

## **A PERSPECTIVE ON THE INDIAN NATIONS IN CANADA**

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### **ABSTRACT/RESUME**

However well-intentioned the Penner Report on Indian self-government appears to be, it has serious weaknesses and is limited in its recommendations. Self-government is recognized only in the political sense and Indian nationhood is denied. The Report misreads history, failing to take into account the conflict of values between the homo-centric Western-oriented Canadian and the eco-centric Indian nations.

Si bonne qu'apparaisse l'intention du rapport Penner sur l'autonomie des autochtones, le rapport a de graves points faibles et il ne va pas assez loin dans ses recommandations. L'autonomie n'est reconnue que dans le sens politique et l'existence des autochtones en tant que nation est rejetée. Le Rapport lit mal l'histoire, et ne tient pas compte du conflit des valeurs culturelles qui s'établit entre l'homo-centrique occidental canadien et les éco-centriques autochtones.

## INTRODUCTION

The author of this paper, together with his students, developed it from extensive discussion of the literature on political problems of Native peoples in Canada. This document is the outcome of the endeavors of my upper level undergraduate class on "The Politics of Indian Affairs in Canada." The members of the class met on several occasions discussing, under my direction, the various issues underlying the problems of the Native peoples. The document presents a discussion of the political aspects of the problems, the course which they have taken since the British occupation of Canada, the labours of various governmental and parliamentary committees which investigated the subject, and the legislation enacted by Parliament from time to time to resolve situations as and when these reached pressure point.

Central to this discussion is the *Report of the Special Committee on Indian Self-Government in Canada (1983)* (commonly called the Penner Report). In spite of any merits the report has, it signally fails to address itself to the central question. In the context of this gap in the report, this paper seeks to identify the problems that gave rise to the investigative work of the Special Committee. At the same time, the reader will note that observations and criticisms of the report which point to other directions can deal with what is now a most immanent urgency in Canadian politics. This author does not presume to proffer solutions which are rightly the responsibility of the Indian nations, but rather to unravel the tangled skein of Canadian-Indian relations. This unravelling will, hopefully, make Canadians aware of the seriousness of the situation. Such growing consciousness can indeed help the Indian peoples themselves to design the appropriate solutions to their manifold problems.

The conclusions herein make it evident that there is a conflict of values and a diversion of interests between the homocentric, Western-oriented, Canadian and the eco-centric Indian nations. At the heart of the problem lie fundamental differences in values, out of which, perhaps, another parallel civilization will begin to emerge.

A special thanks go to Stephen Dutcher, Gilbert Cyr, Julie Lydon, Sarah McCarthy and Paul Mellon, the students participating in this project.

## THE PENNER REPORT

The problems facing aboriginal peoples in Canada are very serious. Over the years, many individuals, groups and state agencies have attempted to come to terms with them. They have offered various analyses of what they see as the main problem, its causes and possible solutions. One recent attempt in this direction was the *Report of the Special Committee on Indian Self-Government in Canada*. Commonly known as the Penner Report, the document represents a significant advance over previous attempts to deal with problems facing aboriginal peoples.<sup>1</sup> At the same time, the Report has many serious weaknesses.

In the fall of 1983, the Special Committee on Indian Self-Government of the Canadian Parliament released its report. The committee was brought togeth-

er to consider "the status, development and responsibilities of band governments on Indian reserves, as well as the financial relationships between the Government of Canada and Indian bands " (Indian Self-Government in Canada: Report of the Special Committee: Title Page). The Report (hereafter cited as "Penner") represents a significant break with previous documents arising from within the Canadian federal government and the various governmental bodies which surround it. One of these previous documents, the 1969 White Paper or *Statement of the Government of Canada on Indian Policy*, is notorious for its attempt to assimilate the Indian peoples, as individuals, into the larger Canadian society (i.e. "full social, economic and political participation in Canadian life").<sup>2</sup> The Penner Report, coming as it does fourteen years later, represents a significant advance over the individualistic, assimilationist 1969 White Paper, and reflects the progress which has been made in attitudes concerning aboriginal-Canadian relations. Although the Penner Report, unlike the White Paper, is not an official government document, it would seem that it reflects a change of attitude towards Canada's treatment of the aboriginal peoples who live within its borders.<sup>3</sup>

The Penner Report represents a significant change in several ways. For the first time, there is an explicit recognition by an arm of the Canadian government of the past wrongs that have been inflicted upon the Indian peoples, or more generally, the aboriginal peoples. The authors of the report discuss the "complex forms of government that go far back into history" (Penner:12) that the aboriginal peoples had, and they cover briefly the suppression of these forms of government by the Canadian authorities (i.e. the Haudenosaunee government and the Potlatch) (Penner:13). Recognizing these past actions enables the Committee to say that Canadians have an obligation to help correct a situation which Canadian society has created, and from which the aboriginal peoples have suffered :

Indians were not pagan and uncultured, but peoples who moved from free, self-sustaining First Nations to a state of dependency and social disorganization as a result of a hundred years of nearly total government control (Penner:13).

The recommendations of the committee are aimed at the creation of a "new relationship of the Indian First Nations" (Penner:14) with the rest of Canada. The basis of this new relationship is "Indian self-government", which would see the creation of a third level of government in Canada in which the Indian peoples would have the chance to govern themselves.

It is obvious that the approach of the Special Committee signifies a tremendous advance in trying to create a more just situation for the aboriginal peoples in Canada. For that, the Committee can and should be highly praised. But, while acknowledging the progress that the Committee has made, it is also necessary to make a close examination of what exactly is being advocated in the Penner Report. For instance, as the above excerpt illustrates, the Committee analyzed the major problem facing the Indian peoples as "a state of dependency and

social disorganization" (Penner: 13). To document this situation the Committee refers to the many social and economic statistics (i.e. income, housing, unemployment, infant mortality, life expectancy, etc.), which describe the debilitating conditions from which the Indian peoples, as a whole, suffer (Penner :15). The Committee also diagnoses the cause of this dependency and social disorganization in a very specific way: the cause of the problem is "a hundred years of nearly total government control" (Penner:13). Accordingly, the solution is to remove that government control, of which the major components are the complex governmental bureaucracy which faces the aboriginal peoples and the restrictions embodied in the Indian Act (Penner:14-19). The changes are intended to free these peoples so that they could enjoy a new relationship with the Canadian society :

Indian peoples in Canada must control their own affairs. A new relationship is urgently needed that respects the diversity, the rights and the traditions of Indian First Nations (Penner:41).

