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Aboriginal Peoples and Quebec: Competing for Legitimacy as Emergent Nations

RUSSEL LAWRENCE BARSH

Despite the reprieve offered by a narrow "No" vote in the October 30, 1995 referendum on Quebec sovereignty, the political geography of Canada, and indeed the idea of Canada as a nation-state, are still far from settled. Scholars and politicians have forecast everything from Yugoslav-style chaos, to the birth of a uniquely decentralized society which other multiethnic states might do well to emulate. It seems to many bewildered and frustrated Canadians that their country is falling prey to competing ethnonationalisms.

The Parti Québécois remains committed to negotiating independence from Canada. Aboriginal peoples, who comprise a majority in half the territory claimed by Quebec, have stressed publicly that they will not leave Canada willingly. The Acadians of Canada's Maritimes region are debating whether to seek their own independence, attach themselves to Quebec, or remain part of Canada. In Arctic Canada, two new Provinces may soon be created, one in the central Arctic where Inuit are a large majority

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(Nunavut), and the other in the west, where Inuit and Indians comprise just under one-third of the population. In British Columbia, Indian claims to land and local autonomy are in negotiation under the auspices of a provincial Treaty Commission, and a national-level Royal Commission has tabled a report describing Aboriginal peoples as "partners in confederation."

Canada is being reimagined by a rush of high-level negotiations, which are attempting to reconcile the country's ethnic and linguistic fissures through some new association made up of equally-sovereign but dissimilar pieces. This uniquely Canadian political geometry has thus far assumed that the products of elite negotiations will enjoy popular support—an assumption called into doubt by the broad rejection of the Charlottetown Accord in the 1992 constitutional referendum, and by the growing strength of the Reform Party, which opposes any erosion of the power of existing provinces. While it has been said that Canada works better in practice than in theory, moreover, there are reasons to fear that the transformation of Arctic Canada into new provinces will fail, over the next generation, to satisfy Aboriginal demands for meaningful self-determination. There are also reasons to suspect that a peaceful disengagement of Quebec from Canada is impossible, also because of the unsatisfactory resolution of indigenous peoples' status.

In this paper I will focus on competing linguistic and indigenous claims in Quebec, both in relation to developments in northern Canada, and the current international environment for the recognition of such claims.

CANADA'S NORTHERN FRONTIER

Unlike the contiguous United States, where indigenous people live in relatively small enclaves surrounded by non-indigenous majorities, Canada is characterized by a sharp ethnic and linguistic frontier.¹ Although most indigenous and non-indigenous Canadians make their homes within 200 miles of Canada's southern border with the United States, the northern half of Canada has an indigenous majority. Only in the MacKenzie valley (developed since the 1920s for its oil), the Yukon (settled during the 1898 gold rush), and Schefferville in Quebec (the site of Quebec's iron-mining industry) are there large, non-indigenous settlements. The north therefore easily meets the basic conditions of a claim to

self-determination: a contiguous territory that is distinct geographically and ethnically from the society administering it.²

Canada has long appreciated the tenuousness of its national claim to Arctic sovereignty, historically based on Elizabethans' "discovery" of Baffin Island and Hudson's Bay, Stuart grants of "Rupert's Land" to the Hudson's Bay Company, the Company's 1868 surrender of its title to the Empire, and subsequent Victorian imperial legislation allowing the young Canadian dominion to organize a local government in the region.³ Inuit played no role in these early transactions, and it is doubtful that they were aware of them. Canada's actual presence in the region continued to be mainly symbolic—the occasional dispatch of a research ship to show the flag—despite competing Norwegian and Soviet claims.

The Cold War and U.S.-Canadian military cooperation on the "polar frontier" with Moscow brought an end to this laissez-faire approach.⁴ Royal Canadian Mounted Police (RCMP) posts were established near Inuit campsites, and the Inuit were organized into militia companies, rather pathetically armed with World War I vintage Enfield rifles. Americans meanwhile constructed a string of manned radar-stations and airfields, the DEW-Line. Concern for the welfare of Inuit, whose way of life was increasing threatened, as well as interest in strengthening Canadians' physical presence in the Arctic led to measures in the 1950s and 1960s to relocate and consolidate Inuit settlements.⁵ Only then did Canada begin to co-opt Inuit leadership into the formal administration of the territory.

In June 1969, Jean Chrétien, then Minister of Indian and Northern Affairs in the Liberal Government of Pierre Elliott Trudeau, tabled a White Paper on Indian policy that called for the legal evaluation and settlement of claims based on non-fulfillment of treaties, followed by the dismantling of his Department and equal citizenship for Aboriginal peoples.⁶ Indian leaders nationwide responded with a "Red Paper," in which they demanded self-government and full respect for the treaties. Although the White Paper was consequently shelved, Ottawa hastened to settle Northern land claims after a 1973 Supreme Court ruling in which the Justices divided equally and (in the minds of Federal bureaucrats) ominously over whether Indians in British Columbia had residual rights to their unsundered territories.⁷ Then a Quebec judge blocked the James Bay hydroelectric project on the grounds that Cree hunters might still retain land rights. Although hastily overturned on appeal, this ruling nonetheless led to a "compre-

hensive" settlement of Cree rights, the James Bay and Northern Quebec Agreement.⁸

Since 1975, similar agreements have been made covering the entire northern half of Canada. Despite differences in detail they share six elements:

- o In exchange for their original, unceded rights to the territory as a whole, the Aboriginal peoples concerned received statutory title to smaller, scattered parcels totalling roughly one-fifth of the land area.⁹

- o Aboriginal peoples retain hunting, fishing, and trapping rights over some of the lands which are no longer exclusively theirs. In northern Quebec, these harvesting rights cover a much larger area than lands remaining in exclusive Aboriginal ownership.

- o Aboriginal peoples retain mineral rights in certain designated areas only.

- o Cash compensation equivalent to between \$15,000 and \$28,000 per capita (CDN) was paid to Aboriginal peoples for the settlement.

- o Aboriginal peoples are guaranteed a distinct role in governing the territory. This ranges from co-management of wildlife and purely internal self-government in northern Quebec, to regional administration of the entire territory in the central Arctic.

- o Claims agreements are deemed to be treaties under section 35 of the Constitution Act, 1982, and thus cannot be modified without Aboriginal consent, or a constitutional amendment.

In terms of the structure of Canadian confederation, these recent agreements create three politically-distinct regions. Northern Quebec is the first. The agreements made with the Cree, Naskapi and Inuit of this territory acknowledge the jurisdiction of

the province of Quebec, although they also create tripartite (Federal, provincial, indigenous) institutions to co-manage northern ecosystems,¹⁰ and local or municipal governments for each indigenous people. The central Arctic, which has never been included in the boundaries of any province, and where Inuit are a large majority, has been promised entry into Confederation as an eleventh province, Nunavut, in 1999.¹¹ The western Arctic, including the Yukon Territory and parts of the Northwest Territories, is a mixed demographic situation with at least eight distinct indigenous peoples, and non-indigenous people are a majority. A constitutional convention began in January 1995 to design a new government for the western half of the Northwest Territories, and it appears that the result will be a highly-decentralized regime based on linguistic and ethnic regions.

