

Inventing Nationhood: The Political Economy of Aboriginal Claims to Self-Determination in the Context of Québec Sovereignty¹

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It is better to see things clearly and know where things are at, although it hurts to find out,
than to confuse the issues to comfort ourselves²

Two nations are a threat; six hundred are an inconvenience³

In the Canadian political science literature, it is common to hear comparisons between Québec and aboriginal peoples in discussions about nationalism in this country.⁴ Canada is conceptualized as being a "multi-national federation", and the designation "three nations" has been used to refer to English Canada, French Canada, and aboriginal peoples.⁵ As Will Kymlicka claims, Canada constitutes a "*multination* state" because its formation "has involved the federation of three distinct peoples or nations (English, French, and Aboriginals)". According to Kymlicka, both "the Québécois and Aboriginal communities form 'national minorities'" within this state of multiple nationalities.⁶

Such comparisons, however, have become ubiquitous only relatively recently. Before the 1980s, studies of nationalism in Canada tended to focus just on English Canada and the Québécois.⁷ In contrast, aboriginal peoples, if they were mentioned at all, were seen as marginalized "collectivities" lobbying for self-government,⁸ not nations seeking self-determination. Canadian nationalism, in fact, was envisioned in terms of dualities, rather than multiple identities. The historical development of Canada was one of *deux nations*, with the

¹ My special thanks to Albert Howard who sparked my interest in Québec nationalism and helped me to develop my thoughts on Aboriginal-Québec relations.

² Léandre Bergeron, *The History of Quebec: A Patriote's Handbook* (Toronto: New Canada Publications, 1972).

³ This is a slight reformulation of a comment by Tom Flanagan, in *First Nations? Second Thoughts* (Montreal: McGill-Queen's University Press, 2000), 88.

⁴ Stephen Brooks, *Canadian Democracy* (3rd Edition; Oxford: Oxford University Press, 2000), 16-17.

⁵ Jane Jenson, "Naming Nations: Making Nationalist Claims in Canadian Public Discourse", *Canadian Review of Sociology and Anthropology* 30 (August 1993), 337-58; and Reg Whitaker, "Sovereignties Old and New: Canada, Quebec and Aboriginal Peoples", *Studies in Political Economy* 58 (Spring 1999), 94.

⁶ Will Kymlicka, "Citizenship and Identity", in James Bickerton and Alain-G. Gagnon (eds), *Canadian Politics* (3rd Edition; Toronto: Broadview Press, 1999), 20. Wayne Norman also refers to Canada as a "Multi-nation State", in his article "The Ideology of Shared Values", in Joseph Carens (ed), *Is Quebec Nationalism Just?* (Montreal: McGill-Queen's University Press, 1995).

⁷ See, for example, Charles Taylor's early article "Nationalism and the Political Intelligentsia", *Queen's Quarterly* 72 (Spring 1965).

⁸ Richard J. Van Loon and Michael S. Whittington, *The Canadian Political System* (4th Edition; Toronto: McGraw-Hill Ryerson, 1987), 118-119.

imagery of "two solitudes" underlining the national gulf between English and French Canadians.⁹

The change from duality to multiplicity has been accompanied by a new theoretical framework known as "identity politics".¹⁰ In this framework, politics is seen as the result of various groups struggling to have their different identities represented. Such a framework maintains that conflict between aboriginal groups and the Québécois is due to the attempts of both to have their divergent, and often oppositional, "identity claims" recognized by the Canadian state.¹¹

This framework, however, obscures the vast economic and political differences that distinguish the claims of aboriginal groups from those of the Québécois. The Québécois are not making claims so as to have their "identity" recognized, but because they constitute an organic economic and political totality, bound to a geographical area, seeking self-determination and statehood. Aboriginal groups, on the other hand, cannot be considered "nations", since they are small and dependent enclaves, organized according to kinship, without the capacity to exert sovereign authority over a territory. As will be discussed in more detail below, "nations" only emerged through the economic and political requirements of capitalism. And since aboriginal peoples have been isolated from Canadian industrialization historically, they retained the tribal characteristics of their hunting and gathering/horticultural past, inhibiting the development of a modern political consciousness.

This paper will show that the designation of aboriginal groups as "nations", in fact, is a fabrication that has been used to oppose Québec nationalism.¹² The change in discourse from one of *deux nations* to "multination state" gradually developed alongside the threat of Québec secession that occurred with the October Crisis of 1970, the election of the Parti Québécois and then referendums on Québec sovereignty in 1980 and 1995. These developments were accompanied by an increase in claims from aboriginal organizations that they, too, were "nations", soon followed by the argument that Québec could secede only with aboriginal consent. Since "aboriginal nationalism" had preceded Québec nationalism, the argument went, with "First Nations" living as "self-governing" and "sovereign" entities long before the English conquest of the French in 1760, it was at best arrogant¹³ and at worst racist¹⁴ for Québécois to be talking about independence if aboriginal groups opposed it.¹⁵

⁹ Charles Taylor, *Reconciling the Solitudes* (Montreal: McGill-Queen's University Press, 1993). Most of the essays in this book were written before the 1990s, and therefore it is largely about English-French relations.

¹⁰ See, for example, Joseph H. Carens, "Liberalism, Justice and Political Community", in *Is Quebec Nationalism Just?*, 4; Jeremy Webber, *Reimagining Canada* (Montreal: McGill-Queen's University Press, 1994), especially 40-74; and Jane Jenson, "Concepts of Identity in Political Science", in Bickerton and Gagnon (eds), *Canadian Politics*, 41-43.

¹¹ Reg Whitaker, "Quebec's Self-determination and Aboriginal Self-government", in Carens (ed), *Is Quebec Nationalism Just?*, 194.

¹² The driving force behind the creation of "aboriginal nationalism" is not the threat of Quebec separation, but an industry of lawyers and consultants that thrives by proposing, implementing and monitoring policies that have the effect of maintaining aboriginal dependency and social dysfunction. Although it is beyond the scope of this paper to document the machinations of the Aboriginal Industry (this, in fact, is the subject of a 600+ page manuscript written by Albert Howard and myself, entitled *The Naked Emperor: Disrobing the Global Aboriginal Industry*, the first chapter of which appeared as "The Aboriginal Industry's New Clothes", in the March 2002 issue of *Policy Options*), it is important to note that a number of people working for aboriginal organizations have created the idea of "aboriginal nationhood" to justify funding for land claims and self-government initiatives. Then, once "aboriginal nationalism" was invented, it was *applied* by federalist forces to oppose Quebec nationalism.

¹³ Whitaker, "Quebec's Self-determination...", 216.

With help from the obscurantist "identity politics" framework, aboriginal organizations, and the lawyers and consultants associated with them, have been able to appropriate the language of Québec nationalists to justify their own demands. These demands are not for national self-determination, but for privileges and increased government funding within Canada. Aboriginal demands, in turn, have been encouraged by the Canadian state, which while initially hesitant about accepting the validity of aboriginal claims, has gradually become more supportive of "aboriginal nationalism" as the threat of Québec secession increased. Because it is assumed that "First Nations" have a right to self-determination, it is now argued that the federal government has a "fiduciary obligation" to uphold this right if the Québec native population wishes to remain in Canada in the event of the province's secession. This, along with the increasing "legalization of politics" with which aboriginal demands are associated,¹⁶ has been an effective mechanism in thwarting the national aspirations of Québec and has drawn the Canadian Left away from Québec sovereignty to the more popular issue of aboriginal self-government.

CONFUSING TRIBALISM WITH NATIONHOOD

In current discussions about the nature of the Canadian federation, the political actions of Québec and Aboriginals are perceived as being part of a larger process of the "politics of recognition".¹⁷ Within such a framework, politics is not seen in terms of conflicting interests, but as the expression of identities. In this framework, it is argued that "the will to have one's own identity universally acknowledged and respected is now one of the most significant determinants of the sociopolitical dynamic of contemporary modern societies".¹⁸ Both aboriginal groups and the Québécois, it is argued, are seeking this "acknowledgement" and "respect". The result is the perpetuation of "difference" or "cultural diversity" in society - a circumstance often promoted as a good in itself.¹⁹

But seeing politics in terms of asserting identities and preserving difference, however, abstracts conflict from its historical and material context. People identify with one another on the basis of very different economic and political circumstances, and promoting "diversity" can maintain, and even encourage, social conflict. White supremacists, for example, assert an "identity" and want

¹⁴ Accusations of racism in this regard were made by Cree leader Matthew Coon Come. For a discussion of his views, see "Crees can say what they like says PM", *Canadian Press Newswire*, November 21, 1994.

¹⁵ These arguments are especially prevalent in the 1990s, where books examining the possibility of Quebec separatism must have the obligatory one or two chapters on aboriginal national aspirations. See, for example, Daniel Drache and Roberto Perin (eds), *Negotiating with a Sovereign Quebec* (Toronto: James Lorimer & Company, 1992); Joseph H. Carens (ed), *Is Quebec Nationalism Just?*; Kenneth McRoberts (ed), *Beyond Quebec* (Montreal: McGill-Queen's University Press, 1995); and Richard Fidler (Translation and Commentary), *Canada, Adieu?* (Lantzville: Oolichan Books, 1991).

¹⁶ The phrase "legalization of politics" was coined by the legal scholar Michael Mandel in his book *The Charter of Rights and the Legalization of Politics in Canada* (Toronto: Wall and Thompson, 1989).

¹⁷ The most influential accounts of this process have been put forward by Charles Taylor, Will Kymlicka and James Tully. For elaboration of their arguments, see Taylor, *Reconciling the Solitudes*; Kymlicka, *Multicultural Citizenship* (Oxford: Oxford University Press, 1995); and Tully, *Strange multiplicity: Constitutionalism in an age of diversity* (Cambridge: Cambridge University Press, 1995).

¹⁸ Daniel Salée, "Identities in conflict: the Aboriginal question and the politics of recognition in Quebec", *Ethnic and Racial Studies* 18(April 1995), 277.

¹⁹ See, for example, *Report of the Royal Commission on Aboriginal Peoples [Final Report]* (Ottawa: Minister of Supply and Services, 1996), Volume 1, xxiii. Kymlicka also discusses the arguments with respect to this in *Multicultural Citizenship*, 121-3.

to maintain "difference" on the basis of racist and oppressive criteria, creating irreconcilable conflict with those who are not "white". We need to ask, therefore, what makes groups develop identities that are distinct from one another, and how will recognizing various "differences" impact wider human relations and our co-existence with one another?

The aboriginal and Québécois movements, in fact, are the product of very different historical and material circumstances, resulting in widely divergent political demands. These differences are both quantitative and qualitative in character. Quantitatively, there are vast differences in productivity, size and complexity between the two. The qualitative difference pertains to the fact that aboriginal groups are organized according to kinship, rather than property relations and territory, making all initiatives for native "self-government" to a certain extent ethnically exclusive,²⁰ and therefore difficult to accommodate within pluralistic nations such as Canada and Québec.

Because of their particular historical and material circumstances, which will be discussed in more detail in the next section, aboriginal peoples living in Canada²¹ do not occupy a single territory, but are dispersed across the country. Although almost half of the native population lives in urban centres,²² most aboriginal peoples retain kinship ties with their ancestral communities.²³ These areas have been whittled away over the years by various land cessions, legal or otherwise, to the point that there are now over 600 bands dispersed on very small parcels of land, most of which are isolated from wider economic and social processes.²⁴ These communities are characterized by a high level of welfare dependence in comparison to the rest of Canada, and with the exception of a few resource rich areas, little productive activity exists.²⁵ Aboriginal peoples are also governed by separate policies and legal frameworks because of their historical dependency and social dysfunction. Originally considered "wards" by Canadian authorities, their capacity to form an indigenous state apparatus is basically non-existent.²⁶

Québec, on the other hand, has a population of approximately seven million people concentrated in single territory, the size of which is larger than many countries recognized by the United Nations. This territory is governed by a modern state apparatus with its own legislature, courts and police forces.²⁷ Furthermore, the province has a diverse and productive economy comprised

²⁰ Although some forms of self-government, such as Nunavut, would appear to contradict this since they are a form of "public government", and therefore include all people in a certain territory regardless of their ethnicity, all self-government agreements have ethnically exclusive aspects in that they offer certain benefits on the basis of ancestry and attempt to develop policies that try to maintain ethnic "difference" and separation by applying different standards to aboriginal peoples. Self-government initiatives, for example, maintain that aboriginal peoples should have separate educational, health, justice and environmental management policies since aboriginal people have a different "world view" or "spirituality" than non-aboriginals.