The Committee goes on to say how such a new relationship would be beneficial both to Canada:

... it would eliminate tensions, the inefficient use of funds and the unacceptable social conditions that keep Indian peoples from contributing to the country's progress• In a democratic age, it is incongruous to maintain any people in a state of dependency.<sup>4</sup>

and to Indian peoples:

Ending dependency would stimulate self-confidence and social regeneration• Instead of the constant and debilitating struggle now faced by band councils, which are to administer policies and programs imposed by the Department of Indian Affairs, Indian First Nation governments would get on with the business of their own governmental affairs. Self-government would also simplify the political position of Indian leaders, who are now caught between the demands of their electorate and those of the federal government, which funds their programs.<sup>5</sup>

Thus the process of Indian self-government is to be directed at very specific things: self-government is meant to overcome the difficulties which Indian leaders face in administering programs set up by the Department, and to eliminate the possible contradictions between the demands of the Indian peoples and the federal government (for example regarding the accounting for monies spent).

It is clear throughout the Penner Report that the term "Indian self-government" refers to a process by which Indian peoples would exercise some sort of *legislative* control over their collective lives as Indian peoples. Yet it is also clear

that the committee's definition of Indian self-government falls far short of the recognition of the Indian peoples' right to exist and be recognized as "nations". This situation is somewhat confusing, for throughout the Report, reference is made to the "Indian First Nations" which would be exercising self-government. As the Committee admits in the Report, however, its use of the term "Indian First Nation" is very restricted, and refers only to the *political* units which would exercise self-government:

Throughout the report the committee has used the term Indian First Nations to describe the entities that would be exercising self-government. Although the terms of reference refer to "Indian self-government," the majority of witnesses referred to themselves as members of First Nations. In order to familiarize the general public with the term, the committee decided to use (the term) Indian First Nations in this report.<sup>6</sup>

It is important to note that the use of the term "Indian First Nations" is coupled with recommendations in the Penner Report which represent the very denial of the "nationhood" of the Indian peoples. Such nationhood is what the Indian peoples have always claimed: that they are distinct peoples or nations, each at least in principle equal to the nation of Canada. The Committee seems to admit as much at one point:

Indian people know their nations to have been productive, cultured, spiritual, intelligent civilizations comparable to those in Europe at the time of first contact (Penner :12).

Unfortunately, having said this, the Committee ignores its significance. Its recommendations employ only the rhetoric of nationhood (i.e. the term "Indian First Nations"), while, in effect, seeking to incorporate these "nations" as another level of order of government *within* Canada. What the Committee recommends has little to do with recognizing the Indian peoples as true nations of peoples.

The denial of Indian nationhood can be seen throughout the Report. It contends that the best way to ensure Indian self-government is to entrench that right within the Canadian constitution (Penner :44). One cannot, however, speak of "entrenching" the right of another nation to self-government within one's own constitution. To talk this way is to deny the reality of nationhood, for honourable relationships between nations are formalized through treaties. Similarly, the proposed Indian First Nations Recognition Act, through which Indian governments would be recognized by the Canadian state once they had met the criteria set out by Canada, is another expression of the Canadian state's refusal to recognize the right to nationhood of the aboriginal peoples. Can one nation really lay down the qualifications necessary for self-government of another nation, and then proceed to determine the validity of that self-government? Such a relationship is not even federal; it is authoritarian as between the

province and municipal governments.

This confusion between "Indian First Nations" and municipal-like characteristics as proposed in the Penner Report is evident in its discussion of the powers to be exercised by "First Nation" governments. The Report states that Indian governments would have wide-ranging powers:

Self-government would mean that virtually the entire range of law-making, policy, program delivery, law enforcement and adjudication powers would be available to an Indian First Nation government within its territory (Penner:63).

The Report quotes Chief David Ahenakew as putting the matter "succinctly":

We expect that First Nations will retain and exercise most rights and jurisdictions which provinces now have within Canada, and some others which are the special rights of First Nations. First Nation governments will have to develop judicial systems that will establish laws, institutions and procedures according to the needs and customs of each First Nation (Penner:63).

Two things immediately come to mind. First of all, what is the exact place of the proposed Indian First Nation governments within the Canadian state? As a "third level" of government, what exactly is the relationship of the proposed governments to the state? Are they to exercise, as Ahenakew points out, most of the powers of the provinces, with additional powers such as their own judicial system? Then what about the applicability of the new Charter of Rights in the Canadian constitution? Second and more importantly, the fundamental issue of the question of "powers" is to what extent do they really exist? If the right to Indian self-government is entrenched within the Canadian constitution, then the possibility exists that at some time in the future, very much against the wishes of the aboriginal peoples, the constitution may be amended to remove the right. One must question the adequacy of the recommendation to deal with the problem.

One of the crucial aspects of the self-government of any peoples is access to an adequate economic foundation, for without a sound economy, "self-government" becomes an empty phrase. The Committee recognizes as much, and makes many recommendations in order to ensure that an adequate economic foundation is enjoyed by all First Nations (Penner:71-78). The key to this economic foundation, in the eyes of the Committee, is the process of economic development, for which several things are needed. First, the land base of the Indian First Nations would have to be handed over to the First Nations (Penner:76). Such an approach, along with the accompanying recommendations, seems to be generous. Immediately, however, several questions automatically arise. While the Committee's recommendations are well-intentioned, they are rather vague, and allow for much leeway in interpretation.

