

EVADING THE UNSPEAKABLE: A COMMENT ON *LOOKING BACK, LOOKING FORWARD, VOLUME I* OF THE REPORT OF THE RCAP

BY MICHAEL W. POSLUNS

One way to understand the present movement for First Nations' self-government is to examine the discourse about First Nations' autonomy which has been going on between First Nations' speakers and political and military representatives of the various European powers since the earliest contact. Until the publication of the Report of the Royal Commission on Aboriginal Peoples, this discourse on First Nations' autonomy could have been conveniently sorted into two broad categories: a *discourse of affirmation*, consisting of all those statements affirming the reality, dignity, and endurance of

simple denial of the First Nations' realities.

Looking Back, Looking Forward, Volume 1 of the Report of the Royal Commission on Aboriginal Peoples, comes down firmly on both sides of the public discourse about First Nations' autonomy, at least when the larger discourse is sorted between affirmation and prevarication. Contrary to much of the impression created by the popular media when the Report first appeared, I do not consider that this Report, and certainly not its historical volume, is consistently and unequivocally affirmative either of the First Nations or of the larger category of "Aboriginal peoples", defined in s. 35(2) of the *Constitution Act, 1982* to "include Métis, Inuit and Indians."

As Mary-Ellen Turpel repeatedly tried to tell her colleagues on Peter Gzowski's panel a day or so after the Report was released, the mere fact of a public inquiry challenging Canadians to examine very closely the history of this country's relations with the First Nations and to reflect upon how these relations continue to shape our identity as a country is worthy of some serious attention. And had Jeffrey Simpson paid close attention to the historians, Aboriginal and non-Aboriginal, at the McGill conference on the Report in January of this year, he might have been better equipped to understand Aboriginal nationhood as it has been recognized by the Crown

intermittently at least since 1763. He would also have understood better the role played by the Crown's use of "equitable fraud" by the Crown—to borrow a phrase from Madam Justice Bertha Wilson's decision in *Guerin*—has played in the impoverishment, dispossession, and displacement of the First Nations.

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Looking Back, Looking Forward deserves our close attention as an historical analysis primarily because it does provide us with an encyclopaedic account of First Nations' relations in Canada from the earliest times to the present. And, for the most part, it is a history of *relations* between Canada and, to paraphrase the *Royal Proclamation of 1763*, "the several First nations". In this sense, it succeeds in moving far beyond the works of earlier periods in which whatever scant space was devoted to Aboriginal peoples at all focused not on *First Nations' relations in Canada* but on *Canadian Indian policy*.

By balancing a sense of compassion with an awareness of *realpolitik* in a panoramic view of the history organized by themes rather than by regions, the Report allows the reader to appreciate both

the variety of political issues underlying First Nations' relations, and the diversity of the First Nations in the space which has latterly become Canada. These strengths alone will make this volume compulsory reading for serious scholars for years to come.

Politically, the rumours of this Report having been shelved are greatly exaggerated. The present Government may well dislike a Report that was written under the direction of commissioners appointed by Brian Mulroney. Those recommendations most favoured by First Nations advocates will find few friends in the next Parliament if, as in the last Parliament, the Liberal Government continues to play to a neo-Conservative regionally based opposition. And certain federal officials who have been trying to sell Parliament on their own vision of "Optional Indian Band Government" since 1978 appear to have succeeded in gaining yards with the *Indian Act* amendment bill presented a few months ago by Ron Irwin. Nonetheless, 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."

The text as it has been given to us, however, is desperately in need of redemption. An uneven style is frequently the price paid for an encyclopaedic work with multiple authorship. There are, however, a series of key terms (favoured perhaps by the commissioner-authors, perhaps by the scrivener-writers), a series of unexamined assumptions which, taken together, convey

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any First Nation or group of First Nations or of the reality of First Nations' culture in general; and a *discourse of prevarication* tending to the destruction, undermining, or

an impression of error compounded by wrong-headedness. A close reading of the Report's discussion around these key terms will, I suggest, encourage us to reopen the public debate around these concepts and to question the political analysis underlying them.

