting the Civilization and Enfranchisement of Certain Indians*

1884

*An Act for conferring certain privileges on the more advanced bands of Indians of Canada, with the view of training them for the exercise of municipal powers, or the Indian Advancement Act*

1927

*An Act respecting Indians*

Assimilation was far from being a hidden objective. In the 1920 House of Commons debates on the expediency of enacting compulsory enfranchisement, the great proponent of the procedure, Duncan Campbell Scott, expressed himself unequivocally:

“Our object is to continue until there is not a single Indian that has not been absorbed into the body politic of Canada and there is no more Indian question. That is the whole purpose of our legislation.” (PAC, R.G. 10, 1920)

## ABUSES OF POWER

The various Aboriginal nations had their own political structures. The federal government quickly took charge of dictating the changes it wanted. The first laws contemplating the gradual enfranchisement of Indians provided for the replacement of traditional political systems by elected systems modelled on town councils. The title of the *Indian Advancement Act* of 1884, adopted for the benefit of the “more advanced bands,” conveys a great deal about the government’s attitude toward political life within these communities. Optional at first, the elected-system provisions were gradually imposed. In at least two cases, the Akwesasne Reserve in Québec in 1899 (Confederation 1983, 10; Richardson 1987, 37) and the Six Nations reserve in Ontario in 1924 (Akwesasne 1978; Weaver 1978, 533), the changes were forcibly imposed by the police.



**IN 1923-24, CHIEF DESKAHEH CALLS UPON THE LEAGUE OF NATIONS**

***The Canadian Government Counters and Imposes Elections***

In 1923-24, Cayuga Chief Levi General (Deskaheh) of the Six Nations reserve in Ontario spent a whole year in Geneva in hopes of having the case of his small nation heard before the League of Nations and the International Court of Justice. His objective was to have his nation acknowledged as a sovereign entity. At the outset, a dispute arose between the Six Nations and the Canadian government concerning the Indian nation's independence under Canadian law, in particular the *Indian Act*, which the federal government was endeavouring to impose.



*Chief Levi General (Deskaheh) of the Cayuga Six Nations reserve in Ontario, photographed while in Geneva in 1923-24.*

*Bibliothèque publique et universitaire, Genève. Photograph by F. Martin*

Although Deskaheh obtained some diplomatic success in Geneva among certain member countries of the League of Nations, the Canadian government's reply was implacable. Not only were the diplomats of certain countries called to order, but the Canadian government also destabilized the Six Nations by backing a dissident faction in the community. The faction concerned had demanded for a number of years that political chiefs be elected, as set out in the *Indian Act*, which the federal government was seeking to impose. Thus, on the strength of an investigation concerning the political situation on the Six Nations reserve, entrusted to one Colonel Thompson – an investigation that made reference to a group of agitators advocating separation – the government ordered that elections be held. They took place on October 21, 1924 by Order in Council and under the supervision of Lieutenant-Colonel Morgan and Royal Canadian Mounted Police officers. Holding these elections made it possible to declare Deskaheh incapable of representing his nation and without authority to be its spokesman. For many, this interference by the Canadian government constituted the worst injustice ever perpetrated against this community. It would certainly serve as an example for other communities.



*Poster announcing the elections on the Six Nations reserve in Ontario, October 1924.*

*National Archives of Canada, C 33642*



*Lieutenant-Colonel C. E. Morgan of the Royal Canadian Mounted Police flanked by members of the first Six Nations Elected Council, October 1924.*

*National Archives of Canada, C 33571*



### KINGS AND MASTERS ON THE RESERVES

Up to the 1960s, Indian Affairs agents, present on each of the reserves, exercised a quasi-absolute power in these communities. They regulated virtually every aspect of daily life, going as far as to issue passes authorizing the Indians to leave the reserve, even temporarily.

(Reported in Canada, Indian Affairs and Northern Development, 1986: *The Canadian Indian*).

Social and cultural celebrations and rituals were prohibited, as set out in the *Indian Advancement Act* of 1884:



Indian Affairs agent Charles Parker at the Atikamekw reserve of Weymontachie (Wemotaci) in January 1933.

Photo: Wire Photo, collection of Pierre Lepage

“Every Indian or other person who engages in or assists in celebrating the Indian festival known as the “Potlach” or in the Indian dance known as the “Tawanawas” is guilty of misdemeanour, and shall be liable to imprisonment for a term of not more than six months nor less than two months in any gaol or other place of confinement; and any Indians or other person who encourages, either directly or indirectly, an Indian or Indians to get up such a festival or dance, or to celebrate the same is guilty of a like offence, and shall be liable to the same punishment.” (Statutes of Canada 1884, 47 Victoria, ch. 27, s. 3)

These prohibitions were abolished in 1951, apparently following pressures exerted by a lobby group made up of Calgary Stampede organizers, who relied on Aboriginal dances to enhance the prestige of their annual fair.

However, it was the Department of Indian Affairs agent system that symbolized the Department’s real control over the internal life of the communities. Up to the 1960s, agents present on each of the reserves exercised quasi-absolute power over these communities, regulating virtually every aspect of daily life and going even to the extent of issuing permits authorizing residents to leave the reserves, even temporarily (Canada, Indian Affairs 1986). The system and administrative framework set out in the Act really undermined any form of autonomy in favour of a paternalistic approach. The government decided what was in Native persons’ best interest.



## THE NORTH AMERICAN INDIAN NATION GOVERNMENT IS ESTABLISHED IN 1945

In 1945, the North American Indian Nation Government was established on the initiative of Jules Sioui, a Huron from Lorette. During World War II, Jules Sioui rebelled against the federal government's goal of subjecting Indians to compulsory enlistment. Indians did not have the right to vote because they were not considered to have the attributes of citizenship. During the war of 1914–1918, the Indians had been expressly excluded from conscription. Nonetheless, a large number of them volunteered. The same scenario occurred in 1939, but Sioui considered that if Indians chose to fight in the armed forces, it should be in full freedom and as the King's allies, not as His Majesty's subjects.

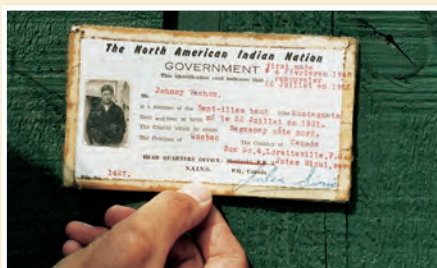
The campaign led by Jules Sioui for the independence of his nation led to the proclamation of the North American Indian Nation Government in 1945. An Algonquin from Ontario, Bernard Commanda, was named the Supreme Chief. In the following years, the position was held by two illustrious figures, Francis Pegahmagabow and William Commanda. During the second session of this government, in 1947, the delegates adopted their own *Indian Act*, a real snub to the *Indian Act* that the government was preparing to revise.

It is interesting to note that a passage of the Proclamation of the North American Indian Nation Government, published in 1959, referred explicitly to the Charter of the United Nations Organization, stating that the human rights recognized in the International Charter by the United Nations General Assembly pertain to all humanity, without exception. This meant that Aboriginal people enjoyed the same rights as any other nation and should stand united in order to be recognized as an authentic nation.



*William Commanda (centre), Supreme Chief of the North American Indian Nation Government. This photograph appeared on text of the government's proclamation.*

*Photo: Terry Kennedy, Courtesy of Mr. Johnny Vachon of Mani-utenam*

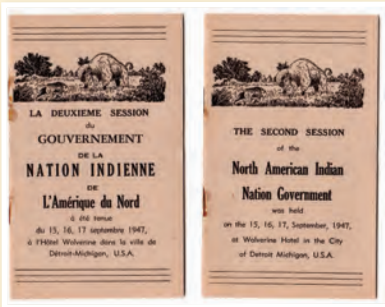


*A North American Indian Nation Government registration card.*

*Photo: Terry Kennedy, Courtesy of Mr. Johnny Vachon of Mani-utenam*

This political movement – bold for the times – even provided for the creation of a national Indian bank. Moreover, every Indian was invited to obtain a registration or membership card. The card, which many members of the First Nations still have today, was signed by the secretary-treasurer of the period, Jules Sioui. The back of the card indicated that the cardholder had certain rights and privileges, including the freedom to circulate between Canada and the United States, exemption from military service, exemption from any tax imposed by a provincial or federal government, the right to hunt and fish on all North American lands, and the right to set up camps at any location whatsoever, taking care not to cause damage to the occupants.





*Small North American Indian Nation Government brochure reproducing the Indian Act established by the Indians, passed in 1946.*

*Collection of Pierre Lepage*



*On September 12, 1946, representatives of 11 Aboriginal nations gathered in Detroit, Michigan, to form an Indian government beyond the Canada-U.S. border. In the back row, from left to right, Michel Vachon, Montagnais chief from Bersimis (Pessamit), John Chabot, Algonquin chief from Maniwaki (Kitigan Zibi). In the front row, James Fox of the Chippewa Nation, Jules Sioui, a Huron from Lorette (Wendake) and Clarence Godfroi of the Miami Nation.*

*Photo: Cleveland Press, collection of Pierre Lepage*

But this affirmation of self-government would have its price. Jules Sioui was arrested and, along with four other members of the organization, accused of [TRANSLATION] “having conspired for the purpose of sowing discontent and hatred among the subjects of His Majesty, the Indians of Canada, by leading them to believe that he had instituted a special status for North American Indians, who no longer need comply with the laws of the land.” Jules Sioui, along with Chief Michel Vachon of Betsiamites, Michel Vachon of Sept-Îles (his homonym), John Chabot of Maniwaki, a Gabriel (last name unknown) of Sturgeon Falls and others, were found guilty of seditious conspiracy and sentenced to two years’ imprisonment. (*Sioui c. Le Roy*, 1949).

Even though this judgment was quashed on appeal, the government brought the case before the Supreme Court, at which time Jules Sioui began a hunger strike that lasted 72 days. Finally, the government abandoned its proceedings (Tsiewei 1994, 17). This political movement, which still exists today, was particularly active in the 1950s and 1960s. According to William Commanda (personal interview, 2009), the movement had up to 6,000 members back then.

## UNDUE CONTROL OF POLITICAL MOVEMENTS

We now know that on several occasions Indian Affairs and its local agents did not hesitate to intervene directly to prematurely destroy any First Nations political movement whose orientations might be different from those of the Department or constitute a threat to its power. This was notably the case in the 1920s. An Indian by the name of Fred O. Loft established the Indian League of Canada and endeavoured to make it a Canada-wide association (Goodwill and Sluman 1984, 124–136). He immediately ran up against the systematic opposition of the Department. At this point, Loft was threatened with automatic loss of his Indian status, among myriad other things, if he didn’t abandon his efforts. The leader was discredited and treated as an agitator and meetings were monitored. Loft raised funds to support the organization. After this, by means of an amendment to the *Indian Act*, any attempt to raise funds on reserves without the written authorization of the Superintendent General of Indian Affairs was prohibited.



### INDIAN RESIDENTIAL SCHOOLS: AN INDISPENSABLE TOOL FOR ASSIMILATION

During an education conference, Marcelline Kanapé, who was principal of Uashkaikan Secondary School in Pessamit, summarized the essence of the Indian residential school system, which operated in Canada up until the 1970s, by stating that First Nations children were taught that everything “Indian” was bad.

The Indian residential school system was officially established in Canada in 1892. It was the result of agreements entered into between the Government of Canada and the Roman Catholic, Anglican, Methodist, and Presbyterian churches. The government terminated these agreements in 1969 (Aboriginal Healing Foundation 1999, 7).

The purpose of these establishments was simple: the evangelization and progressive assimilation of Aboriginal peoples. At the end of their education in residential schools, children, after being resocialized and steeped in the values of European culture, would be prototypes of a magnificent metamorphosis: the now-civilized ‘savages’ would be prepared to accept their privileges and responsibilities as citizens (Royal Commission 1996b, 1).

In 1931, there were 80 residential schools in Canada, located primarily in the Northwest and in the western provinces. For reasons that are not well understood, the system was established only later in Québec. Two Indian residential schools, one Catholic and the other Protestant, were established in Fort George before World War II. Four others were created after the war: Saint-Marc-de-Figuery, near Amos, Pointe-Bleue at Lac Saint-Jean, Maliotenam, near Sept-Îles, and La Tuque in Haute-Mauricie (*ibid.*).

The Royal Commission on Aboriginal Peoples qualified the residential school episode as tragic. Moreover, since 1986, one by one the churches responsible for the residential schools have made public apologies. For decades, generations of children were knowingly removed from their parents and their villages, subjected to rigid discipline, and even prohibited from speaking their own languages under pain of punishment. During a televised interview about Indian residential schools, the former chief justice of the Supreme Court of Canada, Antonio Lamer, talked about kidnapping: [TRANSLATION] “For all practical purposes, we incarcerated them in schools. I am not very proud of that” (Réseau Historia May 2001). The history of residential schools is also marked by countless tales of negligence, abuse and physical and sexual violence. Although we should not assume that every school



First communion at the Saint-Marc-de-Figuery Residential School, circa 1950.

Photo: photographer unknown, collection of Pierre Lepage



Students at the Saint-Marc-de-Figuery Residential School, near Amos, in the 1950s.

Société d'histoire d'Amos, Fonds H. Dudemaine

was the same, the findings are nevertheless serious. In 1998, the Government of Canada agreed to contribute \$350 million to support community-healing initiatives for Aboriginal people who suffered physical and sexual abuse in residential schools. This fund is currently administered by the independent Aboriginal Healing Foundation (Aboriginal Healing Foundation 1999).

In 2006, following a class action brought by former students of Indian residential schools against the Government of Canada and various religious groups, a court approved the largest class action settlement in Canadian history. Under the Indian Residential Schools







*Innu children at the Malietenam Residential School in 1952. In the middle of the front row, the girl in a checkered robe clasping his hands is Johanne Pinette, 7 years old.*

*Photo: collection of Jean-Claude Therrien-Pinette*

Settlement Agreement, former students were paid general compensation, with higher payments being awarded to “students who suffered sexual and serious physical abuse, as well as other wrongful acts which have caused serious psychological consequences” (Walker, 2009). But more important still, the agreement called for the establishment of the *Truth and Reconciliation Commission of Canada*, which was given the mandate to, among other things, document the truth and acknowledge residential school experiences, impacts and consequences and pave the way to reconciliation. Between 2008 and 2015, the members of the Commission travelled to all parts of Canada and heard from more than 6750 witnesses, survivors of residential schools, members of their families and other individuals who wished to share their knowledge of the residential school system and its legacy. In its report released in 2015, this Commission described the residential school episode as a “cultural genocide” and made 94 recommendations or calls for action (Canada. Truth and Reconciliation Commission of Canada 2015a and b).

It is important to mention that, in June 2008, the Prime Minister of Canada offered, on behalf of the Government of Canada, a formal apology to Aboriginal peoples for the suffering that resulted from assimilative, government-sanctioned residential schools. The text of the apology reiterated the objectives of the residential school system:

“...to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption that aboriginal cultures and spiritual beliefs were inferior” (cited in Ottawa 2010, 116).

The legacy of the Indian residential schools policy has had a damaging impact on First Nations and Inuit communities. The numerous reports on the subject all contain the same findings, that is, that the legacy of the residential schools has contributed to the social problems that exist today in these communities.

At the First Nations Socioeconomic Forum held in the community of Mashteuiatsh in the Lac St-Jean region in October 2006, Thaddée André, then chief of Matimekush, summed up in one powerful sentence how the assimilative residential school policy had affected his life: [TRANSLATION] “All my life, I wanted to be white.” He added, “But I wasn’t happy.”



*Thaddée André (right) with his cousin, Luc André, at the Malietenam Indian Residential School in the late 1950s.*

*Photo: Institut Tshakapesh, fonds Père Jean Fortin*



At the same time, in response to land claims in British Columbia, the federal government amended the *Indian Act* (Daugherty 1982, 16) so that, from 1927 to 1951, any fundraising destined for land-claims proceedings constituted an offence. The Indian communities were trapped, deprived of any legal recourse.



In 1945, members of First Nations that attempted to affirm their sovereignty and their desire for self-government faced just as strong opposition. The North American Indian Nation Government was founded; when the federal government undertook a revision of the *Indian Act*, this organization passed its own *Indian Act*. But this affirmation of autonomy would have its price. The initiator of the movement, Jules Sioui, a Huron from Lorette, and a few other leaders would be sentenced to two years in prison for seditious conspiracy (*Sioui c. Le Roi*, 1949).

These few historical events are essential to a better understanding of the real nature of the *Indian Act* and federal guardianship. Unfortunately, these sombre moments in a still-recent history have remained unknown. Public opinion has hardly been stirred. In the next chapter, “Dealing With Different Rights,” we will see that the *Indian Act* is still in force and that it has been wrongly perceived as a system of privileges that exists to the detriment of the general public. Although, at first glance, guardianship may appear to be advantageous, it has many serious drawbacks.

### OBTAINING THE RIGHT TO VOTE

Québec was the last province to grant voting rights to First Nations peoples. At the federal level, partial voting rights had been granted in 1885 and withdrawn in 1896. Hence, Native persons in Ontario, Québec and the Maritimes were eligible to vote in the 1887, 1891 and 1896 general elections. The right to vote was withdrawn because it was deemed incompatible with the status of guardianship. Persons under guardianship, such as Indians, were not considered to be subjects by right (nor were women). Consequently, they were not entitled to the responsibility of voting (Jamieson 1978; see also Hawthorn and Tremblay 1966, I: chap. XIII).

However, exercising the right to vote was a controversial subject even in Aboriginal communities. Several communities considered that voting constituted an acceptance of Canadian citizenship and a renunciation of their right to be sovereign, independent peoples. For example, in 1963, a circular distributed in Saint-Régis (Akwesasne) regarding an Ontario provincial election clearly illustrated the significance of refusing the right to vote. It stated that if Indians voted, they would no longer constitute a sovereign nation, since they would become Canadian and British subjects by that very fact. Moreover, the “Redskin” was morally bound not to vote in federal or provincial elections. Finally, the circular stated that a band of irresponsible Redskins, suffering from a racial inferiority complex, reported to the polling booths and unfortunately *forever renounced their national sovereignty and identity!* (Hawthorn and Tremblay 1966, I:291)

Even today, several nations still deliberately do not exercise their voting rights in federal and provincial elections. The situation is different for the Inuit, who were explicitly excluded from the *Indian Act*, as we will see in Chapter 4. They gained the right to vote in federal elections in 1950, whereas First Nations people did not receive the same right until 10 years later.

#### RIGHT TO VOTE



Nova Scotia	Always	Saskatchewan	1960
Newfoundland	Always	Yukon	1960
Northwest Territories	Always	New Brunswick	1963
British Columbia	1949	Prince Edward Island	1963
Manitoba	1952	Alberta	1965
Ontario	1954	Québec	1969
Canada	1960		

(Source: Hawthorn and Tremblay 1966, I: Canada 1980)

## THE TUBERCULOSIS EPIDEMIC OF THE MID-50S

### *One Inuk Out of Seven in Southern Hospitals*

In the mid-50s, tuberculosis ravaged northern communities. These two photographs were taken in December 1956 at Immigration Hospital (today Christ-Roi Hospital), near Québec City. This hospital was used because Indian Affairs and Northern Development was under the jurisdiction of the Department of Citizenship and Immigration between 1949 and 1965. In the first photograph, a group of Inuit women and children; below right, in front of the Christmas tree, is a group of young Innus from the Sept-Îles region.

In his book *A History of the Original Peoples of Northern Canada* (1974), Keith Crowe states that in 1950, one Inuk out of five had tuberculosis; “in 1956, one Inuk out of seven was hospitalized in the South and someone in practically every First Nations family had to be evacuated to the South for months or years.”

Crowe reports “that every year medical teams went to the North, taking advantage of treaty gatherings, or on board supply vessels or river barges. They visited remote camps, taking X-rays and giving vaccines, and a steady stream of patients was sent to the South as a result.”

In particular, the author evokes this sad period when children and parents were evacuated to southern hospitals, and how this upset so many families. Tuberculosis victims returned home handicapped and could no longer hunt. Patients were “lost” for years because of administrative errors. Children forgot their mother tongue and were unable to communicate with their peers on their return. Finally, patients had difficulty reintegrating into communities “after spending years in overheated hospitals, virtually without exercise, in incessant cleanliness, and eating pre-prepared food” (Crowe 1979, 161, 215 and 216).



Photo: Louise Roy, collection of Pierre Lepage



Photo: Louise Roy, collection of Pierre Lepage



*Screening for tuberculosis in the Innu of Natashquan in the 1950s.*

Photo: Musée régional de la Côte-Nord, Fonds Pauline Laurin

The degree of trauma suffered by the First Nations people and numerous Inuit who were hospitalized in the south during that time was brought to the public's attention in 2008 through the beautiful film *Ce qu'il faut pour vivre* (The Necessities of Life). Directed by Benoît Pilon, based on a screenplay by Bernard Émond, it tells the story of an Inuit hunter with tuberculosis in the 1950s. The hit of the year in Québec movies, the film won numerous national and international awards. Natar Ungalaak, who played the Inuit hunter, won the Jutra Award for Best Actor in 2009.

## *F*OR FURTHER INFORMATION

CANADA, ROYAL COMMISSION ON ABORIGINAL PEOPLES. *People to People, Nation to Nation: Highlights from the Report of the Royal Commission on Aboriginal Peoples*. Minister of Supply and Services Canada, 1996. Approximately 150 p.

DUPUIS, Renée. *La question indienne au Canada*. Montréal: Boréal, coll. Boréal express, 1991. 124 p.

MOSS, W. and E. GARDNER-O'TOOLE. *Aboriginal People: History of Discriminatory Laws*. Canada, Library of Parliament, Research Service, 1991, 27 p.

OTTAWA, Gilles. *Les pensionnats indiens au Québec : Un double regard*. Les éditions Cornac, Québec, 2010, 134 p.

FIRST NATIONS OF QUEBEC AND LABRADOR HEALTH AND SOCIAL SERVICES COMMISSION. *Collection of life stories of the survivors of the Quebec Indian Residential Schools*. Wendake, 2013, 126 p.

Class of Atikamekw children during the mission in Sanmaur, August 8, 1935.

Photo: Canadian National Railways, collection of Pierre Lepage



Much has been made of the privileges enjoyed by Aboriginal people under the *Indian Act*: tax exemptions, all sorts of special health, education and housing measures, and much more. At first glance, it could certainly seem that they are better treated than the majority of citizens.

In this regard, some people have the impression that the *Indian Act* has turned Aboriginal people into spoiled children who are not the least bit interested in giving up all the tax benefits they receive. Moreover, Aboriginal people are thought by some to have been allowed to exploit the system because they don't pay taxes and have all sorts of privileges without wanting to take any responsibility. Aboriginal people are said to be costing Non-Aboriginals a great deal; hence the federal government should stop supporting them. Then they would see that autonomy entails concomitant responsibilities. Furthermore, it is thought that First Nations should be given their autonomy at the earliest possible moment, after which government support should stop.

Such beliefs, expressed openly during open-line radio shows or in letters from readers of major dailies, judge Aboriginal communities harshly and with finality. The tone is particularly hurtful and betrays a great deal of ignorance and misunderstanding.

An in-depth analysis of the *Indian Act* reveals that, far from constituting a regime of privileges, it actually constitutes a regime of Indian guardianship. Although, at first glance, guardianship appears to be advantageous, it has many serious drawbacks.

### A REGIME OF GUARDIANSHIP

We saw in the previous chapter that *Indians and lands reserved for Indians* have fallen under the exclusive jurisdiction of the federal government since Confederation in 1867. This is not the case for other citizens, who are governed by both the federal and the provincial governments.

To understand the origin of this particularity, we have to go back to the Conquest, at which time the British Crown wanted to ally itself with Indians, given their importance on a military and strategic level. In an official document, the *Royal Proclamation of 1763*, the King affirmed his desire to ensure the “protection” of the “Nations or Tribes of Indians with whom We are connected.” The Proclamation, which has constitutional value, even mentions obtaining the consent of Indian nations with respect to the settlement of their lands.

*Young girls carrying wood,  
Mistassini, 1957.*

Photo: Jos. Morin,  
Archives nationales du Québec,  
Québec City



However, by the time the Government of Canada adopted its first *Indian Act* in 1876, a shift had clearly occurred in the administration of Indian affairs. These “nations and tribes” whose “protection” had to be assured would be placed under the guardianship of the federal government.

The lawyer Renée Dupuis, author of a book on First Nations issues in Canada, summarizes this guardianship regime well:

[TRANSLATION] “Revised in 1951, the federal Act clearly constitutes a regime of guardianship of Indians (both individually and collectively) and of the lands reserved for them. Actually, the Indians have a status equivalent to that of a minor child, since they are subject to the control of the government, which has the authority to make decisions on their behalf. All aspects of



### THE SO-CALLED “EQUALITY” GRANTED BY THE 1969 WHITE PAPER

In 1969, Jean Chrétien, who was then Minister of Indian Affairs and Northern Development under the Pierre Elliott Trudeau government, released the *Statement of the Government of Canada on Indian Policy*. This White Paper was unanimously rejected, and it led to the unprecedented mobilization of all Aboriginal organizations throughout Canada.



Photo: Duncan Cameron, National Archives of Canada, PA 17016

According to the authors of the document, the “just society” promised by the Liberal government required that federal guardianship be abolished. In return, the Liberal government would make all citizens equal and terminate special status for Aboriginal people, as attested by the following two extracts from the White Paper:

“This Government believes in equality. It believes that all men and women have equal rights. It is determined that all shall be treated fairly and that no one shall be shut out of Canadian life, and especially that no one shall be shut out because of his race.

[...] In the long term, removal of the reference in the constitution would be necessary to end the legal distinction between Indians and other Canadians. In the short term, repeal of the *Indian Act* and enactment of transitional legislation to ensure the orderly management of Indian land would do much to mitigate the problem” (Canada, Indian Affairs 1969).

Generous in appearance, this proposal of equality instilled anger and indignation. The reaction was all the stronger given that in the previous year many Aboriginal leaders had agreed to participate in provincial “advisory committees” formed by the Department of Indian Affairs. The response of the Aboriginal groups was immediate and virulent. An Aboriginal leader from Alberta, Harold Cardinal, immediately responded with the publication of a book that has since become well-known: *The Unjust Society. The Tragedy of Canada’s Indians*. From the first page, the author affirmed that, once again, Canada’s First Nations had been betrayed by a program that offered nothing less



the lives of individuals and communities are supervised, from an Indian’s birth to his death, from the creation of a band to the cessation of a reserve. Responsible for this regime on behalf of the government, the Minister of Indian Affairs holds all powers in this regard. The guardianship regime determines Indian status, as well as band membership, the political and administrative structure, reserve management, tax exemptions, and financial administration, while making Indians wards of the State” (Dupuis 1991, 42).

Up to 1985, the renunciation of Indian identity was the price to be paid for acquiring all the attributes of citizenship. The Act provided that an Indian or even an entire Indian community could apply for enfranchisement, upon certain conditions. To be enfranchised meant no longer legally being an Indian,



and hence an enfranchised Indian had to leave his community. Concretely, this meant assimilation, which was the principal objective of the Act.

Despite amendments made in 1985 and a government policy advocating greater autonomy for First Nations, the *Indian Act* is still in force. And it is wrongly perceived to be a regime of privileges that exists to the detriment of Non-Aboriginal society.



than cultural genocide. The policy presented in June 1969 was a thinly veiled program of extermination by way of enfranchisement. Not mincing his words, Cardinal added that in order to survive, an Aboriginal person had to become a good little white person with dark skin. The author went on to affirm that even though Americans living to the south had invented the adage “The only good Indian is a dead Indian,” Canadians were prepared to modify the expression slightly to “The only good Indian is a non-Indian” (Cardinal 1969).

A little further on, Cardinal underlined the strange resemblance between the White Paper’s proposal and the “policy of termination” espoused by the United States in the early 1950s. That policy, established by the Eisenhower government, had disastrous results, in particular on Aboriginal lands, and was eventually abandoned (*ibid.*).

In June 1970, the Indian chiefs of Alberta responded in turn by releasing their Red Paper, entitled Citizens Plus, at a meeting in Ottawa with Prime Minister Trudeau and the Minister of Indian Affairs (standing, right, in photograph). The chiefs reiterated on their behalf one of the principal recommendations of the Hawthorn–Tremblay report, published in 1966. In their investigation of the situation of Canada’s Indians, the authors of the report had recommended that “Indians should be regarded as ‘citizens plus’; in addition to the normal rights and duties of citizenship, Indians possess certain additional rights as charter members of the Canadian community” (Hawthorn and Tremblay 1966, 1: 13).

The signatories of the Red Paper were especially concerned because they represented nations that had signed treaties in 1876, 1877 and 1899. This was the perfect opportunity to remind the government of the solemn promises expressed by the representatives of the Crown during the negotiation of these agreements. The treaty commissioners had clearly indicated that their promises would be honoured “as long as the sun shines and the rivers flow.”

The policy proposed in the White Paper was eventually abandoned. One of the positive consequences of the whole affair was the development and consolidation of Aboriginal political organizations in each of the provinces and throughout Canada. In 1970, the National Indian Brotherhood was established. In 1980, it would become the Assembly of First Nations, at the time of discussions pertaining to the patriation of the Canadian Constitution. The work of these new organizations paid off. In 1982, the Canadian Parliament adopted constitutional provisions designed to better protect the fundamental rights of Aboriginal peoples – a complete reversal of the policy that had been drawn up thirteen years previously.



## ADVANTAGES AND DISADVANTAGES

In reality, it is much more accurate to say that First Nations people living on reserve have rights that differ from those of other citizens. Although in certain respects First Nations people have advantages that others do not (certain tax exemptions, for example), they are also deprived of a number of rights.

The fundamental right of every person to the peaceful enjoyment and free disposition of his property is a good example of this deprivation. This right is recognized in the United Nations International Covenant on Civil and Political Rights, which was ratified by Canada. In areas of Québec jurisdiction, this right is also guaranteed by section 6 of the Québec *Charter of Human Rights and Freedoms*.



## MEMBERS OF FIRST NATIONS LIVING ON RESERVE HAVE DIFFERENT RIGHTS FROM OTHER CITIZENS

They are also deprived of certain rights

<b>Situation of an Indian LIVING ON RESERVE</b>	<b>Situation of a citizen LIVING IN A MUNICIPALITY</b>
<b>LAND OWNERSHIP AND POSSESSION</b>	
<ul style="list-style-type: none"> <li>▪ A right of possession or occupation</li> <li>▪ The Minister of Indian Affairs and Northern Development issues certificates of possession and occupation</li> <li>▪ A right of transfer to the band or another member of the band only; the transfer is not valid unless it is approved by the Minister</li> <li>▪ Reserve lands are not subject to any legal seizure</li> <li>▪ They cannot be mortgaged, hence limiting borrowing ability</li> </ul>	<ul style="list-style-type: none"> <li>▪ A right of ownership</li> <li>▪ An owner obtains an actual property title</li> <li>▪ Any landowner may sell freely to anyone he or she so desires, including to one or more persons residing outside the municipality</li> <li>▪ Right of seizure</li> <li>▪ Mortgage right and borrowing capacity</li> </ul>
<b>DESCENT OF PROPERTY</b>	
<ul style="list-style-type: none"> <li>▪ The Minister has exclusive jurisdiction over testamentary matters regarding Indians</li> <li>▪ A will has legal effect only when approved by the Minister</li> </ul>	<ul style="list-style-type: none"> <li>▪ Any person of sound mind may bequeath his or her property to anyone at all</li> <li>▪ Any holographic or notarial will generally have legal effect after death</li> </ul>
<b>PROPERTY OF MENTALLY INCOMPETENT PERSONS</b>	
<ul style="list-style-type: none"> <li>▪ The Minister is granted exclusive jurisdiction over the property of an Indian who is mentally incompetent</li> </ul>	<ul style="list-style-type: none"> <li>▪ The family or, failing this, the Public Curator has jurisdiction over the property of a mentally incompetent person</li> </ul>
<b>PROPERTY OF MINOR CHILDREN</b>	
<ul style="list-style-type: none"> <li>▪ The Minister may administer all property to which the minor children of Indians are entitled, or ensure the administration thereof, and may appoint a guardian for such purpose</li> </ul>	<ul style="list-style-type: none"> <li>▪ The parents of a minor child, or failing this, the person acting in their stead (the guardian) are responsible for the property of minor children</li> </ul>
<b>ALIENATION OF PROPERTY</b>	
<ul style="list-style-type: none"> <li>▪ The property of an Indian or a band located on a reserve cannot be the subject of lien, a pledge, a mortgage, or a seizure</li> </ul>	<ul style="list-style-type: none"> <li>▪ All property may generally be mortgaged or seized</li> </ul>
<b>ACCESS TO CONSUMER CREDIT</b>	
<ul style="list-style-type: none"> <li>▪ Because the real and personal property of an Indian living on reserve is not seizable, access to consumer credit and even the obtainment of a credit card often prove impossible, regardless of the Indian's income and solvency</li> </ul>	<ul style="list-style-type: none"> <li>▪ Any solvent person holding real or personal property as security can generally have access to consumer credit and can obtain a credit card</li> </ul>





### TAXATION

- Ordinarily, no Indian or band is subject to taxation on the ownership, occupation or possession of a property on a reserve. However, the band council may make by-laws for local purposes regarding land on the reserve, including rights to occupy, possess or use such land

#### Retail Sale

- Exemption from sales tax when the sale is made on a reserve between Indians or to an Indian
- Personal property other than a motor vehicle purchased off reserve by an Indian is tax-exempt if delivered by the seller to the reserve for consumption or other use

- In a municipality, owners are subject to municipal taxes and school taxes

#### Retail Sale

- GST and QST is applicable on the sale of products and services throughout the province of Québec

### INCOME TAX

- Exemption from income tax when work is performed on the reserve
- Exemption from income tax when work is located off reserve, but only for an employer located on the reserve
- An Indian's income is taxable when work is performed off reserve for an employer located off the reserve
- An Indian's employment insurance benefits are taxable only if they are paid on the basis of taxable income

- Income from employment or benefits are taxable
- The employment insurance benefits of every citizen are taxable

*(Source: Pierre LePage, Commission des droits de la personne et des droits de la jeunesse, February 1994)*

However, the exercise of this right is not fully guaranteed on reserves, which are under federal jurisdiction. For example, the right is not guaranteed with respect to property and transfers of real property, or with respect to testamentary matters. The above table, which compares the situation of a First Nation person living on reserve with the situation of a citizen living in a municipality provides a good illustration of the situation.

Any person living in a municipality who has the means to do so may purchase land. The transaction is simple and takes place between individuals. This is not the case on reserves. First Nations people are deprived of the right of land ownership. They have only a limited right of possession or occupation. Nor are land transfers subject to the free-market system as in the case of a municipality.

The right of seizure on reserves is another telling example. The property of an Indian or a band cannot be seized. At first glance, this could seem to be an advantage. In reality, it is a major disadvantage in terms of economic development. With no right of seizure, a First Nations person cannot borrow, contract a mortgage or have free access to consumer credit. It is not surprising that few Aboriginal businesses have been able to develop.



### IT'S RRSP TIME – EVERYWHERE BUT IN FIRST NATIONS COMMUNITIES

Every year, starting in January, financial institutions and other accredited agencies such as the *Fonds de solidarité des travailleurs du Québec* run advertising campaigns encouraging consumers to purchase registered retirement savings plans (RRSPs). There is no doubt that RRSPs are a good way to plan one's retirement income. However, the primary incentive for RRSP campaigns is the tax savings it affords individual and families who contribute to an RRSP. But a First Nations person who works in his or her community cannot benefit from the tax advantages of an RRSP. If you don't pay income tax, you can't save on tax. It's that simple! It's no wonder, then, that so few First Nations people have retirement investments. From that point of view, non-Aboriginal Quebecers are clearly better off.



Two Aboriginal women became known for their fight against the sex-based discrimination contained in the Indian Act. Sandra Lovelace (left), a Malecite from New Brunswick, lost her Indian status in 1970 after she married a non-Indian. She wouldn't have lost this status had she been a man who married a non-Indian woman. During the same period, Janet Corbière-Lavell (right), an Ojibway from Ontario who had been in the same situation, made an unsuccessful appeal before the Supreme Court of Canada to have the discriminatory article in the Indian Act invalidated. In a split decision in 1973, the Supreme Court ruled that the Canadian Bill of Rights did not take precedence over the Indian Act. This defeat and the lack of any further domestic recourse saw Sandra Lovelace take her case to the United Nations Human Rights Committee where she won. In June 1990, in Montréal, the two women received the Robert S. Litvack Human Rights Award.

Photo: Jean-Yves Létourneau, La Presse

Moreover, the scope of the privilege conferred by the income-tax exemption has been greatly exaggerated. In the majority of First Nations communities, this exemption is taken into account in determining salaries. To what extent is this privilege really a privilege if salaries are appreciably lower as a result? Hence, we should be careful about commenting on it. Once again, we cannot isolate one component of the *Indian Act* without taking into account all components of the guardianship regime.

Moreover, the exemptions set out in the *Indian Act* apply only to *registered Indians*, and not to all Aboriginal people. For example, the Inuit are not subject to this law of exception and therefore pay taxes like anyone else. We will come back to this at the end of this chapter.

### SELF-GOVERNMENT: AN ALTERNATIVE TO GUARDIANSHIP

As we have seen, Indians had only one way of keeping their identity: government guardianship. The only other possibility was to apply for enfranchisement and be assimilated. This regressive provision of the Act, which treated Indians like children, was abolished in 1985, as was the provision that permitted discrimination on the basis of sex by removing the Indian status of Indian women who married non-Indian men.

Aboriginal self-government, now under discussion, represents a new path, providing hope that Indians would be able to survive, develop and thrive as communities. At long last, this represents the opportunity for First Nations to be in charge of their own destiny and to preserve their collective dignity. The creation of Aboriginal governments is all the more justified in that the Aboriginal peoples of Canada were granted the status of *peoples* in the Canadian Constitution. For its part, even though it did not recognize

the 1982 constitutional agreement, the National Assembly of Québec passed a motion in 1985 stating that Aboriginal peoples were nations; this meant that self-government agreements had to be entered into.



The Haudenosaunee, also known as the Six Nations Iroquois Confederacy, issues its own passports (right), an affirmation of its independence and political sovereignty. For Iroquois representatives there is no question of presenting a Canadian passport.

