Indigenous People and Québec Identity: Revelations from the 2007 Bouchard-Taylor Commission on Reasonable Accommodation

by

Laura M. Schaefli

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Abstract

Many Indigenous leaders and public figures, as well as scholars of Indigenous culture and history, assert that non-Indigenous ignorance of Indigenous realities has systematically disadvantaged Indigenous peoples in Canada, weakened Canadian society, and makes it impossible to address the conditions of life for Indigenous people in Canada in a sustained or coherent way. Additionally, for many scholars silence and unawareness are deeply linked to colonialism and are implicated in the maintenance of unequal social relations. Drawing from this literature, I contend that in Canada, silence around Indigenous peoples and issues works as a spatial tactic of exclusion. I argue that unawareness is bound up in interests that work to render Indigenous peoples absent from the concerns of modern Canada, and that these interests are deeply intertwined with national and provincial identities such that silences around Indigenous peoples and issues are expressed differently in each Canadian province and territory. This thesis explores the nature of public unawareness of Indigenous realities in Québec. Using the remarkable public voice resource generated by the 2007 Reasonable Accommodation Commission in Québec, a public inquiry into Québec citizens’ opinions about the nature of Québec identity and its relationship to the integration of minorities in the province, I analyze the Commission’s mandate and geographical movements, as well as over 750 written briefs submitted to the Commission. I argue that unawareness of Indigenous realities is widespread in Québec and is unconstrained by participants’ social positions, interests, arguments, or level of engagement with the question of indigeneity in Québec. Though the Commission worked to exclude Indigenous content (and perhaps peoples) from its activities from the outset, eight Indigenous leaders submitted briefs and spoke powerfully and critically of the Commission’s
exclusion. These authors point out that the question of Indigenous rights is far from settled, that the Commission’s and Quebecers’ unawareness of Indigenous realities is complicit in a long history of exclusion in Québec and in Canada, and assert that Quebecers will not be able to address their anxiety around immigration in any meaningful or coherent way until Indigenous rights are respected. In my focus on the Reasonable Accommodation Commission, I suggest the particular nature of exclusion in Québec. While exclusion of Indigenous peoples is a Canadian universal, its flavour varies. In this case, the provincial jurisdiction is important.
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Introduction, Literature Review and Methodology

“All happy families are alike; each unhappy family is unhappy in its own way.”
- Leo Tolstoy, Anna Karenina

Oppression takes many forms. Effective forms of oppression lack overt violence and are insidious, widespread and inexpensive, making resistance difficult. Consignment to oblivion is the most fundamental form of insidious oppression and silence, through cultivation of popular ignorance, is its best ally. For many colonial and post-colonial theorists there is a strong relationship between unawareness and colonialism: colonial power is sustained through wilful and pervasive ignorance of the rights and interests of subject peoples in favour of those of the colonial classes (de Sousa Santos 1999, Bhabha 1994, Said 1973; Said 1993, Spivak 1988). Other theorists have pointed out how colonially-inspired unawareness continues to inform our thinking, from our perceptions of time (Fabian 1983), to what seems in and out of place (Cresswell 1996, Agamben 2005, Gregory 2006, Hyndman and Mountz 2008), to what seems of central and of marginal importance to the everyday (Lefebvre 1971), to the more specialized realms of science (Godlewska and Smith 1994), anthropology (Trigger 1985; 1989, Washburn and Trigger 1996), medicine (Cunningham and Andrews 1997, Anderson 2006) and law (Asch 2002, Borrows 1997, Mertz 1988). Unawareness was deeply linked to issues of class, race, and gender in the colonial era and remains so in the world formed by colonialism (Sullivan and Tuana 2007). Most theorists agree that the first and most challenging step in changing unawareness is its recognition.

In Canada, many Indigenous leaders and public figures, as well as scholars of Indigenous culture and history, assert that non-Indigenous ignorance of Indigenous realities has

In this thesis I argue that exclusion of Indigenous peoples in Canada is sustained by silence born of public unawareness of the historical geography of Canadian colonialism.

1 I use the term ‘Indigenous peoples’ in lieu of ‘Aboriginal peoples’ as an umbrella term to describe the original inhabitants of North America. I am reluctant to use the term ‘Aboriginal peoples’ as it thrusts yet another externally framed and validated collective term on the original occupants of this territory, and has been criticized as such by many Indigenous people. Wherever possible, I refer to Indigenous people by their nation as it is spelled in English today (Cree, Huron-Wendat, Innu, Algonquin, and so on). The term ‘Indian’ is occasionally used in this thesis in the context of status. When speaking of government documents and policies that pertain to Indigenous peoples, and in the context of rights, I use the term ‘Aboriginal’ in keeping with the language used in federal and provincial publications, legislation, and law. I also use two forms of the word ‘indigeneity’ in this thesis. The first is not capitalized and refers to the general quality of being indigenous (e.g. Person X makes an argument for the indigeneity of French-Canadian Quebecers to Québec). The second is capitalized and refers specifically to the indigeneity of Indigenous peoples (e.g. Person Y assumes that Indigeneity is only found on reserves).
Geographers have paid much attention to spatial tactics of exclusion, from what seems in and out of place (Cresswell 1996) to the geographies of power expressed in maps and cartography (Blomley 2003, Godlewska 1995, Harley 1988, Sparke 1998), colonial logics of social control (Hannah 1993, 1997, Harris 2002), public and private space (Low and Smith 2006, Mitchell 1995), practices of detention and imprisonment (Gregory 2006, Hyndman and Mountz 2008, Martin and Mitchelson 2008, Mountz 2011) and the discipline of geography itself (Desbiens 2006, Godlewska and Smith 1994, Lacoste 1976, Rivard 2006). However amongst geographers silence as a spatial tactic of exclusion remains substantially under theorized (for notable exceptions see Godlewska, Bednasek and Moore 2010, Grundy-Warr and Sidaway 2006, Kobayashi and Peake 2000, Nairn 1997). Many scholars from across the disciplines recognize that silences are not neutral or incidental but deeply implicated in the maintenance of unequal social relations (Clair 1998, Crenshaw 1997, Freire 1970, 1995, 2004, Harley 1988, MacDougall 1998, Montoya 2000, Sheriff 2000, Sullivan and Tuana 2007). I argue that in the determination of what is important and unimportant to know, strategies of exclusion are discernible. I work to analyze how silence around Indigenous peoples and issues is bound up in interests that work to render Indigenous peoples absent from the concerns of modern Canada. I contend that these interests are deeply intertwined with national and provincial identities and that silences around Indigenous peoples and issues are expressed differently in each Canadian province and territory. I focus on Québec in the first instance because of the long history of engagement between Indigenous people and French-Canadian Quebecers, but also because discussion around the nature of identity and belonging is taking place in Québec in ways not evident in other Canadian provinces.² I position myself not as an Ontario critic of Québec, nor as an expert on Indigenous

²I use the term ‘French-Canadian Quebecers’ to refer to French colonists who settled in what is now Québec prior to British Conquest in 1760 and their descendants.
cultures and histories, but as a non-Canadian, geographically sensitive critic of Canadian culture informed by Indigenous people and theorizing. As suggested by the Tolstoy quote at the beginning of this thesis, Québec is only one of Canada’s 13 provinces and territories but it is unique in Canada not least for Quebecers’ willingness to openly discuss the relationship between identity and belonging.

A short history of engagement between French-Canadian Quebecers and Indigenous peoples

The nature of relationships between French colonists and the Indigenous peoples of what is now Québec has received much attention from Québec historians, anthropologists, and ethnologists. Archaeological and ethnographic research, as well as rich bodies of primary documents, including correspondence from colonial administrators and missionaries and perhaps most importantly the Jesuit Relations, written accounts of missionary activities submitted annually by Jesuit superiors to the Superior General in Rome, have pointed to considerable contact between French settlers and the Indigenous peoples of the region. This contact was characterized by cooperation and competition between and amongst Indigenous groups and French merchants for trade dominance, sustained efforts by Catholic missionaries to convert the Indigenous people they encountered, and the catastrophic effects of European diseases.

As Québec and other historians, ethnographers, geographers and archaeologists have demonstrated, initial engagement between Indigenous people and the French who settled in what is now Québec revolved around trade and, ultimately, religion. Though seasonal trade between Basque, French, Spanish and Portuguese fisherman and Indigenous peoples had been fairly well established since at least the 1490s, sustained trade in European tools and animal pelts between French colonists and the Montagnais ancestors of the modern Innu living at Tadoussac, north-east of present-day Québec City, substantially increased in the mid 16th century and rapidly
expanded along pre-existing exchange networks such that the Huron (Wendat) of Lake Huron and the Senecas south of Lake Ontario were using European products within 30 years of French contact (Delâge 1985, 82, Jaenen 1976, 12, Moussette 2005, Turgeon 1998, Turgeon, Fitzgerald and Auger 1992). On the European side of the relationship, French presence in the New World was in large part also motivated by economic interests. Revival of an old felting technique in the early 17th century led to increased European demand for beaver pelts and the luxury goods that could be made from them, which, combined with the near extinction of the European beaver and political upheaval in Europe that limited access to quality furs from Russia and East Asia, stimulated French merchants’ efforts to monopolize the trade and sale of Canadian beaver pelts (Allaire 1999, Beaulieu 2008, Crean 1962, Le Blant 1972). Hats of felted beaver fur were voraciously sought after by European elites and their value was such that French slavers offered beaver hats, along with gold and silk, as gifts to ingratiate themselves to West African rulers (Allaire 1999, Alpern 1995, Northrup 2003). French efforts to monopolize the beaver trade relied heavily on cultural, economic and political exchanges with the Indigenous peoples of the area. Unaccustomed to the harsh weather and suffering from various illnesses, many attributable to long times spent at sea without adequate nutrition, French traders were taught fishing and hunting techniques, herbal remedies and ways to protect themselves from the elements by some of the Indigenous peoples they encountered (Delâge 1992, Jaenen 1976, 98). Some Indigenous women married French traders and bore children with them, though such relationships were frowned upon by the Jesuits and sometimes subverted by the Indigenous community in question, as the French were often considered inferior suitors (Jaenen 1974, 271). The Innu and their Algonquin and Huron (Wendat) allies, who together maintained trade routes stretching from the Great Lakes to Hudson’s Bay, then under threat from the Iroquois who controlled much of the St.
Lawrence river valley, concluded commercial and military alliances rooted in principles of hospitality, reciprocity and kinship with the French who settled in Québec (Beaulieu 2008, Delâge 1985, 94, Trigger 1962, Trudel 1973, 161-67). To fulfill the obligations of these alliances and to encourage mutual confidence and goodwill, many French traders settled amongst Algonquin, Innu and Huron peoples, learned their languages, and often served as go-betweens in the fur trade (Trigger 1962, 37). The Innu and Algonquins were particularly successful as middlemen, trading highly desirable European goods for beaver pelts with nations further inland and in turn selling those beaver pelts to French merchants (Beaulieu 2008, Trigger 1962). The fur trade was central to the close relationships and cooperation that evolved between Indigenous peoples and French traders but it also gave rise to conflict. Competition between and amongst Indigenous groups for dominance over the position of middleman exacerbated existing regional tensions and contributed to the wars that would later decimate many of the peoples of the territory (see Hunt 1972, Innis 1956, Jaenen 1976, Trigger 1965).

French merchant activity was closely intertwined with the interests of Catholic missionaries. Supported by powerful families and the Catholic Church in France, Recollet and later Jesuit missionaries, who were assigned to the Canadian colony by Cardinal Richelieu in 1632 after a brief period of British control, worked to establish themselves in Indigenous communities in order to substitute what they considered barbaric and irrational Indigenous cosmologies with Catholic revelation (Beaulieu 1987, Delâge 1985, 96, Delâge 1991, Jaenen 1976, 9). Jesuit activities were largely focused in the Huron (Wendat) territory and along the St. Lawrence, particularly at Québec, Trois-Rivières and Sillery, where Father Paul Le Jeune worked to sedentarize and convert the Innu and Algonquin peoples of the area (Beaulieu 1987, 140). Missionaries depended on trade alliances made by merchants to settle themselves amongst
different Indigenous groups, many of whom were deeply sceptical of missionary motives and behaviours and appear to have initially tolerated them only to not endanger trade relations (Trigger 1965, 41). Missionaries used trade for religious purposes by encouraging merchants to selectively price goods such that Catholic converts paid less for the same product and were paid more for their furs (Beaulieu 1987, 149, Delâge 1985, 119). The Jesuits in particular were deeply involved in the social structure and geopolitics of the colony. They pushed hard for the banishment of Protestant Huguenots, many of whom controlled French trade interests, in favour of Catholic-owned trading companies, and for an increase in French Catholic immigrants, who would ostensibly provide an example of French civilization to the Indigenous peoples of the area (Jaenen 1976, 7, Delâge 1985). They worked to reorder the social structure of the Indigenous communities in which they lived through sedentarization, the imposition of a Jesuit system of learning that warranted the removal of children from their families, and exclusion of those French traders whose behaviour was deemed a threat to conversion efforts (Beaulieu 1987, 141-43, Trudel 1973, Parkman 1927, 465, cited in Trigger 1965, 40). The success of Jesuit conversion efforts was varied. While some Indigenous people, particularly amongst the Mi’kmaq, Abenaki and Maliseet of eastern Québec, and amongst the Huron (Wendat), who had been singled out for conversion by the Jesuits for their sedentary way of life and vast communications networks, did formally declare adherence to Catholicism and fought with the French against British encroachment, many did not and contestation over cosmological truth often gave rise to complex hybrid meanings (Grant 1984, 249, Jaenen 1976, 1985, 192, Trigger 1965, 38). The appeal of Christianity also varied according to circumstance and was deeply intertwined with trade interests and the incidence of disease. While the Huron initially welcomed the Jesuits and their teachings and deemed them necessary for good trade relations with the
French, epidemics in the late 1630s, which the Huron correctly identified as emanating from French settlements and the Jesuits themselves, gave rise to increased hostilities against the Black Robes which culminated in a failed attempt to murder two priests in 1640 (Jaenen 1974, Trigger 1965, 41). All nations who came in contact with the French in the 17th century, including the Innu, Mi’kmaqs, Algonquins and Iroquois, in addition to the Huron, charged the French and the Jesuits with spreading disease and bringing death upon them (Jaenen 1974, 273). Many died from Old World illnesses against which they had little resistance, due perhaps to the absence of livestock or to the climate, which may have been too cold to support many viruses or bacteria (Delâge 1985, 85, Larocque 1982). It is difficult to underestimate the effect disease had on Indigenous communities. Amongst the Huron (Wendat), Innu, Iroquois and Neutrals it is estimated that the population was reduced by half in the space of 30 years (Delâge 1985, 88). In Huronia in the years after 1640, the death of Elders from disease and the loss of young men from repeated raids by the Iroquois, who were eager to gain access to the Huron fur trade, increased Huron dependence on the French for trade goods and military support (Trigger 1965, 43). The number of converts in this period increased significantly. Some converted out of faith, some to gain an economic foothold in the Québec fur market, while others converted to not be separated in the afterlife from family members who had (Trigger 1965, 44). Tensions between traditionalists and adherents of the new religion grew as some, many of whom were not converts, favoured peace with the Iroquois while others, many of whom were Christian, argued for the continued exclusion of the Iroquois from the French fur trade. The ultimate decision to not treaty with the Iroquois played a significant role in the destruction of Huronia by the Iroquois in 1649 (Jaenen 1976). Trade and religion fostered close relationships between the French and the
Indigenous peoples of what is now Québec but it also brought massive geopolitical and social change that was often to the detriment of Indigenous peoples.

*Engagement with Indigenous peoples in Québec academic scholarship*

Engagement between French-Canadian Quebeckers and Indigenous people in Québec is also evident in the considerable attention paid by Québec scholars to the nature of modern-day Indigenous-Québec relations. These authors, in a discussion that is not taking place to the same degree elsewhere in Canada, identify deep and widespread unawareness of Indigenous peoples and issues in Québec and point to the barriers to equity posed by this ignorance. Writing of historical memory in Québec, historian Jocelyn Létourneau argues that Québec’s collective historical consciousness is in large part characterized by preoccupation with the struggles French-Canadian Quebeckers have faced in the context of anglophone encroachment, a preoccupation which often manifests in illogical, exclusionary, and politically impotent conceptions of what it means to be a Québécois. For Létourneau, Quebeckers, and particularly Québec intellectuals, must move beyond such reductive thinking, which amongst other effects has marginalized Indigenous peoples, and engage with what Létourneau calls the ‘unthinkable’ or ‘unthought’ history of Québec in an intellectually rigorous fashion (Létourneau 1989, 2004). Marc-Adélard Tremblay, anthropologist and co-chair of the 1966 Hawthorn Report, an in-depth study investigating Indian economic, educational and political needs commissioned by the federal government in response to growing pressure to revise the Indian Act, its recommendations later largely ignored in the 1969 White Paper, argues that the success of Indigenous land claims negotiation, central to self-government efforts and cultural vitality, depends in large part upon a well-informed public (Tremblay 1989, Weaver 1981, 6). For Tremblay, negative public perceptions and attitudes towards Indigenous territorial rights,
particularly insistence that Indigenous peoples are fading away and thus no longer constitute
distinct political entities with inherent territorial rights, are a principal barrier to the
reconciliation of original Indigenous presence with the assertion of Québec and Canadian
sovereignty that will not change without deep public understanding of all aspects of negotiation
(Tremblay 1989, 16-17). Historian Denys Delâge argues that there exists in Quebecers’
collective memory a deep and widespread amnesia of the presence and vitality of Indigenous
peoples in Québec, and geographer Louis-Edmond Hamelin, arguably the founder of Québec and
Canadian northern studies, demonstrates how tensions over governance between northern
Indigenous peoples and the Québec and Canadian states are bound up in Quebecers’ national and
historical memories that differentiate Québec’s geography such that the North is constructed as
empty of people but rich in resources, to be harnessed for the prosperity of southern Québec
(Delâge 1991, Hamelin 1980, 2005). Numerous studies from across the disciplines on non-
Indigenous perceptions of Indigenous peoples in Québec have reached similar conclusions,
namely, that the myth of the vanishing Indian is alive and well. Art conservationist France
Gascon assessed young children’s pictorial depictions of ‘Indians’ and concludes that the Indian
for these children is an element of the past, static and no longer present in modern Québec
(Gascon 1981). In a body of work spanning over two decades, anthropologist Sylvie Vincent has
analyzed school textbooks, teaching practices, young adult novels, hunting and fishing
magazines, and public discourse around the 1990 confrontation at Oka and determined that
public perceptions of Indigeneity are consistently characterized by insistence that Indigenous
peoples are culturally primitive, are peripheral to the history of francophone Québec, and no
longer constitute distinct political entities with inherent rights to territory (Vincent and Arcand
Mohawk and francophone Québécois constructions of the ‘other’ at Oka, argues that francophone
Quebecers relied on the erasure of history, negation of the Mohawks’ distinct cultural and
political identity, and ignorance of Mohawk territorial rights to argue for the right to develop
traditional Mohawk lands (Trudel 1995).

Many Québec scholars are particularly concerned by the exclusion and problematic
inclusion of Indigenous peoples in Québec classrooms and curricula and argue that education is
central to the problem of Indigenous marginalisation. In their seminal 1979 book on the
representation of Indigenous peoples Québec curricula and history textbooks written in the 1960s
and 1970s, Sylvie Vincent and Bernard Arcand contend that these texts construct Indigenous
peoples as non-existent before French contact and stuck in the past, unable to adapt to modern
Québec society and therefore rightfully replaced by Quebecers who can make better use of the
land (Vincent and Arcand 1979). Writing in the context of the Oka conflict, historian and
educational theorist Christian Laville, following the methodology of Vincent and Arcand,
analyzed curricula from the 1980s, arguing that not much had changed since the 1970s and that
public unawareness of the historical origins of Indigenous legal and territorial rights is at the
heart of conflicts over land (Laville 1991). In their 1999 book, geographers and educational
theorists Juan-Luis Klein and Suzanne Laurin criticize the 1995 curriculum for obfuscating the
complexity of Indigenous land claims and ignoring their context, as the curriculum required
students to only know the Indigenous population in Québec and its geographic distribution
(Klein and Laurin 1999, 222-23). In 2003, Danielle Forget and Boriana Panayotova published an
analysis of history textbooks from the 1980s and 90s and argue that while the curricula of the
time identify openness to diversity and appreciation for the plurality of Québec as primary
learning outcomes, some of the recommended history textbooks exclude Indigenous peoples

from the diversity of modern Québec by constructing them as already vanished while others devalue and depoliticize Indigenous rights to territory by insisting that all Quebecers have equal rights to land (Forget and Panayotova 2003). Legal scholar Renée Dupuis argues that there is a severe lack of Indigenous content in the universities, which as publicly funded institutions have the responsibility to teach students in ways that enhance comprehension of Indigenous realities, particularly at a time when ignorance and prejudice characterize non-Indigenous opinions of land claim treaties (Dupuis 2001). All of these authors point to the long history of silence and exclusion around Indigenous peoples in the curriculum and in the classroom and the need for a form of equitable teaching that promotes a historical imagination that respects ancestral Indigenous rights.

Québec geographers have also called for greater engagement, openness and sensitivity to Indigenous ways of knowing in the discipline of geography. Focusing on Québec, Etienne Rivard highlights the dearth of publications that address Indigenous peoples and issues, the lack of Indigenous geography courses at the university level, and the absence of geographers in the public realm, to argue that contemporary Québec geographers’ lack of social and intellectual engagement with Québec’s Indigenous peoples effectively reinscribes the logic of terra nullius (Rivard 2006). Rivard calls upon geographers to turn our attentions to questions of territoriality and Indigeneity, particularly those brought forth in land claims, as through analysis of the spatial logic underpinning inequitable social relationships we have much to offer in these realms (Rivard 2006). Geographer Caroline Desbiens similarly contends that a critical historical geography that makes oral traditions and different perspectives of history its starting point can work against colonial exclusions of Indigenous peoples and help to reconcile colonial divisions by promoting understanding of the diversity and complexity of Indigenous territorialities.
Educational theorist and geographer Suzanne Laurin argues for the need to open the discipline in Québec to other ways of thinking and teaching through the inclusion of Indigenous perspectives of geography and history, and through more nuanced attention to Indigenous peoples and issues in the Québec geography curriculum (Laurin 2000, Klein and Laurin 1999). While no single discipline or level of education is responsible for the near absence of Indigenous peoples and issues in the Québec and Canadian public realm, these are geography’s problems and geography has the potential to address them in powerful ways.

_The Reasonable Accommodation Commission: Public engagement with the nature of exclusion_

Attention to the origins and mechanisms of systemic exclusion and marginalisation is not limited to the academic realm in Québec. Perhaps the best and most recent example of public engagement with these questions is the 2007 _Consultation Commission on Accommodation Practices Related to Cultural Difference_. Announced by Québec Premier Jean Charest in response to Quebeckers’ growing uneasiness over the accommodation of immigrant cultural and religious practices, the Commission worked to gather and assess Québec citizens’ opinions about the nature of Québec identity and its relationship to the integration of minorities, particularly new immigrants. A Sikh student’s right to wear his kirpan, a ceremonial dagger, to school in Montreal, the exclusion of men from prenatal classes offered by a Montreal community service centre, and the frosting of glass walls in a Montreal YMCA exercise room to shield its female occupants from view were, amongst others, subjects of debate. The debate was fuelled in large part by outrage over the Islamophobic “living standards” created by the village of Hérouxville, but also by inflammatory media coverage of instances of accommodation and by Premier Charest’s controversial decision to increase the number of immigrants accepted to Québec (Herrera and Lachappelle 2010, Leroux 2010).
The Commission was headed by and named after two prominent Québec intellectuals; historian, sociologist, and novelist Gérard Bouchard, who has written much on Québec’s collective imaginary and social history, and political philosopher Charles Taylor, who is perhaps best known in Canada for his communitarian critique of liberalism. Premier Charest’s appointment of Bouchard and Taylor, both intellectual leaders with somewhat disparate views on the status and future of Québec, was most certainly an effort to engage as many Quebecers as possible in the debate. Indeed, over 3,500 people participated in a consultation lauded by many Quebecers for its participatory and inclusive nature (Heinrich and Dufour 2008, 180, Leger Marketing and Le Devoir 2008).

At the heart of Quebecers’ debate over the nature of integration of immigrant minorities was the notion of reasonable accommodation. In Québec and Canadian law, reasonable accommodation refers to the legal requirement that the state, individuals and corporations adjust the standards, practices or policies they apply to all people to account for the particular needs of specific categories of people under the grounds for discrimination outlined in the federal Charter of Rights and Freedoms and Québec’s Charte des droits et libertés de la personne. Grounds for discrimination in both the Canadian and Québec Charters include gender, religion, race, ethnicity, age, disability and sexual orientation, amongst others (Woehrling 1998). Reasonable accommodation recognizes that handling all individuals and groups in the same way does not always result in equal treatment. In Québec, the courts and the Human Rights Tribunal have therefore often ruled that exceptions to accommodate minorities, particularly in matters of religion, must be implemented as long as doing so does not substantially interfere with the operation of the organization or business in question (Balthazar 1995, Bosset 2005, Woehrling 1998). While Commission activities could have focused strictly on the legal dimensions of
reasonable accommodation (i.e. what could stand up in court), Bouchard and Taylor rejected this approach in favour of exploring public views about Québec’s identity and how it is negotiated through the accommodation of new immigrants. The Commission sought to gather opinion on the nature of Québec’s identity, survey accommodation practices in Québec, compare Québec’s issues of cultural pluralism with those of other countries, conduct extensive consultations on this topic, and finally, make recommendations to the government of Québec that would then be used to create a coherent reference framework for Quebeckers that would dispel the “misinformation and confusion” around what constitutes reasonable accommodation (Bouchard and Taylor 2008, 7). Interested groups and individuals were invited to submit briefs and meet with Commission members to clarify the values underlying citizenship in Québec, as well as the origins, intentions, nature, and future of accommodation practices (Bouchard and Taylor 2007a, 6, 9-11).

The Commission received a budget of $5 million for its research activities. In addition to commissioning 13 research projects from different Québec universities, the Commission organized 31 focus groups with individuals from across Québec, held 4 province-wide forums, 82 meetings with experts and representatives from different socio-cultural organizations, and public consultations in 16 of the 17 Québec regions over the course of 3 months in late 2007 (Bouchard and Taylor 2008, 18). Arguably the largest part of the Commission’s work was the public consultation. Interested parties could participate in the consultation sessions in one of three ways: by verbally testifying before the Commission on a relevant experience or viewpoint; by participating in the more informal regional and province-wide citizens forums, or by writing a brief that could be presented at the hearing if the submitter so chose (Bouchard and Taylor 2007b, 5). According to the final report, over 900 briefs were submitted. While unfortunately complete records of the focus groups, the verbal testimonies presented at the hearings, and the
meetings with experts and socio-cultural representatives are not currently publicly available, 791 of the 900 briefs submitted to the Commission were later made available in text form online on the Commission’s official website (the remaining 109 briefs are missing due to posting errors on the website).3

Bouchard and Taylor’s intellectually bold decision to focus on issues of identity and belonging in Québec, rather than on the strictly legal dimensions of reasonable accommodation, combined with the large scale of the Commission’s consultation and its recentness make the Bouchard-Taylor Commission a remarkable snapshot of public opinion about the nature of identity and belonging in Québec, questions that are at the heart of reconciliation between Indigenous peoples and non-Indigenous Canadians. While the Commission’s activities and final report were by no means representative of all perspectives in Québec, public consultations of its nature and scope are rare in Canada and present an extraordinary opportunity to investigate how conceptions of indigeneity articulate with provincial and national identity.