Although it has already been recommended by Ottawa, the entry of Nunavut into Confederation still requires a constitutional amendment, with the consent of "at least two-thirds of the provinces that have, in the aggregate, ... at least fifty per cent of the population of all the provinces."¹² In practical terms this means that Ontario, Quebec, or a coalition of the western provinces can block the emergence of any new northern provinces, or demand political concessions from Ottawa as their price for accepting an increase in the number of provinces. The neo-conservative Reform Party, which emerged from western disaffection with Ottawa, has already complained that new northern provinces would be too costly to govern. Newfoundland has particular reasons to fear a larger Aboriginal voice in governing Canada because it could lead to pressure for land claims settlements and self-government in Labrador, the mineral- and hydroelectric power-rich last hope for Newfoundland's fished-out, logged-out economy. Unless Canadians are preoccupied with Quebec (or post-secession chaos) in 1999, it is likely that Inuit will face stiff resistance.

Assuming that Nunavut is proclaimed as a new province in 1999, it will debut as a *de facto* ethnic polities; however, the Inuit majority will lack constitutional authority to block immigration from southern Canada. Article 6 of the Charter of Rights and Freedoms expressly guarantees the "mobility rights" of all Canadians.¹³ Thus if the new Nunavut government succeeds in raising living standards and promoting industrialization, its Inuit majority will erode, and the ability of Inuit to perpetuate their distinctiveness legislatively will diminish.

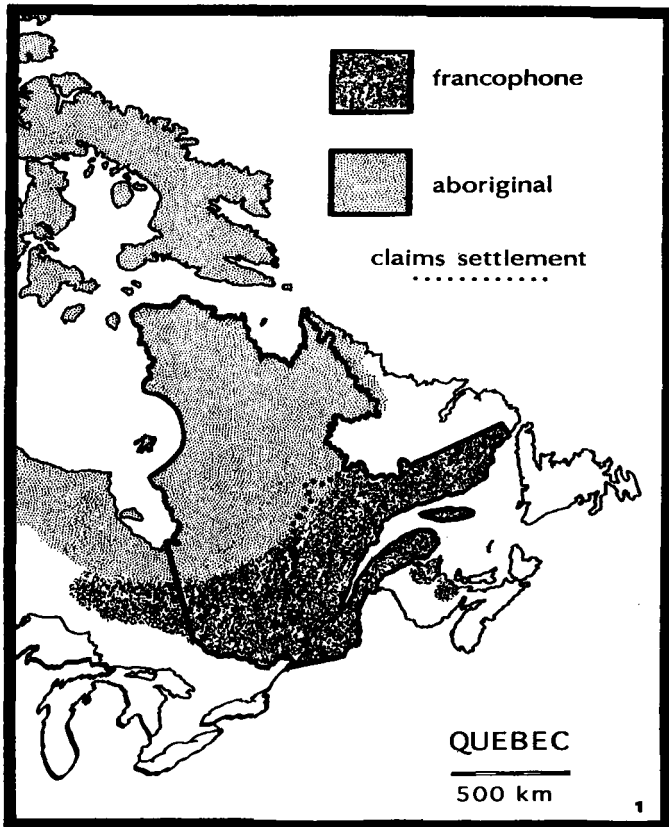
Inuit leaders seem confident that they can maintain control over Nunavut. Inuit prosperity will nevertheless depend on extracting the region's hydroelectric potential, and its reserves of gold, diamonds, uranium, petroleum, tungsten, copper, lead and zinc. Arctic mining is already dominated by U.S., European and Japanese multinationals,¹⁴ and Nunavut may rapidly become a captive of foreign capital. Québécois nationalism originally emerged as a response to growing domination of the province's industry by anglophones. Young Inuit may launch a new wave of Arctic nationalism some day in response to the same forces.

Developments in the north are certain to influence the course of events in Quebec, in any case. If Inuit in the central Arctic achieve provincial status, why not Inuit in northern Quebec? If Dene secure a distinct political role in the new northwestern province, why not the Crees in northern Quebec? Whether or not Quebec remains a constituent part of Canada's federation, it will confront with expectations raised by the restructuring of government in the north.

CANADA'S LINGUISTIC FRONTIER

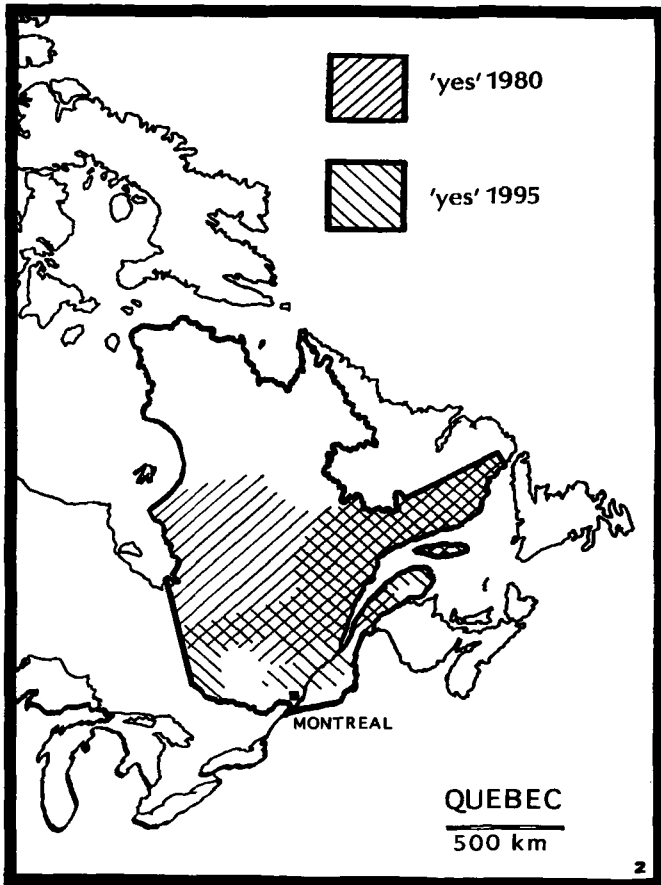
Some argue that Charles de Gaulle started it all in 1967, when he declaimed "Vivre le Québec libre!" from the balcony of Montreal's city hall. The resurgence of linguistic identity and nationalism in Quebec has roots a century ago, however, in the wake of the dramatic effects of industrialization on the lives of Québécois.¹⁵ This transformation was chiefly driven by capital from Toronto and the U.S., hence English became the language of management and finance.¹⁶ Despite the growth of an increasingly dynamic community of francophone capitalists,¹⁷ language became identified with class. By the time the militant Front de libération du Québec (FLQ) launched its bombings and assassinations in 1970, persuading then-Prime Minister Trudeau to declare a state of martial law, respectable Québécois scholars were comparing anglophone economic dominance of the Montreal metropolis with British imperialism abroad.¹⁸

The legitimacy of Québécois nationalism is complicated by several demographic factors (Maps 1 and 2):



Map 1. Ethnic and linguistic geography of Quebec and neighboring Canadian provinces in 1991; the dotted line marks the boundary of the territory covered by the James Bay-Northern Quebec Agreement.

- o The francophone population is concentrated in the southern part of the claimed territory; the northern part is chiefly of Cree and Inuit ancestry.¹⁹
- o The francophone population extends east and west outside of the claimed territory, with large and distinct communities in parts of Nova Scotia, New Brunswick, Ontario and (albeit considerably more dispersed) northern Manitoba.