From the many troubling concepts running through *Looking Back, Looking Forward*, there are five which seem to me to be quite central to the thinking shared with us by the Commission and also representative of what I find pervasively problematic: an Aboriginal world view; non-Aboriginal people; assimilation, relocation, and deconstruction.

What is troublesome is the portrait of an Aboriginal world view which depends so strongly upon a contrast of the differences "in culture and perspectives between Aboriginal and non-Aboriginal people." The notion that a public inquiry in contemporary Canada can set out a portrait of a "non-Aboriginal world view" is disturbing.

It is not the concept of an *Aboriginal world view* which is troublesome. The idea of a world view that is, in broad brushstrokes, representative of a way of seeing the world shared more often than not by the speakers, story tellers, leaders, and teachers of Aboriginal nations throughout

North America is one that the Commission could hardly help but address. Difficult as it may be to portray such a world view with sufficient nuance and subtlety to do it justice, any Aboriginal person who has moved from one part of the country to another and yet felt at home in the communities of the local Aboriginal nation searches for words to express their commonality. And any non-Aboriginal friend who has felt drawn by the warmth of traditional communities struggles to find words within his or her own dialect to express a parallel experience.

What is troublesome is the portrait of an Aboriginal world view which depends so strongly upon a contrast of the differences "in culture and perspectives between Aboriginal and non-Aboriginal people." The notion that a public inquiry in contemporary Canada can set out a portrait of a "non-Aboriginal world view" is disturbing for several reasons. First, because for several years I taught a course called "Public Policy and Aboriginal Issues" in which the largest plurality of students were non-Native, non-European young women. The failure to distinguish between the perspectives these students had and, for example, the interests represented by John A. Macdonald and his protégé-turned-treaty commissioner, Alexander Morris, simply serves to create new stereotypes.

Furthermore, many Aboriginal and First Nations teachers have demonstrated that an Aboriginal world view—centred largely on a devotion to the land and understanding life through a cosmology which describes the cycles of the Creation as they are observed in that land—provides a surprising link between the Aboriginal peoples of North America and other indigenous

peoples throughout the world. The late George Manuel, the founder of the World Council of Indigenous Peoples, was certainly not the first North American First Nations leader to point to Aboriginality as a uniting rather than as a distinguishing feature. The use of this valuable concept to foster a sense of negative otherness can not be counted as part of

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the Discourse of Affirmation. It reduces the Aboriginal world view to something much narrower and more sectarian than the visionary representations offered by First Nations leaders.

A close reading of the use of the term *non-Aboriginal people* in *Looking Back, Looking Forward* strongly suggests that the Commission has hit upon this term as a euphemism which it has chosen to use when it does not wish to be more straightforward in its criticism of federal governments. However the phrase *non-Aboriginal people* came to be adopted by the Commission, it is unlikely that they ever had my undergraduate students in mind. The Commis-

sion simply did not want to offer a more direct account of the relations between the Indian Affairs Branch and the classes who have been its primary clients from the earliest times. Instead of offering some semblance of a class analysis of the historical relationship between Indians, the Indian Affairs Branch, and the development interests, the Commission has chosen to provide us with a political equivalent of "dark meat and light meat". Taken as a whole, this volume is ripe with inappropriate figures of thought which may continue to blunt the thinking of Canadians on these issues for another generation.

Assimilation is, in my mind, the most troublesome of the many misappropriated figures: "Non-Aboriginal society made repeated attempts to recast Aboriginal people and their distinct forms of social organization so they would conform to expectations of what had become the mainstream. ... We suggest that the period of displacement and assimilation ... was concluded by the federal government's 1969 white paper." The notion that the Government of Canada had a consistent policy for more than six months or from one agency to another will come as a surprise to many. Assimilation must then be one of those all-encompassing terms which include (a) moving communities off reserves which are wanted for urban development or other kinds of European settlement and sending them off to the hinterland; (b) drawing Aboriginal communities into urban areas; and (c) keeping them on reserve; or, in more summary terms, assimilation as a consistent policy over 99 years includes "Go!", "Come!", and "Stop!". Further, the news that the policy of assimilation

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ended with the White Paper policy will come as a surprise to all those who, following Harold Cardinal and the late George Manuel, were persuaded that assimilation was at the very heart of the 1969 White Paper. The Commission

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never seems prepared to acknowledge that, etymologically, "assimilation" is a euphemism, if not a litotes,

for the extinguishment either of persons or of peoples.