²¹ The precise aboriginal population in Canada is difficult to determine because it is often measured differently. The Royal Commission on Aboriginal Peoples, for example, notes that population figures can be based either on ancestry or identity. Using a model, the Royal Commission maintains that the total aboriginal population is projected to be about 959,000 in 2006. *Final Report* (1), 15, 21.

²² *Final Report* (4), 519.

²³ *Final Report*, (4), 525-6.

²⁴ 80% of bands live on territories that comprise less than 500 hectares. *Final Report*, 2(2), 810-11.

²⁵ *Final Report*, 2(2), 801-806.

²⁶ According to Reg Whitaker, these characteristics of aboriginal groups are why "sovereignty as potential national independence" was not part of the native leadership's agenda in constitutional negotiations. Whitaker, "Quebec's Self-determination...", 207.

²⁷ Reg Whitaker, "Quebec's Self-determination...", 209.

of agriculture, manufacturing, and various types of resource development, the most significant being hydroelectric power.²⁸ It is a vibrant participant in national and international trade. Eighty percent of the Québec population also speaks French, a language that, unlike those spoken by aboriginal peoples,²⁹ has a long literary history and is used in many parts of the world.

These quantitative differences are also related to one that is qualitative. Because "aboriginal nationalism" is rooted in aboriginal peoples' traditional "ways of life" - i.e. hunting and gathering and horticultural modes of production that were combined with the fur trade - native groups are organized much differently than the Québécois. The smaller sizes and lower levels of productivity and complexity in native societies meant that aboriginal groups had not, at the time of contact, become stratified to the point of forming class relations. Unlike the Québécois, whose French forefathers had lived in societies organized according to the property and territorial imperatives of the feudal era, "kinship was the organizing institutional basis of production and consumption" for Aborigines.³⁰ This was because the ownership of productive property only came about with the development of agriculture and the emergence of civilization,³¹ where the previous customary relations in bands, tribes and chiefdoms,³² based on

²⁸ For an overview of the structure of Quebec's economy see Pierre Fournier, *The Québec Establishment* (Montreal: Black Rose Books, 1978), 19-31; Daniel Salée and William Coleman, "the Challenges of the Quebec Question", in Wallace Clement (ed), *Understanding Canada* (Montreal: McGill Queen's University Press, 1997), 262-285; and Peter Graefe, "The High Value-Added, Low-Wage Model: Progressive Competitiveness in Quebec from Bourassa to Bouchard", *Studies in Political Economy*, 61 (Spring 2000), 5-30..

²⁹ The numbers of indigenous speakers are small and most native languages are being kept alive by non-aboriginal linguists. The Royal Commission estimates that there are between 53 and 70 aboriginal languages in Canada, and most are "endangered". *Final Report* (3), 604-609. The demise of aboriginal languages is also not just due to their suppression by the Canadian state, as is often argued {see, for example, Ruth Norton and Mark Fettes, "Taking Back the Talk", *For Seven Generations*, CD-ROM (Ottawa: Libraxus, 1997)}. Aboriginal languages, because of their relationship to hunting and gathering/horticultural modes of production, were without writing until Europeans arrived, and consequently they continue to lack the vocabulary and structure required to impart the complex concepts needed today. Such a problem was recognized earlier in Canada's history, but this has gone out of favour with new theories of linguistic relativism. The Royal Commission on Aboriginal Peoples, for example, cites government reports asserting that native languages inhibited the integration of aboriginal peoples into modern society because they were unable to "'impart ideas which, being entirely outside the experience and environment of the pupils and their parents, have no equivalent expression in their native language'". Although the Royal Commission's relativist stance leads it to reject this view, it also notes that "Aboriginal languages usually require 'lexical elaboration' to add words to the language for concepts encountered later in the child's education". *Final Report* (1), 341 and (3), 467.

³⁰ *Final Report*, 2(2), 453.

³¹ This circumstance changed qualitatively with the development of intensive agriculture, where draught animals are harnessed to pull ploughs. The greater productivity brought about by this development dramatically accelerated the surplus created, increasing stratification and breaking down kinship reciprocity, thereby requiring new and more coercive forms of organization. The result was "complex political structures and many permanent government institutions...based on notions of social inequality", where a small segment of society uses armed force to control access to crucial resources such as land and irrigation systems. The first rulers in these societies were "priest-bureaucrats", which were then replaced by secular kings and despotic monarchs. For a further discussion of these developments see Brian M. Fagan, *People of the Earth* (9th Edition; New York: Longman, 1998), 19.

³² Within pre-state societies, there is also a further division between bands, tribes and chiefdoms. Bands are the smallest of these societies, and are characterized by egalitarian and informal leadership, a hunting and gathering economy, and a nomadic existence. Tribes, on the other hand, are groups of bands linked by entities known as "clans" - "a group of people linked by common ancestral ties, which serve as connections between widely scattered communities". They have horticultural/pastoral economies and live in semi-permanent villages. The third type of pre-state societies are chiefdoms. As Brian M. Fagan explains, "Chiefdoms...are still kin-based but more hierarchical, with power concentrated in the hands of kin leaders. These leaders are usually individuals with unusual ritual, political, or entrepreneurial skills. Chiefdoms tend to have higher population densities (generally between

blood and marriage,³³ were replaced by written laws that were enforced on behalf of the entire society by a sovereign authority.³⁴

These historical differences in how the ancestral societies of the Québécois and Aboriginals were organized have influenced their participation in later economic and political developments, resulting in the fact that only the former can be considered a nation, while the latter remain tribal in character. The Québécois, in fact, have all the characteristics that have generally been associated with nationhood - civilization, significance or size, territory, solidarity and sovereignty³⁵ - while aboriginal groups have none. As the political scientist Tom Flanagan explains,

aboriginal peoples in Canada project the concept of nation backwards onto a pre-civilized past; they have tiny populations [sic]; they do not control a contiguous territory; they are internally divided among dozens or hundreds of different collective identities; and they receive support only from scattered intellectuals for their assertions of sovereignty.³⁶

But if aboriginal groups are both quantitatively and qualitatively different from the Québécois, why is there so much pressure to recognize them as being equivalent? The answer to this is that "aboriginal nationalism" is being used precisely for the purpose of obstructing Québec nationalism. As Tom Flanagan argues, "aboriginal nationalism can disrupt Canadian politics, but it cannot threaten the existence of the Canadian state in the same way as Québécois nationalism does".³⁷ The Québécois, after all, have the capacity to exert sovereignty in the modern context. All that is required is for them to decide that this is what they want. In contrast, even if aboriginal groups are given more autonomy, their isolated and dispersed character, as well as a lack of industrialization and state apparatus, means that they are unable to become viable nation-states. This makes the support of "aboriginal nationalism" the lesser evil for the Canadian state.

5,000 and 20,000 people) and display clear signs of social ranking. Often there is local specialization in craft products. Frequently, surpluses of food and such products are paid to the chief, who redistributes them to his followers". Brian M. Fagan, *People of the Earth*, 17-19. The transition from "egalitarian", to "ranked" to "stratified" societies is also discussed by the anthropologist Morton Fried in his book *The Evolution of Political Society: An Essay in Political Anthropology* (New York: Random House, 1967).

³³ Although bands, tribes and chiefdoms vary in the productivity of their economies and complexity of their social structures, they all share an essential "difference" - none had developed classes, laws or a state. No state apparatus existed in any of these societies since no group holds a "[monopoly] over strategic resources" or can "use coercion to enforce their authority". There is no "no separate, permanent machinery of 'bodies of armed men and prisons'", and "war chiefs held office only for the duration of hostilities; the military force was the armed community". For a further discussion of this circumstance see Stanley Ryerson, *The Founding of Canada* (Toronto: Progress Books, 1960), 36.

³⁴ Social control in pre-state societies was achieved through mechanisms such as ridicule, ostracism or violent retribution by the injured party and/or their kin, rather than standardized procedures carried out by an entity that had a monopoly over the legitimate use of force. For discussions of this see Richard B. Lee, "Primitive communism and the origin of social inequality", in Steadman Upham (ed), *The Evolution of Political Systems* (Cambridge: Cambridge University Press, 1990), 231; and Leslie A. White, *The Evolution of Culture* (New York: McGraw-Hill, 1959), 232.

³⁵ For a detailed discussion of these characteristics see Philip L. White, "What is Nationality?", *Canadian Review of Studies in Nationalism* 12(1985), 1-23.

³⁶ Flanagan, *First Nations? Second thoughts*, 87-88.

³⁷ Flanagan, *First Nations? Second Thoughts*, 87-88. See also Whitaker, "Quebec's Self-determination...", 209 for a discussion of the same point.

The Canadian state's use of "aboriginal nationalism" to foil Québec independence has been aided by the character of the aboriginal movement itself. Unlike Québec nationalism, which is rooted in Québécois exploitation and the French Canadian working class, aboriginal peoples were dominated by a process referred to as non-exploitative oppression.³⁸ The native movement, therefore, has arisen in the context of welfare dependence, not exploited aboriginal labour, making any political activity dependent upon funding from outside sources.³⁹ This has led to the native leadership to have a strongly collaborationist character that is distant from the marginalized elements that it claims to represent. As will be elaborated upon below, this characteristic of the aboriginal movement has enabled the Canadian state to use native leaders for its own purposes. By promoting "aboriginal nationalism", the Canadian state has created a reactionary element to defeat a progressive national movement's quest for self-determination.

THE POLITICAL ECONOMY OF QUÉBEC AND ABORIGINAL "DIFFERENCE"

Throughout the world today, "nationalism" is one of the most significant political ideologies. This ideology became dominant in the late 18th Century, when states and the territory that they controlled became fused with the collective aspirations of "the people" inhabiting the area.⁴⁰ With such a development, citizens came to owe their supreme loyalty to the nation-state, and the state was identified with the people that it governed. The result was the assumption that each nationality should form a state, and each state should include all members of that nationality.

Although nationalism is now so common that it seems almost a part of human nature, before the 17th Century, nationalist sentiments were rare. People generally identified with, and gave their allegiance to, smaller or larger entities than the territory under state control. Smaller identities and allegiances were associated with the more localized economies and politics of the fiefdom or the city, while wider loyalties were cultivated by religious indoctrination. Religions such as Christianity and Islam, for example, envisioned a universal world state of believers, and actively sought to break down more particularistic, geographically based, loyalties.

³⁸ This is a term used by Erik Olin Wright when he makes the distinction between exploitative and non-exploitative forms of oppression in his analysis of colonization. Wright notes that in the case of exploitative oppression, the exploiter needs the exploited for their effort (i.e. labour). He points out that this kind of colonization did not occur in the case of North American Indians, and policies of genocide or "displacement" often ensued because aboriginal labour was not required by European conquerors. Erik Olin Wright, *Class Counts* (New York: Cambridge University Press, 1997), 11. For similar views on aboriginal peoples' lack of historical participation in production after the fur trade see David Bedford and Dan Irving, *The Tragedy of Progress* (Halifax: Fernwood Publishing, 2001), 25; Adams, *A Tortured People* (Penticton: Theytus Books, 1999), 30, 198; P. Ehrensaft and W. Armstrong, "The Formation of Dominion Capitalism", in A. Moscovitch and G. Drover (eds), *Inequality* (Toronto: University of Toronto Press, 1981), 140-1; H. Clare Pentland, *Labour and Capital in Canada* (Toronto: James Lorimer and Company, 1981), 3-5; and Peter Kulchyski, "Socialism and Native Americans", *Rabble*, December 11, 2003.

³⁹ For a discussion of this characteristic of the aboriginal leadership see James Burke, *Paper Tomahawks* (Winnipeg: Queenston House, 1976) 111, 164; Doug Daniels, "Dreams and Realities of Dene Government", *The Canadian Journal of Native Studies* 7(1987), 95-110; Jeremy Hull, *Aboriginal People and Social Classes in Manitoba* (Canadian Centre for Policy Alternatives, 2001); and Howard Adams, *Prison of Grass: Canada from a Native Point of View* (Saskatoon: Firth House Publishers, 1975), 178, 184-186.