Method

The 791 publicly available written briefs were the main focus of my investigation into the nature of Indigeneity and Québec identity in the Bouchard-Taylor Commission. I read all of the briefs, identified the 193 briefs (24%) that mentioned Indigenous peoples, indigeneity, or First Nations and categorized them by author to determine the scope and nature of the engagement. Of the 193 briefs that addressed Indigenous peoples, 102 engaged significantly with Indigenous peoples or issues. I organized these according to author and read them closely to determine how Indigeneity was being used to support arguments around reasonable accommodation. The

3 I retrieved the briefs from http://www.accommodements.qc.ca/documentation/memoires-en.html. However, in March 2012 the website was taken offline.
remaining 91 briefs made only casual mention of Indigenous peoples or issues; Indigeneity was not central to the argument and indeed often appeared to be an afterthought. I organized these 91 briefs by author and analyzed them to determine how silence was used to render Indigenous peoples and issues peripheral to mainstream concerns. I similarly analyzed the 598 briefs (76%) that made no mention of Indigenous peoples, Indigeneity, or First Nations to determine how silence was used to render Indigenous peoples absent from Québec. I do not address all 791 briefs in this thesis as not all were relevant; the briefs and arguments I address directly are the most prominent and problematic examples of unawareness of Indigenous peoples and issues. Wherever possible, I worked to understand all authors in terms of social position and geography. I contextualize my findings within an analysis of silence in the Commission’s mandate and geographical movements to argue that silence and exclusion, sustained by public unawareness of Indigenous peoples and issues, is at the heart of the continued marginalisation of Indigenous peoples in Canada.
Chapter 2:

Exclusion from the Outset:
Silence in the Commission’s Mandate and Geographical Movements

Exclusion of Indigenous peoples and issues from the commission’s mandate

Silence and exclusion of Indigenous peoples and issues was consistent and pervasive in Bouchard and Taylor’s Reasonable Accommodation Commission from the outset. Though the Order in Council issued by Premier Charest did not specify the scope of consultation, Bouchard and Taylor explicitly excluded issues pertaining to Indigenous peoples from their mandate (Gouvernement du Québec 2007). Bouchard and Taylor firmly stated that

“...we are not contemplating reconsidering in any way whatsoever the political and legal status of the aboriginal peoples. Once again, the Québec National Assembly has recognized the existence of the 11 nations living within Québec’s borders and their specific rights. Section 35 of the Constitution Act, 1982 also recognizes the existing aboriginal and treaty rights of these peoples. The relationship between the aboriginal peoples and Québec is a nation-to-nation relationship. Such being the case, given that accommodation practices stem very broadly from the right to equality, it might have seemed logical to include in our field of study the situation of the aboriginal communities, but we were compelled to decide otherwise. The topic falls outside the purview of our mandate, even very broadly interpreted. Without in any way calling into question the rights that are at the heart of aboriginal claims and despite the discrimination to which they have always been subject, we believe that they do not fall within the ambit of our mandate (Bouchard and Taylor 2007a, 4).”

This quotation lays out the Commission’s position very effectively and exposes a number of problematic and prejudicial conceptions. I argue that the Commissioners’ construction of constitutional and provincial law as reason enough to exclude Indigenous peoples and issues from Commission activities, effectively created a space of exception in which the Commissioners’ unawareness of the full dimension of the law, supported by public ignorance of these issues, worked to justify the exclusion of Indigenous peoples from the right to equality.
(Agamben 2005, Diken and Bagge 2005, 82, Pred 2007, 365). The assumption that Indigenous issues and concerns can be dealt with through the Constitution Act or the Québec Amendments is deeply uninformed, as is the assumption that Québec deals with Indigenous peoples in a nation-to-nation relationship. While Section 35(1) of the 1982 Constitution Act represented a significant shift in federal policy towards Indigenous peoples in stating that “the existing Aboriginal and treaty rights of Aboriginal peoples of Canada are hereby recognized and affirmed,” it did not specify the scope and content of these rights (Government of Canada 1982). These were to be clarified in subsequent constitutional conferences between governments and Indigenous representatives, but as those conferences ended in 1987 without reaching agreement, the recognition and affirmation of existing Aboriginal rights in Section 35 of the Canadian Charter is essentially in name only. Clarifying Section 35’s scope and content has been left to long, expensive, and arduous court cases characterized by considerable unwillingness on part of the Canadian courts to either question the legality of Canadian sovereignty or recognize the legality of Indigenous systems of law, thereby hindering the implementation of Section 35 in its full spirit at the expense of Indigenous peoples.

Bouchard and Taylor’s treatment of the Québec Amendments appears to be similarly uninformed. In response to the 1982 Constitution Act, the Québec National Assembly passed two constitutional amendments in 1985 and 1989 to clarify the rights and status of Indigenous peoples in Québec. These amendments recognized the existence of 11 Aboriginal nations in Québec, affirmed existing treaty rights including those outlined in the 1975 James Bay and Northern Québec and the 1978 North-eastern Québec Agreements, and urged the government to pursue negotiations with the nations on issues ranging from self-government to economic
development (Assemblée Nationale du Québec 1985, 1989). The initiative for the amendments was led in large part by the *Aboriginal Peoples of Québec Task Force on the Constitution*, a working group established by Indigenous peoples in Québec to prepare common Indigenous positions for constitutional discussions at the national level. The task force proposed a series of recommendations for the Québec government, and engaged in a two-year-long negotiation period over their wording with Premier René Lévesque that was abruptly terminated in 1984 when a *Motion for the recognition of Aboriginal rights in Québec* was tabled without consultation of the Indigenous groups involved. The language of the resolution differed significantly from what had been negotiated and was passed despite Indigenous objections in the National Assembly on March 20th, 1985 (Grand Council of the Crees n.d., Assemblée Nationale du Québec 1985, 2504, 2527-2529). A resolution recognizing the existence of the Maliseet Nation was passed four years later. Neither resolution affirms Indigenous peoples’ pre-existing rights despite the recognition thereof in several Supreme Court cases. Both resolutions state that future negotiations should be determined by government responses to Indigenous positions rather than by Indigenous peoples’ positions themselves (Assemblée Nationale du Québec 1985, 1989). The resolutions also do not recognize the existence and rights of Métis people and communities or of Indigenous people and communities not recognized under the Indian Act. People identifying as Métis comprise 12.2% of Québec’s Indigenous population and while exact numbers are difficult to ascertain, the Native Alliance of Québec counts 66 Indigenous communities that are unrecognized by the federal government (Statistics Canada 2006b, Native Alliance of Québec 2011). The Commissioners’ construction of the 1985 and 1989 resolutions as

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4 The Amendments recognize the existence of the Abenaki, Algonquin, Attikamekw, Cree, Huron-Wendat, Innu, Maliseet, Mi’kmaq, Mohawk, Naskapi, and Inuit Nations. Some of these communities are federally recognized and some are not. The Amendments do not clarify whether Québec recognizes all communities or only those that are federally recognized.
reason enough to exclude Indigenous peoples from the Commission’s activities suggests deep unawareness of the complexity of Indigenous status.

Bouchard and Taylor’s consideration of Section 35 and the 1985/1989 resolutions as a space of exception for Indigenous peoples and issues that precludes Indigenous inclusion in the Commission’s mandate and consequent activities, and promotion of this legislation as examples of Canadians’ and Quebecers’ openness to Indigenous claims, suggests the Commissioners’ unawareness of how exclusion plays out in colonial societies and their role in perpetuating it. The fact that Bouchard and Taylor thought this approach would be palatable to the Québec public only indicates the depth of the problem, which becomes all the more apparent when one considers that 76% of briefs submitted to the Commission did not take issue with the Commission’s mandate and made no mention of Indigenous peoples.

The Commissioners’ framing of the relationship between Indigenous people and Québec as one of nation-to-nation is equally problematic as it obscures the complexity of Indigenous jurisdiction within Canada and within Québec. There are considerable tensions between the federal and provincial governments over application of laws concerning Indigenous peoples and lands. Under Section 91(24) of the 1867 Constitution Act, the federal government maintains exclusive jurisdiction over “Indians” and “Lands reserved for the Indians”; that is to say that for the most part provincial laws do not apply on reserve lands or to the people living on them (Wilkins 1999). “Lands reserved for Indians” includes “all lands reserved, upon any terms and conditions, for Indian occupation” and, after the 1997 Delgamuukw ruling, “all lands held pursuant to Aboriginal title” (McNeil 2000). Thus the federal government under Section 91(24) and more recently under Section 35 of the 1982 Constitution Act has the exclusive responsibility to recognize and protect Aboriginal and treaty rights to lands both reserved and under claim. This
federal jurisdiction is at odds, however, with a 1951 amendment to the Indian Act known as Section 88 that stipulates that

Subject to the terms of any treaty and any other Act of Parliament, all laws of general application from time to time in force in any province are applicable to and in respect of Indians in the province except to the extent that those laws are inconsistent with this Act or any order, rule, regulation or by-law made thereunder, and except to the extent that those laws make provision for any matter for which provision is made by or under this Act (cited in McNeil 2000).

Though many legal scholars and several court cases have successfully argued that Section 88 has no validity under the 1982 Constitution Act, Chief Justice Lamer stated in the landmark 1997 Delgamuukw case that Indigenous rights could be infringed upon if the infringements could be justified in the test determined in R. vs. Sparrow (McNeil 2000, 160). The Sparrow test asks whether the infringement on an Indigenous right is ‘compelling and substantial’ and requires that a valid legislative reason be given for the infringement (Isaac 2004, 97). While the test was created to clarify resource management, it is fundamentally flawed in that it does not define what constitutes a ‘compelling and substantial’ infringement and interprets Indigenous rights as contingent upon the sovereignty of the Crown (Asch and Macklem 1991, Dufraimont 2000). In the 1997 Delgamuukw case, which sought to determine the validity of Gitxsan and Wet’suwet’en land claims in north western British Columbia, Chief Justice Lamer determined that the public interest, including the development of agriculture, forestry, mining and hydroelectric power, constituted a valid legislative reason to infringe upon Indigenous lands and ancestral rights (Borrows 1999, Dufraimont 2000). Indeed, the courts have allowed significant incursions by the provinces onto Indigenous lands through a seemingly exhaustive list of infringements (mining, forestry, and hydroelectric interests to name a few) deemed to be ‘compelling and substantial’ (Westra 2010, 170). Indigenous organizations and nations have stated repeatedly that Québec has failed to consult in an adequate and respectful nation-to-nation manner with Indigenous nations.
on issues of resource management and has not recognized Indigenous rights in practice despite their affirmation in the 1985 and 1989 resolutions (Assembly of First Nations of Québec and Labrador 2005). Moreover, the Assembly of First Nations of Québec and Labrador, and indeed several Indigenous people who testified before the Bouchard-Taylor Commission, have pointed out how Québec’s political and economic interests are served by the lack of public will to understand Indigenous peoples and their rights (Assembly of First Nations of Québec and Labrador 2006, also see Appendix). The Commissioners’ argument that the Québec-Indigenous relationship is one of nation-to-nation draws its strength from unawareness of the complexity of Indigenous jurisdiction at the federal and provincial level.

Bouchard and Taylor’s insistence that Indigenous peoples and issues need not be included in the Commission’s activities because the Québec-Indigenous relationship is one of nation-to-nation also neglects the complexity of Aboriginal status in Canada. Under the Indian Act, arguably the most influential (and insidiously colonial) piece of legislation pertaining to Indigenous peoples, only those Indigenous people registered as Indians by the federal government are entitled to Indigenous rights. Métis people and communities, Indigenous people and communities not recognized under the Indian Act, Indigenous people who lost status through some of the other insidious stipulations of the Act, and to a large extent Indigenous people living off-reserve are not entitled to Aboriginal rights under the Act (Lawrence 2004). There are over 65 unrecognized Indigenous communities in Québec, over 30,000 people identify as Métis, and more than half of Québec’s Indigenous population lives off reserve (Native Alliance of Québec 2011, Statistics Canada 2006b). Thus, Bouchard and Taylor’s insistence on a nation-to-nation relationship excludes a large portion of the Indigenous population in Québec and suggests unawareness of the complexity of Indigenous realities.
The problematic sidelining of Indigenous peoples and issues in the Commission’s mandate is also evident in the language used by the Commission. The definitions of indigeneity created by Bouchard and Taylor work to obscure Indigenous political and territorial rights while allowing an unproblematic argument for the primacy of Quebecers’ and Canadians’ claims to territory. In the glossary compiled by the Commission to clarify terminology in its publications, there is no mention of First Nations, Indigenous peoples or indigeneity yet a ‘Native’ is defined as “A person who lives where he is born” in both the French and English versions (Gouvernement du Québec 2010). While in French ‘Natif’ does not carry the same connotation of indigeneity, the word ‘Native’ has considerable currency in anglophone Québec and Canada as a synonym for ‘Indigenous’ and though the term is becoming outdated it is still often used in government publications and popular media (Indian and Northern Affairs Canada 2004). Bouchard and Taylor’s decision to define ‘Native’ in a way that strips the word of its Indigenous connotation effectively depoliticizes Indigenous peoples’ status as the first peoples of this territory. Bouchard and Taylor’s definition is reminiscent of Trudeau’s assimilatory 1969 White Paper in that it argues that everyone born and living in Canada has equal claim to this land. Those who have lived here since time immemorial are considered to be no different from non-Indigenous Canadians and under that conception do not have any rights to cultural distinctiveness. The assimilative implications of Bouchard and Taylor’s definition, which erases the Indigenous connotations of ‘Native’, a fairly popular term in Canada, suggests the Commissioners’ unawareness of Canada’s colonial past and a disconnect from public discourse around Indigenous peoples.

Ultimately most troubling is that the Commissioners considered it politically acceptable to omit Indigenous issues from the discussion on reasonable accommodation. The political
expediency of excluding Indigenous issues from a debate that worked to pinpoint the very nature of identity and belonging in Québec points to a large and deeply rooted problem of unawareness that is neither historically unprecedented nor limited to Québec (RCAP 1996, CAAS 2004, Godlewska, Bednasek and Moore 2010). It is possible that Bouchard and Taylor were aware of the weaknesses of their arguments, and intentionally mobilized these arguments to limit the scope of the Commission’s activities, but regardless of intention, the end result of the Commissioners’ decision is the replication of the exclusion that has long characterized relationships between Euro-Canadian and Indigenous peoples. Bouchard and Taylor used an interpretation of the law to create a space of exception in which Indigenous issues were justifiably excluded from the discussion around reasonable accommodation. This exclusion occurred in spite of the Commissioners’ recognition that accommodation practices are fundamentally about the right to equality. Exclusion from the right to equality lies at the heart of the problem that Canada faces in terms of human rights and replicates an old and deeply troubled colonial legacy.

*Geographic exclusion of Indigenous participants: Where the Commission chose not to go*

The omission of Indigenous concerns from the Commission’s mandate was paralleled by exclusion of Indigenous participants from consultation activities. The exclusion was fundamentally geographic in that many areas that are significantly populated by Indigenous people were not visited on the Commission’s tour circuit (Figure 1a, pg. 27). Though Bouchard and Taylor articulated their intention to visit all Québec regions and stressed the importance of balanced public consultation in their preparatory document, the region of Nord-du-Québec was left out of the Commission tour circuit (Bouchard and Taylor 2007, 6). Nord-du-Québec is
Québec’s largest administrative region and extends from south of James Bay to the Ungava Peninsula. Though the region is governed in a partnership between the Cree, Naskapi, and Inuit of the area and the government of Québec, as agreed upon in the 1975 James Bay and Northern Québec Agreement, Québec is involved in joint regulatory schemes over natural resource extraction and economic development (Government of Canada 1975, Gouvernement du Québec and the Crees of Québec 2002). Nord-du-Québec is home to nearly 40,000 people, over half of whom identify as Indigenous (the majority Cree, Inuit, or Naskapi) and in turn comprise more than a fifth of Québec’s Indigenous population (Statistics Canada 2007). The Commission also did not make any stops in the area between the St. Lawrence River Valley and Rouyn-Noranda in western Québec, nor did it hear testimonies anywhere in the region between Québec City and Sept-Îles, both of which are home to many First Nations and Métis (Figure 1a, pg. 27). Bouchard and Taylor additionally chose to limit Commission activities to cities with over 10,000 inhabitants (with the exception of Bonaventure: 2,673 inhabitants). Yet only 23% of Indigenous people in Québec live in such urban centres (Statistics Canada 2006b). Where the Commission chose to engage the public, severely limited Indigenous participation in its consultation activities. Of the 791 briefs submitted to the Commission, six were presented by people who identified as Indigenous and only one Indigenous person submitted from a community that was over 100 kilometres from the nearest Commission city, suggesting that distance posed a considerable barrier to participation (Figure 1b, pg. 27). Indeed no briefs were submitted by Inuit participants to the Commission. Though small in number and divergent, the briefs presented by Indigenous authors spoke critically and powerfully of the ignorance and hypocrisy around Indigenous realities in Québec and Canadian society while suggesting, by the rich diversity of their arguments, Indigenous views not plumbed by the Commission.
Figure 1a: First Nations, Inuit, and Federally Unrecognized Communities in Quebec
Figure 1b: Self-reported origins of Commission participants

Conclusion

Silence born of unawareness of the full dimension of the law worked to exclude Indigenous peoples and issues from the Reasonable Accommodation Commission from the outset and set the tone for Bouchard and Taylor’s selection of cities and towns to visit. The Commission’s decision to exclude from its activities portions of the province largely inhabited by Indigenous people, including the entire administrative region of Nord-du-Québec, much of central Québec, and the north shore of the St. Lawrence river, effectively excluded many Indigenous participants from Commission activities. While Bouchard and Taylor chose not to address questions of Indigeneity in the Commission, the consequent geographical exclusion of Indigenous peoples is deeply problematic as it is based in the assumption that Indigenous peoples have no interest and no stake in questions of accommodation in Québec. Eight Indigenous leaders and community members spoke powerfully to the contrary and several argued that it is precisely this attitude that perpetuates the marginalisation of Indigenous peoples in Québec and Canadian society (to be discussed in greater detail in Chapter 4).
Chapter 3:

Strategies of Silence:
Negotiating Exclusion in Briefs Submitted to the Commission

Negotiating exclusion in briefs that made no mention of Indigenous peoples

The exclusion of Indigenous peoples and issues from the Bouchard-Taylor Commission’s mandate finds continuity in silence around Indigeneity in the vast majority of briefs submitted to the Commission. Of the 791 briefs submitted to the Commission, 598 authors (76%) apparently did not find the Commission’s reasons for excluding Indigenous people and issues problematic and made no mention of Indigenous peoples, First Nations, or indigeneity. The ways in which these authors are silent are indicative of a widespread, profound and deeply troubling ignorance that has serious implications for the rights of Indigenous peoples in Québec and in Canada as well as for equity in Québec and Canadian society. The silence was expressed through obfuscation of Indigenous presence in Québec, unawareness of the importance of language to Indigenous cultural vitality, construction of Québec as a homogenous nation, and unawareness of the unique rights and status of Indigenous peoples in Québec and in Canada. The most striking of the silences is the obfuscation of Indigenous presence in Québec. This exclusion is articulated in different yet surprisingly coherent ways. Amongst several of the people and organizations who identified themselves as dedicated to promoting Québec’s civic national identity and sovereignty, there was strong consensus that upon French arrival the territory now called Québec was devoid of human settlement. These authors obscure Indigenous presence and involvement in Québec and in doing so implicitly argue that French settlers and their descendants are the true first people of the territory.
For the Société nationale des Québécois(es) des Laurentides, an organization comprising over 4,500 members dedicated to the development of the language, history and culture of Québec, the Société nationale de l’Est du Québec, a branch of the same organization, and Le Rassemblement pour un Pays Souverain, a not-for-profit organization dedicated to the independence of Québec and protection of the French language, Québec has always been a welcoming society; French presence in Québec was a simple matter of emigration and settlement. These authors’ insistence that French settlement was an uncomplicated transplantation from France to the New World demonstrates deep ignorance of the violence and contested legality of colonial settlement and is indicative of the kinds of self-serving and erroneous interpretations of key historical events that have been used to dispossess Indigenous peoples for centuries.

These authors’ silence is complicit in a long and deep history of colonial efforts to displace Indigenous peoples. From the beginning of colonial activity in the Americas, European powers have worked to render Indigenous rights to land obsolete through legal philosophies that do not recognize Indigenous peoples as nations with status as such in international law. This legal tradition extends from 16th century Spanish theologians who theorized the conditions under which the conquest of a people was justified, to Hugo Grotius, a Dutch legal theorist who proposed that the enclosure of lands overseas gave property rights to the encloser, to the 17th century liberal philosopher John Locke, who argued that migratory Indigenous peoples did not own property, as right over property required labour, cultivation and production (Green and Dickason 1993, 44-64, Rouland, Pierré-Caps and Poumarede 1996, 100-106). The overwhelming consensus amongst many European monarchs from the 15th through 18th centuries was that Indigenous populations in the New World lacked any kind of identity requiring respect and
recognition of rights (Green and Dickason 1993, 10-16). Rather, Indigenous peoples were seen as barbarians or savages over whom European sovereignty could rightfully be asserted, ostensibly for the glory of God and the Catholic faith but also for the political and economic gains territorial acquisition entailed. In their denial of Indigenous presence in Québec and North America, the Société nationale des Québécois(es) des Laurentides, the Société nationale de l’Est du Québec, and Le Rassemblement pour un Pays Souverain demonstrate a deep unawareness of and complicity in this colonial way of thinking.

These authors’ silence also ignores important legal developments since the 1970s. In a landmark Supreme Court decision regarding the land claims of the Nisga’a of British Columbia, Justice Judson in the 1973 Calder case asserted that Indigenous peoples have long used and occupied the land and as such have title that pre-exists European settlement (Asch 2002). The 1984 Guerin decision acknowledged the legitimacy of treaties and stipulated that the Crown has fiduciary obligations to Indigenous peoples with regards to surrendered Indigenous lands (Asch and Macklem 1991, 449). In 1990, the Supreme Court in R. v. Sioui recognized that at the time of colonial expansion relations between European powers and Indigenous nations were “very close to those maintained between sovereign nations” (Asch and Macklem 1991, 499). These Supreme Court decisions all argue that Indigenous peoples were present before European arrival, continue to be present today and have unique rights accordingly.

The construction of French settlers as immigrants was another rhetorical strategy used to render Indigenous peoples absent from modern Québec. For the Société Saint-Jean-Baptiste du Québec, a nationalist and patriotic organization founded in 1842, the Société Saint-Jean-Baptiste de la Mauricie, a branch of the same organization, and the Institut Généalogique Drouin, a genealogical record keeping service founded in 1899, the arrival of the French 400 years ago
signified the beginning of Québec’s openness to immigrants. This characterization of the French as the first people of Québec, responsible for the immigration that would shape the province, effectively excludes Indigenous peoples from the main stream of Québec’s history, essentially writing them out by putting them into a primordial past and a silent primitive present (Fabian 1983, also see Greer 1997). These authors’ characterization of the French as the first immigrants in Québec, rather than as colonial settlers, a position also iterated by the Mouvement nationale des Québécois(es), an umbrella group comprising several sovereigntist organizations and over 110,000 members, and six individuals (a historian, a lawyer, a priest and three unknown persons), is a rhetorical strategy with important political implications as it neatly erases Indigenous nations from the present and allows an unproblematic argument for the primacy of French language and culture in Québec.

In a similar vein, Le Collectif des Trois Travaux, a group of young people interested in promoting the sovereignty of Québec, and the Société Saint-Jean-Baptiste de la Mauricie, construct immigration as a natural and unstoppable free flow of people to be encouraged. On the surface, this seems liberal and accepting but the approach also serves to ignore the violence and contested legality of conquest and to reduce the injustice of colonial relationships to a merely unfortunate consequence of human migration. With this construction, and with no mention of First Nations or Indigenous peoples, claims to land based in ancestry and first occupancy are devalued and depoliticized.

Several authors obscured Indigenous presence through unawareness of Indigenous language rights, which are recognized in important Québec legislation. Some authors writing in this vein argued for the need for all Quebecers to learn French, lest they constitute threats to Québec’s distinctiveness, and others expressed anxiety over what they consider to be the failure
of the education system to adequately teach Québec’s history as a francophone minority within an anglophone majority. The arguments are problematic as they demonstrate unawareness of importance of language to Indigenous cultural vitality as well as unawareness of provisions in La charte de la langue française (Bill 101) concerning Indigenous ancestral languages. The positions are perhaps reflective of a shift in understanding of Québec’s distinctiveness that began in the 1990s. Rather than understanding Québec’s distinctiveness as rooted in French-Canadian ancestral culture, a conception which was at the heart of the 1980 referendum on independence, the Liberal government under Robert Bourassa implemented several policies that worked to promote an understanding of citizenship in Québec as a ‘moral contract’, in which the host community expresses willingness to open up to newcomers, and immigrants in turn accept the basic principles underlying integration, including French as the common public language (Balthazar 1995, Juteau 2002, McAndrew 2007). The anxiety expressed by these authors over the protection of the French language and the teaching of French-Canadian history is perhaps reflective of contestation over how Québec should perceive its relationship with immigrants, which, as evidenced by the Reasonable Accommodation Commission, is ongoing.

That said, the arguments put forward by these authors are problematic for Indigenous peoples. A group of four concerned citizens and the Société Saint-Jean-Baptiste du Centre-du-Québec assert that because of the minority status of French within North America, unless new immigrants and minorities in Québec learn French, they should be considered threats to Québec’s nationhood. For others, the failure of the curriculum from the primary to university levels to adequately teach children the French language and the history of Québec, namely, the struggles Québec has faced as a francophone minority within an anglophone majority, has
contributed to the decline of the French language and culture and is to blame for the anxiety Quebecers feel about immigrants.

The implication that anyone who does not speak French is a threat to Québec’s nationhood is deeply problematic for Indigenous peoples in Québec. Many Indigenous leaders and scholars argue the importance of Indigenous languages to community and individual health, cultural vitality and continuity, and self-determination (Battiste 2000, Hallett, Chandler and Lalonde 2007, RCAP 1996). While in some communities, particularly in the Cree, Inuit, Attikamekw and Naskapi communities of northern Québec, the traditional language is taught in schools, spoken in the home, and used in broadcasting and other communication services, in others, the language is spoken by few or not at all (Drapeau and Corbeil 1992). A long history of attempts at assimilation, namely through the 19th and 20th century residential schools strategy (6 of which were in Québec) but also through the lack of adequate funding and resources for on-reserve schools, and the paucity of traditional language resources for Indigenous people living off-reserve, is in large part responsible for the decline in use of certain traditional languages (Milloy 1999, Task Force on Aboriginal Languages and Cultures 2005). Given the inadequacy of federal funding for many community-controlled on-reserve schools, many Indigenous young people are forced to attend schools off-reserve where there are often few provincial resources dedicated to learning or learning in traditional languages (Drapeau and Corbeil 1992). These authors’ insistence that all people living in Québec must learn French and integrate into Québec society has assimilative implications that are problematic for Indigenous peoples, and reflects unawareness of the provisions of La charte de la langue française (Bill 101). First passed in 1977, Bill 101 defines the linguistic rights of Quebecers and states that French is the official language of government, public administration and is, with some exceptions for historic
anglophone communities, the language of instruction in public schools. The Bill clarifies that it does not apply on reserves, that Indigenous peoples have the right to maintain and develop their traditional languages and cultures, and that under the James Bay and Northern Québec Agreement, the Cree, Inuit and Naskapi have jurisdiction over language education (Gouvernement du Québec 1977). The assertion that all people in Québec must learn French is unreflective of provisions made for Indigenous traditional languages in Québec law and indicates unawareness of recent developments in the relationship between the Québec state and Indigenous nations.