The concept of an adequate land base is an extremely open one, for the

idea of "adequate" depends upon who is doing the defining. The "settlement of land claims" (Penner:76), given past experiences in such matters, will probably continue to leave the aboriginal peoples with much less than they desire or need. More importantly, the Committee assumes that economic development for aboriginal peoples will be through integration into the Canadian capitalist system (which might be, ultimately, the greatest method of assimilation). As such an assumption will be the important basis for the determination of land bases and settlement of land claims, it is significant that the aboriginal peoples will have to, by and large, accept this framework as given. In other words, in all probability, they will have relatively little say about the direction of their economic development. If the Committee's recommendations prove insufficient in promoting this type of economic development among the aboriginal peoples, the federal government will still be there to rescue the Indian governments with transfer payments (Penner:97) much as it does some of the provinces today. Such a "back-up" system of "high-class welfare" prevents the necessary hard questions on economic development from being asked, and perpetuates the dependency of those governments on those payments.

Thus, the recommendations contained within the Penner Report are really quite limited in nature. Although well-intentioned, they still do not accord the aboriginal peoples who live within Canada the right to nationhood. Instead, the recommendations seek to incorporate the aboriginal peoples, as peoples, into the Canadian state. It would not be unfair to say, therefore, that whereas the 1969 White Paper sought to assimilate the aboriginal peoples into Canadian society as individuals, the effect of the Penner Report's implementation would be to assimilate the aboriginal peoples, as collectivities, into the same Canadian society.

There is, however, another problem with the Penner Report, one which has to do with its analysis of the problem facing the aboriginal peoples. In defining this problem as "dependency and social disorganization" caused by "a hundred years of nearly total government control" (Penner:13), the Special Committee commits a grave error. It "mis-diagnoses" the main problem which the aboriginal peoples face because it mis-reads history. If one looks at the development of aboriginal-immigrant European relations over the nearly five centuries since the coming of Christopher Columbus, the problem is much more serious than the Special Committee will admit: it is that the immigrant Europeans have never really respected them as peoples, with a special way of life, living close to the land. Instead, the immigrant Europeans dispossessed them of their lands, and thus their culture and way of life. In the process, many aboriginal peoples were treated as children to be "civilized," or destroyed when they resisted.

## LAND AS AN ECO-FORCE

The first real contact between the aboriginal peoples of the Americas and the Europeans occurred in 1492, when Christopher Columbus landed on the island of San Salvador.<sup>7</sup> The people of the island, the Tainos, treated Columbus

and his men with honour and gave them gifts. Columbus, writing to the King and Queen of Spain said:

So tractable, so peaceable, are these people, that I swear to your Majesties there is not in the world a better nation. They love their neighbors as themselves, and their discourse is ever sweet and gentle, and accompanied with a smile; and though it is true that they are naked, yet their manners are decorous and praiseworthy (Brown, 1981 :1).

Regardless of how highly Columbus praised these aboriginal peoples and their ways, he remained convinced that they should be "made to work, sow and do all that is necessary and to adopt our ways" (Ibid:2). Those "ways" included the frantic search for gold and precious stones, and the taking of hundreds of aboriginal people for slaves to be sold back in Europe. When the aboriginal peoples resisted, hundreds of thousands were killed by the Spaniards (Ibid:2).

It was not long, however, until a moral justification was provided for the actions of the Spaniards. In the early 1500's, the Spanish jurist Juan Gines de Sepulveda elaborated upon Aristotle's doctrine that some men are by nature inferior to others, and that some men are born for slavery. In effect, seeking to justify the actions of the Spanish in the Americas, Sepulveda said at one point in a famous debate:

The bringing of iron alone compensates for all the gold and silver taken from America. To the immensely valuable iron may be added other Spanish contributions such as wheat, barley, other cereals and vegetables, horses, mules, asses, oxen, sheep, goats, pigs and an infinite variety of trees. And one of these greatly exceeds the usefulness the barbarians derived from gold and silver taken by the Spaniards. All these blessings are in addition to writing, books, culture, excellent laws, and that one supreme benefit which is worth more than all the others combined: the Christian religion.<sup>8</sup>

Further north, in what is now known as the United States, the British colonist wanted land and labour from the aboriginal peoples. In the early 1600's in Virginia, almost 90% of the Powhatans were killed after rising up against their forced labour to the English (Brown, 1981:3). In New England, a few years later, where the aboriginal peoples had helped the colonists to survive the winter of 1620 in Plymouth, the ever-increasing influx of Europeans pushed the aboriginal peoples off their lands (Ibid :3).

During the next two centuries, the European colonists, in their overflowing numbers, moved west and south, continually forcing the aboriginal peoples to retreat from their traditional lands, or to engage in war to protect those lands. Events were greatly influenced in the nineteenth century by the emergence of the concept of Manifest Destiny in the United States - the idea that "expansion



of the nation, including subjugation of Native peoples, was divinely ordained, that the 'superior race' had an obligation to 'civilize' those who stood in its path" (Johansen and Maestas, 1979:22). A large part of the rationale behind these actions was the desire for the resources found on Indian land. As U.S. Senator Thomas Hart Benton said in 1846:

(Congress must) apprise the Indian that he can no longer stand as a breakwater against the constantly swelling tide of civilization... An idle and thriftless race of savages cannot be permitted to stand at the treasure vaults of the nation which hold our gold and silver . . . The prospector and the miner may enter and by enriching himself enrich the nation and bless the world with the results of his toil (Ibid :24).

The land seizure was accomplished in several ways. Originally, many Indian nations had given up their traditional lands in return for good-sized reservations (Ibid:26). Land hunger by the dominant society still led to the creation in the 1830's of an "Indian Territory" west of the Mississippi to which many thousands of Indian people from the southeast were forced to march (with thousands of them dying on the way) (Brown, 1981:5-8). In the latter half of the nineteenth century, however, as the United States' society crossed into this territory, the federal government signed many treaties, promising "peace, federal protection and annuities" (Johansen and Maestas, 1979:28). The treaties, however, are notorious for their forgeries and their subsequent violations. It was on the basis of broken treaties that most of the Indian nations went to war in the latter half of the nineteenth century (Ibid :28).

