

## TOWARD A NEW RELATIONSHIP WITH CANADA'S ABORIGINAL PEOPLES

BY DAVID V.J. BELL

Last month extensive celebrations were held to commemorate the 500<sup>th</sup> anniversary of the "discovery" by John Cabot of the "New Founde Lande" of North America. Aboriginal people were not alone in raising objections to this celebration. To be sure, a few First Nations refused to support the protest organized by Grand Chief Ovide Mercredi during the ceremony held in Bonavista to mark the landing of the replica of Cabot's ship, the "Matthew". But all would have agreed with Javeed Sukhera, "the 16-year old son of immigrants to this country" who made the key points with great eloquence: "Canada was not 'discovered' by Cabot. Long before Europeans landed on our Eastern shores, Canada had a vibrant population of aboriginal peoples. The Europeans killed the aboriginals with disease, and they committed many more atrocities. ... I urge Canadians not to remember the arrival of Cabot 500 years ago, but to remember the 500 years of justice the aboriginals of Canada have lost. I also urge our federal government to take this occasion as a reminder that it must take serious action to improve the state of the aboriginal peoples of Canada. [Letter to *The Toronto Star*, 20 June 1997.]

Despite a few awkward moments, the Bonavista ceremony proceeded with much fanfare and media coverage. The Queen paused briefly to acknowledge the small group of First Nations protesters; Premier Brian Tobin mentioned the sad plight of the Beotuks,

whose "journey on this planet" was made "far too short". In general, however, both the press, and by implication the Canadian public, paid as little attention to this as they have to the Report of the Royal Commission on Aboriginal Peoples.

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After working for more than five years and spending \$58 million, the Commission produced a Report 4,000 pages in length that has received neither media attention nor governmental response. The sheer bulk of the document accounts for some of this. The print version is both "too heavy to carry" and "impossibly expensive", according to the critics. But a CD-ROM version is available in most libraries, and the entire document is available on the Internet in a convenient free format [at [www.indigenous.bc.ca/rcap/rcapeng1.html](http://www.indigenous.bc.ca/rcap/rcapeng1.html)]. It would appear that few Canadians are interested, however. An Angus Reid poll taken last February reported that only one per cent of Canadians saw native affairs as a matter of "significant interest". This was down from six per cent in 1991 and four per cent one year later.

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*Canada Watch* agrees with the assessment of contributor Michael Posluns, who contends that "this Report will continue to command attention beyond the scholarly community as long as Aboriginal peoples and their friends continue to seek a genuine measure of self-government within Confederation and a more authentic relationship with those other peoples who are now, as the Report has it, 'of this land'." Nor can the issue of self-government, so thoroughly explored in the Report, remain off the agenda for much longer. As Reg Whitaker points out, "putting the issue of Aboriginal self-government in square brackets breaks down in practice".

Even though issues concerning First Nations failed to make it onto the agenda of the recent election, the Liberal Party Platform (Red Book 2) had some important things to say about Aboriginal issues in general and the RCAP Report in particular: "In finding ways to support the aspirations of Canada's Aboriginal peoples, a new Liberal government will draw from the valuable work of the Royal Commission on Aboriginal Peoples and from its report, tabled in November 1996. This five-volume, 4,000-page report has been called the most comprehensive examination ever of the realities facing Aboriginal peoples in Canada. ... The Commission's 440 recommendations call for the involvement of federal, provincial, territorial, and Aboriginal governments and local communities. While we are already implementing a number of the Report's recommendations, a full analysis of the Commission's findings and the opportunities they offer for broader action is needed. A new Liberal government will review all recommendations of the Royal Commission on Aboriginal

Peoples and will develop a plan, in partnership with Aboriginal peoples and provincial and territorial governments, to respond effectively to the Report's findings and proposals".