A fourth strategy used by authors to obscure Indigenous presence in Québec was the construction of Québec as a homogenous nation, with a singular identity rooted in the French language and the Catholic faith. While the French language and Catholicism have significantly influenced the development of Québec’s modern identity, the denial of heterogeneity in Québec is problematic in that it presumes, firstly, that Indigenous peoples do not exist, and secondly, that even if Indigenous peoples exist, they have long since been assimilated and no longer constitute distinct cultural groups with inherent rights as the first peoples of the territory. For the Collectif des Trois Travaux, there are no distinct ethnic groups in Québec because there has always been intermarriage between newcomers and the established population. This construction devalues and depoliticizes the existence of Indigenous peoples in Québec and reflects unawareness of Canadian court decisions and Québec government policies that recognize distinct Indigenous nations. In a similar vein, the Société Saint-Jean-Baptiste de Laval, a nationalist organization founded in 1834, argues that place names should reflect the history of French Québec. This is a problematic argument as it erases longstanding Indigenous presence to contend that French
history and culture is most deeply rooted in the land. The strength of the argument is drawn from silence.

Unawareness of the unique rights and status of Indigenous peoples in Québec and Canada was another strategy of exclusion in briefs that made no mention of Indigenous peoples or issues. These authors, namely the Société Saint-Jean-Baptiste du Québec and the Société Saint-Jean-Baptiste du Centre-du-Québec, and the Institut Généalogique Drouin, contended that all who live in Québec are Quebeckers and therefore have the same rights. This argument reflects deep ignorance of the most important and discriminatory piece of Canadian colonial legislation, the Indian Act. First passed in 1876 to consolidate all laws pertaining to Indigenous peoples, it is still in effect today and is grounded in the assumption that Indigenous identities and cultures are so insignificant that they can be made to disappear through the instatement and implementation of key legislation and policies. The Act worked to undermine fundamentals of Indigenous identity and created deep gender and generational divides through legal definitions of Indian status that determine who can be considered ‘Indian’ and who cannot (Lawrence 2004). It also established a separate form of governance for the First Nations it recognized, and is still valued in that capacity by many First Nations, as it legally distinguishes between First Nations and other Canadians and acknowledges that the federal government has a unique relationship with, and obligations to, First Nations (RCAP 1996). For this reason, attempts to eliminate the Indian Act have been met with widespread resistance. Perhaps the clearest instance of this was Pierre Trudeau’s 1969 ‘Statement of the Government of Canada on Indian Policy’ (the White Paper) that proposed to solve ‘the Indian problem’ by amending the British North America Act, repealing the Indian Act and phasing out the Department of Indian Affairs, all to make First Nations equal to other Canadians (Weaver 1981). Indigenous rights would disappear and treaties
would become obsolete, treaty and reserve lands would be turned over to First Nations
individuals, and reserves would become municipalities under the jurisdiction of the provincial
governments. The White Paper essentially proposed to eliminate Indigenous collective rights and
replace them with individual rights, and was roundly condemned by many First Nations as an
attempt to exterminate them through assimilation (Cardinal 1969). The argument that all
Quebecers have the same rights sounds liberal and accepting but the ideological stance is
reminiscent of the White Paper as it ignores the importance of protecting Indigenous legal and
cultural distinctiveness, and depoliticizes Indigenous peoples’ distinct rights by positing that
those who have lived here since time immemorial are no different from non-Indigenous
Canadians. The argument that all Quebecers have the same rights indicates unawareness of the
differences in governance regimes between Indigenous and non-Indigenous people and
demonstrates ignorance of important moments in the relationship between the Canadian state and
First Nations.

Unawareness of the unique rights and status of Indigenous peoples is also evident in the
argument articulated by the Société Saint-Jean-Baptiste de Québec that all territory within
Québec’s borders belongs to Québec. This approach demonstrates unawareness of the existence
of Indigenous reserves in Québec, which are under community and federal jurisdiction,
unawareness of the 53 outstanding settlement claims filed by First Nations in Québec, the
majority of which assert that unceded Indigenous lands were illegally sold or settled, and
unawareness of modern treaties between Québec and the Cree, Inuit, and Naskapi who inhabit
the northern parts of the province (Indian and Northern Affairs Canada 2011). Under the Indian
Act, reserves in Québec, as in other Canadian provinces, are under the administration of the
federal Department of Indian and Northern Affairs, which delivers, with varying degrees of
success, housing, education, community infrastructure and social support to reserves. In some settlements, there is significant community control over these services as a result of treaties that have modified the Indian Act (for example, the James Bay and Northern Québec Agreement and the Northeastern Québec Agreement). The assertion that the province of Québec has full control over all lands within its borders denies the complexity of jurisdiction over reserve lands. The 1975 James Bay and Northern Québec Agreement, the first comprehensive land claim settled in Canada, was negotiated in response to Cree and Inuit mobilization against the Québec government under Robert Bourassa, which sought to build a massive hydroelectric complex on untreated Cree, Inuit and Naskapi territory without environmental impact assessment or consultation of the communities affected (Desbiens 2004, Savard 2009). The Agreement between the province of Québec, the federal government, the Inuit of northern Québec, and the Cree of eastern James Bay cedes administration, management and control of certain lands to the Cree and Inuit and in its most recent incarnation sets up a unique model of resource co-management (Gouvernement du Québec 2002). A 1978 amendment to the James Bay and Northern Québec Agreement, the North-eastern Québec Agreement, negotiated between the Naskapi and the Québec government, also cedes greater self-government powers to the Naskapi (Gouvernement du Québec 1984). The argument that Québec is in full control of all of its territory reflects unawareness of Indigenous peoples’ distinct status, unawareness of the illegal dispossession of Indigenous lands coming to light in recent settlement claims, and neglects recent developments in governance regimes within Québec.

The scope of exclusion of Indigenous peoples and issues in the Commission extends to authors involved in education and suggests that while Québec’s education system might not be the source of ignorance, it may be perpetuating it. Briefs pertaining to education comprised over
a fifth of the 791 briefs submitted to the Commission (21%). Of all the briefs that addressed education, 90% of authors apparently did not take issue with the Commission’s mandate and made no mention of Indigenous peoples or issues. This exclusion was articulated by 10 organizations dedicated to educating the public on some issue, 6 organizations that critiqued Québec’s education system, at least 46 primary, secondary, Cégep, and university students, 49 academics from across the disciplines, 5 university departments, organizations and research groups, 3 Cégeps, 2 teachers unions, and 4 school boards. Most of these briefs spoke of the primacy of the French language, the need for secularism in schools, and the need for equality between men and women in the education system and in Québec society.

The fact that the vast majority of authors involved in education did not take issue with the Commission’s reasons for excluding Indigenous issues suggests that they too are unaware of the history and complexities of Indigenous rights and status in Québec and in Canada. This silence is particularly problematic in the realm of education. What is taught, how and by whom it is taught, and what is omitted reflects the knowledge that is considered valuable and is a deeply political indication of where we stand as individuals and as a society. Certainly Indigenous people and issues have been problematically included and excluded from provincial curricula across Canada for decades (Clark 2006, Forget and Panayotova 2003, Godlewska, Bednasek and Moore 2010, Laville 1991, Lemisko and Bradford 2002, Tupper and Capello 2008, Vincent and Arcand 1979). Studies on non-Indigenous teachers teaching Indigenous students highlight that many do not feel they have adequate understanding of the history, perspectives, and realities of different Indigenous communities, or perhaps more tellingly, the time to learn about them (Aikenhead and

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5 Some of the briefs submitted by students were written by more than one author, and some briefs stated that they were presented on the behalf of a group of students. 46 briefs were presented by students, but it is not possible to know how many students were involved in their writing and presentation. Suffice it to say that there were more than 46.
Bentley 1999, Dion 2007, Wotherspoon 2007). Student unawareness of Canada’s colonial history has been documented in several Canadian provinces, and many education theorists contend that silence in the classroom has perpetuated incomprehension and unawareness of Indigenous issues (CAAS 2004, Godlewska et al. 2012, Ghosh and Abdi 2004, Paquette 1991, Sleeter and Grant 1985). These authors’ exclusion of Indigenous peoples and issues is complicit in a wide and deep unawareness that has considerable historical precedence, and that is certainly not limited to Québec.

The silence is also eloquent in its irony. For the Société Saint-Jean-Baptiste de Rimouski and one unknown individual from Montreal, the failure of public school and university curricula to adequately teach Québec’s history, namely, that of a francophone minority within an anglophone majority, has led to a collective amnesia which is at the heart of the malaise Québécois feel about accommodation and integration of immigrants. Given the depth and scope of unawareness of Indigenous peoples and issues in the Commission’s mandate and in the majority of briefs submitted to the Commission, perhaps the amnesia described by these authors has more dimension than they are aware.

*Negotiating exclusion in briefs that made some mention of Indigenous peoples*

Unawareness of Indigenous peoples and issues in the Commission’s mandate and in briefs that made no mention of indigeneity finds continuity in briefs that mentioned Indigenous peoples, First Nations, or indigeneity. Of the 791 briefs submitted to the Commission, 193 authors (24%) spoke to the place of Indigenous peoples in Québec and in Canada. In 91 of these briefs, the authors made only passing mention of Indigenous peoples or issues; Indigeneity was peripheral to other arguments made. The ways in which authors in this category recognized Indigenous presence in Québec again indicates a superficial and problematic awareness of
Canada’s colonial history and the complexity of Aboriginal rights and status. Silence in these briefs was articulated through unawareness of the connotations of language, ignorance of treaties and the reasons for their negotiation, conflation of Indigenous peoples with other ethnic minorities in Québec, construction of Indigenous people as immigrants too, and insistence that Québec’s Indigenous population has all but disappeared. Despite their mention of Indigenous peoples or issues, the arguments draw their strength from prevailing ignorance born of silence around Indigenous issues and rights in Québec.

Unawareness and exclusion of Indigenous peoples and issues was particularly resonant in the language used by some authors. In French and in Québec the word ‘autochtone’ has considerable currency as a synonym for Indigeneity and is widely used in government documents and popular media. Some authors chose to define ‘autochtone’ in a way that does not reflect its connotation of Indigeneity in order to argue for the indigeneity of French-speaking Quebecers. Harouna Dramé, an independent researcher originally from Côte d’Ivoire with a PhD in chemical engineering, and Rodrigue Larose, a French immigrant who has lived in Québec for 10 years, consider that any society that welcomes new immigrants, including Québec, can be considered autochthonous. For Fernand Morin, an emeritus professor at the Université Laval, all French-speaking Quebecers can be considered native to the territory, and for one unknown individual from Trois-Rivières, new immigrants should not be so sensitive as immigrants, including the British and Polish, have always been mocked by the indigenous French majority.

Given the popularity of ‘autochtone’ as a synonym for Indigeneity in Québec since at least the 1970s, these authors’ decisions to define ‘autochtone’ in a way that strips the word of its Indigenous connotation indicates a fundamental disconnect from public discourse around Indigenous peoples.
Silence around Indigenous peoples was also expressed in the argument that Indigenous people and communities are no different from non-Indigenous Quebecers. These authors demonstrate deep ignorance of the sources of contemporary Aboriginal rights and title.

According to Linda Doyon, a primary school religion teacher in Québec City, young people’s inability to understand why Indigenous people and communities receive payments from the government indicates a loss of Christian values in Québec society. For Doyon, payments to Indigenous people and communities are a form of Christian charity equivalent to payments to the sick or poor. The argument conflates Indian Act obligations with payments administered through social welfare programs and in doing so reflects deep unawareness of key Canadian law that creates a separate form of governance for Indigenous people and communities. First passed in 1876, the Indian Act effectively constitutes a regime of guardianship that renders Indians wards of the state. The Act worked to assimilate Indigenous people through its imposition of legal definitions that determine who can be considered ‘Indian’ and who cannot (Lawrence 2004). Attacks on Indigenous identity through the Indian Act included criminalization of traditional activities and offers of enfranchisement in exchange for renunciation of Indian status. While some of the most egregious assimilative provisions of the Act have been amended, the Minister of Indian Affairs continues to hold power over Indian status, band membership, political and administrative structure on reserves, tax exemptions, and financial administration (Dupuis 1991, 42). Under the Act, the federal government is responsible for providing financial support for housing, education, community infrastructure and social programs on reserves, but the Act also severely limits reserve self-government, prohibits land ownership rights, which has considerable implications for economic development, and stipulates ministerial control over the descent of property and over the guardianship of minor children (Dupuis 1991, 45). The argument that
Indian Act obligations to Indigenous people and communities are no different from welfare payments given to the sick or poor demonstrates deep unawareness of the context and complexity of relationships between Indigenous people, communities, and the Canadian state.

The approach is also unreflective of British and Canadian legislation and law that mandate treaties to reconcile the prior occupation of North America with the assertion of British and, later, Canadian sovereignty, and indicates unawareness of treaty agreements and the obligations they entail. The 1763 Royal Proclamation, arguably the source of contemporary Indigenous rights in Canadian law, passed in the context of the cession of French title in North America to the British, formally recognized Indigenous jurisdiction over lands, mandated British non-interference in Indigenous land use and government, and stipulated negotiation with Indigenous nations as a necessity under the law (Borrows 1994). In 1912, the Québec Boundaries Extension Act transferred lands extending from the Eastmain River to the Ungava peninsula to the province of Québec and stipulated that treaties be negotiated with the Cree, Inuit and Naskapi living there (Vincent 1995). In 1982, Section 35(1) of the Constitution Act recognized and affirmed existing Aboriginal and treaty rights. Though the conditions and terms of treaties differ between provinces, territories, and First Nations and are contingent upon specific historical, cultural, political and legal circumstances, government fiduciary support was and is often mandated in treaty agreements as one of the conditions of title surrender (Rotman 1997). Perhaps most notably in Québec, the James Bay and Northern Québec Agreement mandates financial support for Cree and Inuit hunters and trappers, as well as for education, healthcare and economic development, in exchange for the surrender of claims to traditional lands (Government of Canada 1975). The argument that treaty obligations to Indigenous people and communities are equivalent to social welfare obscures the unique rights Indigenous peoples have as the first
occupants of this territory. The approach demonstrates deep ignorance of the reasons for treaty negotiation, sustained by prevailing silence on these issues, and reflects unawareness of important treaty agreements in Québec, but it is also denigrating and reproduces some of the worst impulses evident in the missionary activities of the Jesuits.

In a similar vein, the Québec Ministry of Health and Social Services and the Liberal Party of Québec, as well as two Montreal-based organizations dedicated to fostering dialogue between different cultural communities, two provincial public service unions, and four unknown individuals, all argue that Indigenous people are minorities who should be accommodated just like other ethnic minorities in Québec. On the surface, this sounds liberal and accepting but the approach also serves to obscure the distinct rights Indigenous peoples have as the first inhabitants of the territory. The argument indicates unawareness of important instances in the relationship between Indigenous peoples and the Canadian state, such as the 1763 Royal Proclamation, the Indian Act, the 1973 Calder case, and Section 35 of the 1982 Constitution Act, which have, to different extent, rendered Indigenous peoples distinct from non-Indigenous Canadians and affirmed the distinct and unique rights Indigenous peoples have as the first inhabitants of the territory. The approach used by the above authors obscures the longstanding presence of Indigenous peoples in Québec and demonstrates deep unawareness, sustained by prevailing silence on these issues in Québec, of key moments in the relationship between Indigenous peoples and the Canadian state that have recognized and affirmed the rights inherent to original occupation.

A third strategy of exclusion was the argument that Indigenous people are immigrants just like French-speaking Quebecers and ethnic minorities who have recently come to Québec. Authors writing in this vein reject antiquity of inhabitance as a source of rights and in doing so
allow an unproblematic argument for the delegitimization of Indigenous claims to ancestral lands as well as an unproblematic argument for the primacy of the language and culture of the French majority. For two unknown individuals and Vincent Leger, a consultant in heritage planning and sustainable development, everyone in Québec is an immigrant, including the Indigenous people who migrated to what is now Canada from Asia. For Vincent Leger, this is a fact that is not well known but should be common knowledge, taught in Québec schools and through museums and other cultural institutions. The authors’ uncritical acceptance of the Bering Strait land bridge hypothesis as an explanation for Indigenous presence in Canada demonstrates unawareness of research and traditional knowledge that has suggested much more complex and other origins, as well as unawareness of the political implications of this argument for Indigenous land rights. Archaeological evidence from South America has pointed to the possibility that the oldest Indigenous populations first existed in the southern regions of the western hemisphere and then spread north (Dillehay 1989b, Mandryk et al. 2001, Meltzer 1997). Comparative analysis of technology unearthed in North America has indicated an ancient European origin (Bradley and Stanford 2004). Skeletal and technological remains from several locations have suggested maritime crossings of Chinese and Pacific Islander origin (Erlandson et al. 2011, Mandryk et al. 2001). Indigenous peoples themselves maintain that they have been here since time immemorial, and compared to the duration of most European and other nations and to the reach of most historical traditions, indeed they have been. The argument made by these authors, that all Quebecers are immigrants, is redolent of the Law of Nations as it works to delegitimize the rights inherent to original occupancy, and relies on an uninformed understanding of the complexity and political nature of the question of Indigenous migration.
Silence and unawareness was also expressed in the argument that Québec’s Indigenous population is “dropping.” The argument indicates unawareness of the contemporary population status of Indigenous people in Québec and Canada and is complicit in a long history of European misconceptions concerning the presence of Indigenous peoples in North America. For two unknown individuals writing from Montreal, Québec has need of immigrants given its size and the fact that the birth rate of its Indigenous people is in decline. In fact Québec’s Indigenous population has been on the increase since 1996 (Statistics Canada 2006a). This argument is reflective of the kinds of self-serving and erroneous interpretations of Indigenous presence in North America that have been used to dispossess Indigenous peoples for centuries. In North America, the spread of colonization westward beginning in the 18th century drew from Enlightenment notions of progress to justify the violation of treaty agreements and the dispossession of Indigenous lands (Trigger 1980). Racial myths constructing Indigenous people as inherently barbaric and incapable of cultural development, unable to adjust to European lifestyles, worked to perpetuate an understanding amongst policy makers, scholars and the general public that the decline and eventual disappearance of Indigenous peoples was an inevitable consequence of the spread of civilization (McGuire 1992, Dippie 1982). Thus, in their assertion that Québec’s Indigenous population is dropping, while it is, in fact, increasing, these authors demonstrate deep unawareness of contemporary realities and complicity in a colonial way of thinking.

While many authors making passing mention of Indigenous peoples or issues did so in ways that indicate a superficial and uninformed awareness of Indigeneity in Québec and in Canada, a significant number of authors in this group support my contention that the silences and unawareness in the Reasonable Accommodation Commission are deeply problematic. These
authors, all of whom spoke on behalf of large and well-established social organizations in Québec, point out the inequities that exist between Indigenous and non-Indigenous people and communities. The Corporation Intégration de Saguenay, a non-profit community organization dedicated to promoting intercultural dialogue and the integration of new immigrants in Saguenay, argued that racism towards Indigenous people is widespread in Québec. The Alliance des Communautés Culturelles pour l’Égalité dans la Santé et les Services Sociaux, an Montreal-based umbrella group comprising over 100 organizations dedicated to ensuring the quality and accessibility of health and social services to minority communities, pointed out that health and social services in Indigenous communities are severely underserved. The Fédération des femmes du Québec, a non-partisan group dedicated to promoting and defending the interests and rights of women in Québec, and the Fédération des resources d’hébergement pour femmes violentées et en difficulté du Québec, an organization working to ensure the accessibility of safe houses for women experiencing domestic violence, both contend that Indigenous women face higher instances of gender-based violence than non-Indigenous women. Action Travail des Femmes, a Montreal-based non-profit organization dedicated to promoting gender equality in the workplace, asserts that Indigenous women’s employment opportunities are significantly lower than those of non-Indigenous women. The Canadian University Service Overseas (CUSO), an organization comprising over 11,000 members working to eliminate poverty in Québec, in Canada, and internationally, expressed concern over the extreme poverty on some reserves and the lack of respect for First Nations’ land claims and territorial rights amongst non-Indigenous Canadians. In addition, some authors argued that unawareness of Indigenous people and issues is widespread in Québec and that this unawareness has weakened Québec society. For the Canadian University Service Overseas (CUSO), First Nations have been excluded from Québec’s historical narratives.
and much remains to be done to change Quebecers’ conceptions of First Nations. For two unknown individuals writing from Montreal, there should be greater intercultural exchange between young Indigenous and non-Indigenous Quebecers to promote understanding of Québec’s past and create dialogue around Québec’s future. Alain Pronkin, head of a non-profit organization dedicated to informing Quebecers and businesses about contemporary religious issues, maintains that Québec schools have not adequately taught students about Indigenous people. Linda Doyon, a primary school religion teacher from Québec City, contends that young people do not understand the history and context of state obligations to Indigenous people and communities. The fact that this author is a schoolteacher is relevant and perhaps points to the scope and depth of the problem of ignorance. While her explanation for student unawareness is problematic (see pgs. 42-43), Doyon makes the important observation that students do not understand the complexity of relationships between Indigenous people, communities, and the Québec and Canadian governments. The fact that she blames a loss of Christian values, arguably a societal issue, for this unawareness indicates that she perceives education to be only one facet of a deep and pervasive problem. These authors recognize that given the inequities that exist between Indigenous and non-Indigenous Quebecers, the exclusion of Indigenous peoples from a debate that worked to understand the very nature of inclusion in Québec society is highly problematic, and points to deeply rooted and widespread ignorance of Indigenous rights and status that has significant implications for decolonization and reconciliation in Québec and in Canada.

_Negotiating exclusion in briefs that significantly engaged with Indigenous peoples and issues_

The silence of authors who made little or no mention of Indigenous peoples or issues finds continuity in briefs that significantly engaged with Indigeneity. Of the 791 briefs submitted
to the Commission, 102 authors (13%) did not follow the Commission’s mandate and spoke explicitly of the place of Indigenous peoples in Québec. These authors are distinguishable from those who made only passing mention of Indigenous peoples in that Indigeneity was central to arguments made around reasonable accommodation. The strategies of silence used by these authors take as many forms as there are interests but they are coherent and geographical in that the majority work to write Indigenous peoples and issues out of modern Québec to make space for interests deemed incompatible with Indigenous presence. While there was strong coherence between positionality and opinion amongst authors who identified themselves as speaking on behalf of specific interest groups, there was little discernible relationship between position and opinion amongst individual authors. According to scholars of democratic participation this is to be expected as the public articulation of opinion is often influenced by a range of factors including political leaning, cultural values, emotion and self-interest (Lau and Schlesinger 2005). However the fact that these authors agreed that Indigenous peoples have no place in modern Québec, despite the diversity of their social roles, interests, and arguments, only demonstrates the depth and breadth of the problem of ignorance.

The arguments made by all authors, whether representative of interest groups or not, fall into three distinct categories. The first category of argument contends that French-Canadian Quebecers should have undisputed jurisdictional authority over matters of immigration and accommodation in the province. The strength of the argument lies in silence and unawareness, including insistence that Indigenous peoples have already been assimilated, relegation of Indigenous peoples to a silent and primitive past, unawareness of Indigenous territorial rights, and uncritical acceptance of the political philosophy of the Law of Nations. The second category of argument insists that French-Canadian Quebecers should not have complete control over
immigration and accommodation in the province. Authors writing in this category argue that French-Canadian Quebecers are immigrants too and that therefore the French culture should not have any special status in Québec. They acknowledge that Indigenous peoples are the only true First Peoples of the territory and, arguing that the French and British represent another form of immigration, reject national borders and divisions, a conception that has problematic implications for Indigenous peoples. Some authors writing in this vein also problematically conflate systematic attacks on Indigenous cultures in residential schools with the imposition of language laws on new immigrants. The third category of argument is that immigrants should be welcomed in Québec as Québec has always been an open and ethnically diverse society. This argumentation relies on problematic conceptions of Québec’s history, including denial of French colonization and erasure of distinct Indigenous presence. Despite their significant engagement with Indigenous peoples and issues, all of these arguments are deeply problematic as they draw their strength from prevailing ignorance born of silence around Indigenous status and rights in Québec.

The fundamental ignorance displayed in the first category, that Indigenous peoples have already been assimilated, is important because it makes strategic use of the still vital and widely believed 19th century vanishing Indian myth. The position was based in the argument that Indigenous peoples and French settlers have intermarried such that a distinct indigenous ethnicity has evolved in Québec to replace the Indian. The most coherent articulation of this position was expressed by the Conseil de la Souveraineté du Québec (CSQ), an organization devoted to the promotion of Québec’s sovereignty. The CSQ contended that rights to nationhood arise from ethnic distinctiveness and that Québec’s ethnic distinctiveness has resulted from a long history of intermarriage between Indigenous peoples and French settlers. Others made the same point that
French-Indigenous intermarriage lies at the heart of Québec’s ethnic identity including Isabelle Matte, a PhD student at the Université Laval, Bastien Guérard, an international relations consultant from Montreal, Louis Balthazar, emeritus professor of political science at Université Laval, Michel Paradis, an IT technician living in Montreal, Louis Bernard, a lawyer and consultant based in Montreal and a member of the Order of Canada, Jacques Grand’Maison, emeritus professor at Université de Montreal, and two unknown individuals writing from Québec City. Similarly, the Collectif Pierre-le-Gardeur, a nationalist group from the Lanaudière region, contended that all Quebecers are Métis and Céline Plourde, a retired nurse living in Montreal, declared proudly that to be a ‘pure laine’ (‘old-stock’) Québécois is to have Amerindian ancestry.

While intermarriage and considerable cultural exchange between Indigenous people and early French settlers certainly did occur, these arguments are problematic as they erase any contemporary Indigenous presence. With no recognition of the continued existence of Indigenous peoples in Québec, this stance allows an unproblematic argument for the indigeneity of the French language and culture in Québec.

Ignorance of the origins and legitimacy of ancestral Indigenous land rights was another tactic of exclusion by authors writing in the first category. The Parti République du Québec, a short-lived conservative, green and sovereigntist political party disbanded in 2009, argues that reserves are equivalent to ethnic ghettos and that they should be abolished to facilitate Indigenous peoples’ integration into Québec society. For Marcel Filion, a retiree from Laval, ethnic ghettos and reserves are not part of Québec society and should be assimilated for ‘the good of everyone’. The assimilation promoted by these authors replicates the colonial impulses expressed in centuries of policy towards Indigenous peoples. The approach demonstrates deep ignorance of the origins of Indigenous land rights, recognized in many federal and provincial

A third strategy of silence in the first category of argumentation, which asserted that Québec should have undisputed control over immigration and accommodation in the province, was the contention that Indigenous land claims constitute a threat to Québec’s territorial integrity. The argument was that federal multiculturalism, internalized by some Québec leaders, undermines Québec’s distinctiveness and amongst other problems has created Indigenous threats to Québec’s territorial sovereignty. Jean Bernatchez, professor at Université du Québec à Trois-Rivières, contends that Canadian federal multiculturalism has awakened Indigenous nationalism while working to undermine Québec nationalism. For retired civil servant Jacques Bec, land claims are strategies adopted by Québec federalists to undermine the territorial integrity of Québec and should therefore first be approved by Quebecers of European descent, and Jean-Pierre Plourde, a retired businessman writing from Québec City, argues that land claims should be put to the vote of the majority because any Québécois with a father or grandfather born in Québec is as indigenous as the Indigenous peoples. While the promotion of multiculturalism under Pierre Trudeau and its official recognition in the 1982 Constitution Act did in effect undermine the collective rights central to nationalist aspirations in Québec, the argument that multiculturalism gave rise to Indigenous nationalism is uninformed. In Canada, pan-Indigenous political mobilization was largely initiated in response to Pierre Trudeau’s 1969 White Paper, which ignored several recommendations put together in consultation with Indigenous leaders by the Hawthorn Report and instead proposed to eliminate collective Indigenous land rights (Cardinal 1969, Weaver 1981). The political momentum galvanized by the White Paper was in
large part responsible for the recognition of Aboriginal and treaty rights in the 1982 Constitution Act and for the constitutional conferences on Aboriginal rights held after repatriation (Weaver 1981). The argument that federal multiculturalism is at the root of Indigenous nationalism demonstrates deep unawareness of important instances in the relationship between Indigenous peoples and the Canadian state, but it is also denigrating as by figuring Indigenous political mobilization as a mere by-product of federal policy it undermines the legitimacy of Indigenous claims. The fundamental ignorance displayed in the argument that land claims should be put to popular vote is problematic as it obscures the origins of Indigenous ancestral rights and replicates the assimilationist impulses underlying centuries of state policy towards Indigenous peoples. The contention that Quebeckers are no less indigenous than Indigenous peoples works to devalue and delegitimize ancestral Indigenous rights and allows an unproblematic argument for the primacy of the French language and culture in Quebeck. The strength of these arguments lies in silence.