Photo: Roger Lemoyne



The motion went on to affirm that not only were assimilation policies no longer valid, but they were also prohibited.

Despite the persistence of federal guardianship, fortunately long gone are the days when Indian Affairs agents acted like “kings and masters” on the reserves. Significant steps toward autonomy and self-government have been taken. In the early 1970s, the National Indian Brotherhood chose the area of education to spearhead the “take charge” movement, publishing *Indian Control of Indian Education*. Today, elementary and secondary education is almost entirely administered by band councils, as are health and social services, recreation, housing, public security and economic development, which are covered by self-government agreements. Since the signing of the James Bay and Northern Quebec Agreement and the Northeastern Quebec Agreement, the Cree and Naskapi have no longer been governed by the *Indian Act*, but are governed by the *Cree–Naskapi (of Quebec) Act*, which gives them much more autonomy.



A group of First Nations police cadets receive their diplomas during a ceremony at the Institut de police du Québec (now the Institut national de Police du Québec) in June 2000.

Photo: Pierre Lepage

### AUTONOMY IN THE AREA OF EDUCATION

The Indian residential school system ended in 1969. In the mid-1970s, the Department of Indian Affairs and Northern Development administered approximately 30 elementary schools in Aboriginal communities. Secondary and post-secondary students were required to enrol in the Québec public school system, and the federal government entered into financing agreements with the institutions concerned (MEQ 1998, 4).

In the space of 20 years, the Aboriginal school system changed radically, initially as a result of the “take charge” movement launched in 1972 by the National Indian Brotherhood. In 1973, the Department of Indian Affairs and Northern Development endorsed and committed itself to this effort. In Québec, the signing of the James Bay and Northern Quebec Agreement in 1975 and the Northeastern Quebec Agreement in 1978 led to the creation of two school boards, one for the Cree and the other for the Inuit. The Naskapis, for their part, administered their schools within the Central Québec School Board. In 1997–1998, nine school establishments were administered by the Cree School Board, 14 were administered by the Kativik School Board and one was administered by the Naskapis. Funding was received from the federal and provincial governments. Elsewhere, Aboriginal communities gradually took charge of federal schools, with the funding provided entirely by Indian Affairs. In 1985, communities were consolidated under the Québec First Nations Education Council, which provided certain services to member communities. In Innu communities, with the exception of Mashteuiatsh, the education mandate was entrusted to the Institut Tshakapesh.



The school bus in Kangiqsualujjuaq, Nunavik.

Photo: Tourisme Québec, Heiko Wittenborn

#### SCHOOLS ON RESERVES AND IN ABORIGINAL VILLAGES IN QUÉBEC FROM 1977 TO 1997

Year	Federal Schools	Aboriginal Schools	Total
1977 - 1978	29	—	29
1987 - 1988	9	37	46
1997 - 1998	1	61	62

(Source: Ministère de l'Éducation, Education Statistics Bulletin. Portrait of the Aboriginal School Population of Québec, 1998. Data taken from Table 4, p. 5).

The number of Aboriginal schools therefore doubled in 20 years. “Thus, most Aboriginal people now have access to elementary and secondary schools in their own communities.” (*ibid.* 7) However, despite this undeniable progress, student dropout and failure rates are of particular concern.

## THE SPECIFIC CASE OF THE INUIT

The distinct character of the Inuit is noteworthy. Although the first contact between Inuit and Europeans, whalers and traders dates far back in history, these relations have been sporadic. Prior to adopting a more sedentary lifestyle in the second half of the 20th century, the Inuit of Nunavik lived a subsistence life centred on hunting (marine mammals and caribou) and trapping (fur-bearing animals, especially Arctic fox). Whereas in the South, fur trading with First Nations had played a key role in French colonization from the start, fur traders did not settle permanently in the North until much later.



January 1957, an Inuit couple trade fox pelts for everyday consumer goods at the Hudson's Bay Company's trading post at Port Harrison (Inukjuak) on the shores of Hudson Bay.

Photo: The Milwaukee Journal, collection of Pierre Lepage

Historically, Northern Québec was part of Rupert's Land, a vast area to which the King of England granted the Hudson's Bay Company title in 1670. Although Rupert's Land was acquired by Canada in 1870, the Canadian government did not establish programs for the Inuit until 1930, when they were experiencing hardship as a result of the collapse in fur prices and starvation.

The current territory of Nunavik (part of the former District of Ungava of the Northwest Territories) was transferred to the province of Québec in 1912 pursuant to a statute. One of the conditions of the transfer was that Québec recognize "the rights of the Indian inhabitants" in the territory and obtain surrenders of those rights in the same manner as the Government of Canada obtained surrender thereof (either through treaties or financial compensation) (*Quebec Boundary Extension Act, 1912*, 2 George V. Chap. 45). Those explicit conditions had never been fulfilled. This loophole was used by the Inuit and Crees as a central argument in their opposition to the

huge James Bay hydroelectric development project in the 1970s – yet another project that was announced without any consultation and with complete disregard for the First Nations living in the territory and their rights.

## A DISTINCT STATUS

The legal status of the Inuit of Northern Québec and Canada as a whole was not clear. Were they simply Canadian citizens or were they wards of the federal government like First Nations people? In 1939, the Supreme Court of Canada ruled that the federal government indeed had exclusive legislative jurisdiction for the Inuit. The Court held that the expression "Indians and lands reserved for the Indians" in the Canadian Constitution of 1876 included the Inuit. However, as of 1950, the Inuit would be explicitly excluded from the application of the *Indian Act*, which is why, unlike First Nations people living on reserve, the Inuit pay consumer and income tax. The federal government granted the Inuit the right to vote in 1950, whereas First Nations people had to wait another 10 years to receive the same right.

The status of the Inuit of Northern Québec differed even more from that of First Nations following the signing of the James Bay and Northern Québec Agreement (JBNQA), the first modern-day land

treaty, in 1975. The Inuit signatories chose to be subject to the laws of Québec and governed by municipal administrations. The JBNQA, which will be discussed in Chapter 5, led to the creation of 14 Inuit municipalities represented by a public corporation known as the Kativik Regional Government.

It is important to mention that while being excluded from the *Indian Act*, the Inuit were still a target of the federal government policy of assimilation. In 2013, when many Inuit testified at the Truth and Reconciliation Commission's public hearings in Montréal, Quebecers learned that Inuit children had also been placed in Indian residential schools and were the victims of the same prejudices: they were forbidden to speak their native language and punished if they did, their culture was disparaged, they suffered physical and sexual abuse, and so forth.

## REPEATED ATTACKS ON A WAY OF LIFE

In addition to the residential school era, Inuit leaders repeatedly raised other major traumatic experiences suffered by their communities. This was certainly the case in the 1950s, when the federal government relocated 19 Inuit families from Inukjuak, Québec, and three families from Pond Inlet, Baffin Island, 1,200 km away from their home community to the High Arctic in a bid to assert Canada's sovereignty over the Arctic. Taken by boat to Resolute Bay and Grise Fiord, the families set foot in an unfamiliar environment where they were exposed to harsh survival conditions. This is a clear case of forced displacement carried out with utmost secrecy. Non-Inuit Quebecers and Canadians knew absolutely nothing about the situation for decades. In 2010, the Government of Canada offered the relocatees a formal apology for the suffering, loss and harm caused by the arbitrary displacement.

In addition, the mass slaughter of sled dogs from the mid-1950s to the late 1960s was a direct attack on the Inuit's nomadic lifestyle and rocked the foundations of Inuit culture.

### UNILATERAL DECISIONS

*"My grandfather went to sleep as a citizen of the Northwest Territories and woke up the next morning as a citizen of La Belle Province."*

Those words, spoken by Inuit leader Zebedee Nungak during the constitutional conferences on Aboriginal rights held in Ottawa in the 1980s, are a telling example of the series of unilateral decisions that had major consequences for the future of his people, including the *Quebec Boundary Extension Act* of 1912.

At the request of Makivik Corporation, which represents the Inuit of Nunavik, the Québec government struck a committee to conduct an independent examination of the highly sensitive and contentious issue of the Inuit sled dog killings. Jean-Jacques Croteau, a former judge of the Superior Court of Québec, was appointed to lead the examination, which resulted in a report (Croteau 2010) that led to signing of a compensation agreement between Québec and the Inuit on August 8, 2011. Through the agreement, Québec acknowledged its responsibility for, and the injurious effect of, the historic slaughter of Inuit sled dogs on Inuit society and the Inuit way of life.



*The Indian Act does not apply to the Inuit in any way. A group of people from the Inuit community of Puvirnituq photographed in 1975-76 during an information session on the James Bay and Northern Quebec Agreement. From left to right, Markusi Qalingo, Nellie Nungak, Alacie Alasuak and Winnie Tulugak.*

*Photo : Gérald McKenzie*



**Inuit children.**

*Photo: Aubrey Kyte, Roxboro, QC, collection of Pierre Lepage*



### SLED DOGS WERE ESSENTIAL TO INUIT SURVIVAL

“In winter, the dogs would pull us to distant hunting grounds. They also provided us with fur to make clothing. In summer, we used them to carry supplies. In winter, sled dogs can smell animals from far away and can also sniff out seals’ breathing holes in ice floes. And in bad weather, our dogs pulled us back to camp safely.”

(Qumaq, Taamusi 1992)



Sled dog teams, Baie-aux-Feuilles (Tasiujak) 1976.

Postcards, photographer unknown, collection of Pierre Lepage



### RECONCILING DISTINCT RIGHTS AND EQUALITY RIGHTS

The existence or recognition of distinct rights could at first glance seem incompatible with the right to equality set out in our charters of rights and freedoms.

In this regard, we often confuse equality with sameness. The text of *Québec’s Charter of Human Rights and Freedoms* helps us better understand the real meaning to be attributed to the right to equality. The preamble indicates that all human beings are above all “equal in worth and dignity.”

Nowhere in the Charter is it indicated that all human beings must be the same. In fact, the respect for differences forms the basis of numerous other fundamental rights and freedoms, including the freedom of conscience, freedom of opinion, and freedom of religion and religious belief. And the right to one’s own cultural life is just as much a human right as any other, being expressed in particular by a certain way of life that is tied to the land and the use of natural resources.

Moreover, Aboriginal people are not Québec and Canadian citizens like everyone else, and they never were Québec and Canadian citizens under either the French regime or the British regime. They are distinct, and this undeniable reality must be taken into account in the interpretation to be given to the right to equality. Since 1982 in particular, the Canadian Constitution has clearly recognized the collective rights of the Aboriginal peoples of Canada. We cannot invoke an individual right to equality in

order to advocate their assimilation or deny them the right to exist, the right to develop, and the right to thrive as collectivities. Aboriginal rights are expressly provided for in the *Canadian Charter of Rights and Freedoms*, which classifies “aboriginal, treaty or other rights or freedoms that pertain to the aboriginal peoples of Canada...” as rights and freedoms like any others (section 25).



Photo: Pierre Trudel



## A DISTINCT STATUS SINCE THE FRENCH REGIME

### Up to 1760: Under the French Regime,

“Allies of His Most Christian Majesty”.  
(section 40 of the *Articles of Capitulation of Montreal*, 1760)

### 1763: Under the British Regime,

“Nations and tribes” whose “protection” must be assured.  
(*Royal Proclamation*, 1763)

### 1867: In the Constitution of Canada,

“Indians” and “lands reserved for Indians,”  
under the exclusive jurisdiction of the federal government.  
(section 91.24 of the *Constitution Act*, 1867)

### 1876: In the *Indian Act*,

Wards of the state under federal guardianship.

### 1935: In a Supreme Court judgment,

The “Inuit” are “Indians”.  
The Supreme Court of Canada rules that the Inuit fall under federal jurisdiction, but the Canadian government would expressly exclude them from the application of the *Indian Act*.

### 1982: In the *Canadian Constitution* and the *Canadian Charter of Rights and Freedoms*,

“The Indians, Inuit and Métis” are “aboriginal peoples” with “aboriginal and treaty rights”.  
(Section 35 of the *Constitution Act*, 1982 and section 25 of the *Canadian Charter of Rights and Freedoms*)



A photograph of the Indians of Quebec Association, founded in 1965. Standing: Chiefs Daniel Vachon, Smally Petawabano and Harry Kurtness; Miss Whiteduc, secretary; Chiefs William Wysote, José Sam and Tom Rankin. Seated: Chiefs Max “One-Onti” Gros-Louis, Andrew Delisle and Mike McKenzie.

Photo: W. B. Edwards, Tshakapesh collection



The early 1960s saw the emergence of today’s Aboriginal political organizations. The members of the provisional committee of the National Indian Council of Canada, Telford Adams, George Manuel, A. H. Brass, Marion Meadmore, David Knight and Joe Keeper, at a meeting in Regina, Saskatchewan, on August 19, 1961. The newly formed Council was composed of status Indians, Métis and non-status Indians. It would play a key role in Québec in planning the Indians of Canada Pavilion and its activities at Expo 67 in Montréal. The National Indian Council of Canada eventually splintered into two groups, leading to the creation, in 1969, of the National Indian Brotherhood, which represented status Indians. In 1971, Métis and non-status Indians formed the Native Council of Canada.

In the early 1980s, at the time of the discussions surrounding patriation of the Canadian Constitution, the National Indian Brotherhood transformed into the Assembly of First Nations, the large organization known today as the Assembly of First Nations of Quebec and Labrador, which is made up of regional organizations.

Photo: National Archives of Canada, PA 164775



Ghislain Picard, an Innu from the community of Pessamit in the North Shore region, has been Regional Chief of the Assembly of First Nations of Quebec and Labrador for over 20 years.

Photo: AFNQL



## INTERNATIONAL RECOGNITION OF THE RIGHTS OF ABORIGINAL PEOPLES

UNESCO (United Nations Educational, Scientific and Cultural Organization) gives the world's Aboriginal population as 350 million persons living in more than seventy countries and representing than 5,000 languages and cultures. In spite of their numbers and rich diversity, Aboriginal peoples have seen their most basic human rights denied. They are the peoples that international law forgot. Nevertheless, the situation has been changing rapidly since the 1980s.



Chief Levi General (Deskaheh), seen here during his stay in Geneva in 1923–23, poses with members of the Iroquois Commission, a network that supported his cause. At the right, a member of the organization holds the Two Row Wampum Belt that symbolizes the 1634 treaty between the Mohawks and the Dutch in the Hudson River valley.

Photo: Bibliothèque publique et universitaire, Genève. Phot. F. Martin

The attempts of the Aboriginal peoples of the Americas to obtain justice through international legal proceedings is not new. Their first efforts took the form of appeals, petitions and requests to the imperial authorities of the various colonizing countries; from the eighteenth century onwards, Aboriginal delegations and ambassadors regularly travelled to London. One of these trips occurred in 1825, when the great Huron chief Nicolas Vincent and three other chiefs from Jeune-Lorette met with King George IV in the hope of winning their case in a dispute over the lands of the Seigneurie de Sillery; unfortunately, the responsibility for settling the dispute was sent back to the local authorities. The creation of the League of Nations, in 1919, appeared to offer a way forward, but as we saw in the preceding chapter, the Iroquois Chief Deskaheh's attempts to have the case of his tiny nation heard met with no success.

The creation of the United Nations, in 1945, gave rise to new hope. The UN's Charter clearly stated the right to the equality and freedom that was to be enjoyed by all peoples and nations both large and small as well as its firm commitment to put an end to colonialism in all of its forms. The United Nations regularly received complaints from Aboriginal people and groups that alleged the violation of basic rights. Until the 1970s, however, such complaints achieved little. The decolonization process that the UN embarked upon at the

beginning of the 1960s was restricted to overseas territories (that is, ones that were geographically separate from the colonizing country) and protectorates only. This meant that the situation of many Aboriginal peoples – nations within nation-states – would fall between the cracks of international control and remain within the exclusive domain of the internal affairs of those individual states (Lepage 1994).

It was not until the early 1970s that the United Nations began to show a real interest in Aboriginal questions. The Sub Commission on Prevention of Discrimination and Protection of Minorities produced a massive study into the discrimination faced by Aboriginal peoples. Its report, which was the result of ten years of work, is both impressive and forceful, as this extract shows:

Much of their land has been taken away and whatever land is left to them is subject to constant encroachment. Their culture and their social and legal institutions and systems have been constantly under attack at all levels, through the media, the law and the public educational systems. It is only natural, therefore, that there should be resistance to further loss of their land and rejection of the distortion or denial of their history and culture and defensive/offensive reaction to the continual linguistic and cultural aggressions and attacks on their way of life, their social and cultural integrity and their very physical existence. They have a right to continue to exist, to defend their lands, to keep and to transmit their culture, their language, their social and legal institutions and systems and their way of life, which have been illegally and unjustifiably attacked (Martínez Cobo 1987, 29).







The creation of the Working Group on Indigenous Populations, in 1982, is the most significant element in the UN's interest in the situation of these populations. The Working Group quickly set to work on a project for international standards, and in 1993 a draft version of the Declaration on the Rights of Indigenous Peoples was finished and submitted to the United Nations General Assembly for adoption. In the interim, the General Assembly proclaimed 1993 the International Year of the World's Indigenous People and 1994–2003 the International Decade of the World's Indigenous People. It also approved the idea of creating the Permanent Forum on Indigenous Issues within the United Nations.

Thirty years of sustained effort to obtain international recognition deservedly led to a positive outcome on September 15, 2007, when the United Nations General Assembly passed the *Declaration on the Rights of Indigenous Peoples*. The stakes were high, because the Declaration recognizes that Indigenous peoples and individuals are not part of a racial, ethnic, religious or linguistic minority, but free and equal to all other peoples and individuals, with the “right to self-determination” (Article 3). With respect to resource development on Indigenous lands, the Declaration is intended to end unilateral government policies. Article 32, in particular, specifies that States must consult and cooperate with the Indigenous peoples concerned “to obtain their free and informed consent prior to the approval of any project affecting their lands or territories” (United Nations, General Assembly 2007).

In an article that appeared in the *Revue générale de droit*, Cree lawyer Roméo Saganash explains what the recognition of the right to self-determination means for Aboriginal peoples: [TRANSLATION] “You do not have to be an expert in international law to determine what a people’s right to self-determination means. Fundamentally, it is the right to exist, to flourish as a people, and to be respected as such by other peoples. It is the collectivity’s equivalent of the individual’s right to equality, dignity and freedom. Seen from this perspective, the right to self-determination is an inalienable, indivisible and universal right” (Saganash 1993, 87).



On 21 June 2001, a group of non-government organizations lobbied the Canadian government to support the adoption of the United Nations proposal for a declaration on the rights of Indigenous peoples. Invited to speak at the press conference held in Montréal, Kenneth Deer (above) explains the significance of the Two-Row Wampum Belt, a powerful symbol of mutual respect and equality between peoples. The strands of wampum represent the two peoples accepting to live side by side, in peace and harmony, and without interference in the activities of the other.

Photo: Pierre Lepage



Cree Chief Ted Moses was the first Aboriginal person in the history of the United Nations to occupy the prestigious function of rapporteur of a conference of the Human Rights Commission. Here he is being presented the medal of the Société québécoise de droit international by Jacques Lachapelle, then president of the Commission des droits de la personne du Québec.

Photo: Félix Atencio-Gonzales, CDPDJ



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Indians of Canada Pavilion, Expo 67, Montréal.

Official Postcard, Dexter Press, collection of Pierre Lepage



The Indians of Canada Pavilion at Expo 67 in Montréal instilled intense pride and was a symbol of political awakening for First Nations people. A young Innu woman from the community of Pessamit on the North Shore worked as a hostess at the Pavilion for the entire period of Expo. Her name? Philo Desterres. Since then, Desterres has pursued her career with major Aboriginal political organizations such as the Indians of Quebec Association and the Conseil Attikamek-Montagnais.

Photo: Keystone Press Agency, New York, collection of Pierre Lepage



During the discussions surrounding patriation of the Canadian Constitution in the early 1980s, political organizations representing First Nations, Métis and Inuit were concerned that the process undertaken by the federal government might infringe their rights under the Royal Proclamation of 1763 as well as the rights pursuant to treaties entered into with the British Crown. At the time, 300 chiefs of First Nations travelled to London to express their concerns. In the same vein, Wendake Huron Grand Chief Max Gros-Louis (left) and Kahnawake Mohawk Grand Chief Andrew Delisle went to Paris in 1981 to read the original text of the Treaty of Paris signed in 1763 by King Louis XV and held at the Archives du Quai D'Orsay. They are standing in front of the Paris city hall before meeting the mayor.

Photo: Keystone Press Agency, New York, collection of Pierre Lepage

If ever there was a perturbing issue that scares people, it is that of Aboriginal land claims. But there are many myths about the issue: Is it true that Aboriginal peoples are claiming 80% of the territory in Québec? Are they going to wind up with a large part of the territory and deprive the rest of us of its resources? Will these land claims lead to the carving up of Québec?

Where do Aboriginal land claims come from and why haven't we heard about them before? How is it, as some argue, that a handful of nomadic Aboriginal peoples who once roamed the woods covering vaguely defined territories can now claim full ownership of those lands for their sole benefit? More importantly, many people maintain that we can't be held responsible for past wrongs and that there is a limit to playing the guilt card.

### A HIGHLY EMOTIONAL DEBATE

These are heated issues – and for good reason: any issue that deals with territory deals with collective identity and what makes a people, a nation or an ethnic group feel distinct and, especially, valued. And if ever there was a people that identifies with a territory, vast open spaces and natural resources and for whom these are the greatest source of pride, it is Quebecers. In short, everyone feels individually concerned and we shouldn't be surprised that Aboriginal people feel exactly the same way.

To understand the issue, first we need to sort it out. Who owns the land and the territory? Wasn't this question settled a long time ago? As we will see from a look at treaties, Québec, British Columbia and the Northwest Territories differ from the rest of Canada. Prior to the signing of the James Bay and Northern Québec Agreement in 1975, no land treaty in Québec, with one exception, provided for the relinquishing of Aboriginal "rights, titles and interests" in or to land. Surprising but true. So if Aboriginal land rights were not extinguished, is it possible that they still exist? Do Aboriginal peoples hold a mortgage on the land, so to speak?

In the second part of this chapter, we will endeavour to explain why existing land claims cover such vast territories. We will see that land claim negotiations must be approached from the perspective of sharing rather than taking. In short, we will see that recognizing Aboriginal communities' right to exist does not mean that Quebecers must sacrifice something of themselves. In fact, the opposite is true, and that is reassuring. But let's start from the beginning.



*In October 1998, two students at Polyvalente Chanoine-Armand-Racicot in Saint-Jean-sur-Richelieu drafted a peace and friendship treaty similar to the ones between Europeans and Amerindians in the 17<sup>th</sup> and 18<sup>th</sup> centuries. Visiting First Nation members signed the document, which entreated the parties to establish a common future marked by mutual respect and harmony. Student representatives, school administrators and a representative of the Commission des droits de la personne et des droits de la jeunesse also signed.*

*Photo: Rencontre Québécois-Autochtones, Pierre Lepage*



Encampment of Cree Chief Big Bear, Maple Creek, Saskatchewan, 1883.

Photo: G. M. Dawson, Courtesy of the Geological Survey of Canada

## RESPECTING CONSENT

From the very first contacts between Europeans and Amerindians, the need to forge alliances and make treaties was evident. However, these agreements did not deal with land titles. When Champlain sealed the very first alliance with the Innu at Tadoussac in 1603, the French were granted permission to settle in Innu territory in return for military assistance. At no time did the Innu cede their rights to those lands. The first treaties under both the French and British regimes aimed to establish friendly, peaceful relations. A key concern in signing the treaties was the development of commercial ties, because the colony depended on it.

The British Conquest of the French colonies in North America marked a turning point. King George III issued a Royal Proclamation in 1763 for the administration of British territories in North America, triggering the shift from military and commercial alliances to major land treaties. The road to colonization had to be paved in an orderly and peaceful fashion.

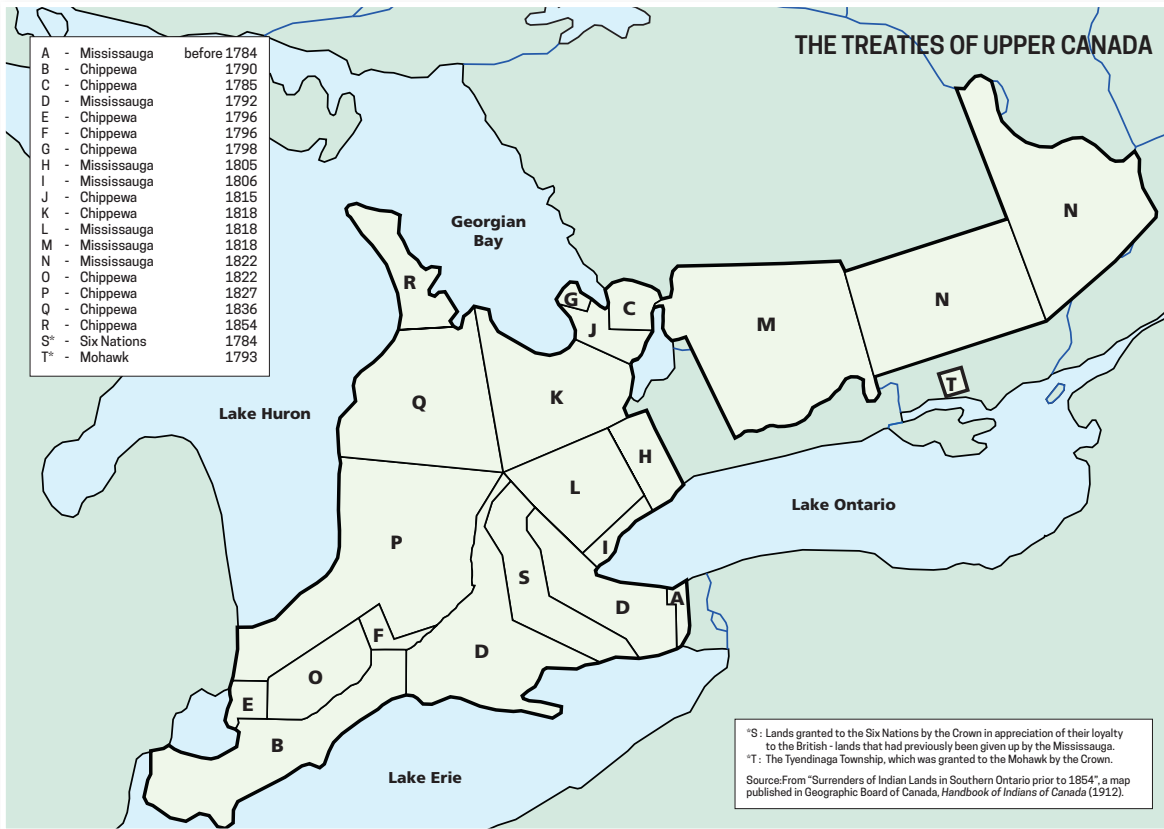
The text of the Royal Proclamation explicitly stated that the consent of Indian nations was required in order to settle on their land. It even set out a procedure:

... but that, if at any Time any of the Said Indians should be inclined to dispose of the said Lands, the same shall be Purchased only for Us, in our Name, at some public Meeting or Assembly of the said Indians, to be held for that Purpose by the Governor or Commander in Chief of our Colony respectively within which they shall lie ... (Royal Proclamation of 1763).

## UPPER CANADA TREATIES: CASH PAYMENTS

The first treaties were negotiated in southern Ontario between 1780 and 1850. Immigrants from Great Britain who came over after the Conquest wanted to settle in the area. And waves of Loyalists, American colonists who remained loyal to the British Crown, fled the United States after the American War of Independence and also sought refuge in the area. They needed land.

The so-called Upper Canada Treaties consist of a series of surrender agreements that opened up lands for settlement. The Crown purchased Indian lands in exchange for lump-sum or annual cash payments, or annuities. According to the *Report of the Special Commissioners to Investigate Indian Affairs in Canada*, published in 1858, much of the land was ceded for a pittance. Lands were surrendered [TRANSLATION] "... for a nominal sum ... sometimes for goods, sometimes for an annuity that represented only a fraction of the actual value of the lands" (Savard and Proulx 1982, 65). The Crown not only got away with paying little, but the land surrenders also marked the beginning of broken promises. For example, during the talks leading to the signing of a treaty between the Crown's representative and Ojibway chiefs in 1818, Chief Buckquaquet specifically asked that



his people not be deprived of the “right of Fishing, the use of the waters and hunting where we can find game.” Unfortunately, even though these words were reported in the official record of the negotiations, they were not written into the treaty. Many years later, a court of justice would rule that traditional Ojibway practices were not protected, but rather were subject to the laws of Ontario. This was a bitter disappointment. (Tilden 1978, 7)

### THE ROBINSON TREATIES: A CALL TO ORDER

In 1850, Sir William B. Robinson, on behalf of the British Crown, negotiated and signed two major treaties with the Ojibway of Lake Superior and Lake Huron. The treaties are referred to as the Robinson–Superior and the Robinson–Huron treaties.

The Crown had granted lands and mining rights north of Lake Huron and Lake Superior without the consent of the Ojibway, who protested and filed petitions. Seeing their claims ignored, the Ojibway of the Sault Ste. Marie area took action in 1849 by taking over a mine and expelling the miners (Richardson 1987, 24). Having been called to order, the Crown was forced to comply with the procedure set out in the Royal Proclamation of 1763. Peace was key to colonization and industrial development. Treaties were needed. The need to conclude treaties was obvious, but it was also the decent thing to do.



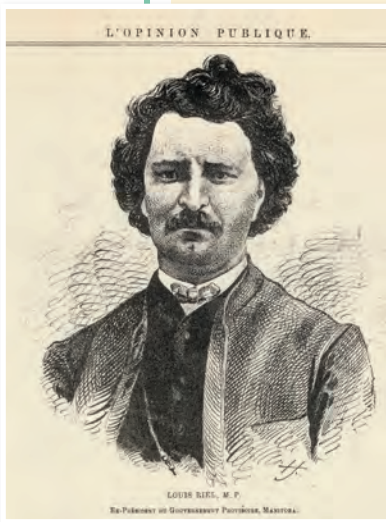
Portrait of a group of Ojibways, Long Lake, Ontario, 1916.  
Canadian Museum of Civilization, photograph by F. W. Waugh, MCC 36751

The Robinson treaties were a determining factor in subsequent events, serving as a model for the major treaties signed as colonization moved westward following the founding of the Canadian Confederation in 1867.



### LOUIS RIEL AND THE MÉTIS REBELLION

In 1670, the King of England granted the Hudson's Bay Company a monopoly over the fur trade in the vast territory known as Rupert's Land, which covered the entire Hudson Bay drainage basin and extended westward as far as the Rocky Mountains. Countless marriages between fur traders and First Nations women across the territory resulted in the development of a distinct Métis identity and culture. On the prairies, the language of the Métis – Michif – was a mixture of French and several Aboriginal languages. "Some Métis formed permanent settlements around trading centres. The buffalo hunt was an important organizing feature of other, more mobile Métis groups." (Canada, Royal Commission 1996).



An engraving of Louis Riel, 1873.

L'Opinion publique, collection of Pierre LePage

Soon after Confederation, in 1869, the Hudson's Bay Company sold its rights in Rupert's Land to the new Dominion of Canada. No one bothered to inform the Métis and Indian tribes of what was in store for them. What is more, caravans of settlers set out from eastern Canada to grab the best lands before the transaction had even been finalized. As more settlers moved west, the Métis began to fear the establishment of an agricultural society, that their way of life was threatened and that their land was being invaded. "Under the leadership of Louis Riel, the Métis expelled a team of government surveyors plotting routes for incoming settlers in 1869." (Canada, Indian Affairs 1997, 57)

The newly appointed governor of the territory was denied entry. Métis resistance increased. The Hudson's Bay Company trading post in Fort Garry was seized. Now in a strong position, the Métis set up a provisional government and adopted a bill of rights demanding that the territories known as Rupert's Land and the North West could only enter Confederation as a province. Accordingly, the government entered into the negotiations leading to passage of the *Manitoba Act* in 1870. Unfortunately, when the Métis provisional government executed one of its prisoners, the federal government was compelled to send troops to Manitoba. The promise of amnesty made during the negotiations was not kept and Louis Riel had to go into hiding.

Although the *Manitoba Act* provided for the granting of land to the Métis, this remained a largely unfulfilled promise. The Métis were unhappy and summoned Louis Riel from the United States, where he had taken refuge. Rebellion broke out in 1885. This time, two Cree chiefs, Big Bear and Poundmaker, rallied their people and joined Riel's forces. When settlers were killed during a skirmish with Poundmaker's warriors, the Canadian government responded by sending 8,000 troops west and the rebellion was swiftly quelled. "Riel was convicted of treason in 1885 and sentenced to death. The Indian Chiefs Big Bear and Poundmaker were imprisoned for two years and eight other Indians were hanged." (Canada, Indian Affairs 1997, 59).

The history of the settlement of western Canada focused so greatly on the Riel affair and the Métis uprising that the conclusion of major treaties with the country's First Nations was pushed completely into the background. Nevertheless, Louis Riel remains a symbol of both resistance to fait accompli policies and fierce struggle against assimilation.



The Robinson treaties involved huge tracts of land, which was something new. Another first was that the Aboriginal signatories to these treaties surrendered their land titles in return for the setting aside of lands for their exclusive use. The treaties provided for the creation of 20 small reserves. From that point on, the notorious “Indian reserves” would be an integral part of major treaties.

### A SHORT HISTORY OF TREATY NO. 6: HOSTILE NATIVES BLOCK CONSTRUCTION OF THE TELEGRAPH LINE

In 1873, the Government of Canada put off entering into treaties with the First Nations of western Canada. A hostile group of Aboriginal people ordered a member of the Geological Survey team to halt his work. The following year, the federal government authorized contracts for the construction of a telegraph line between Thunder Bay, Ontario, and Cache Creek, British Columbia, that would blaze the trail for the construction of the Canadian Pacific Railway. The authorities again turned a deaf ear to the warnings that there would be trouble if the telegraph construction crew headed west without a treaty having been made.

Cree chiefs Mis-ta-wa-sis and Ah-tuk-u-koop and their warriors took action in July 1875 by preventing the telegraph construction crew from moving beyond the elbow of the North Saskatchewan River. They also stopped the Geological Survey team from exploring for ore and oil deposits. The train transporting the equipment for construction of the telegraph was cut off near Fort Carlton and the person in charge was asked to order a halt to the work. He was also warned not to fell any trees west of the South Saskatchewan River for use as telegraph poles.

A team working farther east also encountered problems. Twenty-five Indian tents were erected near the work site: the protesters wanted cash settlements for the lands used and the wood cut, because no treaty had been made with them. The chief asked for 50 cents per pole and threatened to have the line destroyed if payment was not received.

The government responded swiftly by sending a well-respected Methodist missionary to the area to visit the Indians and promise a treaty the following year. The Western Cree accepted the proposal and called back their warriors. The work resumed quickly. As promised, Treaty No. 6 was signed with the Plains Cree the following year, in summer 1876.

(Events reported in Ronaghan 1976)



An engraving of Chief Abraham Mikaskokiséyín, signatory of Treaty No. 6.

L'Opinion publique, collection of Pierre Lepage

The Crown was anxious to obtain Aboriginal consent, but it was not easy. The situation led treaty commissioners to assure the signatory Aboriginal communities that they could continue to hunt and fish, even on the ceded lands, *as long as those lands were not required for settlement*. Aboriginal people were thus guaranteed, at least verbally, that they could continue their way of life after the treaty had been signed. So why refuse to sign a treaty that guaranteed they would live under Crown protection and maintain their way of life. Confusion and miscommunication reigned!



L'Opinion publique, collection of Pierre Lepage

### POST-CONFEDERATION NUMBERED TREATIES

In 1867, the Fathers of Confederation signed the *British North America Act*, making new treaties necessary. The great Canadian dream was built around the settlement of lands west of the Great Lakes, which were occupied by First Nations and Métis. These lands were appropriated and made available to settlers, who were encouraged to come in large numbers. Free land was offered and was soon followed by a large-scale advertising campaign to attract settlers. At the same time, treaties had to be concluded to ensure that the railway line could be extended to the Rockies.

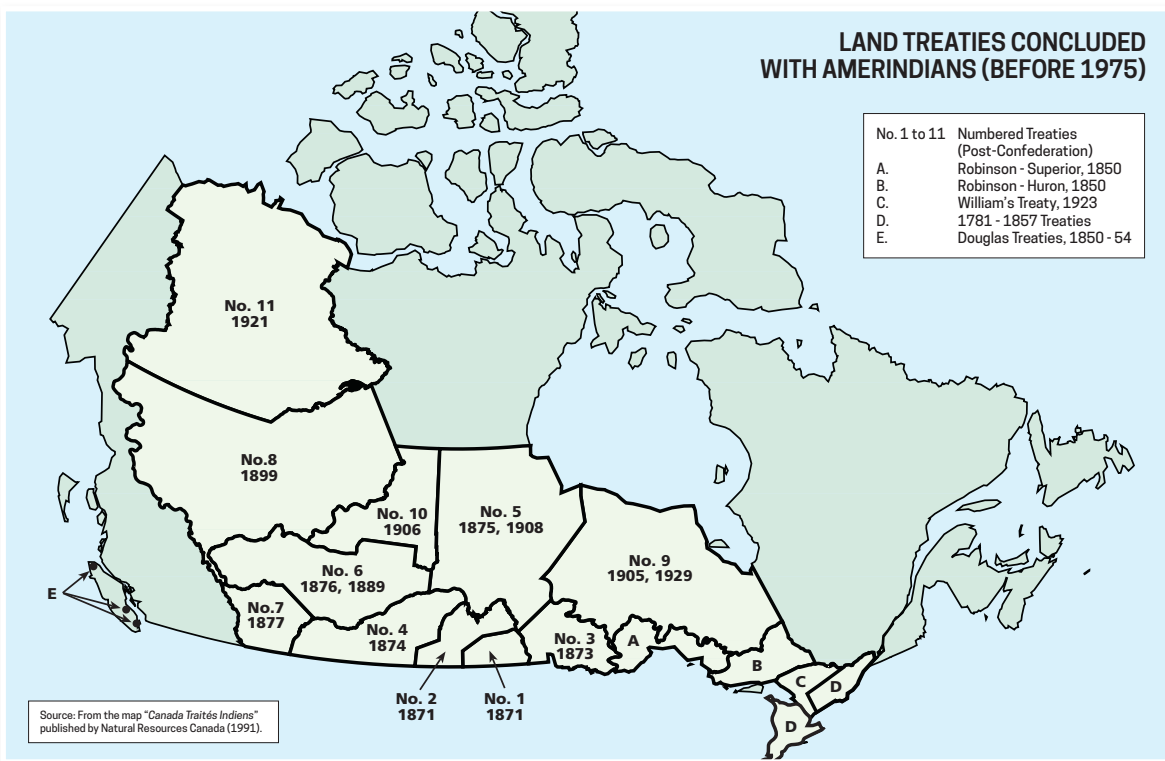
Eleven major treaties, known as the post-Confederation numbered treaties, were signed over a 50-year period. The map below shows their evolution and the size of the territories concerned.



