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Article abstract

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The Rise of Native Self-determination and the Crisis of the Canadian Political Regime

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Dans cet article je tenterai de discuter comment un peuple marginalisé exploite un moment historique de la crise nationale afin de rehausser un statut réprimé. Au Canada, ce but est atteint grâce à l'émergence d'un mouvement pour la défense des droits autochtones.

This first commentary is part of a larger study which the author is doing at Abo Akademi, on minority communities and the right to development, using case examples from various societies. It presents an intriguing view from an outside commentator on some aspects of Native politics in Canada. In this paper, the author attempts to discuss how a marginalized people are exploiting a historical moment of national crisis to overcome repressed status. In Canada this end is being achieved by the emerging movement for Native rights.

Canada's Native community has been the subject of extensive policy initiatives aimed at its integration, especially in the Postwar period. A review of these policy initiatives at the time of the rapidly unfolding Canadian constitutional crisis promises to offer new insights with broad implications, not only for policies to transform relations between one state and a minority population but for an alternative view of development to renew the relationship between states of the North and South.

In examining the changing status of Canada's Native people the manner in which their conditions and concerns are rapidly converging with the conditions and concerns of growing sections of the greater society is a persistent notion suggested by current circumstances. The convergence is an asymmetrical one. In the area of political subjectivity it seems that the Native people have made significant gains during the last decade while other Canadians have stood still or have been frustrated in their aspirations. In terms of material affluence it is difficult to observe significant improvement in the overall conditions of Native peoples whereas the level of affluence of the general Canadian population is showing signs of deterioration. The experience of economic redundancy undergone by Native hunters and trappers after the fall of

the fur trade is suddenly the lot of numerous Canadian manufacturers and their employees with the advent of free trade and the transfer of production south of the border.

In the more abstract realm of cultural transitions one might observe that the Native people are drawing new strength from the wellsprings of their own, once nearly extinguished, cultural traditions as well as creating new forms of interaction with the broader society. Canadians as a whole have shown little prowess in protecting their own uniqueness against the onslaught of North Americanism and less in influencing the overall course of North American politics by improving their negotiating position with respect to the United States.

In a broader historical sense it might be said that the Native people of Canada are making sporadic but positive efforts at recovery from the impact of the historical steamroller which hit them during the last wave of British imperial expansion followed by the first wave of Canadian national expansion. The driving historical ethic of those times was civilization and progress.

The driving historical ethic of our times is economic stability and growth, which politically motivated the Canada-U.S. Free Trade Agreement. The rationalization and centralization process which the agreement has facilitated in the North American market has shifted the loci of control and influence south of the border, as reflected by the recent deteriorating trends in Canadian society mentioned above. These in turn have been necessitated by discontinuities and instabilities in the development of American world hegemony¹ over trade and production.

The question which immediately arises is what is the reason for these countervailing trends in the fortunes of the Native communities and Canadian society as a whole? An explanation might be sought in the manner in which Native people's social movements have been able to make inroads into the Canadian political decision-making process due to the eroding effect which the loss of control over national resources and capital has had on the Canadian political regime.

The rise of the Native people's social movements therefore has the implication that the constraints upon the development of that community were — and remain — largely political rather than economic. The implications which such an observation hold for

development oriented policy-making in both the national and international arenas are highly suggestive, to say the least. In Canada one of the implications which may be drawn from the events of 1990 is that there is a convergence of desire and need for increased self-determination in both Native and Euro-Canadian communities. In the area of Native politics this may provide bases for a new policy serving common interests to replace the paternalism of the past.

POLICY AND VALUES

I am aware that the preceding discussion will raise a number of objections and questions if published widely. Many who are familiar with conditions in Native communities are likely to be offended by any suggestion of convergence between the circumstances of Indians and Euro-Canadian society. One need only refer to the high infant mortality rate, the notable difference in life expectancy or the discrepancies in income or labour force placement to demonstrate the position of social disadvantage in which Native Canadians continue to find themselves as compared to their fellow citizens.

Contentions of convergence between Native and Canadian communities can be as readily refuted as a suggestion that the differences between North and South are vanishing globally. Yet examples which counter prevailing trends can be found. An exception to the growing gap between the wealthy of the North and the poor of the South can be found in thriving commercial and financial centres like Singapore. In Canada one might refer to the successful business activities of the Sawridge Band near Slave Lake (Morrison and Wilson 1986:531) or the development accomplishments of the Cree after signing the James Bay and Northern Québec Agreement.

Some will suggest that reference to such examples is not helpful in understanding the situation of the dispossessed as a whole. I would make the counter argument that those with a genuine and profound concern for the plight of the dispossessed will use the rare positive examples which exist in the community and attempt to actively build on those rather than throw up their hands at the general desperate situation.

Others will object that pointing to examples of business and career success in the Native community which conform to Euro-Canadian standards constitutes an attempt to measure Native success in Euro-

Canadian terms. The problem with this objection is that it tends to exclude the selection of certain Euro-Canadian criteria for success by the Native people by casting doubt on whether such choices are truly voluntary. This view offers "the authentic Native life-style" as the only valid choice which a Native person can make. This position is an unfortunate one because the suggested choice is practically unavailable for Native persons in a rapidly modernizing Canada and also because it rejects any concept of integration.