Some authors writing in the first category invoked the logic of *terra nullius* to argue that the French are the only founding people in Quebeck and therefore have the right to determine matters of immigration in the province. Jacques Frenette, speaking on behalf of Entente Cordiale, a Montreal-based organization devoted to promoting dialogue between francophone and anglophone communities, contended that upon arrival in what is now Quebeck, French explorers found only the barest traces of infrastructure and organized human presence. Arguing that the French and francophone immigrants are Quebecks only founding people, Michel Bastien, a retiree from Montreal, acknowledges that there are over 100,000 First Nations and Inuit in Quebeck but asserts that they do not constitute founding peoples because at contact they were nomads sustained by hunting and fishing who never created, built or developed anything in any ‘notable way’. Andrée Mathieu, civil servant and lecturer, argues that the Quebeck territory ‘bears
traces of those who have lived here before us.’ The positions are reminiscent of the colonial motivations underlying the doctrine of *terra nullius*, a philosophy of international law dating from the 15th century that, drawing from the premise that Indigenous peoples were too ‘uncivilized’ to constitute sovereign nations, allowed Indigenous lands to legally be considered unoccupied prior to colonial settlement. Under this fiction European powers could bypass any claims to sovereignty and possession by Indigenous peoples and use ‘discovery’ to justify colonial claims (Anaya 2004). These authors demonstrate deep unawareness of the vitality of contemporary Indigenous peoples and of Québec and Canadian court cases that have refuted *terra nullius* and recognized the longstanding presence and inherent rights of Indigenous peoples in what is now Canada.

Unawareness around Indigenous peoples and issues was articulated differently in the second category of argument, which contends that French-Canadian Quebecers should not have the right to determine matters of immigration and accommodation. The position uses the existence of Indigenous peoples as a rhetorical strategy to argue that Quebecers are also immigrants and therefore hypocritical in demanding accommodation from newcomers, and is problematic as it constructs French and British conquest as just another form of immigration. The Association des Femmes Iraniennes de Montréal, an organization devoted to the promotion of gender equality in Iran and the political voice of women in the Iranian diaspora, argues that immigration has long been a feature of Québec society but has recently changed for the worse as Québec is now hypocritically demanding medical and French exams and security certificates of new immigrants, documentation that the Indigenous peoples never required of French settlers. Other authors made the same point that the expectation that new immigrants integrate into Québec is flawed as Quebecers did not integrate into Indigenous societies and adopt their values,
including Nourredine Saidani, an immigrant from Algeria who has lived in Québec for 15 years, and Artur Gjidede, a mechanical engineer originally from Albania. Similarly, the Centre Communautaire Musulman de Montréal, a non-profit grassroots organization that offers religious, educational, social and recreational services to the Muslim community in Montreal, and the Township’s Association, a volunteer organization dedicated to serving the needs of the anglophone community in the Eastern Townships, argue that Québec has no right to impose its will on new immigrants as the only ‘pure laine’ are the Indigenous peoples. While the arguments acknowledge that Indigenous peoples are the original occupants of what is now Québec, they are also problematic as they construct French and British settlement as merely the first of many waves of immigration to Québec. The position works to obscure the violence and contested legality of conquest and demonstrates deep unawareness of the historical geographies of French and British colonialism, but also constructs immigration as a natural and unstoppable phenomenon that is only now being irrationally and unjustifiably constrained by Québec authorities. Despite affirmation of original Indigenous presence, the stance in effect presumes that all Quebecers have equal rights to territory. In this construction, claims to land based in first occupancy are devalued and depoliticized. At the heart of the argument is unawareness of the implications of immigration for Indigenous peoples and land rights, born of silence around these issues in Québec and in Canada.

Unawareness of the political and territorial implications of immigration for Indigenous peoples was also expressed by authors who promoted a rejection of national borders and divisions. The Association des femmes Iraniennes de Montréal argues that Quebecers’ anxiety about immigration is unreasonable as immigrants are willing to contribute to the ‘maison commune’ that is Québec, open to ‘all humans on the horizon’. The latter is a line from ‘Mon
Pays’, a song by Gilles Vigneault, one of Québec’s central musical figures famous for his role in founding a movement of Québec song writing that examines and celebrates its cultural identity:

“A tous les hommes de la terre
Ma maison c’est votre maison
Entre mes quatre murs de glace
Je mets mon temps et mon espace
A préparer le feu, la place
Pour les humains de l’horizon
Et les humains sont de ma race.”

“To all the people on Earth
My home is your home
Between my four walls of ice
I take my time and my space
to prepare a fire and a place
For all humans on the horizon
Because humans are my race.”

- Excerpt of ‘Mon Pays’ by Gilles Vigneault, 1966

Drawing from Gilles Vigneault, a widely respected Québec cultural icon, the Association maintains that Québec has always been proudly borderless and that borders and border mentality are an affront to Québec’s natural order as they limit the free flow of people that has long characterized the territory. In a similar rejection of border mentality, Robert Dole, a professor at Université du Québec à Chicoutimi originally from the United States, and one unknown individual from Gatineau, argue that xenophobic feelings towards immigrants are unreasonable as all Quebecers, including the Indigenous peoples who immigrated thousands of years ago, are immigrants. On the surface these approaches sound liberal and accepting but they work to depoliticize ancestral Indigenous land rights as they argue that all people, regardless of their origin, have equal rights to territory.

Supporting the second category of argument that French-Canadian Quebecers are immigrants too and extending it into the realm of racism is the contention that Indigenous peoples failed to accommodate French and British newcomers. Arguing that the only first peoples of Québec were the Indigenous peoples and drawing an analogy between the Indigenous experience of immigration and that of French-Canadian Quebecers today, a student at Cégep de St. Laurent in Montreal warns Quebecers that Indigenous societies stopped evolving because they did not adjust their cultural identity with the arrival of the French and the
English. The argument reveals many problematic and prejudicial conceptions. It obscures the violence of and contested legality of conquest by constructing French and English presence as merely the first of many waves of immigration, but the approach also replicates colonial thinking as it relegates Indigenous peoples to a static and primitive past, absent from modern Québec. At the heart of the argument is unawareness of the continued existence and vitality of Indigenous peoples in Québec.

The argument that the Indigenous residential school experience is now being shared by new immigrants was another rhetorical strategy used to support the assertion that French-Canadian Quebecers do not have the right to determine matters of immigration and accommodation in the province. In a scathing brief submitted by the South Asian Women’s Community Centre, a support and advocacy organization for South Asian women and their families in the Greater Montreal area, the authors contend that white men have long been responsible for crimes against cultures and that the impulses underlying efforts to erase Indigenous children’s languages and cultures in residential schools are now being expressed in Québec’s actions to preserve the French language and culture. Natasha Mann, a student living in Montreal, argues that white Christians, in the name of protecting their culture and civilization, perpetrated abuse against Indigenous children in residential schools and that the hate and fear motivating this abuse are now being expressed against Muslims and other minorities. James Kelly, an ESL teacher in Montreal, similarly contends that French language laws are equivalent to the language constraints placed on Indigenous children in residential schools. The conflation of systematic attacks on Indigenous cultures in residential schools with Québec’s language laws is deeply problematic as it ignores the vastly different motivations underlying their implementation.
Sustained desire to eradicate Indigenous cultures and ways of being was at the heart of the Indian residential school strategy. Though re-education of Indigenous children was attempted by French Jesuits as early as the 17th century, the Bagot Commission of 1842 under the British initiated an education policy that later informed the establishment of a nationwide residential school system. The Commission advocated the removal of Indigenous children from the ‘traditional’ influences of their homes, communities, and Elders, ostensibly to teach them the skills to succeed in a growing settler society, though in the schools the emphasis was often on producing subservient workers rather than dynamic citizens (Milloy 1999). Run by churches, residential schools were funded at rates much lower than schools for non-Indigenous children and were often overcrowded and poorly heated and ventilated. Food and clothing were of an inferior quality and often insufficient, and to promote learning of English or French, traditional languages were forbidden and cruel punishments were often administered to deter students from speaking them (Haig-Brown 1988). Disease was rampant and in 1907, Dr. Peter Bryce, then Medical Inspector for the Department of Indian Affairs, published a condemnatory report on the “criminal” health conditions of residential schools in Western Canada, citing widespread incidence of tuberculosis and a death rate of over 45%. His findings were suppressed and he was subsequently expelled from the civil service (Bryce 1922). Survivors have detailed many instances of physical and sexual abuse from teachers, administrators and fellow students, and the physical, emotional and psychological fallout from residential school experiences has had debilitating effects on Indigenous individuals, communities, and subsequent generations (Kelm 1996, Truth and Reconciliation Commission 2012). It is estimated that between 1920 and 1969 100,000 children were in the schools (Titley 1986, 139). Though the schools began to be closed down in the 1970s, the last one did not close until 1996 (Milloy 1999).
Québec’s language laws originate from a 1977 effort to promote the use of French in Québec. Chapter 8 of *La charte de la langue française* (Bill 101), in large part motivated by the growing numbers of immigrant children in English-language schools, makes French the official language of instruction for all public kindergarten, elementary and secondary schools (Balthazar 1995). With exceptions for historic anglophone communities and for English-speaking Canadians from other provinces, all children, whether born in Québec or in a country outside Canada, must attend French-language schools for their elementary and secondary education, though students may choose whether to pursue their post-secondary education in French or in English. The legislation works to ensure that the majority of immigrant children attend school in French as the right to English-language instruction is restricted to children whose mother or father is a Canadian citizen and has received the majority of their elementary instruction in English, and to those children of Canadian parentage who have received the majority of their education thus far in English (Gouvernement du Québec 1977). As of 2010, in response to a 2009 Supreme Court ruling, it is legal for parents, whether new immigrants or not, to first send their children to private English schools to gain the necessary amount of English schooling required for the public English system, but this loophole was banned at the time of the Commission (Assemblée Nationale du Québec 2010). Though there is considerable debate over the legality of Bill 101, the goal of Chapter 8 of *La charte de la langue française* is ultimately to ensure the continuity and vitality of the French language in Québec in the context of demographic decline amongst French-Canadian Quebecers and the large number of allophone immigrants in the province. In no part of the legislation is there any requirement that students be removed from their families or subjected to systematic abuse. The contention that Québec’s language laws, created in the context of Québec’s status as a francophone minority within an
anglophone majority, are comparable to sustained attacks on Indigenous cultures demonstrates deep ignorance, sustained by the lack of significant engagement with these issues in Québec and in Canada, of the colonial motivations underlying the residential schools strategy and of the long history of assimilationist policies directed towards Indigenous peoples.

The third category of argumentation was that immigrants should be welcomed to Québec because Québec has always been an open and welcoming society. The position was based in the contention that Indigenous peoples are the original accommodators and that the peaceful accommodation that occurred between French settlers and Indigenous peoples has always and should continue to set the tone for the accommodation of immigrants in Québec. The stance is problematic as by constructing French presence as merely the first of many waves of immigration, it obscures the disease and war that decimated Indigenous people after French arrival. Authors writing in this vein, including the Communauté Catholique Congolaise, the Centre pour Justice et Foi, a Montreal organization affiliated with the Jesuits dedicated to analyzing and critiquing Québec’s sociopolitical, economic, cultural, and religious structures, Michel Paradis, an IT technician living in Montreal, Sarah-Michelle Neveu, a student at Cégep de St. Laurent in Montreal, Alice Couture, a lecturer at Université Laval, and one unknown individual from Québec, recognize original Indigenous presence but, entirely in keeping with the original Jesuit accounts in the Relations, argue that the French were not conquerors but allies and benefactors (and in the Relations, were not responsible for the devastation of disease and war). While close reciprocal relationships certainly did exist between some Indigenous peoples and early French settlers, the premise that the relationship was without conflict and consequences demonstrates deep unawareness of Québec’s history, the long period of warfare with the Iroquois to 1701, and the role French settlers, their descendants, and immigrants played in the
dispossession of Indigenous lands (see Simard 1998). The position also works to absolve
Quebecers of responsibility and in doing so allows an unproblematic argument for the continued
exclusion of Indigenous interests from the concerns of modern Québec.

The argument that there are no distinct ethnic groups in Québec due to immigration and
intermarriage was another rhetorical strategy in the third category of argumentation and is
problematic as the stance depoliticizes claims to land based in first occupancy. Sarah-Michelle
Neveu and Robert Talbot, a behavioural scientist with a Ph.D. in management and
communication writing from Québec City, argue that Québec’s identity has been forged through
immigration and that there is no such thing as a French, Italian, or Indigenous person as everyone
is a Québécois. While the approach sounds liberal and accepting, it devalues ancestral Indigenous
rights and is reminiscent of the assimilatory 1969 White Paper as it posits Indigenous peoples as
no different from non-Indigenous Quebecers. The arguments demonstrate deep unawareness of
the Indian Act, which maintains a separate form of governance for Indigenous peoples, and of
recent court cases and legislation in Québec and in Canada that recognize original Indigenous
presence and the land rights that stem from ancestral occupation.

Conclusion

Ignorance is a powerful social force, particularly when combined with myth and
unexamined ideology. As demonstrated by many briefs submitted to the Commission, the
problem of ignorance is deep and widespread in Québec and is unconstrained by the authors’
social positions, interests, arguments, or level of engagement with the question of Indigeneity in
Québec. Many authors did not question the Commission’s mandate and excluded Indigenous
peoples through silence that problematically rendered Indigenous peoples absent from modern
Québec. Other authors made passing mention of Indigenous peoples but in passing mention demonstrate superficial and problematic awareness of Indigenous existence, histories, and rights. Whether arguing for the right of French-Canadian Quebecers to determine the rights of immigrants in the province, for the right of immigrants to live without restrictions on language and cultural expression, or for the need to welcome immigrants in Québec, the majority of arguments made by authors who significantly engaged with the question of Indigeneity worked to exclude Indigenous peoples from the concerns of modern Québec to make room for interests deemed incompatible with Indigenous presence.
Chapter 4:

Public Condemnation of Exclusion:
Author Criticisms of the Commission’s Decision to Exclude Indigenous Peoples

_Criticisms by non-Indigenous authors_

While problematic ignorance of Indigenous rights and histories was rampant in many briefs submitted to the Commission, some authors were arguably more enlightened. Several authors expressed outrage over the exclusion of Indigenous interests from the Commission’s mandate and activities, arguing that there is widespread ignorance of Indigenous existence in Québec and that this ignorance is a fundamental barrier to addressing the inequities that exist between Indigenous and non-Indigenous people and communities. Some authors contend that education is at the heart of the problem of ignorance and others articulate their concern that in excluding Indigenous peoples, the Commission only worked to further marginalize the Indigenous population. Many of these authors argue that the lack of reconciliation with Indigenous peoples is at the heart of the malaise Quebecers feel around the accommodation of immigrants. All of these authors point to the problematic nature of exclusion in the Commission’s mandate and activities.

Several authors maintained that the exclusion of Indigenous peoples from the Commission’s mandate, and the public’s uncritical acceptance of this exclusion, is indicative of the Commissioners’ and Quebecers’ deep ignorance of the history of colonialism and its impact on contemporary Indigenous realities. Donovan King, director of Optative Theatrical Laboratories, a community-based activist theater group in Montreal, contends that the exclusion replicates centuries of disdain for Indigenous peoples and demonstrates unawareness of inhumane conditions on many reserves. Franc-sois Dandurand of Montreal similarly asserts that
the Commission is complicit in a long history of removal of Indigenous concerns from Québec’s public sphere, and that negative stereotypes of Indigenous peoples arise from Quebecers’ uninformed vision of life on reserves. In an indignant condemnation of the Commission’s decision to exclude Indigenous issues, Les Artistes pour la Paix, an organization comprising over 400 artists from across Québec devoted to promoting peace, social justice and disarmament, asserts that Québec society is ignorant of the reasons why Indigenous communities protest and that this ignorance is so deep that some Quebecers criticize governments for allowing tax exemptions on reserves. Maurice Burgevin, a retired professor of philosophy originally from France, and one unknown individual from Montreal, contend that Quebecers are ignoring the social problems that affect many reserves, including widespread alcohol abuse and suicide, and have forgotten that Indigenous people are the original occupants of the territory. It is notable that in their arguments many of these authors exclusively focus on reserve communities. The emphasis on social and economic problems faced by First Nations on reserves is in keeping with the unawareness shared by many Canadians of the realities of the significantly larger off-reserve, Métis, and federally unrecognized Indigenous population in Québec and in Canada.

Other authors spoke more broadly of the problem of ignorance in Québec. In a transcribed interview with Etebar, a trilingual magazine writing on social, economic, and community affairs for the Persian community in Québec, submitted to the Commission as a brief, Fo Niemi, the director of the Centre de recherche-action sur les relations raciales, a non-profit civil rights organization based in Montreal, asserts that racism is at the heart of Quebecers’ ignorance of Indigenous peoples and issues. For Johanne Jean, rector of Université du Québec en Abitibi-Temiscamingue, the decision to exclude Indigenous peoples was unjust and in their exclusion the Commission forgot that the Indigenous peoples are the first peoples of the territory. For the
Institut Interculturel de Montréal, founded in 1963 and devoted to the promotion of dialogue and understanding between cultural groups of all origins, the Commission’s and Quebecers’ insistence that Québec’s cultural identity does not include Indigenous peoples has a long and deep history and is deeply flawed and troubling. The organization argues that the development of healthy relationships with Indigenous peoples cannot happen without correcting ignorance of Indigenous peoples’ historical contributions to Québec and transforming negative and folkloric representations of Indigenous peoples in Québec society.

Many authors spoke of the role of education in perpetuating ignorance of and prejudice against Indigenous peoples. For the members of D’abord Solidaire, a non-partisan community group interested in the mechanisms of democracy in Québec, and one unknown individual from Montreal, contemporary history courses have placed inappropriate emphasis on the threats anglophones, immigrants, and Indigenous peoples pose to Québec and have romanticized the relationships that existed between French settlers and Indigenous peoples at contact. The Institut Interculturel de Montréal similarly contends that addressing the inequities that exist between Indigenous and non-Indigenous peoples requires that everyone, including new immigrants, have considerable knowledge about Indigenous cultural heritages and the historic relationship between Indigenous peoples and the Québec and Canadian governments. Donovan King of Optative Theatrical Laboratories asserts that many Indigenous people criticize the Eurocentric Québec public school curriculum for its exclusion of Indigenous perspectives and ways of knowing. These arguments are in keeping with the perspectives of many Québec educational theorists and geographers and are particularly resonant considering the silence of over 120 authors involved in education and the unawareness demonstrated by the majority of authors who submitted to the Commission.
Several authors stressed the need for reconciliation between Indigenous and non-Indigenous Quebecers. The Bishop’s University / Champlain College-Lennoxville Refugee-Student Sponsorship Committee, a privately-run program for the sponsorship of young refugees, Virginie Hébert, a small-business owner writing from Rimouski, Paul-Émile Giguère, a retiree from Sept-Îles, and retired professor Maurice Burgevin all argue that Quebecers have a debt to Indigenous peoples and must accommodate them as they are the original occupants of the territory. The Institut Interculturel de Montréal, the Artistes pour la Paix, one unknown individual from Montreal, and the Groupe de théologie contextuelle québécoise, a non-profit organization interested in how Christianity can transform social systems, assert that recognizing Québec’s Indigenous peoples and the roles they have played in Québec society will help to build a strong and socially just Québec. In a similar vein, Groupe H2M, a small research group founded in 2005, and one unknown individual from Montreal, argue that Quebecers must open themselves to communication and reciprocal education to establish collaboration with Indigenous peoples, as we all have much to learn from them. In their criticisms of the exclusion of Indigenous peoples and issues from the Commission and the concerns of many Quebecers, all of these authors point to the problematic nature of exclusion. The arguments made by these authors suggest that the Commission’s exclusion is implicated in pervasive unawareness in Québec and in Canada.

Criticisms by authors who identified as Indigenous before the Commission

Though the Commission’s mandate and geographical movements worked to exclude Indigenous peoples from the outset, eight First Nation and Métis leaders spoke critically and powerfully of the ignorance and hypocrisy around Indigenous realities in Québec and Canadian society. These authors were Max ‘Oné-Onti’ Gros-Louis, then Grand Chief of the Huron-Wendat
Nation near Québec City, Denis Picard, a member of the Huron-Wendat Nation of Wendake, Daniel Larmand, Chief of the Communauté autochtone de Hochelaga, an unrecognized off-reserve community in Montreal, Alissa Niquay of the Wemotaci First Nation, located 280 kilometres northwest of Trois-Rivières, Archie Martin, Chief of the Eastern and Western Métis, and Raymond Cyr, Marco Daigle, and Marc Leblanc, who collectively submitted a brief and identified themselves as representing the Métis community of the Estrie region (Mr. Cyr and Mr. Daigle) and the Métis community of the Gaspé region (Mr. Leblanc). By the diversity of their arguments these authors suggest Indigenous views not plumbed by the Commission. Below, I provide a short summary of each brief submitted by an author identifying as Indigenous and then work to identify common themes and divergence between the briefs.

Speaking on behalf of the Huron-Wendat Nation but also as a member of a First Nation, Grand Chief Max Gros-Louis argues that the Commission’s decision to exclude Indigenous peoples is rooted in flawed and prejudicial logic that is reflective of Quebecers’ unwillingness to recognize Indigenous legal rights and historical injustice. Writing in response to the Commission’s preparatory document which stated that the Commission “is not in any way concerned with rethinking the political and legal status of the Aboriginal peoples,” and which justified the exclusion of Indigenous issues with insistence that the relationship between the Québec government and Aboriginal nations is one of “nation-to-nation,” Gros-Louis argues that the Commission’s logic for excluding Indigenous issues is deeply uninformed. The Commissioners justify their exclusion of discussion of the political and legal status of Aboriginal peoples with the assumption that it is determined and settled, and with the assertion that there is a respectful nation-to-nation relationship between Aboriginal nations and the Québec government. Yet only 11 Aboriginal nations are recognized by Québec and there is little settled and
determined in the political and legal status of many Aboriginal people in Québec. For Gros-Louis, settler greed for resources, the imposition of membership codes under the Indian Act, the exclusion of Indigenous peoples from the history of the French majority, the subjection of Indigenous rights to the tyranny of the majority, and the continued lack of political will to address First Nations’ land claims are at the heart of the marginalisation experienced by many First Nations. While there are tensions between collective Indigenous rights and the individual rights recognized by the Charter, Gros-Louis argues that these can and must be reconciled as it is only by reconciling with Indigenous peoples that Quebeckers will overcome their anxiety about immigration, an anxiety he considers rooted in the fear that new immigrants will do to Quebeckers what French settlers did to the First Peoples. Gros-Louis encourages the Commission and Quebeckers in general to learn from the openness to integration exemplified by First Nations, to understand that Indigenous and non-Indigenous Quebeckers share the same space, but also to know that the ‘intercultural harmony’ sought by the Commission will not happen as long as First Nations’ governance and territorial rights are not respected. There is strength in difference, Gros-Louis argues, and despite settler appropriation of land and laws and belief that Indigenous peoples no longer exist, First Nations remain strong in their diversity, as being open to others does not erase one’s roots. One must be strong in oneself to accept others and it is only by reconciling with Indigenous peoples that Québec can be strong.

In a scathing brief submitted by Alissa Niquay, a member of the Wemotaci First Nation, an Attikamekw reserve 280 kilometres northwest of Trois-Rivières, the author asserts that the idea of reasonable accommodation is laughable given the fact that colonial violence is still being carried out against First Nations. First Nations continue to experience colonial violence through state-driven resource exploitation and government attempts to assimilate First Nations into the
Euro-Canadian way of life, and this injustice continues, Niquay argues, because the public is wilfully ignorant of Québec’s and Canada’s colonial past. For Niquay, the Commission’s rejection of Indigenous issues in favour of addressing concerns around immigration is a striking example of European hypocrisy that does not recognize the violence carried out by Europeans against the Attikamekw in spite of Attikamekw generosity and willingness to accommodate the newcomers. Niquay argues that, while First Nations are strong and are surviving attempts at assimilation by taking control of their own communities, Quebecers must recognize First Nations’ land and resource rights, and that much more remains to be said on that score.

Denis Picard, writing as a member of the Huron-Wendat Nation of Wendake near Québec City, argues that since contact, Europeans have failed to uphold their promises to Indigenous nations and that this failure continues in Euro-Canadian refusal to recognize Indigenous land rights. Picard asserts that European presence has always been detrimental to Indigenous nations. Through the spread of disease, the relegation of Indigenous peoples to reserves, the forced imposition of Christianity, the prohibition of Indigenous cultural traditions, the belittlement of the rights and customs of Indigenous nations, but most importantly through the theft of language, which is the source of pride, identity, and freedom, the colonizers have worked to deprive Indigenous nations of their ways of being. In demanding accommodation of immigrants, the Commission and Quebecers are hypocrites as they forget that the Indigenous nations accommodated them only to receive violence and persecution in return. Picard asserts that the time has come for Indigenous nations to demand unconditional respect for the rights of each nation, as well as compensation for past sufferings and all that has been lost over 400 years of colonization. He further argues that Indigenous nations must exercise their rights and customs
and express their languages, and these must be recognized and respected by non-Indigenous people, as respect for rights, values and customs is at the heart of living in dignity.

Speaking as the Chief of the Communauté autochtone de Hochelaga, a federally unrecognized Indigenous community located on the island of Montreal, Daniel Larmand argues that the Indigenous peoples are the original reasonable accommodators, who welcomed, cared for, and fought for the Europeans only to be excluded and assimilated once the new arrivals started taking the land and settling it in the early 1700s. For Larmand, Indigenous nations became the forgotten people after British Conquest in 1763 and Canadian Confederation in 1867. The British and later the Canadians ignored and disrespected Indigenous values and traditions, and exerted immense pressure to assimilate Indigenous peoples through racist policies that imposed status on them, forced them to live on reserves, and demanded that they change religion. Larmand contends that during this time many Indigenous people did not express their identity, as doing so would provoke negative reaction and discrimination from the new arrivals, and that Euro-Canadian resistance to recognizing the rights of First Nations and Métis peoples continues today. For Larmand, the resistance is particularly evident in the public’s refusal to address the abysmal living conditions on many reserves, despite extensive media coverage of these issues; in the lack of public will to address land claims, and in public and government refusal to acknowledge the existence and rights of off-reserve Indigenous communities. Speaking to the issue of reasonable accommodation, Larmand argues that Quebecers and new immigrants should recognize that Québec is dynamic and constantly evolving, should learn from the openness of spirit expressed in many Indigenous traditions, and must adapt to what Québec is by enriching their cultures with that which has come before, as much can be learned from the land. However, right now Québec is experiencing a paradox: the rights of individuals and of certain communities
are being respected yet the rights of First Nations and Métis remain unrecognized. Much remains to be done to address this; living conditions on reserves must be improved, land claims must be addressed in a timely manner, and the ancestral rights of Indigenous people living off-reserve must be recognized, as it is not possible for a community to grow and thrive in the current state of underfunding. Despite all of this, Larmand asserts, Indigenous people living in off-reserve communities remain resilient, drawing strength from their ancestors to continue to fight for their right to be recognized as a distinct part of the Québec population, an essential element that must be consulted in any kind of large public decision making.