Further north, in the area which came to be known as Canada, the dispossession of the aboriginal peoples' from their land took a somewhat different form. From 1713-1779, approximately eight "Peace and Friendship Agreements" were signed between the aboriginal peoples of the Maritimes and the various colonial powers (England and the United States).<sup>9</sup> Although land title was not mentioned, England assumed that it had the right to exercise control over the lands in the Maritimes. Thus, the Royal Proclamation of 1763, because of which future efforts to obtain Indian land had to proceed through the Crown, was thought only to apply to the area west of Quebec. Five years later, however, the Quebec Act of 1774 effectively cancelled the Royal Proclamation, as it incorporated into Quebec all of the eastern Indian hunting grounds mentioned in the Proclamation.<sup>10</sup>

With the Revolutionary War (1775-1783), a significant change occurred within Canada. The United Empire Loyalists greatly increased the population of Quebec and the Maritimes (up by 50%), and this prompted "settlement, development, lumbering, fishing and trade" (Brown and Maguire, 1979:3). The aboriginal peoples' way of life was gradually destroyed, as the game disappeared and the settlers and various industries encroached on traditional Indian lands. The flow of settlers from the United States continued, especially after 1791, into upper Canada (now Ontario) (Ibid:3). As a result of all of these

pressures for land, a vast land surrender scheme was devised which was to see the signing of 483 treaties, adhesions, and land surrenders between 1781 and 1902 (Fumoleau, 1973:18). It is true, of course, as the historian Rene Fumoleau points out, that the aboriginal peoples usually had little choice in the matter. The treaties were generally signed after the "immigrant Europeans" had seized effective control of the lands: in Fumoleau's words, they were "a gentleman's way to take without grabbing" (Ibid:18). The aboriginal peoples, therefore, could either lose their land by a treaty, or lose it without one. In exchange for signing, most aboriginal peoples received "reserves" (held in trust by the Crown), as well as promises of free education and medical care, and cash and groceries, etc. (Ibid:18). As Canadian society spread westward in the early nineteenth century in the quest for farm and ranch land, many treaties were signed to clear the way. In addition, the treaties were often closely linked to the pursuit of resources. For example, the discovery of gold in the Yukon in 1896 brought about Treaty No. 8 in 1889-1900. In 1920, the discovery of oil at Fort Norman brought about the signing of Treaty No. 11, which ceded Indian lands to Canadian society (Ibid:19).

#### THE PRESENT DAY

Thus, the process by which the Indian peoples were dispossessed of their lands is somewhat different in the Canadian case than in that of the United States. At the same time, however, the motives have been quite similar. The quest for land and resources has made it necessary that the lands of the Indian peoples be taken away. This is not only something which happened in the past, but it is a process which goes on today, particularly due to the huge American and Canadian demands for energy. In the United States, the lands of the Indian peoples contain much of the American uranium and coal supply, and American economic and political interests have targeted these lands for exploitation.<sup>11</sup> In Canada, the demands for resource development have caused actions directed at destroying the lands of aboriginal peoples, particularly up north. The quest for minerals in the Nass Valley of the Nishga, for oil and gas in the Northwest Territories, and for hydro-electric power in Quebec (the James Bay project) and many other projects has resulted in tremendous pressures on the aboriginal peoples in these areas to surrender their lands in return for money.<sup>12</sup> Many of these peoples have refused to do so, and have waged battles in courts and the media to prevent the loss of their lands and the ways of life built upon it.

Thus, one of the main characteristics of aboriginal-immigrant European relations over the past five centuries has been the continual dispossession of the lands of the aboriginal peoples. In the quest for resources and land for settlement, the European nations, and later the Canadian and American nations, sought to deprive the aboriginal peoples of one of the central things in their way of life - their lands. The immigrant Europeans had, in effect, no respect for the aboriginal peoples and their way of life. A large part of the problem was the tendency of the immigrant Europeans to regard the aboriginal peoples as inferior beings. Talk of "barbarians" and "savages" was quite common in the early days

of aboriginal-European contact, and is still common today.<sup>13</sup> This attitude made it easier to justify the removal of the aboriginal peoples from their lands, and in removing them, the immigrant Europeans often treated the aboriginal peoples as children. Those "red children" who disobeyed the "white father" were disciplined and, especially in the United States, were often crushed and destroyed.<sup>14</sup>

In what was to become Canada, the British tradition of a "gentler" paternalism held true. Official British policy, from the late 1700's onward, was aimed at three basic things: the protection of the aboriginal peoples from the worst elements of white society; the part that the Crown was to play as the active protector or guardian of the aboriginal peoples; and the introduction of Christianity as one means to "civilize" the aboriginal peoples (Leslie and Maguire, 1978:3). The aboriginal peoples, in other words, were to be protected, guarded and "civilized" as they became more "grown-up" (or assimilated) through the adoption of European ways. Even among prominent Europeans, there was the notion that North American aboriginals were so limited in human development potential as to preclude "civilizing" them. In 1856, for example, Lieutenant-Governor Bond Head advocated this approach:

The greatest kindness we can perform towards these intelligent, simple-minded people is to remove and fortify them as much as possible from all communication with the whites (Ibid:15).

Writing several years later in 1841, the Governor-General, Lord Sydenham, criticized the attempts of those in the colony who tried to bring the aboriginal peoples into the dominant society. He stated that an aboriginal person, when brought into white society

loses all the good qualities of his wild state, and acquires nothing but the bias of civilization. He does not become a good settler, he does not become an agriculturalist or a mechanic. He does become a drunkard, and a debaucher and his females and family follow the same course. He occupies valuable land, unprofitably to himself and injurious to the country. He gives infinite trouble to the Government and adds nothing either to the wealth, the industry, or the defense of the province (Ibid:16).

Generally, though, the prevalent attitude was that the aboriginal peoples could successfully be assimilated, that they could become "agriculturalists" and "mechanics". In the meantime, laws were needed to protect their lands and villages from white trespassers and squatters, to prohibit the selling of liquor to them, to prevent the aboriginal peoples from pawning or exchanging their goods for liquor, etc. (Ibid:17). These various laws to protect, guard, and at the same time civilize the aboriginal peoples were summarized in the 1876 Indian Act, the ideas of which remain in force in Canada today embodied in the 1951 Indian Act (Ibid:60).