In the Euro-Canadian community the supporters of Native cultural authenticity consist mainly of two kinds of people: the cultural romantics who wish to preserve quaint Native folkways as a tourist attraction or as a symbol of some simpler and finer past in the same way they display features of their own Euro-ethnic past at multicultural exhibitions as idealised in costumes and dances which have little to do with actual everyday life in those cultures either in the present or in the past. Then there are the environmentalists and cultural radicals who see in the vestiges of Native culture the best living example of an alternative to a materialist society rapidly destroying its natural environment by commodifying natural resources at a mad pace exceeding their renewal rates. The latter view is similar to the criticisms many Native leaders make of modern Canadian society and therefore may well become the main organizing point for solidarity between movements in the Native community and the broader society². However, if the environmentalists deny the validity of Native persons to engage in successful business activities because they visualize a role for Native people in a comprehensive social transformation which no longer includes such business activities, they are guilty of imposing a role on others which many have not adopted themselves and which makes sense only in terms of a highly speculative forecast of history. It needs to be pointed out that the extensive social adjustments which a successful confrontation of the environmental crises seems to require may well be furthered rather than hindered by an integration of Native and dominant cultures.

I have used some ink here to elaborate some of the objections which especially Euro-Canadians might raise about a discussion of convergence between the Native and host societies because there seems to be wide unanimity among both Native and non-Native commentators that one of the chief sources of frustration for efforts to develop Native

communities has been the official policies of the dominant society. The assumption I am making is that it is predominantly the values and attitudes of the non-Native society which have been reflected in governmental Indian policy. This policy has resulted in frustrating results because the values and attitudes of even those sections of the Canadian society which hold very liberal views towards Native people are at the same time also more problematic than commonly assumed for those Native people in the ways I have tried to show above.

There may also be some who will persist in objecting to the way I have attributed the current economic recession and accompanying record levels of unemployment to increasing American economic hegemony and the U.S. - Canada Free Trade Agreement. Most of these will be supporters of the present national government which is at the moment experiencing a political legitimization crisis. My statements reflect some of the main points of criticism of prevailing government policy which have been more lucidly expounded by others³ and I will not repeat these here.

The fact that these economic misfortunes are now generally attributed to the government⁴ as well as the fact that an agreement was not obtained among the province in the summer of 1990 about the content of a constitution for the country is adequate evidence of the weakening of the Canadian political regime. The recent achievements of the Native people's movement in influencing the constitutional process by their successful campaign for the inclusion of aboriginal rights over the objections of the provincial premiers and then playing a key role in finally blocking ratification of the Meech Lake Accord is irrefutable evidence of a new role which the Native peoples movement has taken in the political decision-making process. What needs to be explained is not what has been accomplished but the process which has emerged and continues to develop for the assertion of Native interests.

In this discussion I have disagreed with persons who perceived Native participation in Euro-Canadian business activities as unauthentic in terms of Native identity. My objection was based on the unfair exclusion of an option for livelihood but avoided the question of what was meant by authenticity. Obviously one person's right to select a livelihood takes precedence over considerations about authenticity concerns by someone else. In this rebuttal of the authenticity argument I was un-

doubtedly abruptly dismissive of those who by their criticism of lack of authenticity in Native choices, mean that the choices which a Native person would choose to make are arbitrarily excluded by society.

This is an argument to which I would subscribe; the historical evidence of how European forms of production in agriculture and then industry decimated the Native economy based on hunting, fishing and trapping, which required a large land base and low population density, is quite overwhelming.

In my view it is through the process of political participation that the Native people of Canada have gained lost ground in reclaiming their economic viability in an authentic way. By gaining political control of their communities and the regions on which they were dependent for subsistence, they have been able to revive and modernize traditional livelihoods as well as adapt models from the dominant society which were not available to them previously. The Sawridge Band at Slave Lake is only one example among many but the achievement of political participation is an experience shared by nearly all.

In discussions concerning the duties of societies to their members as well as in setting goals for development it has generally been agreed among Western societies that individuals have rights to security and subsistence which societies are obliged to guarantee (Garcia-Bonza 1980). It is also commonly held that without the right of political participation these rights are not adequately secured by the community. This is because an individual excluded from the decision-making process has no way to participate in the securing of a basic right nor much effective access to remedy if the right is denied. It has been further argued that if subsistence and security are provided in a society without political participation, the former cannot be said to be enjoyed as a right because there is no way the individual can be certain that rights will not be removed arbitrarily at any time. The last statement aptly describes the state of Canadian Natives until a decade ago. Strictly limited in terms of rights to political participation for most of the nation's history — Native Canadians did not receive the right to vote until 1966⁵ — the Indians of Canada have been the subject of numerous transfer payment and development programs in which they and their communities have been able to participate only marginally. The Federal Government, through the department responsible for Indian Affairs held, and continues to hold, broad powers to overrule the decisions of the band councils.