Archie Martin, Chief of the Eastern and Western Métis, argues that the Euro-Canadian legal definition of ‘Métis’, which only recognizes those with mixed French and Indian blood as Métis, is a false and overly simplistic categorization that does not recognize the Métis perspective. For Martin, ‘Métis’ is a much broader, more complex, and multifaceted identity which should encompass any historically recognized group with mixed Indigenous ancestry. Currently, the richness of this identity is not recognized by First Nations, who do not acknowledge the Métis relationship to the land, or by the governments of Québec and Canada, which continue to rely on narrow definitions of ‘Métis’. Martin argues that the Eastern Métis constitute a distinct and free nation, have been recognized as such in the past, and have never been French or British subjects. The Eastern Métis are descended from Acadians and the original mixed-blood Canadiens who settled at Québec City in the early 17th century, and are survivors of the ethnic cleansing of the British deportation of the Acadians in 1755. Martin asserts that while intermarriage between French settlers and Indigenous women was initially encouraged under the French as an effort to assimilate the Indigenous peoples into a new race, the assimilation was unsuccessful and consequently the Canadian government tried to assimilate the Métis into either
the Aboriginal (sic) or French nation. Thus the Eastern Métis were forgotten, unrecognized by the Constitution and by the Aboriginal nations, and unacknowledged by the government of Canada despite its recognition of the Western Métis communities at Red River and Sault St.

Marie. For Martin, the Eastern Métis are the natural inheritors of Aboriginal rights in New Brunswick as it is well known that the last ‘pureblooded’ Aboriginal people were born in the mid-1700s. The lack of awareness of this fact, and of the fact that the Western and Eastern Métis are distinct nations, is in large part due, Martin argues, to European historians’ omission of the Eastern Métis and their contributions to the development of Canada. Canadians are, at least superficially, much more aware of the existence of the Western Métis than of the Eastern Métis and have negative stereotypes about Métis people as lazy and unwilling to work. This is false, Martin states, because the Métis, unlike the Aboriginal people, do not have their own values and conception of time and like other citizens of Canada they work and pay taxes. The Métis are not looking for special privileges, Martin argues, but for means of survival for their language and ancestral way of life. For Martin, the Métis are much more disadvantaged than the Aboriginal people and must be recognized for the role they have played in the development of Canada. The Métis are a distinct nation and must be recognized as such, free from the constraints of tribal life and free from the dominance of white settlement.

Speaking on behalf of the Métis communities of the Estrie and Gaspé regions, Raymond Cyr, Marco Daigle and Marc Leblanc argue that all Indigenous people are Métis as every Indigenous person is of mixed Indigenous and European descent. For these authors, the Métis are the natural inheritors of the rights of the First Peoples, who by 1850 had all been killed by disease. The Métis were able to survive because they had acquired genetic immunity from their European parentage but, these authors argue, the Indian Act and other colonial policies have
since imposed an artificial Indian/Métis hierarchy on the Métis people. Cyr, Daigle and Leblanc argue that the British creation of reserves divided the Indigenous people when in truth there is only one Indigenous nation. The Métis people who chose to live on reserves have been arbitrarily designated ‘Indians’ but those who chose not to have been ignored and neglected. The assumption that Indigeneity only exists on reserves is, these authors argue, false. The diversity of Métis identity is much greater than that currently recognized by Québec and Canada’s narrow legal definition of ‘Métis’, which is essentially a ‘judicial reserve’, and the Québec and Canadian governments have failed to recognize the Eastern Métis as Indigenous. The authors assert that the Eastern Métis are a distinct and free nation that fought with the French against the British, was deeply involved in the geopolitics of the continent, established settlements across Canada, including the Western Métis settlements now recognized under Canadian law, and has never bowed to the French or British Crown. The Métis are the original people, foundational to Canada, and do not consider themselves Canadians or Quebeckers as that would mean losing their distinct rights. Quebeckers are, however, deeply ignorant of Métis history and of the social misery caused by the loss of a way of life due to illegal expropriation of land. Despite all of this, the Métis remain strong, but Quebeckers are blind to Métis existence and strength and, the authors argue, choose to deny Métis existence out of fear of the historical truth. Speaking to the issue of reasonable accommodation, the authors argue that Quebeckers are being hypocritical as they must first recognize Métis rights before professing respect for immigrant cultures. For Cyr, Daigle and Leblanc, the Commission is an arm of the state that does not have the interests of the people at heart. The Commission and the Québec government deny Métis existence and restrict discussion around Métis identity to the courts, but ordinary citizens are eager to know the truth. The authors denounce the Commission’s fallacious pretensions that deny the genocide of the Indigenous
peoples, that insist that the Eastern Métis do not exist, and that assume that Indigeneity is only found on reserves, and argue that Commission must respect Métis history and recommend measures for the protection and accommodation of Métis culture.

There are common themes between the arguments expressed by these Indigenous authors and there are differences, and the differences suggest that many Indigenous perspectives were not represented in the Commission hearings. All authors assert that the Commission was hypocritical to exclude Indigenous people and issues from its activities, as Aboriginal rights and status remain far from settled despite the fact that Indigenous peoples are the original reasonable accommodators. Quebecers will not be able to address the accommodation of new immigrants in any meaningful way, these authors contend, until Indigenous ancestral rights are respected. It is only then that Quebecers will know who they are and be strong enough in their roots to welcome others, much as the Indigenous peoples welcomed European settlers. For the majority of these authors, the welcoming of immigrants to Québec is essential, but new immigrants and immigrants of long standing must in turn respect and learn from what has come before. Right now, these authors argue, public ignorance of the violence of colonialism, the denigrating constraints of the Indian Act and the complexity of Indigeneity, and the limitations of constitutional and judicial recognition of Aboriginal rights, is pervasive in Québec and in Canada. For these authors, this ignorance perpetuates injustice, is a primary barrier to reconciliation, and is the source of the malaise Quebecers feel about the accommodation of immigrants. The authors contend that the governments and people of Québec and Canada must move beyond colonial attitudes and the constraints of the Indian Act to respect the rights and identities of Indigenous peoples.
It is primarily on the issues of identity and recognition that the authors diverge and in their
divergence suggest Indigenous views not plumbed by the Commission. The authors differ in
their stated political goals and this is perhaps a consequence of their relationships to the Québec
and Canadian governments as members of federally-recognized First Nations (Max Gros-Louis,
Denis Picard, and Alissa Niquay), of an unrecognized off-reserve community (Daniel Larmand),
and of unrecognized Métis communities (Archie Martin, Raymond Cyr, Marco Daigle and Marc
Leblanc). Authors from federally-recognized First Nations placed great emphasis on the need for
Indigenous nations to move away from colonial definitions of rights and identity and instead
work to revitalize language, and express rights, customs, and values, as these are at the heart of
Indigenous sovereignty. For Max Gros-Louis, Grand Chief of the Huron-Wendat nation, and
Alissa Niquay of the Wemotaci First Nation, Indigenous nations must be strong in their
communities while demanding recognition of Indigenous rights at the federal and provincial
levels, whereas for Denis Picard of the Huron-Wendat Nation, European presence and
government intervention has always been to the detriment of Indigenous nations and so First
Nations must act independently of the arbitrary, artificial, and denigrating limitations of
government jurisdiction. Authors writing as members of unrecognized off-reserve and Métis
communities placed considerable emphasis on the need for the government to do away with the
limitations of the Indian Act and recognize the complexity of Indigenous identity. Daniel
Larmand, Chief of the unrecognized off-reserve urban community of Hochelaga, argues that the
distinction between on and off-reserve communities by the federal government under the Indian
Act is arbitrary and artificial and does not recognize the Indigenous identity and rights of off-
reserve communities. Authors writing as members of Métis communities in Québec and New
Brunswick contend that the Indigenous identity and rights of the Eastern Métis, who constitute
an unrecognized sovereign nation, have been systematically ignored by the Québec and
Canadian states, and for Archie Martin, Chief of the Eastern and Western Métis, by First Nations
too. For these authors, unawareness is at the heart of the problem as the Canadian public and the
federal government continue to insist that Métis identity is restricted to settlements at Red River
and Sault Ste. Marie, and in doing so do not recognize the Indigenous identity of the Eastern
Métis or the important historical role they have played in Canada.

The common themes and divergence between these authors’ arguments demonstrate that
the question of Indigenous identity and rights is far from settled. Several authors point out that
Quebecers and the province of Québec are deeply implicated in the question of Indigenous
identity and rights, and highlight the consequent problematic nature of exclusion in the
Commission. The divergence of argumentation in particular suggests that many Indigenous
perspectives were not heard by the Commission. I have included translated and untranslated
copies of the briefs submitted by these authors in an appendix, in the first instance because
summaries cannot capture the depth of the arguments made, and in the second instance because it
is important that these authors be heard in light of the exclusion of Indigenous issues in the
Commission’s mandate and geographical movements, in the majority of briefs submitted to the
Commission, and, as discussed in Chapter 5, from the Commission’s final report and
recommendations.
Chapter 5: Exclusion of Indigenous peoples and issues in the Commission’s final report

The 2008 final report composed by Bouchard and Taylor and submitted to the Québec provincial government, entitled Building the Future: A Time for Reconciliation, is a remarkable 310-page document that ostensibly worked to consolidate the diverse perspectives heard in the public consultation and the findings of the commissioned research projects, in order to offer concrete recommendations to the government on the parameters of reasonable accommodation. The report explores the state of accommodation practices in public institutions, analyzes the major themes that emerged from discussion on the French language, secularism, and liberal democracy, and sets out recommendations including the implementation of fiscal incentives to encourage immigrant settlement in the Québec regions, as well as the establishment of better government support for French language education, integration services, and the recognition of foreign diplomas (Bouchard and Taylor 2008). The response to the final report was mixed. Some political leaders, including Mario Dumont, then head of the Action Démocratique Québec (ADQ), and Pauline Marois, leader of the Parti Québécois, were critical of the report, arguing that it failed to recognize Québec’s status as a fragile minority in North America or address Québec’s identity crisis (Radio-Canada 2008). Other public figures appreciated the reports’ attention to questions of inequality and socio-economic class and the sympathetic conclusions the Commissioners drew on these issues, though many were also critical of the Commission’s lack of attention to the role racism and discrimination play in inequality (Canadian Race Relations Foundation 2008). Few clear responses to the recommendations outlined in the Bouchard-Taylor report have been legislated and in a 2011 interview, Gérard Bouchard expressed disappointment and concern that the Québec government has failed to formulate
coherent rules around accommodation, and stated that he will continue to work on issues of minority integration to encourage the government and the public to engage with issues of accommodation (Perreaux 2011).

It is important to note that none of the criticisms raised by authors critiquing the Commission’s exclusion of Indigenous peoples and issues made their way into the final report. Bouchard and Taylor acknowledge that the exclusion was criticized and elaborate on the reasons they feel justified the decision, but their arguments are rooted in the assumption that off-reserve, Métis and federally unrecognized Indigenous people and communities do not exist, and that Indigenous peoples and issues are not the concern of Quebecers. In the Commissioners’ case these arguments are particularly problematic as they ignore the powerful statements to the contrary made by several Indigenous participants before the Commission. Bouchard and Taylor state that

“It is with regret that we had to remove from our mandate the aboriginal question. Since this decision was criticized, it is important to review the reasons that justified it. First, we feared that we would compromise our mandate by appending to it such a vast, complex question. We also wished to avoid needlessly overlapping the deliberations under way in conjunction with tripartite negotiations between Québec, Ottawa and the aboriginal peoples...They [Aboriginal peoples] have the status of a nation and not of an ethnic minority, which complicates the definition of their relations with Québec society. At present, it is not clear that they are stakeholders in the society. The elimination of this ambiguity depends on the outcome of negotiations under way and, on the whole, on the will of the aboriginal peoples themselves. We must, therefore, leave this question unresolved. That being the case, the aboriginal peoples are nonetheless participating in Québec’s intercultural dynamic (Bouchard and Taylor 2008, 35, 123).”

The passages express Bouchard and Taylor’s position very clearly and reveal a number of problematic conceptions. While it is true that negotiations are taking place between Québec, the federal government and Aboriginal peoples, all 53 of these negotiations, over half of which were ongoing at the time of the Commission’s activities and final report, are over specific land claims
submitted by federally recognized First Nations (Indian and Northern Affairs Canada 2011). The argument that these negotiations justify the exclusion of all Indigenous people from the Commission’s mandate and activities indicates unawareness of the existence and concerns of the much larger Métis and federally unrecognized Indigenous population in Québec, and is particularly problematic as the Commissioners heard from representatives of these communities. Archie Martin, chief of the Eastern and Western Métis, and Raymond Cyr, Marco Daigle and Marc Leblanc of the Métis Communities of the Estrie and Gaspé regions, all argue that the concerns of the Métis have long been excluded from the Québec public sphere and that the time has come for the Commissioners and Quebecers to learn the motivations and history of the Indian Act and realize that Indigeneity is not only found on reserves. Daniel Larmand, chief of the federally unrecognized urban Indigenous community of Hochelaga, asserts that the Canadian and Québec governments continue to refuse to acknowledge the presence and vitality of off-reserve Indigenous communities despite longstanding negotiation (see Appendix). For all of these authors, there is a lack of political will in Québec to address these issues, and for Raymond Cyr, Marco Daigle and Marc Leblanc in particular, the Commission’s justification for the exclusion of Indigenous peoples is complicit in public denial of off-reserve Indigenous existence.

Bouchard and Taylor’s apparent unawareness of the existence of off-reserve Indigenous communities is further expressed in the argument that including Indigenous peoples in the discussion around Québec’s identity would be “needlessly overlapping” land claims negotiations. The argument is problematic as it is rooted in the assumption that Indigenous people have no interest and no stake in questions of accommodation in Québec. In constructing Indigenous people and issues as under the exclusive jurisdiction of the state, the position absolves Quebecers of responsibility to reconcile with Indigenous peoples, and, in keeping with
this conception, implies that exploring questions of Indigeneity in the context of Québec’s identity is an inefficient use of public money. The latter is reminiscent of political rhetoric that has long worked to dispossess Indigenous peoples through underfunding, and the argument is all the more problematic as it ignores the contentions of many Indigenous and non-Indigenous Commission participants, namely, that the lack of respectful engagement and reconciliation with Indigenous peoples is at the heart of the malaise many Quebecers feel around identity and the accommodation of immigrants.

The argument that Aboriginal peoples’ status as nations precludes their engagement with Québec society is similarly uninformed. Although under Section 91(24) of the 1867 Constitution Act the federal government maintains primary jurisdiction over “Indians” and “Lands reserved for the Indians”, and while considerable tensions exist between the federal and provincial governments over provision of services to Aboriginal peoples, the provinces are implicated in questions of Aboriginal rights and status. Aboriginal people are provincial residents with rights to programs and services, and land claims require negotiation between the provincial and federal governments and the First Nation in question (Peters 1989, Pratt 1989). Bouchard and Taylor’s argument that Aboriginal peoples are not part of Québec society, exemplified in the statement that “it is not clear that they [Aboriginal peoples] are stakeholders in the society,” demonstrates deep unawareness of Indigenous realities and of contemporary relationships between provincial and federal governments, works to absolve Quebecers of responsibility to reconcile with Indigenous peoples, and ignores the assertions of Indigenous and non-Indigenous participants; that public ignorance of Québec and Canada’s history of colonization and of Indigenous realities is in large part responsible for the continued marginalisation of Indigenous peoples.
Conclusion

In their justification for the exclusion of Indigenous peoples and issues from the Commission’s mandate, activities, and recommendations, Bouchard and Taylor appear to not have been listening to the Indigenous authors who spoke powerfully and critically of their decision. All of these authors point to the problems posed to Indigenous people and communities by public ignorance of Indigenous realities and it is precisely this unawareness that the Commissioners replicate in their original mandate and in the final report. The Commissioners’ reasoning for the exclusion of Indigenous peoples and issues, and the fact that the vast majority of participants did not take issue with this exclusion, suggests that ignorance of Indigenous realities is deep and widespread in Québec.
Chapter 6:
Conclusion

Ignorance is a powerful social force, particularly when combined with myth and unexamined ideology. For many colonial and post-colonial theorists, there is a strong relationship between unawareness and colonialism: colonial power is sustained through wilful and pervasive ignorance of the rights and interests of subject peoples in favour of those of the colonial classes. As historians, geographers, anthropologists, and educational and legal experts have pointed out, ignorance has structured relations between Indigenous peoples and Canada for centuries and continues to marginalize Indigenous peoples. This thesis argues that exclusion of Indigenous peoples in Canada is sustained by silence born of public unawareness of the historical geography of Canadian colonialism. Drawing from the rich primary resource generated by the 2007 Reasonable Accommodation Commission in Québec, this thesis demonstrates that despite significant advances in Québec and Canadian law in recognition of Indigenous ancestral rights, unawareness of Indigenous realities is pervasive in Québec and is expressed in ways that are problematic for Indigenous peoples. Drawing from the observation that there is little in either Bouchard’s or Taylor’s published work that suggests deep engagement with Canadian Aboriginal law, I argue that from the outset, Bouchard and Taylor’s justification for the exclusion of Indigenous peoples from the Commission’s mandate drew its strength from incomplete understanding of the full dimension of the law as it pertains to Indigenous peoples, unawareness of the complexity of Indigenous status and identity, as well as of the complexity of Indigenous jurisdiction at the federal and provincial level. The Commissioners’ reasoning in turn set the tone for the exclusion of regions with significant Indigenous populations in the Commission’s geographical movements. The fact that Bouchard and Taylor thought this
approach would be palatable to the Québec public only indicates the depth of the problem of unawareness of Indigenous realities, which becomes more apparent when one considers that 76% of briefs submitted to the Commission did not take issue with the Commission’s mandate or geographical movements and made no mention of Indigenous peoples.

Regardless of social position, interest, argument, geographic location, or level of engagement with Indigeneity in Québec, the consensus amongst Commission participants appears to have been that the interests of Indigenous peoples are peripheral and secondary to the concerns of Quebecers and of Canadians. The fact that these authors agree, despite their diversity, only demonstrates the depth and breadth of the problem. In the arguments made by authors who made no mention of Indigenous peoples, obfuscation of Indigenous presence in Québec, unawareness of the importance of language to Indigenous cultural vitality, construction of Québec as a homogenous nation, and unawareness of the unique rights and status of Indigenous peoples in Québec and in Canada, worked as rhetorical strategies to legitimate arguments around the indigeneity of French-Canadian Quebecers and the consequent right to determine matters of immigration and accommodation in the province. It is also notable that 90% of authors involved in education appear to have uncritically accepted the Commission’s reasoning for excluding Indigenous peoples and made no mention of Indigenous peoples. Briefs submitted by authors involved in education comprised over a fifth of those submitted to the Commission, and in their silence suggest that while Québec’s education system might not be the source of unawareness, it may be perpetuating it.

The arguments made by authors who made passing mention of Indigenous peoples also drew strength from unawareness of Indigenous realities. Uncritical understanding of the connotations of language, ignorance of treaties and the reasons for their negotiation, conflation
of Indigenous peoples with other ethnic minorities in Québec, construction of Indigenous people as immigrants too, and acceptance of the myth of the vanishing Indian, were mobilized to support these authors’ diverse positions. Amongst the authors who made passing mention of Indigenous peoples, however, was a group of authors who highlighted some of the inequities that exist between Indigenous and non-Indigenous people and communities and support my contention that the exclusion of Indigenous issues from the Commission was problematic. These authors point out that racism towards Indigenous people is widespread in Québec, that poverty exists on many reserves and health and social services are severely underserved, and that Indigenous women face higher instances of gender-based violence and unemployment. Other authors highlight that there exists in Québec a lack of respect for First Nations’ land claims and territorial rights, that Quebecers are not well-informed about Indigenous peoples and have false conceptions of them, and that the Québec curriculum has failed to teach students about the complexities of Indigenous status, rights, and relationships to the Québec and Canadian governments. These authors recognize that given the inequities that exist between Indigenous and non-Indigenous Quebecers, the exclusion of Indigenous issues from a debate that worked to understand the very nature of inclusion in Québec society is problematic, and points to deeply rooted and widespread unawareness of Indigenous rights and status that has significant implications for decolonization and reconciliation in Québec and in Canada.

Ignorance played an important role in the arguments made by authors who significantly engaged with the question of Indigeneity in Québec and was unconstrained by the authors’ social positions or interests. The arguments made by these authors fall into three distinct categories. Authors writing in the first category of argumentation contended that French-Canadian Quebecers should have undisputed jurisdictional authority over matters of immigration and
accommodation in the province. The strength of these arguments lies in the insistence that Indigenous peoples have already been assimilated, in relegation of Indigenous peoples to a silent and primitive past, in unawareness of Indigenous territorial rights, and in uncritical acceptance of the political philosophy of the Law of Nations. The second category of argumentation was that French-Canadian Quebecers are immigrants too and that therefore the French culture should not have any special status in Québec. Ignorance of Indigenous rights and of Québec’s and Canada’s colonial histories was pervasive in these arguments and was expressed in the rejection of national borders and divisions, insistence that the French and British represent another form of immigration, and conflation of systematic attacks on Indigenous cultures in residential schools with the imposition of language laws on new immigrants. The arguments of authors writing in the third category of argumentation, which was that immigrants should be welcomed in Québec as Québec has always been an open and ethnically diverse society, drew strength from denial of French colonization and erasure of distinct Indigenous presence.

While unawareness of Indigenous realities was rampant in the majority of briefs submitted to the Commission, a small minority of authors expressed outrage over the exclusion of Indigenous interests from the Commission, arguing that there is widespread ignorance of Indigenous existence in Québec and that this ignorance is a fundamental barrier to addressing the inequities that exist between Indigenous and non-Indigenous people and communities. Some authors contend that education is at the heart of the problem of ignorance and others articulate their concern that in excluding Indigenous peoples, the Commission only worked to further marginalize the Indigenous population. Many of these authors argue that the lack of reconciliation with Indigenous peoples is at the heart of the malaise Quebecers feel around the accommodation of immigrants. All of these authors point to the problematic nature of exclusion
in the Commission’s mandate and activities. The emphasis of several authors on social and economic problems faced by First Nations on reserves is in keeping with the unawareness shared by many Canadians of the realities of the significantly larger off-reserve, Métis, and federally unrecognized Indigenous population in Québec and in Canada.

Though the Commission’s mandate and geographical movements worked to exclude Indigenous peoples from the outset, eight First Nation and Métis leaders spoke critically and powerfully of the ignorance and hypocrisy around Indigenous realities in Québec and Canadian society. The common themes and divergence between these authors’ arguments demonstrate that issues around Indigenous identity and rights are far from settled. Several authors assert that the Indian Act and tension between federal and provincial governments over Indigenous jurisdiction pose a substantial barrier to the recognition of Indigenous identity and rights. Other authors contend that Indigenous peoples must work to be strong in their language and customs, and take control of their communities to move away from the denigrating limitations of federal and provincial laws and attitudes. Many authors point out that Quebecers and the province of Québec are deeply implicated in the question of Indigenous identity and rights, and highlight the consequent problematic nature of exclusion in the Commission. For these authors, immigration is necessary and immigrants should be welcomed, but new immigrants and immigrants of long standing must in turn respect and learn from what has come before. The divergence of argumentation in particular suggests that many Indigenous perspectives were not heard by the Commission.

Though the Commissioners heard from authors who criticized their decision to exclude Indigenous peoples from the Commission, and most importantly heard from Indigenous leaders who asserted that the Commission’s exclusion exemplifies the unawareness of and disrespect for
Indigenous identity and rights that is pervasive in Québec, none of these criticisms made their way into the final report. Bouchard and Taylor acknowledge that the decision was criticized and elaborate on the reasons they feel justified it, but unawareness is pervasive in their reasoning. The argument that current negotiation between First Nations and the Québec and Canadian governments justifies the exclusion of Indigenous issues from the Commission excludes the interests of off-reserve, Métis and federally unrecognized Indigenous people and communities. The argument that including Indigenous peoples in the discussion around Québec’s identity would be “needlessly overlapping” land claims negotiations again demonstrates unawareness of the existence of off-reserve Indigenous communities, and is particularly problematic as it replicates political rhetoric that has long worked to dispossess Indigenous peoples through underfunding. These arguments are particularly problematic as the Commissioners heard from representatives of Indigenous communities who spoke powerfully to the contrary.

The argument I make around silence and exclusion of Indigenous peoples in this thesis is not to unduly criticize Québec. I focus on Québec because the Reasonable Accommodation Commission presents a remarkable opportunity to investigate the relationship between identity, belonging, and Indigeneity. Gérard Bouchard and Charles Taylor took on an immense responsibility, and their willingness and Quebecers’ willingness to openly discuss issues of identity and accommodation on such a large scale is laudable, is unprecedented elsewhere in Canada, and sets an example for the kinds of public debate Canadians in other provinces can and should engage in and learn from. What the 2007 reasonable accommodation debate reveals, however, is a widespread and deep resistance to respecting the ancestral rights of Indigenous peoples that is rooted in unawareness of Indigenous ancestral rights as well as of the many ways Indigenous peoples have been and continue to be marginalized and dispossessed. This is
Québec’s problem but it is also the problem of every Canadian province and of all Canadians. This ignorance must be recognized and interrogated in each province and territory; indeed, analysis of how unawareness of Indigenous realities articulates with provincial and national identity in other Canadian provinces is an avenue of future research. A critical investigation of how Indigenous realities and provincial identity are articulated in past and present provincial curricula and teacher education programs would also contribute to a richer and more nuanced understanding of how unawareness works to perpetuate the marginalisation of Indigenous peoples in Canada.
Bibliography


Appendix A: Translated Briefs submitted to the Commission by Indigenous authors


An’onwentsa: The Meeting

Brief presented to the Commission for Consultation on the practices of accommodation related to cultural differences

by
Max “Oné-Onti” Gros-Louis
Grand Chief of the Huron-Wendat Nation

Commissioners,

I present myself before your Committee today as the Grand Chief of the Huron-Wendat Nation but also on a personal basis, as a member of a First Nation living in Québec.

In the past, I have often taken the microphone to denounce unjust laws and situations and I have known how to make myself heard in various forums. I decided to present this brief to you because I consider that the First Nations have something original to say to your Commission, even if you consider that this does not fall within your mandate. I believe that this intervention is necessary even if it is only to get to the bottom of things and because some of the things in play, whether we like it or not, influence the mandate of your Commission.

Initially I want to address the mandate of your Commission in relation to the First Nations.

Secondly I intend to briefly discuss the accommodations to different successive governments and their citizens that the First Nations have agreed to historically. I will conclude that we have been so generous in sharing our country that we have been and that we are still almost completely dispossessed. Perhaps we have suffered from our own naivety, but I think we have suffered from historical greed, from the persistent colonialist spirit and the ignorance and current self-importance of the majority of society and of its leaders.

I nevertheless put my presentation under the sign of an'onwentsa, coming together and the search for harmony between our peoples.

The Mandate of the Commission and the First Nations
I acknowledge from the outset that our legal status and our reality as Nation are different from Québec society. The First Nations cannot be regarded as mere Québec ethnic minorities to be accommodated by a Québec majority. We are those who were here before any other and who welcomed you, who accommodated you. Not the opposite.

The First Nations, as a people, hold inherent prehistoric and historic rights in their reality as first peoples who occupied the country and these rights have been recognized since 1982 in article 35 of the Canadian Constitution.

This is an inescapable fact. Nevertheless, despite this recognition of our rights in the Canadian Constitution, and although Canada and Québec recognize us as a nation, that does not mean much in reality.

In 1990, nine judges in the Supreme Court of Canada unanimously recognized the modern and contemporary legal scope of a treaty between our Nation and the British Crown. In 2007, the governments had still refused to sit down with us to recognize the decision of the Court in practice, and to harmonize the application of our rights. Another recent proof of this attitude is the recent and shameful negative vote of Canada to the United Nations Assembly concerning the United Nations Declaration on the Rights of Indigenous Peoples. Beyond their fine parliamentary motions, the governments of Québec and Canada behave with hypocrisy on the ground and in all negotiations. Like the colonial empires, they want to control and submit our rights and our governance to all of their laws, regulations and policies. Since the failures of the past four constitutional conferences on this issue since 1986, the political leadership has never assumed its responsibility to develop relations between us on the basis of these rights.

Neither does holding these specific constitutional rights give us their recognition by the Québec population. When we analyze the remarks of various politicians and thus the popular discourse in the various polls (APNQL) on these issues, one finds that it is far from the cup to the lip. It is here that your Commission can play an important role in proposing measures for the acceptability of difference.