The subsequent history of aboriginal-immigrant European relations shows that the Canadian government has pursued this goal of assimilation (or "integration") up to this day. The retention of the Indian Act is the most obvious example of attempts at assimilation. Included in this process are also the various attempts of government to encourage, and sometimes compel, aboriginal peoples towards enfranchisement, and the granting of a small degree of political freedom to those peoples who did "progress" (i.e. the Indian Advancement Act).<sup>15</sup> The direct relationship of these measures and similar ones to the eventual assimilation of the aboriginal peoples is quite clear. In 1920, the Deputy Superintendent-General of the Department, Duncan Campbell Scott, told a Special Committee of the House of Commons in discussions concerning schooling and enfranchisement :

I want to get rid of the Indian problem. Our object is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic and there is no Indian question, and no Indian Department, that is the whole object of this Bill (Leslie and Maguire, 1978:114).

The length to which the federal government was willing to go to accomplish this assimilation can be seen by the institution of arbitrary enfranchisement. Superintendent-General Murphy stated that the government had the obligation to make "the Indian a full citizen . . . [once] he has obtained the final step of advancement which entitles him to the full responsibilities and privileges of citizenship" (Ibid:130). As one commentator notes, this was not much of a change from the previous British policy of providing for "the special protection of the Indians, in his person, his property, his advancement and general well-being" (Ibid:130).

#### MOVES AWAY FROM ASSIMILATION TOWARD "ETHNICIZING"

It was after World War II that a change occurred in the approach to the question of aboriginal-immigrant European relations, a change that was more superficial than substantive. The government was no longer to promote the adoption of the "whiteman's mock of life" (Ibid:130), but instead the government, through the Minister of Mines and Resources, J. Allison Glen, announced that "the Indian . . . should retain and develop many of his Native characteristics, and . . . ultimately assume the full rights, and responsibilities of democratic citizenship" (Ibid:130). This new orientation of government policy towards the aboriginal peoples deeply affected subsequent developments, and it is still prevalent today. The basic difference between this approach and previous ones is the distinction between the aboriginal peoples' cultural lives and their lives as citizens of Canada. The government could afford to encourage the cultural distinctiveness of the aboriginal peoples, for in the spirit of the times, this was consistent with the government's approach to other minority groups. But while acknowledging this cultural diversity, the government has

persisted in emphasizing the integration of the aboriginal peoples into the Canadian polity. The Indian nations would thus acquire a status identical to that enjoyed by other minority immigrant ethnic groups in Canada.<sup>16</sup>

The obvious example of the attempt at integration is the 1969 *White Paper* which sought to repeal the Indian Act, phase out the Department, and to transfer services for aboriginal peoples to the provinces. The government saw aboriginal peoples as facing discrimination and poverty caused by their having different, or special, status.

In the pages which follow, the Government has outlined a number of measures and a policy which it is convinced will offer another road for Indians, a road that would lead gradually away from different status to full social, economic and political participation in Canadian life.<sup>17</sup>

This "full social, economic and political participation in Canadian life" was a polite way of promoting the assimilation of the aboriginal peoples as individuals, while at the same time destroying them as nations. The Penner Report, coming fourteen years later, represents a significant advance in government attitudes towards the aboriginal peoples. However, as was seen at the beginning of this paper, even it must be seen as leading ultimately to assimilation for it seeks to absorb aboriginal peoples into Canada (this time on the latter's terms) and thus denies their nationhood, or their right to political existence.

## GREED AND RACISM

If one looks at the history of aboriginal-immigrant European relations over the past five centuries, it becomes evident that the problem is much more serious than generally admitted. The Penner Report, with its analysis of the problem as "dependency and social disorganization" (Penner:13), is therefore hopelessly inadequate, for it deals with merely a symptom of the real problem. Clearly, the lack of respect that the immigrant Europeans had for the aboriginal peoples as peoples, who had and continue to have a unique way of life, is the main problem. The obvious question is, therefore, why did all this happen?

There are perhaps several ways to answer the question, for there are several reasons as to why things happened as they did. In looking at these reasons, we must look mainly at the Europeans and their descendants who were, as it is plain to see, the aggressors in the relationship. First of all, the dispossession in the quest for land and resources must be seen for what it is - greed. Whether it was the Spanish, with gold or precious stones, or the British, with land, or the Canadians and Americans, with land and more recently energy resources, the desires of the European nations and later their emigrants clearly took priority over the first inhabitants of these lands. In the push for the accumulation of land and resources, their way of life was often destroyed.

One of the things which made this greed so evident in history was the overwhelming tendency to treat the aboriginal peoples as a race that was inferior.

This racism was very widespread, and had serious consequences. The original inhabitants were often regarded as savages who stood in the way of "progress" (i.e. the imposition of European ways), and as such, were often persecuted and destroyed.

The immigrant European societies are today willing to allow the aboriginal peoples to have their "cultural artifacts," but as Bob Overvold, a spokesman for the Dene, has pointed out, such "multiculturalism," which views the aboriginal peoples as just another ethnic culture, is neither applicable nor realistic.<sup>18</sup>

It was largely inevitable that, given the philosophical direction of European societies (and later the Canadian and American ones), what happened to the aboriginal peoples did occur. The greed and racism that so characterized what happened are but the manifestations of a deeper problem — the nature of the differing "worldviews" of the aboriginal and European peoples.