⁴⁰ For discussions of the development of nationalism, see Hans Kohn, *The Idea of Nationalism* (New York: Collier Books, 1967); Louis L Snyder, *Varieties of Nationalism* (Hinsdale: Dryden Press, 1976); Anthony D. Smith, *Theories of nationalism* (London: Duckworth, 1971); Hugh Seton-Watson, *Nations and States* (London; Methuen, 1977); and Edward Carr, *Nationalism and After* (London: Macmillan, 1945).

This transition from the super- and sub-national identities/allegiances to that of the nation-state emerged with the development of capitalism out of feudalism,⁴¹ and the subsequent formation of two new classes - the merchants (bourgeoisie) and the proletariat. This was because "the opening up of the home market under the leadership of the burghers or bourgeoisie required and impelled the creation of [a] unified national community, bound together by common language and economic activity".⁴² Such a process largely occurred during a period known as "mercantilism", where political and economic centralization were required to create the conditions for the accumulation of capital. Facilitating the concentration of wealth enabled states to finance foreign trade, warfare and the extraction of precious metals from their colonies.⁴³ Centralization also made it possible for states to engage in "economic warfare" by controlling imports and exports so as to achieve a favourable balance of trade.⁴⁴ This kind of centralized control required that citizens be socialized to identify with the state, resulting in educational systems stressing the national language and the development of non-professional citizen armies motivated by national fervour.⁴⁵ The secularization and destruction of feudal structures brought about by these developments further weakened the previous super-and sub-national sources of identity, accelerating the adoption of nationalist sentiments.

Along with the centralizing pressures that came with the expansion of commerce, nationalist sentiments were also increased by developments in agriculture and the emergence of the proletariat. The increasing productivity of agriculture at this time led to the displacement of the peasantry from the countryside and the migration of people to the towns, where they became artisans and then labourers. Peasants were uprooted from smaller village communities and ethnic enclaves,⁴⁶ destroying their traditional identities. At the same time, they also began to develop a more inclusive and abstract working class consciousness because of the "general tendency of the capitalist mode to create a 'disposable mass' of laborers out of diverse populations, and to then throw that mass into the breach to meet the changing needs of capital".⁴⁷

Although these two developments brought nationalism into existence, the kinds of nationalist sentiments produced varied according to historical and material circumstances, resulting in both progressive and reactionary forms.⁴⁸ If, for example, super-national forces that have inclusive

⁴¹ For a discussion of this see Stanley B. Ryerson, *French Canada* (Toronto: Progress Books, 1980), 119-121.

⁴² Ryerson, *French Canada*, p.172.

⁴³ See Giovanni Arrighi, *The Long Twentieth Century* (London: Verso, 1996), 50 for a discussion of mercantilism and the period of state-making.

⁴⁴ See W.T. Easterbrook and Hugh G.J. Aitken, *Canadian Economic History* (Toronto: University of Toronto Press), 19-20; Kenneth Norrie et al., *A History of the Canadian Economy* (3rd Edition; Toronto: Nelson, 2002), 9, 11; and K.J. Rea, *A Guide to Canadian Economic History* (Toronto: Canadian Scholars' Press, 1991), 2, for a discussion of this aspect of mercantilism.

⁴⁵ See Arrighi, *The Long Twentieth Century*, 50 for a discussion of the development of citizen armies.

⁴⁶ Eric R. Wolf, *Europe and the People Without History* (Berkeley: University of California Press, 1997), 379-383.

⁴⁷ At the same time, however, Wolf notes that capitalism orders "laborers hierarchically with respect to one another...continuously producing and re-creating symbolically marked 'cultural' distinctions among them". This creates both national allegiances and particularistic identities since "the diffusion of the capitalist mode creates everywhere a wider unity through the constant reconstitution of its characteristic capital-labor relationship. On another level, it also creates diversity, accentuating social opposition and segmentation even as it unifies. Within an ever more integrated world, we witness the growth of ever more diverse proletarian diasporas". Wolf, *Europe and the People Without History*, 380, 383.

⁴⁸ For a discussion of these two different forms of nationalism, and how they relate to conservative and progressive ideologies, see Léon Dion, *Quebec: The Unfinished Revolution* (Montreal: McGill-Queen's University Press), 1976, 11-19.

tendencies, such as working class consciousness, become relatively strong, nationalism tends to be progressive.⁴⁹ This kind of nationalism was dominant in the 17th and 18th centuries, where the concern was with what was universally human, and nationalist movements saw themselves as paving the way for a more free and equal world.⁵⁰ As nationalism proceeded, however, and state structures became more entrenched to the detriment of super-national elements, movements were taken over by reactionary forces that stressed instinct over reason and racial and/or cultural differences rather than shared human features. Divergent national traditions became the focus rather than developing common aspirations. Territory was also increasingly linked to ancestry, which inhibited the development of pluralistic and inclusive nation-states.

As well as being either progressive or reactionary, nationalism also differs in that it can either draw together disparate elements within a state that already exists, as was the case in Italy in the 19th Century, or it can become an aspiration of a people within a state that strives for its own, separate, political and economic institutions. As Stanley Ryerson has pointed out, "state and national boundaries have not by any means always coincided",⁵¹ resulting in internal conflicts, and sometimes civil war. This is the circumstance that has developed in Canada historically. Particular historical and material circumstances have meant that one distinctive social grouping, the Québécois, has developed nationalist aspirations within Canada, increasingly seeking independent statehood.

These aspirations for national independence in Québec have been attributed to two distinct kinds of social forces: those that have led the Québécois to identify with one another, and others that have led them to see themselves in opposition to English speaking Canada. For the former, a number of complex and interrelated factors have been identified - the backwardness of the Québec economy that kept it isolated from the rest of Canada, its homogenous population, drawn from the fragment in France, and particular formative events that led Québécois to have a different historical perspective than English Canadians.⁵² This resulted in French Canadians retaining a distinctive language, religion and legal system - the cultural characteristics focussed on by the "identity politics" framework.

But identifying these distinctive characteristics does not explain how they came to constitute nationalist aspirations and demands for independence from English speaking Canada. After all, many nation-states contain people with diverse "identities", yet most of these "differences" do not develop into nationalist sentiments. The development of nationalist sentiments is generally linked to economic and political circumstances, where one culturally distinct region is oppressed by another. This certainly is the case in Québec, where the French cultural population has been dominated by English speakers since conquest. When England defeated France in the 18th Century, most of the French elite went back to the mother country, and their lands were taken over by English officers and merchants.⁵³ This unequal relationship became even more obvious as Québec began to industrialize. The historical dominance of the English in the Québec

⁴⁹ See Ryerson, *French Canada*, 172-173, for a discussion of this point.

⁵⁰ The greater liberty and equality that were demanded by the American (1776) and French Revolutions (1789), for example, were seen as necessary to bring about these circumstances for all of mankind.

⁵¹ Ryerson, *French Canada*, 171-2.

⁵² For a discussion of these different factors, see Hubert Guindon, *Quebec Society: Traditional, Modernity, and Nationhood* (Toronto: University of Toronto Press, 1988), especially 3-26.

⁵³ Ryerson, *French Canada*, 111. Ryerson notes that the only exception to this were the lands of the Catholic Church, which except for the Jesuit estates, remained untouched.

economy enabled them to become a large proportion of the owners of factories even though they constituted only a small percentage of the population.⁵⁴ Furthermore, English was also the language of business, and so French speakers were disadvantaged in comparison to their English counterparts. As Stanley Ryerson explains,

not only did English merchants take over from the French the main sources of capital-accumulation - the fur-trade and the land-monopoly; but, enjoying in addition the advantages of business connections with English capital, they were to thrive on the investment of large portions of that capital in the timber-trade, canals and railways of the colony... Thus from the very start, while the mass of the French-Canadians remained tied to the primitive agrarian economy of the seigneuries, the English community was able to press forward on the path of trade and industry.⁵⁵

This unequal history also created stratification within the working class itself, where English speakers tended to occupy the more highly skilled trades and become the management technicians.⁵⁶ French speaking workers received lower pay and had less effective trade union organization. They also suffered from lower educational levels, poorer health and worse living conditions.⁵⁷ All these circumstances led French Canadians to resent the English; they identified oppression with the English both on the shop floor and in the economy more generally.⁵⁸ It was this second class status that eventually led political activist Pierre Vallières to declare that francophones were the "white niggers of America".⁵⁹

Although nationalistic sentiments existed sporadically in Québec during the 19th Century, it was not until the 1950s that a strong independence movement emerged. This was because Québec began a process of rapid industrialization during this time, creating the conditions for a national identity to emerge - political and economic centralization and proletarianization. There was a transformation from a rural to an urban population throughout the 19th and early 20th Centuries when the decline of the fur trade and the growth of the francophone population created the reserve army of labourers needed for the province's industrial development.⁶⁰ At the same time, the state was increasingly intervening in the economy to create the conditions for capital accumulation,⁶¹ which tied the population to the state rather than the local community or the Church.⁶² And because modernization gave disproportionate benefit to anglophones in comparison to francophones, "the reform movement, while essentially dedicated to updating Québec's institutions and social structure, also contained a nationalist element directed against what was perceived as anglophone privilege and domination".⁶³ This nationalism was

⁵⁴ See Léandre Bergeron, *The History of Quebec*, 191-215 for a discussion of these circumstances.

⁵⁵ Ryerson, *French Canada*, 133.

⁵⁶ Ryerson, *French Canada*, 142, 148, 158.

⁵⁷ Ryerson, *French Canada*, 160, 166.

⁵⁸ As Ryerson points out, since industrial capital "is preponderantly non-French-Canadian in ownership", it "assumes a 'foreign' mask" and therefore "as a power that appears external to the traditional way of life of the masses of French Canada". Ryerson, *French Canada*, 138.

⁵⁹ Pierre Vallières, *White Niggers of America* (Toronto: McClelland and Stewart, 1971).

⁶⁰ Between 1891 and 1931 the percentage of population rural went from 66.4 percent to 36.9 percent and "industry continued to absorb the landless farm-population surplus". For a further discussion of this process see Ryerson, *French Canada*, 129 and Coleman, *The Independence Movement in Quebec* (Toronto: University of Toronto Press, 1984), 222-3.

⁶¹ Ryerson, *French Canada*, 130.

⁶² For accounts of the development of Québécois consciousness see Fernand Ouellet, *Economy, Class and Nation in Quebec* (Toronto: Copp Clark Pitman, 1991); and Marcel Rioux, *Quebec in Question* (Toronto: James Lorimar & Company, 1978).

⁶³ Fernand Ouellet, *Economy, Class & Nation in Quebec*, 291

progressive rather than reactionary, therefore, because it was strongly connected to working class struggles in Québec.

The working class character of the nationalist movement during the 1960s and 1970s has led many of its leaders to be influenced by a socialist ideology.⁶⁴ Such progressive sentiments can also be seen in the trade union movement in Québec, where socialism was promoted as early as 1954.⁶⁵ In addition, socialist ideology was central to the "FLQ [Front de Libération du Québec] manifesto", which many Québécois sympathized with. This manifesto urged Québécois to "take their destiny into their own hands" by purging their society of "its gang of rapacious sharks, the big bosses who dish out patronage and their henchmen, who have turned Québec into a private preserve of cheap labour and unscrupulous exploitation". It appeals to "workers in industry, in mines and in the forests! Workers in the service industries, teachers, students and unemployed! Take what belongs to you, your jobs, your determination and your freedom. And you, the workers at General Electric, you make the factories run; you are the only ones able to produce; without you, General Electric is nothing!". For the FLQ, therefore, creating a Québec nation meant that workers in Québec would "take back what is [theirs]... what belongs to [them]" - i.e. what they had produced with their labour.⁶⁶

The leadership of the movement, however, gradually lost its radical edge. The working class oppression that pushed the movement forward was increasingly obscured by cultural preoccupations, especially when the interventionist Québec state was used to advance the interests of French speakers in general rather than French workers. Language policies enabled French Canadians to increase their numbers in the state apparatus and managerial positions, resulting in a transformation in the leadership and leading it to reflect the interests of the French speaking petit-bourgeoisie. The movement still had a working class base, but the leadership, by taking up the role of managing capitalism, gradually turned to the Right, increasingly alienating the grassroots.⁶⁷

Although the political struggles of the Québécois have reduced the economic inequalities between English and French Canadians and there is now a substantial francophone bourgeoisie and petit-bourgeoisie,⁶⁸ memories of English oppression continue to keep the independence movement to the Left of the ideological spectrum. The historical working class character of the Québécois struggle, like that of blacks in the United States, has meant that its progressive elements have overcome those that are reactionary. An original temptation to distinguish the difference between real Quebecers and outsiders (i.e. the designation of "*pure laine*") has been replaced with the political progress that comes with labour struggles, entrenching a progressive form of nationalism. As Stanley Ryerson pointed out 60 years ago,

⁶⁴ See, for example, Léandre Bergeron, *Why there must be a Revolution in Quebec* (Toronto: NC Press, 1974).