The Report presents a deeply moving account of the residential schools, characterized by malnutrition, overcrowding, and more aggressive forms of physical abuse resulting in mortality rates of up to 40%. Even more stirring are the stories of a long series of communities which were repeatedly uprooted, displaced and, despite promises of food, clothing, houses, and the tools of economic development deserted in conditions of extreme impoverishment. But there is something deeply inappropriate about referring to the peoples dispossessed and displaced in this way as "relocatees". Although a later sub-section is entitled "Displacement and Assimilation", the major account of these events is given in a unit called "Relocation of Aboriginal Communities". The use of the term "relocation" is strangely resonant with the Nazi use of

the same term to describe the forced movement of European Jews into Poland for "re-settlement", meaning less than benign neglect.

Finally, there is a sub-title "Displacement and deconstruction of the Indian nations as policy". The word "deconstruction" does not occur in the text of that sub-section. In the absence of a whole sentence, I can only guess that this title is yet another understatement intended to make the history the Commission is intent upon telling more palatable to the reader. Just which reader's sensibilities they intended to appease will remain a mystery until someone publishes a study on relations between the commissioners and their research staff. Perhaps, to paraphrase a commentator on the Holocaust, it was necessary to find words to reduce the unspeakable into the merely unsayable.

Looking Back, Looking

Forward, euphemism, litotes, and obfuscation notwithstanding, brings us—two steps forward and one step back—haltingly closer to what Winona Stevenson pleaded for: "the deconstruction of our colonization [to shed] light on why our communities are so troubled today and why Aboriginal women are at the bottom of Canada's socio-economic ladder".



Michael W. Posluns was the founding director of the parliamentary relations program of the Assembly of First Nations. His most recent book "Voices from the Odeyak" (Toronto: NC Press, 1993) is a study of the James Bay Crees' resistance to the Great Whale Hydro Development Project. He is currently a doctoral student at York University where he is writing a dissertation on "The Discourse of First Nations' Autonomy".

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tion 33, Aboriginal nations can enact "notwithstanding" clauses that suspend the operation of certain *Charter* sections for a period of time. However, by virtue of sections 28 and 35(4) of the *Constitution Act, 1982*, Aboriginal women and men are in all cases guaranteed equal access to the inherent right of self-government and are entitled to equal treatment by their governments.

The constitutional right of self-government is vested in the peoples who make up Aboriginal nations, not in local communities. Aboriginal nations have the right, under

section 35 of the *Constitution Act, 1982*, to determine which individuals belong to the nation. However, this right is subject to two limitations. First, it cannot be exercised in a manner that is discriminatory toward women or men. Second, it cannot specify a minimum "blood quantum" as a general prerequisite for citizenship. Aboriginal peoples are not racial groups. They are organic political and cultural entities, often with mixed genetic heritages and often including individuals of varied ancestry. Their identity lies in their collective life, history, ancestry, language, culture, val-

ues, traditions, and ties to the land.

In order to assume their rightful place in this vision, Aboriginal peoples need to have tools at their disposal to ensure their success in reclaiming nationhood, in constituting effective governments, and in negotiating new relations with the other partners in the Canadian federation. Aboriginal peoples will need capacities to rebuild their nations, to set up Aboriginal governments, to negotiate new intergovernmental relations, and to exercise government powers over the longer term. This will require in-

creased training of Aboriginal government officials, enhanced planning and management capacities, the development of codes of conduct and accountability regimes for public officials, and the establishment of data collection and information management systems.



David C. Hawkes was the Research Director for the Royal Commission on Aboriginal Peoples. This article is an excerpt from a paper that Mr. Hawkes delivered at a Public Forum held on the Final Report in early March 1997.