The worldview of the immigrant European society, or "western civilization," is basically characterized by the separation of man from his environment, and the placing of man at the centre of the world of "being" (Vachon, 1979). This man-centred, or "homo-centric" worldview (from *homo sapiens*),<sup>19</sup> in separating man from his environment, has made him superior to it, and this has come about because of the manipulation which man has exerted over his environment (or Nature). For instance, the institution of animal domestication (herding and breeding) meant that man no longer had to rely on Nature for the naturally occurring "reproductive powers of the animal world."<sup>20</sup> Similarly, the development of irrigation meant that man now sought to manipulate the waters for his own benefit, and hence had to pay little attention to the integrity of this other "form of spirit life."<sup>21</sup> The development of irrigation also led to the rise of cities, which meant more exploitation of Nature in order to maintain the very structure of those cities.<sup>22</sup> Stemming from these and other similar origins, the "homo-centric" worldview later found its expression in the Judeo-Christian tradition, where, in Genesis, man is commanded to "have dominion over the earth" (1:28). Likewise, in Greek philosophy, man's environment (or the "world") was regarded as something to ultimately be escaped from — the realm of Ideas was the highest reality.

Thus, the "homo-centric" worldview, which promoted the separation of man from his environment, also promoted, in effect, the domination which man as the superior form of existence could expect to exert. The natural world, at a lower "level" of being, was not of great consequence, and could be exploited to serve the higher purposes of man, whether those higher purposes were expressed in terms of "progress," or something else. According to this logic, as nature was ordered according to a hierarchy of value, therefore there must be a hierarchy of value in mankind itself. Some groups were thus held to be inferior to others: slaves in ancient Greece, blacks in the American South, Jews in Nazi Germany,<sup>23</sup> and aboriginals in immigrant-dominated North America. The interest of the superior could be pursued at the expense and to the detriment of the inferior.<sup>24</sup>

The overwhelming tendency within the homo-centric worldview, because of its emphasis on the centrality of man, and his superiority over his environ-

ment (both creation and other men), is towards domination and control. For instance, in religious terms, "chosen" man is seen as superior to a fallen world, and consequently there is an emphasis upon the otherworldly aspect of man's life. The most familiar example of this is the Christian religion, where, in effect, man dominates not only creation (by virtue of God's command), but also other men. People such as the Christianity missionaries sought, and still seek, to impose the "truths" of Christianity on the "pagans" or heathens."<sup>25</sup>

Politics, in the homo-centric worldview, is also based on conflict and domination. Because some men are above others (race, religion, intelligence, wisdom, etc.), politics consists of the use of physical force or of subtler measures such as majority rule to achieve the best ordering of men's lives (Vachon, 1979: 43). In either case, politics in a homo-centric world involves the imposition of order, be it just for the good of a few, or for the good of the whole. And even the generally desirable concept of emphasizing the "good of the whole" is suspect when one examines the clash between the immigrant Europeans and the aboriginal peoples of the Americas. The good of the whole inevitably meant the imposition of the ways of the domineering European society.

In contrast to the homo-centric European worldview, the North American aboriginal worldview is fundamentally different in that it is not "homo-centric," but "eco-centric."<sup>26</sup> According to the aboriginal worldview, man is not at the center of being, as an individual separate from his environment, but man is seen as an integral part of the environment. The "self", in other words, is made up not only of the individual person, but also of the various elements or parts of being or existence, i.e. the Great Spirit, the spirits, animals, plants and the rest of creation (Vachon, 1979:41). Thus, man is viewed as essentially part of a "community of being," and his part is to find an harmonious place in creation with the other components of the community:

Man's role is less that of reaching "autonomy" than that of achieving "ontonomy" i.e. of collaborating with all beings in the Cosmic Harmony that constitutes his humanity (Ibid :41).

Man's life does not therefore consist of so much rights (over other kinds of being), but more of duties and responsibilities toward the "Great Peace and Harmony" (Ibid :41).

There are many implications of this worldview. Religiously, the aboriginal worldview emphasizes the spirituality of all aspects of life and being. There is little need to distinguish between the sacred and the secular, for all is sacred and secular at the same time. All being is united in the reality of the Great Peace (Ibid:41). This unity of being, in turn, has important consequences for the political realm of life, for spirituality is at the heart of aboriginal politics:

The primary law of Indian government is the spiritual law. Spirituality is the highest form of politics, and our spirituality is directly involved in government. As chiefs we are told that our first and most important duty is to see that the spiritual ceremonies are

carried out. Without the ceremonies, one does not have a basis on which to conduct government for the welfare of the people. This is not only for our people, but for the good of all living things in general (Lyons, 1984:5).

As the emphasis in politics is also part of the overall emphasis on harmony and community according to the aboriginal worldview, there is no room in politics for "might is right" or "majority rule" (or even voting or representation for that matter) (Vachon, 1979:41, 43). What is required is the seeking of consensus through deliberation and cooperation; anything less takes away from the aboriginal way:

The first lesson to be learned when dealing with Indian government is one of patience and one of thoroughness, because there are no short cuts. As soon as you begin to short-cut, you begin to detract from the complete thought and the process for its achievement. This process works through discussion until consensus is reached, not by voting (Lyons, 1984:5).

Leaders are therefore supposed to be those who seek after that consensus, who do not seek their own ends by exerting power over others, but instead serve to "mirror" that Great Peace which exists and of which man is but a part (Vachon, 1979:43). The idea of consensus-seeking extends not only to men, but also to the rest of creation. Young Chief, a Cayuse, would not sign the Treaty of Walla Walla because he did not consider the other components of being as represented in the document:

I wonder if the ground has anything to say? I wonder if the ground is listening to what is said? I wonder if the ground would come alive and what is on it? Though I hear what the ground says . . . . The ground says, the Great Spirit placed me here to produce all that grows on me, trees and fruit. The same way the ground says, It was from me man was made. The Great Spirit, in placing man on earth, desired them to take good care of the ground and to do each other no harm (Deloria, 1978:95).

It is precisely this worldview of harmonious living with all being, of all existence tied up into one unity, that precludes the formation of one of the distinguishing characteristics of the European worldview: the ownership of the land, as one part of the "self" in the aboriginal way, can no more be owned than any other part or component of being (i.e. the spirits, the Great Spirit, the air, etc.). Man's challenge and vocation is to live in harmony with the land as with other parts of being, and to live in thanksgiving, and in guardianship of it (Vachon, 1979:41). The land is shared, not only with other men, but also with the rest of being, and it is cared for in light of future generations.