In development planning circles there has been considerable discussion concerning the necessity to provide for political participation by the people for whom development programs are intended⁶. A common view is that subsistence and economic assistance have priority over more "classical" concepts of rights provided a minimum of security is assured. The history of Indian policy in this country serves as a condemning indictment of this concept of development as I will attempt to show in more detail below.

A HISTORY OF INEQUALITY

With the expansion of the hegemonic North American system of a continental division of labour and centralised regimes of production and trade the Native peoples were relegated to redundancy. In an earlier phase of Euro-Canadian history the relationship with the Native people was less uneven. During the period of the fur trade large sections of the Native population were integrated economically into the continent wide system of commerce carried out by the Northwest Company and the Hudson's Bay Company. Many were able to readily adapt their traditional forms of livelihood to become trappers, traders, hunters and guides in the service of the Europeans. The relationship between the trading companies and the Indians was one of interdependence where the Native population provided the raw material of the fur trade as well as the skills for procurement, preprocessing and transportation. In return they received guns, iron cooking utensils, alcohol and other consumer goods. The relationship between Europeans and Indians was characterized by exchange and did little to alter the traditional social patterns and folkways of the Indians and the partial adaption that occurred affected both parties. White traders were often forced to live on the land for extended periods and acquire Native wilderness skills whereas Indians learned to use new European implements.

After the founding of Canada the government initiated settlement programs to occupy the "empty" lands and thwart plans for settlement from the United States. With the coming of the railroad and the National Policy of the MacDonald government there was a concerted effort to sign treaties with the Indians and move them off lands which had been granted to them in perpetuity for the practice of their traditional livelihoods by the Royal Proclamation of 1763 and onto reserves. The purpose of this policy was to

create a new resource economy serviced by the railroad and based on timber and mining in the East and agriculture in the West. Indian people fitted poorly into the National Policy because of their inexperience with European forms of agriculture and because of the reluctance of the banks to grant them credit for purchasing implements. Unlike the farmer settlers from areas of Europe where there was a shortage of farming land, Indians did not commonly view settlement on a homestead as an opportunity but a setback, limiting opportunities for livelihood from trapping, hunting and fishing as more and more land came under private ownership. Indians and Metis tried to claim title to land in areas occupied by their larger communities but were generally ignored or placed on less productive acreages. This discriminatory practice in the granting of land title was the chief grievance leading to the Northwest Rebellion of 1885. The government gave token recognition to their demands for fair consultation by the protesting Natives and Metis by summarily negotiating a number of treaties after demonstrating the state's readiness to occupy aboriginal lands by armed force when necessary.

The main aim of Immigration Minister Clifford Sifton's settlement program was to establish an agricultural and resource industry base in the unsettled West which would quickly pay back the huge national debt accumulated in the building of the transcontinental railroad. This was accomplished by superseding aboriginal claims to the land and largely displacing their non-capitalist forms of subsistence livelihood. In modern times the National Policy would probably be referred to as a Regional Economic Development Policy. The treaty negotiations carried out with the Indians and the process through which many of them were moved onto reservations was a minor preliminary to the Policy. The prime concern was payment of the railway debt and ensuring the profitability of the concerns which had invested in it. The large-scale destruction of the livelihoods of Indians was one of the unintended, though not unforeseen, consequences of the Policy; these had to give way before what the government saw as prior interests.

The settlement of the West with European immigrants continued until the Depression. After an initial period of treaty-making most of the reserves were created by Act of Parliament or Cabinet order. Reserve land was, and is, legally owned by the government which retains powers to sell or expro-

priate and limits the right to lease or mortgage (York 1990). Most public services and education have been provided directly by the Federal government although in most Canadian communities these are the responsibility of the Provincial Government or the local government. This is accounted for by a long historical tradition whereby the Federal government directly adjusts relationships between Native and Canadian societies without reference to democratic processes. This is a tradition inherited from the period where the government was the instrument for carrying out Imperial interests or comprehensive development policies with financiers in Europe and the United States in which democratic processes were seen not to play a part. This enabled it to carry out measures such as large-scale population removals onto reserves, acts which would otherwise be seen to be in violation of normal democratic processes. Transfer payments began to be used as a means of compromising political opposition among the Indians by increasing the dependence of communities on the Federal government, something which Federal Indian agents emphasized frequently.

Until well into the post WWII period Indian leaders concentrated their efforts in forming organizations (Cardinal 1969:96ff), mainly at the provincial level, to give a political expression of problems experienced by their people. Their efforts usually met with harassment by officials and resources were almost unilaterally denied. Many of the issues raised were intended to reveal discrepancies between the policies of the Indian Affairs Branch under the Indian Act and the original treaties. These organizing efforts moved the Canadian government to amend the Indian Act in 1951 to provide improved education and health services.