Map 2. Geographic distribution of electoral ridings voting "yes" (in favor of Quebec sovereignty) in the 1980 and 1990 referenda.

- o Support for independence is mainly concentrated in rural areas. It is weak both in the north, among indigenous peoples, and the southern industrial region dominated by Montreal, which is home to one-third of Quebec's population.²⁰

Although 83 percent of the population of Quebec regard French as their mother tongue, 99 percent of these francophones are concentrated in the southern half of Quebec territory.²¹ The northern half is only 12 percent francophone; most of its widely-

dispersed communities are Cree and Inuit.²²

Regarding the second factor, 86 percent of Canadians who consider French their mother tongue live in Quebec.²³ The remaining francophone population—nearly a million people—is mainly concentrated in Ontario and New Brunswick, close to southern Quebec. This includes 70 percent of all Canadians who identified themselves as “Acadians” in 1991,²⁴ as well as 95 percent of those who identified themselves as “Metis”.²⁵ Acadians comprise less than 1 percent of francophones, but they have even older roots on this continent than Québécois,²⁶ and a more tragic history of official persecution by the British Empire. Their distinct French dialect, poignantly captured in the works of Acadian playwright Antonine Maillet, represents the culture imagined by most francophone Europeans when they think of Canada.

As for the Metis, their roots are partly French, and many speak a language—*Mitchif*—which is largely a creole of French and Algonquian languages. While they regard themselves as an Aboriginal nation, and indeed as the only uniquely Canadian Aboriginal society,²⁷ they retain historical and linguistic ties with the francophone Indian nations in Quebec. Thus the independence of the territory of Quebec would divide the small but dynamic world of Aboriginal francophones.

Quebec is unusual, however, insofar as its territorial boundaries contain both distinctly anglophone and francophone Aboriginal peoples. The Wabanaki and Haudenosaunee Confederacies were allies of France in the 17th century, but accepted British protection after the surrender of French Montreal. Today they are predominantly anglophone, although their native languages are still spoken and contain many French words. The Huron-Wendat Confederacy and central Algonquins were more strongly integrated into French settlements, and retained French linguistic and cultural affiliations. Farther north, the Crees and Inuit traded from the start with the Hudson’s Bay Company rather than French posts, and today are primarily native-speakers and secondarily anglophone.

Aboriginal Quebec can therefore be divided like Caesar’s Gaul in three parts. The Gaspé Peninsula (*Mikmaq*) and the banlieu de Montreal (*Mohawk-Haudenosaunee*) are anglophone but with very old family, ethnic and linguistic ties to the Acadians and original habitants. The north is also anglophone, with no historical ties to Quebec. The balance of central and southern Quebec is home to Indian nations with an unbroken francophone tradi-

tion.²⁸

In strategic terms, this means northerners feel most alienated by Québécois nationalism and are most opposed to separation. This can be seen in the deteriorating relations between the Quebec Crees and Parti Québécois. As for Mi'kmaq, they are jealously Catholic, share a major Quebec Catholic shrine (St. Anne de Beaupré) with francophone Indians, and recently renewed their cultural relationship with Acadians. There is concern that Quebec's independence will divide the Mi'kmaq nation, however, with three Gaspesian reserves in Quebec, and the remaining 25 communities in what was left of Canada. Similarly, the Mohawks of the Montreal region are motivated as much by unwillingness to be separated by yet another international boundary as by mistrust of the motives of a *Péquist*e government.²⁹ Francophone Indians like the Huron have been most receptive to nationalist overtures. They are concentrated in the vicinity of Quebec City, a *Péquist*e stronghold. Nonetheless, they are outspoken in their support of *Péquist*e recognition of Aboriginal self-government as a precondition for cooperation.

The third factor is of major strategic importance, since it means that an independent Quebec would depend on raw materials and industry from regions that are not especially supportive of independence. Jane Jacobs observes that Quebec, like the rest of Canada, is accustomed to powering its economic growth through natural-resource booms and is too dependent on raw materials and cheap energy.³⁰ Raw materials account for just under one-half of all Canadian exports,³¹ a situation shared by Quebec. Support for independence is strongest in the predominantly francophone rural areas of southern Quebec, moreover, rather than the cosmopolitan industrial region of Montreal, or the mineral-rich north (Map 2).³²

THE LEGAL BASIS OF QUEBEC'S CLAIMS

The southern portion of Quebec's claimed territory, consisting of the St. Lawrence River drainage, was settled under French royal grants and alliances with the original inhabitants. Northern Quebec consists of the eastern watershed of Hudson's Bay, a part of the vast territory granted to the Hudson's Bay Company by the English Crown in 1670, then re-granted to the three-year-old Dominion of Canada in 1870.³³ Under agreements negotiated with

with Ottawa in 1898 and 1912, the province of Quebec annexed parts of this northern territory.

French soldiers and merchants began establishing formal alliances with the indigenous nations of Acadia and the St. Lawrence as early as 1603.³⁴ These early relationships were based on aboriginal protocols. Periodic peace-pact celebrations established and renewed kinship ties, so that the parties could exercise in-law privileges in one another's territories. As the Six Nations chiefs explained to British diplomats a century later, they had neither surrendered their land nor accepted French sovereignty, but merely promised their French allies that they would always "have a mat to sleep on". Strategic marriages, like that of Nicholas Denys among the Mi'kmaq, also helped cement French access to local territories and resources. Although European-style treaties were made beginning in 1665, they were used to defend French claims to a monopoly of the region's trade vis-a-vis Great Britain, and did not contain any specific land transactions.³⁵

When British forces seized control of New France, the territorial status quo was preserved by article 40 of the Articles of Capitulation of Montreal (1760):

The savages, or Indian allies of his most Christian Majesty, shall be maintained in the lands they inhabit, if they choose to remain there: they shall not be molested on any pretence whatsoever for having carried arms, and served his Most Christian Majesty.

This was paraphrased in the definitive treaty of peace signed at Paris three years later, and a Royal Proclamation of October 7, 1763, forbid any British settlements on lands that had not previously been ceded by the Indians. Parliament defined and re-defined the borders of Quebec, in 1774 and 1791, without referring to the rights of indigenous people within those limits. Quebec presumed that it had full sovereignty and dominion within its borders, so defined, and proceeded to survey land, set aside Indian reserves, and make grants to settlers. Until blocked temporarily by a court order in 1974, the province presumed that this authority also extended to the northern region added to its boundaries by Canada's Parliament in 1898 and 1912.

Quebec's modern territorial claims are therefore based on British and Canadian legislation, up to 1912, rather than actual occupation or the consent of Aboriginal nations.

THE *PÉQUISTES* AND ABORIGINAL RIGHTS

Historically, Quebec's francophone leadership has been accused of being conservative and patriarchal,³⁶ which arguably has its roots in the peculiarly French style of exclusive nationalism that emerged in the 19th century.³⁷ Within this political culture, indigenous peoples have long been depicted as as unrepentent "savages" in French-language textbooks, which also have tended to associate French culture with the purported superiority of Christianity.³⁸ There is a perception among contemporary Canadian journalists that the francophone mass media take a negative view on Aboriginal rights and help perpetuate a belief that Aboriginal peoples are an obstacle to sovereignty. Surveys have found less sympathy for Aboriginal rights in Quebec than any other Canadian province.³⁹ The *Péquistes* are therefore trapped between the wisdom of making practical concessions to Aboriginal peoples, and the temptation to use the Aboriginal bogey to galvanize Québécois nationalism.