Thus, the differences in worldviews between the aboriginal peoples and the



immigrant Europeans are vast. One is aimed at domination and control, and the other at harmony and peace. The one uses power and force, the other wisdom and respect. This is not to say, however, that western civilization, because it is characterized by a homo-centric worldview, is altogether bad and corrupt. There are other "threads" in western civilization which point away from homo-centricity. What is indisputable is that western civilization, as it is predominantly known today (and in the past 500 years), is homo-centric, and thus is premised on the idea of domination and control of other men and of creation itself.

The aboriginal, or eco-centric, worldview is premised on something else - on harmony and respect for all life and creation. And when these two worldviews come into contact, immediately problems arise. As Oren Lyons, an Iroquois, has put it:

Today our people have a crisis, and this crisis began when the white man came to this continent. The problem is this: It has been the mandate of our people to look after the welfare of the land and its life. Central to this responsibility is a recognition and respect for the equality of all the elements of life on this land (Lyons, 1984:6).

This "respect" for all elements of life is precisely what is missing from the immigrant European's treatment of the aboriginal peoples. In a homo-centric worldview, there is no room for respect of different peoples such as the aboriginal peoples of the Americas or the lands on which they live. There is, in effect, a fundamental antagonism between the two worldviews, and this antagonism does much to explain the nature of aboriginal-immigrant European relations over the past five hundred years.

Seen from the perspective of conflicting worldviews, the Penner Report, with its bureaucratic solutions such as constitutional entrenchment of the right to self-government, must be seen for what it is: hopelessly inadequate and even misleading. The problem is much more fundamental than the Penner Report, or any other analysis by government, has ever admitted. The existence of the basic difference between the "homo-centric" worldview and the "eco-centric" worldview has profound implications for any just solutions in future aboriginal-Canadian relations. One implication is, for instance, that it is no longer appropriate and fair to talk of aboriginal peoples and their way of life as "primitive", as some people still do today. That kind of talk itself reflects a rather primitive and uninformed level of development. Likewise, it is no longer appropriate to regard the aboriginal peoples as merely another ethnic minority. Such an attitude is much more prevalent today, and it serves as the basis for documents such as the Penner Report, which, despite its rhetoric, does not really ascribe the aboriginal peoples anything more than ethnic status. The aboriginal peoples, to the contrary, have, and represent, a vastly different view of reality than do the descendents of Europeans who now live in Canada - a view of reality that, as mentioned above, conflicts with the prevailing "homo-centric" worldview.

Consequently, it is neither right nor just for Canadians to expect the aboriginal peoples to become "Canadians." That is an expectation of assimilation. This, in turn, has two sets of implications. In the political realm, we must abandon the notion that *our* conceptions of such things as self-government, the public interest and the public order are appropriate for the aboriginal peoples. Once we realize this, then there can no longer be any serious talk of a Penner Report which seeks to impose "self-government" as merely a limited manipulation of political and economic arrangements. Likewise, there can no longer be any serious talk of things like the settlement of land claims in return for money, for the imposition of a cash settlement is just that - an imposition - one that is totally foreign to the aboriginal worldview.

Secondly, it is unjust for Canadians to assume that the aboriginal peoples should follow the prevalent Canadian mode of economic development. If we seriously consider the fundamentally conflicting worldviews of the aboriginal peoples and the immigrant Europeans (i.e. Canadian society), then we cannot in all honesty advocate that the aboriginal peoples can borrow a homo-centric economic system and still remain true to their aboriginal ways. Furthermore, it is that same homo-centric economic system that represents perhaps the greatest threat to the aboriginal way of life. The exploitation, for profit, of the land and the people on it, if continued, will mean the eventual elimination of the aboriginal peoples as aboriginal peoples. Yet it is strange that documents such as the Penner Report seem to take no recognition of these things: the authors are content to recommend measures that will only promote continued exploitation by Canadian economic interests of the aboriginal peoples and their lands. On the contrary, however, the challenge arising out of this paper is the task to find a new arrangement wherein the aboriginal peoples can be assured of the resources for an economy that can sustain them and yet still be consistent with their aboriginal worldview.<sup>27</sup>

Although it is somewhat easy to draw out these logical implications of the conflict between the eco-centric and homo-centric worldviews, it is much more difficult to predict the exact nature of a just relationship between the aboriginal peoples and Canadian society. To reconcile the two conflicting and antagonistic worldviews so that they can co-exist within the borders of one country is an exceedingly difficult problem.<sup>28</sup> Yet if we are aware of the differences between the worldviews, and avoid imposing one upon the other, then, and only then, can work begin to create a just situation. With this "consciousness,"<sup>29</sup> we will then be able to address ourselves to the construction of new institutions and structures which will reflect the respect between the two realities - the aboriginal and the immigrant European - that is necessary if there is ever to be a just solution to the problem.

#### NOTES

1. Although the Special Committee's mandate referred only to the situation of status Indians in Canada, we have generally used the term "aboriginal

peoples" in the paper because, as the situations of the non-status Indians, Metis, and the Inuit are basically the same, the same analysis applies.

2. Canada, *Statement of the Government of Canada on Indian Policy*, 1969 (Ottawa: Government of Canada, 1969), foreword.
3. The Federal government's response to the Penner Report is contained in its Response of the Government to the Report of the *Special Committee on Indian Self-Government* (Ottawa: Indian and Northern Affairs Canada, 1984). The government seems to have quite a positive reaction to the Report, and despite qualifications, is responding "in a substantial way to the terms and spirit of the Special Committee's recommendations" (p. 7).
4. Penner:41. This statement reveals much about the hidden prejudices of the authors of the report. The quotation contains myths concerning "progress", and "democracy" as well as a high level of paternalism and condescension.
5. Penner:41. This quotation again reveals much about the true attitudes of the authors about the whole situation. It can be seen here that the tendency is to blame the victim (i.e. the Indian peoples' lack "self-confidence"), and to suggest that a slight manipulation of some political and economic structures will solve the "problem".
6. Penner:16. This passage reveals how truly limited the Committee's conception of self-government really is. "Indian self-government" does not mean *national government* or national self-determination. It refers to some notion of self-government among those people and on those territories which the colonizers carved out of the aboriginal nations, namely bands and reserves.
7. There were, of course, more fleeting contacts in the centuries before, but Columbus' date marks the beginning of continual contact up until this day. The argument can be made, however, that contact between the two "civilizations" always existed, for there exists today a substantial body of evidence indicating that modern European man originated in the Americas and migrated across the Bering Strait and into Asia and Europe (and not vice versa). See Jeffrey Goodman, 1982.
8. Juan Ginés de Sepúlveda, in Thomas Berger, *Native Rights in the New World: A Glance at History* (a paper presented to the Canadian Ethnology Society, Banff, Alberta, February 24, 1979), p. 2. The debate referred to is the debate between Sepúlveda and the Bishop of Chiapas, Las Casas, at Valladolid in 1550, and centered on whether the Indian peoples were inferior beings or men just as any other European, Greek, or Roman (see pp. 2-6).
9. George Brown and Ron Maguire, *Indian Treaties in Historical Perspective*