⁶⁵ William Coleman, *The independence movement in Quebec*, 118

⁶⁶ The FLQ Manifesto, in James John Guy, *People, Politics and Government: A Canadian Perspective* (Toronto: Pearson Education Canada Inc, 2001), p. 104

⁶⁷ For a similar determination, see Bergeron, *The History of Quebec*, 229 and Coleman, *The independence movement in Quebec*, 226. Explanations for the transformation of the leadership of the Quebec movement are contested. These different approaches are analyzed by Coleman, *The independence movement in Quebec*, 4-19.

⁶⁸ Quebec historian Fernand Ouellet points out the political implications of this when he states that "since 1980, the rise of francophone entrepreneurship has been such that, it is said, this group now feels quite confident in its relations with internal and external competitors, and freer in its rapport with the state. In consequence, the bourgeoisie is now quite apt to espouse a neo-liberal economic policy". For a further discussion see Ouellet, *Economy, Class & Nation in Quebec*, 295.

the industrial proletariat is, numerically, the largest class of the population of Quebec. It is the class which by its position in the economic structure is able to fight for democracy with less hesitation or falterings born of considerations of vested interest, than any other. It is this fact which made it the main bulwark of resistance to the fascist trends of the Duplessis regime; and which in the present situation has made it the most vigorous force for total war in the Province of Quebec. By its position in the community it is the most effective champion of the French-Canadian democratic demand for national equality. It is the indispensable partner of all the forces of democracy and patriotism in Canadian life.⁶⁹

Today, the progressive character of Québec nationalism continues. French Canadians envisage an inclusive polity whereby all ethnic groups are accepted as citizens,⁷⁰ with the stipulation that they must accept the dominant Québécois culture. So when political conflicts between francophones and other groups in Québec emerge - as is the case with Jacques Parizeau's famous "ethnic vote" comment and Parti Québécois candidate Yves Michaud's polemic against B'nai Brith - they are conceptualized in terms of their relationship to the sovereignty project, not linked to purported ancestral characteristics. The working class roots of Québec nationalism also has resulted in widespread secularization, a strong labour movement and extensive welfare state intervention,⁷¹ all significant measures of egalitarianism and a high level of social and political development.

In contrast to the emergence of the Québec movement in the 1950s and 60s, the development of "aboriginal nationalism" is much different. There is, in fact, no aboriginal nationalist movement at all. This is because the two forces that bring nationalism about - widespread proletarianization and the development of a strong state to aid centralization - never developed within native communities. Unlike the Québécois, who left the rural areas to become the majority of the workers in Québec cities, it is noted that "many Aboriginal communities did not follow the mainstream pattern of transformation from an agricultural to industrial economy" since their subsistence practices and trading economies were replaced "not by a market economy, as elsewhere in Canada, but by welfare".⁷² This meant that the state presence in aboriginal communities was not to create the conditions for capital accumulation, as was the case with state formation in Québec, but to distribute welfare payments and run social programs.⁷³

The reasons for aboriginal marginalization are rooted in the combination of hunting and gathering/horticultural modes of production with the developing capitalist system in Canada.

⁶⁹ Ryerson, *French Canada*, 206-7.

⁷⁰ This is what enables Howard Adelman to maintain that Anglo-Canadians and immigrants have three options if Quebec separates: emigration, staying in Quebec as a minority or they can "acquire Québécois nationality". Adelman, "Quebec: The Morality of Secession", 187. See, also, Whitaker, "Quebec's Self-determination...", 213 and Salée and Coleman, "The Challenges of the Quebec Question", 266, 272 for a discussion of Quebec nationalism's inclusivity.

⁷¹ For a discussion of the development of these characteristics, see Salée and Coleman, "The Challenges of the Quebec Question", 270- 272. The authors note that this progress is under pressure from neoliberalism, which is attempting to reduce the welfare state in Canada as a whole. Kenneth McRoberts notes that Quebec was the first province to grant the right to strike in the public sector and is the only provincial jurisdiction that continues to have an anti-scab law. For his discussion of Quebec's labour relations, see McRoberts, "Quebec: Province, Nation, or Distinct Society?", in Whittington and Williams (eds), *Canadian Politics in the 21st Century* (5th Edition; Toronto: Nelson, 2000), 356.

⁷² *Final Report*, 2(2), 971-2.

⁷³ This continues to a major role of the state in aboriginal communities. For a discussion see *Final Report*, 2(2), 972-992.

Aboriginal societies were much smaller, less productive and complex than the societies which spawned *l'habitant*, and it was subsequently more difficult for the former to make the transition to modernity. While the subsistence practices and kinship forms of organization of native societies were accommodated during the fur trade, agriculture and industrialization required more intensive developments, and integration into the emerging capitalist system necessitated a radical reorganization of aboriginal societies. This integration could have been facilitated with intensive social programs, but the Canadian state's attempts to create the conditions for profit maximization meant that it was cheaper and easier to import labour from Europe, where the skills and attitudes already existed, than to develop the collective discipline needed, in modern working environments, within the native population. As a result, aboriginal peoples were warehoused on reserves to keep them from interfering with economic development.⁷⁴

The small, isolated and dependent character of the enclaves that resulted also meant that no state formation was possible since aboriginal peoples were governed by a special legal regime that was meant to be transitory. "Protection, civilization and assimilation" was the policy;⁷⁵ it was assumed that as the native population developed the values and practices necessary to participate in the wider economy and society they would be assimilated, eventually becoming full citizens of the Canadian state. But a lack of resources devoted to the assimilationist program, as well as its coercive character, meant that undeveloped cultural features, associated with the hunting and gathering/horticultural traditions of aboriginal peoples, persisted, perpetuating the dependent, ethnically exclusive enclaves that exist today.

Although these enclaves continue to be organized according to kinship, the original familial relationships were distorted by aboriginal peoples' dependence on the Canadian state. This has enabled the latter to use government funds to control the aboriginal movement. Instead of the leadership emerging out of the aspirations of the people, as was the case with the Québécois, outside funding has generally shaped the character and goals of the aboriginal leadership. The underdevelopment of aboriginal societies, maintained by their isolation from wider economic and social processes, also has made the movement dependent on non-aboriginal advocates to articulate their aspirations.⁷⁶

This artificial character of the aboriginal movement has resulted in the fabrication of "aboriginal nationalism". Until the 1970s, aboriginal groups, when referring to themselves, used the words "tribe" and "nation" interchangeably.⁷⁷ These ambiguous references were transformed with the Dene Declaration in 1975, which began with the following statement: "We, the Dene of the NWT, insist on the right to be regarded by ourselves and the world as a nation".⁷⁸ After this declaration was put forward, the term "nation" began to be used more and more in relation to aboriginal groups. "A Declaration of First Nations" was passed by the Joint Council of the

⁷⁴ I have provided a detailed description of this history elsewhere. For this discussion see Frances Widdowson, "Separate but Unequal: The Political Economy of Aboriginal Dependency", unpublished paper presented at the Annual Conference of the Canadian Political Science Association, Halifax, June 1, 2003.

⁷⁵ *Final Report*, (1), 263-267; John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy", in Ian A.L. Getty and Antoine S. Lussier (eds), *As Long as the Sun Shines and the Water Flows* (Vancouver: UBC Press, 1983).

⁷⁶ For discussions of this problem see Harold Cardinal, *Rebirth of Canada's Indians* (Edmonton: Hurtig Publishers, 1977), 14-15;

⁷⁷ George Manuel and Michael Posluns, *The Fourth World* (Don Mills: Collier Macmillan, 1974), 268, note 12.

⁷⁸ For the Declaration's full text, see Hamilton, *Arctic Revolution*, Appendix, 289.

National Indian Brotherhood on November 18, 1981⁷⁹ - an organization that was soon to become the Assembly of First Nations. Throughout the 1980s, the term "nation" was increasingly adopted by the Canadian state in constitutional negotiations, government reports, and even legislation.⁸⁰ Today, aboriginal peoples are, with a few exceptions, referred to as "First Nations".

But this change in designation from "tribes" to "nations" was not associated with any material transformation in aboriginal circumstances, as occurred in Québec during the 1950s and 60s. Instead, the terminology developed because of the increased political leverage that comes with the use of the term. As Tom Flanagan argues, "aboriginal leaders demanded to be included as one of the 'founding peoples' or 'founding nations,' on equal terms with the English and French" during constitutional negotiations with Québec in the 1970s in part as "an offensive strategy...to gain more leverage in the political process by assuming the status of 'nation,' which clearly trumps 'tribe' in terms of respect and political power".⁸¹ The use of the term nation, in fact, was strongly encouraged by the advisors to aboriginal groups at the time, who were even rumoured to have written the founding document of aboriginal nationhood.⁸² The non-aboriginal advocates associated with aboriginal organizations, in fact, were anxious to draw parallels between third world colonial struggles and aboriginal deprivation, even though native economic and political circumstances were very different.⁸³ The third world colonies were victims of exploitative oppression, and therefore self-determination could be achieved by taking over the means of production and the colonial state that had been put in place to facilitate the conditions for capital accumulation. This was not the case for aboriginal communities in Canada, where no viable economic base had developed or a territorial state apparatus to manage it. For this reason, it is noted that aboriginal peoples "have only a few minimal accoutrements necessary to preserving nationality in the modern world".⁸⁴ As a result, aboriginal demands have not been for national self-determination but "reconstituting the existing rules of the Canadian political community to ensure space for degrees of Aboriginal self-government".⁸⁵

Because aboriginal peoples are marginalized from productive processes, the focus of the native leadership has turned to creating legal arguments for compensation and increased "aboriginal control" over government transfers, rather than demands for programs and services that would actually improve the social conditions of the native population. Unlike the Québécois leadership, whose demands were progressive and became more inclusive over time because of the movement's working class base, aboriginal leaders make reactionary arguments for exclusive rights on the basis of ancestry.⁸⁶ They argue that because of aboriginal peoples' past "ownership"

⁷⁹ The text of this is available in Menno Boldt, *Surviving as Indians* (Toronto: University of Toronto Press, 323-4).

⁸⁰ Flanagan, *First Nations? Second Thoughts*, 76 and 83.

⁸¹ Flanagan, *First Nations?*, 74. The Royal Commission acknowledges the additional respect that can be gained by the use of the term nation by noting that "Western cultures have considered themselves more advanced (their societies being 'nations', for example, and Aboriginal societies, 'tribes'). *Final Report* (4), 118.

⁸² John David Hamilton, *Arctic Revolution*, 139. Harold Cardinal also characterizes the Dene Declaration as an "intrusion of left-wing thinking that is perhaps much closer to the academic community in Toronto than it is to the Dene". Cardinal, *Rebirth of Canada's Indians*, 14-15.

⁸³ Douglas Sanders and Michael Posluns were both associated with George Manuel and significant forces in the transition to "aboriginal nationalism". For their role in this process, see Peter MacFarlane, *From Brotherhood to Nationhood* (Toronto: Between the Lines, 1993) and Manuel and Posluns, *The Fourth World*.

⁸⁴ Howard Adelman, "Quebec: The Morality of Secession", 187.

⁸⁵ Whitaker, "Quebec's Self-determination...", 207.