Blackfeet by the railway.

Photo: National Archives of Canada, C 16717

How could the First Nations of Ontario and the western provinces have ceded their rights to such vast territories? This is what happened. The numbered treaties were generally concluded expeditiously. Government-appointed commissioners usually left Ottawa armed with a pre-drafted document, with little room for any real





negotiation. The commissioners travelled lakes and rivers to meet with Aboriginal peoples. If there were no chiefs or council members, they were asked to elect spokespersons who would sign the treaty. With the assistance of an interpreter and very often through a missionary, the treaty was usually presented on a “take-it-or-leave-it” basis. Very often, Aboriginal peoples were advised that, if they did not sign the treaty, settlers could still invade their lands and they would be deprived of treaty benefits. The chiefs and council members, who were generally illiterate in French or English and hardly aware of the legal scope of the treaty, were invited to affix their signatures – most often by means of an X.

## TREATY BENEFITS

Central to all these major treaties is the notorious cession clause, which states that the Aboriginal signatories “do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada, for Her Majesty the Queen . . . all their rights, titles, and privileges whatsoever” to the lands described in the document.

In return, the Aboriginal signatories were offered parcels of land reserved exclusively for them – “Indian reserves” – but which did not belong to them. The federal government retained sole ownership of the land and managed it on behalf of the Aboriginal people. The terms of Treaty No. 8 provide a good illustration of the other treaty benefits: in the first year, “a present of \$32 in cash to each chief, \$22 to each headman [councillor] and \$12 to every other Indian.” The next year and every year thereafter: \$25 was to be paid to each chief, \$15 to each headman (not to exceed four to a large band and two to a small band) and \$5 “to every other Indian, of whatever age, . . . to be paid only to heads of families.” After signing the treaty, each chief received a silver medal and a suitable flag.



Commissioner Cain, representing the government, addressing First Nation members gathered in Asnaburgh, Ontario, in 1929, trying to convince them to join Treaty No. 9. He is assisted by interpreter Larry Vincent.

Photo: National Archives of Canada, C 68926



Treaty No. 9 Commission. First row: Mr. Rae and Mr. Miende. Second row: Mr. Stewart, Mr. Mac Martin and Duncan Campbell Scott. Standing: Dominion Police constables Vanasse and Parkinson. The presence of police officers formalized and made the event convincing. The participation of missionaries was deemed key to establishing a climate of trust during treaty negotiations.

Photo: National Archives of Canada, PA 59549



Canoes carrying the commissioners responsible for Treaty No. 9 arrive at Long Lake, Ontario, in 1909.

Photo: National Archives of Canada, PA 59577

Every third year thereafter, each chief and council member received “a suit of clothing.” Treaty No. 8 also provided for payment of the salaries of school teachers and, for each chief that selected a reserve, “ten axes, five handsaws, five augers, one grindstone, and the necessary files and whetstones.” In addition, each band that elected to take a reserve and cultivate the soil received “two hoes, one spade, one scythe and two hay forks for every family, in addition to one plough and one harrow for every three families.” Bands and families that elected to engage in agriculture and livestock raising received cows and bulls. For those who preferred to continue hunting and fishing, ammunition and twine for making nets were provided annually.



Chief Moonias at the signing of Treaty No. 9 at Fort Hope, Ontario, in 1905. The chief remained skeptical about the promises made by the treaty commissioners.

Photo: National Archives of Canada, PA 59534

## OPPOSING VIEWS ON TREATY TERMS

The government’s goal in concluding treaties was to remove any obstacles liable to hinder the arrival of settlers, the clearing of arable lands, and resource development west of the Great Lakes. Aboriginal people were also to be encouraged to gradually abandon their way of life and assimilate by taking up agriculture. However, the Aboriginal peoples’ concern for preserving their way of life



Annual treaty-payment ceremony. First Nation signatories of treaties and their descendants received \$4 or \$5 per year. Location unknown, Canada, 1949.

Photo: The Baltimore Sun, Tribune Photo Archives, collection of Pierre Lepage

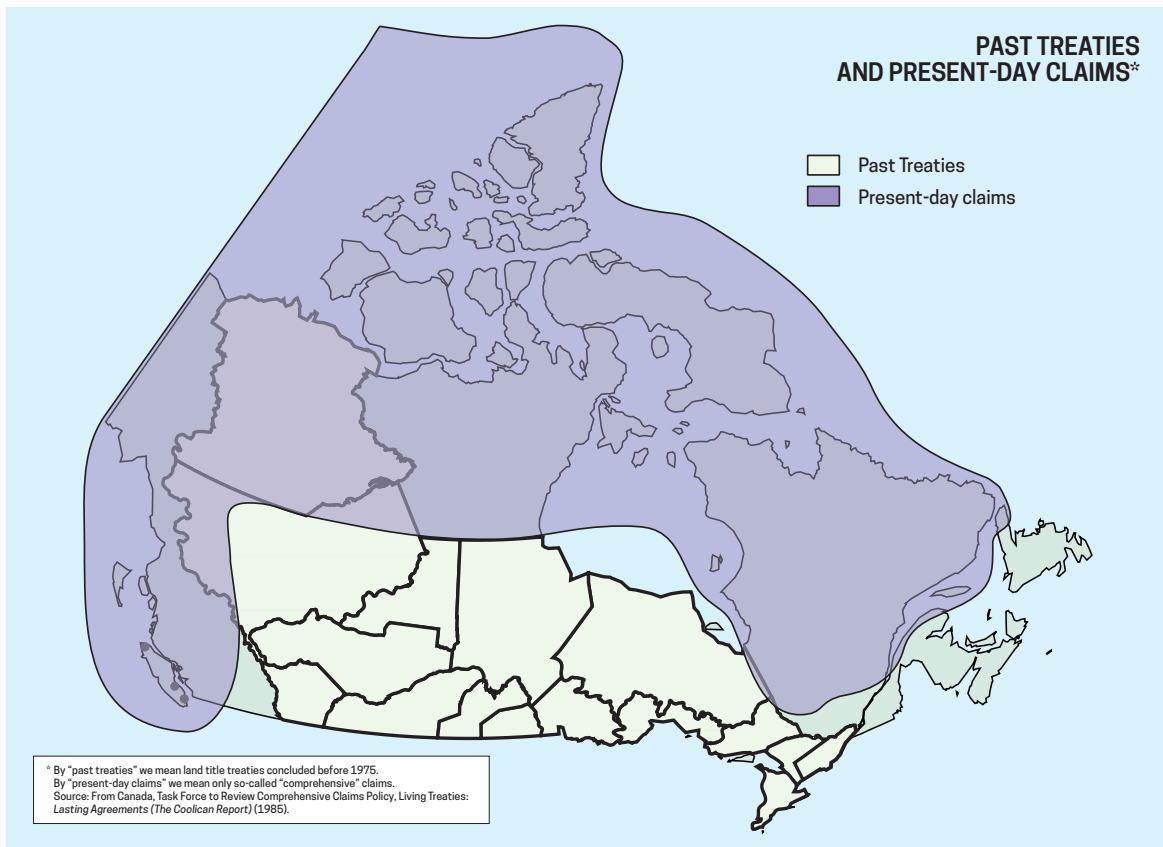


The famous silver medal given to each chief and councillor who signed the numbered treaties. On the back side is an effigy of Queen Victoria.

Photo: National Archives of Canada, PA 123917

was present in every discussion. That was only normal, but it meant that the signatory parties’ views on the terms and objectives of the treaty were diametrically opposed. First, the very notions of private property and surrender or cession of rights were completely foreign to Aboriginal societies. They believe that the land does not belong to anyone. Rather, we belong to the land and are its custodians. How can you cede or sell something that belongs to no one?





**NUMBERED TREATIES:  
FREE AND INFORMED CONSENT BY ABORIGINAL PEOPLES IS DOUBTFUL**

[TRANSLATION] "Several factors suggest that Aboriginal consent to certain treaties may have been flawed. The first is obviously the non-existence of the notion of private property in Aboriginal conceptions of their relationship to the land. Government commissioners therefore needed to explain in detail what the cession of territory meant. However, this does not seem to have been done. During treaty negotiation, the emphasis was often placed on the guarantee of unrestricted hunting and fishing rights and the preservation of the Aboriginal way of life. A study of tribal elders in Alberta showed that Aboriginal people had little or no understanding of territorial cession. A bold legal ruling even took into consideration the possibility of a "failure in the meetings of the minds." Moreover, a commission set up in 1957 to investigate the implementation of Treaties 8 and 11 concluded that the Aboriginal groups concerned did not understand the content of these treaties due, in particular, to the very poor translation during negotiations and the Aboriginal people's trust in the priests and highly respected civil servants present at the negotiations. Even at this relatively recent time, the commissioners had to have realized that Aboriginal people did not differentiate between hunting rights and land-ownership rights. Since the negotiators had assured the Aboriginal people that they would still be able to hunt, one can reasonably assume that there was a major discrepancy between the Aboriginal understanding and the European understanding of these treaties. There were other flaws as well, such as the designation of Aboriginal chiefs by government commissioners rather than by the Aboriginal people themselves. It goes without saying that the individuals appointed as chief were in favour of a treaty that would benefit the Crown."

(Grammond 1995, 107-108)



In its 1996 report, the Royal Commission on Aboriginal Peoples found that “[a]ccounts of negotiations leading to the historical treaties are full of stories of miscommunication and cross purposes.” The historical evidence is clear on the verbal promises made by government representatives during negotiations: “the written treaties often are not a full and fair statement of agreements reached.” It is highly doubtful that the essential conditions for genuine negotiation and free and informed consent by Aboriginal peoples existed. Have we done any better in Québec?

### A TROUBLING OBSERVATION IN QUÉBEC

In viewing the map of land treaties signed during the 19<sup>th</sup> and early 20<sup>th</sup> centuries, a troubling observation emerges: no such treaties were concluded for territory in Québec, apart from with the Abitibiwinni First Nation. This is also the case for almost the entire territory of British Columbia and most of the Northwest Territories and the Maritime provinces. As mentioned at the beginning of this chapter, it was not until 1975 that the first modern-day land treaty was entered into in Québec: the James Bay and Northern Quebec Agreement was signed with the Cree and Inuit peoples to make way for the James Bay hydroelectric development project. In 1978, the Northeastern Quebec Agreement was signed with the Naskapi of Schefferville. Since then, no other treaty has been entered into in Québec.

#### NATION-TO-NATION AGREEMENTS

“Treaties are not admissions of defeat or submission. Parties to a treaty do not give up nationhood or their own ways of living, working and governing themselves. Rather, they acknowledged their shared wish to live in peace and harmony, agree on rules of coexistence, then work to fulfil their commitments to one another.”

(Report of the Royal Commission on Aboriginal Peoples 1996)

The majority of First Nations in Québec claim that they never ceded their rights to their ancestral lands. They are right, which is why negotiations must be conducted to settle their land claims. What portion of the territory of Québec do current land claims cover? The answer: the portion that is not already covered by a treaty. In fact, superimposing the areas covered by historic land treaties on the areas covered by present-day land claims produces the negative and positive images of the reality.

Many Quebecers feel a certain amount of anguish and even guilt when they discover that Aboriginal land claims in Québec have never been settled. For some, it’s a complete shock. However, if this situation can be seen as a historical aberration, there is surely something to be learned from it. As we have seen, Canada cannot exactly be commended for the way in which it concluded the numbered treaties. What could have been a process espousing fundamental equality, reciprocal recognition and mutual respect between the parties proved to be a process tainted by a highly unbalanced power relationship, discord and contempt, and even lies and fraud. Québec can do better as far as treaties are concerned. And, in several respects, it did do better with the first treaties signed with the Cree, Inuit and Naskapi more than 40 years ago.

## THE EXCEPTION OF THE ABITIBIWINNIK AND TREATY NO. 9

Many of the elders now living in the Algonquin community of Pikogan, near Amos, are from Lake Abitibi, a huge lake that straddles the Québec-Ontario border. Elders from the community recount that every spring the Abitibiwinnik would move from their hunting grounds to Lake Abitibi:

[TRANSLATION] “They would gather each summer at Apitipik Point, where families would reinforce their sense of belonging to a group and the Abitibiwinni tradition by celebrating marriages and negotiating political alliances, such as the various treaties that have shaped their history. Come fall, they would return to their respective hunting grounds.” (Council of the First Nation of Abitibiwinni 2019)

The summer gathering place of Apitipik Point, located in Québec, is where the Abitibiwinnik (formerly known as the Abitibi Dominion Band) signed Treaty No. 9 on June 7, 1906. However, the treaty applied only to families whose hunting grounds were in Ontario, hence the creation of the Wahgoshig First Nation Reserve in Ontario. The Québec government refused to recognize the validity of the treaty or take part in the negotiations. Facing the discontent of families in the eastern part of the territory, the treaty commissioners for the Government of Canada were forced to promise to create a reserve on the Québec side, in the proportion of one square mile per family of five, for a total area of 34 square miles. That promise was never honoured.

In the 1950s, families were forced to leave the Lake Abitibi area under pressure from settlement and forest and mining development. The federal government purchased land from a farmer in order to establish the new Pikogan Reserve, just a few hectares in size. In 1955, the opening of the St-Marc-de-Figuery Indian Residential School near Amos sounded the death knell of the formerly nomadic Abitibiwinni band, which quickly and permanently adopted a sedentary lifestyle. It is because of the federal government’s broken promises and the Québec government’s refusal to recognize the rights of the Abitibiwinnik and take part in treaty talks that the Algonquin First Nation of Pikogan, who never joined Treaty No. 9, challenge the validity of the Treaty. The Abitibiwinnik in Ontario received the land that was promised to them, whereas the Abitibiwinnik in Québec, who were promised 34 square miles, ended up receiving just over one square mile.

The Historic Sites and Monuments Board of Canada designated Apitipik a national historic site in 1996.

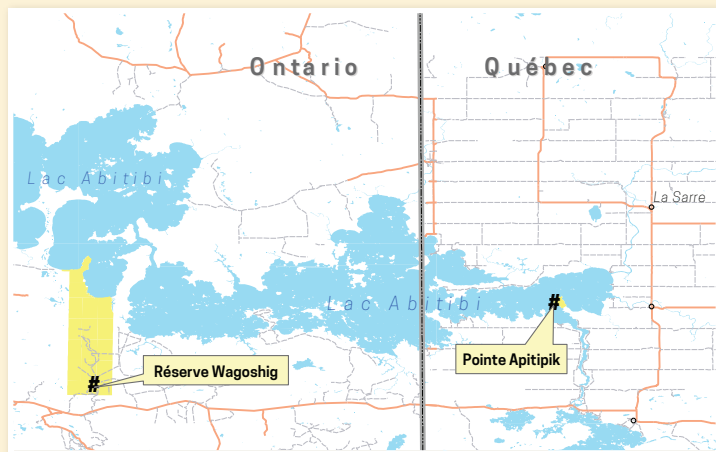


Ville Marie, Lac Abbetibi

Procession of canoes on Lake Abitibi, 1906. The Abitibiwinnik called this place *Ki8ack8e matcite8ia*.

Postcard, Illustration Postcard, Montréal, collection of Pierre Lepage

## APITIPIK POINT AND TREATY NO. 9



Apitipik Point and Treaty No. 9.

Courtesy of the Council of the First Nation of Abitibiwinni, James Cananasso



### QUÉBEC ENTERS INTO TREATIES

In 1923, the signing of Treaty No. 9 with the Aboriginal peoples of northern Ontario marked the end of an era: no more treaties would be entered into for more than 50 years. Canadian government policy consisted in ignoring ancestral rights, but the Supreme Court of Canada's Calder ruling in 1973 compelled the government to end that policy and conclude new treaties.



*James Bay and Northern Québec Agreement signing ceremony, November 11, 1975. Cree Chief Billy Diamond and Makivik Corporation President Charlie Watt are flanked by Premier Robert Bourassa, federal Minister of Indian Affairs Judd Buchanan, Québec government ministers and representatives of the signatory government corporations.*

*Photo: J. Krieger, National Archives of Canada, PA 143013*

In 1975, after a long political and legal dispute over the James Bay hydroelectric development project, the Grand Council of the Crees (of Québec) and the Northern Quebec Inuit Association signed an agreement with the governments of Québec and Canada and three government corporations: the Société de développement de la Baie-James (James Bay Development Corporation), the Société d'énergie de la Baie-James (James Bay Energy Corporation) and Hydro-Québec. The James Bay and Northern Québec Agreement was not only the first modern treaty, but also the first Aboriginal land title settlement in Québec. In 1978, a similar agreement was entered into with the Naskapi of Schefferville: the Northeastern Quebec Agreement.

In addition to providing substantial financial compensation, these agreements provided for the establishment of a hunting, fishing and trapping regime to better

protect the rights of the Inuit, the Cree and the Naskapi. The latter were also guaranteed a right of first refusal and, in some cases, exclusive rights. In addition, the agreements established a novel guaranteed annual income program for hunters and trappers. For the Cree and Inuit parties, it was especially important to ensure that future development in the territory be carried out in consultation with the Aboriginal peoples affected by it. Joint committees were established to ensure protection of the environment, fauna and flora – an issue of special concern. The James Bay and Northern Québec Agreement also provides for the taking of corrective and remedial measures to mitigate the



### A QUESTION OF SHARING

The James Bay and Northern Québec Agreement and the Northeastern Quebec Agreement clearly illustrate that land claims must be approached in a spirit of sharing and cooperation rather than of dispossession. Québec has gained much from these agreements, in terms of both preserving the integrity of its territory and developing the resources of these vast regions that together represent nearly two-thirds of the area of Québec, or just over the total area of Ontario. A huge area!





negative impact of hydroelectric development. It provided for the relocation of the community of Fort George due to the threat of shoreline erosion. These first two major treaties of the modern era fostered the establishment of several institutions to allow the Cree, the Inuit and the Naskapi to take greater control of their destiny.

### **An Old Colonial Practice Persists**

There is no comparison between early and modern treaties, except for one fundamental aspect: like the post-Confederation numbered treaties, they both provide for the prior extinguishment of all Aboriginal “rights, titles and interests,” whatever they may be, in and to the lands concerned. The Aboriginal rights of the signatory nations were extinguished in exchange for the set of clearly defined rights and benefits partially outlined in the previous paragraph. No settlement was possible if the Aboriginal party refused to consent to the extinguishment process imposed by the federal government.

In 1978, Québec’s Commission des droits de la personne challenged this practice, claiming that it violated the right to equality. The Commission further challenged the fact that the James Bay and Northern Québec Agreement also extinguished the land rights of nations that were not party to the agreement but whose ancestral and traditional lands overlap the agreement territory (in particular, the Algonquins, the Atikamekw, the Innu of Québec and Labrador, and the Inuit of Labrador). The Royal Commission on Aboriginal Peoples expressly recommended that the practice of extinguishing rights be ceased. A few years ago, the United Nations Human Rights Committee deemed this extinguishment incompatible with Article 1 of the International Covenant on Civil and Political Rights, which enshrines the inalienable right of all peoples to self-determination and to freely dispose of their natural wealth and resources (United Nations 1999).

Modern treaties provide a unique opportunity to restore the dignity of First Nations, correct certain errors of the past and look to a future of living together in peace and harmony. Recent developments indicate that we’re on the right path, although the currently stalled negotiations in Québec are of considerable concern to the First Nation parties.



*The financial compensation provided for in the James Bay and Northern Québec Agreement allowed Cree authorities to start profitable businesses such as Air Creebec.*

*Photo: Jimmy Sam, MEQ collection*



Given the land regime established by these modern treaties, it is highly unlikely that Quebecers will lose anything. So-called Category III lands account for over 84.3 per cent of this vast territory. In general, the entire population has access to, and use of, these lands. Although Aboriginal peoples do not have exclusive rights or privileges on Category III lands, they are able to pursue their harvesting activities – hunting, fishing and trapping – as in the past. To that end, certain species are reserved for their use. The exclusive right to hunt, fish and trap is limited to Category I and II lands, which represent barely 15.8 per cent of the territory. But even at that, Category II lands may be used by Québec for development purposes, provided the used lands are replaced with an equivalent amount of Category II lands elsewhere. In short, everyone appears to benefit.

### SHARING TERRITORY

Category I lands are allocated to each Cree and Inuit community for their exclusive use. They are lands in and around the communities where the Cree and Inuit normally reside. Category II lands are contiguous to Category I lands and form a belt of land in which Agreement beneficiaries living on Category I lands have exclusive hunting and fishing rights. Category III lands are public lands where beneficiaries are granted no exclusive right of occupancy, but can pursue their hunting, fishing and trapping activities year-round, as in the past, without legal constraint.

(Beauchemin 1992, 19)



Salmon rivers are another striking example of the cooperation and interdependence that need to be established between the Québec majority and Aboriginal peoples. There are over 110 salmon rivers in Québec and, considering that no land treaties were entered into in Québec until 1975, one would think that the majority of these coveted fishing rivers would be the object of land claims. But they aren't. In fact, only around ten salmon rivers are the object of current claims.



Is that really so many? And of those ten or so rivers, in several cases fishing rights apply to only a portion of the river and do not prohibit access by other users. Is there really a significant difference between a salmon river managed by Québec and a salmon river managed by Aboriginal people if the entire Québec population continues to have access to it? Once again, both parties appear to benefit – provided, of course, the river is shared.



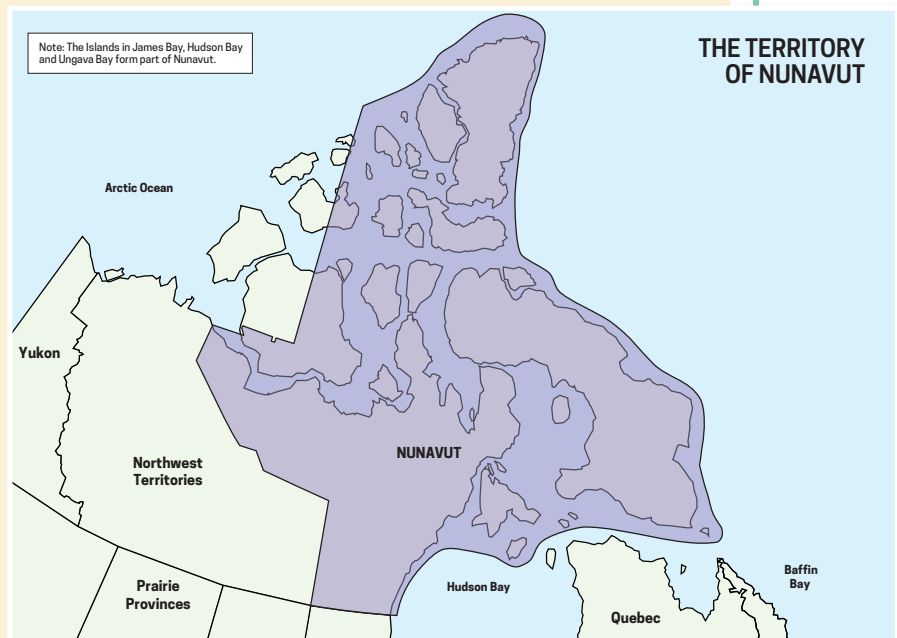
## NUNAVUT, THE LARGEST LAND CLAIM SETTLEMENT IN CANADA

On April 1, 1999, the new Canadian territory of Nunavut, an Inuktitut word meaning “our land” was born. It is a vast territory covering nearly two million square kilometres – one-fifth of Canada’s land mass. In 2017, the population of Nunavut was 35,600 people, over 76% of whom were Inuit. Nunavut has 28 communities, including the capital, Iqaluit, where 21% of the Territory’s inhabitants live.

Nunavut was created as a settlement of Inuit land claims in the eastern Arctic. [TRANSLATION] “The Nunavut Land Claims Agreement is the largest Aboriginal land claim settlement in Canadian history. It grants the Inuit of Nunavut title to approximately 360,000 square kilometres of land in the eastern and central Arctic and establishes clear rules of ownership as well as the mechanisms for management of land, water and resources, including offshore, in the new Nunavut Territory. The establishment of Nunavut as a distinct territory under its own government fulfilled a long-held aspiration of the eastern and central Arctic Inuit to control their own destiny.” (Inuit Tapirisat of Canada 1995, 12-13)

The Nunavut government is a public government, that is, elected by all residents, Inuit and non-Inuit alike. However, because Inuit make up the majority of the population, the elected Parliament is likely to reflect Inuit culture and concerns. In 2017, three-quarters of the Inuit population of Nunavut was under 40 years of age. Creating jobs for these young people is one of the biggest challenges facing the Territory. The cost of living is twice as high as in southern Canada.

(Sources: Nunavut 2017; Canada, Aboriginal Affairs and Northern Development 2017; Inuit Tapirisat 1995)



## THE OKA CRISIS IN THE SUMMER OF 1990: A PARTICULAR LAND DISPUTE

In a newspaper article entitled *Un déluge d'informations souvent inutiles* (A Flood of Often Useless Information), anthropologist Serge Bouchard described in a nutshell the media hype surrounding the Oka Crisis in the summer of 1990: [TRANSLATION] “We knew when a Warrior (an armed, masked Mohawk warrior) was having trouble digesting his dinner, but we were starved of information about unexplained issues.” (Bouchard 1990: *La Presse*, B-3) How did this crisis, which marked Québec society, come to be?



Photo: Pierre Lepage

In the early morning of July 11, 1990, the Sûreté du Québec launched a large-scale police operation to dispel a group of Mohawks who had erected a barricade at the Pines in Oka to protest against the planned expansion of the golf course (from 9 to 18 holes) and the construction of luxury condos on the edge of the golf course. In a show of support, the Mohawks of Kahnawake blocked the Honoré-Mercier Bridge, a key transportation link for thousands of workers driving into Greater Montréal every day. Back in Oka, following ultimatums and a few hours' wait, the Sûreté du Québec tactical squad was ordered to remove the Mohawk barricades. (Trudel 2009) Violence immediately broke out. Gunfire ensued from both sides and Corporal Marcel Lemay was killed. The Sûreté du Québec retreated. And so began the Oka Crisis, a major, highly publicized crisis that would last until September 26, 1990 and ended following intervention by the Canadian army.



Mohawk barricades at Oka, July 19, 1990.  
Photo: Pierre Lepage

On July 11, 1990, Quebecers had no idea they were witnessing the dramatic end to a 200-year-old land dispute. (Rochon and Lepage 1991)

### **A Dispute Over Ownership of the Land of the Seigneurie of Lake of Two Mountains**

To understand the depth and nature of the dispute, one has to go back to the French regime, or even further according to Mohawk oral tradition. (Gabriel-Doxtater and Van Den Hen 2010) The Society of Priests of Saint Sulpice, or Sulpician Fathers Seminary, had established a mission at “Fort de la Montagne” (Mount Royal) in Montréal to shelter Indians, mostly Mohawk (as well as Algonquin, Nepissing and Huron) (Lepage 2009). To protect them from bad influences, the Sulpicians convinced the Indians to leave their settlement and move to the new Sault-au-Récollet

mission, where they settled in 1704. But 20 years later, after the Indians had cleared the land, the Sulpicians promised them a tract of land, as their property, if they consented to move again and go settle on the shores of Lake of Two Mountains, near Oka. In large part, therein lies the crux of the problem. In the meantime, in 1717, the King of France ceded “sole ownership” rights to the Seigneurie of Lake of Two Mountains to the Sulpicians on the condition that, among other things, they establish a mission for Indians.

When the Seigneurie was established, the possibility of granting a portion of the land to Indians and another portion to the Sulpicians was clearly envisaged. (Boileau 1991, 98) However, the Sulpicians opposed the idea, resulting in a concession for which title to the property and right of usufruct were not what was promised to the Indians. The small Mohawk community established at Oka would be joined by Algonquins, Népissings and Hurons. (see Lepage 2009)



Title: *Kanasatakee, or Two Mountain - Indian Village, Ottawa River, Canada.*

Engraving: *Illustrated News, 1863, Collection of Pierre Lepage*

### A History of Resistance

Historian Serge Laurin pretty well sums up the beginnings of a painful chapter in the regional history when he writes, [TRANSLATION] “For decades, the Indians of Oka driven out by the Iroquois would wage a fierce battle, both in court and through criminal acts, to force the white man, white governments and the Sulpicians, the appointed Lords of Lake of Two Mountains, to recognize their title to the seigneurie and its land, woods and resources.” (Laurin 1989, 64-65)

After the seigneurial system was abolished, the Sulpicians disposed of most of the lands of the Seigneurie. The sale of land accelerated around 1870 following an escalation of conflict and the departure of the Algonquins for a new settlement at the Desert River (Maniwaki). In 1912, a ruling by the Privy Council in London upholding the Sulpicians’ right to sell the land did not put an end to the dispute. Finally, a large portion of the Seigneurie lands were sold to a Belgian-Canadian real estate company in 1936. However, Aboriginal people never stopped claiming that the lands had been promised to them and that the Sulpicians, as trustees of the land, had no right to dispose of Aboriginal property, that is, to sell what they claimed to be their land.



Chief Joseph Onasakenrat (1845-1881) was to play an important role in the Mohawk land claims related to the Seigneurie of Lake of Two Mountains. (Lainey 2013, 102) He is seen here wearing a wampum belt made when the Mohawks moved to the new Lake of Two Mountains mission in 1721. On a few occasions following the British Conquest, in 1781 in particular, the wampum was presented to the colonial authorities to assert Mohawk title to the lands of the Seigneurie of Lake of Two Mountains. The colonial authorities considered the wampum to be worthless and not proof of title to the land. (Pariseau 1975) It was the beginning of a long battle marked by ongoing protests, petitions and various claims among the Mohawks, Algonquins and Népissings.

Photo: Collection of Jean Tanguay

### A Fragmented Land Base

In 1945, the Government of Canada acquired most of the lands of the old Seigneurie of Lake of Two Mountains that had not been sold by the Sulpicians in the 1930s. Aboriginal people were allowed to live on the lands and pursue a number of activities. They were given individual title equivalent to a Certificate of Possession. But because the lands were never designated as an Indian reserve under the *Indian Act*, the Mohawk Band Council had no administrative authority over the lands. The lands were federal enclaves within two municipalities: the Village of Oka and the Parish of Oka. The federal government still owned the land, making payments in lieu of taxes to the two municipalities. (Lepage 1991, 99-100)



A glance at the land base for the Mohawks of Kanesatake prior to the crisis in the summer of 1990 clearly shows how fragile the community was at the time. The Mohawk territory consisted of a patchwork of 47 plots of land. Their fragmented land base reflected a long process of dispossession and reduction suffered by Aboriginal peoples, who were helpless to stop it no matter how much they protested. (Rochon and Lepage 1991, 108)

(Source: Beaulieu 1986, 121)

In the 1980s, despite refusing two Mohawk land claims, the federal Minister of Indian Affairs recognized the Canadian government's moral obligation to establish a better territorial base for the Oka Mohawks and initiated a program to repurchase the lands. The process focused on lands known as the "Commons" (the Pines), lands traditionally used by the Mohawk community. Those lands were the site of the municipality of Oka's project to expand the golf course and build luxury condos that triggered the crisis in the summer of 1990.

In 2008, 18 years after the crisis, the federal government finally admitted that it had failed in its fiduciary responsibility and that it should have prevented the Sulpicians from appropriating and selling the Common Lands that were used by Mohawks in the 1930s and were at the heart of

the land dispute in the summer of 1990. (DIAND, April 14, 2008: Letter to Grand Chief Steven Bonspille and Chief Clarence Simon). To the federal government's credit, this admission opened the door to discussions to settle the land dispute at least in part. The discussions are ongoing.

## A RUDE AWAKENING AND DEEP WOUNDS

The Oka Crisis left deep wounds in Québec society, Mohawk communities and Aboriginal people in general. We must not forget that a police officer was killed in the line of duty and that the communities of Kanesatake and Kahnawake were under siege for over two months. The whole social fabric of these communities was weakened. The face off between heavily armed police officers and Mohawk warriors, in addition to Canadian army intervention and armoured vehicles, made the events look like an insurgency and state of war, the outcome of which was totally unpredictable.

The blockade of the Honoré-Mercier Bridge lasted 56 days, causing traffic chaos for thousands of motorists. While numerous attempts to negotiate a peaceful settlement to the dispute failed, there were daily protests by angry citizens and outbursts, especially on open-line radio shows.

Divisions within the Mohawk First Nation and the Aboriginal community of Oka itself, and the emphasis placed on Mohawk sovereignty to the detriment of the Oka land dispute made an agreement virtually impossible. In an interview granted to anthropologist Pierre Trudel, Clifton Nicholas, a former Mohawk warrior from Kanesatake who was 18 at the time of the Oka Crisis, said, in hindsight:

It's true that we lost sight of the golf course expansion at the negotiating table and that some focused on sovereignty . . . I understand why our people wanted to take advantage of the exposure afforded on a daily basis to promote Aboriginal sovereignty. It was also a matter of giving our actions political meaning. (Nicholas and Trudel, 2017)

The day after the crisis broke out in July 1990, the majority of Quebecers expressed some sympathy for the Mohawk cause. Over time, however, the failed negotiations helped fuel heightened tensions between Aboriginal and non-Aboriginal people. Moreover, the crisis gave rise to unacceptable acts of violence and tragic events. On August 28, 1990, angry non-Aboriginal protesters threw stones at cars carrying women, children and seniors trying to leave Kahnawake. Several people were injured, and, little known, a 71-year-old resident of Kahnawake, Joseph Armstrong, who received a stone in his chest, died the next day from a heart attack (St-Amand 2015, 63), the second loss of life resulting from this historical crisis. In short, there were many victims and incalculable human costs to the Oka Crisis. But most of all, the crisis provided fertile ground for growth of a negative popular perception of Aboriginal people due to a poor understanding of the issues in dispute and the situation of Aboriginal peoples in general.

There was little, if any, public interest in Aboriginal issues prior to the Oka Crisis. Despite the media hype surrounding the crisis, this difficult period in our history unquestionably woke Quebecers up to the First Peoples who share the land. The Oka Crisis raised awareness among both the general public and political elites about many issues. Let us not forget that it was in the wake of the Oka Crisis that the federal government set up the Royal Commission on Aboriginal Peoples. As will be seen in the final chapters, the Oka Crisis also led to numerous initiatives to bring Quebecers and First Nations together.

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A wonderful act of humanity and a remarkable testament to her resilience: Francine Lemay (third from left) is the sister of Corporal Marcel Lemay, the Sûreté du Québec police officer who tragically lost his life in Oka on July 11, 1990. A professional translator, Lemay set off on a journey of reconciliation with the Kanehsatake Mohawks by translating the book *At The Woods' Edge: An Anthology of the History of the People of Kanehsata:ke* into French. Her goal was to give the general public access to a Mohawk version of the history of Kanehsatake and, thereby, an understanding of the root causes of the Oka Crisis. She is seen here at the 2010 launch of the French translation of the book, with (left to right) Hilda Nicholas, of the Kanehsatake Cultural Centre, Arlette Kawanatatie Van Den Hende, co-author of *At the Woods' Edge*, and Mohawk activist and artist Ellen Gabriel, then president of Quebec Native Women.

Photo : Daniel Lacasse

Members of  
the Stoney Nation,  
Banff,  
British Columbia,  
1915.

Photo: E. M. Kindel,  
Courtesy of  
the Geological Survey  
of Canada



The Oka events of summer 1990 discussed in the previous chapter played a pivotal role in shaping most Quebecers' perception of First Nations. According to popular belief, Aboriginal people are privileged and even have greater rights than other citizens of Québec. This belief has become part of everyday discourse and, moreover, was confirmed by two opinion polls conducted in 1992 and 1994, not long after the Oka Crisis.

In the first poll, conducted by Léger and Léger for the *Journal de Montréal* in December 1992, 66.5 per cent of respondents said that Aboriginal people in Québec have more rights than other citizens. In the poll of Québec Francophones and Anglophones conducted in March 1994 for *La Presse* and Radio-Québec by SOM, 52 per cent of Francophone respondents were of the opinion that the quality of life on reserves was “much better” or “somewhat better” than that of Quebecers living in the rest of the province. Even more surprising, only 9 per cent of Francophone respondents believed that living conditions on reserves were “much worse” than elsewhere in Québec.

However, more recent opinion polls reveal a change in public perceptions. In 2006, 55% of respondents in a Léger Marketing poll conducted for the Assembly of First Nations of Quebec and Labrador believed that the socioeconomic situation of Aboriginal people was worse than that of Quebecers in general; of that percentage, 19% said that it was much worse. On the other hand, 15% of Quebecers believed the exact opposite: that the socioeconomic situation of Aboriginal people was better, while 23% were of the opinion that it was more or less the same. (AFNQL 2006, 6) The authors of the report pointed out that a significantly higher number of respondents who believed that the socioeconomic situation of Aboriginal people was similar to that of Quebecers were Francophone. (*Idem.*)

The results of a national public opinion poll conducted in October 2016 by the Angus Reid Institute in partnership with the Canadian Broadcasting Corporation are also telling: 41% of Canadians said that the federal government should work to remove any special status and programs for Indigenous Canadians. While this opinion was the strongest in the western provinces, it nevertheless received 35% support in Québec. (Radio-Canada 2016a)



In September 1994, a company had no qualms about exploiting popular prejudice against Aboriginal people. This full-page advertisement appeared in the major French-language newspapers in the Montréal area; no doubt it relied on an opinion poll published a few months earlier. The small print suggests that the Mohawk enjoy special privileges that they don't deserve: [TRANSLATION] "With Super Econo, there's no special treatment! Everyone gets the best service at the best possible price and with the least expensive service plan in the business. Because keeping warm in the winter isn't a privilege, it's a must".