Aboriginal mistrust of the Québécois leadership, whether Liberal or *Péquist*e, has been fueled by violent confrontations. In June 1981, the Sureté de Québec raided the Mikmaq fishing village of Restigouche on the Gaspé Peninsula, occupying the community for several days with a heavily-armed force nearly as large as the total village population. The official explanation was illegal fishing, but Mikmaq leaders noted that the raid took place just days after Ottawa learned that a Mikmaq grievance had been lodged formally with the UN Human Rights Committee.

Ottawa was flooded with protests from human-rights groups abroad, and the occupation of Restigouche ended without serious injury.

In July 1990, there was a more violent confrontation between the Sûreté and Mohawk "Warriors" at Oka, just west of Montreal, ostensibly over plans to expand a public golf course into a cemetery on disputed land. One policeman died in the initial exchange of gunfire, and the Canadian army was sent in to maintain order. When sympathetic Mohawks from Kahnawake Reserve blockaded the city's Mercier Bridge, thousands of suburban Montrealers rioted and battled police with rocks, bottles, and Molotov cocktails; a caravan of Mohawk refugees was showered with rocks. The Oka incident attracted the official attention of UN human-rights bodies⁴⁰ and convinced Aboriginal people nationwide that Quebec would become the main battlefield of Aboriginal self-

determination.

A public-relations war was meanwhile underway over the proposed expansion of Hydro-Quebec's vast northern hydro-power complex. Quebec premier Robert Bourassa insisted that the multi-billion-dollar project was indispensable for the future economic self-sufficiency of Quebec. The *Péquistes* eventually scuttled the Hydro-Quebec expansion, however, in the face of a Cree-inspired American boycott of Quebec electricity exports.

Quebec nationalists can point to examples of cooperation between Aboriginal peoples and the province. The Algonquins of Barriere Lake entered into an agreement in 1991 to share responsibility for managing the 4,000 square mile La Verendrye Wildlife Reserve. Restigouche, the site of the 1981 confrontation with the *Sûreté*, today manages its own fishery under an agreement with the province. These concessions have not assuaged the concerns of Aboriginal leaders, however, many of whom remember Pierre Trudeau's 1981 remark that, in an independent Quebec, "their goose would be cooked".

Quebec's first Parti Québécois government (1976-1981) attempted a reconciliation of linguistic nationalism with the growing cultural and linguistic diversity of the territory. They spoke of convergence, not assimilation, and of "autant de façons d'être Québécois"—many ways of being Québécois.⁴¹ Linguistic pluralism did not appear to be included in this vision, however. When the *Péquiste* finance minister appealed to the 1978 annual convention of the National Indian Brotherhood (now the Assembly of First Nations) for Aboriginal support, a Mikmaq chief asked him what language Mikmaq children would speak in an independent Quebec. "Le français, bien sûr," was the reply.

With all the good-will in the world, the *Péquistes* cannot ignore the fact that the Quebec economy is dependent on extractive industries based in the north: hydropower from James Bay and Churchill Falls,⁴² iron ore from Schefferville on the Labrador-Quebec border⁴³ and timber from the boreal forests of central Quebec. Electricity, aluminum made with some of that electricity, steel, wood pulp and paper are the main exports to the United States, Quebec's principal trade partner. Hence the feasibility of an independent Quebec turns upon resources on lands claimed by Aboriginal peoples, and on access to American markets.

THE 1995 SOVEREIGNTY REFERENDUM

As Quebec's former *Péquistes* Premier, Jacques Parizeau, made plain during the referendum campaign, the territorial integrity of Quebec is one of the non-negotiable points of the nationalist program. Parizeau himself is a scion of Quebec's francophone financial elite.⁴⁴ Despite overtures to Aboriginal leaders concerning linguistic rights and local self-government within an independent Quebec, he declined to recognize Aboriginal peoples' claims to self-determination, or consider allowing Aboriginal people to vote separately on leaving Canada. This position was underscored when one of the *Péquistes'* key advisors, Daniel Turp, was forced to retract his previously-published opinion that Aboriginal peoples have the same rights under international law as the Québécois.

As soon as the referendum campaign was underway, Cree grand chief Matthew Coon Come publicly refuted the right of an independent Quebec to retain control of northern hydropower facilities.⁴⁵ André Ouellet, the Federal Minister of Foreign Affairs, appeared to endorse the Cree position, leading Québécois nationalists to question whether Coon Come had become "a pawn of Ottawa".⁴⁶ Just days before the vote, moreover, Federal Minister of Indian Affairs Ron Irwin hinted that Ottawa would resist any effort by Quebec to remove Aboriginal peoples involuntarily from Canada.⁴⁷ These remarks contradicted earlier reports by Quebec's leading pro-sovereignty newspaper, *La Presse*, that Ottawa had decided not to defend Aboriginals' right to self-determination.⁴⁸

Cree and Inuit leaders organized their own separate referenda one week prior to the official provincial vote, with results unambiguously in favor of remaining in Canada.⁴⁹ Other Aboriginal nations announced that they would abstain from voting, since sovereignty was an internal affair of the Québécois.⁵⁰

When the results of the provincial referendum were tabulated, the northern communities of Quebec had voted "no," as did much of Montreal and the industrialized southwestern corner of the province (Map 2).⁵¹ This differed very little from the pattern of support for sovereignty in 1980. Ironically, the Aboriginal vote, had it been solidly "yes," would have been large enough to turn the *Péquistes'* narrow defeat into an equally narrow victory.

In his victory speech, the premier planned to stress respect for the rights of Aboriginal peoples, "whose existence as distinct

nations we have recognized," and to promise a guarantee of Aboriginal peoples' "existing rights" in the new constitution, including "a level of self-government equal to or better than" that enjoyed by Aboriginal peoples in Canada.⁵² Legislation already tabled in Quebec's National Assembly would have asserted Québécois sovereignty over the North, however, and restricted Aboriginal peoples' right of self-government to "lands over which they have full ownership."⁵³ Paradoxically, that language would have excluded existing Indian reserves, which are owned by the Federal Crown (i.e., the state) rather than the Indians under current Canadian law. It would also have excluded those parts of northern Quebec over which the Crees and Inuit have special harvesting rights, but not full ownership—92 percent of the Aboriginal lands reserved under the James Bay and Northern Quebec Agreement.

On referendum night, moreover, Parizeau dropped his guard and was candidly ethnocentric. "Let's talk about us," he told his supporters, obviously referring to the Québécois pure laine.⁵⁴ "Don't forget that three fifths of us voted Yes." Reassuring *Péquistes* that "we will end up with our country," Parizeau went on to explain, "It's true we have been defeated, but basically by what? By money and the ethnic vote". Although this gaff resulted in his resignation as premier, it was not without support among Quebec nationalists.⁵⁵

In a prerferendum poll, 30 percent of the respondents said that only francophone votes should be counted.⁵⁶ The months following the referendum have witnessed growing polarization along linguistic lines, including the emergence of a campaign to partition Quebec.⁵⁷ When two influential Federal ministers endorsed partition, Parizeau's successor as Quebec premier, Lucien Bouchard, retorted angrily "We are a people, we are a nation, and as a nation we have a fundamental right to keep and maintain our territory".⁵⁸ "Canada is divisible because it is not a real country," he continued. "There are two people, two nations, and two territories. And this one is ours."