⁸⁶ Such exclusivist claims often shape the arguments of the aboriginal intelligentsia. Mary Ellen Turpel, for example, is criticized by Whitaker for having a "perverse" argument since she questions Quebec's assertion of

of territory and their "spiritual" relationship to the land, the native population should be entitled to resources not available to others. Instead of making demands on the basis of being producers of value, as was the case with the "FLQ Manifesto", the National Indian Brotherhood's "A Declaration of First Nations" justifies aboriginal privileges with religious claims. It maintains that as "Original Peoples", Aboriginals were put on the land by "the Creator", who has given them the right of self-governance and self-determination. These rights, according to the Declaration, "cannot be altered or taken away by any other Nation" because they were granted by God.⁸⁷

Claims about aboriginal "nationhood", in fact, are not about self-determination at all, since there is no way for small tribal groupings to become economically viable and politically sovereign. Instead, the use of the term "nations" is a strategy of native organizations to justify obtaining more money from the federal government, regardless of the consequences. This is done in two ways. First, by claiming that aboriginal peoples were historically "sovereign" and "self-governing nations", an appeal is made for the federal government to restore the "economic base" that supposedly existed before contact.⁸⁸ Such initiatives generally involve giving aboriginal peoples more access to, and control over, lands, so that they can become rentiers by obtaining royalties and compensation from resource development. Secondly, the claim that aboriginal peoples were nations historically is then used to justify increased autonomy for aboriginal groups. This requires the development of all sorts of new government structures and processes, which results in more funding being diverted to aboriginal organizations.⁸⁹ As well, arguments are made for the development of "culturally sensitive" standards so as to increase the number of sinecures that can be obtained by powerful members of native communities, even though such reactionary initiatives perpetuate aboriginal dependency and social dysfunction.⁹⁰

As can be seen from the above, aboriginal and Québec claims to nationhood are very different, to the point that native groups cannot even be considered "nations". Québec's struggle is essentially political, and the opposition to it, "keeping Canada together", is a recognition that the separation of Québec will remove the productive contribution it makes to the Canadian federation. The

territorial sovereignty over non- Québécois, thereby supporting ethnic exclusivism. As Whitaker points out, "the Aboriginal question aside, this approach would presumably result in communal separatism, intricate territorial partition, and population transfers involving anglophone and ethnic minorities - a nightmare eerily reminiscent of the catastrophe of the former Yugoslavia". Whitaker, "Quebec's Self-determination...", 212-213.

⁸⁷ Boldt, *Surviving as Indians*, Appendix 16, 323.

⁸⁸ This is an argument that runs through the Final Report of the Royal Commission on Aboriginal Peoples. For examples of this argument see *Final Report* (1), xxiv, 282-5; 2(2), 574, 581, 790; Royal Commission on Aboriginal Peoples, *People to People; Nation to Nation* (Ottawa: Supply and Services, 1996), 12, 35.

⁸⁹ Such a tendency is shown in numerous recommendations of the Royal Commission, where demands for increased "self-government" are followed by an immediate plea for increased funding. See, for example, *Final Report*, 2(2), 245-279 ("Models of Aboriginal Government") and then 2(2), 280-310 ("Financing Aboriginal Government"). In the case of self-government over education see *Final Report*, (3), 444, 454-5, 504, 519; for examples pertaining to health and self-government, see *Final Report* (3), 234, 255-7, 268-9, 289.

⁹⁰ The most significant areas in this regard are educational and health policies. In the case of health, it is maintained that "traditional healers" should have different regulations applied to them and be self-regulating, which means nothing more than the acceptance of quackery. For education, it is argued that aboriginal teachers should not have to acquire the same qualifications as non-aboriginals because these are reflective of an "ethnocentric world view". Both of these "culturally sensitive" policy areas will perpetuate the poor education and ill health that plagues aboriginal communities, as well as dramatically increasing costs, since it is stated that aboriginal peoples want to have a "choice" as to which system they use. For examples of the recommendation of lower standards in these areas see *Final Report* (3), 283-284, 355-357, 461-463, 479, 526-529.

aboriginal population, on the other hand, by consuming far more than it produces, cannot deprive the broader society of anything. The predictable response to this will be that they contribute "land". But land is only valuable when labour is deployed to produce something from the resources it contains, and this production is intricately intertwined with wider economic, political and social structures. Since aboriginal peoples are noticeably absent from the labour force and their communities lack the structures needed to sustain a modern economy, increased aboriginal autonomy requires a constant infusion of funds. Unlike the Québécois, who are not asking for financial support once they separate, aboriginal "self-determination" assumes perpetual dependence on surpluses that are produced by the Canadian working class.

But if Québec nationalism and aboriginal claims to "self-determination" are so different, why is there so much of a consensus that the two are equivalent? Both within and outside Québec, there is virtually no questioning of the characterization of aboriginal groups as "nations" with the same aspirations as the Québécois. In English Canada this can be explained by the fact that "aboriginal nationalism" acts to delegitimize the claims of Québec. The Québécois, on the other hand, appear to be reluctant to analyze aboriginal claims because of the progressive character of Québec nationalism. Québec nationalists are understandably sympathetic towards aboriginal demands because of their own history of oppression. But denying realities does not help anyone, either aboriginal or non-aboriginal. In fact, affirming "aboriginal nationalism" not only provides an impediment to progressive Québécois aspirations; it results in the entrenchment of a reactionary native leadership that uses the rhetoric of "self-determination" to maintain its privileged position.⁹¹

PAWNS IN A CONFUSING CHESS GAME

With the progression of capitalism has come a need for greater economic and political integration to increase economies of scale and improve productivity and competitiveness. For this reason, Québec is essential to the health of the Canadian economy and society, and as a result, there is active opposition to Québec sovereignty within English Canada.⁹² Since the independence movement poses a threat to the economic elite outside Québec (and to some within), it has been strongly opposed by the federal government and many of its provincial allies. This has led to a number of responses from the Canadian state, the most significant of which is to formulate legal obstacles to Québec separatism - a response that is associated with the encouragement of "aboriginal nationalism".

These legal developments have been most visible in the area of constitutional reform. Attempts to reform the constitution began in the late 1960s, but there was ongoing resistance to both the form and content of these negotiations in Québec.⁹³ As the momentum for national independence increased throughout the 1970s with the election of the Parti Québécois in 1976, culminating in an unsuccessful referendum on sovereignty in 1980, constitutional reform became

⁹¹ By tying their legal claims to aboriginal ancestry, the aboriginal leadership provides a distraction from the political problematic that there are large differences in wealth and power between the Chiefs and executives of native "corporations" and the unemployed and impoverished majority of the native population.

⁹² The concern with the costs of separation can be seen in Marcel Côté and David Johnston's, *If Québec Goes: The Real Cost of Separation* (Toronto: Stoddart Books, 1995).

⁹³ For an overview of the history of these negotiations see Roger Gibbins, "Constitutional Politics", in Bickerton and Gagnon (eds), *Canadian Politics*, 268-274; and Alain-G. Gagnon, "Quebec's Constitutional Odyssey", in Bickerton and Gagnon (eds), *Canadian Politics*, 283-291.

the major Canadian response to the Québec question. This resulted in the *Constitution Act of 1982*, which included the entrenchment of a bill of rights, the Canadian Charter of Rights and Freedoms.

Although the patriation of the Constitution has been hailed as an important development in Canadian democracy by numerous individuals, groups and legal practitioners,⁹⁴ it is not seen this way in Québec. Québec, in fact, refused to sign the Constitution since a number of its demands were not met. This resulted in several ill-fated attempts to get Québec to "sign on" and accept the Constitution. As of today, however, no government in Québec has recognized the legitimacy of the *Constitution Act of 1982* as applying in the province.

This opposition is not surprising when one considers that one of the main purposes behind the development of the Constitution was to diffuse Québec nationalism. The constitutional vision developed by the Prime Minister of the time, Pierre Elliot Trudeau, was very much one of a centralized, bilingual nation-state, not the *deux nations* perspective embraced by the Québécois. This constitutional framework, according to the legal scholar Michael Mandel, is part of a larger trend known as the "legalization of politics", where judicial authority is elevated to check the increases in working class power that accompany the extension of the franchise. Therefore, one of the main political objectives of the Charter, Mandel argues,

was to use it to defeat the popular and class-based Québec independence movement. The Charter was intended, under the guise of the protection of human rights, to reduce the constitutional jurisdiction of the province of Québec when the election of a popular nationalist government threatened the interest of the socially powerful English minority and through them their allies in English Canada.⁹⁵

This was because, as was discussed earlier, the English minority was economically powerful in Québec in comparison to the French majority. The English, therefore, used the Charter to preserve their economic power by legally protecting the use of the English language in Québec, which was "well entrenched in the marketplace".⁹⁶

The extent to which the constitution has been used to oppose the aims of the class-based Québec nationalist movement has become even more apparent when the question of the constitutionality of Québec secession was put to the Supreme Court of Canada. Although the PQ government regarded the case as an illegitimate intrusion into Québec's affairs and therefore refused to send lawyers to argue the question, in 1998 the Supreme Court handed down its decision on the matter. It argued that Québec did not have the right to secede unilaterally, but the rest of the country had duty to negotiate with the province if a "clear majority" of Québec's population voted for separation on the basis of an "unambiguous question".⁹⁷ With the patriation of the Constitution, therefore, Québec secession became a legal question involving the federal government and all the provinces, not a political process to be decided exclusively by the Québécois.

⁹⁴ Radha Jhappan, "Charter Politics and the Judiciary", in *Canadian Politics in the 21st Century*, 234-5.

⁹⁵ Michael Mandel, "Sovereignty and the New Constitutionalism", in Drache and Perin (eds), *Negotiating with a Sovereign Quebec*, 217.

⁹⁶ Mandel, "Sovereignty..", 218.

⁹⁷ For a discussion of the Supreme Court's *Reference Case* see Brooks, *Canadian Democracy*, 110-113.

Such developments in the "legalization of politics" have also increased opportunities to use aboriginal groups against Québec nationalism. With this new framework came court decisions, made possible by the conceptions of aboriginal and treaty rights entrenched in the Constitution, maintaining that the Crown has a "fiduciary obligation" to protect the rights of aboriginal peoples. Although "a major departure from the courts' previous interpretation of the responsibilities of the Crown to Aboriginal Peoples", the concept of "fiduciary obligation" is now "well established" and a "fact".⁹⁸ Based upon the "concept of Native, Aboriginal or Indian title" and relations with the federal government created by "history, treaties and legislation", a fiduciary obligation cannot be terminated unilaterally by the Crown, but only "by way of an agreement with Aboriginal Peoples".⁹⁹ As will be illustrated below, the legal concept of "fiduciary obligation" has enabled the Canadian state to develop an additional tie to Québec because federal agreements with Québec's aboriginal groups now can only be terminated with their consent. As a result, negotiating secession is not just a matter to be determined between Québécois, the provinces and the federal government, but also must involve the aboriginal population in Québec.

In addition to the concept of "fiduciary obligation", the ability of Québec to separate is being challenged by the recent legal recognition of "aboriginal nations" and their relationship to the province's territorial boundaries. This argument has been made by the legal scholar Kent McNeil, who claims that the transfer of the northern regions to Québec in 1898 and 1912 by the Crown "rest[s] on shaky foundations" because these areas were not part of Canada at this time.¹⁰⁰ Such transfers, according to McNeil, are legally questionable because they are based on "ethnocentric attitudes which deny aboriginal peoples the status of nations", thereby failing to recognize that these lands were already occupied by "nations with territorial rights" - i.e. the Cree, Innu (Naskapi-Montagnais) and Inuit.¹⁰¹ These assumptions that deny the existence "aboriginal nations", McNeil argues, have been shown to be false and are no longer acceptable in Canadian law. In fact, McNeil informs us that recent court decisions in 1985 and 1990 reject these "notoriously ethnocentric, if not outright racist" views,¹⁰² necessitating the negotiation of a new relationship with aboriginal groups in Québec. He claims that

⁹⁸ Renée Dupuis and Kent McNeil, *Canada's Fiduciary Obligation to Aboriginal Peoples in the Context of Accession to Sovereignty by Quebec - Volume 2, Domestic Dimensions* (Ottawa: Minister of Supply and Services, 1995), 1, 3, 69. This change occurred in 1984 with *Guerin v. R.*, [1984] 2 S.C.R. 335 at 348.

⁹⁹ Dupuis and McNeil, *Canada's Fiduciary Obligation...*, 2.