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In this issue of *Canada Watch*, we have attempted to provide an overview of the key recommendations concerning lands and self-government, and a discussion of their implications from several perspectives, including that of Phoebe Nahanni, a Dene from Fort Simpson. We have also included an article about Aboriginal communications and the media by Valerie Alia, who together with Bud White Eye submitted a brief to RCAP that helped shape several recommendations that appeared in Volume 3. [Recommendations 3.6.13 and 3.6.14 closely followed their advice, urging that "Colleges and universities with programs in communications, journalism and film cooperate to support access for Aboriginal students by providing transition courses, scholarships and counselling services"; and that "Public and private media outlets address the need for training and better representation of Aboriginal people in public communications by developing and implementing employment equity plans".]


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Understandably, we have focused on only a few aspects of the Report which, as Frances Abele points out, was written in response to a broad, comprehensive mandate. The entire document is a rich repository of data, knowledge, and insights about the Aboriginal peoples of Canada. We particularly recommend the Thanksgiving Address, which graces the opening of the first Volume of the Report. Canadians may find much to admire (if not imitate) in the Aboriginal values of environmental stewardship and concern for future generations, as the fol-

lowing brief excerpt indicates: "Finally, we acknowledge one another, female and male. We give greetings and thanks that we have this opportunity to spend some time together. We turn our minds to our ancestors and our Elders. You are the carriers of knowledge, of our history. We acknowledge the adults among us. You represent the bridge between the past and the future. We also acknowledge our youth and children. It is to you that we will pass on the responsibilities we now carry. Soon, you will take our place in facing the challenges of life. Soon, you

will carry the burden of your people. Do not forget the ways of the past as you move toward the future. Remember that we are to walk softly on our sacred Mother, the Earth, for we walk on the faces of the unborn, those who have yet to rise and take up the challenges of existence. We must consider the effects our actions will have on their ability to live a good life."

The twenty-first century begins in less than two-and-a-half years. If our country is to survive for another hundred years, we will need to respond successfully to several funda-

mental challenges. Undoubtedly, we will have to work out with Canadian Aboriginal peoples a new relationship that is rooted in fairness, equity, and mutual respect. What better place to begin than with a full public discussion of the RCAP Report? 

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## SOVEREIGNTY BY INCLUSION *from page 70*

central issues. This is a Report that does not shrink from taking on tough issues, even those that divide native communities themselves.

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On the issue of membership, the RCAP rejects race, or the establishment of a "blood quantum". It does so not so much on the grounds of liberalism but on the basis of Aboriginal traditions: culture, the relationship to the land, and a collective sense of identity have been more important than

consanguinity; people can and have chosen to belong. The RCAP is quite aware of the dangers of traditionalist fundamentalism. They are, for example, firm on the stipulation that all rights to self-government must be equally available to men and women, and they delineate carefully where the *Charter of Rights* should apply to Aboriginal governments and how its provisions should be interpreted in light of Aboriginal cultures.

On the effective units, the Report recognizes that many bands and local communities are simply not large or viable enough to exercise self-government. "Nations"—relatively sizeable bodies of Aboriginal people with a "shared sense of national identity that constitute the predominant population in a certain territory or collection of territories"—will be the units, and the RCAP estimates these to number between 60 and 80, which might be fewer with cross-provincial groupings (this contrasts with an estimate of about a thousand local Aboriginal commu-

nities across the country). Of course, some powers can be devolved down to the local communities on the subsidiarity principle.

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Sovereignty is usefully distinguished from self-government. Sovereignty is "the natural right of all human beings to define, sustain and perpetuate their identities as individuals, communities and nations" or,

more simply, "the right to know who and what you are". For Aboriginal people, this is not a secular, political concept, so much as a spiritual one: "as a gift from the Creator, sovereignty can neither be given nor taken away, nor can its basic terms be negotiated." While Aboriginal and non-Aboriginal concepts of sovereignty are expressed in very different languages that arise out of differing cultural backgrounds, Aboriginal understandings present a less absolutist notion of sovereignty than European versions (James Tully has described Western constitutional discourse as the "empire of uniformity"). For Aboriginals, sovereignty can be shared among different peoples so long as the right to self-determination ("the power of choice in action") is recognized. Whereas Quebec sovereignists would simply replicate the Canadian state on a smaller scale but with the same expectations of uniformity, Aboriginal voices generally do not see why many trees cannot grow in a forest, as part