During the 1950's the Indian Affairs Branch and various provincial governments began to provide regular funding to Indian leaders to meet and discuss "agricultural and other problems". This revealed the conventional political wisdom of the times which was to integrate Indians into a sector of the economy which was facing problems of viability because of urbanization and imports of U.S. farm produce. It also revealed an effort by the government to steer Native leaders away from concerns related to unfulfilled treaty promises, which could be awkward for government officials to deal with, into what officials saw as more productive areas of discussion. A number of extensive building projects, including hydro dams and paper mills were undertaken in the

1950's with the surge of American capital into the country which implied new restrictions on hunting and fishing for Indians and in some cases required the moving of reserves. Official compromising tactics, including efforts to circumvent Indian organizations by the government, meant that an autonomous Indian movement was not able to develop until the sixties.

By the end of the decade the small farm as a viable economic unit was extremely imperiled in Canada and the government was in need of an alternative rationale for its policies directed at Indians. To do this it began to offer the models of cooperatives and small businesses to Native communities during the Pearson Government's War on Poverty. The Company of Young Canadians was organized to promote these ideas of community development and to introduce modern forms of political organization. The CYC activists operated on the assumption that Native communities lacked organizing skills and came up against a political system designed to exclude Indians from politics. Young Native activists demonstrated their own political acumen by taking over many of the CYC jobs in their own communities and sending the non-Natives packing. The Natives then proceeded to use the CYC for organizing on a national scale. By the end of the sixties the Native leaders succeeded in demonstrating their own competency in community leadership by superseding the white development experts and their programs when they formed the National Indian Brotherhood as a lobbying organization with a distinct political agenda. An indication of their effectiveness was the government's decision to discontinue the CYC.

Government programs to promote Native enterprises ran up against the same obstacles as small businesses starting up in Canada generally face, with a 70 per cent failure rate in the first two years. In addition to a lack of credit and stiff competition from multinationals, the Native entrepreneurs had to overcome a lack of community capital and remoteness from markets⁷. Indians began to move in large numbers to urban centres to avoid 50%+ unemployment rates and crowded housing.

The failure of the government's programs in Native communities led to a need to restore credibility in the eyes of the public. The White Paper of the Liberal government in 1969 adopted the assimilationist view that the reserves would eventually be dismantled as the Native people moved into jobs in

the urban areas. Adopting this scenario as its policy, it projected the eventual elimination of special programs for Native people and the repeal of the Indian Act. The programs and policies implemented under the White Paper represented the most comprehensive effort in Canadian history up to that time to modernise the Native community through a comprehensive national development effort. The government stated that its policy aimed at "the full, free and non-discriminatory participation of the Indian people in Canadian society. Such a goal requires a break with the past. It requires that the Indian peoples' role of dependence be replaced by a role of equal status, opportunity and responsibility, a role they can share with all other Canadians"⁸. In addition to administrative reforms the government promised an extensive interim program of training and community development to facilitate the integration process.

As a result of the White Paper, sources of organizational funding outside the Department of Indian Affairs became available to Native people and almost 50 new organizations were formed (Frideres 1988:chapter 8). Instead of using these new resources to accommodate government designs, Native leaders broadly condemned the proposal because they felt that with the elimination of the Indian Act and the Department of Indian Affairs no official institution would remain with a clear and distinct responsibility for the inadequate services in their communities in the areas of education, housing, health and employment. They were particularly alarmed that the new policy had made no concrete proposal for settling their longstanding grievances related to land entitlement under treaties and government rulings.

Despite these objections, the government launched a massive training and development program. During the first part of the 1970's annual federal expenditures for Indian adult education increased from 84 million dollars to 242 million, expenditures on economic development programs went up from 40 million to 86 million and job creation expenditures rose from 1.4 million to almost 30 million. In one community, the Fort Hope Band (Driben and Trudeau 1983:36) the share of government transfers in the community's disposable income rose from 64% to 90% from 1969 to 1975.

Paralleling the increasing dependency of Native peoples on government transfer, statistics revealed a deterioration of employment and health conditions. The failures of the programs it had launched forced the government to renounce its own

policy two years after the White Paper although many of the projects still continued.

Jean Chretien announced that "proposals for a future Indian Policy a year and a half ago... stimulated and focused a debate and have served a necessary purpose. They are no longer a factor in the debate. The Government does not intend to force progress along the directions set out in the Policy proposals of June 1969"⁹

The government was already proceeding with plans for two more sweeping policies to build Canada into the Just Society: the two twin pillars of the founding nations policy, bilingualism and multiculturalism. It was in no condition to consider the contradictions between legislating justice and bringing about concrete social change.

The left hand of the government's White Paper policy was the eventual extinguishment of most land claims and concepts of aboriginal title as part of the modernization process¹⁰. Native communities persisted with their land claims and a Supreme Court of Canada ruling in a case involving the Nishga tribe of northwestern B.C. upheld the concept of aboriginal title, although ruling against the Nishgas on a technicality. The Liberal government was compelled to institute the Comprehensive Claims Process with a team of civil servants to receive and pronounce on Native land claims (Erasmus in Richardson, ed. 1989:11). At the time of this writing, three extensive claims have been negotiated through this process, granting extensive compensation for resource exploitation to Native bands as well as broad powers of self-government and protection of their traditional livelihoods. These are the James Bay Agreement of 1975, the Northeastern Québec Agreement of 1978 and the Mackenzie Delta Agreement of 1984.