¹⁰⁰ Kent McNeil, "Aboriginal Nations and Québec's Boundaries: Canada couldn't Give What It Didn't Have", in Drache and Perin (eds), *Negotiating with a Sovereign Quebec*, 109.

¹⁰¹ McNeil, "Aboriginal Nations...", 114, 117.

¹⁰² McNeil, "Aboriginal Nations...", 114-115. This is taken from *Quebec v. Sioui* [1990] 1 S.C.R. 1052-53, a quotation of which is offered by McNeil. As can be seen, however, a reproduction of this quotation below shows that it is contradictory in that it maintains that relations between European colonists and aboriginal groups were "very close" to those with sovereign nations, but then maintains that aboriginal peoples were regarded as "independent nations". In addition to this contradiction, the quotation does not show that aboriginal peoples *were* nations, only that they (almost) were *regarded* as such. The quotation offered by McNeil is as follows:

...we can conclude from the historical documents that both Great Britain and France felt that the Indian nations had sufficient independence and played a large enough role in North America for it to be good policy to maintain relations with them very close to those maintained between sovereign nations.

The mother countries did everything in their power to secure the alliance of each Indian nation and to encourage nations allied with the enemy to change sides. When these efforts met with success, they were incorporated in treaties of alliance or neutrality. This clearly indicates that the Indian nations were

this will have to take place, whether Québec decides to remain in Canada or go its own way. If Québec decides to separate, the matter will become urgent. The terms of separation will have to be negotiated not only with Canada, but also with the aboriginal nations living in the territory Québec claims. The Québécois cannot assert a right to self-determination for themselves and at the same time deny that right to the aboriginal nations, especially where Québec's own claims to jurisdiction rest on shaky foundations such as the 1912 boundary extension. The aboriginal nations may decide to align themselves with Canada, or go with Québec, or set off on their own. If the country disintegrates, the choice must be up to them.¹⁰³

McNeil, in a report co-written with Renée Dupuis, also links this new legal recognition of "aboriginal nationalism" to the "fiduciary obligation" of the federal government. Because of "the fact that Aboriginal peoples were independent, sovereign nations before European colonization of North America", this report argues, the federal government may have a fiduciary obligation to "allow [aboriginal peoples] to exercise some degree of sovereignty or jurisdiction over their own citizens...and territories...",¹⁰⁴ which includes native groups in Québec. This legal reasoning has led Matthew Coon Come to claim that "if Québec unilaterally and illegally separates from Canada, this fact of separation will, in and of itself, constitute...[a] denial of our right to nationality and of our rights as citizens of Canada".¹⁰⁵

One of the most significant determinants of the Crown's "fiduciary obligation" to aboriginal peoples is a land claims settlement in northern Québec,¹⁰⁶ perhaps explaining why the James Bay and Northern Quebec Agreement (1975) was the first "modern treaty" to have been signed in Canada. The most significant part of the James Bay Agreement in this regard is its preamble, which states that "Parliament and the government of Canada recognize and affirm a special responsibility for the Crees and Inuit", which according to McNeil and Dupuis, "suggests that the agreement can be considered a source of a fiduciary obligation for the federal Crown".¹⁰⁷ This means that even if the Québec government agrees to assume all the Canadian government's responsibilities under the James Bay and Northern Quebec Agreement, it will be prevented from doing so if aboriginal groups oppose a newly formed Québec nation-state from taking on this role.

Aboriginal opposition to Québec independence, in fact, was encouraged by the federal government as the Parti Québécois began to mobilize support for a second referendum. During the events leading up to the election of the Parti Québécois in September 1994, the Minister of Indian and Northern Affairs, Ron Irwin, stated that that aboriginal groups would be free to remain in Canada and take their ancestral lands (approximately two-thirds of the province) with

regarded in their relations with the European nations which occupied North America as independent nations.

¹⁰³ McNeil, "Aboriginal nations...", 123.

¹⁰⁴ Dupuis and McNeil, *Canada's Fiduciary Obligation...*, 50. To support this contention about aboriginal peoples being "independent, sovereign nations" before contact, Dupuis and McNeil cite three American legal decisions (*Cherokee Nation v. Georgia*, *Worcester v. Georgia*, and *Connolly v. Woolrich*) and an article by Brian Slattery - "First Nations and the Constitution: A Question of Trust", *Canadian Bar Review* 71(1992). It is not specified how these sources determine that aboriginal peoples are "nations".

¹⁰⁵ Coon Come, quoted in Rhéal Seguin, Ann Gibbon and Graham Fraser, "Quebec Shelves Great Whale Project", *The Globe and Mail*, November 19, 1994, cited in Whitaker, "Quebec's Self-determination..", 210.

¹⁰⁶ Dupuis and McNeil, *Canada's Fiduciary Obligation...*, 6. It is noted that these agreements "could create fiduciary obligations" since presumably this must be determined by the courts.

¹⁰⁷ Dupuis and McNeil, *Canada's Fiduciary Obligation...*, 36-7.

them if Québec separated.¹⁰⁸ Irwin stated that "the natives are really frightened and they want to remain part of Canada...the separatists say they have a right to decide, then why don't the aboriginal people who have been here 20 times as long have the same right?".¹⁰⁹ This led one Canadian newscast to speculate that Québec separation would likely result in a border dispute adjudicated by the United Nations' world court where

it would not be a case of Quebec versus Canada, it will be Quebec versus Aboriginal and [since] they have enormous sympathy in world opinion...they would make a strong argument that they're a nation with clearly defined territory for years. The basic legal issue would become this [-] if the territory of a sovereign Canada is divisible, then why isn't the territory of a sovereign Quebec dividable too.¹¹⁰

After the referendum was defeated by the narrowest of margins in 1995 (49.4% voted in favour of sovereignty association), Irwin became even more assertive in his support for aboriginal rights in the event of Québec secession. In February of 1996, Irwin predicted violence if natives were forced to become part of an independent Québec¹¹¹ and gave the following answer when reporters asked if Ottawa would defend aboriginal groups in the province if Québec attempted to assert its territorial sovereignty: "you've made a basic and faulty assumption that the First Nations' territory is Québec territory...which I don't agree with". Although he was vague about the application of this principle to other provinces,¹¹² Irwin basically put forward Kent McNeil's argument mentioned earlier - that the claim of "aboriginal nations" to Québec territory is rooted in their inherent right to self-government, court decisions, and the fact that Québec's borders had changed in 1898 and 1912.¹¹³ Irwin also asserted that native groups in Québec were not "cattle" to be shunted between countries, and they would create "severe problems, significant problems" if Québec decided to separate.¹¹⁴

¹⁰⁸ Irwin made these comments at a meeting with Native leaders in Quebec City on May 17, 1994. "Natives, land 'can remain'", *The Vancouver Sun*, May 18, 1994, A6.

¹⁰⁹ "Border clash: the war of words over Quebec's territory heralds a nasty fight over Canada's future", *Maclean's* (Toronto Edition), 107 (May 30, 1994), 10-12. Similar comments were made on television by Irwin ("What happens to natives in Quebec if Quebec separates?", *Question Period – CTV Television*, Transcripts, May 22, 1994) and Anne McLellan ("Irwin says Quebec Natives can stay in Canada", *Prime Time News – CBC Television*, Transcripts, May 17, 1994).

¹¹⁰ Craig Oliver, "Quebec says it can't be carved up", *CTV National News*, Transcripts, May 18, 1994.

¹¹¹ "Yes to sovereignty could mean yes to force against Natives", *Canadian Press Newswire*, February 9, 1996.

Irwin's comments followed a violent uprising at Kahnawake following the signing of a police agreement with provincial authorities. After the uprising, a letter by Kahnawake Chief Joe Norton was sent to Lucien Bouchard warning of the risk of confrontation between Mohawks and the government if Quebec became independent. "Politicians start wars. People fight them. The choice is yours... We're going to have to, somewhere down the road, clash and face the real issue. I don't know if Quebec is ready for that".

¹¹² Irwin's comments, in fact, were contested by Andrew Petter, the NDP British Columbia cabinet minister responsible for constitutional affairs at the time, who stated that Irwin's comments were "ill-considered, shoot-from-the-hip, unsupported in law." According to Petter, "reserve lands are part of B.C. To say they're not is incorrect. It's not a statement that I would accept or that the B.C. government would accept". He went on to state that while "it's true that there are certain immunities around Indian lands and institutions" and "the federal government may have more jurisdiction", this "doesn't mean that they're not part of the province of B.C." and provincial laws still apply to these lands and institutions. Irwin's comments, therefore, in Petter's view, reflected a "gross overstatement" and didn't "help provide any reassurance that the federal government has its act together." Barbara Yaffe, "Experts divided over jurisdiction of native reserve", *CanWest News*, February 14, 1996.

¹¹³ Bob Cox, "Irwin says native territory not Quebec territory", *Canadian Press Newswire*, February 13, 1996. Although first put forward by Kent McNeil, this argument is also supported by McGill University constitutional law professor Stephen Scott ("A separate, smaller Quebec", *Western Report*, June 6, 1994), UBC Law Professor Doug Sanders and UBC Political Science Professors Paul Tennant and Philip Resnick. For a discussion of their views see Barbara Yaffe, "Experts divided over jurisdiction of native reserve", *CanWest News*, February 14, 1996.

¹¹⁴ Robert Lecker, "The Writing's on the Wall", *Saturday Night*, 111 (July/August 1996).

The creation of an additional "fiduciary obligation" has also recently occurred with the initiation of another land claims agreement with four Québec Innu communities in June 2002. This agreement, however, has been opposed by two prominent figures in the separatist movement. The initial challenge came from Ghislain Lebel, a member of the Bloc Québécois, who resigned from the party because he maintained that the agreement would lead to land claims that would reduce Québec territory "to the size of a postage stamp".¹¹⁵ This was followed by criticisms from Jacques Parizeau, the former leader of the PQ, in an article in *La Presse* on August 28, 2002, where he maintained that the agreement would "reduce the power of an independent Québec to control all its territory".¹¹⁶ Parizeau argued this was because the agreement stated that it could not be amended without the "unanimous consent" of the parties that signed it, which included the federal government.¹¹⁷ In addition, Parizeau pointed out that the agreement mentioned its principles were based on those in the Canadian Constitution, legitimizing the application of a legal document in Québec that it had never ratified.¹¹⁸ As a result, Parizeau recommended that the deal be delayed until its implications had been studied further.

The Québec government's negotiator of the agreement, Louis Bernard, however, criticized Parizeau for perceiving aboriginal groups as enemies of sovereignty. Bernard argued that "[Parizeau] wants the Indians to renounce their rights, to abandon their rights, and they will not do that".¹¹⁹ Bernard also published a response in *La Presse* asserting that Parizeau risked "derailing conciliation attempts" with the Innu.¹²⁰ Native Affairs Minister Remy Trudel, however, agreed that Parizeau had raised legitimate questions that "deserve[d] clear, transparent and complete answers". Although Trudel stated that Parliamentary hearings would be held to discuss the deal, he opposed delaying negotiations with the Innu since the process constituted part of Québec's attempts to cooperate with aboriginal groups in northern development. "The Québec nation is now cited internationally as exemplary in its relations [with aboriginals]", Trudel explained. "We chose the path of agreement rather than confrontation".¹²¹

This view, however, indicates an extraordinarily naïve conception of the motivations of aboriginal organizations, and how native leaders are being used by the Canadian state vis-à-vis Québec. Proceeding on this course of recognizing "aboriginal nationalism" and native "rights to self-determination" will drag Québec nationalists deeper and deeper into a legal quagmire that will have negative consequences for all people in Québec. This is because assumptions about "aboriginal nationalism", upon which land claims and self-government are based, have been used to stymie Québec's progressive nationalist movement.

"Aboriginal nationalism" has been accepted in Québec since 1985, when Québec's legislature recognized that there were 10 (soon to be 11) native "nations" in the province and that they had

¹¹⁵ "Bloc loses seat as Lebel bolts caucus over PQ deal with Quebec Natives", CP Newswire, August 15, 2002; See also, Alexander Panetta, "Ex-Premier Parizeau once again hammers PQ approach to sovereignty", *CP Newswire*, August 28, 2002.