The primary mandate of your Commission is to analyze the accommodations of the State and of the public and private institutions concerning cultural differences. I think that you must consider not only the worthy accommodations of culture but also the obligations of the State to respect our specific rights and the accommodations that the State must compel of its constituents with regard to these rights. Without this attitude of the State, our rights are sentenced to remain dead letters, objects of litigation or the objects of popular pressure. Since you chose to interpret your mandate in a broad manner, I believe that you should also take this question into account.

You have the duty to identify and analyze the forms of accommodation and softening necessary to combat the discrimination that a standard can cause and bring in terms of violation of rights. We remain in the domain of reasonable and non-concerted accommodations, because these are legal obligations. We also aim at the most harmonious possible "ideal of managing to live together." When the accommodation demanded by the respect for our rights is settled with the State and those it rules, then we can successfully make the transition to the second stage of the
process, intercultural harmonization. You say in your presentation document that "most of the nations of the West are grappling with the same challenge: revising the great codes guiding living together in order to manage ethno-cultural difference while respecting rights".

It is of major importance to consider that the rights that we are talking about are not just individual rights but collective rights; the rights of our First Nation are collective. The drama consists in the fact that for all practical purposes the Canadian and Québec charters recognize only individual rights. This is an error that must be corrected. When we talk about revising the codes, the various codes of laws and the institutions which do not respect or do not take the Canadian Constitution nor our collective rights into account must also be thought about.

The three objectives of your Commission consist in clarifying the present situation, providing a frame of reference, and making recommendations regarding the future of the relationships and how integration takes place in the society. The Commission has the "duty to establish the nature and source of disagreements that divide Québec society to be better able to imagine the possibilities of conciliation". Our collective rights therefore must be considered.

In your presentation document, you indicated that your Commission "is not in any way concerned with rethinking the political and legal status of indigenous peoples." I am not asking you to reconsider our status, because it exists, I ask you to take it into account. You specify that our nations have been recognized by the National Assembly and the Constitution. You falsely conclude however that the relationship between us is a relationship from nation to nation. We would like for that to be true, but it is not for the reasons mentioned above. In reality, nation to nation negotiation does not exist. Your foundational statement is therefore false. You feel that this question is outside of your mandate. If this is the case, I believe that your commission is missing a fundamental stake essential to the harmony of Québec society and its relations with First Nations. I quote as evidence only the problems of harmonization of our respective governances and of our territorial rights to indicate to you that there are problems which can easily damage intercultural relations. Disputes have begun and they are likely to increase with the years. To be convinced it is sufficient to think of the legal actions of the Council of the Innu of Betsiamites or the actions of so-called civil disobedience of the Anishnabek of Abitibi concerning timber cutting and the protection of forests. The parliamentary commission of the national Assembly, which worked for a few years on the larger negotiation of the Mamuitun Tribal Council has given us a good example of misunderstanding between the regional communities and First Nations. I include here the danger of the conceit of the Québec majority of today whom we have accommodated and who forget that. In forgetting this aspect, Québec will, perhaps, smooth its problems of accommodation with its ethnic groups or its needs for adjustment with its minority components, but it has abandoned an important part of its territorial challenges and governance with First Nations. It was very important for me to advise you of this situation.

I acknowledge that this issue is complex and that it would itself require the establishment of a special Commission. I doubt that the will of the State and the short-term political interests will allow this commission to exist. In any event, the Royal Commission on Aboriginal peoples presided over this question for nearly five years and made its report of more than 4,000 pages
public on November 21, 1996. For the most part, the recommendations in this report remain on the shelf due to the lack of courage of the politicians.

That said, I think that in the absence of takers it is important that your report should mention the problem which I just raised and that it should make recommendations to the State, at least for political and moral awareness.

A History of Accommodation

At the origin of contact of our peoples, at the beginning of what the majority considers history, because it seems that the story (history) begins with them, our relations were relatively healthy. The explanation for this state of grace without doubt lies in the fact that our peoples were a majority and that the minority Euro-Canadian or Euro-Québécois peoples had need of our warriors to impose their presence on the territory and their control over trade and the economy. The smartest way to find Eldorado or to have access to the wealth of China or India was to join the First Nations of the country, so this required diplomacy. Fortunately or unfortunately, they found of India only Turkeys (coqs d’Inde), of Indian wheat (corn), and Indians whose freedom was their only wealth.

Jacques Cartier was looking for gold and he kidnapped our brothers of Stadaconna who are died in France. He confessed in his memoirs that he lied to all of us about planting a cross as a maritime landmark in Gaspé while it was an act of taking possession in the name of France. The hero Roberval was a notorious crook whose sole reason for being was the search for fortune which ended in the disaster of our relations.

Despite this, we have been accommodating, very accommodating, as majority societies in this country. We shared our freedom and our space; we have shared our know-how, our medicine, our environmental expertise, our love for Mother Earth.

There were better sorts. Samuel de Champlain sought nation to nation agreements between our peoples. We allowed him to settle in the valley of the St. Lawrence River because we believed there was enough space for everyone and that our daughters could marry their son and vice-versa. Permission does not mean, however, to take the whole place and squeeze us.

As long as the European peoples and their descendants were not more numerous and had need of us, there were not too many problems and we were respected. We had right under the Royal Proclamation of 1763 to protect our lands. For a long time, until the 1850s, our First Nations controlled and used most of the territory of the country because the other controlled in reality their villages and their military posts or commerce.

But the day when colonization, immigration, and the government needed land, timber, mining, rivers, etc. we were pushed back, and we became a burden for the State. Reserves were created for us, we were put under tutelage, the “Law for the Indians” (the Indian Act) was passed, we became juveniles and dependents. Our territory has little by little become the lands of the Crown and someone somewhere has decided that our laws, our governance and our citizenship were no longer good and that their laws would be superior. Standards of membership were intentionally
imposed on us leading directly to extinction. Isn't that what one calls ethnocide or a quiet but effective form of genocide? Our land and our laws have been stolen by the majority but we have retained our deeply rooted Wyandot, Innu, Atikamekw, Anishnabe, etc. soul. We will continue as long as it is necessary to recognize our collective rights, in our communities and on our land. We have remained strong despite our small number.

We accommodated these brothers and sisters coming from diverse countries but clearly either our bureau of immigration was poorly organised or our hearts too big because we were subsequently told and it became clear that we were no longer home; we had to ask permission to use our ancestral lands, which could be refused or conditional. Today we are treated as people who take advantage. We are criticised for clinging to history. We are criticised for being different. The majority does not want to accommodate us in the space which was stolen from us. I invite you to think about all that.

We were naive in thinking that the earth and its wealth were for everyone and belonged to no one. Because we thought of ourselves as the children of the earth, as its guardians, as a simple link in its chain, we have been deprived of our rights and our way of life by the possessors, the exploiters, the transformers, the harness makers (restrain makers: constrainers, imprisoners?) and all those who believe that the earth belongs to them.

The minority of yesterday has become the majority of today and it is feared that the new entrants will impose on them another way of being, other values or counter-values. We are the most beautiful example of what could happen to them, but we must consider that this history is far from being finished. This fear is legitimate, but care must be taken as it can be easily transformed into intolerance in relation to difference. Our peoples have a long tradition of adoption of the members of other nations. Taking the example of our history and our openness to integration, it is important to remain open to the other, to make clear the values of our society and to put effective integration measures in place.

With respect to the fundamental values of Québec society, there is still one without which there would be an important absence. Before giving the lesson to others, to those who are not the same, Québec should begin with humility by learning to respect the first occupant, the difference that constitutes the First Nations who live in the same space. It [Québec] must learn that it is in our home, that it lives on our territories and it exploits our resources, that it cannot impose its laws on us without negotiation with us, that it cannot declare itself the stronger without first taking into account our particular rights. When Québec will have done its duty to the First nations, then it will be in a position to carry out its duty comfortably to its new entrants.

I just wanted to say before this committee that it was too easy to have a discussion of the concerned majority that wants to impose its laws, its obligations and its ways on these marginals. Societies no longer consist of a homogeneous block, with everyone the same, they are plural. We must avoid cultivating fears and insecurity in the face of difference out of populism or for small political interests. Do not forget that fear and ignorance are the starting point of racism and discrimination. Knowledge of difference and a valuing of openness to others must be cultivated in the context of self-respect. This is what our peoples have practiced always and it is a virtue. Our children are in communication with the planet and their friends from all backgrounds. One
must learn to cultivate the garden of one’s soul and one’s roots while opening wide one’s arms and branches to the sun, to the fruits and the most diverse and most beautiful birds.

The Commission should not forget all of this. I hope that the real An’onwentsa is truly realized, on the eve of its 400th anniversary.

Tiawenk

Max “Oné-Onti” Gros-Louis
Grand Chief


Reasonable Accommodation

NEHIROWISIW NEHIROMO KIAPATC. NI TCIKANAN KIAPATC

Your ancestors arrived here. They intoxicated our ancestors, killed them, tortured them...only to later say that they had conquered the First Nations. This is not true.

The colonizers coming from Europe did not learn the language of the First Nations, they did not follow the way of life that was used here, they were not converted to Amerindian spirituality.

The colonizers rejected Nehirowisiw Pimatisiwin.

The “daughters of the King” arrived here to allow you to be here today so that you could come into a fascistic world.

Your government tried to exterminate the First Nations and this is still happening today insidiously. They have long wanted to assimilate us to an unhealthy way of life by killing our resources for money.

By putting the Aboriginals in shadow, by making the white population think that we are in a state of intoxication, which is not true. We are trying to survive the serious consequences of what your government has afflicted us with. We are currently preoccupied with finding solutions to Rebuilding our Nations because the government has done and continues to do so much damage while you, the whites, passed yourselves off as generous and welcoming behind the backs of our ancestors who welcomed yours.

There is much more to say.

Stop pretending that we are not here. We are here. You understand more about the immigrants than about the people of the First Nations.
We are survivors and we are proud of it. And above all, proud to be Nehirowisiw, Innu, Anishnabe…

Alissa Niquay
Nehirowisiw Aski nama Québec

Picard, Denis. “What is Reasonable Accommodation? Or, the secondary effects of accommodation.” Submitted from Québec City to the Consultation Commission on Accommodation Practices Related to Cultural Difference, October 2007. Translated from the original French by Anne Godlewska and Laura Schaeffli.

What is Reasonable Accommodation? Or, the secondary effects of accommodation

Since the arrival of Europeans in America and despite all the promises and pretty speeches that took place and that they dare to continue, it is clear that over the last 400 years the situation of the Amerindian Nations has deteriorated and continues to do so with no sign of improvement.

From the onset of European colonization, the Amerindian Nations have been diminished, even eliminated, by diseases from European countries. They have been cooped up on reserves; their rights have been diminished and ignored. Evangelisation was realized through blackmail, threats and expulsions. The Nations were drawn into civil wars and taken hostage on reserves. Often, they were threatened if they exercised their rights to live from hunting and fishing and according to their customs. In order to impose another it was forbidden to speak their language. It was also forbidden for each nation to practice their cultural activities.

So, to this day, the members of the Amerindian Nations are bullied in the exercise of their rights and customs. Their claims have dragged on for over 30 years and nothing indicates that they will be recognized in the next 30 years...and when they are recognized, they will be so at the loss and to the detriment of the implicated Nations.

Today, we are speaking a different language. It was imposed by the colonizer. Our language was forbidden. It is no longer possible to express our emotions and sentiments in our language. Do the words we use today express what we wish to say, as our own language would have done? Do the words heard evoke the same emotions and reactions as the words of our language? This constitutes a part of what we have lost and it is a deprivation and causes suffering to not be able to live and use the language of the Nation.

Our language is our identity and the expression of our thoughts and we have been deprived of that since the beginning of colonization. Deprived of our mother tongue, we must express our thought, our emotions and our sentiments through another language, either French or English. Communicating in our own language gives more value to what is being expressed. Language is a source of pride and freedom. This is what the Nations have been bullied out of and the guilty are known.

For all the bullying, deprivations, prohibitions, the sufferings endured, the ordeals, the persecutions, the tricks, the mockeries, the torments and vexations, it is high time for action
demanding unconditional respect for the rights of each nation and to demand compensation for all the past sufferings and that which has been lost after 400 years of colonization.

To achieve this, is a collective recourse necessary? For more than 400 years, the Amerindian Nations have accommodated despite themselves and the secondary effects are well known by some and ignored by others. The time has come to finish with the colonizer and take our place, exercise our rights, our mores, our customs without constraint and to rediscover, if possible, our language to finally live with respect and freedom. Dignity requires respect for our values and recognition of our rights, mores and customs.

Denis Picard, 10 September 2007, after 400 years of so-called reasonable accommodations by the colonizer.

Denis Picard
Wendake


Brief by the Community of Hochelaga on the Question of Reasonable Accommodation

Presented by Daniel Larmand
Chief of the Community of Hochelaga

My name is Daniel Larmand and I am the chief of the community of Hochelaga. It is an off-reserve Aboriginal community near Ile de Montreal. We are members of a much larger group: La Cooperative Kitchisaga (Kitchisaga Cooperative) (economic development organization for off-reserve Aboriginal people founded in 2006). The headquarters of this organization is in the Estrie region.

When we speak of reasonable accommodation, what do we mean? History teaches us that the first peoples of the North American continent (Turtle Island) practised this tradition towards newcomers. When the Europeans arrived in the New World, they were welcomed by the Aboriginals. Suffering from diseases, our ancestors looked after them and taught them how to survive in America. They also made alliances with the newcomers within the framework of the war between the European powers of the time. They showed an attitude of openness towards them.

Afterward, as history since the beginning of the 1700s shows, the situation degraded for the first occupants of this country. The new arrivals took possession of the territory and settled to the detriment of the Aboriginals. With the advent of the Conquest of 1763 and the creation of Canada in 1867, we, the first inhabitants of this territory, became the forgotten people. Status Indians saw a mode of life imposed on them that was contrary to their values and traditions; that is to say, amongst others: the obligation to live on restricted territories (reserves) as well as a
constant pressure to change religion. With respect to the Métis, particularly in Québec, they gathered together in certain geographical places and created historic Métis communities there.

The forgotten people carried on living or more correctly to survive in a difficult context. Constrained by the dominant majority, it was not in good taste to assert loudly that we were Aboriginals. Discussions amongst the families reveal that it was with difficulty that our ancestors could promote their identity because doing so would provoked negative reactions from the new arrivals. Saying that one was an Aboriginal or that one was of Aboriginal descent (for the Métis) was at the root of discrimination towards us.

This all continued until the beginning of the 1970s with the James Bay Convention. One notes there the emergence of the will of the first peoples of this continent to be understood and respected.

In the meantime, Québec and Canadian society has evolved. The weak birth rate of the old-stock Quebecers has necessitated the use of immigration to increase the population. These people emigrate from outside of Canada and Québec. They now constitute a significant portion of the Québec population and they are coming from all continents.

They bring with them their uniqueness and identity. As the descendants of the first occupants of this territory, we consider that they must be welcomed with openness and compassion. All the same, they must do their part to adapt to that which we are, to that which we have become over the centuries. They cannot impose their subjective perceptions on institutions and people from here but should take the better part of the land that has welcomed them to enrich their own cultures.

That said, we must not fall to the opposite extreme. As inhabitants of this territory of Québec we must remain open to cultural diversity and open our hearts to our brothers and sisters who are coming from other countries and other horizons. One finds in the Aboriginal tradition a long-standing concern with openness to the four races: red, white, black and yellow (Many aspects of tradition honour these colours because this has always been an important value). Today, in 2007, this openness of spirit must be preserved.

We are also living an important paradox. The focus is currently on respecting the rights of individuals and different parts of the Québec population, but what happens with the Aboriginal peoples of Québec and their descendents (Métis)?

On this point, as chief of my community, I believe there is much to be done towards allowing First Nations to attain the living standards of non-Aboriginals. You need only look at what is said on the subject in the media. Also, we note that the land claims of Aboriginal peoples in Québec are not settled even if the two levels of government have been negotiating with them for a while. We are worried by this question as we consider the Aboriginals who live on reserves our brothers and sisters.

With respect to the Aboriginals living off reserve in Québec, we are and continue to be the forgotten people. Despite numerous meetings with representatives of the governments of Québec and Canada since 2006, one fact remains: our existence is not recognized. We cannot enjoy our ancestral rights and we do not have any source of financial support. Can a people grow and thrive in such conditions? I do not think so. I think, however, that the power of the resilience of
our ancestors as well as that which encourages us to continue the fight today allows us to one day be recognized by the majority of the citizens of Québec as a distinct part of population of Québec, an essential and inescapable element to be consulted during large decision making between different levels of government.

I thank you for having received this document and for taking our above commentaries on the subject into consideration.


THE MÉTIS – WHO ARE WE!

Let's start with the terms that were applied to mixed blood peoples. They were: Métis, Halfbreed, Halfcaste, Native, Mixed Blood, Voyageur, Coureurs de Bois, Home Guard, Forest Rangers, Country-born, Écossais, Acadian, Mountain Men, Rupertslander Chicot, Pork Eaters and Bois Brûlé.

Books and articles will tell you that the word Métis means mixed or mixing. The books will also tell you, that it was applied to people born of mixed Indian and French, blood. That is also true but it does not go far enough to give you any real understanding of even the basic genetic background of Métis peoples. Since I am a Métis from New Brunswick and now living in Québec, I will concentrate my explanation to the Eastern Métis.

The first clearly identifiable communities of mixed blood peoples in Canada are the Métis – French Acadian which were called “French Indian” of Nova Scotia. There is more than enough hard, written evidence to establish that fact and by the time their communities were developed, they certainly were no longer pure French. Before the ethnic cleansing of 1755 and after the fall of Louisburg they would not take an oath of allegiance to the English King, and they also refused allegiance to the French King. They claimed their community as an indigenous group distinct from both their original founding nation “Aboriginal and French”

Métis fought battles to assert their rights and defend their territory against any and all comers. Métis were even specifically identified in distinct military encounters in the 1800’s; they were painted by Europeans as reactionary savages, or as a pitifully brave but backward people embroiled in a futile struggle to preserve their static way of life against the inevitable evolution of White civilization.
In everyday circumstances I would define a Métis as a person of Aboriginal ancestry who identifies him or herself as a Métis. But I am not going to confine myself to even that definition. Today I will attempt to show you that the term, Métis, as it is used today, would, and should, cover many more groups of people. I am going apply the term Métis to any people of mixed Aboriginal ancestry who can be recognized historically, as distinct from both Aboriginals and Whites in the more conventional uses of those terms. Given the ethno-centric bias of non-Native historians, this oversight is only to be expected, but from a Native perspective this oversight is critical, for it is in the later part of this 400-year period that Métis developed their own culture and their aboriginal relationship to the land. Although the birth records of a lot of mixed blood children are absence in archives, it can be safely assumed that wherever White men and Native women met, mixed blood offspring resulted. As these meetings occurred on a continental basis in the 15-1600's and with increasing frequency as trade and exploration escalated, and since the resulting Halfbreeds interbred with both White and Natives, the mixed blood populations mushroomed into the 1700's.

At this time in history, with such diverse populations, it was impossible that a single profile could develop, in eastern Canada only the keenest eyes could discern the mixed blood from the Amerindians, and by 1800 in Québec and Ontario, many could not be distinguished from Whites. In Sault Ste. Marie and in the Red River areas, communities were created totally independent, culturally, of White and Aboriginal. Living in both the Native and White worlds, the mixed bloods developed a unique cultural adaptation providing valuable and critical service to both Aboriginal and White as middlemen in social, economic, diplomatic and military contexts. The connective element between First Nation and Métis in Eastern Canada is our relationship to the land, as Métis we were raised with a Native perception of the land and its use. Our ancestors as we today; understand that the land is a resource from which one draws the necessities of life, and is not a possession to be exploited.

Although most Canadians have at least an awareness of Louis Riel and the western Metis in this context, the historical writings dealing with earlier periods almost obliterate the crucial role the Eastern Métis played in the struggles of the colonial period. The Eastern Métis role was and is played down by historians on every side of the issue. For years, it was said that Eastern Métis did not exist, if that is a fact, what are all the Métis in Québec, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland doing in the Eastern Provinces of Canada? Historians have deliberately and grossly distorted the truth about Metis history in Eastern Canada. Sadly Canadian history does not even peripherally describe the critical significance of Metis influences in the historic development of modern Canada.

As the Métis French Acadian was developing their culture, their community and their nation, a similar process was developing further up the St. Lawrence. In fact here we see self-conscious attempt on the part of the French to create a new race. Intermarriage between young Frenchmen and Native women are not only accepted, but were financially encouraged with special dowries or grants of land. The original plan was to make the Aboriginals into French citizens. But the reverse happened and French officials became alarmed at the rate their young men were disappearing into the woods with their Aboriginal wives. It was during this period that the word Canadian was first used; it was applied to the mixed blood French Natives around the settlement of Québec City in 1632.
Shortly before the Confederation, an attempt was made by the Government of Canada to assimilate the Métis into the Aboriginal or French Nation and for this reason we became, the Métis, a forgotten and a hidden Nation with in Canada. The Eastern Métis are not recognized by the Canadian constitution and we are not acknowledged by the government of Canada and the Aboriginals in North America. Since the Constitution of Canada recognize and confirms the rights and treaties of the Aboriginal including those of the Métis in Upper Canada, I believe it is right and desirable that Canada, Québec and the First Nations agree to recognize the contribution made by our ancestors, the French Eastern Métis. As our brothers and sisters of the Métis Nation of Upper Canada we never gave up the fight to assert our position and to be accepted and recognized for what we are and what we have always been…Métis!

Most Metis people today are not so much the direct result of Indian and White intermixing, but rather the direct result of Metis intermarrying with Metis, or Metis with Whites, or Metis with Amerindians or with Inuit. Most Metis today are born of one or more parents who are Metis. It is well known that the last pureblooded Amerindians in New Brunswick were born sometime in the mid 1700's.

The generalization about Métis was assumes that we were unable to adapt to normal work situation and to the work ethic. Métis do not have their own time concepts and values; we are like others citizen of Canada, we work and pay taxes. Since the attempt of assimilation of Métis, we have lived side by side with others societies. This stereotype does not credit Métis People with the ability to adapt to living with other societies. Many Métis People have not lived for some time, the traditional lifestyle of hunting, trapping, etc, regardless of this fact, we are still Métis and we treasure our Amerindians and French heritage!

Métis are not asking for special privileges but for means of survival of our language and our ancestral static way of life. Our Métis Ancestors as well as we must be recognized for the role that “they/we” played in the development of the Canadian Confederation. I believe that Métis in Canada are far more disadvantaged than Native people and are as a result, more likely to be hurt by stereotypes.

Our Métis Ancestors were connected to, but free from the limitations of tribal life; connected to, but free from the dominance of White settlement. Our Ancestors were a new people in a changing world, apparently free to unfold their lives to the limits of their own abilities.

The Métis of Québec and Eastern Canada are known as the forgotten people and this situation has existed for hundred of years, we always played a fundamental role in the building of this great country, and as Métis we should have our spiritual place in the process of healing and reconciliation between Canada, Québec and Canada.

We the Métis in the province of Québec and all Eastern Métis do not belong by circumstances or by deprivation or affiliation, to one or the other of our founding Nations. We belong to the Métis Nation, our Nation.

They will remember the forgotten people.

Archie Martin

Chief of the Eastern and Western Métis
Cyr, Raymond, Daigle, Marco and Leblanc, Marc. “A people "forgotten" for centuries (without accommodations).” Submitted from Sherbrooke to the Consultation Commission on Accommodation Practices Related to Cultural Difference, October 2007. Translated from the original French by Anne Godlewska and Laura Schaefli.

Brief Submitted to the Commission of Consultation on the Practices of Accommodation Related to Cultural Differences by The Métis Community of the Estrie Region, inc. and The Métis Community of the Gaspé Region, inc.

A people "forgotten" for centuries (without accommodations)

Read by Mrs. Danielle Robineau, executive secretary of the Métis Community of Estrie

Presidents and commissioners, we thank you for allowing us to testify.

We, Raymond Cyr, lien de memoire of the Métis community in the Estrie region, Marco Daigle, guardian of the spiritual and moral values of the Métis community of the Estrie Region and Marc Leblanc, bearer of words of the Métis Community of the Gaspé Region, Inc. bear witness on behalf of the Métis people in our communities. We present you this document as the only direct descendants of the First Peoples in Québec all of whose members have been killed by microbial shock. We are witnesses to the aberrations of the official history that teaches that there are Métis and Indians when there is no more than a single Aboriginal nation in Québec. And the only nation that survives is a small people who are divided in two by the practice of dividing our land into Terres des Sauvages (the land of the savages) that become Crown land under the British regime and the remains: public lands. Your practice of creating reserves, which began in 1831-32, only forced the most miserable of us to live there.

We are witnesses that there was nothing done to accommodate the people in our communities who refused to enter and die on "your" reserves. We testify before you and the descendants of the Quebecers who we accepted on our soil that we are not on "federal" ground but on the "provincial ground" of Québec.

We are proof that the preservation of our culture was never of your worries. We testify that our ancestors refused the reserves and that we have remained free at the cost of inhuman effort. Here is the essence of our testimony.

Explanation of our Interest

Today, you say you recognize the value of cultures from other continents and you offer us, we who have refused the reserve regime, the opportunity to express, it seems, our point of view on what is reasonable to do in order to accommodate them, as all else has already been accorded them. We are therefore here to remind the people of Québec that before accommodating the
arrivals, there is an old moral debt which must be fulfilled before pretending to exercise respect for cultures coming from outside the country.

Please consider that, by the 1850s, there was no longer a single descendant of the First Peoples in your official registers who was not mixed. Our native ancestors of ancestral lineage had all already died from microbial shock by this date. The diseases from Europe against which we had no immunity killed this half of ourselves. Only the descendants mixed with the Europeans have survived these scourges. And, among the survivors, the visibility of those who will remain outside the reserves is overshadowed by all public registers. We reserve the word ‘Indians’ to those who are on "your" reserves. It is thus that the neediest portion of our communities, which includes our fathers, our mothers, our brothers, our sisters, was eradicated by the full-fire of misery; a misery caused by the colonization of our hunting areas and those neighbouring them. The other part was left to itself.

So you have brought to your registers this single fraction of our communities and very explicitly denied the existence of the other reality, who, out of pride, refused to go to die on "your" reserves. So it seems to us that you have only cultivated the recognition of misery as a means of reduction of the last descendants of the First People, and you have never even recognized the courage that we had to accommodate ourselves alone and in our misery. And you speak of métissage as a means of adaptation? To us it is clear that, before us, ignorance has its history.

We are not on federal territory or on a federal enclave here. We do not designate ourselves by your statutory administrative categories. We are on that territory that you call Québec. Since the death of our fathers, we are the only first founding citizens. We are of Aboriginals. And it is we who have accommodated you and not the reverse. We wish to let you know and propose remedial recommendations to you.

**Our Presentation**

We saw you arrive from Europe by sea. Brave men, Europeans, often sons of misery, who, until settlement, left the boats with sails and the shores two or three at a time to disappear into the woods. And we accommodated you. Our ancestral memory reminds us that you were "hairy", "strong", "suspicious" and "dangerous". And you chose from amongst our women and had children by them. We then praised you for your courage, this new breed of whom we are the descendants: the courage to risk your lives on the tumultuous descents of the rivers in the defence of our common parents.

Very early on, the ravages of disease, whooping cough, rubella, smallpox, jaundice, even the plague, slew the native people of ancestral lineage leaving only those of us who had contracted a genetic immunity from those who had come from the sea. By this crossing, we have survived in the woods while developing a culture that you call Métis, distinct and original, which draws both on our buried ancestors and from those Europeans peopling our soils.

Since your arrival, generations of our ancestors and later the new race, that is to say we, conducted our own border wars against the invasion of the common enemy of the hour, the
British. Remember Acadia and New France. They had to rely on our mobile forces to contain the invaders out of our borders.