INTERPRETING THE 1995 REFERENDUM

A prerferendum poll conducted by Canada's principal francophone news magazine found that although half of Quebec voters would probably vote for sovereignty, 57 percent of them

felt that Canadian federalism could be satisfactorily reformed, and only 44 percent of them believed that sovereignty was necessary for Quebec to "build a real country".⁵⁹ A large majority (70 percent) agreed with the proposition that Quebec could remain in Canada as long as Canada recognized its character as a "distinct society." It may be inferred that francophones voted "yes" to augment their ability to wring constitutional concessions from the other provinces.

This interpretation is reinforced by a post-referendum poll which indicated that while 61 percent of Quebec voters doubt that federalism as it exists today is flexible enough to respond to their aspirations, and 53 percent feel that Quebec sovereignty would force Canada to make more political compromises, 58 percent would prefer that Quebec remain part of Canada.⁶⁰ Indeed the *Péquistes'* draft sovereignty legislation would have conditioned a declaration of independence on the failure of negotiations with Canada on revised terms of association.⁶¹ Likewise, Parizeau's prepared statement in the event of a "yes" victory stressed his making "a formal offer to Canada for a new economic and political partnership," and downplayed the possibility of independence.⁶² It is doubtful that such an offer would be well received by citizens of the other provinces, however.⁶³

Three factors militate against a significant increase in support for sovereignty in the near future. One is the disproportionate size of Quebec's public debt, which was allowed to continue to grow during the referendum campaign while the other provinces imposed tight fiscal restraints to balance their budgets. As premier, Bouchard is giving a priority to deficit reduction and government austerity, and this will severely test his followers' confidence in the economic viability and social vision of a more independent, sovereign Quebec. A second major factor is the federal government's program to reduce the national debt by trimming transfer payments to the provinces in exchange for greater provincial autonomy in fields such as health and education. While the decentralization of services arguably erodes the core of social rights associated with being Canadian, it also achieves, indirectly, what the majority of sovereigntists have been seeking—greater autonomy for the provinces in the social and cultural fields.⁶⁴ On the other hand, the nationalist leadership in Quebec may succeed in using future economic embarrassments as evidence that separation is the only remaining option to save Quebec from the Canadian economy.

Then there is NAFTA. Ever since it was signed, the United States has used this trade deal aggressively to restrict Canadian imports. A sovereign Quebec would obviously be more vulnerable to American trade pressure than a united Canada, a reality *Péquistes* cannot ignore. The economy of Quebec is too closely tied to the United States to consider withdrawing from NAFTA, but NAFTA membership would subject a sovereign Quebec to intense American demands for concessions in areas central to the entire Québécois project, such as mass media and cultural policy.

In any event a future referendum victory, while conceivable, will resolve nothing. As Laval University political scientist Jean-Pierre Derrienic has forcefully argued, anything less than a unanimous "yes" vote will set the stage for severe ethnic fractures in Quebec, because "no" voters will probably resist the loss of their rights as Canadian citizens.⁶⁵

THE INTERNATIONAL ENVIRONMENT

Fearful of a "precedent," the majority of Member States of the United Nations will adopt the same attitude as the Canadian government. To believe otherwise is to live in a fool's paradise.⁶⁶

Assessing the climate for international diplomatic recognition of Quebec barely twenty years ago, Québécois nationalist Pierre Vallières concluded that Canada had too many friends abroad—and too many Member States had embarrassing ethnic skeletons in their own closets. In more recent years this situation has changed, however, due to a variety of factors including the end of the Cold War, the resurgence of European nationalisms, and intense Canadian, Québécois and Aboriginal diplomacy with Europe and the United Nations.

The Trudeau government not only established official bilingualism in Canada, but tried to strengthen Quebec's stake in Canadian politics by increasing the proportion of francophones in Cabinet and recruiting more francophones into federal departments. This brought a generation of Québécois nationalists into the foreign service, at about the same time that Quebec's first PQ government was demanding a distinct voice in foreign policy. It became customary for representatives of Quebec to accompany

Canadian diplomats to international meetings, and conduct their own business with other governments. After the *Péquistes* gained power in Quebec in 1994, they demanded the right to meet with foreign leaders, unaccompanied. This was principally symbolic, however, since the distinction between representatives of Canada and Quebec has been blurred for more than a decade.

The Québécois presence in Canadian diplomacy has had an impact on new international standards for the protection of indigenous peoples. Ever since Brian Mulroney—an anglophone Quebecker—succeeded as Prime Minister in 1984, Canada has opposed the efforts of indigenous peoples to win United Nations recognition of their right to self-determination while studiously declining any official comment on the right of Quebec to secede.⁶⁷ Although some Federal ministers dropped hints about the possible partition of Quebec after the narrow victory of the “no” side in the October 1995 referendum, Canadian diplomats have not been given new instructions on the issue of indigenous self-determination.⁶⁸

Quebec has meanwhile taken its case directly to La Francophonie, the community of francophone states, to the francophone nations of the European Community,⁶⁹ and to Washington. Officially, European nations abstain from interfering in Canada’s internal affairs; privately, the understanding in diplomatic circles is that European recognition of an independent Quebec is assured. Officials in the U.S. State Department have hinted informally that they would not take kindly to independence because it would require a restructuring of NAFTA, and raise questions about the stability of the remainder of Canada. Quebec’s bond ratings have remained stable in the New York market, however, despite the fact that Quebec has a particularly high public debt, and is threatening to secede from the country that has been subsidizing its economy. It may well be that Wall Street’s confidence is of greater interest to Quebec nationalists than anxiety at Foggy Bottom.

Aboriginal peoples have also been busy. The Crees of Quebec have been one of the most visible and assertive indigenous voices at United Nations conferences since the mid-1980s. They have advanced their own claim to self-determination, challenging Canada to defend their rights against Quebec. The UN Human Rights Committee has reviewed complaints against Canada by the Mikmaq Grand Council and the Lubicon Lake Crees, alleging violation of the right to self-determination. The Oka crisis brought

the Mohawks to Geneva, where they became the first of Canada's Aboriginal peoples to win official action by a UN human-rights body.⁷⁰ A Mohawk information office was subsequently established at The Hague. Canada and Quebec were sufficiently embarrassed by these activities to try to counter them through a public-information campaign in European capitols. There has never been a systematic Aboriginal lobby aimed at key members of the UN Security Council in New York, however, and this may prove fatal if Quebec ever seeks UN membership.