¹¹⁶ "Quebec negotiator defends Innu deal against attacks from Parizeau", Canadian Press Newswire, August 29, 2002; "Parizeau assails PQ deal over deal with Natives", *The Globe and Mail*, August 29, 2002, A1; "Stir it up", *Maclean's*, 115 (September 9, 2002); Alexander Panetta, "Ex-Premier Parizeau...", August 28, 2002.

¹¹⁷ "Quebec negotiator...", *CP Newswire*, August 29, 2002.

¹¹⁸ Panetta, "Ex-Premier Parizeau...", August 28, 2002.

¹¹⁹ "Quebec negotiator defends Innu deal...", *CP Newswire*, August 29, 2002.

¹²⁰ "Quebec negotiator defends Innu deal...", *CP Newswire*, August 29, 2002.

¹²¹ Panetta, "Ex-Premier Parizeau...", August 28, 2002.

the right to self-determination.¹²² This sentiment has been continuously expressed, even when aboriginal leaders and political commentators were openly opposing Québec nationalism,¹²³ often in very disparaging terms.¹²⁴ The only stipulation nationalists have made with respect to aboriginal aspirations is that aboriginal claims must be made within the context of maintaining the territorial integrity of Québec.¹²⁵ David Cliche, the PQ Advisor on Native Affairs, for example, affirmed aboriginal peoples' right to self-determination but argued "that the territory of a new Québec, a state of Québec would be the territory of the Province of Québec now". He went on to state that "the rights, existing rights, [the] treaty's of Native nations in Québec will be fully respected by Québec government of a sovereign Québec. And the constitution rights found in the Canadian constitution would also have to be found in a new constitution of a new country. So there is no intention on our side that the sovereignty of Québec would prejudice the Native rights in Québec, that is clear".¹²⁶

But aboriginal groups in Québec have the same characteristics as others in Canada - i.e. they are small and isolated groups organized according to kinship that have not developed an economic base or a state apparatus to manage it - and therefore it was a serious error for the Québec government to recognize them as "nations". The dependent character of these "nations" also means that their leadership is reliant on government funding, leading it to be easily manipulated by outside interests. It is these interests, in fact, that have led to aboriginal leaders' insistence that native groups are "nations" with a right to keep their Québec "homelands" in Canada if they choose. By offering bribes to the aboriginal leadership to stay in Canada, the Canadian state can then stand back and say that aboriginal peoples want to maintain their "fiduciary relationship" with the federal government. Aboriginal leaders have even stated that they will appeal to the federal government to bring in the troops to protect their interests if the province separates,¹²⁷

¹²² Originally only 10 nations were recognized - the Abenaki, Algonquin, Attikamek, Cree, Huron, Micmac, Mohawk, Montagnais, Naskapi and Inuit, but the Malecite were added to the list in 1987. *Canada, Adieu?*, 181. See also, Louis Balthazar, "Within the Black Box: reflections from a French Quebec Vantage Point", *The American Review of Canadian Studies*, 25 (Winter 1995), for a discussion of this resolution.

¹²³ One aboriginal leader, Ovide Mercredi, even denied that the Québécois were a people. "Quebec natives grab spotlight", *Canadian Press Newswire*, September 2, 1994.

¹²⁴ See, for example, comments by Billie Two Rivers, a Mohawk Councillor ("A separate, smaller Quebec", *Western Report*, June 6, 1994 and "What happens to natives in Quebec if Quebec separates?", *Question Period - CTV Television*, Transcripts, May 22, 1994) and Gilbert Oskaboose, a columnist for *First Perspective* ("Native writer refuses to retract attack on separatists", *Canadian Press Newswire*, June 29, 1995).

¹²⁵ See also Adelman, "Quebec: The Morality of Secession", 187-8, for a discussion of this point. This stipulation was also put forward in Quebec's sovereignty bill in 1994. For a description of this bill, see Whitaker, "Quebec's self-determination...", 211-212.

¹²⁶ "What happens to natives...", CTV Question Period, May 22, 1994. This was also the view of Jacques Parizeau, which was expressed in what would have been his speech if the sovereigntists had won. He argued in this speech that "the 65,000 native people grouped into 11 nations in Quebec, whose existence as distinct nations we have recognized for 10 years now, should also know that we intend to respect their existing rights and ensure that with us they will enjoy a level of self-government equal to or better than that of any First Nation on the continent. The new Quebec constitution will enshrine their rights and they cannot be changed without their consent. "Translation of Parizeau's victory speech if Yes side had won", *Canadian Press Newswire*, February 21, 1996.

¹²⁷ "A smaller, separate Quebec", *Western Report*, June 6, 1994; Lecker, "The writing's on the wall", *Saturday Night* 111(July/August 1996); "What happens to Natives...", *Question Period - CTV News*, Transcript, May 22, 1994; "Quebec natives upset at Brassard's comments", *Canadian Press Newswire*, February 14, 1996.

justifying a military presence in Québec that would be otherwise opposed and condemned internationally.¹²⁸ As Reg Whitaker warns,

use of the Aborigines [in the context of assertions about partition following Quebec independence] is in some cases little more than cynical manipulation to deny Quebec a right in practice that can no longer be denied in theory. Indeed, the Aboriginal peoples of Quebec have already assumed a role as a bargaining chip for federalists against the sovereignty project, even as it is being mounted. This is a very dangerous game.¹²⁹

The need for the Canadian state to cultivate the favour of aboriginal groups in Québec has also given aboriginal organizations in the province more leverage in their relations with governments than others in Canada. As threats of separation increase, so does the capacity of aboriginal organizations to extract compensation. Aboriginal organizations in Québec, in fact, sit in an enviable position. Like a custody battle in an acrimonious divorce, they can side with whoever ponies up the most cash.¹³⁰ Such an orientation was evident in a CBC News segment, where Ghislain Picard, Chief of Québec's First Nations, said "Quebec's particular situation presents us with an excellent opportunity". This statement was interpreted by CBC journalist Tom Kennedy as follows:

Quebec's native people lay claim to huge swaths of territory throughout the province -- 'Ours,' they say, 'to dispose of as we see fit.' And with the referendum debate coming, they anticipate that both the federalist and the sovereignist sides, each trying to strengthen its position, will be lobbying them for support. They believe the timing to push land claims, constitutional concessions, self-government -- it may never be better....¹³¹

Aboriginal opposition to Québec sovereignty, therefore, is not a principled movement striving for self-determination, but an attempt to extract money from governments. This is shown by the constant assertions of aboriginal groups that, on the one hand, land claims agreements were signed "under duress", but then, on the other, they want to maintain the "fiduciary relationship" that these settlements supposedly stipulate.¹³² It is also indicated by the fact that the aboriginal leadership's preoccupation during the referendum campaign was with being given a "choice" about whether or not they will remain in Canada, rather than making specific political demands.¹³³ Matthew Coon Come even stated that the native decision to side with Canada or Québec was not the point since "what we want acknowledged beforehand, is our right to choose to maintain and develop our status in Canada or to choose if we wish to head down the rapids in a canoe with Quebec". For Coon Come, "the issue is not whether a new republic of Quebec will treat us well after separation", hinting that the Crees might "choose" to stay in Canada if the

¹²⁸ This military scenario is hypothesized by Whitaker, "Quebec's Self-determination...", 215, the culmination of which is civil war and an invasion of Canada by the United States.

¹²⁹ Whitaker, "Quebec self-determination...", 216.

¹³⁰ Ovide Mercredi, for example, recognized that "the First Nations in Quebec have a lot of power in relation to the future of Canada. "What happens to Natives ...", *Question Period - CTV News*, May 22, 1994.

¹³¹ "Native Attack", *Prime Time News - CBC Television*, Transcripts, December 13, 1994.

¹³² Barry Came, "Fighting for the land", *Macleans*, 108(February 27, 1995); "What happens to Natives ...", *Question Period - CTV Television*, May 22, 1994.

¹³³ As Ovide Mercredi puts it: "no one can make our choices for us. That's what self-determination means". "Irwin says Quebec Natives can stay in Canada", *Prime Time News - CBC Television*, Transcripts, May 17, 1994. This sentiment was echoed by Ghislain Picard in response to Quebec's assertion that it would take over the role of the federal government. He stated "as First Nations we don't feel that we can just be shuffled around, where a separate Quebec would inherit the responsibility for First Nations". "What happens to Natives...", *Question Period - CTV News*, Transcripts, May 22, 1994.

federal government spoke up on aboriginal rights. If it didn't do this, Coon Come blustered, the federal government might be "throwing away . . . an opportunity which . . . could help keep Canada together".¹³⁴ A similar view was put forward by Huron Chief Konrad Sioui, who remarked that "we've now been placed in the position of helping Canada... We're going to help hold this country together. And we're not going to do it because we're for English Canada or because we're against French Canada. We're going to do in order to help ourselves."¹³⁵

This opportunistic approach meant that at the same time aboriginal organizations courted the federal government, they also made overtures to the PQ. Although a number of aboriginal groups held referenda of their own where they voted overwhelmingly against separation,¹³⁶ aboriginal leaders indicated that their "consent" might be forthcoming if the Québec government sweetened the pot. Ghislain Picard, for example, stated that Québec chiefs wanted to keep their "options open" regarding "future negotiations" with Québec and the federal government.¹³⁷ Matthew Coon Come also stated that while the Crees were more comfortable remaining in a federal state, he was not in either the "federal camp" or the "separatist camp", but in the "Cree camp". As Coon Come put it: "I'm here to protect the rights and interests of my people no matter what happens in Quebec."¹³⁸

Although the Québec government has responded to these overtures by proposing more land claims and self-government agreements,¹³⁹ no matter how hard the province tries to appease aboriginal groups it will not convince native leaders to become supporters of Québec independence. This is because the aboriginal leadership is a front for an industry that is not concerned with progressive social outcomes, but with maintaining leverage to continuously extract money from governments. The result has been increasing frustration for the Québec government, which has been one of the most diligent in attempting to cultivate improved relations with aboriginal groups. As one commentator in Québec points out,

in spite of recent well publicized conflicts with Cree and Mohawks, Quebec has had, among all Canadian provinces, the best record in dealing with the Aborigines. The large Metis population of Canada has grown from rapport between Indians and French Canadians. It is in Quebec that the natives enjoy rights over the largest territories, that they are more likely to speak their languages, and where they relate best with the population... it is amazing that Quebec is often perceived as the most hostile to these claims and a sovereign Quebec is seen by a majority among Natives as more threatening than Canada. Obviously, much has to be done both to correct this perception and to reach acceptable agreements in the framework of a

¹³⁴ "Ottawa should speak up on Natives and independent Quebec", *Canadian Press Newswire*, March 13, 1995.

¹³⁵ "Border clash: the war of words over Quebec's territory heralds a nasty fight over Canada's future", *Maclean's* (Toronto Edition), 107(May 30, 1994), 10-12.

¹³⁶ These referenda were held by the Crees, Inuit and the Montagnais just before the Quebec Referendum in October 1995, whereby over 95 percent of native population voted against sovereignty. Most significant was the vote of the French-speaking Montagnais who voted 99 percent against. As Robert M. Gill explains, "Native lands account for well over half of the Quebec territory. Undoubtedly, the actions of the native groups would have been a significant complicating factor in the aftermath of a Yes victory" since "leaders of the Yes and No campaigns were unanimous in their assertions that regardless of the outcome of the provincial Referendum, Quebec's territory is indivisible and inviolable". Robert M. Gill, "The 1995 Referendum: A Quebec Perspective", *The American Review of Canadian Studies*, 25(Winter 1995) For a discussion of the Montagnais results see Aaron Derfel, "Montagnais Reject Quebec Independence," *Montreal Gazette*, 28 October 1995, A9

¹³⁷ "Natives tied to separate Quebec, new report says", *Canadian Press Newswire*, July 30, 1995.

¹³⁸ Barry Came, "Fighting for the land", *Maclean's*, 108(February 27, 1995).

¹³⁹ "Quebec to woo natives with major land claims offer", *Canadian Press Newswire*, December 14, 1994.

1985 declaration of the National Assembly recognizing the aboriginal nations of Quebec and their right to self-determination.¹⁴⁰

What is not understood is that such a conciliatory framework will never be embraced when conflict and hostility are seen as an opportunity to make demands for additional funds.