We fought with you in Old Acadia on the disputed areas and bled as far as the coasts of New England, while your Church provided us weapons. This territory was and still is ours. We did everything we could to protect you from deportation because we were cousins, to various degrees. But the British finally took your place on the soil of Acadia. We then came together and split up in groups, on various occasions, to go back to other places: New France (future Québec), where, at various points, our communities were already settled for generations, without help other than the aid of our native heritage to survive. And we are still here and more numerous. To this your history is still blind.

From Acadia to the Chaudière-Appalachian corridor, that we occupied to block the invasions directed at your present capital city, Québec, we controlled this division of oppositions and the entire southern border through various alliances made on our own lands against the British who became Americans. And your beaten masters of France treated on this soil, came to terms with new masters: the Crown of England. France will officially leave again in much to do on the sea, leaving us at the mercy of these latest comers against whom we had so fought to preserve our lands. And who would accommodate us? Once again, who would accommodate us? We were forced to hide ourselves, to exclude ourselves and to hide our identity.

Thus, at the Conquest, the British Crown allowed the French subjects of New France, peasants as well as merchants, to return to France with their personal effects. They came to terms with, treated with and accommodated some native groups recognized as friends or non-belligerents. And we, the recognized enemy without European master, we were hunted. Who could you blame? The law (Act?) allowed us to be shot on sight. Our people have never accepted the domination of one or the other of the two Crowns, as subject only to ourselves, we were left at the mercy of bounty hunters; the high clergy of your Church took part.

Those you will call "Métis" for the first time are those of us, with mixed-blood parents, who after the microbial shock continued in a north-west direction on the road of the beaver and did not experience the Conquest. These were already the "Métis" who came from the East (new France and Acadia) and who founded the West Métis (except for the Scottish colony of Lord Selkirk). Thus, from East to West, it is one and the same nation. These families are as Native as you are Québécois. And were it not for the shooting of guns on the Red River in the West for the safeguarding of our territory, nothing of us would have been recognized. And, there again, the bison of our great plains were strategically exterminated and our hunting territories were divided to be ceded to the immigrants from Europe. Thus, many among us started back toward where the wood bison lived; toward Batoche. We also headed toward the south, toward Willow Bunch. At Batoche for fifteen years we asked the government, to the point of begging them, for titles to the lands that we occupied. Your central government remained mute and during this time gave our land to the immigrants who regarded us as filth, they who had been welcomed and generously accommodated. This state of things was used against us and led to the uprising of Batoche. And Riel offered himself as a victim so that his own would be physically protected from the surge of colonizing rage. And so, at the end of a biased trial, they scandalously hanged an innocent, this Métis who had led Manitoba into the Canadian Confederation.
At this time, some of ours, the Natives of the West, came to the East to warn us of a great battle of extermination that had already begun in our Black Hills and our plains. At Little Big Horn, we were in solidarity with the forces of Sitting Bull to confront the American army. Then, we returned to the East, to our home. For this, the American army entered Canada to take revenge with impunity, massacred our own (women and children) up to the Black River (New Brunswick). Sitting Bull himself took refuge in the new Métis colony in Willow Bunch (Saskatchewan), among our cousins who had left the Red River because of the colonizing strategies of occupation of your new confederation. We accommodated only the people of Sitting Bull. And if the American army did not dare attack here, on Canadian territory, it is that the tribe of Sitting Bull had physical evidence of having already fought for England (a too obvious debt).

Before 1850, on our territory wa-ba-nah-ki, in part of Québec, before the train of legislative measures completely opened the doors to colonization of our land without legal compensation, we already had our own centers of population growth, indigenous fruits of our Métis populations. In 1850, you cynically offered our people reserved lands on our own land to pen us in (reserves). This was your direct translation of the meaning of accommodation although you were legally required to bargain in good faith over the occupation of our land. You have thus implicitly denied the existence of our own lands for those of us who refused to register on "your" reserves. You denied our right to be free without decently accommodating us. You included in your registers only those of us who could no longer be self-sufficient in your records, consequence of the fact that you had invaded our hunting territories. You have then cultivated and maintained in the popular ignorant spirit of your people the idea that Québec is the product of a people of very extensive yet diffused interbreeding… and that the Native only survived on "your" reserves, thus obscuring our lived reality of remaining free in visible communities.

Originally, the name Métis designated only those of us living in southern Manitoba who were French and Catholic. The consensus on this designation and its adoption will come later, toward 1920-1930, in the West. By then our people on all its territory from East to West had more than eighty names by which they were known, the equal to the many indigenous tribes therein. Amongst Aboriginals, we were the masters of men (Hommes-Capitaines), the Scorched Wood, (des Bois-Brûlés), men without master, (des Hommes sans Maître), the free men (des Hommes Libres). The Savages (Du sauvage), the Mig’ Maq’ of the Abenakis and others. We know that we are not half breeds or half-Aboriginal or half-Europeans. We know that the term Métis is first and foremost a legal designation to name those who did not enter your reserves. It is your legal designation of a statutory category. If we consider ourselves legally Canadians and Quebeckers, we are all naturally the free heirs of the first inhabitants here.

The word Métis appeared on the sly in article 35 of the Constitutional act, in the third reading of the constitutional project not due to a taste for belated reparations in the face of a willed forgetfulness (which allowed you to not inscribe us in your Eastern registers as Free Indians (Autochtones libres) while you put some of our brothers and sisters of our communities in your reserves) but as a result of a guilty reaction at the time of the repatriation of the Constitution of 1982. It was not to accommodate us after the adoption [of the Charter] that there was a reactive social delegation sailing to London to erase us from this writing not yet dried, we, the "new Aboriginal Métis" of your Constitution.
For us, the word Métis is nothing but an elusive legal term appropriate to a classist and individualist spirit, a judicial reserve, which designates us in spite of ourselves, we, the last free Aboriginals, who would not go live and die on "your" reserves in the East. In 2003, Steve Powley proved in the Supreme Court that we exist in the Ontario east. In Québec, you deny out of fear that the history taught, that of Canada-Québec, should become known in terms of the real builders of the country you occupy. The Métis controlled commerce, were an imposing military force and have built prosperous villages which still exist are alive and well today. You confine us in your legal battles right up to the Supreme Court. But the ordinary Québécois who wants the truth has the right to know.

**Conclusion and Recommendations**

We, free Indigenous descendants of the Wabanakis in this province have made a clear choice of living our cultural identity without ever relinquishing our rights, our culture and our History;

We, free Indigenous descendants of First Peoples, who have refused the only and unique proposal for accommodation, the cynical proposal presented by your government at the time of the colonization of our lands, that of going to live on these plots of land (that you reserved for us since 1831-32 on our own land), while conveniently excluding us from your registers;

We of the East (here in Québec), those who you call Aboriginal Métis by default since you have reserved the name Indian for those who were forced to go to "your" reserves. We, these native people who have survived your invasion and have remained in solidarity with the suffering of our brothers and cousins on reserves where they suffocate and die;

We, free men who have refused to go and live elsewhere to accommodate you in the execution of your project of colonization of our hunting and fishing territories, this project which forced our ancestors into the most abject poverty, without support or accommodations (in the entire country);

We, the only and the last free descendants of the first occupants of this country, we have paid alone and without help the immense price attached to the transmission of our culture;

We who have been able to produce our own generational cultures by integrating and adapting the unavoidable changes imposed by your social invasions;

We of this evolutionary and adaptive culture, always distinct that negates your categorizations;

We who have villages in Québec that you do not see from your blind eyes;

We want to express, before history and the present Commission, that the governments of Québec and Canada have jointly refused to recognize us as Aboriginal people, in order not to recognized our right to the liberty to remain free and alone amongst ourselves.
We want to affirm here that we are alive and present thanks to a difficult evolution that we will describe later. We are of the opinion that it behoves the Commission to allow us to testify as a distinct cultural community already included in Québec society as a whole.

We do not believe that there is a real political will in Québec to accommodate to foreign cultures.

We therefore denounce all these fallacious pretentions that systematically deny the genocide of our fathers, the extinction of the First Peoples of the East by microbial shock which meant that by the mid-1800s it was impossible to identify a single member of the First Peoples in Québec corresponding to what the term Indian of yesteryear meant;

All of these fallacious pretentions that there were Métis only in western Canada while it is the Métis of the East, who have established this fact from East to West;

All of these fallacious pretentions that the essence of Aboriginality is to be found on the reserves while in fact only a sub-culture (culture of reserves) exist there, and they are people originally extracted from our Métis communities.

All of these fallacious pretentions, maintain the popular negation of the Métis and Métis communities in the East (the indigenous heirs of the culture and the rights of First Peoples), in spite of the adoption of article 35 of the Canadian Constitution, nourish.

All of the foregoing shall ensure that:

We call on the Commission, that with their focus on the history that begins in the East they combine respect for our history, as it is through this that the people of Québec and Canada have passed, making them what they are.

We are asking the Commission to recommend concrete remedial measures that respect the courage and peaceable strength that we have maintained in order to live in harmony with the people of Québec.

We are asking the Commission to recommend concrete measures to accommodate the descendants of all First Nations of this country who have refused the regime of reserves so as not to be treated there as beggars of the State.

We are asking the Commission to recommend the abolition of all practices of institutionalized exploitation of our culture amongst us such as the sale of hunting licenses, fishing licenses, payment of rights to stay in the park, etc.

We are asking the Commission to recommend the creation of a permanent Québécois body for the protection of the identity and culture of the Aboriginals who have refused the regime of reserves and that we will structure, manage and lead.

Li esprit, li créâteure, li courâge mi yi nawn, paray chee i tayh ta maw
(Spirit, our Creator, gave us the courage to be a single thought)
APPENDIX B: Original briefs submitted to the Commission by Indigenous authors

AN’ONWENTSA : LA RENCONTRE
MÉMOIRE PRÉSENTÉ À LA COMMISSION DE CONSULTATION SUR LES PRATIQUES D’ACCOMMODEMENT RÉLIES AUX DIFFÉRENCES CULTURELLES
PAR MAX «ONE-ONTI» GROS-LOUIS
GRAND CHEF DE LA NATION HURONNE-WENDAT
QUÉBEC
30-31 OCTOBRE 2007

Messieurs les commissaires,
Je me présente devant votre Commission aujourd’hui à titre de Grand Chef de la Nation huronne-wendat mais aussi à titre personnel, comme membre d’une Première Nation demeurant au Québec.
Par le passé, j’ai souvent pris le micro pour dénoncer des lois et des situations injustes et j’ai su me faire entendre sur diverses tribunes. J’ai décidé de vous présenter ce mémoire parce que je considère que les Premières Nations ont quelque chose d’original à dire à votre Commission, même si vous considérez que ce n’est pas dans le cadre de votre mandat. Je crois que cette intervention est nécessaire même si ce n’était que pour démêler des choses et parce que certains enjeux, qu’on le veuille ou influencent le mandat de votre Commission.
Dans un premier temps, je voudrais traiter du mandat de votre Commission par rapport aux Premières Nations.
Dans un deuxième temps, je vous entretiendrai brièvement des accommodements que les Premières Nations ont consenti dans l’histoire aux différents gouvernements qui se sont succédés et à leurs citoyens. J’en conclurai que nous avons tellement été généreux en acceptant le partage de notre pays que nous en avons été et que nous sommes encore à peu près complètement dépossédés, peut-être par naïveté mais je crois surtout en raison de l’avidité historique, de l’esprit colonialiste persistant et de l’ignorance et de la suffisance actuelle de la majorité de la société et de leurs dirigeants.
Je mets cependant ma présentation sous le signe de An’onwentsa, la rencontre et la recherche de l’harmonie entre nos peuples.

LE MANDAT DE LA COMMISSION ET LES PREMIÈRES NATIONS

Je conviens au départ que notre statut juridique et notre réalité de Nation sont différentes de ceux de la société québécoise. Les Premières Nations ne peuvent pas être considérées comme de simples minorités ethniques de la société québécoise qui seraient accommodées par une majorité québécoise. Nous sommes ceux et celles qui étaient là avant tout autre et qui vous avons accueillis, qui vous avez accommodés. Ce n’est pas le contraire.
Les Premières Nations, à titre de peuple, détiennent des droits préhistoriques et historiques inhérents à leur réalité de premiers peuples ayant occupé le pays et ces droits sont dorénavant reconnus depuis 1982 à l’article 35 de la Constitution canadienne.
C’est là un fait incontournable. Cependant, malgré cette reconnaissance de nos droits dans la constitution canadienne, et malgré que le Canada et le Québec nous reconnaissent à titre de Nation, cela ne veut pas dire grand-chose dans la réalité.
En 1990, neuf juges unanimes de la Cour suprême du Canada ont reconnu la portée juridique moderne et contemporaine d’un traité entre notre Nation et la Couronne britannique. En 2007, les gouvernements ont toujours refusé de s’asseoir avec nous pour reconnaître concrètement la décision de la Cour et pour harmoniser l’application de nos droits. Une autre preuve récente de cette attitude

Le fait de détenir des droits constitutionnels spécifiques ne nous donne pas non plus la reconnaissance de ces droits par la population québécoise. Quand on analyse les divers sondages (APNQL) sur ces questions, les propos de plusieurs politiciens ainsi que le discours populaire, on constate qu’il y a loin de la coupe aux lévres. C’est ici que votre Commission peut jouer un rôle important en proposant des mesures d’acceptabilité de la différence.

Le mandat premier de votre Commission consiste à analyser les accommodements de l’État et des institutions publiques et privées concernant les différences culturelles. Je pense qu’il vous faut aussi étudier non seulement les accommodements de bon aloi culturel mais aussi les obligations faites à l’État de respecter nos droits spécifiques et les accommodements que l’État doit obliger de ses commettants relativement à ces droits. Sans cette attitude de l’État, nos droits sont condamnés à demeurer lettre morte, des objets de litiges ou des objets de pressions populaires. Puisque vous avez choisi d’interpréter de façon large votre mandat, je crois qu’il vous faut aussi prendre en compte cette question.

Vous avez le devoir d’inventorier et d’analyser des formes d’arrangement ou d’assouplissement visant à combattre la discrimination qu’une norme peut apparemment entraîner dans ses effets et porter atteinte aux droits. Nous demeurens quand même dans le domaine des accommodements raisonnables et non concertés, car il s’agit là de mesures issues d’obligations juridiques. Nous visons aussi l’«idéal d’une gestion du vivre ensemble» qui soit la plus harmonieuse possible. Quand l’accommodement obligé par le respect de nos droits sera réglé avec l’État et ses créatures, nous pourrions alors passer avec succès à la deuxième étape de ce processus, soit l’harmonisation interculturelle. Vous dites dans votre document de présentation que «la plupart des nations d’Occident sont aux prises avec ce même défi : réviser les grands codes du vivre ensemble pour aménager les différences ethnoculturelles dans le respect des droits».

Il est d’une importance majeure de considérer que les droits dont nous parlons ne sont pas que des droits individuels mais qu’il existe aussi des droits collectifs; les droits de notre Première Nation sont collectifs. Le drame consiste dans le fait que les chartes québécoises et canadiennes ne reconnaissent à toutes fins pratiques que les droits individuels. C’est là une erreur à corriger. Quand on parle de réviser les codes, il faut penser aussi aux divers codes de lois et aux institutions qui ne respectent pas ou qui ne prennent pas en compte la Constitution canadienne ni nos droits collectifs.

Les trois objectifs de votre Commission consistent à clarifier la situation présente, fournir un cadre de référence et formuler des recommandations quant l’avenir des rapports et au mode d’intégration de la société. La Commission a le «devoir d’établir la nature et la source des désaccords qui divisent la société québécoise afin de pouvoir imaginer des horizons de conciliation». Nos droits collectifs donc doivent être considérés.

Dans votre document de présentation, vous avez indiqué que votre Commission «ne songe pas à reconsidérer de quelque façon que ce soit le statut politique et juridique des peuples autochtones.» Je ne vous demande pas de reconsidérer notre statut, car il existe, je vous demande d’en prendre acte. Vous précisez que nos nations ont été reconnues par l’Assemblée 3
nationale et par la Constitution. Vous concluez cependant faussement que la relation entre nous est une relation de nation à nation. Nous voudrions bien que cela soit vrai, mais cela ne l’est pas pour des raisons mentionnées précédemment. Dans la réalité, la négociation de nation à nation n’existe pas. Votre énoncé de base est donc faux. Vous considérez que cette question est hors de votre mandat. Si c’est cela, je crois que votre commission rate ici un enjeu fondamental essentiel à l’harmonie de la société québécoise et de ses relations avec les Premières Nations. Je ne cite en preuve que les problèmes d’harmonisation de nos gouvernances respectives et de nos droits territoriaux pour vous indiquer qu’il existe des problèmes qui peuvent facilement dégénérer dans le domaine de l’interculturel. Des litiges sont commencés et ils risquent de s’amplifier avec les années. Il ne suffit qu’à penser aux actions juridiques du Conseil des Innus de Betsiamites ou aux actions dites de désobéissance civile des Anishnabés d’Abitibi concernant les coupes de bois et la protection des forêts pour s’en convaincre. La commission parlementaire de l’Assemblée nationale qui a siégé il y a quelques années dans le dossier de la négociation globale du Conseil tribal Mamuitun nous a donné un bon exemple d’incompréhension entre les milieux régionaux et les Premières Nations. J’en comprends le danger de la suffisance de la majorité québécoise d’aujourd’hui que nous avons accommodée dans le passé et qui l’ont oublié. En oubliant cet aspect, le Québec aura alors peut-être aplanit ses problèmes d’accommodement avec ses groupes ethniques ou ses besoins d’ajustement avec ses composantes minoritaires, mais il aura laissé en plan une partie importante de ses enjeux territoriaux et de gouvernance avec les Premières Nations. Je tenais à vous aviser de cette situation. Je conviens que cette question est complexe et qu’elle nécessiterait en soi la mise en place d’une Commission particulière. Je doute que la volonté de l’État et que les intérêts politiques à court terme fassent que cette commission existe un jour. De toute façon, la Commission royale sur les peuples autochtones a siégé sur cette question pendant près de cinq ans et a rendu public son rapport de plus de 4000 pages le 21 novembre 1996. Pour l’essentiel, les recommandations de ce rapport sont restées sur une tablette en raison du manque de courage des politiciens. Cela dit, je trouve important que votre rapport mentionne la problématique dont je viens de vous entretenir et fasse des recommandations à l’État, tout au moins pour le sensibiliser au plan politique et moral, faute de trouver preneur.

UNE HISTOIRE D’ACCOMMODEMENT

À l’origine du contact de nos peuples, au début de ce que la majorité considère comme l’histoire, car il semble que l’histoire commence avec eux, nos relations étaient relativement saines. L’explication de cet état de grâce réside sans doute dans le fait que nos peuples étaient majoritaires et que les peuples euro canadiens ou euro québécois minoritaires avaient besoin de nos guerriers pour imposer leur présence sur le territoire et leur contrôle sur le commerce et l’économie. La façon la plus intelligente de trouver l’Eldorado ou d’avoir accès aux richesses de la Chine ou de l’Inde consistait à s’associer aux Premières Nations du pays, donc cela exigeait de la diplomatie. Malheureusement ou heureusement, ils n’ont trouvé de l’Inde que des coqs d’Inde, du blé d’Inde et des Indiens dont la liberté était la seule richesse. Jacques Cartier cherchait de l’or et il a ramené de force nos frères de Stadaconné qui sont tous morts en France. Il avoue dans ses mémoires qu’il nous a tous menti en plantant une croix à Gaspé en prétendant qu’il ne s’agissait que d’un repaire maritime alors que cela était un acte de prise de possession au nom de la France. Le héros Roberval était un escroc notoire dont la seule raison d’être était la recherche de la fortune et qui a fini son séjour dans la catastrophe de nos relations. 4
Malgré cela, nous avons été accommodants, très accommodants, comme sociétés majoritaires de ce pays. Nous avons partagé notre liberté et notre espace, nous avons livré nos savoir-faire, nos médecines, nos compétences environnementales, notre amour de la Terre Mère.

Il y en a eu des moins pires. Samuel de Champlain a cherché des arrangements de nation à nation entre nos peuples. On lui a permis de s’installer dans la vallée du Saint-Laurent parce qu’on considérait qu’il y avait assez de place pour tout le monde et que nos filles pourraient marier leurs fils et vice-versa. Une permission ne veut cependant pas dire de prendre toute la place et de nous tasser.

Tant que les peuples européens et leurs descendants n’ont pas été plus nombreux et qu’ils avaient besoin de nous, il n’y pas eu trop de problèmes et nous avons été respectés. On a eu droit à la Proclamation royale de 1763 pour protéger nos terres. Longtemps, jusque dans les années 1850, nos Premières Nations contrôlaient et utilisaient l’essentiel du territoire du pays car les autres ne contrôlaient en réalité que leurs villages et leurs postes militaires ou de traite.

Mais le jour où la colonisation, l’immigration et la gouvernance ont nécessité des terres, du bois, des mines, des rivières, etc. on nous a refoulés et nous sommes devenus un poids pour l’État. On nous a créé des réserves, on nous a mis en tutelle, on nous a consacrés comme mineurs et dépendants. Notre territoire est devenu petit à petit les terres de la Couronne et quelqu’un à quelque part a décidé que nos lois, notre gouvernance et notre citoyenneté n’étaient plus bonnes et que leurs lois seraient supérieures. On nous a imposé intentionnellement des normes d’appartenance nous conduisant directement à l’extinction. N’est-ce pas là ce que l’on appelle un ethnocide ou une forme de génocide tranquille mais efficace? Nous nous sommes accommodés de l’arrivée de ces frères et soeurs de divers pays, mais il faut croire que notre bureau de l’immigration était mal organisé ou notre cœur trop grand, car on nous a dit et fait voir par la suite que nous n’étions plus chez nous, qu’il fallait demander la permission pour utiliser nos territoires ancestraux et qu’elle pouvait nous être refusée ou conditionnée. On nous traite aujourd’hui de profiteurs. On nous reproche de tenir compte de l’histoire. On critique notre différence. La majorité ne veut pas nous accommoder sur le bien et l’espace qu’elle nous a volés. Je vous invite à réfléchir à tout ça.

Nous avons été naïfs en pensant que la terre et ses richesses étaient pour tout le monde et n’appartenaient à personne. Parce que nous nous considérions comme les enfants de la terre, comme ses gardiens, comme un simple maillon de sa chaîne, nous nous sommes fait déposséder de nos droits et de notre mode de vie par les possédants, les exploitants, les transformateurs, les harnacheurs et tous ceux et celles qui pensent que la terre leur appartient en privé.

La minorité d’hier est devenue la majorité d’aujourd’hui et elle craint que les nouveaux arrivants ne leur imposent une autre façon d’être, d’autres valeurs ou contre-valeurs. Nous sommes le plus bel exemple de ce qui pourrait lui arriver, mais il faut considérer que cette histoire est loin d’être terminée. Cette crainte est légitime, mais elle peut se transformer facilement en intolérance par rapport à la différence et il faut faire attention. Nos peuples détiennent une longue tradition d’adoption des membres d’autres peuples. À l’exemple de
notre histoire et de notre ouverture à l’intégration, il faut rester ouvert à l’autre, préciser les valeurs de notre société et mettre en place des mesures d’intégration efficaces.

Au chapitre des valeurs fondamentales de la société québécoise, il en manque encore une qui lui fait défaut. Avant de faire la leçon aux autres, à ceux qui ne sont pas pareils, le Québec devrait commencer avec humilité par apprendre à respecter le premier occupant, la différence que constituent les Premières Nations qui habitent le même espace. Il doit apprendre qu’il est chez nous, qu’il habite nos territoires, qu’il exploite nos ressources, qu’il ne peut pas nous imposer ses lois sans négociations, qu’il ne doit pas s’autoproclamer le plus fort avant de s’être harmonisé avec nos droits particuliers. Quand le Québec aura fait ses devoirs envers les Premières nations, alors il sera en position de le faire sans gêne envers ses nouveaux arrivants.

Je tenais à dire devant cette commission qu’il était trop facile de tenir un discours de majorité inquiète qui veut imposer ses lois, ses obligations et ses manières à ses marginaux. Les sociétés ne sont plus composées d’un seul bloc, avec du monde tous pareils, elles sont plurielles. Il faut éviter de cultiver les craintes et l’insécurité face à la différence par intérêt populiste ou pour de petits intérêts politiques. N’oublions pas que la peur et l’ignorance sont le point de départ du racisme et de la discrimination. Il faut cultiver la connaissance de la différence et valoriser l’ouverture aux autres dans le respect de soi-même. C’est toujours ce que nos peuples ont pratiqué et c’est une vertu. Nos enfants sont en communication avec la planète et leurs amis sont de tous horizons. Il faut apprendre à cultiver le jardin de son âme et de ses racines tout en ouvrant tout grand ses bras et ses branches au soleil, aux fruits et aux oiseaux les plus divers et les plus beaux.

La Commission ne doit pas oublier tout cela. Je souhaite que la véritable An’onwentsa se réalise véritablement, à la veille de son 400 anniversaire.

Tiawenk
Max «One-OnTI» Gros-Louis
Grand Chef
MÉMOIRE PRÉSENTÉ À LA COMMISSION DE CONSULTATION SUR LES PRATIQUES D’ACCOMMODEMENT RELIÉES AUX DIFFÉRENCES CULTURELLES
par
Communauté métisse de l’Estrie inc. et Communauté Métisse de la Gaspésie inc.
Octobre 2007

Un peuple “oublié” depuis des siècles (sans accommodements)

Lu par Madame Danielle Robineau, secrétaire exécutive de Communauté Métisse de l’Estrie

Messieurs les présidents et commissaires, nous vous remercions de nous permettre de témoigner.

Nous, Raymond Cyr, lien de mémoire de Communauté métisse de l’Estrie, Marco Daigle, gardien de la spiritualité et des valeurs morales de Communauté métisse de l’Estrie et Marc Leblanc, porteur de paroles de Communauté Métisse de la Gaspésie inc. témoignons au nom des Métis de nos communautés. Nous vous présentons ce document en tant que seuls descendants directs des Premiers Peuples au Québec dont tous les membres ont été tués par le choc microbien. Nous sommes témoins des aberrations de l’Histoire officielle qui enseigne qu’il y a des Métis et des Indiens alors qu’il ne reste plus qu’une seule nation autochtone au Québec. Et cette nation survivante, la seule, est un petit peuple divisé en deux par la pratique de la parcellisation de nos terres, Terres des Sauvages qui deviennent Terres de la Couronne avec le Régime Britannique et les restants : Terres publiques. Votre pratique de création de réserves, qui débuta en 1831-32, n’aura contraint que les plus misérables d’entre nous d’y habiter.

Nous sommes témoins qu’il n’y eut rien de fait pour accommoder les gens de nos communautés qui refusèrent d’entrer et mourir sur “vos” réserves. Nous témoignons, devant vous et les descendants des Québécois que nous avons acceptés sur notre sol, que nous ne sommes pas sur un sol “fédéral” mais sur le “sol provincial” québécois.

Or, nous témoignons ici que la préservation de notre culture ne fut jamais de vos soucis. Nous témoignons que nos ancêtres ont refusé les réserves et que nous sommes demeurés libres au prix d’efforts inhumains. Voici l’essentiel de notre témoignage.