## A DISTORTED PERCEPTION

So where does the truth lie in all this? Are Aboriginal people shown favouritism? Are they as privileged as is claimed and do they have more rights than the majority of citizens? Do they get monthly cheques in the form of “Indian benefits”? How much do these so-called “privileged” Aboriginal people cost Canadian and Québec taxpayers anyways?

In Chapter 4 (“Dealing With Different Rights”), we mentioned that, far from constituting a regime of privileges, the *Indian Act* actually constitutes a regime of First Nations guardianship. And guardianship means constraint, dependence, lack of autonomy and deprivation of certain rights and freedoms, in particular regarding testamentary matters, access to property and the free disposition of certain personal property.

However, the belief that Aboriginal people have special privileges is so widespread that it is not surprising to learn that most people think Aboriginal people live as well as, or even better than, other Quebecers. Without realizing it, we have taken the idea of “privilege” and turned it into “privileged.” However, daily life in the majority of Aboriginal communities is the complete opposite.



The boundary between the expression of ideas and the display of intolerance is easily crossed in times of crisis. In August 1988, residents from around Pointe-à-la-Croix block access to New Brunswick in protest against the barricades erected by the Mi'gmaq of Listuguj. This photograph, which was published on the front pages of major newspapers, speaks volumes about the protesters' state of mind. The sign conveys the widely held prejudice that all Aboriginal people are forever “exploiting the system.”

Photo: Canadian Press

## A NON-EXISTENT REAL ESTATE MARKET ON FIRST NATIONS RESERVES

You will never see a sign like this in a First Nations community. The restrictions imposed by the *Indian Act* mean that very few Aboriginal people are likely to be homeowners. And those who are cannot hold title to the land on which their house is built. At the very most, they hold a Certificate of Possession or Occupation. Reserve lands may be transferred only to the community or another First Nations person. Thus, there is no free-market system and houses have no market value per se.



Photo: Marie-Soleil Laquerre



## THE REALITY OF ABORIGINAL COMMUNITIES

In 1991, for example, just before the results of the aforementioned polls were released, Québec's then Minister for Native Affairs described the living conditions of Aboriginal people as being underdeveloped across almost all sectors. He pointed out that Aboriginal people had a functional illiteracy rate that was four times higher than the Québec rate, an infant mortality rate that was three and a half times higher, a suicide rate that was six times higher for young people under 20, incomes that were 33 per cent lower, and so on. (Gouvernement du Québec 1991)



### BAND COUNCIL FUNDING: AN ISSUE THAT FUELS PREJUDICE

People are often amazed at the level of funding provided to band councils, which administer services on First Nations reserves, compared to that of similar-sized municipalities. It is important to remember, though, that no municipality in Québec is responsible for delivering health, education and social services. With regard to housing, for example, the restrictions arising from the guardianship regime under the *Indian Act* require band councils to assume significant responsibilities in the areas of funding, access to property, building management and management of all reserve lands. These responsibilities are in addition to the other services generally provided by municipalities that also fall to band councils. However, funding is the area in which First Nations reserves and municipalities differ the most, as demonstrated by Louise Séguin's article published in *Municipalité* in 1995:



Photo: Pierre Lepage

[TRANSLATION] "In Québec, small municipalities derive most of their revenue from the property taxes they collect. Thanks to property tax revenues, municipalities are at least 90 per cent self-financing and enjoy greater financial autonomy than Aboriginal communities for a smaller scope of jurisdiction. Municipal councils are recognized as a level of government; their relationship with the Ministère des Affaires municipales et de l'Occupation du territoire (Québec department of municipal affairs) is neither one of financial dependence nor one of guardianship, even if the department maintains overall responsibility for ensuring the smooth operation of municipal government.

The lion's share of band council funding comes from the federal government, in its capacity as 'trustee' for Aboriginal peoples under the Canadian Constitution and the *Indian Act*. Aboriginal peoples do not own reserve lands. In addition to government funding, some communities derive revenue from companies they own. Some also receive financial compensation for the potential impacts of development projects on their way of life. Contributions from the communities themselves vary widely, but rarely exceed 25 per cent of the community's budget."

(Séguin 1995)





Photo: Pierre Lepage

A study conducted in 1991 by the sociologist Pierre Drouilly, comparing the situation in First Nations reserves and northern villages with the situation in Québec as a whole, concluded that Québec's Aboriginal population was experiencing disastrous economic conditions that contributed to deteriorating social relationships. (Drouilly 1991, 44)

A few years later, in 1998, the Québec government released partial data on the social and economic conditions of Aboriginal people in Québec. (Gouvernement du Québec 1998, 910) The statistics were troubling: the unemployment rate among Aboriginal people was twice the average rate for non-Aboriginal Quebecers, the average income of Aboriginal households was 20% lower than that of Québec households overall, whereas Aboriginal households had almost twice as many individuals, and Aboriginal population growth was liable to soon cause serious social problems. According to the survey, the growing Aboriginal population combined with a difficult socioeconomic context could create tension between Aboriginal people and Quebecers as a whole. (*Ibid.*)

At the First Nations Socioeconomic Forum held in Mashteuiatsh in October 2006, Ghislain Picard, Regional Chief of the Assembly of First Nations of Quebec and Labrador, sounded the alarm about the huge gap between the living conditions of Aboriginal people and those of the Québec population in general. Based on the results of an extensive survey of 4,000 Aboriginal people, Chief Picard highlighted some key facts: "Half of all adults have not completed secondary school, and half of all children have had to repeat a year. Obesity affects 52% of children, 42% of teenagers, 67% of adults and 67% of seniors. The rate of diabetes among young people is 15%, three times higher than the Québec average. Ten percent of houses are overcrowded and one out of three is infested with mould... Employment insurance and social assistance provide 44% of income, even though the employment rate has increased slightly." (Picard 2006)

In Nunavik, the Katimajit Conference held in Kuujuaq in August 2007 specifically addressed ways to improve the living conditions of the Inuit. A population explosion, chronic overcrowding in homes and many other difficulties are compounded by a cost of living that is substantially higher than elsewhere in Québec, with "food costs averaging 57% more than in the south of Québec." (Makivik Corporation 2007) The conference ultimately led to the signing, on December 9, 2013, of the Agreement on the Financing of Measures to Reduce the Cost of Living in Nunavik



Group of young people in Kitchisakik, 2005.

Photo: Pierre Lepage

between the Québec government, Makivik Corporation and the Kativik Regional Government (KRG). Under the agreement, Québec pledged substantial sums between 2014 and 2017 to mitigate the effects of the high cost of living on Nunavik Inuit (Nunavimmiut), while vesting Inuit organizations with the powers to set their own priorities and administer the programs set up. (KRG 2017)

However, a 2016 research report compared the cost of living in six Nunavik communities with the cost of living in the city of Québec. Despite the measures implemented to reduce the cost of living in Nunavik, "... a basket of groceries costs, on average, 54.6% more in Nunavik; household operations are 48.7% more expensive; alcohol and tobacco products are 39.4% more expensive; recreation is 31.1% more expensive, and so forth. Only shelter is less expensive in Nunavik." (Robitaille, Guénard and Duhaime 2016, i) In an interview with *Le Soleil*, the lead researcher, sociologist Gérard Duhaime, said that the cost of housing is less expensive in Nunavik because people live in public housing that belongs to either their employer or the Kativik Municipal Housing Bureau (Lévesque 2016). Still, Nunavimmiut households devote between 60% and, in the case of households with the lowest income, 70% of their expenditure to food and shelter. By comparison, spending on food and shelter accounts for 40% of the budget of Québec households overall. (*Idem.*)

### POVERTY INDICATORS AMONG FIRST NATIONS

- "The death rate among Aboriginal children is triple the death rate among non-Aboriginal children (Canada);
- Life expectancy is shorter by six to seven years (Québec);
- Diabetes is two to three times more common (Québec);
- The risks associated with experiencing, as of early childhood, situations of poverty, negligence and placement are three to five times higher (Québec);
- Nearly half of the families are single parent families (44%) (Québec);
- Two out of every three women has an income lower than \$10 000 (Québec);
- One out of every four adults is faced with unemployment (Québec);
- In 2006, 4200 First Nations homes out of a total of 12 500 homes were overcrowded and 6700 were in urgent need of repair and/or decontamination (Québec);
- High incidence of shigellosis and tuberculosis, diseases associated with overcrowding and which are especially prevalent in third-world countries (tuberculosis case in Uashat-Mani-utenam); (FNQLHSSC)
- Nearly 30% of people living in communities say they have experienced racism. (FNQLHSSC)"

Source: First Nations of Quebec and Labrador Health and Social Services Commission (FNQLHSSC) 2011



A group of children in Salluit, Nunavik.

Photo: Michèle Morel

COST OF LIVING 2016 IN NUNAVIK COMPARED TO QUÉBEC CITY			
<b>Food</b>	<b>Household furnishings</b>	<b>Shelter</b>	<b>Clothing and footwear</b>
+ 48 %	+ 42 %	- 28 %	+ 15 %
<b>Transportation</b>	<b>Personal care</b>	<b>Alcoholic beverages and Tobacco products</b>	<b>Recreation</b>
+ 17 %	+ 24 %	+ 37 %	+ 32 %

(Source: Robitaille, Guénard and Duhaime 2016)

### PERSISTENT GAPS BETWEEN ABORIGINAL AND NON-ABORIGINAL PEOPLE

The most recent Statistics Canada data confirm the trends identified in previous analyses and censuses. Below are the key findings from the 2011 National Household Survey:

- Québec’s Aboriginal population is young, with 23.7% being under the age of 14, compared with 16.1% of the non-Aboriginal population. While the median age of Aboriginal people is 31 to 41, the median age of Inuit is 21.
- In 2011, 29.7% of Aboriginal children aged 14 and under lived in a single-parent family, compared with 18.6% of non-Aboriginal children.
- Just over half (51.8%) of First Nations people between the ages of 25 and 64 hold a post-secondary certificate, diploma or degree, compared to nearly two-thirds (65.9%) of their non-Aboriginal counterparts.
- In 2011, 16.9% of First Nations people held a high school diploma or equivalent, while 31.3% had no certificate, diploma or degree. The corresponding percentage for the Inuit population was 55.8 %. By comparison, just 14.5% of Québec’s non-Aboriginal population did not have a certificate, diploma or degree.
- The disparity is the most evident at the university level: only 2.6% of Inuit have a university certificate, diploma or degree at the bachelor level or above, compared to 23.5% of the non-Aboriginal population. There is also a significant gap for First Nations people (8.9%) and Métis (11.1%).
- Overcrowded housing is more prevalent on reserves and in the North.

Source: Statistics Canada, *Aboriginal peoples in Canada and Québec: First Nations People, Métis and Inuit, Results from the 2011 National Household Survey*, pp 17-31.

A study conducted by the economist Régent Chamard for the First Nations and Inuit Labour Market Advisory Committee (Chamard 2016) revealed persistent employment gaps between Aboriginal and non-Aboriginal people in Québec. The gap in the employment rate between First Nations and the general population averaged 10.8 percentage points in 2001, 2006 and 2011. For the same



### CROWDED HOMES AND HOMES REQUIRING MAJOR REPAIRS

- “In Québec in 2011, 26% of on-reserve First Nations people and 42% of Inuit lived in crowded homes, that is, with more than one person per room. Among Métis and off-reserve First Nations people, the percentage was 2%. The comparable figure for the non-Aboriginal population was 3%.”
- “About one-third of First Nations people living on reserve (34%) and Inuit (36%) lived in homes in need of major repairs, rates that were much higher than that for off-reserve First Nations people (12%) and Métis (14%). The corresponding figure for the non-Aboriginal population was 7%.”

Source: Statistics Canada 2016a



Semidetached homes under construction in Kuujuaq, 2010.

Photo: Pierre Lepage

*“It is unthinkable that in 2010, up to twenty people are living crammed into a single home. Yet this is the sad reality facing thousands of Inuit today in northern Québec. These overcrowded living conditions are increasing the risk of violence and sexual abuse. It is our duty to put a stop to this unacceptable situation,”* claimed Pita Aatami, then president of Makivik Corporation. (Makivik 2010)

Photo: Pierre Lepage

three years, the employment rate gap for the Inuit averaged 8.7 percentage points. The unemployment rate for First Nations and Inuit was more than double that for the general population in 2001, 2006 and 2011.

Chamard’s research also revealed that more than one out of every five (22.6%) First Nations people and Inuit lived below the poverty line in 2010, compared with 16.7% of the total Québec population.

However, the study also showed significant disparities between Québec’s regions. In the Abitibi-Témiscamingue region, for example, the unemployment rate for First Nations living in communities averaged 33.3% in 2011 and was as high as 54.5% for the Algonquin Long Point First Nation and 42.2% for the Lac Simon First Nation. The situation is much the same for Innu communities and the Naskapi community of Kawawachikamach. Lastly, the study revealed that the gaps between Aboriginal and non-Aboriginal people are far wider in the other provinces and the territories than in Québec.

### RATE OF EMPLOYMENT AND UNEMPLOYMENT FOR FIRST NATIONS AND INUIT AND THE GENERAL POPULATION, QUÉBEC, 2001, 2006 AND 2011

Employment rate	2001	2006	2011
▪ First Nations	45.2 %	50.7 %	50.8 %
▪ Inuit	49.7 %	50.8 %	52.6 %
▪ General population	58.9 %	60.4 %	59.9 %

Unemployment rate	2001	2006	2011
▪ First Nations	19.5 %	15.5 %	15.0 %
▪ Inuit	18.7 %	19.7 %	16.2 %
▪ General population	8.2 %	7.0 %	7.2 %

Source: Régent Chamard 2016. *Labour Market Conditions for First Nations and Inuit in Québec. Current situation and trends*, p. 46.

#### THE COMMUNITY WELL-BEING INDEX

Indigenous and Northern Affairs Canada developed the Community Well-Being Index (CWB) to enable a better comparison of well-being across First Nations and Inuit communities with well-being in non-Aboriginal communities. Four indicators – income, education, housing and labour force activity – are combined to give each community a well-being “score.” In 2011, 975 communities in Québec were assessed and 36 of the 50 communities with the lowest CWB scores were Aboriginal. Considering only First Nations, 24 out of 32 communities that participated in the survey had a low CWB score, compared to 12 out of 14 Inuit communities. (Canada, Indigenous and Northern Affairs Canada 2011)



Young girls from Kitcisakik during a dinner under the Shaputuan at Notre-Dame de Fatima school in Val-d'Or, 2005.

Photo: Pierre Lepage

The James Bay and Northern Québec Agreement, signed between the Cree Nation of Eeyou Istchee (James Bay), the Inuit of Nunavik and the governments of Québec and Canada in 1975, unquestionably helped improve living conditions for the beneficiaries of this first major, modern-day land treaty. The Cree and Inuit communities benefited from substantial investments in infrastructure and new public services. The so-called *Paix des Braves* agreement, entered into between the Québec government and the Cree Nation in 2002, created significant employment and

contract opportunities for the Cree in mining, forest and hydroelectric development. Moreover, this is reflected in the CWB scores for higher income and labour force activity among Cree communities in 2011. Not all is rosy, however, as André Dubuc of *La Presse* newspaper pointed out in an article in 2011. The Cree Nation is facing huge challenges:

[TRANSLATION] Half of the Cree population aged 15 and over does not have a high school diploma. There is a high prevalence of health problems such as diabetes. There is a housing shortage. The distribution of wealth remains unequal. The rate of low-income families is nearly three times higher than in Québec as a whole. (Dubuc 2011)

It would therefore be overstating things to claim, as is the deeply ingrained belief, that all's right with the world in the Cree Nation of Eeyou Istchee and that every Cree is rich thanks to the agreements signed with the governments. The bulk of the financial compensation received under the agreements goes toward social and economic development in the Cree communities concerned.



In 2003, Québec Native Women (QNW) Inc. created the Native Women's Shelters Network, which now boasts 11 shelters in Aboriginal communities as well as in urban centres. Three shelters are located in Inuit territory. This photo shows representatives of the Native women's shelters at a training session in the QNW office in Kahnawake.

Photo: Pierre Lepage

## A TENDENCY TO OVERGENERALIZE

The previously cited report by economist Régent Chamard showed significant disparities not only between the different regions of Québec, but also within a given nation. Chamard invites the reader to interpret the available data with caution. The fact that three Mohawk communities (Kahnawake, Akwesasne and Kanesatake) along with the Huron-Wendat Nation declined to answer the National Household Survey precludes a complete, nuanced picture of the situation of Aboriginal people in Québec. Some Aboriginal communities clearly enjoy better living conditions and are more prosperous than others. The Abenaki communities of Odanak and Wôlinak have a higher Community Well-Being index score than other Aboriginal communities covered by the study. Similarly, within the Innu Nation, the community of Mashteuiatsh in the Lac St-Jean region is better off than other Innu communities. Nemaska, Oujé-Bougoumou and Eastmain had the highest well-being scores among the Cree communities. Among the Algonquin communities, the Kitigan Zibi and Kebaowek First Nations appear to fare better, while the community of Kuujuaq had the highest well-being score of the Inuit communities assessed.

Even the small amount of comparative data cited in this chapter should be enough to convince people that, despite all the efforts made to improve the living conditions of Aboriginal people, they are still by and large far from enviable. To claim, bereft of nuance, that Aboriginal people are “citizens plus” who live just as well or are even better off than the general population is to be ignorant or misinformed about the situation.

## ABORIGINAL PEOPLE COST TAXPAYERS A LOT OF MONEY?

There is a deeply ingrained belief, which has become a certainty in some circles, that Aboriginal people living in their communities are automatically entitled to a monthly cheque from the federal government, an “Indian benefit” of sorts. Nothing could be further from the truth! The reality is this: people who qualify for employment insurance receive employment insurance benefits and people in need receive monthly social insurance benefits, in complete accordance with the applicable standards for all Québec residents. Workers and retirees receive the payments they are entitled to, period.

Another widely held view is that Aboriginal people cost Canadian and Québec taxpayers a lot of money. This view needs to be qualified. It is not Aboriginal people who cost a lot of money, but rather the deplorable conditions and economic marginalization of the majority of Aboriginal communities, as affirmed in the 1996 Report of the Royal Commission on Aboriginal Peoples. The services provided to Aboriginal people by the various levels of government cost more than the services provided to all Quebecers and Canadians. According to the Royal Commission, per capita government expenditures relating to Aboriginal people were 57 per cent higher than the spending by all governments per Canadian resident. (Canada, Royal Commission 1996)

### THE BUDGET OF INDIGENOUS AND NORTHERN AFFAIRS CANADA

“More than 80% of INAC's Aboriginal programming expenditures are for basic services such as those provided to other Canadians by provincial, municipal and territorial governments.”

(Canada, Indigenous and Northern Affairs 2000)

At the same time, the Royal Commission explained why per capita spending was higher for Aboriginal people: “A disproportionate number of Aboriginal people live in small, remote, and northern communities. The cost of living in these remote regions is disproportionately high, ranging from 25 per cent to 100 per cent higher than the Canadian average, a situation that is reflected in salaries and allowances for public servants working in the north.” (*Ibid.*)

However, the higher cost of delivering government services is reflected in the difference in Aboriginal and non-Aboriginal people's use of those services. “Per capita government expenditures on elementary and secondary education

are approximately twice as much [for Aboriginal people] as for Canadians generally” owing to the higher number of Aboriginal students. “Five- to 19-year-olds make up 33 per cent of the Aboriginal population but only 20 per cent of the general population.” (*Ibid.*)

Furthermore, according to the Royal Commission, Aboriginal people make up a “disproportionate share of the clients of the judicial system and... social and income support programs.” The 1996 Report of the Royal Commission notes that Aboriginal persons were incarcerated in provincial jails “at 11 times the rate of other Canadians” that year. This trend is clearly seen in Québec and generates substantial costs in services for Aboriginal communities. Moreover, this reality was affirmed by a special report on detention conditions, administration of justice and crime prevention in Nunavik released by the Protecteur du citoyen in 2016:

One obvious finding: there is an over-representation of Inuit in the judicial and correctional systems. Over the past few years, this over-representation has continued to grow. In 2015, the number of Inuit who spent time in a correctional facility increased by 64% compared to 2010. Furthermore, there is nothing to indicate that the situation will improve in the coming years. The crime rate in Nunavik is ever on the rise, whereas it is dropping for Québec as a whole.



The justice system's mismatch with the reality of Nunavimmiut and the scarcity of crime prevention resources – particularly those for treating addiction in the territory – contribute to the over-representation of Nunavik's Inuit in the judicial system and correctional facilities. (Protecteur du citoyen 2016, 12)

Health problems and social and economic difficulties pose significant costs to governments. As the Royal Commission reported, if no effort is made to stop the economic marginalization of Aboriginal communities, the cost of services will skyrocket. (*Ibid.*)

Noteworthy is the fact that the Royal Commission underscored that, in addition to the cost to Canadians and Quebecers as a whole, the cost to the people most affected is too often forgotten. Indeed, First Nations, Métis and Inuit pay a heavy price for substandard living conditions and economic marginalization, in terms of lower incomes, barriers to economic development, low labour force participation rates, under-utilization of the active labour force, and so forth.



Young Innu in the schoolyard in Pakua Shipi, Basse-Côte-Nord region.

Photo: Pierre Lepage

## UNDERFUNDING OF PROGRAMS FOR ABORIGINAL PEOPLE

As previously mentioned, the Royal Commission on Aboriginal Peoples said that, around 1996, per capita government expenditures relating to Aboriginal people were 57 per cent higher than for the general population. It attributed the discrepancy to factors such as the remoteness of Aboriginal communities, the youth of the population and the poor social and economic conditions. However, that does not mean that programs for Aboriginal people are more generous than those for non-Aboriginal people. Far from it! In a fact sheet published in 2011, the First Nations of Quebec and Labrador Health and Social Services Commission tackled “the myth of the Indian spoiled by the system” which, according to the organization, is far from reflecting reality.

A study performed by the Assembly of First Nations demonstrates the chronic under funding of the programs that are intended for First Nations. The conclusions of this study shed some light on what the Office of the Auditor General of Canada has maintained for many years now: not only are the programs intended for First Nations under funded, they also do not meet the standards in effect in most of the Canadian provinces. This is particularly the case for the education program, the child and family support program and the social housing program. At the international level, the UN has time and time again denounced through its authorities or reports the policies of the federal government regarding Aboriginal people. (FNQLHSSC 2011, 3)

### HUGE GAP IN EDUCATION FUNDING

In 2007, the First Nations Education Council (FNEC) launched a vast public awareness campaign denouncing the underfunding of schools in First Nations communities. A number of public figures also spoke out about the issue, including former Québec premier Jean Charest, who publicly confirmed at the annual meeting of the Council of the Federation that “the funding for First Nations education is insufficient.” (FNEC 2008). And former Canadian prime minister Paul Martin made funding for First Nations his personal cause after retiring from active politics. In February 2016, he stated that the federal government spent between 30% and 50% less per student in the 500 First Nations schools on reserves than in schools administered by the provinces. The parliamentary budget officer of the House of Commons agreed. Noting the huge funding gap between First Nations schools and provincial schools across Canada, he predicted that the gap would likely get wider in 2016-2017. However, there is consensus on the fact that First Nations schools face higher costs



Playing street games in Mani-utenam to mark the end of the school year.

Photo: Pierre Lepage

### ONE THIRD LESS FUNDING FOR ABORIGINAL STUDENTS

“A study performed by the First Nations Education Council (FNEC) in 2005 demonstrated that the Atikamekw community of Manawan received, for its two schools, an average amount of \$8056 per student for the 2002-2003 school year. For the same school year, a school integrated with the province and presenting the same deprivation factors received, on average, \$12 874 per student.”

(Source: FNQLHSSC 2011, 4)

Simon P. Ottawa Elementary School in Manawan

Photo: CEPN-FNEC



due to factors such as remote locations, socioeconomic challenges, higher rates of special education and the ability to attract and retain qualified teachers. (Radio-Canada 2016b)

### DISCRIMINATORY TREATMENT IN CHILD SERVICES

Privileged Aboriginal people? That is definitely not what the First Nations Child and Family Caring Society and the Assembly of First Nations maintained in 2007 when they filed a discrimination complaint with the Canadian Human Rights Tribunal (CHRT) on behalf of 160,000 First Nations children. In January 2016, the CHRT ruled in their favour, finding that the child and family services provided to First Nations children on reserve were poorer than those provided to other children by the provinces. (First Nations Child and Family Caring Society of Canada et al. v. Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada) 2016 CHRT 2)

That said, the CHRT held that the funding models were structured “in such a way that they promote negative outcomes for First Nations children and families, namely the incentive to take children into care.” (para. 349) Statistics Canada’s 2011 National Household Survey gave an idea of the extent of the problem: “In 2011, there were more than 14,000 Aboriginal children aged 14 and under in foster care. Aboriginal children accounted for 7% of all children in Canada but for almost one-half (48%) of all foster children.” (Statistics Canada 2016b, 1) The same survey revealed that Aboriginal children aged 14 and under accounted for 2.7% of all children in Québec and 15.4% of all children in foster care. (*Ibid.*) The CHRT ruling in this historic human rights case ordered the federal government to review the agreements entered into with the provinces, including the 2009 Canada/Québec agreement, so as to eliminate discrimination in both the funding and provision of child welfare services.

### ALLEGED PREFERENTIAL TREATMENT REGARDING HUNTING AND FISHING RIGHTS

Aboriginal peoples have always retained significant hunting, fishing and trapping rights that are distinct from those enjoyed by other Quebecers. In some cases, Aboriginal people enjoy priority, and even exclusive, rights. Interest groups often attempt to make this out to be a form of preferential treatment or even discrimination against non-Aboriginal citizens but in Chapter 4 we saw that the existence of distinct rights is not incompatible with the affirmation of the right to equality enshrined in our charters of rights and freedoms. Special situations may demand that if certain groups are to have equality, they must have distinct rights. That is why, since 1982, the Canadian Constitution has formally recognized that Aboriginal peoples have special rights because they occupied the territory prior to the arrival of Europeans: this is what is meant by “Aboriginal rights.” In the case of the Cree, Inuit and Naskapi beneficiaries of treaties with the governments of Québec and Canada, they are referred to as “treaty rights and freedoms.”

Moreover, the right of ethnic minorities to maintain and develop their own cultural interests with the other members of their group is a human right protected by section 43 of the Québec *Charter of human rights and freedoms*. Their right to enjoy their own culture is also protected under international law, by virtue of article 27 of the International Covenant on Civil and Political Rights. More recently, the United Nations Human Rights Committee observed that “culture manifests itself in many forms, including a particular way of life associated with the use of land resources, especially in the case of indigenous peoples.” The Committee went on to state that the enjoyment of cultural rights “may require positive legal measures of protection and measures to ensure the effective participation of members of minority communities in decisions which affect them.” (United Nations 1994, 3-4)



A group of children from Uashat and Mani-utenam, Côte-Nord region.

Photo: Pierre Lepage

The United Nations Declaration on the Rights of Indigenous Peoples, adopted in 2007 and discussed in Chapter 4, goes much further in recognizing the rights of Indigenous peoples. It clearly states that, as distinct peoples, Indigenous peoples have the right “to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.” (art. 20-1) Indigenous peoples also “have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.” (art. 26-1) Accordingly, states have a duty to “give legal recognition and protection to these lands, territories and resources... with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.” (art. 26-3) (United Nations 2007)

Aboriginal peoples’ traditional hunting, fishing and trapping pursuits testify to a special kind of land use. Governments have tried to control these activities since the 1930s, a time when wildlife and the Aboriginal way of life were threatened by the abusive practices of non-Aboriginal people. To address the situation, Québec, in cooperation with the federal government, established an extensive network of hunting reserves for fur-bearing animals. This network of sanctuaries and reserves, commonly referred to as “beaver reserves,” still exists. The network is an impressive 232,500 km<sup>2</sup> in size, covering nearly 80 per cent of Québec. Each beaver reserve is subdivided into family hunting

grounds where Aboriginal people have the exclusive right to trap fur-bearing animals. However, this system did not protect Aboriginal people against concurrent development activities. All too often in the past, Aboriginal families would find themselves in a forest company’s lumberyard or see their land flooded or otherwise affected by development, as if they did not even exist.

This special system, although little known to the general public, shows that the rights and activities of Aboriginal people extend far beyond the confined area of an Indian reserve. Reserves are parcels of land set aside for the permanent residence of most First Nations communities. This system also shows that Québec is not a wasteland, but rather a territory in respect of which Aboriginal peoples have a sense of belonging and responsibility.



*Preparing a community dinner in Waswanipi. On the menu: beaver and goose.*

*Photo: Shirley Sarna, August 2003*



Furthermore, the widely held view that Aboriginal people are not subject to any hunting or fishing rules or restrictions is far from true. Several years ago, the Innu (Innu) community of Mashteuiatsh in Saguenay – Lac-Saint-Jean showed leadership by establishing a system of territorial officers and adopting a code of practice for wildlife harvesting. And it is not alone. A number of First Nations communities have adopted systems for closely monitoring wildlife harvesting. In 2014, the Ekuanitshit Innu in the Côte-Nord region adopted a fishery regulation to foster the long-term survival of salmon in the Romaine river and sustain subsistence fishing in the river. (Conseil des Innus 2014) As well, the Innu community of Uashat mak Mani-utenam adopted a salmon-fishing code for the Moisie river. The same as in other communities, territorial officers are responsible for ensuring best practices. In the Gaspésie, the Listuguj Mi'gmaq First Nation adopted its own fishery regulation to prohibit the catching of adult salmon and thereby contribute to salmon conservation efforts in the Restigouche and Kedgwick river basins in New Brunswick. (Radio-Canada 2013) And since 2015, area wardens from the Huron-Wendat Nation have been trained as wildlife protection assistants. Primarily assigned to the Tourilli sector of the Parc des Laurentides, these new wildlife protection assistants ensure that fishers and hunters comply with quotas and also intervene in cases of poaching or other unlawful acts. (Conseil de la Nation huronwendat 2017) These are just a few examples.

Since 2016, the Indigenous nations of Québec and Canada have joined forces to create the National Indigenous Guardians Network.

Already more than 30 Indigenous communities in Canada have established or are pursuing guardian programs. These combine the strengths of their own systems of governance, cultures and knowledge with western science to protect and monitor the land and marine areas that have sustained them for millennia, but are now under threat from resource development and environment pressures. (Indigenous Leadership Initiative 2016)

The National Indigenous Guardians Network is an Indigenous-led, federally funded initiative. There is a similar program in Australia and it has been hugely successful.



*In the early 1950s, the beaver was re-introduced into certain parts of Québec where it was virtually extinct. Here, naturalists capture beavers with the aid of two First Nations members. Beavers were transported from the Abitibi region to other regions by air. The operation proved successful, as did the establishment of the hunting reserves for fur-bearing animals commonly referred to as “beaver reserves”.*

*Photo: Jos Morin, Archives nationales du Québec, Québec City*



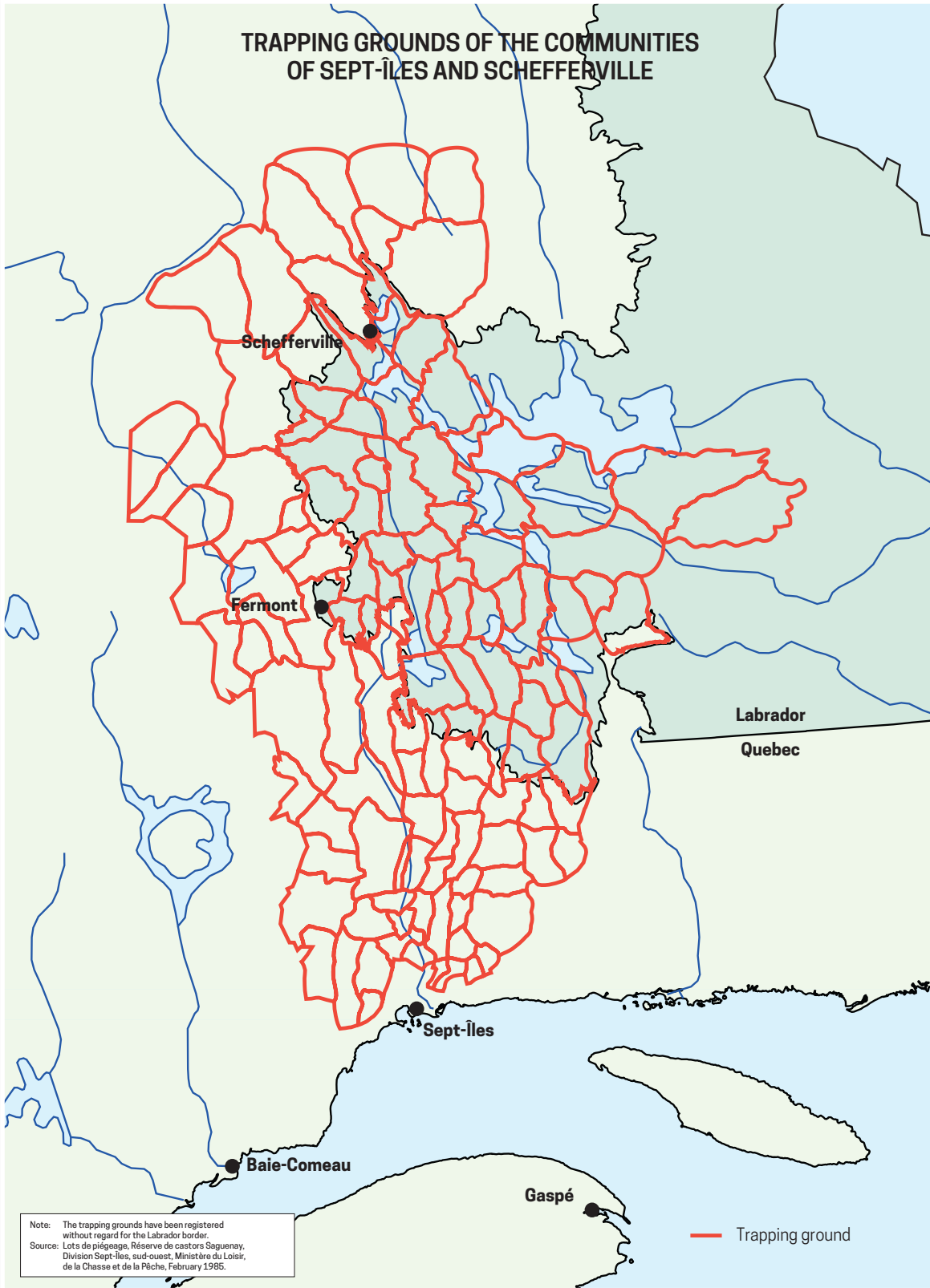
*The Mistissini Beaver Reserve was created in 1948.*

*Photo: Jos Morin, Archives nationales du Québec, Québec City*



Source: Government of Québec map, Négociations CAM, (August 1989).

### TRAPPING GROUNDS OF THE COMMUNITIES OF SEPT-ÎLES AND SCHEFFERVILLE





### TERRITORIAL OFFICERS TO ENSURE BEST PRACTICES

In 1985, the Innu (Innu) community of Mashteuiatsh established a system of territorial officers and adopted codes of practices for hunting, fishing and the trapping of fur-bearing animals. An important message was being conveyed to members of the community, that is, individuals who commit an offence under provincial laws related to wildlife, hunting and fishing will not get the Band Council's support if they were violating the code of practice for the activity concerned. They may even be subject to sanctions, including temporary suspension of the right to practise the given activity, depending on the offence. (Pekuakamiulnuatsh Takuhikan 2008) The code of practice for wildlife harvesting, currently in effect, includes measures such as the registration of catches, gauges permitted for hunting, and prohibited practices. The code covers the sale, gifting, trading and sharing of game, authorized hunting and fishing periods, and so forth. In addition, a land occupation and use code sets forth the environmental rules regarding construction of camps and the management method for traditional lands, including beaver reserves. The latter code also sets forth the duties and responsibilities of guardians of family territories. Both codes are preceded by a code of ethics that are integral to the code of conduct.



Photo: Pekuakamiulnuatsh Takuhikan  
(Conseil des Innus de Mashteuiatsh)

The system of territorial officers and the code of practice are of particular interest in terms of self-government. The rules introduced are grounded in Innu tradition and wildlife conservation practices.



Territorial officer.

Photo: Pekuakamiulnuatsh Takuhikan (Conseil des Innus de Mashteuiatsh)







## HISTORIC AGREEMENT ON CARIBOU PRESERVATION AND MANAGEMENT

On October 17, 2017, seven Indigenous nations signed an agreement to preserve and manage caribou in the Ungava Peninsula. The combined population of the George River and Leaf River caribou herds peaked in the 1990s and has been in steep decline in recent years. The agreement is the result of four years of meetings of the Ungava Peninsula Caribou Aboriginal Round Table (UPCART), whose membership is composed of the Inuit of Nunavik, the Inuit of Nunatsiavut (Labrador) and the NunatuKavut Community Council (southern Labrador), the Naskapi Nation of Kawawachikamach, the Grand Council of the Crees of Eeyou Istchee, the Innu Nation of Labrador and the Innu communities of Québec. UPCART Co-Chair Adamie Delisle Alaku, of Makivik Corporation, called the agreement historic and unprecedented: “We believe there is no other agreement of this kind in Canada



Representatives of seven Indigenous nations during the signing ceremony for the historic agreement on the preservation and management of caribou in the Ungava Peninsula.

Photo: Courtesy of UPCART

between Indigenous peoples for cooperative wildlife management. Caribou has always been a vital part of our Indigenous culture – spiritually, culturally, as well as providing food, shelter, and clothing.” (Uashat mak Mani-Utenam 2017) The agreement provides for Indigenous sharing of the resource, a research and monitoring plan and a habitat management and environmental impact plan.



Photo: Jean Lafrance



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Atikamekw drummers  
on National Indigenous  
Peoples Day,  
June 21, 2008,  
Auberge du trappeur,  
St-Mathieu du Parc.

Photo: Pierre Lepage



## ELEVEN DIVERSE NATIONS

In Québec there are 11 Aboriginal nations that are divided into 55 communities varying in size from a few hundred to a few thousand inhabitants. These communities are located in very diverse surroundings: some are near large urban centres and others are accessible only by logging roads, airplane or boat.