Whatever one's political views on the ethics of Québec independence in relation to aboriginal groups, however, the nationality of the Québécois cannot be denied. Québec, unlike any of the 600 plus aboriginal "First Nations" now in existence, has the *ability* to separate from Canada if it so chooses. References to having "been here 20 times as long", "inherent rights to self-determination" and other legalistic or religious arguments obscure this fundamental difference between the claims of Québec and Aboriginals. Québec has a viable economy, a distinct territory, and a state to manage it. It is also clear that achieving statehood is an aspiration of many Québécois. A separate Québec state, in fact could be brought into existence relatively easily if the rest of Canada agreed to its formation,¹⁴¹ in contrast to aboriginal groups, who are incapable of "set[ting] off on their own". This is why legal ploys, such as the fabrication of "aboriginal nationalism", have become so necessary to keep Québec in Canada.

Although the consequences of recognizing aboriginal "nationhood" are bound to increase tensions between aboriginal groups and the Québécois, as is already happening in the case of the agreement with the Innu,¹⁴² it is also important to stress that encouraging native "self-determination" will have negative consequences for aboriginal peoples themselves. This is because granting aboriginal autonomy and providing native groups with compensation acts to maintain native tribalism, preventing aboriginal peoples from developing a wider, more species-oriented consciousness. Aboriginal groups, unlike the Québécois, were not integrated into the economic and political developments that occurred in Canada and throughout the world, and consequently they remain smaller, less productive and more simply organized than modern nation-states. Preserving aboriginal traditions, therefore, acts to maintain native dependency and social dysfunction - a circumstance that is not understood because of the "identity politics" framework that currently dominates all analysis of aboriginal affairs.

COMING TO TERMS WITH TRIBALISM

Although the Canadian state's promotion of "aboriginal nationalism" in the province of Québec is hardly surprising, what is more perplexing and disturbing is the extent to which left-wing politicians and political scientists in English Canada have unquestioningly supported the reactionary demands of aboriginal organizations while disputing the progressive aspirations of Québec sovereigntists. The English Canadian Left supported Québec self-determination in the

¹⁴⁰ Louis Balthazar, "Within the Black Box: reflections from a French Quebec Vantage Point", *The American Review of Canadian Studies*, 25 (Winter 1995). Reg Whitaker makes the more qualified statement that "it is extremely unlikely that a sovereign Quebec would be illiberal, or less liberal than the rest of Canada, toward its linguistic and cultural minorities". Whitaker, "Quebec's Self-determination...", 211

¹⁴¹ Reg Whitaker, for example, notes that "while [Quebec's state structures] exist within a framework of provincial status in the federation, they could all with relative ease be transformed into the attributes of national sovereignty outside the federation". Whitaker, "Quebec's Self-determination...", 209.

¹⁴² "Proposed land deal with Innu causing problems in corner of Quebec", *The National - CBC Television*, Transcripts, November 8, 2002.

1960s and 70s,¹⁴³ but this solidarity has gradually waned with the political popularity of "aboriginal nationalism". Because "aboriginal nationalism" has been encouraged so as to frustrate Québec independence, the Left is faced with contradictory demands for its endorsement.

The increasing prominence of the "identity politics" framework among left-wing political scientists, however, has prevented this contradiction from being understood. As a result, articles generally focus on trying to "reconcile" the two "identity claims". But this "reconciliation" generally involves suggesting that "aboriginal nations" deserve more recognition and that Québec nationalists should be "listening to aboriginal voices".¹⁴⁴ Reg Whitaker, for example, maintains that "Aboriginal people clearly have much stronger claims than the Québécois" to self-determination because aboriginal capacities to express their national identities have been diminished by colonial control over their affairs. Consequently, "Aboriginal communities lack the basic instruments of self-government, both political and economic, that already rest in the hands of the government of Quebec...".¹⁴⁵ Whitaker argues that while both Québécois and Aboriginal demands for self-determination are legitimate, "to rank Quebec claims higher would be to assert that states, or potential states, are privileged over peoples. If Aboriginal peoples cannot, for practical reasons, look to independent national statehood as a viable option, this consideration does not in any way weaken the strength of the claim to self-determination" and "may even enhance it".¹⁴⁶

Whitaker's arguments, and all others trying to reconcile aboriginal and Québec claims, however, are based upon the erroneous assumption that aboriginal peoples are nations. Instead of understanding that national aspirations have arisen out of the specific historical and material circumstances associated with capitalism, where a collectivity comes to be organized according to property and territory and aspires to statehood, the adoption of the "identity politics" framework results in nebulous arguments where any collective "identity" can assert claims to nationhood if it sees itself as "distinct" from other groups.¹⁴⁷ Because aboriginal peoples are organized according to kinship and incapable of forming a viable nation-state(s), in fact, the only characteristic that distinguishes them from other ethnic minorities, besides the fact that they are tribal, is that they believe themselves to be nations.¹⁴⁸ But fact and belief often differ, resulting in the paradoxical claim that aboriginal peoples have rights to "self-determination" even though they don't have the capacity to realize it.

¹⁴³ See, for example, Sheilagh Hodgins Milner and Henry Milner, *The Decolonization of Quebec* (Toronto: McClelland & Stewart, 1973); and Susan Mann Trofimenkoff, *The Dream of Nation* (Toronto: Gage Publishing, 1983).

¹⁴⁴ See, for example, Whitaker, "Sovereignties Old and New", 94; *Canada, Adieu?*, 180; Salée, "Identities in Conflict", 302.

¹⁴⁵ Whitaker, "Quebec's Self-determination...", 205-6.

¹⁴⁶ Whitaker, "Quebec's Self-determination...", 206-7.

¹⁴⁷ Whitaker, for example, maintains that aboriginal peoples "constitute separate national communities in the cultural, linguistic, and sociological sense in which one 'people' is distinguished from another", and that they "clearly answer much more plainly and unambiguously to the criteria that I suggested above for a credible basis for the right to national self-determination". Earlier, however, one of the criterion that Whitaker puts forward is that "a people has developed clear self-consciousness of itself as a distinct nation (and could potentially form a viable nation-state)". A footnote is then provided, stating that "this qualification is obviously contentious, and might be taken to exclude the claims of Aboriginal peoples in Canada...However, Aboriginal claims are qualitatively different in that they appear to focus on forms of self-government that fall short of complete independence in the sense of nation-statehood..." note 3, p.219. Whitaker, "Quebec's Self-determination...", 206, 198, 219 (note 3).

¹⁴⁸ This seems to be the criteria used by Kymlicka in "Citizenship and Identity in Canada", 22.

The current failure of the Left to distinguish between tribalism and nationalism, however, and the resulting promotion of aboriginal "nationhood", has serious consequences for aboriginal peoples today. This is because, as was mentioned earlier, tribalism is quantitatively and qualitatively different from nationalism, which makes it difficult to accommodate in nations like Canada and Québec. The small scale, simple organization and unproductive character of aboriginal communities means that they are parasitical on the nation-state in which they are embedded, and their kinship forms of organization and unscientific "world views" make them unable to become participants in human struggles today. Furthermore, the undeveloped character of tribal societies in the modern context means that aboriginal peoples' transition to modernity cannot simply be made by increasing funding to aboriginal organizations and giving them "self-government". This just results in funding being distributed through kinship networks, exacerbating inequalities between kinship groups.¹⁴⁹ In addition, increasing funding does not necessarily result in indigenous economic, political and intellectual development; unless aboriginal peoples are able to make a meaningful contribution to the wider society by producing as much as they consume, increased government transfers will only result in more trucks, drugs and gambling in native communities - exacerbating the social dysfunction that already exists in alarming proportions.¹⁵⁰

These problems with the perpetuation of tribalism in the modern context, however, are completely ignored in the political science literature. This is not because these problems do not exist; it is the result of the political climate in which aboriginal issues are currently studied. In this climate, the identification of the less developed character of certain aboriginal cultural features results in accusations of racism and colonialism, and it is assumed that one is attempting to justify the terrible treatment aboriginal peoples have historically received.¹⁵¹ This, of course, leads to a focus on the integrity of the political scientist making the argument, rather than the substance of their ideas.

What is studiously avoided, however, is that the difficulties that aboriginal peoples continue to experience in participating in the wider Canadian society are due to cultural, not racial, features. "Culture" refers to the collection of extrasomatic or learned attributes that are determined by the material conditions of existence, not innate or genetic characteristics.¹⁵² This means that with the

¹⁴⁹ Such a circumstance, in fact, has resulted in massive corruption in aboriginal communities across the country, only a fraction of which is made public because of the tendency to support aboriginal leaders and let aboriginal peoples "control their own affairs". See, for example, Brian Laghi, "Natives face strict code in tougher Indian Act", *The Globe and Mail*, A1, A7; Sue Bailey, "Chiefs struggle with calls for accountability", *The Toronto Star*, March 6, 2000, A6; Nahlah Ayed, "Self-government a mess, native coalition testifies", *The Toronto Star*, March 3, 1999, A5; and "Allegations of Corruption on Reserves Cast Shadow on Aboriginal Meeting", *CP Newswire*, September 3, 1997.

¹⁵⁰ For a discussion of the extensive social problems in aboriginal communities see *Final Report* (3), 54-6, 107-165.

¹⁵¹ This can be seen in the Royal Commission's castigation of theories that assume that cultures have progressed throughout history. The Royal Commission concedes that "separate social, cultural and political evolution" did occur within aboriginal and non-aboriginal societies before contact, but it tends to aggressively dismiss more general theories that assume the "evolutionary development of human beings from lesser to greater states of civilization". *Final Report* (1), 188. This is because these theories, according to the Royal Commission, are inherently "racist", "ethnocentric", "intolerant", "contemptuous", "self-serving", "unflattering", and "demeaning". *Final Report* (1), 260, 600-601, 695

¹⁵² For a discussion of the learned character of culture, see V. Gordon Childe, *Social Evolution* (London: Watts & Co, 1951), 20-36; Fried, *The Evolution of Political Society*, 5-9, 32; Harding et al., *Evolution and Culture*, 8-9; White, *The Evolution of Culture*, 3-32. A number of anthropologists maintain that culture is unique to humans and came into existence "when the ability to symbol had been developed and become capable of expression". This

appropriate socialization processes, all aboriginal peoples have the capacity to develop and become full participants in modern life. Envisioning aboriginal culture as being tied to race, however, has made it difficult for political economists to apply the same materialist logic to the circumstances of aboriginal peoples as they do when they analyze global economic and political processes. Fearing accusations of "racism", "colonialism" or "arrogance", they remain silent in discussions about aboriginal peoples; consequently, it is now common to hear the erroneous argument that because aboriginal cultural identity is "in the blood", native traditions will be retained even when the historical and material circumstances from which they arose no longer exist.

What is needed to solve aboriginal problems, in fact, is not the artificial creation and support of "aboriginal nationhood", which will never exist in reality, but a strategy to enable aboriginal peoples to bridge the gap between their tribal traditions and the highly productive/cooperative labour, urbanization and scientific understanding required today. This will enable aboriginal peoples to acquire the skills and values to become equal participants in either the Québec or Canadian nations, and to gradually leave the isolated and dysfunctional enclaves where they are currently warehoused. Such a process should be completely voluntary and might even take a number of generations. This, however, is different from artificially preserving welfare dependent kinship groupings and even attempting to "build" economies and "nations" in areas that can never become viable.

The Québec nation, in fact, is the jurisdiction that currently offers the most hope for aboriginal peoples. This is because the nationalist movement is to the Left of the Canadian nation-state, and thus is best positioned to offer the kinds of transitional programs that are so desperately needed by the native population. The Québécois went from a feudal backwater to a nation that is more secular, egalitarian and progressive than English Canada, in a very short period of time. With sensitivity and targeted programs, similar successes could be achieved with respect to the native population. This, however, can only occur when the Québécois realize that aboriginal peoples are not "nations" seeking "self-determination" like themselves, but tribal groupings being used as pawns to thwart Québec independence. The English Canadian Left should also support the aspirations of Québec nationalists and encourage the development of policies that will help aboriginal peoples to overcome their tribalism, rather than promoting reactionary initiatives that are maintaining aboriginal dependency and resulting in widespread social conflict.

"ability to symbol" concerns man's capacity "to bestow meaning upon a thing or event, and, correspondingly, the ability to grasp and appreciate such meaning". ¹⁵² White, *The Evolution of Culture*, 3