The first two were signed largely to avoid the lengthy delay of hydro electric projects which promised huge profits from the sale of electricity to the United States, the latter to expedite oil and gas exploration to meet the needs of the North American energy market.

The signing of these agreements reflected directly on the negotiations to repatriate the Canadian Constitution. The constitutional conference of first ministers in Ottawa in November of 1981 decided initially to drop a clause recognizing aboriginal rights from the constitution. Some premiers, and especially Lougheed of Alberta, felt this would be a permanent hinderance to development because it gave too much

recognition to Native rights to the land. Unprecedented lobbying by the Council of First Nations in Ottawa and London led to the reinsertion of a clause recognizing existing aboriginal rights.

After the ratification of the new Constitution by the British Parliament the government convened a series of conferences to define the concept of aboriginal rights. In 1984 the government proposed a bill for Native Self-Government, but the government was defeated and an election called before it could be passed. In 1987 Conservative Prime Minister Brian Mulroney concluded the series of conferences seeking to define Native rights with inconclusive results as the prearranged deadline arrived. This left the Native leaders with no parliamentary avenue to pursue their goal of self-government and sovereignty over tribal lands. They began to organise a campaign which figured prominently in the rejection of the Constitution, as amended at Meech Lake, in the summer of 1990 in the Manitoba Legislature, in which the pivotal figure was Elijah Harper, a Native.

Following the 1987 conference Department of Indian Affairs and Northern Development (DIAND) Minister McKnight announced a reform of the Comprehensive Claims Process which made it slower and more unwieldy by bringing in the provinces as a third party. The Conservative government followed this up by returning to most of the tenets of the White Paper. Instead of considering aboriginal title has to be extinguished, the government has announced its view that they have usually been subject to "cession" or "surrender". To reassemble the components of the old White Paper the Nielsen Task Force established by the present government has also recommended the elimination of the Indian Affairs Department.

Meanwhile in 1984 the government had already undertaken a new and more extensive program of transfer payments to the Native communities. This was the Native Economic Development Program with a budget of \$345 million over five years to support feasibility studies, Native-owned development corporations, and community businesses. The program seems to have run into the same structural problems as the White Paper programs. As the Program for economic development was implemented there were significant cutbacks in grants to political organizations of the type initiated under the White Paper. Although little assessment has yet been done of this historically unprecedented program, Minister Barbara McDougall announced new

expenditures of \$200 million for 1991 under Outreach and the new Bill C-21 for similar programs to be supervised by an Aboriginal Management Board¹¹.

In terms of visible outcomes, the effects upon the Native population of all this expenditure could hardly be less comforting. The fact that many programs were initiated with research projects carried out by academics and experts made the conditions of the community look even more hopeless than otherwise¹². Little attention has been given until recently to the fact that most research was done by "experts" who had only a very superficial understanding of the cultures of the Native communities. Currently eighty per cent of Indians have an annual income under \$10,000. Since the mid-Sixties the number on welfare has doubled to a level of 50% to 70%. Yet the picture is not uniformly a bleak one, especially if one is disposed to take a positive view of recent cultural and political gains made by the Native people and the potential they hold for shaping the course of events to come.

ALTERNATIVES THROUGH COMMUNITY-BASED INITIATIVES AND LEADERSHIP

The campaign by the Cree of Northern Québec which led to the signing of the James Bay and Northern Québec Agreement deserves to be considered as exceptional only because it became well known to the general public through an extensive media campaign.

I have already also made reference to the Sawridge reserve which has operated hotels at Jasper and Slave Lake as well as numerous other enterprises since 1973. The community was able to initiate these undertakings after accumulating modest oil revenues from finds on their reserve lands. The community also identified skillful members from its midst to manage these such as Chief Walter Twin, with very little input from DIAND.

The Huron reserve near Québec City had 52 families on welfare and massive unemployment. Decades of government programs did little to change matters until Chief Max Gros Louis inventoried skills in the community and initiated a program to found 14 businesses. Now the Huron group of businesses is the largest employer in the area, selling to Canadian Tire, Eatons, and abroad, employing all able-

bodied persons from the community as well as 125 Euro-Canadians.

A band in Northern B.C. had one of the highest alcoholism rates in Canada when its leaders began to initiate community programs to provide new life opportunities. Starting from conditions where no banker would risk a penny, the community started its own grocery store where the chief was able to create a voucher system to prevent local people from buying alcohol. In a short period the community also started a piggery and a co-operative farm with the money saved and at the same time a startling alcoholism recovery rate was shown. Only after these self-initiated achievements was DIAND willing to provide funds for the founding of a local sawmill.

A salient feature in the last example was that the development program was motivated by a desire to address a profound community concern and the initial measures could hardly be termed economic in character although some of the final outcomes were economic. The release of creative human potential in a community was a development process¹³ which required more than financial incentives.