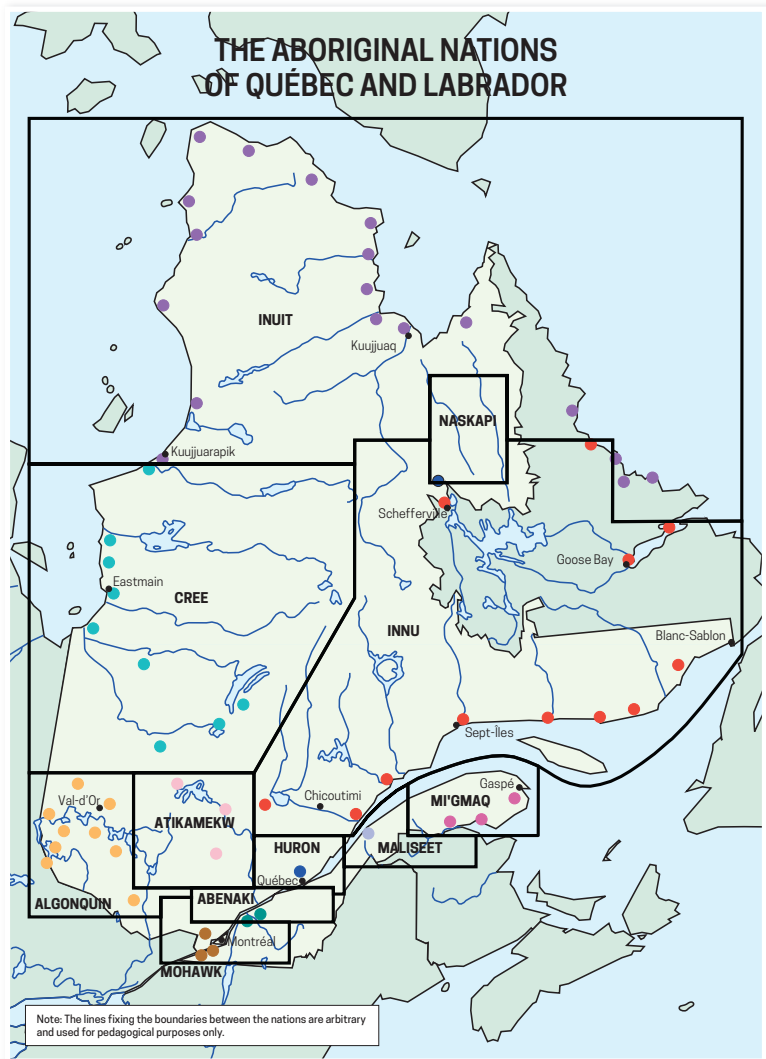
The 11 nations belong to three language and cultural families. The Inuit are part of the Eskaleut family, the Kanien'kehaka (Mohawk) and the Huron-Wendat belong to the traditionally sedentary Iroquoian family, and the eight other nations are part of the traditionally nomadic Algonquin family.

Diversity is the essence of the Aboriginal reality in Québec and it is manifested in several ways, including language, traditions, lifestyles and beliefs. It also forms the basis of the identity specific to each nation. Most First Nations members and Inuit define themselves by their nationhood. Before being Aboriginal peoples, they are Innu, Atikamekw, Mi'gmaq, Huron-Wendat, Kanien'kehá:ka, Inuit, and so on.

In 2011, 141,915 people in Québec self-identified as Aboriginal (Status or Non-Status Indian, Métis and Inuit), representing 2% of the total Québec population. (Statistics Canada 2016, 1)

### **The Abenaki (Waban-Aki)** **The People from the Heart of the Ash Tree**

The Waban-Aki live along the Saint François and Bécancour rivers in the Centre-du-Québec region near Trois-Rivières.



Jean-Paul Nolet, who marked the beginnings of Radio-Canada, the French-language television network, was a proud Abenaki from Odanak. In 1975, he also became the first Indigenous commissioner of the Commission des droits de la personne du Québec.

Photo: CDPDJ





From left to right: Patricia Lachapelle, Raymonde Nolett and Nicole O'Bomsawin performing an Abenaki song at the Musée Pointe-à-Callière in Montréal, during the Solstice des Nations event, June 21, 2005.

Photo: Pierre Lepage

The Waban-Aki Odanak Reserve, which overlaps with the town of Pierreville, has developed various tourism projects to preserve Waban-Aki culture and traditions. Basket weaving, once a major source of income, remains a highly prized traditional craft. The Waban-Aki Nation honours its culture, and numerous bodies strive to promote it, including the Aln8bak dance troupe, the Aw8ssiak Akik singers and drummers, and the Noji Pakoliskwak women's drum group. In addition, the Musée des Abénakis d'Odanak, founded in 1962, was the first Aboriginal museum in Québec. Odanak is also home to the Kiuna Institution, a college that opened in 2011 and offers programs designed by and for First Nations.

The Odanak and Wôlinak communities are governed by band councils that belong to the Grand Council of the Waban-Aki Nation. Public health, public safety, education, hunting and fishing territory and territorial expansion are the main issues currently being negotiated.

### The Algonquin (Anishnabeg) The People of the Land

The nine Anishinabe communities lie in western Québec's Abitibi-Témiscamingue and Outaouais regions. Historically, the Anishinabe way of life was built around the regions' vast woodlands and abundant lakes.

The Anishinabe economy centres on forestry, tourism, crafts, construction and transportation. The Kitagan Zibi Anishinabeg Culture Centre, founded in 2005, is a place to share the nation's culture, history, language and traditions.

Band council chiefs, known as *Okima* (wise one) in Anishinabe, are elected together with council members by their communities. There are two national organizations mandated to protect Anishinabeg interests: the Algonquin Anishinabeg Nation Tribal Council and the Algonquin Nation Secretariat.



A proud Roger Wylde, from the community of Pikogan, standing with his mother, Lassie Wylde.

Photo: Pierre Lepage

### **The Atikamekw Nehirowisiwok The People of the Bark**

The Atikamekw Nehirowisiwok live in Nitaskinan, their ancestral territory in the northern part of Mauricie and in Lanaudière. Many also live in towns and cities such as La Tuque, Roberval, Senneterre, Trois-Rivières and Joliette. Atikamekw Nehirowisiwok territory is also prime land for hunting, fishing and gathering wild products.

The economy of the Atikamekw Nehirowisiwok Nation revolves around forestry, with an emphasis on sustainable development. Many women participate in economic life by weaving bark baskets, and others have pursued successful careers in the fields of education, healthcare, politics and management. The Atikamekw Nehirowisiwok devote a great deal of effort to economic development, establishing various projects.

The three Atikamekw Nehirowisiwok communities are governed by band councils, which are responsible for public services. There is also a Council of the Atikamekw Nation, whose mission includes promoting members' interests and political, social, economic and cultural rights.



An Atikamekw woman taking part in a protest march, in Montréal, calling on the Government of Canada to support the United Nations Declaration on the Rights of Indigenous Peoples, 2008.

Photo: Pierre Lepage



An important Cree rite of passage: the walking-out ceremony.

Photo: Claudette Fontaine, MEQ collection

### **The Cree (Eeyou) The People of the Hunt**

The Eeyou live east of Hudson Bay and James Bay in a vast territory dotted with lakes. The beauty of this land continues to cast its spell over those who live and travel there.

The Eeyou have been very successful in maintaining their language and culture. One project that grew out of their determination to protect their heritage is Aanischaaukamikw, the Cree Cultural Institute, a project designed to bring together modern life and Eeyou tradition.

Since the 1975 James Bay and Northern Québec Agreement and the *Cree-Naskapi Act* of 1984, the Eeyou have operated under a different legal framework than other Aboriginal groups. The Eeyou Istchee James Bay Regional Government gives the Cree additional powers, most importantly over land and natural resource management. The Grand Council of the Crees (Eeyou Istchee) serves as the nation's voice in dealings with other levels of government.

### The Huron-Wendat The People of Trade

The Huron-Wendat live in Wendake on the outskirts of Québec City and are among the most urbanized First Nations. Since 2010, the community has been buying up new land to double the size of its reserve in Nionwentsïo, to head off an exodus of the nation's membership.



Wendake has a thriving economy in a number of areas, including tourism, a major economic contributor. The Huron-Wendat are well known for their traditional crafts, and their moccasins, canoes and snowshoes are known and sold all over the world.

The Council of the Huron-Wendat Nation is made up of a grand chief and eight family chiefs, all elected by the community. The Council deals with all levels of government in the spirit of the Huron-British Treaty of 1760, which is recognized by the Supreme Court of Canada. It has jurisdiction over areas such as education, health services, recreation, land and housing.

Members of the Huron-Wendat Nation taking part in the festivities marking the 400<sup>th</sup> anniversary of the first French settlement in North America, 2008.

Photo: Jean-Louis Régis

### The Inuit The People of the North

All Inuit villages are north of the 55<sup>th</sup> parallel, with its typical tundra landscape. The area's name, *Nunavik*, means "the place to live" in Inuktitut. It is more than 560,000 km<sup>2</sup> in area.

Inuit culture is still very much alive, as evidenced by the extensive use of Inuktitut, the ancestral language. The economy of most of the coastal villages centres on fishing, as well as air and marine transportation, wildlife protection and arts and crafts.



Photo: Tourisme Québec, Heiko Wittenborn

The Inuit have been under the jurisdiction of Québec institutions since being removed from *Indian Act* jurisdiction under the terms of the James Bay and Northern Québec Agreement (JBNQA) in 1975. Northern village councils, like those of other Québec municipalities, elect a mayor and village council for two-year terms. The Inuit also have their own organization mandated to defend their rights under the JBNQA: the Makivik Corporation.

## INDIAN AND INUIT POPULATIONS IN QUÉBEC, 2017

Nation	Total	Nation	Total
<b>ABENAKI</b>		<b>MALISEET</b>	
Odanak	2 462	Cacouna and Whitworth	1 188
Wôlinak	351	<b>Total</b>	<b>1 188</b>
<b>Total</b>	<b>2 813</b>	<b>MI'GMAQ</b>	
<b>ALGONQUIN</b>		Gaspé	785
Eagle Village-Kipawa	994	Gesgapegiag	1 502
Hunter's Point	232	Listuguj	4 021
Kitcisakik	494	<b>Total</b>	<b>6 307</b>
Kitigan Zibi	3 241	<b>MOHAWK</b>	
Lac Simon	2 153	Akwesasne	—
Pikogan	1 059	(in Québec only)	
Rapid Lake	791	Kahnawake	10 982
Timiskaming	2 132	Kanesatake	2 513
Winneway	865	<b>Total</b>	<b>13 495</b>
<b>Total</b>	<b>11 961</b>	<b>NASKAPI</b>	
<b>ATIKAMEKW</b>		Kawawachikamach	773
Manawan	2 706	<b>Total</b>	<b>773</b>
Opitciwan	2 955	<b>GENERAL LIST</b>	
Wemotaci	1 922	Status Indians not associated with a nation	<b>138</b>
<b>Total</b>	<b>7 783</b>	<b>STATUS INDIANS</b>	
<b>CREE</b>			<b>87 416</b>
Chisasibi	4 591	<b>INUIT</b>	
Eastmain	877	Akulivik	655
Mistissini	3 992	Aupaluk	209
Nemiscau	783	Chisasibi	90
Oujé-Bougoumou	875	Inukjuak	1 766
Waskaganish	2 840	Ivujivik	372
Waswanipi	2 187	Kangiqsualujjuaq	887
Wemindgi	1 585	Kangiqsujuaq	753
Whapmagoostui	980	Kangirsuk	593
<b>Total</b>	<b>18 710</b>	Kuujjuaq	2 122
<b>HURON-WENDAT</b>		Kuujjuarapik	666
Wendake	4 040	Puvirnitug	1 667
<b>Total</b>	<b>4 040</b>	Quaqtaq	404
<b>INNU</b>		Salluit	1 490
Betsiamites	3 948	Tasiujaq	329
Essipit	746	Umiujaq	473
La Romaine	1 180	<b>Total</b>	<b>12 512</b>
Mashteuiatsh	6 619	<b>GRAND TOTAL</b>	
Matimekosh-Lac-John	986		<b>99 928</b>
Mingan	633		
Natashquan	1 118		
Pakua Shipi	366		
Uashat et Maliotenam	4 612		
<b>Total</b>	<b>20 208</b>		

Source: Canada, Indigenous and Northern Affairs Canada 2017: Indian and Inuit populations in Québec, 2017.

### **The Wolastoqiyik (Maliseet) The People of the Beautiful River**

The reserves of Cacouna and Whitworth near Rivière-du-Loup, in the Bas-Saint-Laurent region, are unusual in that they have never been inhabited full time. The Wolastoqiyik are not gathered together in a community and live scattered throughout the province. The Cacouna reserve covers only 0.201 hectares, making it the smallest reserve in Canada.

The Wolastoqiyik mainly work in fishing, the arts, crafts and tourism. An interpretation centre on the nation's territory showcases Wolastoqiyik history, and there are also hiking and interpretive trails.



*Pierre Morais and Suzanne Parent, from the Maliseet of Viger First Nation, photographed at the 2018 edition of KWEI Meet with Indigenous Peoples.*

*Photo: Pierre Lepage*

Québec's National Assembly did not recognize Wolastoqiyik as a First Nation until 1989. The band council, made up of a grand chief and four council members, is based in Cacouna. Elders also contribute their wisdom through the Council of Elders, which works to ensure that customs are respected and traditions maintained.



*The Denis-Launière house in Cacouna, in the Lower St. Lawrence, is the last vestige of the Maliseet Viger First Nation's presence in the region. Built in the 1890s, the house is now the Maliseet Interpretation Centre. The band council offices are right next door.*

*Photo: Pierre Lepage*

### **The Mi'gmaq (Micmac) The People of the Sea**

The Mi'gmaq make their home in the Gaspé Peninsula, surrounded by the waters of Chaleur Bay and the Gulf of St. Lawrence.

Fishing, outfitting, forestry, construction, the arts, crafts and tourism make up the core of the Mi'gmaq economy. Listuguj is involved in a joint project with the municipality of Pointe-à-la-Croix to build bridges between the two communities' young people through a variety of shared cross-cultural activities.

The Mi'gmawei Mawiomi Secretariat represents the three Mi'gmaq communities for land claims and in consultations with the government. It oversees community services, the police force and volunteer firefighters. Governing council responsibilities include water, sewer and snow removal services.



*Harry Condo, from Gesgapegiag, demonstrates how to make an ash basket at an Aboriginal awareness event held at École des Deux-Rivières school in Matapédia, 2004.*

*Photo: Rencontre Québécois-Autochtones, Pierre Lepage*



## The Kanien'kehaka (Mohawk) The People of the Flint

The three Kanien'kehá:ka communities are located southwest of Montréal in urban or partially urbanized areas. The Akwesasne Reserve straddles the border between Québec, Ontario and New York State.



A Mohawk sculptor from Kahnawake taking part in Montréal's 375<sup>th</sup> anniversary celebrations near the Musée Pointe-à-Callière, 2017.

Photo: Pierre Lepage

The Kanien'kehá:ka economy is based on trucking, excavation, construction and related trades such as ironworking, agriculture and forestry, as well as crafts and the arts. The Kahnawake community has an agreement with the Québec government to run its own hospital, police force and schools.

Akwesasne has its own unique electoral law, overseen by the Mohawk Council of Akwesasne. Every three years, each Akwesasne district elects four chiefs, for a total of 12 district chiefs. The grand chief is elected by the whole community. Kahnawake elects one grand chief and 11 council chiefs to terms of three years by universal ballot. In Kanesatake, terms are also three years, and the grand chief and six council chiefs are elected by universal ballot.

## The Innu (Montagnais) The People of the Barrens

Innu communities are scattered across a vast area and each has its own distinct identity. Seven lie along the north shore of the St. Lawrence, another near Roberval in Lac-Saint-Jean, and another on the outskirts of Schefferville.

Economic development remains a major challenge for Innu communities. The main employer is the band council, although construction, transportation, trapping, forestry, fishing, crafts and the arts are also important to the economy. Mining projects and wind farm and hydroelectric developments are also in the works for certain communities. The majority of Innu still speak Innu-Aimun.

Communities are governed by band councils made up of a chief and council members elected by their communities. The Innu also have two tribal councils providing management and consulting services.



Innu Elders from the Basse-Côte-Nord region during an event marking the 30<sup>th</sup> anniversary of the founding of the Institut culturel et éducatif montagnais (ICEM), renamed Institut Tshakapesh.

Photo: Pierre Lepage

### The Naskapi In the Heart of Caribou Country

The Naskapi are concentrated in a single community – the village of Kawawachikamach, founded in 1984 as part of the Northeastern Quebec Agreement. The village is located about 15 km northeast of Schefferville.

The nation's economy is based on arts and crafts, trapping, tourism, outfitting, construction and transportation. The Naskapi have preserved many aspects of their traditional way of life, such as hunting, fishing and trapping. Naskapi is the main language spoken in the community.

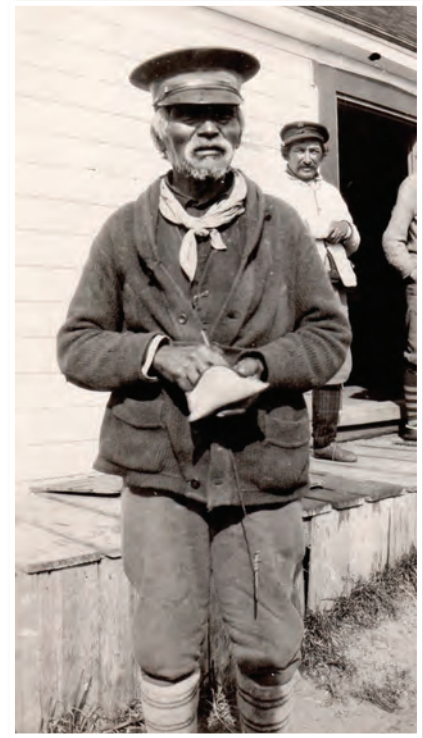


Photo most likely taken at Fort Mackenzie, a place regularly visited by the Naskapi, circa 1940-1950.

Photographer unknown, collection of Pierre Lepage

#### BILL C-31 INCREASES THE NUMBER OF STATUS INDIANS

We saw in Chapter 3 that, historically, the ultimate goal of the *Indian Act* was enfranchisement, that is, the loss of Indian status. The denial of status meant the denial of identity for thousands of people, especially Indian women who married non-Indian men. This injustice was partially corrected with the passage of Bill C-31 in 1985. Many people, and their descendants, were able to regain their Indian status and band membership. Canada's status Indian population grew by 19 per cent in five years because of Bill C-31 alone (Canada, Royal Commission 1996, Vol. 4, 33). For the same reason, the number of status Indians in Québec has risen by an estimated 9,000 people (Québec, SAA 1997, 8).



The *Cree-Naskapi Act* of 1984 removed the Naskapi from *Indian Act* jurisdiction and granted them greater powers of self-government. The chief is elected along with five council members for terms of three years. They are responsible for managing the nation's land, natural resources and finances as well as community services and cultural preservation programs.

Naskapi Elder demonstrating how to butcher a caribou.

Photo: MELS collection

## MÉTIS AND NON-STATUS INDIANS

In addition to status Indians and Inuit, Québec has a large population of non-status Indians and Métis. Non-status Indians are Indians who are not registered under the *Indian Act*, either because their ancestors were never registered or because they lost their Indian status under former provisions of the *Indian Act*. The term “Métis” generally refers to people of mixed Aboriginal and non-Aboriginal heritage. The situation of both groups is still poorly understood.

The question of Métis status is especially complex in terms of the Constitution. Since 1982, the Canadian Constitution has recognized Métis as one of the three Aboriginal peoples of Canada. What Métis are covered by the Constitution? In a 2003 ruling, the Supreme Court of Canada set out essential criteria for recognition of Métis identity and the related rights: “The term “Métis” in s. 35 of the *Constitution Act*, 1982 does not encompass all individuals with mixed Indian and European heritage; rather, it refers to distinctive peoples who, in addition to their mixed ancestry, developed their own customs, and recognizable group identity separate from their Indian or Inuit and European forebears. A Métis community is a group of Métis with a distinctive collective identity, living together in the same geographical area and sharing a common way of life.” (*R. v. Powley*, [2003] 2 S.C.R. 207)

A recent landmark decision by the Supreme Court of Canada (*Daniels v. Canada (Indian Affairs and Northern Development)*, [2016] 1 S.C.R. 99) clarified that the federal government had constitutional responsibility not only for status Indians, but for Métis and non-status Indians as well. However, the Court pointed out the restrictive definitional criteria for Métis under the 2003 Powley ruling.

As a result of the 2003 and 2016 Supreme Court rulings, the number of people in Québec who self-identify as Métis has increased, nearly doubling (+47%) between 2006 and 2011. (Statistics Canada 2016, 1) More than 20 organizations in Québec currently include the word “Métis” in their name. The number of such organizations poses a challenge to governments and testifies to the complexity of recognizing the legal status of Métis in Québec considering the restrictive definitional criteria set out in Powley.

## ABORIGINAL PEOPLES IN THE CITY

A growing number of people of Aboriginal origin reside in urban areas. Some have chosen to live in the city while remaining in touch with, and proud of, their Aboriginal identity. Others are drawn to the city for various reasons, but often it is because there are no jobs or available housing in their home community. Moreover, as illustrated in the table on the following page, a significant percentage of people live outside their home community, and the percentage is increasing sharply within all nations except the Inuit. For all nations combined, the percentage of people living outside a community rose from 25.3% to 33.1% between 2007 and 2017.



Métis protesters outside the Supreme Court in Ottawa.

Photo: Canadian Press, Sean Kilpatrick

PROPORTION OF STATUS INDIANS AND INUIT LIVING IN (RESIDENTS) AND OUTSIDE (NON-RESIDENTS) A COMMUNITY, 2017			
Nation	Population	Residents %	Non-residents %
Abenaki	2 813	13,5%	86,5%
Algonquin	11 961	51,8%	48,2%
Atikamekw	7 783	80,8%	19,2%
Cree	18 710	84,0%	16,0%
Huron-Wendat	4 040	37,2%	62,8%
Innu (Montagnais)	20 208	61,6%	38,4%
Maliseet	1 188	—	100,0%
Mi'gmaq	6 307	43,6%	56,4%
Mohawk	13 495	69,2%	30,8%
Naskapi	773	86,8%	13,2%
Inuit	12 512	92,8%	7,2%
Other, not affiliated with a group	138	—	100%
<b>Total</b>	<b>99 928</b>	<b>66.9%</b>	<b>33.1%</b>

(Source: Canada, Indigenous and Northern Affairs Canada, 2017: *Indian and Inuit Populations of Québec*)

In a study on Aboriginal urbanization in Québec, Carole Levesque, professor at the Institut national de la recherche scientifique, and Édith Cloutier, executive director of the Val-d'Or Native Friendship Centre, show the extent of Aboriginal migration to urban areas and the new realities associated with this:

[TRANSLATION] Currently, some 50 cities and towns in Québec, including Montréal, Québec City, Trois-Rivières, Gatineau, Baie-Comeau, Val-d'Or and Saguenay, have a relatively large Aboriginal population. In 2008, the urban Aboriginal population was 16 times higher than in 1980, representing an average growth rate of 70% between 2001 and 2006 and over 60% of the province's total Aboriginal population. The number of Aboriginal people living in Val-d'Or, for example, rose by 270% between 1996 and 2006. (Statistics Canada 2008). The Aboriginal population is diverse, being made up of First Nations, Inuit and Métis peoples. All groups combined, at least 80,000 Aboriginal people were temporarily or permanently living in cities and towns across Québec in 2010; of that number, some 70% were living in rural communities and 30%, in Montréal and Québec City. (Lévesque and Cloutier 2013, 281)

The authors defined four categories of migration or movement of Aboriginal people who leave their communities for cities and towns across Québec: "occasional or transitory relocation," which applies to the vast majority of Aboriginal people; "forced relocation," caused by domestic violence or difficult living conditions in Aboriginal communities; "involuntary relocation" resulting from legal decisions, such as placement of children in foster care in non-Aboriginal communities or incarceration far away from the offender's community of origin; and "voluntary relocation" stemming from a deliberate choice to leave one's community of origin. (*Ibid.*, 283-286).



Furthermore, a number of Aboriginal organizations and bodies established in urban areas offer interesting job opportunities. One such body is Atikamekw Sipi (the Atikamekw Nation Council), which has a large service centre in La Tuque. The offices of Quebec Native Women have been located in Kahnawake for several years now, as is the head office of the First Nations Human Resources Development Commission of Québec, which also has points of service in several First Nations communities and urban centres. Waseskun House, a residential centre for Aboriginal offenders, the Montreal Urban Aboriginal Community Strategy Network, the Grand Council of the Crees, the Cree School Board, Makivik Corporation, the Kativik School Board, the Fédération des coopératives du Nouveau-Québec, the Avataq Cultural Institute, the Association of Montreal Inuit, the Aboriginal Peoples Television Network (APTN) and several other organizations have offices in or near Montréal.

There are many Aboriginal organizations in the Québec City area as well, especially in Wendake, which is home to the offices of the Secretariat of the Assembly of First Nations of Quebec and Labrador, the First Nations Education Council, the First Peoples Business Association, Québec Aboriginal Tourism and the Société de communication atikamekw-montagnaise, among others. Native Para-Judicial Services of Quebec, an organization that assists Aboriginal people in matters relating to the criminal justice system, also has its head office in Wendake in addition to points of service in most of Québec's regions.



*Kim Kangatookalook, photographed here with her daughter Mila, grew up in Lachine, in Greater Montréal. She was born of an Inuit father from the village of Kuujuarapik in Nunavik and an Innu mother from the community of Pessamit, on the north shore of the St. Lawrence River. She currently works at the Kativik School Board's administrative centre, whose offices are located in the Saint-Laurent borough of Montréal. As part of her duties, she is developing the school board's school libraries, which keeps her in regular contact with Inuit communities.*

*Photo: Pierre Lepage*

## **THE VITAL ROLE OF NATIVE FRIENDSHIP CENTRES**

Native Friendship Centres play a vital role in providing services to urban Indigenous peoples. There is a Native Friendship Centre in La Tuque, Chibougamau, Senneterre, Val-d'Or, Loretteville (Québec), Montréal, Joliette, Sept-Îles, Chicoutimi, Roberval and Maniwaki. The one in La Tuque also has a point of service in Trois-Rivières. These centres are non-profit community organizations that provide various services, such as assistance in finding housing, referral services, social services, employment assistance, development of cultural and artistic activities, homework assistance and much more. They are a gathering place and cultural anchoring space for Indigenous people. Founded in 1976, the Regroupement des centres d'amitié autochtones du Québec now represents most of the Native Friendship Centres in Québec. It has played a key role in opening and supporting the development of new friendship centres in the past several years.



*Photo: Pierre Lepage*

Older centres, in particular the Cree Indian Centre of Chibougamau (now called the Chibougamau Eenou Friendship Centre) and the Native Friendship Centre of Senneterre, have seen their mission change significantly over the years. For decades, they provided housing solutions and shelter services seven

days a week. The Native Friendship Centre of Senneterre opened in 1978 with the mission “to assist a nomadic population of Cree, Algonquin and Atikamekw members, for whom housing was the priority need. Senneterre is located at the junction of Highway 113 and the railway line, so a good number of Aboriginal people would go there for provisions and all kinds of services.” (Bordeleau and Mouterde 2008, 50) Today, the services offered are primarily geared to the needs of Indigenous people and families who live in Senneterre and the surrounding area, either temporarily or permanently – sometimes for generations.



Board of directors of the Val-d'Or Native Friendship Centre, with executive director Édith Cloutier (left), in 2017.

Photo: Pierre Lepage

The same is true of the Chibougamau Eenu Friendship Centre, which was founded in 1969 and was the first Native Friendship Centre in Québec. Prior to construction of the Cree community of Ujé-Bougoumou in 1989, Cree families were scattered throughout the region. The new friendship centre would thus become a meeting and gathering place for the Crees as well as for the many members of the communities of Mistissini, Waswanipi and Nemaska who were in transit there.

For years, the centre provided accommodation to Cree women from Mistissini, 90 kilometres to the North, while they waited to deliver their babies at the hospital in Chibougamau. Out of a total population of approximately 8,000, the city of Chibougamau has roughly 800 Aboriginal inhabitants, mostly Cree. With the construction of the new village of Ujé-Bougoumou and the taking over of patient services by the Cree Board of Health and Social Services, the Chibougamau

Eenu Friendship Centre can now concentrate on developing activities that meet the needs of Aboriginal community members residing in or in transit through Chibougamau.



Chibougamau Eenu Friendship Centre, Aboriginal Day 2017. From left to right: Sarah Mark-Etapp, Lea Voyageur and Ashley Shecapio-Blacksmith.

Photo: Frieda Shyengo, Chibougamau Eenu Friendship Centre

## BASKETRY, THE FOREST AND STEEL

### BASKETS, COMMONPLACE ITEMS IN QUÉBEC HOMES

Our great-grandparents and grandparents purchased baskets for their usefulness: baskets for collecting berries, baskets for holding sewing material or balls of wool, baskets of all shapes and sizes for all sorts of uses. Painstakingly made from ribbons of black ash and sweetgrass, the baskets were fragrant. People would buy them in summer, on roadsides near First Nations communities and in popular tourist sites, such as the docks in Tadoussac and Rivière-du-Loup.



In this photo, taken at the Pointe in Rivière-du-Loup in 1925, tourists proudly show baskets purchased from First Nations craftsmen and craftswomen.

Photographer unknown, collection of Pierre Lepage

In summer, many Odanak families regularly travelled to La Malbaie and other towns along the Charlevoix coast, as well as the Eastern Seaboard, including Maine and New Hampshire, to sell their wares.

Modern-day basketry is derived from southern and eastern First Nations. This commercial activity was a major source of income for numerous Mohawk, Mi'gmaq, Maliseet, Abenaki, Algonquin and Huron-Wendat families. Sadly, this once-flourishing industry is now under siege from the emerald ash borer beetle.



*In the 1980s, basket weaving was a flourishing industry at the Mi'gmaq arts and crafts cooperative in Maria, in the Gaspé Peninsula (renamed Gesgapegiac).*

*Unik, postcard, collection of Pierre Lepage*



*Annette Nolet, an Abenaki Elder, teaching a young Atikamekw girl, Lisa Petiquay, how to make ash baskets at the Kiuna college in Odanak.*

*Photo: Pierre Lepage*

## FIRST NATIONS MEMBERS WORKING TO PROTECT THE FOREST

### *Fire Ranger, A Highly Regarded Trade*

Up until the late 1970s, Québec's forest monitoring system consisted of a network of fire towers installed throughout most of the province. It was the end of an era when the fire towers along the north shore were replaced by an air patrol system and specially trained initial attack crews sent by helicopter to extinguish or control the blaze before it starts to grow. The all-Innu initial attack crews of the Laurentian Fire Protection Association, which was headquartered in Baie-Comeau, earned a solid reputation over the years, handily winning annual trade skills contests. The crews were composed of Innu from Pessamit, including brothers Robert and Paul-Émile Dominique, Jean-Marie-Kanapé and Pierre Benjamin, and from La Romaine, including Zacharie Bellefleur, to name just a few.



*An Innu initial attack team from the Côte-Nord region. The team's mission was to quickly extinguish forest fires before they get out of control. Late 1960s.*

*Photo: Family archives, Paul-Émile and Madeleine Dominique*

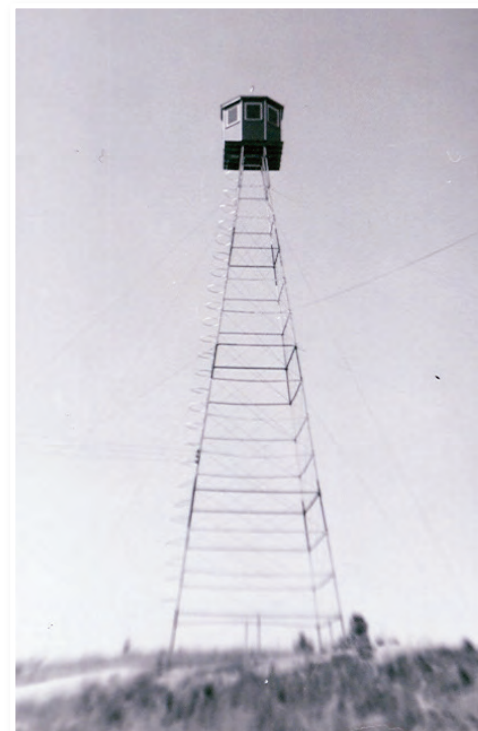
Robert Dominique, an attack crew leader at the time, reflected on the useful role Innu from the Côte-Nord region played in fighting forest fires: [TRANSLATION] “Aside from initial attack crews, the Innu were not usually involved in fighting forest fires. They’d call on us once the fire was well under control. The older generation of Innu remember when trucks would drive through the streets of Pessamit picking up volunteer firefighters. Why recruit Innu? Because they were hardworking, diligent and could spend long periods in the bush. Back then, fire rangers were highly regarded in our communities.” (Robert Dominique, personal interview)

### Expert Tree Planters

In 2008, a group of forest workers from Obedjiwan founded the Inter-Nations Cooperative with the aim of creating jobs in their community. [TRANSLATION] “Tree planting tops the list of the cooperative’s activities. The Atikamekw know a lot about the trade. Tree planters are always in high demand in the community.” (Awashish, 2011) Reforestation foreman Anthony Dubé says tree planting is hard and entails physical risks, such as strains, sprains, broken ankles, heat-stroke, and so forth. According to Mr. Dubé, a team spirit and sense of cooperation make the hard work easier:



Photo: MELS collection



Fire tower on the mountain west of the Manic 5 hydroelectric dam, then under construction, 1967.

Photo: Pierre Lepage

[TRANSLATION] “It’s fun to be with the gang. We like it. The atmosphere is good. We joke around. It’s nice, because there’s no animosity between the members of the cooperative.” Even though tree planting or brush cutting is not an easy life and is almost always performed in rugged terrain, “the work is fulfilling, especially for people who love being in the bush.” (*Ibid.*)

(Awashish 2011:  
Web clip available on YouTube)

## IRONWORKERS: A LONG AND CONTINUING TRADITION

Mohawk men are renowned for their skill and agility in high-steel construction. In 2008, the governments of Canada and Québec awarded the contract to replace the deck of the Honoré-Mercier Bridge, one of the busiest bridges in the West Island (Montréal), to the Kahnawake-based Mohawk Bridge Consortium. However, there were a number of obstacles in executing the contract.



Because Mohawk territory straddles both the Ontario-Québec and Canada-U.S. borders, the Commission de la construction du Québec, the body that regulates the conditions of employment for all construction work in Québec, had authority, which was a major irritant, as was application of occupational health and safety rules to the construction site. Since the Mohawk Nation has had its own workplace health and safety regime for over 20 years, an agreement with the Québec government, entered into in 2011, recognized the autonomy and authority of the Mohawk Nation in such matters. (Dutrisac 2011) The agreement enabled more harmonious relations in a key sector of activity for economic development in Mohawk communities.



Photo: Pierre Lepage

A structural steel erector for nearly 30 years, John Stacey of Kahnawake said in a private interview that it is only recently that Mohawk ironworkers have been able to work in Québec. During his career, Stacey worked on major construction sites throughout North America, particularly in the United States, including in Texas, Pennsylvania, Maine, New York, Minnesota, New Jersey, Vermont and New Hampshire. In his view, what sets Mohawks apart in this high-risk sector is [TRANSLATION] “our ability to memorize, follow orders and pay careful attention to the work to be performed – an inherent quality of our people.”



*John Stacey of Kahnawake (centre) had a long career as a structural steel erector, a skilled trade he says he “inherited” from his ancestors and his nation. He is seen here, in 1995, on the roof of Rams Stadium in St. Louis, Missouri, with (left) Bryan K. Stacey, a co-worker from Kahnawake, and a man named Dean, a labourer from St. Louis.*

Photo: John Stacey

For the last 15 years, Mohawk ironworkers have showcased their talent, ability and knowledge at the annual Ironworkers Festival. Held in Akwesasne in July, the festival brings together hundreds of people to watch competitors battle for the title of Ultimate Ironworker. For John Stacey, it’s an event not to be missed and a chance to see his friends. [TRANSLATION] “We share stories,” he said, adding

with a chuckle, “kind of like fishing stories, the tallest structure, the juiciest tale . . .” It’s also a time to pay tribute to the greatest ironworkers of all time, including some who lost their health and many who lost their lives to the industry.



*Kade Karhi:io Stacey, age 21, is a fourth-generation steelworker from Kahnawake and the son of Bryan K. Stacey (left in top photo), a steel erector with over 40 years of experience. Encouraged by his parents to stay in school, Kade completed a three-year Civil Engineering Technology program at Dawson College in Montréal. Employed by Halmar International, the young graduate is seen here on top of the Bronx Whitestone Bridge in New York City. Kade eventually wants to become steel superintendent, a position for experienced steelworkers. He knows he has a lot to learn first.*

Photo: Courtesy of Kade Karhi:io Stacey

## *F*OR FURTHER INFORMATION

FIRST NATIONS OF QUEBEC AND LABRADOR HEALTH AND SOCIAL SERVICES COMMISSION. *The First Nations and Inuit in Québec at a glance*. Wendake, 2007, 87 p.

BORDELEAU, Louis and Pierre MOUTERDE. *Pashkabigoni, A History Full of Promise. Memoirs of the Native Friendship Centre Movement in Québec (1969-2008)*. Regroupement des centres d'amitié autochtones du Québec, Wendake, 2008, 103 p.

INUIT TAPIRISAT OF CANADA. *The Inuit of Canada*. Inuit Tapirisat of Canada, Ottawa, 1995, 32 p.

QUÉBEC, SECRÉTARIAT AUX AFFAIRES AUTOCHTONES. *Amérindiens et Inuits : Portrait des nations autochtones du Québec*. 2<sup>nd</sup> edition. Gouvernement du Québec, 2011, 62 p.

César Newashish, from the Atikamekw community of Manawan, was an expert bark-canoe builder. A renowned artist, he died in 1994, at the age of 91. One of his masterpieces, a 32-foot Rabaska canoe, can be seen at the Musée de la civilisation in Québec City.

Photo: Photographer unknown, collection of Pierre Lepage



The logical reason for forging alliances between European and Aboriginal nations from the time of first contact was discussed in the first chapters. It required making friends and maintaining good neighbourly relations. However, things took a turn for the worse for First Nations between 1820 and 1840. No longer seeing them as strategic allies, but rather as a potential obstacle to settlement and development – “a nuisance” – the colonial authorities undertook a vast project to get rid of First Nations through assimilation. The Inuit, on the other hand, were for a long time ignored by the colonial authorities. Living in remote and isolated locations, they were not affected by the same waves of settlement or, until recently, large-scale development projects as First Nations.