Explication de notre intérêt

Aujourd’hui, vous dites reconnaître de la valeur aux cultures venant des autres continents et vous nous offrez, à nous qui avons refusé le régime des réserves, l’opportunité d’exprimer, semble-t-il, notre point de vue sur ce qu’il est raisonnable de faire pour les accommoder, tout le reste leur étant déjà acquis. Nous sommes donc ici pour rappeler au peuple québécois qu’avant d’accommoder les arrivants, il y a une vieille dette morale dont il lui faut s’acquitter avant de prétendre à l’exercice du respect des cultures venant hors du pays.
Veuillez considérer que, dès 1850, il n’y a plus un seul descendant des Premiers Peuples porté à vos registres officiels qui ne soit pas métissé. C’est que nos ancêtres Autochtones de souche sont déjà tous morts sous le choc microbien à cette date. Les maladies venues d’Europe et contre lesquelles nous n’avions aucune immunité ont tué cette moitié de nous-mêmes. Seuls les descendants métissés avec les Européens auront survécu à ces fléaux. Et, parmi les survivants, la visibilité de ceux qui demeureront hors des réserves est occultée de tout registre public. L’on réserve le mot Indians/Indiens qu’à ceux qui vont sur “vos” réserves. C’est ainsi que la portion la plus nécessiteuse de nos communautés, qui comprend autant nos pères, nos mères, nos frères que nos soeurs, fut extirpée de nos populations par le tire-fort de la misère; une misère provoquée par la colonisation de nos territoires de chasse et ceux adjacents. L’autre partie est laissée à elle-même.

Vous avez donc porté à vos registres cette seule fraction de nos communautés et nié très explicitement l’existence de l’autre réalité qui elle, par fierté, a refusé d’aller mourir dans “vos” réserves. Ainsi, c’est la reconnaissance de la misère comme moyen de réduction des derniers descendants du Premier Peuple que vous avez cultivée, nous semble-t-il, et vous n’aurez jamais encore reconnu notre courage de nous être accommodés seuls avec notre misère. Et vous parlez de métissage comme moyen d’adaptation? Il est clair que, devant nous, l’ignorance a son histoire.

Nous ne sommes pas ici sur un territoire fédéral ni dans une enclave fédérale. Nous ne nous désignons pas par vos catégories administratives statutaires. Nous sommes sur ce territoire que vous nommez le Québec. Depuis la mort de nos pères, nous y sommes les seuls premiers citoyens fondateurs. Nous sommes des Autochtones. Et c’est nous qui vous avons accommodés et non pas l’inverse. Nous tenons à le faire savoir et à vous proposer des recommandations réparatrices.

**Notre exposé**

Nous vous avons vu arriver d’Europe par la mer. Des hommes courageux, des Européens, le plus souvent fils de la misère, qui quittent deux ou trois à la fois les bateaux à voiles et les rivages pour s’enfoncer dans les bois jusqu’à établissement. Et nous vous avons accommodés. Notre mémoire ancestrale nous rappelle que vous étiez “poilus”, “forts”, “méfiants” et “dangereux”. Et de nos femmes vous choisirent et eurent des enfants de vous. Nous fîmes alors l’éloge de votre courage, le courage de risquer vos vies autant sur les descentes tumultueuses des rivières que dans la défense de nos parents communs, cette race nouvelle dont nous sommes les descendants.

Très tôt, les ravages de la maladie, coqueluche, rubéole, variole, jaunisse, voire jusqu’à la peste, tuèrent les Autochtones de souche-mère pour ne laisser que les seuls d’entre nous qui avaient contracté une immunité génétique par ceux venus de la mer. Par ce croisement, nous avons survécu dans les bois tout en développant une culture dite par vous métisse, distincte et originale, qui tient à la fois de celles de nos ancêtres ensevelis et de celles des Européens peuplant nos sols.

Nous avons combattu avec vous en Vieille Acadie sur les zones contestées et saigné jusque sur les côtes de la Nouvelle Angleterre tandis que votre Église nous pourvoyait en armes. Ce territoire était et est encore le nôtre. Nous avons fait tout notre possible pour vous protéger de la Déportation parce que nous étions cousins, à divers degrés, jusqu’à vous. Mais les Britanniques prirent finalement votre place sur le sol d’Acadie. Nous nous sommes alors résumés et fractionnés en groupes, à différentes reprises, pour remonter en d’autres endroits, en Nouvelle-France (futur Québec), en divers points, là où de nos communautés étaient déjà installées depuis des générations, sans aide autre que le secours de notre héritage autochtone pour survivre. Et nous y sommes encore et plus nombreux. À cela votre Histoire est encore aveugle.

D’Acadie jusqu’au couloir Chaudière-Appalaches, que nous avons occupé pour enrayer les invasions vers votre capitale actuelle, Québec, et toute la frontière sud jusqu’en des alliances diverses, nous avons contrôlé cette division d’oppositions faites sur nos propres Terres contre ces Britanniques qui deviendraient des Américains. Et vos maîtres de France déchus en ce sol-ci traiteront, pactiseront avec de nouveaux maîtres; la Couronne d’Angleterre. La France repartira officiellement en pompes sur la mer en nous laissant à la merci de ces derniers venus que nous avions tant combattus pour conserver nos terres. Et qui nous accommoda? Que nous, encore. Nous fûmes contraints de nous cacher, de nous exclure et de masquer notre identité.

Ainsi, à la Conquête, la Couronne Britannique permit aux sujets français de la Nouvelle-France, autant paysans que marchands, de regagner la France avec leurs effets personnels. L’on pactisa, trairait et accommoda certains groupes d’Autochtones reconnus amis ou non belligérants. Et à nous, l’ennemi reconnu sans maître européen, l’on donna la chasse. Qui pouvait vous faire des reproches? La Loi permit de nous tirer à vue. Notre peuple n’ayant jamais accepté la domination de l’une ou l’autre des deux Couronnes, car n’étant sujets que de nous-mêmes, ce fut donc ainsi que nous fûmes laissés à la merci de la traque des chasseurs de primes, le haut clergé de votre Église étant même de la partie.

Ceux vous appellerez “Métis” pour la première fois sont ceux de nous, nos parents métissés, qui ont poursuivi en direction du nord-ouest (après le choc microbien) sur la route du castor et ne connurent pas la Conquête. Ce sont déjà tous des “Métis” qui viennent de l’Est (nouvelle-France et Acadie) et qui fondent l’Ouest Métis (exception faite de la colonie écossaise de Lord Selkirk). Ainsi, d’Est en Ouest, il s’agit d’une seule et même nation. Des mêmes familles aussi Autochtones que vous êtes des Québécois. Et n’eût été des coups de fusils tirés à la rivière Rouge, dans l’Ouest, pour la sauvegarde de notre territoire, rien ne nous aurait été là reconnu. Et, là encore, le bison de nos grandes plaines fut stratégiquement exterminé et nos territoires de chasse furent parcellisés pour être cédés aux immigrants venus d’Europe. Ainsi, nombre d’entre nous repartirent vers là où vivait le bison des bois; vers Batoche. Nous nous sommes aussi dirigés vers le sud, vers Willow Bunch. À Batoche, nous avons demandé au gouvernement, jusqu’à l’en supplier, pendant quinze années, des titres sur les terres que nous occupions. Votre gouvernement central resta muet et donnait pendant ce temps nos terres aux immigrants qui eux,
nous repoussait comme des saletés, eux qui avaient été accueillis et accommodés si généreusement. Cet état de fait entretenu contre nous mena au soulèvement de Batoche. Et Riel s’est offert en victime pour que les siens soient physiquement épargnés contre la poussée de rage colonisatrice. Et ainsi, au terme d’un procès partial, l’on pendit scandaleusement un innocent, ce Métis qui avait fait entrer le Manitoba dans la Confédération canadienne.

En ces temps, des nôtres, des Autochtones de l'Ouest étaient venus dans l’Est nous prévenir d’un grand combat d’extermination déjà commencé depuis nos Black Hills et nos Plaines. À Little Big Horn, nous étions solidaire avec les forces de Sitting Bull pour affronter l’armée américaine. Ensuite, nous sommes revenus dans l’Est, chez nous. Pour cela, l’armée américaine est entrée au Canada pour se venger en toute impunité, massacrant des nôtres (femmes et enfants) jusque sur la Black River (Nouveau-Brunswick). Sitting Bull, lui, se réfugiera dans la nouvelle colonie métisse de Willow Bunch (Saskatchewan), chez nos cousins qui avaient quitté la rivière Rouge à cause des stratégies d’occupation colonisatrice de votre nouvelle confédération. Nous avons accommodé seuls les gens de Sitting Bull. Et si l’armée américaine n’osa pas attaquer là, sur le territoire canadien, c’est que la tribu de Sitting Bull détenait la preuve physique d’avoir déjà combattu pour l’Angleterre (dette trop évidente).

Avant 1850, sur notre territoire wa-ba-NAH-ki, dans la portion du Québec, avant que le train de mesures législatives n’ouvre pleinement les portes à la colonisation de nos terres sans contrepartie légale, nous avons alors déjà nos propres centres de peuplement en croissance, fruits indigènes de nos populations métisses. En 1850, vous offrez avec cynisme à notre peuple des terres réservées à même nos propres terres pour nous y parquer (réserves). Ce fut votre traduction directe du sens de l’accommodement alors que vous étiez légalement tenu de négocier de bonne foi avec nous l’occupation de nos propres terres. Vous avez ainsi nié implicitement l’existence sur nos propres terres de tous ceux et celles de nous qui refusèrent de s’inscrire sur "vos" réserves. Vous avez nié notre droit d’y être libres et ce, sans nous accommoder décemment. Vous n’aurez inscrit dans vos registres que ceux de nous qui ne pouvaient plus se suffire à eux-mêmes, conséquence du fait que vous aviez envahi nos territoires de chasse. Vous avez ensuite cultivé et entretenu dans l’esprit populaire ignorant des vôtres l’idée que le Québec est le fait d’un peuple au méteissage très étendu mais si diffus… Et que l’Autochtone n’avait survécu qu’en "vos" réserves, occultant ainsi notre réalité vive d’être demeurés libres en communautés bien visibles.

À l’origine, le nom Métis ne désignait que ceux de nous vivant au sud du Manitoba, qui étaient francophones et catholiques. Le consensus sur cette désignation, voire son adoption, viendra tardivement, soit vers 1920-1930, dans l’Ouest. Notre peuple a alors plus de quatre-vingt termes qui nous désignent à l’égal d’autant de tribus autochtones sur tout son territoire d’Est en Ouest. Entre Autochtones, nous étions des Hommes-Capitaines, des Scorched Wood, des Bois-Brûlés, des Hommes sans Maître, de Hommes Libres, Du sauvage, Du Mi'g' Maq' De l’Abénakis et autres. Nous savons que nous ne sommes pas des half breeds ou des demi-Autochtones ou des demi-Européens. Nous savons que le terme Métis est d’abord et avant tout une désignation juridique pour nommer ceux qui ne seront pas entrés sur vos réserves. C’est votre désignation juridique statutaire de catégorie. Si nous nous considérons juridiquement des Canadiens et des Québécois, nous sommes tout naturellement les libres héritiers des premiers habitants d’ici. Ce n’est pas par goût de réparation tardive devant l’oubli volontaire de ne pas nous avoir inscrits à
vos registres dans l’Est comme Autochtones libres (Free Indians) alors que vous enregistriez dans vos réserves un à un certains de nos frères et soeurs de nos communautés, mais plutôt par une réaction techniquement coupable lors du rapatriement de la Constitution de 1982 que le mot Métis apparaît en catimini à l’article 35, à l’issue discrète de la troisième ‘‘lecture’’ du projet constitutionnel. Ce n’était pas pour nous accommoder à la suite de l’adoption qu’il y eut délégation sociale réactive voguant vers Londres pour nous effacer, nous les ‘‘nouveaux Autochtones Métis’’, de votre Constitution, de cet écrit dont l’encre n’était pas encore séchée.

Pour nous, le mot Métis n’est qu’un terme juridique de nature élastique propre à un esprit de classe et de catégorie d’individu, une réserve juridique, mais qui nous désigne bien malgré vous, nous, les derniers Autochtones libres qui n’ont pas voulu aller vivre et mourir sur ‘‘vos’’ réserves, dans l’Est. En 2003, Steve Powley prouve en Cour suprême que nous existons dans l’Est ontarien. Au Québec, vous niez de peur que l’histoire enseignée, celle du Canada-Québec, devienne connue en ce qui a trait aux vrais bâtisseurs du pays que vous occupez. Les Métis ont contrôlé le commerce, furent une force militaire imposante et ont construit des villages prospères qui existent encore bel et bien aujourd’hui. Vous nous contraignez à vos combats juridiques jusqu’en Cour suprême. Mais le Québécois ordinaire qui veut la vérité, a le droit de savoir.

**Conclusion et recommandations**

Nous, Autochtones libres descendants Wabanakis en cette province avons assumé un choix clair de vivre notre culture identitaire sans jamais renoncer à nos droits, notre culture et notre Histoire;

Nous, Autochtones libres descendant des Premiers Peuples, qui avons refusé la seule et unique proposition d’accommodement, la proposition cynique présentée par votre gouvernement au temps de la colonisation de nos terres, celle d’aller vivre sur ces parcelles de terrain (que vous nous réserviez depuis 1831-32 à même nos terres), tout en nous excluant commodément de vos registres;

Nous de l’Est (ici le Québec), ceux que vous appellerez Autochtones Métis par défaut puisque vous avez réservé le nom Indien à ceux qui furent contraints d’aller dans ‘‘vos’’ réserves. Or, nous, ces Autochtones qui ont survécu à votre envahissement et sont demeurés aussi témoins solidaires de la souffrance de nos frères et cousins des réserves où ils étouffent et meurent ;

Nous, Hommes-libres qui avons refusé d’aller vivre à l’écart pour vous accommoder dans l’exécution de votre projet de colonisation de nos territoires de chasse et de pêche, ce projet qui accula nos ancêtres à la plus grande misère, sans support ni accommodations (dans tout le pays);

Nous, seuls et derniers descendants libres des premiers occupants de ce pays, avons payé seuls et sans aide l’immense prix attaché à la transmission de notre culture;

Nous qui avons su produire nos propres cultures générationnelles en intégrant et adaptant les incontournables changements imposés par vos envaissements sociaux;

Nous de cette culture évolution et d’adaptation, toujours distincte qui nie vos catégorisations; Nous qui avons des villages au Québec que vous ne voyez pas de vos yeux aveugles,
Nous désirons manifester, devant l’Histoire et la présente Commission, que les gouvernements du Québec et du Canada auront conjointement refusé de nous reconnaître comme Autochtones pour ne pas nous reconnaître le droit à la liberté d’être demeurés libres mais bien seuls, entre nous.

Nous voulons vous affirmer ici que nous sommes vivants et présents grâce à une difficile évolution qu’il nous reviendra d’exprimer ultérieurement mais nous sommes d’avis qu’il evenait à la Commission de nous permettre de témoigner comme communauté culturelle d’origine distincte déjà incluse dans la société québécoise, prise globalement comme un tout.

Nous ne croyons pas qu’il y ait au Québec une volonté politique réelle qui s’intéresse à accromoder des cultures étrangères.

Nous dénonçons donc toutes ces prétentions fallacieuses qui nient systématiquement le génocide de nos pères, l’extinction des Premiers Peuples de l’Est par le choc microbien d’où s’ensuivit qu’à la mi-course des années 1800 il fut impossible de recenser un seul membre des Premiers Peuples au Québec correspondant au terme Indien d’antan; Toutes ces prétentions fallacieuses qui ont voulu qu’il n’y ait de Métis que dans l’Ouest du Canada alors que ce sont les Métis de l’Est qui ont établi ce fait d’Est en Ouest ;

Toutes ces prétentions fallacieuses à l’effet que la quintessence de l’esprit autochtone se retrouve sur les réserves alors qu’il s’agit en fait d’une sous-culture (culture des réserves) et que les gens qui y habitent ont tous été extraits, à l’origine, de nos communautés métisses.

Toutes ces prétentions fallacieuses qui nourrissent malgré l’adoption de l’article 35 de la Constitution canadienne l’imagerie populaire la négation du Métis et des communautés métisses dans l’Est, ces Autochtones héritiers de la culture et des droits des Premiers Peuples.

Tout ce qui précède fait en sorte que :

Nous demandons à la Commission, qu’au respect de l’Histoire qui commence dans l’Est, soit recommandé le respect de notre Histoire, celle par laquelle a transité le peuple du Québec et du Canada pour devenir ce qu’il est aujourd’hui.

Nous demandons à la Commission de recommander des mesures réparatrices concrètes qui respectent le courage et la force pacifique que nous avons soutenus pour vivre en harmonie avec le peuple québécois.

Nous demandons à la Commission de recommander des mesures concrètes pour accromoder les descendants des toutes premières nations de ce pays qui ont refusé le régime des réserves pour ne pas y être traités comme des mendians de l’État.

Nous demandons à la Commission de recommander l’abolition de toutes pratiques d’exploitation institutionnalisées de notre culture chez les nôtres telles la vente de permis de chasse, permis de pêche, paiement de droits de séjour dans les parc, etc.
Nous demandons à la Commission de recommander la création d’un organisme québécois permanent de protection de l’identité et de la culture des Autochtones qui ont refusé le régime des réserves et que nous structurerons, gérerons et dirigerons.

Li esprit, li créâteure, li courâge mi yi nawn, paray chee i tayh ta maw
(Esprit, notre Créateur donne-nous le courage d’être une seule pensée)
Sherbrooke, le 8 octobre 2007

MEMOIRE DE LA COMMUNAUTE HOCHELAGA SUR LA QUESTION DES ACCOMMODEMENTS RAISONNABLES
Présente par Daniel Larmand
Chef de la communauté Hochelaga
Novembre 2007

Je me nomme Daniel Larmand et je suis le chef de la communauté Hochelaga. Il s’agit d’une communauté autochtone hors réserves dans les environs de l’Île de Montréal. Nous sommes membres d’un regroupement plus large : La Cooperative Kitchisaga. Le siège social de cette organisation est dans l’Estrie.
Lorsque nous parlons d'accommodements parle-t-on ? L'histoire nous apprend que sonnables, de quoi premiers peuples du continent nord-américain (la Grande Tortue) ont pratiqué cette tradition l'égard des nouveaux venus. Alors que les européens arrivent dans le nouveau monde, ils sont bien accueillis par les autochtones. Atteints maladies, nos ancêtres ont soignes et leur ont appris comment survivre en Amérique. Ils ont également fait alliance avec les nouveaux venus dans le cadre de la guerre entre puissances européennes de l'époque. Ils ont fait preuve d'une attitude d'ouverture a leur égard.

Par la suite, comme le montre l'histoire depuis début des années 1700, la population s'est dégradée pour premiers occupants de ce pays. Les nouveaux arrivants ont pris possession du terre et se sont installés au détriment des autochtones. Avec l’avènement de la conquête de 1763 et la création du Canada en 1867, nous, premiers habitants de ce territoire, sommes devenus le peuple oublié. Les indiens statues se sont vus imposer un mode de vie contraire a leurs valeurs et a leurs traditions, c'est-à-dire entre autres : l'obligation de vivre dans des territoires restreints, les réserves ainsi qu'une pression constante pour changer de religion. Pour ce qui est des Métis, particulièrement au Québec, ils se sont regroupés dans certain endroits géographiques et ont crée des communautés métisses historiques.

Le peuple oublié a continue de vivre, je dirais plutôt de survivre dans un contexte difficile. Contrain par la majorité dominante, il n'était pas de bon gout de dire haut et fort que nous étions autochtones. Les discussions dans les familles révèlent que nos ancêtres pouvaient difficilement promouvoir leur identité car une telle action engendrait une réaction négative de la part des nouveaux arrivants. Dire que l’on était un autochtone ou que l’on était de descendance autochtone pour les Métis était à l'origine de discrimination à notre endroit.

Le tout a continue jusqu' au début des années 1970 avec la convention de la Baie James. On constate l'émergence de la volonté des premiers peuples de ce continent de se faire entendre et respecter. Entre-temps, la société Québécoise et canadienne a évolué. Le faible taux de natalité des Québécois de souche a nécessite l’utilisation de l’immigration comme moyen pour augmenter la population. Des gens émigrer alors au Canada et au Québec. Ils constituent maintenant un segment très significatif de la population du Québec et ils proviennent de tous les continents.

Ils apportent avec eux leur unicité et leur identité. A titre de descendants des premières occupants du territoire, nous considérons qu’il faut accueillir avec ouverture et compassion. Ils doivent toute s faire leur part en s'adaptant a ce que nous sommes, a ce que nous sommes devenus au cours des siècles. Ces derniers ne doivent pas imposer leur perception subjective des choses aux institutions et aux gens d'ici mais d’avant âge de tirer le meilleur parti de la terre qui les a accueillis pour enrichir leur propre culture.

Ceci dit, il ne faut pas tomber dans l'excès contraire. En tant qu'habitants de cette terre du Québec nous devons demeurer ouverts a la diversité culturelle et ouvrir nos cœurs a nos frères et a nos soeurs provenant de d'autres pays et de d'autres horizons. Dans la tradition autochtone, on retrouve depuis très longtemps la préoccupation d'ouverture aux quatre races : rouge, blanche, noire et jaune (de nombreux objets de tradition mettent encore a l’honneur ces couleurs parce
que cela est toujours demeurée une valeur importante). Aujourd'hui, en 2007, cette ouverture d'esprit doit être préservée.

Nous vivons également un paradox important. Alors que focus est mis présentèrent sur respect des droits des individus et des divers segments de la population Québécoise, que se passe-t-il avec les peuples autochtones du Québec et les descendants de ces derniers (Métis)?

Sur ce point, comme chef de ma communauté, je crois qu'il reste beaucoup à faire afin de permettre aux membres des premières nations d'atteindre le niveau de vie des non autochtones. Vous n'avez qu'a regarder ce qui est dit a ce sujet dans les medias électroniques. Également, nous remarquons que les revendications territoriales des peuples autochtones du Québec ne sont pas encore réglées et ce même si les deux paliers de gouvernement négocient avec eux depuis tres longtemps. Nous sommes préoccupes par cette question car nous considérons les autochtones qui vivent dans les réserves comme nos frères et nos sœurs.

En ce qui nous concerne, les autochtones vivant hors du contexte des réserves au Québec, nous sommes et continuons d'être que ce que j'appelle le peuple oublié. Malgré de nombreuses rencontres avec les représentants des gouvernements du Québec et du Canada depuis 2006, un fait demeure notre existence n’est pas reconnue. Nous ne pouvons jouir de nos droits ancestraux et nous ne disposons d'aucune source financement. Un peuple peut-il grandir et s'épanouir dans ces conditions? Je ne le crois pas. Je pense toutefois que force de résilience de nos ancêtres tout comme celle qui nous incite a continuer aujourd'hui le combat nous permettront un jour d’être reconnus par comme un segmenta part entiere de la population du Québec, une instance essentielle et incontournable consulter lors des grandes paliers de gouvernement majorité des citoyens du Québec qu’il faudra consulter lors de grandes prises de décision des divers paliers de gouvernement.

Je vous remercie d'avoir reçu présent document et d’avoir pris en considération nos commentaires sur le sujet mentionne ci haut.

Le 21 novembre 2007
Accommodement raisonnable
NEHIROWISIW NEHIROMO KIAPATC. NI TCIKANAN KIAPATC.

Vos ancêtres sont arrivés ici. Ils ont saoulés nos ancêtres, les ont tués, torturés… pour ensuite dire qu’ils ont conquis les Premières Nations, alors que c’est faux.

Les colons venu de l’Europe n’ont pas appris la langue des Premières Nations, ils n’ont pas suivi le mode de vie qui était utilisé ici, ne se sont pas converti à la spiritualité amérindienne.
Les colons ont rejetés Nehirowisiw Pimatisiwin.

Les filles du roi sont arrivées ici pour que vous puissiez être ici aujourd’hui. Pour que vous veniez au monde fâchiste.

Votre gouvernement a tenté à mainte reprise d’exterminer les Premières Nations, ce qu’il fait encore aujourd’hui sournoisement. Ils veulent nous assimiler, depuis un bon moment, à un mode de vie malsaine. En tuant nos ressources pour de l’argent.

En mettant les autochtones dans l’ombre, en faisant croire à la population blanche que nous sommes en état d’ebriété, alors que c’est faux, nous sommes entrain de survivre aux séquelles graves que votre gouvernement nous ont infligés. Nous sommes présentement préoccupé à trouver des solutions pour Rebâtir nos Nations, car le gouvernement a fait et fait encore tant de dégâts. Pendant que vous, les blancs, passé pour des généreux, des gens accueillants derrière le dos de nos ancêtres qui ont accueilli les vôtres.

Il y en a tant à dire.

Cessez de croire que nous ne sommes pas là. Oui, nous sommes là. Vous en savez plus sur les immigrants que sur le peuple des Premières Nations.

Nous sommes des survivants et nous en sommes fiers. Et surtout, fier d’être Nehirowisiw, Innu, Anishnabe…

Alissa Niquay
Nehirowisiw Aski nama Québec

L`accommodement raisonnable, qu`en est-il?  
Ou  Les effets secondaires des accommodements.

Depuis l’arrivée des Européens en Amérique et malgré toutes les promesses et les beaux discours qu’ils ont tenus et qu’ils osent tenir encore à notre égard, il est clair que depuis les quatre cents dernières années la situation des Nations amérindiennes s’est détériorée et continue dans le même sens, sans espoir d’amélioration à l’horizon.

Dès le début de la colonisation européenne, les Nations amérindiennes ont été diminuées, voire éliminées, par des maladies venues des pays européens. Elles ont été parquées dans des réserves;
leurs droits ont été diminués et même ignorés. L’évangélisation s’est réalisée par la force du chantage, des menaces et des expulsions. Les Nations ont été entraînées dans des guerres intestines et prises en otages dans des réserves. A plusieurs reprises, on les a menacées lorsqu’elles exerçaient leurs droits de vivre de la chasse et de la pêche et de vivre selon leurs mœurs. Il était interdit de parler sa langue pour en imposer une autre. Interdit aussi de pratiquer les activités culturelles propres à chaque nation.

Encore, en ce jour, les membres des Nations amérindiennes sont brimés dans l’exercice de leurs droits, de leurs mœurs et de leurs coutumes. Leurs revendications traînent depuis plus de trente ans et rien n’indique qu’elles seront reconnues dans les prochaines trente années…et lorsqu’elles seront reconnues, elles le seront à la baisse et au détriment des Nations impliquées.

Aujourd’hui, une autre langue sort de notre bouche. Elle a été imposée par le colonisateur. Notre langue a été interdite d’usage. Plus possible de vivre nos émotions et d’exprimer nos sentiments dans notre langue. Les mots d’aujourd’hui rendent –ils ce que nous voulons exprimer, comme l’aurait fait notre propre langue? Les mots entendus produisent –ils les mêmes émotions et les mêmes réactions que les mots de notre propre langue? Cela constitue une partie de ce que nous avons perdu et c’est une souffrance et une privation de ne pouvoir vivre et utiliser la langue de la Nation.

La langue, c’est notre identité et notre pensée qui s’expriment et nous en sommes privés depuis les débuts de la colonisation. Privés de notre langue maternelle, nous devons exprimer notre pensée, nos émotions et nos sentiments dans une autre langue qui est le français ou l’anglais. Communiquer dans notre propre langue donne plus de valeur à ce qui est exprimé. La langue est source de fierté et de liberté. C’est de cela que les Nations sont brimées et le ou les coupables sont connus.

Pour toutes les brimades, les privations, les interdits, les souffrances endurées, les épreuves, les persécutions, les plaisanteries, les railleries, les tourments et les vexations, il est grand temps de passer à l’action afin d’exiger le respect inconditionnel auquel a droit chaque nation et de réclamer compensations pour toutes ces souffrances passées et qui perdurent encore après quatre cents ans de colonisation.

Pour cela, un recours collectif s’impose-t-il? Depuis plus de quatre cents ans, les Nations amérindiennes se sont accommodées malgré elles et les effets secondaires sont bien connus des uns et ignorés des autres. Le temps est venu de mettre fin à ce pouvoir colonisateur et de prendre notre place, d’exercer nos droits, nos mœurs, nos coutumes sans contrainte et de redécouvrir, si possible, notre langue pour vivre enfin dans le respect et la liberté. La dignité passe par le respect de nos valeurs et par la reconnaissance de nos droits, de nos mœurs et de nos coutumes.

Denis Picard, le 10 septembre 2007, soit après quatre cents ans d’accommodements dits raisonnables pour le colonisateur.

Denis Picard
Wendake