OVERCOMING THE CONSTRAINTS TO SELF-DETERMINATION

In the instances of successful community development, as defined in the terms of the Native residents themselves, a key factor was the attainment of an adequate level of self-determination in political terms. Looked at from the viewpoint of the host society, this was facilitated not by positive interventions in the forms of capital transfers and the sending in of experts but, in fact, by the removal of interventions in the form of rules and legislative constraints on Native self-determination. These often took the form of regulation by the Department of Indian Affairs as well as restrictions based on certain kinds of funding support. As examples I can cite the denial of the right to hunt the year round on traditional hunting grounds outside the reserves. Nomadic wandering after game over great areas of land was a requirement for subsistence even before the arrival of the Europeans when game was much more bountiful. Provincial welfare programs as well as unemployment insurance stipulated that assistance could only be paid to beneficiaries who had no income and did not work. This was a constant source of frustration to those who might otherwise have

been more active in improving their livelihood because they risked losing their basic income security at the whim of government officials who acted according to rules and reasons which were inscrutable to most Native people.

Funding programs for the creation of community businesses were limited by guidelines which very carefully avoided government funding of enterprises which might compete with already established members of the business community. In small Native communities this meant that government funding would cease before or just when a Native business became competitive. On the other hand, many businesses which were funded were extremely high risk but favoured by the government experts because there were no competitors, no organized market and no established clientele. It may be argued that most government support and financing was motivated by unsound and misleading business principles. This situation was the result of internal contradictions which the government was not able to resolve for itself concerning intervention in the private sector.

In the regions covered by the James Bay Agreement, The Northeastern Québec Agreement¹⁴ and the Mackenzie Delta Agreement the Native communities were able to attain considerable political sovereignty to set their own hunting, fishing and trapping regulations and appoint their own administrators and experts who were much more capable of communicating the motivations behind policies adapted to the local populace. Government payments for social programs and to compensate for lands lost to energy projects were paid directly to the Native community administrations who were then able to design their own policies for income support combining traditional livelihoods as well as plan and invest in business ventures where community needs and skills were exploited to produce goods and services for local and export consumption.

The signing of these comprehensive agreements, which were more advantageous to the Native peoples than the previous treaties, was only possible because of the pressures which were eroding the subjectivity of the Canadian political regime due to its greater integration into the North American economic system. The oil crises of the early seventies made the development of continental sources of energy a political priority in the United States. High unemployment and takeovers of Canadian business by American concerns were reducing the tax base of

the Federal government and contributing to an increased debt burden. Rising energy costs were raising the costs of goods and threatening the Canadian standard of living. Québec at that time was economically disadvantaged compared to Ontario and needed to shore up its fiscal stability to create a foundation furthering its own cultural and political distinctness. There had also been considerable flight of capital from Québec during the separatist scare of the early seventies.

Strategies to encourage Canadian secondary industry and provide it a measure of protection by screening American takeover bids had proved ineffective. This was largely due to the fact that many Canadian products, such as automobiles were co-produced by multinational companies on both sides of the boarder and government was losing its ability to stimulate the Canadian economy by providing favourable conditions to local industry. In these circumstances the best means available to the government to increase revenues and curb inflation within Canada seemed to be to provide abundant low-cost energy to American industry.

In this economic crisis Canadian governments were forced to adjust the treaty and legislative system which it had developed since Confederation to limit the sovereignty of the Native peoples. Using the legal basis for their right to use the land for their traditional livelihoods which was based on a Royal Proclamation from the colonial period, the Native leaders threatened to tie up the energy projects in the courts interminably. In this manner the last vestiges of British imperial rule and the growth of American economic dominance combined to force the Canadian government to deal with the issue.

I have discussed above how, at the time of the National Policy, British Imperial interests combined with the Canadian political and business elite to develop a design for populating the West with immigrant farmers and thus prevent an American takeover. The Indians had no part to play in this grand design and they were placed on small out-of-the-way reserves with the aid of summarily negotiated treaties to pursue livelihoods which politicians and businessmen of the day viewed as economically redundant after the decline of the fur trade.

I have already discussed how this changed in the Fifties as resource extraction industries expanding into the Canadian hinterland and the traditional sources of Indian livelihood were being destroyed.

It was largely due to increasing dependence on public assistance that there was growing concern that Indians would have to be integrated into modern society. Therefore the Indian Act was amended in 1951 to improve education and health services and programs to encourage Indians to take up agriculture were set up. As multinational agribusiness removed the viability of small farm agriculture in Canada and Native health and welfare conditions deteriorated, the Trudeau government of the late Sixties developed a program for the wide scale assimilation of Indians into Canadian society and the dismantling of their special status under the treaties and the Indian Affairs Act, as discussed above.