### MUTUAL ASSISTANCE AND GOOD NEIGHBOURLY RELATIONS

In the case of First Nations, a tradition of mutual assistance and neighbourly relations continued on the ground despite the problems in dealing with public authorities. One only needs to look at the history of various regions of Québec to find examples.

In researching the traditional way of life in the St. Lawrence Valley, historian Jean Provencher was surprised to discover the mutual assistance and cooperation that existed between Aboriginal and non-Aboriginal peoples in the days of timber rafting. (Provencher 2012) Throughout the 19<sup>th</sup> century, intrepid men transported logs by floating them down major waterways from Ontario and the Outaouais to Québec City. Provencher cites an article published in *La Patrie* on July 15, 1905, while stressing that it was the end of a golden era when the shipbuilding industry was at its height and timber was needed:

*The imposing fountain at the main entrance to the Parliament Building in Québec City pays homage to First Nations. There are also two magnificent bronze sculptures by Louis-Philippe Hébert: Fishermen with Spear and A Halt in the Forest. The main entrance is now called The Amerindian Family Door.*

*Photo: Pierre Lepage*



*This relatively unusual image shows members of the Cree Nation (Eeyou) raising the Québec flag in front of Chief Shicapio's tent at Great Lake Mistassini. The picture was taken in 1950 when beaver were reintroduced into the region.*

*Photo: Gustave Bédard, Archives nationales du Québec, Québec City*



[TRANSLATION]

“... There are around 20 men per raft, sturdy companions who aren’t afraid of danger. Normally, there are 16 oarsmen, a guide, a steersman, a foreman, a bowhand and a cook.

The first rapid the rafts come to after leaving Île aux Jardins is Long Saut. Indians from Saint-Régis, informed of their pending arrival, greet them and take over. The cribs are untied and run through the rapids separately.

French Canadians (*Canadiens*) from Saint-Zotique run the Côteau, Cèdres and Cascades rapids and stay on the rafts as far as Île Perrot.

The rafts generally stay anchored at Châteauguay until the weather and north wind are good enough to run the final rapids, at Lachine.

The Indians who oversee the operations get off at Laprairie...”



The famous raftsmen Big John Canadian from Kahnawake (left) and, to his right, Jean-Baptiste Taiaiake, said to be the first person to steer a steamboat (Richelieu Company) through the turbulent Lachine rapids.

Postcard, circa 1910, collection of Pierre Lepage

One of the leading figures of the time was without question Jean-Baptiste Canadien, called “Big John Canadian” (Raientonni), from the Mohawk community of Kahnawake. “Raientonni’s knowledge of difficult waterways, and especially the Lachine rapids which flowed past his village, made him an excellent raftsmen for bringing down the cribs of timber, and one of the most famous steamboat pilots employed by various shipping companies on the St Lawrence between Montréal and Ontario.” (Ratelle 1998)

In his account of the adventures of Big John Canadian, Johnny Beauvais says that, from a young age, the famous Mohawk had looked up to Jean-Baptiste Taiaiake Rice, a fierce river pilot in the days when only a few people in Kahnawake knew the secret to steering a boat through the Lachine rapids. (Beauvais 1985, 11)



In the 1920s, passengers and tourists gathered on steamship decks to watch the boats go through the Lachine rapids.

Postcard, Montreal Import, collection of Pierre Lepage

Historian Pierre Frenette (1947-2011) related the deep friendship major figures in the history of the North Shore from its settlement after 1850 felt towards members of the Innu community: Napoléon-Alexandre Comeau, Robert McCormick, founder of Schelter-Bay/Port-Cartier then Baie-Comeau, and Henry de Puyjalon, to name a few. Henry de Puyjalon, an informed naturalist, hunter and nature lover, drew on the millenary expertise of the Innu and Naskapi peoples. Moreover, Puyjalon paid special tribute to them in his book *Guide du chasseur de pelleterie*:

[TRANSLATION]

“All (Montagnais and Naskapi nations) offer a safe relationship and are of gentle manner. Perhaps there is the odd bad one among them, but I doubt it, for all of the Indians I have met have been perfectly honest, and any rogues it was my misfortune to encounter were white.”



### PAUL PROVENCHER, A PIONEER IN BRINGING TOGETHER QUEBECERS AND ABORIGINAL PEOPLE



Joseph Benoît provides forest engineer Paul Provencher with some basic knowledge of the Innu language, circa 1940.

Photo: Paul Provencher, Archives nationales du Québec, Québec City

In 1943, forest engineer Paul Provencher was responsible for teaching forest survival techniques to Canadian Army commandos. In the photographs below, he is teaching two Aboriginal techniques: ice fishing and setting up camp.

In 1925, when he was still a student, Paul Provencher travelled with surveyors throughout the Témiscamingue region. He described all sorts of extraordinary adventures he had in the company of his Huron guides, members of the Sioui family from Lorette (Provencher and La Rocque 1974). That same year, he obtained his forestry degree. After surveying the entire Saint-Maurice River basin, Provencher was tasked, in 1929, with conducting forest inventories of several river basins on the north shore of the St. Lawrence River, including the Manicouagan River basin (*Ibid.*). During his expeditions, he met the Montagnais (Innu), with whom he made friends and for whom he would maintain deep respect. In an era of assimilation policies and marginalization of First Nations, Provencher was a pioneer in bringing together Quebecers and Indigenous people. Equipped with movie and still cameras, “Utshimau-Paul,” as the Innu called him, brought back touching pictures of the people he spent time with and the families that extended him their hospitality. His accounts are an important testimony to his love of Indigenous

people and life in the bush. Provencher bequeathed remarkable photographs and archival films, some of which were used by filmmaker Jean-Claude Labrecque in his short film, *Les Montagnais* (Vidéodio 1979).



Photo: Paul Provencher, Archives nationales du Québec, Québec City



Photo: Paul Provencher, Archives nationales du Québec, Québec City



Frenette went on to show how exploration and development of the hinterland was marked by the same mutual assistance. [TRANSLATION] “Albert Peter Low, the famous explorer and naturalist who worked for the Geological Survey of Canada and travelled and mapped large tracts of northern Québec between 1883 and 1904, relied on the knowledge of an Indigenous guide from Sept-Îles, Sylvestre McKenzie, to use traditional trails that connect the major rivers in the north shore, James Bay and Labrador regions.” In the late 1920s, Paul Provencher, a young forest engineer, used Innu guides when conducting his forest inventory of the Manicouagan, Rochers, Touloustouc and Outardes river basins. Frenette also underlined the vital contribution of the famous expert hunter and trapper Mathieu André mentioned in Chapter I, who, along with geologist J.A. Retty, played a key role in the discovery of high-grade iron ore on the Labrador Shelf in the 1930s. (Pierre Frenette 2010, personal interview)



Circle of Elders at the 2018 edition of the Innucadie Stories and Legends Festival, photographed near the historic site Les Galets in Natashquan.

Photo: Innucadie Stories and Legends Festival

It is this mutual assistance and friendship that is celebrated every year in Natashquan, a village in the Côte-Nord region where the Innu and descendants of Magdalen Island Acadians live side by side. Every August for over ten years now, the village hosts the Innucadie Stories and Legends Festival, which brings together Aboriginal and non-Aboriginal storytellers. In 2006, year one of the festival, Innu poet and storyteller Joséphine Bacon gave an emotional account of the hospitality, interaction and mutual assistance that marked the beginning of the relationship between Innu and Acadians, an element deeply embedded in the oral tradition of the Nutashkuan Innu First Nation.



In the Abitibi region, the Algonquin Gabriel Commanda has recently become a symbol of the cooperation and friendship between Indigenous and non-Indigenous peoples. The annual Gabriel Commanda Walk, an initiative of the Val-d'Or Native Friendship Centre, is the central event of the annual Awareness Week for the Elimination of Racial Discrimination. A legendary figure, Commanda was born in 1891 in the Anishinabe community of Kitigan Zibi and was a trapper, fisher, guide and prospector. “In 1920 he was the first to report to prospectors the location of the famous Lamaque gold deposit, which was the



In March 2017, the annual Gabriel Commanda Walk in Val-d'Or was special in that it was preceded by the second meeting between mayors and the Quebec Native Friendship Centre Movement, where a mutual commitment was signed.

Photos: Pierre Lepage

origin of the gold rush in northern Québec.” (Algonquin Anishinabeg Nation Tribal Council 2016) Commanda died in 1967 and would be recognized many years later by the city of Val-d’Or “where he is now considered as one of the founders of the city.” (*Idem.*)

These are just a few examples of the mutual assistance and cooperation that were vital to human survival and the development of land in a shared and relatively recent history that we would do well to revisit.

### BREAKDOWN IN RELATIONS AND CONFLICT

That being said, relations undeniably broke down from time to time, with cooperation and neighbourly relations giving way to distrust, prejudice and sometimes even open hostility.

A collection of the life stories of Algonquin elders from Pikogan published in 2011 by researchers from the Université du Québec in Abitibi-Témiscamingue (Loiselle et al. 2011) confirms that relations between the Aboriginal population and “white agricultural settlers” were truly based on mutual assistance in the early days of settlement in the Abitibi region. Some elders lament the fact that not enough people know about this. Many of the first settlers were destitute, living in poverty and did not have suitable clothing for the region’s harsh climate. The Algonquins and white people helped each other out. However, as stated in the research report: [TRANSLATION] “The hurt, disappointment and even frustration over the fragmentation and dispossession of their land by the government is palpable in the elders’ stories... The respondents were more unhappy and disappointed at the government policy than at the settlers themselves, who said that they too suffered under the policy of colonization, although not in the same way as Abitibi-winnik.” (*Idem.* p. 23)



In March 2017, the Val-d’Or Native Friendship Centre was proud to give elementary and secondary schools the Gabriel-Commanda Educational Kit. The kit was launched at the Polyvalente le Carrefour in Val-d’Or during Awareness Week for the Elimination of Racial Discrimination.

Photo: Pierre Lepage

### GABRIEL COMMANDA WAS A MODEL FOR MUTUAL COOPERATION

No doubt most of us have never heard of Gabriel Commanda, an Algonquin, but in Val-d’Or he is famous. Over the past few years, many elementary and secondary school students have taken part in the annual Gabriel Commanda Walk. Commanda was a model for neighbourly relations and mutual cooperation. Jean Ferguson, who wrote a biographical novel based on Commanda (Ferguson 2003) says: “Commanda had his own personal way of looking for and discovering minerals ... Commanda would set off by canoe alone and ... once he arrived at the exploration site, began with an incantation. Then, using a stick in the shape of a curved fork that he had carved out of a moose antler, he would walk around and wherever he planted his stick in the ground, you would be sure to find a mineral vein.”



One of the rare photos of Algonquin Gabriel Commanda, trapper, guide and prospector.

Photo: UQAT library



### TOM MOAR OF POINTE-BLEUE: BRAVE AND GENEROUS

The story made it into the November 1929 issue of *National Geographic*, at a time when airplanes first started flying north. One morning in January of that year, the pilot Kenneth Saunders was flying an engineer and a Hudson's Bay Company official from Roberval to the trading post on the Ashuapmushuan River. The landing was catastrophic: the plane broke through the ice cover and the passengers barely had time to climb out of the cabin before the fuselage sank.

Tom Moar of Pointe-Bleue (today Mashteuiatsh), who was in charge of the small Hudson's Bay trading post, immediately went to their rescue and brought them back to the modest log cabin he and his family called home. Without a moment's hesitation, he volunteered to go for help in the nearest village, some hundred miles away on the shores of Lake Saint-Jean. He left 20 minutes later, with no more than his axe, some matches and a piece of frozen moose meat. He made the journey on foot, in a record time of five days, stopping just two nights to sleep in a simple shelter he made by digging a hole in the snow and lining it with fir branches.

A few weeks later, the plane was pulled from the water and fixed. Captain Saunders and his crew could not stop singing the praises of Tom Moar and his family, grateful for their hospitality and generosity. (Wilson 1929)



Photo: National Geographic, November 1929, collection of Pierre Lepage



Photo: National Geographic, November 1929, collection of Pierre Lepage



In the early 1980s, Richard Kistabish, then president of the Algonquin Council of Western Quebec, made public a very important letter written by a senior official with the hunting and fishing branch of the Ministère des Mines et des Pêcheries. The letter, dating from 1941, concerned the unwanted presence of Aboriginal families along the road between Senneterre and Mont-Laurier.

[TRANSLATION] "On March 6 last, Mr. Harold W. McGill, Director of the Indian Affairs Branch in Ottawa, accepted our Department's recommendations to prohibit Indian families from setting up camp within a mile of the road. I am certain that Indians currently roam areas where they can easily hunt muskrat; however, I think you should let them know that, once the hunting season is over, they must move further inland in accordance with the agreement so that no families are present near the road when tourists and the travelling public start to come in higher numbers." (Kistabish 1986)





## THE BEGINNING OF A DIALOGUE

This is but one example. In Senneterre, in the Abitibi region, the third bylaw adopted by the municipality, founded in 1919, prohibited Indians from homesteading within city limits. (Bordeleau and Matte) Luckily, that is no longer the case. On the eve of the 2019 celebrations marking the 100<sup>th</sup> anniversary of the founding of this small municipality, the municipal council and the Native Friendship Centre of Senneterre signed the Mutual Commitment to Improve the Living Conditions of Urban Aboriginal People. At a news conference announcing the commitment, Jean-Maurice Matte, Mayor of Senneterre, stressed that [TRANSLATION] “the two bodies have been working together for several years to encourage social, cultural and economic rapprochement. This commitment is just a way of formalizing the existing partnership.” (Deshaies 2017) Valentin Méquish, chairman of the Friendship Centre’s board of directors, says that one area of joint action is access to good quality housing, especially for seniors. Another priority is the Shabogamak II project, which aims to convert the old municipal chalet, which the Friendship Centre acquired, into a place that offers activities to facilitate the transmission of Aboriginal culture to new generations. The project will get the municipality’s full support in developing access to the site. The Shabogamak Chalet will also provide tourist accommodation for the benefit of the entire region.



Aboriginal family, Senneterre, circa 1950.

Photographer unknown,  
collection of Pierre Lepage



Jean-Maurice Matte, Mayor of Senneterre (left), and Valentin Méquish, President of the Native Friendship Centre of Senneterre, at the signing of the Mutual Commitment to Improve the Living Conditions of Urban Aboriginal People.

Photo: TC Média-Archives

It is impossible to talk about cohabitation between Indigenous and non-Indigenous people without mentioning the events that triggered a profound social crisis in the Val-d’Or area in March 2015. During Radio-Canada’s investigative program, *Enquête*, Aboriginal women reported having been victims of sexual and physical abuse, intimidation and abuse of power at the hands of provincial police officers. The women’s troubling and moving stories sent shock waves across all of Québec society. Although no criminal charges were laid against the police officers following investigations into the allegations, the Québec government created the Public Inquiry Commission on Relations between Indigenous Peoples and Certain Public Services in Québec (the Viens Commission). In tandem with these events,

a number of prominent figures from the Abitibi-Témiscamingue region reminded the public that Indigenous and non-Indigenous people had a long history of living side by side in the region. Several First Nations advocates responded, saying it was imperative to question the very nature of this so-called “cohabitation.” In an interview granted to the journalist Thomas Deshaies (“Le Citoyen” in *L’Écho Abitibien*, Sept. 27, 2017), Lucien Wabanonik, a member of the Nation Anishnabe de Lac Simon band council, opined that it was inappropriate to state that Indigenous and non-Indigenous people have always lived side by side in Val-d’Or. That opinion was shared by anthropologist and professor Marie-Pierre Bousquet, who used the words “dispossession, destruction, misunderstanding and racism” to describe an overlooked side of the region’s history. (*Idem.*) Underlining the efforts made to improve relations since the “Val-d’Or crisis,” Mr. Wabanonik wants to look to the future, but also thinks it is necessary to look history in the face: [TRANSLATION] “That’s what we find unfortunate. An effort must be made to acknowledge Anishnabe history.”



*Pierre Corbeil, Mayor of Val-d'Or (left), with Oscar Kistabish, President of the Val-d'Or Native Friendship Centre, at the second meeting between mayors and the Quebec Native Friendship Centre Movement, March 2017.*

*Photo: TC Média-Thomas Deshaies*

As sad as they may be, the previously mentioned events in Val-d'Or provided an excellent opportunity to raise awareness and drove a remarkable local mobilization of Indigenous and non-Indigenous people alike to improve relations. Remember, it was in Val-d'Or that the mayors of nine Québec municipalities and the executive directors of nine Native Friendship Centres signed the Mutual Commitment to Improve the Living Conditions of Urban Aboriginal People in March 2017.

## RENEWED HARMONY

The dispute over salmon rivers a few decades ago is another case of a breakdown in relations, and conflict, but it also initiated a dialogue between Indigenous and non-Indigenous peoples and the pursuit of common interests. In a nutshell, the number of violent incidents between Indigenous and non-Indigenous people over salmon fishing in the Gaspé and Côte-Nord regions rose between 1975 and 1983: arrests, seizure of fishing nets, gunfire, protests, acts of defiance, calling in of the anti-riot squad, rallying of sport hunting and fishing associations, smear campaigns in the sports press, inflammatory comments on local open-line radio programs, and so forth. It was the “Salmon War.”



What caused the escalation in violence on certain rivers in the mid-1970s? First, the Mi'gmaq in the Gaspé Peninsula and the Innu in the Côte-Nord region had, in a sense, become “strangers on their own rivers” (see Panasuk and Proulx 1981). Second, “Operation Wildlife Management,” referred to as the “declubbing” operation, carried out in Québec in the early 1970s was also a contributing factor.

*Ekuanitshit Chief Philippe Piétacho drumming in the early 1980s in solidarity with a symbolic gesture by the members of his community. With the support of René Simon, President of the Conseil Attikamek-Montagnais (right), the members throw a fishing net on the Mingan River.*

*Photo: Ghislain Picard*

A perfectly legitimate grassroots movement took hold with the aim of eliminating private clubs and giving previously inaccessible land back to the people of Québec. But First Nations communities were left out of the “declubbing” of salmon rivers. They were shunned. It was against this backdrop that conflict erupted. Fortunately, the conflict paved the way for dialogue between Indigenous and non-Indigenous people, which led to agreements that benefited everyone while having a common objective, namely, the conservation and enhancement of Atlantic salmon, a threatened resource.



*The Sûreté du Québec anti-riot squad rapidly intervenes to enable wildlife protection officers (background) to remove the net from the river.*

*Photo: Ghislain Picard*

The case of the Mingan River in the Côte-Nord region is noteworthy. Up until 1984, the river belonged to American interests. It was private property owing to unextinguished seigneurial rights. Quebecers were not allowed to fish there and the Innu were considered to be fishing illegally. Under pressure from the Ekuanitshit (Mingan) Innu community, the federal government purchased the river and annexed it to the reserve land. Under the *Indian Act*, band councils can regulate access to wildlife on reserve land. Considering the river's poor condition,

the community agreed to respect a moratorium on fishing of any kind in the Mingan and Manitou rivers and both rivers became the object of scientific monitoring and restoration. As a result, the community of Ekuanitshit gained an economic development tool and, for several years now, has managed the Manitou-Mingan outfitting operation, which provides services to numerous Québec fishers every year. That is something to celebrate. In 1986, the Mingan Band Council was awarded the prestigious *Salar* trophy by the Fédération québécoise pour le saumon atlantique in recognition of its salmon conservation and enhancement efforts.

In the Gaspé region, the Mi'gmaq of Gesgapegiag (Maria) and several municipalities along the Cascapedia River joined forces in the early 1980s to establish the Cascapedia River Society, a joint management corporation with an equal number of Aboriginal and non-Aboriginal members. The Society administers and rents outfitting camps to salmon sport fishers and its activities are an important source of employment for members of the Mi'gmaq community, who work in the camps as guides, fishery guardians and cooks. The outfitting operation is an economic lever for the entire region.

These are just a few examples of how seeking common interests is the key to peace and harmonious relations. In the case of salmon rivers in particular, the various stakeholders quickly realized that the goals of conserving Atlantic salmon and respecting the rights of each user group could not be achieved by turning rivers into battlefields. This was a situation where all users had to cooperate, without exception, and so they did.

An image that contrasts with the previous ones. In 1986, the Ekuanitshit (Mingan) Band Council was awarded the prestigious *Salar* trophy by the Fédération québécoise pour le saumon atlantique (FQSA). Holding the trophy, Chief Philippe Piétacho (middle) is flanked by Bernard Beaudin, President of the FQSA (right) and Edmond Malec (left), an Innu and the Vice-President of the FQSA's Lower North Shore regional council. Several Innu communities joined the FQSA during this period.



*An image that contrasts with the previous ones. In 1986, the Ekuanitshit (Mingan) Band Council was awarded the prestigious *Salar* trophy by the Fédération québécoise pour le saumon atlantique (FQSA). Holding the trophy, Chief Philippe Piétacho (middle) is flanked by Bernard Beaudin, President of the FQSA (right) and Edmond Malec (left), an Innu and the Vice-President of the FQSA's Lower North Shore regional council. Several Innu communities joined the FQSA during this period.*

*Photo: Courtesy of FQSA*



## INNU AND QUEBECERS UNITE AROUND A COMMON CAUSE IN LES ESCOUMINS

### *With Renewed Peace, the Salmon are Back*

In the early 1980s, salmon disputes between Indigenous and non-Indigenous people in Les Escoumins, on the north shore of the St. Lawrence River, could have had tragic consequences. A member of the Fédération québécoise pour le saumon atlantique explains how the parties involved were able to end their hostilities: [TRANSLATION] " ... So people began to talk to one another and consider a working arrangement. In 1991, discussions led to the creation of a bipartite committee composed of an equal number of representatives of the band council and the municipality. Co-chaired by one representative from each group, the committee learned the ropes and gradually became a bona fide management corporation. In view of the previous climate of confrontation, the fact that the two parties succeeded in talking about accommodation was a quiet revolution." (Vézina 1994)

But the river was still not in good enough condition to support a salmon run. The forest industry, in particular, with its dams and decades of timber driving, had left a mark on the river. "The proponents of its revitalization stocked the river, modernized an old dam, built a fishway to allow salmon to spawn upriver and eliminated poaching. A fish farm was even set up to control fry quality." In August 1992, the river was finally able to support sport fishing again, and generate the related economic benefits. Today, says Paul Vézina, "... only the river roars, reflecting its vitality and the renewed harmony."

The Escoumins salmon river management corporation (Corporation de gestion de la rivière à saumon des Escoumins), made up of the Essipit Innu First Nation Council, the municipality of Les Escoumins and fisher representatives, keeps a close eye on things. A major milestone was reached in 2013 when the old dam built in 1846 was torn down and the natural bed of the river was restored.



## ABORIGINAL COMMUNITIES

### FORM A VITAL LINK IN REGIONAL ECONOMIES

In 1992, the residents of Chibougamau were concerned about the economic impact of the Westminer mine's closure. The population of Chibougamau had been in steady decline since the early 1980s, dropping from 12 000 to 9 000 inhabitants. As reported by the journalist Pierre Gingras, it was the Crees who rescued the region's struggling economy: [TRANSLATION] "No one in Chibougamau doubts that the Crees are sustaining much of the town. The reality is, that with the gradual closure of the mines Aboriginal people have become the town's greatest 'natural resource'." Chibougamau's then mayor echoed those sentiments: "If not for the Crees, I seriously wonder what would happen to our businesses." (Gingras 1992)



*The inscription on the back of this archival photo taken in Chibougamau in 1950 speaks volumes about the mentality at the time. The photographer thought he was taking a picture of [TRANSLATION] "the last surviving Indians in the northern part of the Province of Québec." Who would have thought that, half a century later, the Crees (Eeyou) would be the ones to rescue the region's economy and that the magnificent village of Oujé-Bougoumou would be established?*

*Photo: Paul Louwers, collection of Pierre Lepage*



At the time, Chibougamau was surrounded by three Aboriginal communities: Mistissini, which had a population of around 2 300 in 1992, Waswanipi, which had just over 700 inhabitants, and the new village of Oujé-Bougoumou, then under construction, which would become home to several hundred people. It was a population with strong purchasing power (*Ibid.*). Many merchants understood that, and some even enrolled in Cree language courses because they were aware of the importance of satisfying this specific clientele.

A study conducted several years ago at the request of the Mashteuatsh Band Council, in the Lac-Saint-Jean region, revealed that nearly 80 per cent of purchases were made outside the community. “Aboriginal people are driving the economy,” asserted Alain Nepton, then Mashteuatsh council member (personal interview). And while many worry about the regional exodus and, especially, the population decline, the Aboriginal population appears to be here to stay, with a birth rate that is generally twice as high as the Québec average.

It is important to underscore the valuable contribution of communities such as Wendake, near Québec City, whose businesses employed nearly 400 non-Aboriginal people in the mid-1990s. (Forum paritaire 1993) And in Les Escoumins, in 2008, 60 per cent of the 200 jobs generated by the small Innu community of Essipit were held by non-Aboriginal people from nearby villages.

These are just a few examples of the inevitable interdependence that exists between Aboriginal communities and the neighbouring communities. When Aboriginal communities develop, non-Aboriginal communities develop as well. Kepa Transport, whose head office is in Val-d’Or, is another excellent example. A leader in freight transportation in northern Québec, the company is wholly owned by the Chisasibi and Wemindji Cree communities.



Built to honour the 400<sup>th</sup> anniversary of the founding of Québec City, the Hôtel-Musée des Premières Nations in Wendake features an impressive architectural design and beautiful setting on the banks of the Saint-Charles River.

Photo: Jean-Louis Régis

### KEPA TRANSPORT: TRUCK TRANSPORT LEADER, JOB CREATOR AND REGIONAL PARTNER

In 2013, Kepa Transport built a new operations centre in Val-d’Or’s industrial park. A beautiful example of the use of wood in non-residential construction, the centre is the product of regional ingenuity and talent: “From the architect to the general contractor, engineer and companies specializing in roof trusses, prefabricated walls and glue-laminated wooden beams, every player in the project is from the region.” Kepa Transport’s operations centre “is another source of pride for the regional wood construction sector!” (Association forestière de l’Abitibi-Témiscamingue, 2013)



Photo: Pierre Lépage



## GROUPE UMEK, ONE OF THE MAJOR PLAYERS IN THE FISHING INDUSTRY OF QUÉBEC'S UPPER NORTH SHORE

Following the Supreme Court of Canada's landmark ruling in 1999 on First Nations' treaty rights to catch and sell fish (Marshall decision), Fisheries and Oceans Canada undertook to make it easier for Aboriginal communities to participate in commercial fisheries. Starting in 2002, the Québec Mi'gmaq communities of Listuguj, Gesgapegiag and Gespeg and the Maliceet community of Viger entered into agreements with Fisheries and Oceans Canada allowing them to fish for commercial purposes.



A number of Innu communities in the Côte-Nord and Lac-Saint-Jean regions were also able to participate in commercial fisheries under the programs implemented in the wake of the Marshall decision. Today, most Innu communities own fishing boats and some are partners in several seafood processing plants. In a special edition of the Nikan newsletter devoted to commercial fisheries (October 2011), the First Nations of Quebec and Labrador Economic Development Commission provides a snapshot of this success story, that is, how over time Groupe Umek has become "one of the major players in the fishing industry of Québec and the Upper North Shore."

"Groupe Umek possesses, amongst others, a crab-processing plant ... which is owned in equal shares by the communities of Essipit, Pessamit and Uashat mak Mani-utenam (70%), and by a group of independent fishermen (30%). In total, the plant employs approximately 120 seasonal people; 70% are members of the different nations and Aboriginal communities...

In addition to owning the Umek processing plant, Groupe Umek owns 51% of the shares of *Pêcheries Manicouagan*, through which it owns four fish markets situated between Baie-Comeau and Tadoussac, and another one in Saguenay-Lac-Saint-Jean. The Groupe also owns 30% of the shares of *les Crabiers du Nord*. As regards this enterprise, in addition to the portion detained by Groupe Umek, 19% of the remaining shares belong to a group of Aboriginal fishermen, making it a 50% Aboriginal-owned business." (FNQLEDC 2011)

In 2011, Groupe Umek exported approximately 70% of its production to the United States, 15% to Québec, 10% to the rest of Canada and 5% to Asia. The same year, the biggest client of the Umek processing plant was "a well known restaurant chain in the U.S., *Red Lobster*." (*dem.*)



Photos taken on the wharf in Mingan, where the Innu community owns two fishing boats.

Photos: Pierre Lepage



A dynamic company incorporated in 1987, Kepa Transport has a fleet of over 150 state-of-the-art units, more than 100 employees, mostly non-Aboriginal, including 75 professional drivers, 8 mechanics and 21 operational management and administrative employees. The company serves Cree (21%) as well as non-Cree (79%) communities and is a key player in economic development in the Abitibi-Témiscamingue region and beyond.

## WIN-WIN PARTNERSHIPS



From left to right: Marc Hubert of the Forest Products Association of Canada, Christian Awashish, Chief of the Atikamekw Council of Opitciwan, and J.P. Gladu, of the Canadian Council for Aboriginal Business.

Photo: Fanny Bédard/Radio-Canada

In September 2013, the Forest Products Association of Canada and the Canadian Council for Aboriginal Business awarded the Opitciwan sawmill the Aboriginal Business Leadership Award for its commitment to Aboriginal traditional values and the environment and for its job creation within the community. The sawmill is a joint venture between the Atikamekw Council of Opitciwan, which has a 55% controlling interest in the facility, and Resolute Forest Products. “The sawmill employs 125 people, 65% of whom are in production ...,” the sawmill’s president Marc Awashish told the Canadian Press. (Laguë 2013) “That represents 60% of the community’s population.” In 2013, the company’s annual income was \$20 million. (*Idem.*) According to J-P. Gladu, President and CEO of the Canadian Council for Aboriginal Business, [TRANSLATION] “this proves that meaningful and profitable partnerships are possible ... The Atikamekw community has in-depth knowledge of the territory and a talented workforce, and Resolute lends its expertise in forestry and sales.” ([ici.radio-canada.ca/nouvelles](http://ici.radio-canada.ca/nouvelles), Sept. 24, 2013)

### PARTNERSHIP

[TRANSLATION] “Partnership involves giving up the power one has over the other.”

(Statement made by Justice Jean-Charles Coutu at the Henri-Capitant Conference held in April 1991)



## THE KAHNAWAKE CAISSE POPULAIRE

### Successful Collaboration Between Mohawks and Quebecers

“We don’t often hear about successful collaboration between Mohawks and Quebecers. But with creativity and understanding, almost anything is possible. That’s one of the lessons that can be drawn from our experience with the Caisse populaire Kahnawake.” (Rice 1994)

In an article published in *Relations* in 1994, Michael L. Rice, a founding member and past general manager of the Caisse populaire Kahnawake, summarized the economic situation in his community:

“Up until 1987, our community did not have its own financial institution. Many banks, ignorant of our laws and customs, were reluctant or ill-equipped to meet the needs of our people. In addition, it was extremely frustrating to try and obtain government funding for business development. We needed a source of financing, so the Mohawk Council of Kahnawake decided to establish an Aboriginal financial institution. The Caisse populaire Kahnawake opened in 1987.” (Rice 1994)



Photo: Pierre Lepage

### The “Kahnawake Model”

Michael Rice pointed out that when the caisse was established, there was an immediate impact on the community’s economic development. But the institution was also notable for the fiduciary system it created to overcome obstacles arising from the *Indian Act*, which “prohibits subjecting any real and personal property of an Indian to charge (mortgage, pledge, guarantee, etc.) in favour of a non-Indian. It is thus impossible for an Indian to give his house, land or any other similar property to his bank or caisse populaire as security for the purposes of obtaining a loan. On the other hand, nothing prohibits an Indian from giving such property as security to another Indian. This is the basis of the ‘Kahnawake model.’” According to this model, an Aboriginal trust composed of three respected individuals from the community serves “as intermediary between the Indian borrower and the non-Indian lender (the caisse populaire).” This is the “third party guarantee” principle. However, since the third party is not a government (federal, provincial or band council), the responsibility for loan repayment is transferred back to the actual borrower.

Rice concluded that Kahnawake’s caisse populaire has had a significant economic impact: “almost all commercial loans, two-thirds of mortgage loans and over half of personal loans would undoubtedly not have been granted by outside financial institutions.” (*Idem.*)

When asked why they went with a caisse populaire instead of a bank, Rice replied that it was mostly because of the cooperative structure of ownership and control, which is more democratic and closer to the community’s cultural values, as well as the tax benefits available to caisses. (*Idem.*)

### 30 Years On, the Caisse is in Envious Financial Health

Thirty years on, the Caisse populaire Kahnawake had equity of \$23.9 million as at December 31, 2016, an increase of 11.6% over the previous financial year. It saw its loan portfolio grow from \$16 million in 1994 to \$55 million in financial year 2016, including \$43 million in mortgage loans and \$8.5 million in commercial loans. (Caisse populaire Kahnawake 2016, 5-8) The Caisse populaire Kahnawake is a concrete example of cooperation that benefits both Mohawks and Quebecers.





## SOLIDARITY AND SHARED SOCIAL VALUES

Between 1991 and 1993, a focus group composed of representatives of unions, religious movements, cooperatives, social movements and Aboriginal peoples tasked itself with bringing



### THE FORUM PARITAIRE QUÉBÉCOIS-AUTOCHTONE

#### *Living Together in Mutual Respect*

In fall 1993, the focus group adopted and published a manifesto entitled *Manifeste concernant l'avenir des relations entre les Autochtones et les Québécois*, which set out areas of disagreement, but also highlighted several areas of rapprochement. In an article published in *Revue Notre-Dame*, René Boudreault, co-moderator of the forum, underscored several points, including the following:

- Québec and the Aboriginal nations are seeking recognition of collective and even national rights. They are seeking greater self-governance. Recognition as peoples and of the right to self-determination dominate the political landscape.
- The settlement of Aboriginal land claims is conducive to social peace and economic development. Having neighbours who are developing their economies is certainly preferable to having neighbours who are living in poverty.
- The movement to decentralize decision-making power, which is largely sought by Québec's regions, is also of interest to Aboriginal peoples.
- The sacred notion of indivisibility of the territory of Québec is not necessarily incompatible with Aboriginal rights. Accommodation is possible to the extent that the exercise of Aboriginal sovereignty does not necessarily run counter to the sovereignty of the National Assembly or the Canadian legal system.
- Aboriginal economic development and the improvement of Aboriginal peoples' standard of living are powerful assets for regional economic growth. The development of recreational tourism by Aboriginal people is a perfect example.
- The fundamental values promoted by the environmental movement are consistent with traditional Aboriginal philosophy.
- Aboriginal people need Quebecers' expertise to spur their development and train their own workforce. This leads to exchanges and reciprocity that can be creative and build a positive new relationship (Boudreault 1995, 10-13).

The signatories ended the manifesto by emphasizing that history and geography compel us to meet the challenge of living together and quickly define the foundations of relations between Quebecers and Aboriginal peoples.

The manifesto was signed by:

Gérard Drainville, **Assemblée des Évêques du Québec**; Jackie Kistabish, **Quebec Native Women**; Lorraine Pagé, Daniel Lachance and Henri Laberge, **Centrale de l'enseignement du Québec**; Julien Harvey, **Centre Justice et Foi**; Michel Doray and Claude Têtu, **Confédération des caisses Desjardins**; Gérald Larose, **Confederation of National Trade Unions**; René Simon and Arthur Robertson, **Conseil des Atikamekw et des Montagnais**; Denis Landry, **Grand Council of the Waban-Aki Nation**; Diom Roméo Saganash, **Grand Council of the Crees (of Québec)**; Gérald McKenzie and Sylvie Paquerot, **Civil Liberties Union**; Édith Cloutier, **Quebec Native Friendship Centre Movement**; Bernard Cleary, **resource person**; Pierre Bonnet and René Boudreault, **moderators and coordinators of the forum**. (Forum paritaire 1993)



*Gérald Larose, then President of the Confederation of National Trade Unions, and Roméo Saganash, then Deputy Grand Chief of the Grand Council of the Crees (of Québec), attending a press conference in fall 1993 at the Forum paritaire québécois-autochtone, a focus group whose mission is to bring together Quebecers and Aboriginal peoples.*

*Photo: Alain Chagnon*



together Quebecers and Aboriginal peoples. The goal of the 20 or so participants in this forum was to determine and highlight the points on which the two groups agreed, and to identify and seek solutions to the points on which they disagreed. Around 15 formal meetings were held.



### SOLSTICE DES NATIONS: A BRIDGE BETWEEN NATIONAL ABORIGINAL DAY AND THE NATIONAL HOLIDAY OF QUÉBEC

What a brilliant idea! In 2005, LAND InSIGHTS (Société pour la diffusion des cultures autochtones), the Comité de la Fête nationale du Québec à Montréal and the Mouvement national des Québécoises et Québécois joined forces to build a bridge between National Aboriginal Day, celebrated on June 21, and the National Holiday of Québec, on June 24.

It was a simple but highly symbolic ceremony. On June 21, the summer solstice, members of several First Nations held a traditional fire ceremony in Montréal. Afterwards, the embers were carried to the Plains of Abraham in Québec City and used to light the friendship fire on June 23 for the yearly concert held on the eve of the National Holiday of Québec.

Public figures were invited to take part in the June 21 festivities, where official speeches were delivered against the backdrop of traditional singing and drumming. In 2005, special guests included Québec singer-songwriter Claude Gauthier, Mohawks from Kahnawake and Kanesatake and Abenaki singers from Odanak. In 2009, Québec storyteller Michel Faubert and Inuit singer Elisapie Isaac took part. Sadly, this annual event aimed at strengthening the bonds of friendship between the peoples who share the territory of Québec was held for the last time in 2011. With the current desire for reconciliation, would it not be a good idea to revive an event that is such a symbol of hope?