In principle, Quebec should be admitted to UN membership with the boundaries it can justify in accordance with international law, and no more. The size, or precise fixing of its territory should not affect its eligibility, but neither should the Security Council assume that a candidate for membership has a legitimate right to the territory which it claims. In practice, nonetheless, the United Nations has paid very little attention to history or demography in such cases. As Michael Pomerance has amply shown, the UN has typically applied the principle of self-determination to arbitrarily-defined territories, rather than peoples, and has generally deferred to the strategic interests of the Permanent Five.⁷¹

SOME RECENT COMPARISONS

When the Yugoslav federation disintegrated, the U.S. and European Community quickly secured diplomatic recognition and UN membership for Slovenia and Croatia, but hesitated in the cases of Bosnia and Kosovo. Muslim diplomats contend that this reflected Western hostility to the emergence of more Muslim states on the flanks of Europe. Some Western observers have suggested that the dismemberment of Bosnia was accepted as the price of appeasing, or at least distracting Serbia, before its well-armed forces spilled over into the rest of the former Yugoslavia and neighbouring Balkan states. Russian patronage of Serbia was also undoubtedly a factor in the sacrifice of Bosnia, since Boris Yeltsin's regime enjoyed a veto in the UN Security Council, as well as a special economic relationship with Germany, increasingly the leading force in both the European Community and in NATO.

In any case, the international community initially recognized the legitimacy of the borders between Bosnia, Croatia and Serbia that were drawn by the Tito government in the 1940s, and continued to pretend to respect and defend these borders until the

course of the war rendered them meaningless. The peacekeeping effort (UNPROFOR) proved incapable of defending so-called "safe havens" such as Srbenica, or the lives of Bosnian leaders convoyed through Serbian-held territories, hampered by artfully ambiguous or restrictive rules of engagement. The partition of Bosnia under the Dayton Accords was a tactical compromise necessary to achieve a ceasefire, rather than an acknowledgment of the rights of Bosnia Muslims and Bosnia Serbs to pursue separate destinies.

The West likewise suffered no doubts about recognizing new states on the Baltic, Black, and Caspian seas after they had seceded from the crumbling Soviet Union. Some of these territories had enjoyed either recognized or de facto independent statehood at some time before 1945, but most of them had simply been organized as constituent provinces or administrative units of the Ottoman or Russian empires, at one time or another. On the other hand, Western powers have treated the secession of some genuine ethnographic entities such as Abkhazia and Chechnya as strictly internal affairs of the Russian Federation, to the extent of tolerating the Russian obliteration of the Chechens' capitol.

At the time of the Russian Revolution, there were some 60 Russian provinces in Europe and Asia Minor, all acquired by force of arms, and barely one-third of these historical territories is independent today. By what logic is Armenia entitled to exercise self-determination, but not Chechnya? Conversely, if the presence of Russian residents in the Crimea is cause for denying the legitimacy or feasibility of a Crimean state, why was this not an issue in the case of Latvia? The answer is unfortunately clear: state-recognition is as much a strategic concern as it was before the adoption of the UN Charter. Western powers have resolved that it will be better to deal with a relatively small number of large, albeit considerably weaker Eastern European states, and thus will tolerate only a limited fragmentation in that region.

Perhaps the most dramatic demonstration of the Security Council's preoccupation with territoriality has been the Kurdish situation. The allied powers confronting Iraq under UN sponsorship created a de facto Kurdish state on the Iraqi side of the Turkish frontier, allegedly as a safe haven for refugees from Iraqi forces, but more convincingly as a military buffer-zone and allied beach-head. Continuing campaigns by Turkish and Iranian forces to extirpate Kurdish rebels, which have led to the obliteration of Kurdish villages over a wide area, have quietly been tolerated by

allied commanders and the Security Council. Indeed, they have encouraged Iraqi Kurds to seal their borders with Turkey, to enable the Turkish army to corner Kurdish fighters, and have tolerated Turkish bombardments of Iraqi Kurd camps. When strategically useful, an unofficial ethnic territory may be diplomatically recognized—even, as in this case, a temporary concentration of refugees which lacks any specific historical character.

The situations in East Timor and Irian Jaya are also instructive. Both exercised their right to self-determination under UN auspices, by choosing independence from Portugal and the Netherlands, and both were subsequently invaded and annexed by Indonesia with tragic results. In the case of East Timor, the Security Council immediately condemned the Indonesian invasion as a violation of the UN Charter and international law, and called upon all Member States to repel Indonesian aggression. There was no Gulf-style allied mobilization, however, and the U.S. was particularly firm in opposing UN intervention. Portugal is now trying to resolve question of East Timor's legal status in the International Court of Justice by challenging the legality of an Australia-Indonesia treaty apportioning oil-exploration rights in Timorese waters.

These are cases of historical territories, previously recognized by the UN, which are denied contemporary UN recognition because of the West's reluctance to reduce its consumption of Indonesian petroleum or confront the powerful Indonesian military.

A STRATEGIC FORECAST

We see, then, that the strategic interests of the main industrial powers continue to determine the application of the principle of self-determination. In the case of Canada and Quebec, U.S. economic policy and security concerns will govern the international response to claims to independent statehood. The U.S. hopes to avoid any disruptions on its vast, largely trouble-free northern border, but might benefit from a peaceful breakup of Canada, resulting in absorption of the remaining pieces. The European Community would also benefit from improved, more direct access to North American resources, which could be facilitated by a closer Franco-Québécois relationship—European neo-colonialism in North America. These considerations suggest that the

Security Council will move swiftly to recognize an independent Quebec.

The U.S. will be more hostile to any effort by Aboriginal nations to disengage from Quebec, lest the precedent encourage similar claims by American Indian tribes. Although supportive of indigenous peoples' rights generally, furthermore, the Nordic countries would also resist any precedent that might be embraced by their own northern indigenous people, the Sami. Nordic concerns for their own territorial integrity would take precedence in the European Community's policy calculations, followed by U.S. arguments that Europeans must respect U.S. primacy in the Americas.

There is nothing new about this inconsistent application of legal principles to strategic territories in North America, however. France lent its support to the Americans in their War of Independence, hoping to break the consolidation of British imperial power on the continent, and then Britain subsequently provided aid to the Confederated States as a final, largely covert effort to regain continental supremacy. At times, Aboriginal nations held the balance of military power and could expect external aid. During the War of 1812-1814, for example, Great Britain recognized the rights of independence of its Indian allies in the American midwest; when it was preoccupied with its Civil War, the U.S. supported the Indians who were resisting the French puppet regime in Mexico City. But the U.S. and Canada cooperated in containing the Sioux under Sitting Bull and the Metis led by Louis Riel's in the late 19th century, and the U.S. and Mexico combined forces in the 1910s to defeat the Yaqui and Apache independence struggles.

Although European states have asserted competing claims to parts of the North American Arctic for more than a century, the right of the original inhabitants to choose their political allegiances has nowhere been advanced in indirect support of their claims.⁷² Doubts have even arisen recently over the popular belief that Canada's removal of Inuit from northern Quebec to the High Arctic in the 1950s was motivated by a desire to reinforce Canadian claims to Arctic sovereignty. Canada's most serious Arctic rival, the U.S., bases its arguments on freedom of the seas rather than Inuit self-determination.