The policy of Indian assimilation suffered a setback because of growing public awareness of an alignment of interests between Native claims to sovereignty over their ancestral lands and a heightening fear among Canadians that national resources were being depleted and their quality of life in environmental terms was being deteriorated by the activities of American-based multinational corporations. This awareness of common Canadian and Native concerns reached its peak in the debate over the construction of a pipeline from Alaska across Canadian territory into the United States. After the release of the Berger report in 1977 which was commissioned by the Canadian government and which condemned the project, the undertaking was postponed.

During the latter stages of the debate on the final form of the Constitution which has characterized Canadian politics for more than a decade, several provincial premiers were unwilling to include a meaningful definition of Native sovereignty because they feared this would limit the ability of provinces to sell off resources to the U.S. To pre-empt efforts by the Native rights movement to hinder resource exploitation through lengthy court battles, the provinces and the Federal government were willing to appease the Indians with settlements involving greater self-government and government transfers. They were forced to take these measures because of growing public deficits¹⁵. The Native movement was able to use some of these resources to organize support for still unrecognized land and sovereignty rights. Failing in this, they succeeded in playing a significant role in halting the process to adopt a workable national Constitution.¹⁶

The Federal government had implemented a number of measures to compromise the Native rights movement after failing to sell them its version of

Federalism at successive conferences on aboriginal rights until 1987, leaving these rights undefined. DIAND Minister Bill McKnight came out with a policy which vacillated on the whole concept of aboriginal sovereignty and compromised it further by proposing that Native community government should take the form of a "municipal model" (Erasmus, op. cit.) falling largely under provincial jurisdiction. At the time it decreased funding for Native political organizations and increased funding for economic development projects which, while playing a negligible role in creating new jobs or businesses, greatly increased Native dependency on the government.

The chief preoccupation of the Federal Government became the negotiations leading to the Free Trade Agreement with the United States and undoubtedly it wanted to do everything it could to prevent its power from being reduced by constitutional amendment in order to carry through its policy of linking the Canadian and US economies.

In a closely contested election in 1988 the Federal government managed to retain power and implemented Free Trade. The campaign created the elements of a deepening political crisis. The chief opponents of the government and Free Trade were in power in Québec and as the effects of the Agreement in terms of unemployment and a business recession hit Canada, the New Democrats came into power in Ontario for the first time in history, led by Bob Rae, a politician who had participated in an act of civil disobedience during a protest by Native people and environmentalists over governmental disregard for aboriginal land rights in Temagami the summer before.

By the autumn of 1990 the economic underpinnings of the Canadian constitutional crisis were more evident than ever. In the aftermath of the Oka conflict, the age old issue of sovereignty over the land by its inhabitants characterized the crisis of Canada and the Native rights movement had become the most profound expression of that crisis.

By creating their own community enterprises with clientele networks based on Native identity and kinship as well as the establishment of autonomous areas to preserve their traditional livelihoods, as under the James Bay Agreement, the Native peoples have established successful anti-hegemonic communities to counteract redundancy and resource depletion, areas where the Canadian community at

large is now showing increased evidence of failure. Unless there is a change in the direction of development in the larger community, it is evident that the chances for self-determination in Native communities, as in the various regions, will eventually deteriorate.

CONCLUSIONS

At the outset I indicated my intention to explore how Canadian Native peoples are learning to deal with their repressed status in Canadian society at a moment of national crisis. To do this I have discussed some of the most salient features of this crisis and their historical origins.

I have briefly outlined how successive efforts to develop alternatives to the traditional livelihood of the Native people based on resource mobilization have produced disappointing results. Government programs attempting to introduce agriculture and enterprise have been mainly unsuccessful in their intent to integrate the Native people into Canadian society largely because the livelihoods of small farmer and small businessman are imperiled forms of livelihood in the larger society as well.

I have also indicated that numerous successful examples of Native enterprise may be identified. These have usually developed in conditions where communities have been able to develop self-determination by increased control over decision-making and allocation of resources. They have been able to develop community-based forms of enterprise and then expand beyond, using the creativity and unique characteristics of the community in a manner which outside experts could never prescribe.

To accomplish this, Native rights movements have been able to loosen the grip of state regulation which generally serves the interests of broader world economic hegemonies¹⁷. In Canada the interests of hegemony have been served by a legal tradition which upholds state control of the Canadian land and resource base, which control it exercises to allow the multinational resource extracting industries access to Canadian land resources. It might be assumed that the two tiers of state administration, the federal which regulates foreign capital flows and the provincial which regulates resource extraction and property rights¹⁸, have been designed to facilitate access by foreign interests rather than to protect national interests which lack clear political articulation. In exchange for providing economies of scale through ease of access to some of the largest resource

deposits in the world, the government and governing parties receive marginal tax benefits, mainly through taxing incomes of Canadians who work in extracting and processing the goods produced by these multinationals and their affiliates as well as the income of those providing services to workers and managers.