*In 2005, the Abenaki and Mohawk First Nations were represented at the Solstice des Nations. The photo on the left shows Eric Cardinal, one of the main organizers of the event, with Nicole O'Bomsawin and Annette Nolet of Odanak. In the photos on the right are Mohawk singer Sedalia Fazio and well-known and highly respected figure from Kahnawake, Billy Two Rivers.*

*Photos: Pierre Lepage*





## INDIGENOUS AND QUÉBEC WOMEN FIGHT THE SAME BATTLE

### Solidarity at the World March of Women Against Poverty and Violence

It was essentially in the mid-1970s that a sense of solidarity developed between Indigenous and non-Indigenous women in Québec. Thérèse Casgrain had become a staunch ally of Mary Two-Axe Earley, a Mohawk from Kahnawake who was involved with the advocacy group Indian Rights for Indian Women. Ghislaine Patry-Buisson, a former president of the Fédération des femmes du Québec, remembers the beginnings of this solidarity, particularly 1975 in Mexico City, at the first United Nations World Conference on Women. Mary Two-Axe Earley was a member of the delegation of Canadian women to the Women's Forum, a parallel forum attended by women from non-governmental organizations. Her intervention in Mexico City, backed by the women of Canada, was particularly powerful.

*Michèle Audette, then President of Quebec Native Women, and Madeleine Parent, activist and "great friend of Indigenous women," photographed at the March of Women Against Poverty and Violence.*

Photo: Michèle Audette



This was the context in which Quebec Native Women Inc. (QNW) was founded in 1974. The QNW forged strong ties with the Fédération des femmes du Québec and developed a solidarity that has never waned. When QNW dared to break the code of silence and denounce the violence and abuse occurring in many Aboriginal communities, they again had the support of the women's movement. At the 2000 March of Women Against Poverty and Violence, Indigenous and Québec women marched side by side in solidarity, proud of the progress made.

The bonds of solidarity between Indigenous women and Québec women still exist. In 2016, Quebec Native Women and the Conseil du statut de la femme jointly published a brochure to raise awareness about various aspects of the lives of Aboriginal women. Entitled *Let's Meet Québec's Aboriginal Women*, the brochure sheds light on the harsh reality that "the living conditions of Aboriginal women are inferior to those of the rest of the population ...," a reality that needs to be known and rectified. At the beginning of the brochure, Julie Miville-Dechéne, President of the Conseil du statut de la femme from 2011 to 2016, states: "We scarcely know each other. Bridging the gap between Aboriginal women and non-Aboriginal women, and even the entire population, requires knowledge and understanding." Viviane Michel, President of Quebec Native Women, stresses the following: "For us to work



Photo: Michèle Audette

together, there is first of all a history and a reality that must be known. Let's get to know each other and break the myth. That's how the road to reconciliation can begin." (Conseil du statut de la femme 2016, 6)



*Viviane Michel, President of Quebec Native Women, a committed activist who believes in solidarity in action.*

Photo: Quebec Native Women





### DIALOGUE - QUEBECERS, FIRST NATIONS AND THE INUIT

Every summer, the Institut du Nouveau Monde brings together young people from all regions of Québec to discuss democracy, citizen engagement and the issues facing today's Québec. In 2008, a new event called Dialogue – Quebecers, First Nations and The Inuit was attended by some 50 young Indigenous people. The objective of the event was to identify shared interests, propose actions and strengthen ties.



Steve Papatie (left), from the community of Kitcisakik, and Alexis Wawanoloath, then MNA for Abitibi-Est, have played an active role in strengthening ties between Quebecers and Indigenous peoples. To mark the 400<sup>th</sup> anniversary of the founding of Québec City, the Institut du Nouveau Monde held its 2008 session at Université Laval.

Photo: Pierre Lepage



Gender equality is another common focal point worth mentioning. In the mid-1970s, the loss of Indian status by First Nations women who married non-Indian men was a prominent issue in Canada. Gender discrimination continued under the *Indian Act* despite passage of the *Canadian Bill of Rights* by the federal government in 1960. Status Indian women who married non-Indians were banished from their communities. First Nations women banded together and challenged the *Indian Act* in court on the grounds that section 12(1)(b) was sexually discriminatory. At the time, First Nations women were unlikely to get support from band councils or Aboriginal political organizations. Instead, they got the vital support they needed primarily from feminist movements in Québec and elsewhere in Canada.

### RESPECT FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

As noted above, the environment is one of the areas of agreement between Quebecers and Aboriginal peoples. Concerns about the environment and sustainable development are in keeping with traditional Aboriginal philosophy (*Forum paritaire* 1993).



In 1997, the chiefs of the Assembly of First Nations of Quebec and Labrador (AFNQL) adopted a sustainable development strategy that provided for the establishment of the First Nations of Quebec and Labrador Sustainable Development Institute (FNQLSDI). The strategy was updated in 2006. (FNQLSDI 2006)



### ENVIRONMENTAL PROTECTION: A SHARED CONCERN

[TRANSLATION] “The James Bay and Northern Québec Agreement marked the awakening of concern for the environment in Québec.

If, in 10 years, the James Bay territory has become the most studied and best-known region of Québec and Canada, it will largely be because the first environmental groups and the Aboriginal peoples joined forces for the first time in calling for respect for the environment and Aboriginal rights. That’s the environmental history of the James Bay region, and it’s pretty much the environmental history of Québec as well.”

(Lacasse 1983, 511)



Cree visit the James Bay hydroelectric complex. The word “VISITOR” on their safety helmets is somewhat ironic.

Photo: Pierre Trudel



The FNQLSDI started in 2000. Since then, it has made its expertise available to the chiefs of the AFNQL. The FNQLSDI also has a consultant service that supports First Nations communities in the sustainable management of territories and resources as well as in local initiatives.

For the past several years, the FNQLSDI has been invited to participate regularly “as an observer in several tables and committees with a mandate to advise the ministers or their representatives on wildlife conservation and development.” These working groups provide an opportunity for the FNQLSDI to highlight the interests of First Nations on “these issues that they hold particularly close to heart.” (*Activity Report 2016-2017*, FNQLSDI) The Institute sits on various tables and committees, including the Ouranos Maritime Environment Committee, the steering committee of the Acting on Climate Change: Indigenous Innovations project, the Table nationale de la faune, the salmon and migratory birds tables, and the woodland caribou recovery team. “These meetings are also an opportunity for the FNQLSDI to become aware of the positions and interests of the different actors of the territory on these subjects and thus to assess their possible convergences and divergences with those of the First Nations.” (*Idem.*)

In Nunavik, the Kativik Environmental Advisory Committee (KEAC) was established in 1978 pursuant to the James Bay and Northern Québec Agreement. It is a tripartite body made up of members appointed by the governments of Canada and Québec and the Kativik Regional Government. The KEAC is a consultative body to responsible governments in matters relating to environmental and social protection in Nunavik and, as such, it is the preferential and official forum for the governments of Canada and Québec, the Kativik Regional Government and the northern villages.

**SUSTAINABLE DEVELOPMENT: OUR COMMON FUTURE**

***A Lesson Learned from the Brundtland Commission***

“Tribal and indigenous peoples will need special attention as the forces of economic development disrupt their traditional life-styles – life-styles that can offer modern societies many lessons in the management of resources in complex forest, mountain, and dryland ecosystems. Some are threatened with virtual extinction by insensitive development over which they have no control. Their traditional rights should be recognized and they should be given a decisive voice in formulating policies about resource development in their areas.”

(World Commission on Environment and Development 1987)

Through its five-year action plan, 2015-2020, the KEAC aims to pursue actions related to its concerns regarding, in particular, sustainable development, the safeguarding of biodiversity, climate change and the quality of life of the residents of Nunavik. (KEAC 2015)

In matters of resource development on the traditional territories of Aboriginal peoples, the Supreme Court of Canada has held in a number of decisions (in particular, Haida Nation 2004, Taku River Tlingit First Nation 2004 and Clyde River 2017) that governments and companies have a duty to consult and accommodate Aboriginal claims or Aboriginal and treaty rights.

It goes without saying that these legal developments are a promising way forward for First Peoples, enabling them to play a key role in the use and protection of resources on their lands.

### AN INNOVATIVE PARTNERSHIP BETWEEN WEMOTACI AND BIONEST FOR WASTEWATER TREATMENT

“We want to be first in something positive now. We’ve been first in too many negative things,” said Dany Chilton, from the Atikamekw community of Wemotaci, during the press conference held in Shawinigan in September 2017 to announce the market release of an innovative wastewater treatment product. (Vaillancourt 2017)

The new product, marketed as KAMAK, an Atikamekw word meaning “living lake,” is the result of a partnership between Bionest, a Québec business specialized in wastewater treatment, and the Atikamekw community of Wemotaci. Bionest describes the advantages of KAMAK as follows: “It’s now the only technology in Canada that combines with existing aerated lagoons, so it saves on infrastructure costs. This innovative and exceptional product was recognized by the Ministry of Environment, Éco Entreprises Québec and the Québec Environment Foundation, which awarded Bionest the *Phénix de l’environnement*. The KAMAK was also awarded the *Gustave Prévost Distinction* by Réseau Environnement.” (Bionest 2017)



From left to right: Dany Chilton, from the Atikamekw community of Wemotaci, Pierre St-Laurent of Bionest and Constant Awashish, Grand Chief of the Atikamekw First Nation, are particularly proud to present their new product, KAMAK, which could significantly lower municipalities' and individuals' wastewater treatment costs.

Photo: TC Media/Patrick Vaillancourt

## *F*OR FURTHER INFORMATION

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TRUDEL, Pierre, ed.. *Autochtones et Québécois : la rencontre des nationalismes*. Proceedings of the symposium held on April 28 and 29, 1995, at Cégep du Vieux-Montréal. Montréal: Recherches amérindiennes au Québec, 1995, 230 p.



A shared passion for hockey. Young players from the Indian residential school in St-Marc-de-Figuery, near Amos, are photographed with their idol, the great Jean Béliveau. Testifying to the difficult years he spent at the residential school, Dominique Rankin confessed that hockey was his favourite means of escape (Rankin and Tardif 2011, 11). In his book on Indian residential schools in Québec, Gilles Ottawa says that the schools caused serious harm, but there were also positive aspects to them, such as encouraging students to play sports, in particular hockey, at which the young Indigenous students excelled. Ottawa tells the story of an outstanding young hockey player named Arthur Quoquochi, from the Atikamekw community of Wemotaci, who went to the Amos (St-Marc) and Pointe-Bleue Indian residential schools in the early 1960s. Following a stellar career with teams such as the Dolbeau Castors and the Montréal Canadien Junior team, with whom he won the Memorial Cup in 1970, he was drafted by the Boston Bruins, becoming the first Indigenous person to play professional hockey (Ottawa 2010, 92-95).

Photo: BAnQ Rouyn-Noranda, Fonds de l'Université du Québec en Abitibi-Témiscamingue



Take our rightful place, assert ourselves rather than make demands, take back what is ours, build a true nation-to-nation relationship, no longer accept unilateral actions and suffer the impacts of development, assert our right to develop ourselves, to govern ourselves, to work, to build own-source revenue capacity to ensure we flourish and are independent—these are all legitimate aspirations reminiscent of then Premier Jean Lesage’s rallying cry of “*Maîtres chez nous*” (masters of our own house) on November 11, 1962. That simple campaign slogan marked the beginning of a heady period in Québec known as the Quiet Revolution.

First Nations and Inuit people have reached a turning point that is surprisingly similar to the Quiet Revolution experienced by Quebecers: emergence of a new generation of leaders, development of their own institutions, an unprecedented political, social and economic awakening, a strong sense of pride in who they are, a growing desire to be recognized nationally and internationally and a ferment in artistic and cultural expression and development.

### A LONG TIME COMING

However, as mentioned in Chapter 3, it was not that long ago that claiming existence and rights as a nation was unacceptable. After all, the ultimate goal of federal policy was the assimilation of Indigenous peoples. First Nations and the Inuit broke away from this not-so-glorious past in the early 1970s. That was when the National Indian Brotherhood and its provincial organizations, including the Indians of Quebec Association, engaged in a movement to Indigenize education, a key sector for First Nation survival. The goal was to put an end to the Indian residential school system, the preferred means of assimilation. The rallying cry was unequivocal: “Indian control of Indian education.” The movement rapidly spread to other sectors, including health, social services, economic development and policing.



Participating in a 2008 protest in Montréal to call on the Government of Canada to support the United Nations Declaration on the Rights of Indigenous Peoples, this young Indigenous person carried a very clear message that Crown tutelage over Indigenous peoples contravenes the basic right to equality enshrined in the UN Declaration.

Photo: Pierre Lepage



Two inspiring women, Fanny Wylde and Eva Ottawa, together at the Great Gathering of First Nations (Pow Wow) in Mashteuiatsh in July 2018. Ms. Wylde (left) is an Algonquin from the community of Pikogan in the Abitibi region. In 2007, she became the first female lawyer in the history of the Algonquin people, and the first public prosecutor of the Couronne autochtone du Québec. After working with the Director of Criminal and Penal Prosecutions’ office in Amos, she performed various mandates for the Cree and Algonquin First Nations. In January 2017, Wylde joined the team of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Eva Ottawa, an Atikamekw from Manawan, earned a sociology degree in 1996 and a law degree in 2002. She has held various strategic positions in her community and nation. In 2006, she was elected Grand Chief of the Atikamekw Nation by universal suffrage and was then re-elected in 2010. She held the position until 2013. She is currently doing her master’s degree in law at the University of Ottawa, specializing in customary adoption, while assuming various governance mandates with the Atikamekw First Nation.

Photo: Eva Ottawa



Denise Wylde, from the Pikogan Algonquin community near Amos, was the first Indigenous police officer in Québec. This photo shows her at her 1986 graduation ceremony at the Amerindian Police Training Centre in Pointe-Bleue (Mashteuiatsh), in the Lac-Saint-Jean region, with Benoit Bouchard, then MP for Roberval and federal minister.

Photo: Denise Wylde collection



The Algonquin community of Pikogan, near Amos, can fight organized crime more effectively today, following the return of police officer Annick Wylde (left), who trained and worked with the RCMP's Aboriginal Combined Forces Special Enforcement Unit (A-CFSEU) for two years. The A-CFSEU specializes in combatting organized crime in First Nations communities and reserves. Managed by the RCMP, the unit also includes members from the Sûreté du Québec and various Aboriginal police forces. This 2013 photo shows Annick Wylde (left) with fellow officer Lydiane Caron.

Photo: Pierre Lepage

As regards the Inuit, the movement to take control of their own affairs truly began in the early 1960s, with the development of the cooperative movement, which enabled the Inuit to be directly involved in the advancement of their communities. The first Inuit cooperative opened in Québec in 1959, in Kangiqsualujjuaq. Two years later, cooperatives were operating in Kuujuaq, Kangirsuk, Puvirnituk and Kuujuarapik, in Québec, and in Port Burwell, in the Northwest Territories. (Fédération des coopératives 2014, 4) In 1967, local cooperatives joined forces and established the Fédération des coopératives du Nouveau-Québec (FCNQ).



### THE COOPERATIVE MOVEMENT: A JEWEL OF NUNAVIK'S ECONOMY

"The Fédération des coopératives du Nouveau-Québec is owned by its fourteen member co-ops in the Inuit communities of the Hudson and Ungava coasts of Northern-Québec, or Nunavik, as this region is now called." (Fédération 2014)

According to the FCNQ, "The main objective of each co-op is to unite the community and to act as a spokesperson for their interests." The co-ops are a powerful lever of economic and social development, as evidenced by their success in activities as diverse as retail sales, banking, post offices and telecommunications, marketing of Inuit art, hotel and tourism services, distribution of fuel supplies, and housing and school construction projects.

The co-op movement is now the largest non-government employer in the region with over 400 full-time and 140 seasonal employees in Nunavik and 160 full-time employees in Montréal. . . . The co-ops are managed exclusively by Inuit and Cree staff, thereby ensuring that the knowledge and experience gained . . . remains an asset of the community. . . . Business done by the cooperative movement in Nunavik each year has grown from \$1.1 million in 1967 to \$231 million in 2013. . . . These results clearly show that the co-op philosophy and practice of working together to develop as a people, leaving none behind, is an economically viable and socially equitable answer to the future development of Nunavik."

(Fédération des coopératives du Nouveau-Québec 2014)



Photo: Tourisme Québec, Heiko Wittenborn



## EMERGENCE OF AN INTELLECTUAL ELITE

In the wake of the movement to Indigenize education, Manitou College, the first post-secondary institution for Indigenous students in Québec, was established in 1973. Life at the college was intense and exhilarating for the First Nations, Inuit and Métis students. Sadly, it was short-lived. The college closed its doors after just three years, but it had a huge influence on its students. In his recent documentary entitled *Red Power Awakening*, filmmaker René Sioui-Labelle recalls how Manitou College fostered an entire generation of Indigenous leaders that includes Ghislain Picard, current chief of the Assembly of First Nations of Quebec-Labrador. Anthropologist Pierre Trudel, who in 2009 published a series of interviews with Chief Picard, also stresses the key role played by Manitou College. Chief Picard fondly remembers the prevailing atmosphere at Canada's first college for Indigenous students:

“Being among 700 to 800 students of multiple Aboriginal identities at La Macaza’s Manitou College in the 1970s had an incredible impact on me. The students came from all across Canada, and even the United States. It was a huge awakening for me, not only in terms of the Aboriginal diversity represented, but also how much we had in common.” (Trudel 2009, 20)

Several public figures, including Lise Bastien, current director general of the First Nations Education Council (FNEC), Bernard Hervieux, director general up until 2014 of the Société de communication Atikamekw-Montagnais (SOCAM), to name but two, attended Manitou College. The College also had a deep impact on numerous founding members of Quebec Native Women (QNW) who were students there. Among them, Sylvia Watso and activist Monique Sioui (1951-1997), both from the Abenaki Nation, Évelyne St-Onge and Mériilda St-Onge, from the Innu Nation, and many other Indigenous women who remain deeply involved both within and outside their communities. As Pierre Trudel put it, several people who went on to form an Indigenous intellectual elite and now hold leadership positions met at Manitou College. (*Ibid.*, 13)



*Évelyne St-Onge (right), who hails from the north shore community of Mani-utenam, attended Manitou College. In 1974, she co-founded Quebec Native Women Inc. (QNW). In November 2015, she was awarded an honorary doctorate by the Université du Québec à Montréal for her outstanding contribution to development of the Innu Nation in particular and First Nations in general. She is pictured here with the Honourable Jody Wilson-Raybould, then Minister of Justice and Attorney General of Canada, who was visiting Sept-Îles.*

*Photo: Évelyne St-Onge (2015)*

## TEACHER TRAINING BECOMES A PRIORITY

One of the primary functions of Manitou College was to train future Indigenous teachers. In 1972, the Ministère de l'Éducation du Québec mandated the Université du Québec à Chicoutimi (UQAC) to set up the Indigenization of schools program proposed by the Indians of Quebec Association. (Centre d'études amérindiennes 2005, 3) It was a colossal task aimed at replacing the Indian residential school system by schools that were administered by First Nations and Inuit communities and were focused on ensuring the survival of Indigenous languages and culture. Between 1975 and 2003, UQAC awarded an astounding 579 degrees and certificates in Indigenous education and technolinguistics, nearly half of which were degrees in preschool and primary school education. (*Ibid.*, 3)

The 1975 signing of the James Bay and Northern Québec Agreement (JBNQA) allowed McGill University to play a key role in delivering teacher education programs for Cree and Inuit communities whose second language is English. McGill's Office of



Marie-F. Raphaël, from the Innu community of Mashteuiatsh, is one of the first Indigenous people to earn a bachelor's degree in education from the Université du Québec à Chicoutimi. After graduating, she taught in the Atikamekw community of Opitciwan for two years, followed by two years teaching in the Cree community of Mistissini. After that, her professional career took her to Mani-utenam on the north shore of the St. Lawrence, where she held various positions, including teacher, education consultant and principal at École Tshishteshinu. Along with Huguette Courtois from Mashteuiatsh and Marcelline Picard-Kanapé from Pessamit, Ms. Raphaël is one of the first Indigenous university graduates to head a First Nations school. This 2008 photo was taken at UQAC, when she was acting director of the Centre des Premières Nations Nikanite.

Photo: Pierre Lepage

First Nations and Inuit Education continues to work in collaboration with the Cree and Kativik school boards, as well as with the educational services of several Indigenous communities having English as their second language, including Kahnawake, Kanesatake and Listuguj.



### THE CENTRE DES PREMIÈRES NATIONS NIKANITE IS INTEGRAL TO ACADEMIC SUCCESS

The Université du Québec à Chicoutimi continued its pioneering work in university studies for First Nations members with the creation, in 1991, of the Centre d'études amérindiennes, later renamed the Centre des Premières Nations Nikanite. Always looking to meet the needs of First Nations communities, the centre has developed numerous study programs in administration, art and culture, education and intervention, in addition to general education and specialized training programs. School perseverance being a key concern, the centre held the third edition of the Convention on Perseverance and Academic Achievement for First Peoples in October 2017. UQAC found a creative way to encourage student retention and success by setting up summer camps and workshops for Secondary III, IV and V First Nations students. At the end of May 2018, young people got a chance to attend a mini medical school and participate in a dissection and sutures workshop given by none other than Dr. Stanley Vollant, the first Indigenous surgeon in Québec. According to the centre's management, Dr. Vollant is behind UQAC's career orientation camps in health care for First Nations. (nikanite.uqac.ca/)



In November 2016, the Université du Québec à Chicoutimi (UQAC) opened its new Rio Tinto Aboriginal culture pavilion, which houses the Centre des Premières Nations Nikanite, among other services.

Photo: UQAC



In 2014, UQAC opened a pavilion in Sept-Îles to give First Nations youth on the north shore, particularly Innu, a chance to get a post-secondary education in their home region.

Photograph of the Centre des Premières Nations Nikanite's devoted team. Left to right: (top) Marco Bacon, Director, Hélène Leclerc, Lydia Robichaud, Mathieu Gravel, (bottom) Caroline Lester, Nathalie Carter, Sophie Riverin and Lynda Courtemanche.

Photo: Samuel Taillon, UQAC



In 2016, McGill broke new ground in becoming the first university in Canada to offer an entire bachelor of education program in an Indigenous community. Eighteen students earned their degree in the Mi'gmaq community of Listuguj in the Gaspé. (Bérubé 2016, 1) The experience was so successful that McGill is partnering with the Kahnawake community to enable Mohawk teachers to earn a bachelor's degree in education on reserve starting in fall 2018. Teachers in Kahnawake who hold a certificate in education will be able to work during the day and study at night to get their BA. (Nadeau 2018)



Photo: Pierre Lepage



Alaqsite'w Gitpu School in Listuguj, in the Gaspé.

Photo: Pierre Lepage

## THE PATH TO SELF-GOVERNMENT

The challenge faced at the start of the so-called “taking charge” period (1970s) was huge. In addition to changing the direction of education, virtually everything had to be built or rebuilt: consolidation of Indigenous political bodies, negotiation of agreements for transferring responsibility for such complex areas as health care, social services, public safety, economic development, land administration, and much more. There was a public service to be organized, numerous bodies to be set up and, especially, staff to be trained.

For the Cree and Inuit in particular, the signing of the JBNQA brought significant upheaval while speeding up the creation of important regional authorities. The Cree Regional Authority, the Cree School Board and the Cree Board of Health and Social Services were all established by the JBNQA. In 2014, there was paradigm shift in relations after the Québec government repealed the *Act respecting the Cree Regional Authority* and replaced it with the *Act respecting the Cree Nation Government*. Another significant development occurred on June 17, 2017, when the Government of Canada and the Crees of Eeyou Istchee signed the Agreement on Cree Nation Governance. The agreement, given effect by the *Cree Nation of Eeyou Istchee Governance Agreement Act* (S.C. 2018, c. 4, s. 1), allows the Cree Nation Government to make its own laws rather than have its nine member communities simply pass by-laws, which means that Cree laws no longer have to be submitted to the Minister of Indigenous Affairs. It also allows the Cree Nation Government to collect taxes from Cree beneficiaries of the JBNQA.



Photo: Pierre Lepage



Cree Grand Chief Matthew Coon Come (centre) and federal Minister of Indigenous and Northern Affairs Carolyn Bennett at the signing of the Agreement on Cree Nation Governance on July 18, 2017.

Photo: Radio-Canada/INAC

For the Inuit, the JBNQA established the Kativik Regional Government, the Kativik School Board and the Nunavik Regional Board of Health and Social Services. Other organizations of similar importance were subsequently created, including the Avataq Cultural Institute, which has built a solid reputation since its inception in 1980.

Despite this progress in matters of self-government, unity among the Inuit people was far from a given. In 1974, during negotiations of the draft JBNQA, the Inuit of Puvirnituk and Ivujivik and



The Honourable Charlie Watt was elected President of Makivik Corporation for the third time in 2018. The corporation represents and promotes the interests of the Inuit of Nunavik. In 1972, Watt was elected founding president of the Northern Québec Inuit Association (NQIA) during the talks on the James Bay hydroelectric development project. In 1975, the NQIA signed the James Bay and Northern Québec Agreement on behalf of the Inuit. Upon the JBNQA's implementation in 1978, the NQIA formerly became Makivik Corporation, with Watt as president. He was appointed to the Senate in Ottawa in 1984 and served there for 34 years.

Photo: Jean Louis Régis

part of the population of Salluit created the Inuit Tunngavingat Nunamini (ITN), a dissident association that rejected the JBNQA, particularly the provisions “extinguishing Aboriginal title.” However, a dialogue opened in 1983, when representatives of the Inuit who signed the JBNQA and representatives of the Inuit who opposed it were invited to a parliamentary commission in Québec City to express their opinions. “During the meeting, Elyassie Sallualuk, the ITN representative, asked Premier René Lévesque whether the door was still open for negotiation of Inuit self-government.” (see Hervé 2016) Lévesque agreed to continue negotiations on the condition that the two sides settle their differences and present a common proposal. In January 1984, during a meeting in Puvirnituk, representatives of Makivik Corporation and the ITN discussed the terms of their collaboration with a view to creating a regional government. (*Idem.*)

In the ensuing decades, intense talks led to: the establishment of the Nunavik Constitutional Committee in 1987 and a draft constitution; the establishment, in 1997, of the Nunavik Commission, composed of representatives of Nunavik and the governments of Québec and Canada; the holding of public hearings and submission of a report; extensive negotiations between the parties; an agreement in principle, signed in 2007; and a referendum in 2011 on the creation of a regional government. According to professor Caroline Hervé, contrary to all expectations, the Inuit unequivocally voted against the final agreement in principle on April 27, 2011. (*Idem.*)

Despite the dashed hopes, discussions on Inuit self-determination shifted to the key and crucial role of the Inuit and their institutions in Nunavik's development, particularly its economic development. This new direction in discussions became imperative in May 2011, after then Premier Jean Charest announced the *Plan Nord*. In a powerful gesture of affirmation, Inuit organizations immediately responded to the announcement with the tabling of the *Plan Nunavik*, which set out the Nunavimmiut's priorities for the next 25 years. As explained by Professor Hervé,

consultations held in the Inuit villages in 2013 led to the 2015 Nunavik Inuit Declaration, which asserted the Inuit's desire to be actors in their own development and create a new governance structure in Nunavik that would ensure that their relationship with the governments of Québec and Canada is based on equality. (*Idem.*)



### THE INUIT LEAD THE DEVELOPMENT OF RENEWABLE ENERGY IN NUNAVIK

On February 21, 2017, representatives of the two main economic development organizations in Nunavik, Makivik Corporation and the Fédération des coopératives du Nouveau-Québec (FCNQ), signed a historic agreement to create a new, jointly owned company to develop renewable energy in Nunavik. According to the press release announcing the agreement, "Currently, 100% of the electricity produced in the Nunavik region is made with diesel generators." Through this agreement, the Inuit want to be part of Québec's 2030 Energy Policy, which set a goal of reducing fossil fuel consumption by 40% by 2030. "One of the main objectives is to develop local energy projects to supply energy to Nunavik communities together with the local landholding corporations, and the local cooperatives. Other energy projects could be developed for mining companies. The technologies envisioned include wind, solar, and potentially tidal power, as some Nunavik communities feature the highest tides in the world." (Fédération des coopératives 2017)



Photo: Fédération des coopératives du Nouveau-Québec



### INDIGENOUS ORGANIZATIONS ARE FULLY MATURE

The Crees and Inuit whose trajectory we just touched on, as well as the Naskapis, who signed the Northeastern Quebec Agreement in 1978, saw their organizations develop rapidly. The same holds true for the other Indigenous nations in Québec and their institutions. For example, the chiefs of the Assembly of First Nations of Quebec-Labrador (AFNQL) established sectoral organizations that today boast vibrant teams of increasingly educated young people. These teams also include equally engaged non-Indigenous people. Several such organizations operating in the areas of education, health and social services, sustainable economic development, human resource development and youth were mentioned in the previous chapters.

First Nations band councils, which are action-oriented more than ever before, are developing projects and building partnerships with increasing success. Some examples were mentioned in the previous chapter.





### THE IVAKKAK SLED DOG RACE: SWEET REVENGE ON HISTORY

As mentioned in Chapter 4, the mass slaughter of Inuit sled dogs by federal and provincial authorities in the 1950s is one of the darkest pages in the history of relations with the Inuit.

Today, however, from the hill outside the northern village of Kuujuaq, visitors can see pens holding lots of sled dogs anxiously awaiting the return of cold weather. The Nunavik Inuit are delighted to see the increasing popularity of dog sledding in recent years. The Ivakkak sled dog race is not only the most convincing testament to this, but it is also sweet revenge on history.

Makivik Corporation has been organizing the annual race since 2001. In 2018, the 400-km race started in Tasiujaq and ended in Kangiqsujuaq. Every time race teams stop in a village along the trail route, young and old alike come out to celebrate and show how proud they are of this tradition.



Photos: Pierre Dunnigan/Makivik Corporation



Determined participant Minni Ningurruvik partnered with her father Noah, from Kangirsuk, for the Ivakkak race.



Mobilization and engagement can also be seen among the urban Aboriginal population, which is growing significantly (see Chapter 7). The Montreal Urban Aboriginal Community Strategy Network (NETWORK), for example, was created in 2008 and boasted 900 members in 2017. The NETWORK is comprised of organizations and individuals from the Aboriginal community of Montréal as well as representatives of two levels of government. The vision of the NETWORK is to improve the quality of life of Aboriginal people living in the greater Montréal area through a coordinated and concerted approach. It offers services in the areas of art and culture, communications, employability and education, health, social services and youth. (visit the ReseauMtnetwork website)



Vitrine culturelle innue 2018.

Photo: Marie-Pier Carré, Institut Tshakapesh

Among other organizations that have been created, Québec Aboriginal tourism has seen enviable growth.

In 2018, the Institut Tshakapesh (formerly called the Institut culturel et éducatif montagnais) boasted a long track record in the Innu Nation. [TRANSLATION] “Since its inception in 1978, Tshakapesh has continued to evolve. From forming a council of elders and developing teaching





materials to training, publishing books, supporting artists and interpreting Innu culture, the Institut Tshakapesh helps pass on traditional knowledge from generation to generation . . .” (Tshakapesh website 2018)

Dedicated to preserving, valuing and developing the Innu language and culture, the institute also has an educational mandate to provide teaching and administrative support to schools in the seven Innu communities in the Côte-Nord region. In addition, the Institut Tshakapesh is the chief architect of the groundbreaking “Under the Shaputuan” program, whose purpose is to tour Québec schools to promote Aboriginal awareness.



*Big annual gathering of Innu high school graduates, 2018.*

*Photo: Adélard Joseph, Institut Tshakapesh*



### UNDER THE SHAPUTUAN: A MEETING OF QUEBECERS AND ABORIGINAL PEOPLES

In 1998, the Institut Tshakapesh eagerly accepted an invitation from the Commission des droits de la personne et des droits de la jeunesse (CDPDJ) to put together and implement a joint program to promote Aboriginal awareness in Québec schools. The task called for a bold educational approach: a touring team, an outdoor gathering place (shaputuan) on school property, classroom periods held in the big tent with Innu facilitators, performances, games, community dinners, parent evenings and even overnight camping – every effort was made to ensure genuine, positive contact with students. Visits by the touring team provided an ideal opportunity to hold workshops to promote Aboriginal awareness among school staff. It was in the context of these professional development workshops that the educational tool *Aboriginal Peoples: Fact and Fiction* was conceived and published. It was been favourably received by schools and is now available to the general public. In the space of ten years, the cooperation agreement between the CDPDJ and Institut Tshakapesh has allowed the team to visit 85 secondary schools across Québec, raising awareness among more than 100,000 students and roughly 2,500 teachers in gatherings under the shaputuan. It would not have been possible without the funding received from the governments of Québec and Canada and a minimum financial contribution for the schools visited. To this day, the Institut Tshakapesh is making sure that this extraordinary program continues.



*“Under the Shaputuan” event at École secondaire du Tournesol in Windsor, Eastern Townships, in November 2006.*

*Photo: Pierre Lepage*



*In September 2018, the “Under the Shaputuan” educational program team held four activity days at the Wejgwapniag School in Gesgapegiag. This special visit from the members of the Innu Nation was greatly appreciated by a group of Mi’gmaq students, (behind) Mystie and Anastasia and (left to right) Ocean, Kimora, Parker, Patience and Nancy, along with their teacher, Hank Gromelski.*

*Photo: Mathias Mark*



*The Institut Tshakapesh’s “Under the Shaputuan” educational program team received the Rights and Freedoms Award in 2017. Left to right: Kathleen André, Évelyne St-Onge and Marjolaine Tshernish, Executive Director of the Institut Tshakapesh.*

*Photo: Marjolaine Tshernish, Institut Tshakapesh*





### ABORIGINAL TOURISM IS BOOMING

Aboriginal tourism is a growth sector in Québec, with the number of businesses more than doubling between 2002 and 2016. It sustains nearly 3,500 jobs a year for the 11 nations and generates an estimated \$169 million in economic benefits. (Québec Aboriginal Tourism 2016)

Visitor demand for Aboriginal tourism products has increased as well. One might think that the majority of tourists come from Europe, but it is not the case, although many Europeans do seek Indigenous experiences. Like in Australia and British Columbia, two other Indigenous tourism destinations, the majority of visitors come from their home country rather than abroad. Québec residents account for 65% of the Aboriginal tourism clientele, whereas travellers from Europe, the United States and other countries account for 27%. Today, more than 1.2 million visitors a year include an Indigenous experience in their trips.

Although Québec has seen a sharp decline in total tourism investment since 2002, as well as a 7.3% decrease in tourist spending, dynamic Indigenous entrepreneurs have helped maintain the level of economic benefits in some of the hardest hit regions year after year.



Aboriginal outfitting operations are among the most popular Aboriginal tourism products. Pictured here is the Pourvoiries du Lac Mistissini outfitters, in Cree territory.

Photo: QAT/Hooké



Authenticity, culture and traditions are central to Aboriginal tourism experiences. Here, Rita Mestokosho is pictured at the Maison de la culture innue of Ekuanitshit (Mingan), in Innu territory.

Photo: QAT/Luc Leclerc

Aboriginal tourism is a first-hand opportunity to discover the rich and diverse world of First Nations. This tourism sector is often key to socioeconomic development, especially in remote regions, and to affirmation and strengthening of Indigenous identity.

SOURCE OF TOURISTS USING INDIGENOUS-OWNED BUSINESSES	
Québec	64 %
Europe (France, Belgium, Switzerland, Germany, United Kingdom)	19 %
Canada outside Québec	9 %
United States	3 %
Other countries	5 %

(Source: Québec Aboriginal Tourism 2016)

People are often drawn to Indigenous tourism because they want to discover new territory, experience wide-open spaces and be close to nature. Nunavik, land of the Inuit, easily meets the demands of tourists from all over the world.

Photo: QAT/Hooké



## LEADERSHIP OF INDIGENOUS WOMEN

In drawing a portrait of the Saturviit Inuit Women's Association of Nunavik, Inuit anthropologist Lisa Koperqualuk underlined that Inuit women played a vital role within the family prior to the shift from living in family camps to a sedentary lifestyle, and are just as actively involved today. Citing the findings of a 2006 survey conducted by the Kativik Regional Government, Koperqualuk noted that women held 42% of all regular full-time positions and 55% of part-time positions. The survey also found that the number of full-time jobs held by women rose by 84% between 1998 and 2005, mainly due to the creation of jobs in Nunavik's childcare centre network. (Koperqualuk 2008) Twenty-two per cent (22%) of Inuit women who hold a full-time position work in education, 36% in health and social services, including childcare centres, 20% in non-profit organizations, and 22% in the private sector (local cooperatives, Inuit-owned businesses, etc.). According to Koperqualuk, it's not surprising that many women rightly define themselves as the guardians of Inuit society.



Photo: Saturviit Inuit Women's Association of Nunavik



Anthropologist and Vice-president of the Inuit Circumpolar Council  
Lisa Koperqualuk.

Photo: Caroline Montpetit

Saturviit was founded in fall 2004, in Puvirnituaq, to address concerns about the rise in violence (physical, psychological and sexual) in Inuit communities. Women from the communities drafted a manifesto stressing the urgent need to break the silence and cycle of violence so that society stops seeing violent acts as normal. From the association's inception, Inuit women have stressed the importance of protecting children from the abuse and negligence many suffer at home. In Chapter 6, we discussed the huge challenges faced by Inuit communities, especially Inuit women, related to overcrowded housing and food insecurity due largely to the high cost of living in Nunavik.

In addition to the involvement and commitment they demonstrate on a daily basis, some women have shown remarkable leadership. One such woman, Mary Simon, born in Kangiqsualujjuaq, was by turns president of Makivik Corporation, which represents the interests of Nunavik Inuit, president of Inuit Tapiriit Kanatami, the national voice of Canada's Inuit, and president of the Inuit Circumpolar Council, an international organization. She is also the former Canadian Ambassador for Circumpolar Affairs. Another prominent figure, Sheila Watt-Cloutier, who is from Kuujuaq, has been a political representative for the Inuit at various levels, including internationally in her capacity as president of the Inuit Circumpolar Council. She is probably best known for her work as an environmental activist engaged in the fight against climate change, which has had a devastating impact on Inuit communities: ice and permafrost melt, coastal erosion and adverse effects on Arctic fauna. Another outstanding individual with a long track record working with Inuit organizations is Minnie Gray, currently executive director of the Nunavik Regional Board of Health and Social Services. These women are but a few examples of female Inuit leadership.