CONCLUSIONS

Northern Canada, where there is an indigenous majority, has until recently enjoyed particularly strong claims to self-determination, and Canada has moved swiftly since the 1970s to legitimize its sovereignty over this region. Northern land-claims settlements are "deemed" to be treaties under Canada's constitution. Canada will argue that they are cessions of any residual indigenous sovereignty, as well as exercises of popular self-determination, choosing integration into the Canadian federal system rather than independent statehood. Unlike the American attempt to settle Alaska's fate through unilateral claims legislation, Canada engaged in face-to-face negotiations with aboriginal leadership and obtained the appearance, at least, of popular ratification. Inuit advocates at international conferences have indeed walked a fine line between asserting their right to self-determination as one people, and respecting the political settlements they have already made. They may take a more aggressive stance in the future, however, should they find themselves unable to maintain majority control of Nunavut, and decline further as a proportion of the population in the western Arctic. Quebec offers a quite different scenario, in which the collective rights of indigenous peoples may be tested again within a year or two, when the *Péquistes* attempt to win a third referendum. Ironically, the northern part of Quebec, with its clearcut Indian and Inuit majority, will face the argument that land-claims settlements have extinguished any right to choose freely whether to remain in Canada or Quebec. The Aboriginal nations of southern Quebec were recognized by treaties with France and Britain centuries ago and have persisted in asserting their unsundered sovereignty, but are embedded demographically within the francophone heartland. While their claims to self-determination might be stronger, in some respects, than those of peoples who have accepted recent land-claims treaties, it is difficult to imagine how they could all be disengaged from Québécois territory in the event of separation.⁷³ If the *Péquistes* fail to achieve some practical detente with these Indian nations, a bitter struggle could ensue, in which I believe the United Nations will hesitate to intervene—except on "humanitarian" grounds—and which Canada would be physically incapable of preventing.

There is one more possibility. Upon gaining independence, Quebec could embrace a program of nation-building, as set out by the chair of the UN's Working Group on Indigenous Populations

in her commentary on the right of self-determination. For practical reasons, she argued, most indigenous peoples would not, or could not seek full independence or statehood. Nonetheless, she argued that "the existing State has a duty to accommodate the aspirations of indigenous peoples through constitutional reforms designed to share power democratically," and in return "indigenous peoples have the duty to try to reach an agreement, in good faith, on sharing power within the existing State." The role of the international community, she suggested, was to facilitate such negotiated transformations. We may hope that Quebec will offer itself as a test case for this option.

NOTES

1. Russel L. Barsh, "Canada's Aboriginal Peoples: Social Integration or Disintegration?" *Canadian Journal of Native Studies* 14(1994):1, 9.
2. Russel L. Barsh, "Indigenous Peoples in the 1990s: From Object to Subject of International Law?" *Harvard Human Rights Journal* 7(1994): 33, 35.
3. Kent McNeil, *Native Rights and the Boundaries of Rupert's Land and the North-Western Territory* (Saskatoon: University of Saskatchewan Native Law Centre, 1982).
4. Russel L. Barsh, "Demilitarizing the Arctic as an Exercise of Indigenous Self-Determination," *Nordic Journal of International Law* 55(1986):208.
5. Royal Commission on Aboriginal Peoples, *The High Arctic Relocation; A Report on the 1953-55 Relocation* (Ottawa: Minister of Supply and Services Canada, 1994).
6. Described and critiques by Harold Cardinal, *The Unjust Society; The Tragedy of Canada's Indians* (Edmonton: M.G. Hurtig, 1969).
7. Sally M. Weaver, *Making Canadian Indian Policy: The Hidden Agenda 1968-1970* (Toronto: University of Toronto Press, 1981); Paul Tennant, *Aboriginal Peoples and Politics; The Indian Land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990).
8. Québec, Conseil exécutif, Secrétariat aux affaires autochtones, *James Bay and Northern Quebec Agreement and Complementary Agreements* (Québec: Bibliothèque nationale du Québec, 1991); Richard Salisbury, *A Homeland for the Cree: Regional Development in James Bay, 1971-1981* (Kingston: McGill-Queen's University Press, 1986); Sylvie Vincent and Garry Bowers, *Baie James et Nord québécois, dix ans après* (Montréal: Recherches amérindiennes au Québec, 1988).
9. The Indians of northern Quebec and the Yukon fared poorest, allowed to retain only 0.8 and 2.4 square kilometres per capita, respectively; while the

Inuit retained from 18.5 to 32 square kilometres per capita, albeit in a region that offers fewer options for development. Keith J. Crowe, "Claims on the land," *Arctic Circle* 1(1992):14.

10. The effectiveness of this co-management arrangement has been placed in doubt by section 50 of the *Constitution Act, 1982*, which guarantees to each province the exclusive control of "non-renewable" resources in its territory. Does this override the entrenchment, by section 35 of the same act, of pre-1982 land claims settlements? This may seem like too clever a legal question, but it will undoubtedly be raised, should Quebec remain in Canada. If Quebec departs, contrariwise, the entire land regime in northern Quebec will probably unravel both *de facto* and *de jure*.

11. Indian and Northern Affairs Canada, *Agreement between the Inuit of the Nunavut Settlement Area and Her Majesty the Queen in right of Canada* (Ottawa: Minister of Indian Affairs and Northern Development, 1993).

12. In accordance with sections 38(1) and 42(1)(f) of the *Constitution Act, 1982*.

13. Section 33 of the *Constitution Act, 1982*, permits the provinces to enact laws "notwithstanding" any provision of the Charter, *except* with respect to the right to vote in Federal elections (sections 3-5), mobility rights (section 6), and the rights of linguistic minorities (sections 16-23).

14. Russel L. Barsh, "Europe's Role in Displacing Native Canadians," in Christian F. Feest, ed., *Indians and Europe* (Aachen: Rader Verlag, 1987), 565.

15. Pierre Vallières, *Négres blancs d'Amérique; Autobiographie précoce d'un "terroriste" québécois* (Montréal: Éditions Parti Pris, 1968).

16. Gerald Bernier and Daniel Sales, *The Shaping of Quebec Politics and Society: Colonialism, Power, and the Transition to Capitalism in the 19th Century* (Washington, D.C.: C. Russak, 1992); Denis Monière, *Le développement des idéologies au Québec: des origines à nos jours* (Montréal: Éditions Québec/Amérique, 1977); Fernand Ouellet, *Economy, Class and Nation in Quebec: Interpretive Essays* (Toronto: Copp Clark Pitman, 1991); Yves Roby, *Les québécois et investissements américains (1918-1929)* (Québec: Presses de l'université Laval, 1976).

17. Arnaud Sales, *La bourgeoisie industrielle au Québec* (Montréal: Presses de l'université de Montreal, 1979).

18. Maurice Saint-Germain, *Une économie à libérer; le Québec analysé dans ses structures économiques* (Montréal: Presses de l'université de Montréal, 1973).

19. Map 1 is based on the data published in Statistics Canada, *Mother Tongue; The Nation*, Cat. No. 93-313 (Ottawa: Minister of Industry, Science and Technology, 1992); Statistics Canada, *Ethnic Origin; The Nation*, Cat. No. 93-315 (Ottawa: Minister of Industry, Science and Technology, 1993); and Statistics Canada, *Language, Tradition, Health, Lifestyle and Social Issues; 1991 Aboriginal Peoples Survey*, Cat. No. 89-533 (Ottawa: Minister of Industry, Science and Technology, 1993).

20. Linda M. Gerber, "Referendum Results: Defining New Boundaries for an Independent Quebec," *Canadian Ethnic Studies* 24(1992):22-34. While it appears on Map 2 that support for independence extended north into the

territory dominated by Aboriginal peoples, this is an artifact of Cree electoral boycotts, leaving the francophone minority of the area to vote unopposed.