Therefore it may be argued that in cases where the Native peoples have most frequently succeeded, they have gone against the conventional economic and political wisdom of the greater society. They have demonstrated that development concepts based on increased material acquisition alone are inadequate and futile. The experience of the autonomous Native communities suggests that every attempt at development must begin with an understanding of the fundamental human values of a community and the constraints that prevent their expression. In the case of the Native people of Canada such values seem to be expressed in their relationship and right of access to the land¹⁹

The implications to be derived from this for the formation of future Native policy are legion. Through the development of Native self-government in geographically specified territories with a sufficient resource base, more sustainable economies to serve the needs of the local population may be developed to replace redundancy subsidised by government transfer payments. A desirable future role for the Federal government may well be to adjust the interests of these regions with other regional administrations and the provinces on a much more equitable footing than in the past. This may well further the convergence of Canadian and Native interests referred to previously, as numerous regions of Canada are likely to be led by the Native example to insist on greater local control over resource extraction in order to ensure that priority be given to regional environmental protection and maintenance of regionally distinctive economies.

Canadian political power has been constructed by tradition to form an alignment of the legislative machinery of government with a business elite whose wealth is based on selling resources in volume to an external political and economic hegemony.

By challenging the legal foundations of the Canadian resource sell-off, based on the government's right to dispose at will of the massive Canadian land and resource base, the Native peoples movements have developed the first islets of true Canadian sovereignty.²⁰

NOTES

1. For a development of Gramsci's ideas on hegemony in the context of modern international politics see Keohane 1984.
2. The Algonkian Campaign to protect their ancestral lands at Temagami from logging quickly expanded beyond being a local concern in 1989, drawing support from Euro-Canadians who saw it to be part of the global struggle for sustainable development. (Hodgins & Benidickson, 1989).
3. The Canadian Manufacturers Association estimates a cumulative fall in output of over \$60 billion since the recession in the sector began in 1989, meaning over 90,000 jobs lost permanently. Consultants Coopers & Lybrand report a rapid shift of investment from Southern Ontario to the southern U.S.A. and Mexico. (Article by Economics editor P. Cook in the *Globe and Mail*, March 8, 1991:86).
4. The Hawthorn Report commissioned by the Federal Government to investigate the conditions of the native people in Canada criticized DIAND in 1967 for using outside experts and researchers to plan native programs rather than attending to appeals made by the people concerned themselves, and for bypassing community bodies in making key decisions. This led to a reform of DIAND which some now say was only partly successful.
5. Status Indians who agreed to "enfranchise" by surrendering status could vote, and this was strongly encouraged during some periods, to the point of involuntary enfranchisement for some people.
6. Commentators such as B.G. Ramcharan point out that international undertakings especially pre-empt discrimination in arrangements for political participation (in Brecher, ed., 1989).
7. Peter George has detailed the economic obstacles to conventional forms of development in native communities (1989:58ff).
8. Government of Canada, Statement of Canada on Indian Policy no. 5, Ottawa, 1969.
9. The Unfinished Tapestry - Indian Policy in Canada, Speech by the Honourable Jean Chretien, Minister of Indian Affairs and Northern Development, presented at Queen's University, Kingston, Ontario, 17 March 1971, pp. 10-11.
10. The notion that Western societies provide the ideal model for "underdeveloped" societies to follow is a form of narcissism most governments, especially in the said category, have been unable to avoid (cf. 1987:137ff).
11. Transcription of Address by the Honourable Barbara McDougall, Minister of Employment and Immigration to the National Aboriginal Management Board, November 29th, 1990 (Ottawa).
12. This shortcoming in much of the research carried out on native peoples in Canada for policy-making has been commented upon in prominent governmental studies such as the Hawthorn and Berger reports. Ironically Western, (and Canadian) social scientists have often complained that they are used as scapegoats for economic and political failure yet little has been done to upgrade professional practice to avoid it (see O'Connor 1987:48).
13. For these and similar examples see the chapter entitled "Legacies and Prospects" in Morrison and Wilson, eds., 1986:529 - 532.
14. Harvey A. Feit, advisor to the James Bay Cree provides a promising assessment of development under the James Bay and Northern Quebec Agreement, specifying that future progress will depend on whether government will respect the conditions (Morrison and Wilson 1986:203 - 204).
15. After nearly seven years of prosperity in Canada Conservative economic policies had not been able to deal with the national debt which doubled in that time to \$400 billion dollars.
16. This manuscript was completed in December 1991; in the months just prior to its appearance there have been apparent breakthroughs in this process, including in the area of First Nations self-government.
17. Cynthia H. Enloe has discussed the manner in which ethnic structures, including aboriginal cultures, are objects of ongoing strategic cultivation in state-international capital relationships (Hopkins and Wallerstein 1980:280-285).
18. A fear that the right of the provinces to sell off resources with little consideration of national interests might be questioned by the public is the reason why the premiers of B.C., Alberta and Saskatchewan oppose a popularly elected constitutional assembly, according to Peter Meekison, a veteran of constitutional politics and advisor to the Alberta government (Column by E. Stewart in *The Toronto Star*, Monday 25 March, 1990. p. A10).
19. The manner in which native societies upheld a "commons" tradition of land use has been discussed by Chapeskie 1990.
20. The writer thanks professors Robert Storey and Harvey Feit of McMaster University for their helpful advice.

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