On the urban front, Quebec Native Women (QNW) defends the interests of Aboriginal women living in urban areas as well as across Québec. It worked tirelessly to rally its troops alongside other Indigenous women’s groups in Canada to finally get the National Inquiry into Missing

*A well-known Innu activist from Mani-utenam, Québec, Michèle Audette has served as president of Quebec Native Women and president of the Native Women’s Association of Canada. She was named a commissioner for the National Inquiry into Missing and Murdered Indigenous Women and Girls in 2016.*

*Photo: Pierre Lepage*



*Large poster of Sindy Ruperthouse, missing since April 2014, at the entrance to the Algonquin community of Pikogan.*

*Photo: Pierre Lepage*



### THE ALGONQUIN COMMUNITY OF KITIGAN ZIBI IS PROPEROUS AND DYNAMIC

The First Nations of Quebec and Labrador Economic Development Commission (FNQLEDC) describes Kitigan Zibi, located near the town of Maniwaki in the Outaouais region, as a vibrant and thriving community. With a registered population of 3,241 members in 2017, Kitigan Zibi is the largest of Canada’s 11 Algonquin First Nations, nine of which are in Québec. There are over 50 Indigenous-owned businesses based on reserve and over 30 off-reserve businesses. (FNQLEDC 2017)

The Kitigan Zibi Anishnabeg justifiably look to the future with confidence and pride as they value and respect their past and their ancestors who walked before them. The Kitigan Zibi Anishnabeg Cultural Centre, which opened in December 2005, showcases exhibits and artefacts relating to Algonquin culture and history. The centre also pays tribute to prominent figures from the community, such as William Commanda (1913-2011), an Algonquin elder, spiritual leader, man of peace and promoter of environmental stewardship and respect for Mother Earth. Known by the honorary title of “Grandfather,” Commanda was also a political leader. He served as chief of the Kitigan



*William Commanda is pictured here at the annual gathering in Kitigan Zibi in July 2009. He is flanked by Linda Sioui and Pierre Lepage, who were on hand to share the results of their research on the North American Indian Nation Government.*

*Photo: Pierre Lepage*



*Kitigan Zibi Anishnabeg Cultural Centre.*

*Photo: Pierre Lepage*

Zibi community from 1951 to 1970 and was chosen as supreme leader of the movement for the creation of the North American Indian Nation Government, discussed in Chapter 3. The Kitigan Zibi Anishnabeg Cultural Centre pays tribute to other notable figures from the community as well, including hockey player Gino Odjick. A former enforcer with the Montréal Canadiens, Odjick played 15 seasons in the National Hockey League (NHL), including eight for the Vancouver Canucks and two for the Montréal Canadiens. He is a great inspiration to young people from Kitigan Zibi as well as First Nations youth in general.



and Murdered Indigenous Women and Girls. In 2015, QNW released the findings of an exploratory investigation into missing and murdered Indigenous women in Québec. (QNW 2015)

### **A CONSTANT DILEMMA FOR FIRST NATIONS: TAKE POLITICAL ACTION, NEGOTIATE OR GO TO COURT**

The same political effervescence as in other well-established organizations can also be seen in tribal councils, such as the Council of the Atikamekw Nation, the Mamuitun Tribal Council, the Grand Council of the Waban-Aki Nation, the Mi'gmawei Mawiomi Secretariat and the Algonquin Anishinabeg Nation Tribal Council. The burden of negotiating land, resource and self-government issues is at the core of these bodies' mandates. Sometimes, when negotiations go on forever and the outcome is long in coming, the negotiators and communities involved begin to doubt the process. At a 2014 workshop in Montréal organized by the Centre Justice et Foi, Gilbert Dominique, former chief of the Mashteuiatsh Innu First Nation, reiterated that while he still believed in negotiation process, he also believed that "time is our worst enemy." He feared that people would lose confidence, which he said damages the credibility of the process. (Centre Justice et Foi 2014)

The Innu and Atikamekw First Nations have been negotiating with the governments of Canada and Québec for nearly 40 years in the hope of signing a treaty. At the same 2014 workshop, Eva Ottawa, former Grand Chief of the Council of the Atikamekw Nation, echoed Dominique's sentiments, saying that she believed in the negotiations with the governments. She repeatedly said that the goal was to establish a framework for harmonious coexistence. But it is by no means an easy process, and Ottawa told the audience that the best way to achieve their goal was to go on the offensive, be proactive. [TRANSLATION] "So that's what we did. We took action." She gave the example of the Atikamekw Authority Intervention System, a good example of First Nations governance and autonomy in the area of youth protection and services adapted to Atikamekw culture and realities. (*Idem.*) In January 2018, the work accomplished by the Atikamekw Nation was recognized through the signing of a youth protection agreement between the Council of the Atikamekw Nation and the Government of Québec. (Québec, Santé et Services sociaux 2018)



*In 2017, Quebec Native Women, in collaboration with UQAM's community service unit and its faculty of political science and law, began offering a summer course entitled "Female Indigenous Governance." The intensive, two-week course is open to Indigenous women with leadership experience as well as young women aged 21 or over who have shown leadership qualities. In this picture, summer 2018 students are seen with their Huron-Wendat instructor, Isabelle Picard.*

Photo: UQAM



*Former chief of Mashteuiatsh Gilbert Dominique in Uashat (Sept-Îles) in 2008.*

Photo: Pierre Lepage

*Constant Awashish is part of the new generation of Indigenous leaders. He holds a law degree and was elected Grand Chief of the Atikamekw Nation in 2014 and then re-elected in 2018. Days after his election as Grand Chief in 2014, Atikamekw leaders adopted a unilateral declaration of sovereignty over their ancestral territory of Nitaskinan. Lengthy and stalled negotiations with the governments of Québec and Canada to conclude an agreement or treaty with the Atikamekw Nation were a major factor in the affirmation of sovereignty. Any future development, use or exploitation of resources found on their ancestral lands will require the Atikamekw Nation's consent.*

Photo: Jean-Louis Régis



## MODELS OF INSPIRATION

The signing of the James Bay and Northern Québec Agreement (JBNQA) in 1975 did not put a complete end to contentious relations between Québec and the Cree Nation. The ensuing years saw disagreements over the interpretation and implementation of several provisions of the JBNQA, the first modern-day treaty in Québec. Furthermore, no provision was made for dispute resolution. In the late 1980s, the Crees strongly opposed the large-scale Grand-Baleine hydroelectric development project, which was ultimately shelved in 1994. Numerous disputes arose after that, particularly in relation to forest management and logging, leading the Crees to file lawsuits against Québec and forest companies.

At the turn of the 2000s, the Québec government and the Grand Council of the Crees decided to resolve their disputes through negotiation. The talks were successful and culminated, in 2002, in a comprehensive 50-year agreement described by then Cree Grand Chief Ted Moses as the “Paix de Braves” (Peace of the Brave). Roméo Saganash, who is now the Member of Parliament for Abitibi – Baie-James – Nunavik – Eeyou and played a key role in the negotiations leading to this historic agreement, summarized its importance for the Cree Nation this way:

### THE PAIX DES BRAVES: A NATION-TO-NATION AGREEMENT

[TRANSLATION] “Today, we can finally turn the page and focus our attention, energy and imagination on our common effort in a true spirit of cooperation with Québec, with a view to planning a future that takes into account all Quebecers, including the Crees.”

Ted Moses,  
Grand Chief of the Grand Council  
of the Crees



On February 7, 2002, then Québec Premier Bernard Landry and Cree Grand Chief Ted Moses signed the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec (the Paix des Braves) in the presence of Matthew Coon Come (left), then National Chief of the Assembly of First Nations.

Photo: Grand Council of the Crees

[TRANSLATION] “Before the Paix des Braves, the Crees generally felt left out of economic development in Cree territory, be it mining and forestry projects or even development by Hydro-Québec. Today, they feel involved and directly consulted in development projects, which give them jobs and contracts. This is a complete break with the past.” (Dubuc 2011)

The decision to sign on to the agreement was not easily made within the Cree Nation, as it entailed partial diversion of Rupert River and the development of the Eastmain-1 and Eastmain-1-A hydroelectric generating stations. However, the agreement was approved by 70% of the Crees who voted in a referendum. In return, the agreement gave the Crees a vital role in natural resource development in the agreement territory and transferred responsibilities hitherto assumed by the Québec government to the Cree communities, particularly in matters of social and community development. To enable the communities to assume these new responsibilities, the Québec government undertook to pay \$70 million annually over the next 50 years. In return, the Grand Council of the Crees agreed to drop some 20 lawsuits. (see Gouvernement du Québec and Grand Council of the Crees of Québec)



## THE EYYOU ISTCHEE JAMES BAY REGIONAL GOVERNMENT: AN IMPORTANT STEP FORWARD

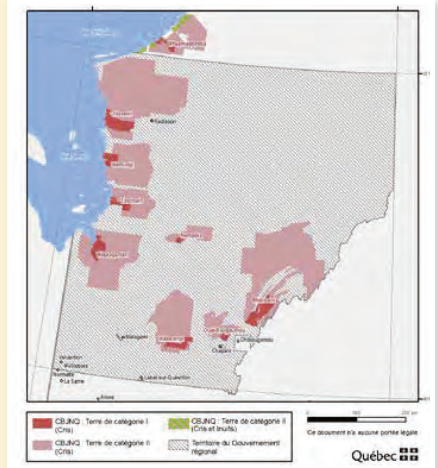
In Chapter 5, we saw that the 1975 James Bay and Northern Québec Agreement established a land regime that divides the agreement territory into three categories of land. Category I lands are reserved for the exclusive use of Cree communities. Category II lands, which are contiguous to Category I lands, form a belt of land on which the communities living on Category I lands have exclusive hunting and fishing rights. However, Category II lands are lands in the public domain and can be developed for other purposes. Category III lands, which make up 80% of the agreement territory, are public lands where Cree beneficiaries can pursue their hunting, fishing and trapping activities, but are granted no exclusive rights except for the trapping of fur-bearing animals. As they are public lands in the domain of the State, this vast territory is under the jurisdiction of the Municipalité de la Baie-James.

It came as no surprise to Chibougamau Mayor Manon Cyr that conflicts arose over land use and planning. (personal interview 2016). [TRANSLATION] “It made no sense that management of this huge territory would be in the hands of white people when the Cree population outnumbered the white population.” But Cyr had an ally: [TRANSLATION] “The mayor of Chapais, Steeve Gamache, reminded me of the need to find a way to work together with our Aboriginal neighbours. It was during the period when the Paix des Braves agreement was signed and the *Plan Nord* was announced by Jean Charest. Mr. Gamache and I thought that the numerous conflicts and legal issues related to land management needed to be resolved, and that required representation by the Aboriginal communities that shared the land. There was a genuine desire to reach out and sit down with our Aboriginal neighbours.” To that end, the two mayors took the initiative of meeting with the chiefs of four Cree communities: Mistissini, Oujé-Bougoumou, Nemaska and Waswanipi. The discussions were successful. The four chiefs and two mayors jointly asked the Québec government to allow Cree representatives to sit with the Municipalité de la Baie-James. Manon Cyr thinks that the letter from the “group of six” was a game changer. [TRANSLATION] “We went from confrontation to consensus building.”

Their request was favourably received. Following negotiations, the Crees and the Government of Québec signed the Agreement on Governance in the Eeyou Istchee James Bay Territory on July 24, 2012. The agreement extended the Crees’ jurisdiction over Category II lands and also established a regional government on which the Crees and Jamésiens have parity with regard to the administration of Category III lands. On June 13, 2013, when the National Assembly of Québec sanctioned the *Act establishing the Eeyou Istchee James Bay Government*, then Grand Chief of the Grand Council of the Crees, Matthew Coon Come, stated the following:

“I think the days of exclusion are gone, where the governments only consulted the municipality of Baie-James and excluded us and only wanted us to make decisions on Category I lands. Those days are gone. MJB is abolished. We now are going down a path of working together, and it’ll be a challenge. I am not afraid. I trust in my leadership, I trust in my people that we will do everything we can to be able to work together, to make this agreement work, so that we no longer, in the North, be seen as us and them, that we are working together to build a future for the people of the North, and I think that’ll be good the Quebecers.” (*sic*) (Assemblée nationale, press conference, June 13, 2013)

According to Chibougamau’s mayor, this shared governance of a huge territory is unique in Canada and the world: “Learning about each other, becoming at ease with each other, trusting each other, sharing outdoor sports, developing a common set of economic development tools, etc.” (*Idem.*)



The area in light grey is under the jurisdiction of the regional government composed of Crees (Eeyou Istchee) and Jamésiens.

Photo: Eeyou Istchee James Bay Regional Government



Eeyou Istchee James Bay Regional Government members. Pictured in the middle foreground is Grand Chief Dr. Abel Bosum, chair of the regional government. On his right is Manon Cyr, Mayor of Chibougamau, who was the regional government’s first chair.

Photo: Eeyou Istchee James Bay Regional Government, march 2019



# FOR FURTHER INFORMATION

BEAULIEU, Alain, Stéphane GERVAIS and Martin PAPILLON (eds.), 2013: *Les Autochtones et le Québec. Des premiers contacts au Plan Nord*. Les Presses de l'Université de Montréal, 407 p.

KUMAQ, Taamusi, 2010: *Je veux que les Inuit soient libres de nouveau*. Presses de l'Université Laval, Québec, 154 p.

DESCÔTEAUX, David, 2015: "Les Cris et le développement des ressources naturelles." *Idem. Les notes économiques*. Institut économique de Montréal, March 2015.



In a nutshell, the ambitious goal of the Inter-Community Harmony Project is to “invest in peace.” Since November 2002, the neighbouring communities of Listuguj and Pointe-à-la-Croix in the Gaspé Peninsula have been working to bring the communities together. The municipality of Pointe-à-la-Croix has a population of approximately 1,500 inhabitants and the Mi'gmaq community of Listuguj, some 2,000 inhabitants. The project was born out of a concern for the area's youth. Racism, bullying, harassment, delinquency and vandalism were part of daily life in both communities. Urgent action was needed, including mobilizing the communities, creating a committee of partners from both communities (social services, youth centre, schools, police, etc.) and, especially, soliciting the services of two local stakeholders. The results are tangible. Since 2009, the project has scaled up its activities to all of the neighbouring communities. To strengthen ties between the inhabitants of the participating communities, varying activities are designed for children, teenagers and adults alike. Other Neighbouring Indigenous and non-Indigenous communities could learn from this project.

Photos: Courtesy of the Inter-Community Harmony Project





Aboriginal youth living in both urban settings and in their communities have been mobilizing in increasing numbers since 2012. Their engagement galvanized during the Idle No More movement.

### IMPETUS BEHIND THE IDLE NO MORE MOVEMENT

The Idle No More movement started in western Canada in fall 2012, sparked by four Aboriginal women (Nina Wilson, Sheelah Mclean, Sylvia McAdam and Jessica Gordon) who publicly voiced their anger over Bill C45, an omnibus budget bill introduced by the federal government that included changes to numerous laws and regulations, including the *Indian Act* and the *Navigable Waters Protection Act*. Even though some of the changes would have a direct impact on Aboriginal communities, Aboriginal peoples had no say in them. The four women organized protest marches and rallies that spurred mobilization in major cities across Canada. In December 2012, Chief Theresa Spence of the Attawapiskat First Nation in northern Ontario went on a hunger strike to protest the severe housing crisis in her community. Her daring action fuelled the Canada-wide protest movement and helped draw media attention to the living conditions in Aboriginal communities.



Widia Larivière and Mélissa Mollen-Dupuis co-founded the Québec branch of Idle No More in 2012.

Photo: ledevoir.com

It was also during that time that Widia Larivière and Mélissa Mollen-Dupuis answered the call to action by co-founding the Québec branch of Idle No More. Widia Larivière looks back at the bills that led to the initial protests as the proverbial straw that broke the camel's back: Aboriginal people were "fed up with colonization." She believes that the movement helped address other issues, that it was a means of voicing demands, calling for change and, especially, expressing the right to say "no" to projects. In short, [TRANSLATION] "the bills were the catalyst and gave a lot of Aboriginal people a chance to speak out on topics." (personal interview)

Mélissa Mollen-Dupuis concurs, explaining why the movement was surprisingly big in Québec. She said that in urban areas, where she has been living for several years, there are no political channels akin to the band councils that exist in every Aboriginal community. [TRANSLATION] "The movement filled a void. The new, entirely voluntary and open membership organization had to rely on the commitment and engagement of its members. Like Québec Native Women Inc., the movement believes in the importance of forming alliances with non-Aboriginal organizations." (Justice et Foi 2014)



Idle No More protest in Montréal.

Photo: ici.radio-canada.ca

Looking back, Widia Larivière said that in addition to giving Aboriginal people a voice, the movement had a significant impact on Aboriginal youth. “It gave many young people a renewed sense of pride in their Indigenous identity, leading to their social and political engagement . . . What is more, with so many women in the movement, it also generated an upsurge of Indigenous feminist activism.” (Idem.)



### THE MAJOR CHALLENGES FACED BY INDIGENOUS YOUTH

As mentioned in Chapter 6, Québec’s Aboriginal population is very young, in fact much younger than the non-Aboriginal population. While that is an asset, it also poses a huge educational challenge, especially in several communities where, at times, up to 80% of students dropped out of high school.

*Young Mistissini cyclists now have an asphalt BMX track. The Cree Nation Youth Council and the Council of the Cree Nation of Mistissini initiated the project to encourage young people to stay physically active.*

*Photo: Pierre Lepage*

However, student retention and success are not just a concern in the Aboriginal school system. Noting the low academic performance



### LE CARREFOUR SECONDARY SCHOOL IN VAL-D’OR LEADS BY EXAMPLE

Since fall 2011, the Le Carrefour secondary school in Val-d’Or has offered an elective course on Aboriginal culture and realities. The course was an initiative of the current vice-principal (Secondary IV and V), Marie-Pierre Nolet, in response to the school’s growing number of Aboriginal students. Nolet holds a Certificate in Aboriginal Studies from the Université du Québec en Abitibi-Témiscamingue, which she says inspired her to develop the course, which she actually taught for a few years. (personal interview) The course covers the historical and contemporary realities of Aboriginal peoples and is designed to develop attitudes of openness and critical judgment at a time when prejudices toward First Nations are taking the place of real information.



*Two photos taken during the Aboriginal Culture and Realities course at Polyvalente Le Carrefour in Val-d’Or. The photo on the right shows students with distinguished guest T8aminik (Dominique) Rankin, an Algonquin hereditary chief and medicine man.*

*Photos: Polyvalente Le Carrefour, Val-d’Or*





Brooke Iahowirakeh'te Stacey, an Ontario Hockey Academy alumni from Kahnawake, plays with Canada's National U18 Team in the 2014 Women's World Ice Hockey Championships in Budapest, Hungary. Her favourite hockey team is the Montréal Canadiens.

Photo: Courtesy of the Stacey family

and high school graduation rate of Aboriginal students attending schools in non-Aboriginal school boards, the former Ministère de l'Éducation, du Loisir et du Sport introduced a series of measures to increase educational success among Aboriginal students with special needs: support and assistance to ensure seamless integration; measures to counter prejudice and discrimination; promotion of Aboriginal awareness among school staff; and initiatives to better equip teachers to address the specific needs of Aboriginal students, to name a few. (Québec, MELS 2010)



In January 2016, the Nunavik Nordiks won the Most Persevering Team award at the Bantam A hockey tournament in Saint-Raymond de Portneuf. The players are pictured here with their coach, former NHL star Joé Juneau, who played several seasons with the Montréal Canadiens. Juneau devoted 11 years of his life to the Nunavik Youth Hockey Development Program, a school-sports program he created to encourage young people to stay in school and adopt healthy lifestyles.

Photo: Gino Carrier



### WAPIKONI MOBILE: A VOICE FOR INDIGENOUS YOUTH

Since 2004, a highly successful mobile studio equipped with the latest digital technology in filmmaking and music has been travelling to Aboriginal communities providing workshops for Indigenous youth to allow them to “learn by doing.”



Odile Joannette, new executive director of Wapikoni mobile.

Photo: Courtesy of Wapikoni mobile

Creating a mobile studio was the brainchild of film director Manon Barbeau. In the early 2000s, she was deeply affected by the number of youth suicides in First Nations communities as well as by the accidental death of a close colleague, a 20-year-old Atikamekw woman named Wapikoni Awashish. She created the mobile studio and named it Wapikoni mobile, in honour of Awashish. Co-founded by Manon Barbeau, the Council of the Atikamekw Nation and

the First Nations of Quebec and Labrador Youth Council, with the support of the Assembly of First Nations and the collaboration of the National Film Board of Canada, Wapikoni mobile was launched in 2004.

Wapikoni mobile travels to communities, where mentor professional filmmakers give workshops on screenwriting and directing as well as the more technical aspects of audiovisual production, such as camera, sound recording and editing. The results are astounding, in terms of both the quality of the videos and the originality of the short films produced by participants. Now an official UNESCO partner, Wapikoni's current collection of nearly 1,150 shorts reflects the rich cultural heritage of contemporary Indigenous voices. Between 2004 and 2018, Wapikoni short films received nearly 170 awards and honours at prestigious national and international festivals. ([www.wapikoni.ca](http://www.wapikoni.ca)) They provide valuable insight from bright and talented Indigenous youth.



Wapikoni mobile in the Algonquin community of Timiskaming in 2014.

Photo: Mathieu Melançon



Mobilization to tackle the key education, school dropout and employment challenges facing Aboriginal youth is palpable in communities and urban areas alike.

## ADULT EDUCATION AND VOCATIONAL TRAINING YIELD ENCOURAGING RESULTS

As mentioned, First Nations and Inuit youth have an elevated high school dropout rate. However, the fact that they eventually go back to school and persevere is also a reality, as well as an encouraging factor to be considered in assessing the situation. First Nations and Inuit youth very often take much longer to complete their schooling than the average time for Québec students in general. Teenage pregnancies in particular, and the resulting family responsibilities, are major barriers to the continuation of studies.

A period of renewal began in 2009, when the first Aboriginal vocational training centre specializing in construction trades opened in Mashteuiatsh, in the Lac-Saint-Jean region. The centre was the result of the collaborative efforts of the Assembly of First Nations of Quebec and Labrador, the Commission de la construction du Québec and industry and labour partners, who saw the initiative as key to Aboriginal employment in Québec's construction industry. The talks initiated in 2008 concerning the northern economic development program, which would later become the *Plan Nord*, unquestionably contributed to the opening of such a training centre.

In the years that followed, the Centre de formation professionnelle pour autochtones dans les métiers de la construction, which was administratively attached to the Commission scolaire de Montréal, took over and trained large Aboriginal cohorts: heavy machinery groups in Sept-Îles; carpenter-joiner groups in Manawan and Hauterive; worksite equipment groups in Vaudreuil; electric power line installation groups in Saint-Henri-de-Lévis, and others. The customized training programs were tailored to the specific needs of Aboriginal clientele and the results were more than encouraging: a low dropout rate and a graduation rate of nearly 80%. Sadly, the centre was forced to close in 2014 due to a lack of funding.



Kitci Amik Regional Adult Education Centre  
in Lac Simon.

Photo: Pierre Lepage

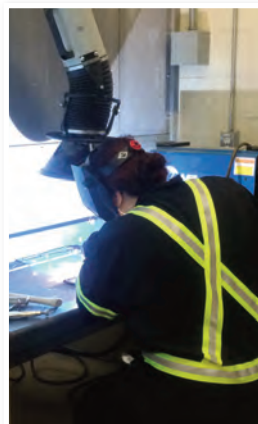


First Aboriginal cohort in the Diamond Drilling program at the Val-d'Or Vocational Training Centre (VTC) in May 2018. The Aboriginal training program is a joint initiative of the VTC, the Kitci Amik Regional Adult Education Centre in Lac Simon, Forage Orbit Garand and Eldorado Gold Lamaque.

Photo: Val-d'Or Vocational Training Centre

According to the First Nations Human Resources Development Commission of Quebec (FNHRDCQ), considerable effort was made to quickly train people in the targeted fields in order to meet the needs for skilled labour in the private sector. In the opinion of Ralph Cleary and Dave Sergerie, respectively executive director and strategic advisor of the FNHRDCQ (personal interview), while this is a sound approach that shows measurable results in the short term, it is not a panacea. They stress the fact that the majority of their Aboriginal clients are out of the workforce or located far away from the job market. The primary workforce consideration is therefore the needs of the communities. That is why the FNHRDCQ's approach focuses on job readiness: [TRANSLATION] "Most of our clients need to be stimulated, to take the first steps and get hooked again, receive support and assistance every step of the way." That is why adult education is sometimes recommended so that people can obtain the necessary prerequisites to enrol in vocational training or obtain certification.

Adult education and vocational training are still the preferred option for Aboriginal people living both in and outside their communities. There are four First Nations regional adult education centres, located in Kahnawake, Lac Simon, Listuguj and Uashat mak Mani-utenam. In Eeyou Istchee, the Cree School Board opened a vocational training centre in Waswanipi in 2005 and, in 2016, the governments of Québec and Canada announced funding to open another one in Mistissini. In Nunavik, the Kativik School Board operates adult education centres in five communities and offers a pre-college program at a dedicated education centre in Kangiqsujuaq (2018). The Inuit also have access to two vocational training centres: one in Inukjuak, on the James Bay side, and one in Kuujuaq, on the Ungava Bay side.



**The vocational training centre in Waswanipi boasts high female enrolment in non-traditional trade programs.**  
Photos: Sabtuan Regional Vocational Training Centre, Waswanipi



### DR. STANLEY VOLLANT, A GREAT INSPIRATION FOR MANY YOUNG INDIGENOUS PEOPLE

Dr. Stanley Vollant, an Innu from the north shore community of Pessamit, was the first Indigenous surgeon trained in Québec. He has recently become a true star in the eyes of Indigenous people. Deeply affected by the distress of communities and seeing the high number of suicides among Indigenous youth, Dr. Vollant challenged himself to walk 6,000 km across the traditional territories of Québec's First Nations to encourage young people to stay in school, pursue their dreams and adopt healthy lifestyles. While walking the pilgrimage route of Santiago de Compostela in 2008, he had a dream, a vision, in which his grandfather told him to continue his walk in Québec. [TRANSLATION] "I saw myself walking from one Aboriginal community to another, forming a long human chain between Labrador, Québec and Ontario. There were First Nations people walking with me, but also Quebecers and people from different backgrounds, bonding like a big family." (Sauvé 2013, 5)



Group of people walking with Dr. Stanley Vollant in Wendake.

Photo: Jean-Louis Régis

Dr. Vollant did the walk in stages so that he could continue working as a surgeon. When passing through Aboriginal communities, he would always visit schools and various gathering places to talk with young people and encourage them to continue their education and believe in their dreams. His journey in February and March 2015 was remarkable in that 21 Naskapi, Innu and Inuit walked with him from Matimekush (Schefferville) to Kuujuaq, in Nunavik, an impressive 470-km. Today, Dr. Vollant continues his mission through his organization Puamun Meshkenu "Path of a Thousand Dreams".

**Committed activist**  
Dr. Stanley Vollant was the spokesperson for the KWE! Meet with Indigenous Peoples event held at Place de l'Assemblée-Nationale in Québec City at the end of August 2018. The event invites the general public to meet and learn about the ten First Nations and Inuit in Québec.

Photo: Pierre Lepage

In February and March 2015, Innu, Naskapi and Inuit walked with Dr. Stanley Vollant from Schefferville to Kuujuaq, an impressive 470 km.

Photo: Courtesy of Dr. Stanley Vollant, Innu Meshkenu



### A BRIGHT FUTURE FOR KIUNA INSTITUTION IN ODANAK

Following the closure of Manitou College in the 1970s, a new college opened its doors in 2011. Kiuna Institution, located in the Abenaki community of Odanak, is the result of a long process initiated by the First Nations Education Council and commitments made by the governments of Québec and Canada at the 2006 First Nations Socioeconomic Forum in Mashteuiatsh.



On the eve of the start of its eighth school year, Kiuna offers students a unique environment where culturally adapted educational services are based on Aboriginal history, culture and traditions. The goal of Kiuna Institution, a bilingual college, is “to shape competent First Nations citizens in their respective fields, proud inheritors of their culture, socially responsible, open to the world and concerned for the well-being of their communities.”

(www.kiuna-college.com) The institution also seeks to raise awareness among non-Aboriginals, which is why Kiuna is “open to any student who wants to learn more about First Nations and their unique cultures.” (*Idem.*)



Photo: Pierre Lepage



Prudence Hannis, Associate Director of Kiuna Institution, at a graduation ceremony.

Photo: Nicolas Ottawa, FNEC

For Prudence Hannis, Associate Director, and Pierre Lainé, Student Life Coordinator (personal interview 2016), Kiuna’s strength lies in the sense of community and the engagement of its teachers. [TRANSLATION] “Everyone understands the community spirit that prevails here ... Everyone wants to be involved. We stay late, we make soup, we babysit, etc. It’s a community!” says Hannis, pointing out that 20% of the Francophone students have family responsibilities. At the end of the 2017-2018 school year, there were 92 photos of graduates on the young college’s “wall of fame.” Most of the graduates have gone on to pursue a higher education at prestigious universities.



**“KIUNA HAS ENABLED ME TO HOLD MY HEAD UP HIGH”**

Annick Ottawa,  
Atikamekw from Manawan



Annick Ottawa. Photo: Nicolas Ottawa, FNEC

[TRANSLATION] “Kiuna is not just a school where I learned about art, psychology, politics, economics and anthropology. I have learned much more there. I am proud to be what I am, and this has enabled me to hold my head up high and say it loud and clear.”



## RALLYING OF EDUCATIONAL INSTITUTIONS

Colleges and universities alike have rallied to support Aboriginal students. This is a fact. In 2016, the federation of Québec CEGEPs created a committee to promote educational success among Aboriginal college students (CRÉAC). According to the federation, today more than half of the 48 CEGEPs can say that they welcome and provide services for Aboriginal students. (Fédération des cégeps 2017) In addition to Kiuna Institution, some CEGEPs also have large Aboriginal cohorts. For example, Cégep Montmorency, a Francophone college in Laval, Québec, has a significant number of Inuit students, while John Abbott, an Anglophone college in Montréal, had 18 students from Nunavik enrolled in its Nunavik Sivunitsavut program in 2017. The program was designed by John Abbott College in collaboration with the Kativik School Board. An important feature of the program is that it allows students to learn more about Inuit politics and governance, circumpolar literature, archaeology, archives and oral traditions. It also covers current international issues from an Inuit perspective. (Yvon 2017) Some courses are even offered in Inuktitut.





*The first student cohort in the Nunavik Sivunitsavut program at John Abbott College in Montréal. The program was designed by John Abbott in collaboration with the Kativik School Board. The courses enable young Inuit to study their own history, language and culture – subjects not included in Québec's regular college education system.*

Photo: Kativik School Board

As early as the 1970s, McGill University and the Université du Québec à Chicoutimi played a key role in the Indigenization of education and the delivery of teacher education programs for Indigenous peoples. Other universities have since taken steps to ensure better integration of Indigenous realities into their study programs and research fields while striving to improve the Indigenous graduation rate.

The Université du Québec en Abitibi-Témiscamingue (UQAT) is a good example. Owing to its geographical location, UQAT has built a special relationship with Aboriginal communities and listened attentively to their training and education needs. The university's First Peoples Service boasts a devoted team that supports and meets the specific needs of Aboriginal



*In 2016, Melissa Haney became the first Inuk female captain for a commercial airline in Canada. She began her aviation career as a flight attendant before becoming a pilot for Air Inuit. To honour women's role in Canadian aviation history, the Canadian Ninety-Nines put out a commemorative stamp in 2017 featuring Melissa Haney. Captain Haney hails from the village of Inukjuak on Hudson Bay and graduated from John Abbott College in Montréal. She is a role model for Inuit youth in particular and Indigenous youth in general.*

Photo: <http://canadian99s.com/>

students, whether at the academic, personal or cultural level. In 2016, UQAT created the School of Indigenous Studies, which offers undergraduate and graduate programs as well as research fields, developed in close cooperation with the Indigenous community. While some programs are intended specifically for Indigenous students, others, such as the Certificate in Aboriginal Studies, are open to anyone who is interested in learning more about Aboriginal realities. In addition, UQAT's Continuing Education Service offers customized projects and training to businesses or organizations that want a better understanding of Aboriginal culture and realities and are looking to develop culturally adapted services.



*The First Peoples Pavilion at the Université du Québec en Abitibi-Témiscamingue (UQAT), Val-d'Or campus.*

Photo: Pierre Lepage

Twenty-five years ago, Montréal's Concordia University opened its Aboriginal Student Resource Centre to support and help First Nations, Métis and Inuit students succeed and achieve their highest academic potential. The university also offers a minor and a major in First Peoples Studies as well as courses in Indigenous languages. It has nine Indigenous faculty members as well as two Indigenous administrators. In response to the Truth and Reconciliation Commission of Canada, Concordia took another step forward by establishing its Indigenous Cultural Centre. (Concordia University 2018)







In short, be it at the Université du Québec à Montréal, the Université de Montréal, the Université Laval, the Université du Québec à Trois-Rivières, Concordia or elsewhere, welcoming and integrating Indigenous students as well as developing Indigenous-oriented study programs and research is a priority for today's universities.

*A shaputuan from the Tshakapesh Institute during Indigenous Week at the Université de Montréal.*

*Photo: Pierre Lepage*



**SUZY BASILE,  
ANTHROPOLOGIST, PHD IN ENVIRONMENTAL SCIENCES**

Suzy Basile holds a bachelor's degree and a master's degree in anthropology. Anthropologists did not always have a good reputation among First Nations communities. Most of the time, they were seen as researchers just passing through, "people who asked a lot of questions," only interested in collecting as much data as they could for their research projects and then suddenly disappearing without giving anything back to the communities. In other words, as Suzy Basile put it, many researchers, and not just in anthropology, seemed to be more interested in "padding their resumé" than in allowing communities to benefit from their research. Very early on in her career as an anthropologist, Basile decided to change things, convinced that certain practices were no longer acceptable. Her work led the Assembly of First Nations of Quebec and Labrador to adopt a protocol in 2005 for research carried out among First Nation communities. The protocol has since been updated. (AFNQL 2014) In the years that followed, she helped organize three seminars on research ethics with First Nations. (Asselin and Basile 2012)

In 2016, Basile earned a PhD in Environmental Sciences from the Université du Québec en Abitibi-Témiscamingue (UQAT), becoming not only the first Aboriginal student to receive a PhD from UQAT, but also the first member of the Atikamekw First Nation to get a doctoral degree. Her dissertation was on "The role and place of Atikamekw women in the governance of land and natural resources." Suzy Basile is currently a professor at UQAT's School of Indigenous Studies.



*Suzy Basile, UQAT, 2013.*

*Photo: Pierre Lepage*





Marie-Laurence Morais from the Maliseet First Nation.

Photo: Pierre Lepage



The Schefferville Junior Canadian Ranger Patrol, which consists of young Innu and Naskapi between the ages of 12 and 18. Patrol leader Marjolaine McKenzie is on the far right in the photo.

Photo: Marjolaine McKenzie



Between January 16 and March 25, 2013, six young Crees and their guide walked 1,600 km from Whapmagoostui, a Cree community located at the mouth of the Great Whale River, to Parliament Hill in Ottawa in support of the Idle No More movement. Known as the "Nishiyuu Walkers," the group attracted national media attention and inspired Aboriginal youth to be the force of change in their lives and communities.

Photo: Journey of the Nishiyuu



Maïté Labrecque-Saganash, a Cree activist and political science student, is part of the emerging generation of engaged and passionate First Nations youth. She is pictured here with Oscar Kistabish at the first edition of KWE! Meet with Indigenous Peoples in August 2017, Place de l'Assemblée-Nationale in Québec City.

Photo: Pierre Lepage

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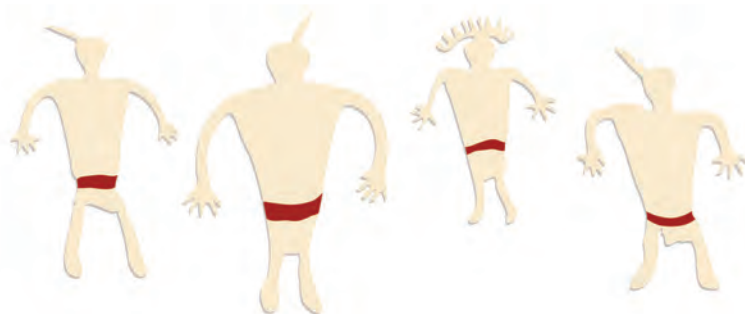
**“Language is the main tool for enriching culture and receiving, sharing and transferring generational knowledge. Our ancestral language is the key to our identity and the guardian of our culture.”**

*Assembly of First Nations*



*An eminent educator who spent her career teaching the Innu language, Adéline Bacon hails from the Innu community of Pessamit. She is pictured here showing Québec high school students how to write the word “school” in her mother tongue. Innu is a descriptive, or polysynthetic, language, which means that a single word can carry different meanings.*

*Photo: Rencontre Québécois-Autochtones, Collège de Champigny, January 2008*





The event KWE! Meet with Indigenous Peoples is a unique opportunity to understand the world of First Nations and Inuit people. Since 2017, Quebecers have been invited to meet and talk with members of Québec's Indigenous communities. They come from the Innu, Algonquin, Cree, Maliseet, Inuit and other nations and they all share the same dream: to meet their Québécois neighbours to reassure them, clear up misunderstandings and forge a hopeful and promising future. Games, conferences, tastings, impromptu performances, venues for discussions, dance and late-evening concerts – KWE! is a not-to-be-missed event for people of all ages.



KWE! has a range of activities for people of all ages, and the "Fact and Fiction" space in particular draws an older audience, offering a genuine forum for discussion to dispel myths surrounding Indigenous peoples. In this photo, Alexandre Nequado of the Atikamekw First Nation uses his personal experience to talk about the main challenges and hopes of Indigenous youth.



A passionate team of facilitators and resource people answers the audience's questions in the "Fact and Fiction" space: (left to right) Mélissa Goupil-Landry, from the Commission des droits de la personne et des droits de la jeunesse, Aïcha Bastien-N'Diaye, from the Huron-Wendat Nation, Annie Baron, from the Inuit Nation, and Évelyne St-Onge, from the Innu Nation.



Seen at the opening of the 2018 edition of KWE! are (left to right) Ghislain Picard, Regional Chief of the Assembly of First Nations Quebec-Labrador, Régis Labeaume, Mayor of Québec City, Charlie Watt, President of Makivik Corporation, and Konrad Sioui, Grand Chief of the Huron-Wendat Nation, the host nation.