- (Ottawa: Indian and Northern Affairs Canada, 1979), p. 48. According to Andrea Bear Nicholas, a prominent Maliseet historian, there were ten treaties signed.
10. Brown and Maguire:2. Again, according to Nicholas, a treaty in 1726 mentioned the King as "rightful possessor," and this was thought by the British to convey effective title. Also, the Quebec Act of 1774 did not apply to the Maritimes as was ascertained by a recent court case.
  11. For a good description of the resource issues facing the aboriginal peoples in the United States, see Johansen and Maestas, *Wasi'chu: The Continuing Indian Wars*. (New York: Monthly Review Press, 1979.)
  12. For a similar description of the situation in Canada, see Hugh and Karmel McCullum, *This Land is Not For Sale: Canada's Original People and Their Land; a Saga of Neglect, Exploitation and Conflict* (Toronto: Anglican Book Centre, 1975).
  13. For an appropriate example of this type of biased thinking, see Douglas Fisher, "The Native Problems in Canada," *The Daily Gleaner* (November 19, 1983), p. 4.
  14. For an excellent description of the whole process of the treatment of the aboriginal peoples as "children," see Michael Paul Rogin, "Liberal Society and the Indian Question," in *Journal of Politics and Society*, Vol. 1 (May, 1971), pp. 269-312. Rogin also has written an entire book on the subject: see *Fathers and Children: Andrew Jackson and the Subjection of the American Indian* (New York: Alfred A. Knoff, 1975).
  15. *Ibid.*, p. 85. The Indian Advancement Act, passed in 1884, provided for a small amount of self-government (i.e. annual election of councillors, regular council meetings, etc.).
  16. Bob Overvold, a Dene, in his *Address to the Ninth Legislative Assembly of the Northwest Territories* (Yellowknife, N.W.T.: Dene National Office, March 11, 1980), makes the point quite clearly: "The Dene are not an ethnic group, we are a nation of people" (p. 5). The Dene, therefore, like other aboriginal peoples, consider themselves to be nations in the broad sense of the term. As Overvold says:

We are a nation of people. We are a nation not as an independent nation-state -- in the sense Canada is a nation-state - but in the sense that we see and declare ourselves to be a nation and meet certain internationally accepted objective criteria: we are a group of people who share a common territory, language, traditions and belief systems. Most of all it is a feeling perceived by our people,

in relation to nationalism, that comes from within. That is, an active sense of belonging together and of being distinct from other groups (p. 4).

17. 1969 White Paper (*Statement of Government of Canada on Indian Policy, 1969*), foreword. Government of Canada, Ottawa.
18. Overvold, "Address to the Ninth Legislative Assembly of the Northwest Territories," p. 5.
19. For similar analyses, see Vachon, "Political Self-determination and Traditional Native Indian Political Culture," and The Hau de no sau nee Address to the Western World, *A Basic Call to Consciousness* (Geneva, Switzerland: Mohawk Nation, Autumn, 1977).
20. Hau de no sau nee address, *A Basic Call to Consciousness*, p. 5.
21. *Ibid.*, p. 6.
22. *Ibid.*, p. 6.
23. The parallel between the Jews and the aboriginal peoples is not far-fetched. As Johansen and Maestas point out in *Wasi'chu*:

Adolf Hitler studied American Indian policy and with twentieth-century technology and absolutist zeal set out to model his concentration camps in part on the Indian reservations of the late nineteenth century . . . (p. 25).

24. In examining the various relationships of superiority/inferiority among humans, it is interesting to recall the words of William Godwin, a seventeenth century writer, in his novel *Caleb Williams* (London: Oxford University, 1970, title page):

Amidst the woods the leopard knows his kind;  
The tyger preys not on the tyger brood;  
Man only is the common foe of man.

25. An excellent and brief review of the history of missionary activity in the Americas is Jean-Guy Goulet's (OMI, Ph.d.), "Liberation Theology and Our Missions in Canada," available through Project North, 80 Sackville St., Room 306, Toronto, Ontario, M5A 5E5. An interesting example of the generous paternalism of much of the current missionary activity towards aboriginal peoples can be seen in Msgr. Roy Carey's "Canada's Native Peoples not really understood, appreciated," The Catholic Church Extension Society, in *The New Freeman*, Vol. LXXXIV, No. 9 (March 3, 1984),

- p. 5.
26. We have coined the term "eco-centric" for lack of a better word. In reality, the eco-system (or ecology) has no centre or most important part. It is a network of interdependencies, which, when interrupted, die.
  27. Included in this process would be the necessity to develop new appropriate technologies consistent with the aboriginal worldview.
  28. The problems of the pollution created by a homo-centric economy alone is enough to disrupt and even destroy the aboriginal way. A case in point is the mercury poisoning at the Grassy Narrows reserve in Ontario. See George Hutchison and Dick Wallace, *Grassy Narrows* (Toronto: Van Nostrand Reinhold, 1977).
  29. This "consciousness" is similar to what is called for in the Hau de no sau nee's *A Basic Call to Consciousness*, which is a devastating critique of Western civilization.

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