21. From data in Statistics Canada, *Ethnic Origin; The Nation*.

22. This north-south linguistic divide was clear in the 1961 national census. Canada, Surveys and Mapping Branch, *National Atlas of Canada* (Ottawa: Department of Energy, Mines and Resources, 1973), 253-4. In subsequent censuses, two relatively small francophone precincts south of the Rupert River (*Mistassini* and *Abitibi*) were consolidated with a principally Cree and Inuit precinct, *Territoire nordique*. *Territoire nordique* was reported to be 56 percent francophone in 1991, but if the two former precincts of *Mistassini* and *Abitibi* are removed, as I have done in Map 1, this falls to 12 percent.

23. This figure is for persons who reported only one mother tongue in the 1991 national census. One in forty Canadians reported two or more mother tongues; 85 percent identified French as *at least one* of their mother tongues. Statistics Canada, *Mother Tongue; The Nation*.

24. Statistics Canada, *Ethnic Origin; The Nation, op. cit.* A majority of these live in northeastern New Brunswick, Cape Breton Island (Nova Scotia), and the Ontario side of James Bay.

25. Derived from the data in Statistics Canada, *Language, Tradition, Health, Lifestyle and Social Issues; 1991 Aboriginal Peoples Survey*.

26. Andrew Hill Clark, *Acadia: The Geography of Early Nova Scotia to 1760* (Madison, WI: University of Wisconsin Press, 1968).

27. Duke Redbird, *We Are Metis; A Metis View of the Development of a Native Canadian People* (Toronto: Ontario Metis & Non Status Indian Association, 1980).

28. Georges E. Sioui, *Pour une autohistoire Amérindienne* (Québec: Presses de l'université Laval, 1989).

29. The Six Nations or Haudenosaunee are presently divided between New York, Ontario, and Quebec, with one reservation (St. Regis/Akewesasne) literally split in two by the international boundary.

30. Jane Jacobs, *The Question of Separatism; Quebec and the Struggle over Sovereignty* (New York: Random House, 1980), 17.

31. Table 1 in Barsh, "Canada's Aboriginal Peoples: Social Integration or Disintegration?" 4.

32. For a more detailed political geography of southern Quebec, see the maps in Gerber, "Referendum results: Defining new boundaries for an independent Quebec."

33. Kent McNeil, "Aboriginal Nations and Quebec's Boundaries: Canada Couldn't Give What It Didn't Have," in Daniel Drache and Roberto Perin, eds., *Negotiating with a Sovereign Quebec* (Toronto: James Lorimer, 1992), 107; Henri Brun, *Le territoire du Québec; Six études juridiques* (Québec: Presses de l'université Laval, 1974).

34. Cornelius Jaenen, "French Sovereignty and Native Nationhood During the French Regime," in J. R. Miller, ed., *Sweet Promises: A Reader in Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991); Bruce G. Trigger, *Natives and Newcomers; Canada's "Heroic Age" Reconsidered* (Kingston:

McGill-Queen's University Press, 1985); Bruce G. Trigger, *The Children of Aataentsic: A History of the Huron People to 1660* (Montreal: McGill-Queen's University Press, 1976).

35. Gilles Havard, *La grande paix de Montréal de 1701: les voies de la diplomatie franco-Amérindienne* (Québec: Recherches amérindiennes au Québec, 1992).

36. Susan M. Trofimenkoff, "Henri Bourassa et la question des femmes," in Marie Lavigne and Yolande Pinard, eds., *Les femmes dans la société Québécoise* (Montreal: Boreal Express, 1977), 109.

37. William Safran, "The French State and Ethnic Minority Cultures: Policy dimensions and problems," in Joseph R. Rudolph Jr. and Robert J. Thompson, eds., *Ethnoterritorial Politics, Policy, and the Western World* (Boulder, CO: Lynne Rienner, 1989), 115; Stephen K. Vincent, "National Consciousness, Nationalism and Exclusion: Reflections on the French case," *Historical Reflections/Reflexions historiques* 19(1993): 433.

38. Sylvie Vincent and Bernard Arcand, *L'image de l'Amérindien dans les manuels scolaires du Québec; ou, Comment les Québécois ne sont pas de sauvages* (Québec: Cahiers du Québec/Hurtubise HMH, 1979); Marcel Trudel and Genevieve Jain, *Canadian History Textbooks: A Comparative Study* (Ottawa: Queen's Printer for Canada, 1970). Compare Remi Savard, *Destins d'Amérique: Les autochtones et nous* (Montréal: L'Hexagone, 1979).

39. Jack Aubry, "Quebecers less sympathetic to aboriginal issues than rest of Canada, poll finds," *The Ottawa Citizen* (28 September 1995): A5.

40. Russel L. Barsh, "The Aboriginal Issue in Canadian Foreign Policy 1984-1994," *International Journal of Canadian Studies* 12(1995):107, 121.

41. Richard Handler, *Nationalism and the Politics of Culture in Quebec* (Madison, WI: University of Wisconsin Press, 1988), 175).

42. Churchill Falls is in Labrador, but is operated under an agreement between Newfoundland and Quebec which guarantees Quebec power at rates that are significantly below production cost—power Quebec has used to attract aluminum producers to the St. Lawrence corridor. Whether this agreement would be upheld in the event of Quebec secession is unclear. There is considerable resentment against Quebec in Newfoundland, and a recent CBC radio-play half-seriously suggested blowing up the Falls as an act of Newfoundland nationalism.

43. Another embarrassment for Newfoundlanders: iron ore from Labrador is shipped by rail to be refined at Quebec's ports on the Gulf of St. Lawrence.

44. Graham Fraser, "Solid achievements mark Parizeau's career," *The Globe and Mail* (1 November 1995):A8.

45. Aaron Derfel, "Crees target James Bay facilities," *The Montreal Gazette* (24 October 1995):A12.

46. Sarah Scott, "Ouellet questions whether borders would stay same if Quebec separates," *The Montreal Gazette* (20 September 1995):A11; Michel Vastel, "Cris... et cuchotements," *Actualité* (1 March 1995):19.

47. Jack Aubry, "Irwin guarantees protection for aboriginals," *The Ottawa Citizen* (28 October 1995):A3.

48. Denis Lessard, "Ottawa coupe les ailes des autochtones," *La Presse de Montreal* (13 October 1995):B1.
49. Jack Aubry, "96% of Inuit vote against sovereignty," *The Ottawa Citizen* (27 October 1995):A4; John Gray, "Creeps vote 96.2% to stay with Canada," *The Globe and Mail* (26 October 1995):A1.
50. Manon Cornellier, "Les chefs autochtones choisissent l'abstention," *La Presse de Montreal* (27 October 1995):A2.
51. Redrawn from Hugh Winsor, "Poll results challenge old notions," *The Globe and Mail* (1 November 1995):A9.
52. "The speech Jacques Parizeau never got to give," *The Globe and Mail* (23 February 1996):A21.
53. "Quebec's bill of divorcement," *The Globe and Mail* (8 September 1995):A19.
54. "We won't wait another 15 years," *The Globe and Mail* (1 November 1995):A8.
55. John Gray, "Bitterness, anger reflect Yes workers' pain of loss," *The Globe and Mail* (1 November 1995):A7.
56. "Le choix des citoyens," *Actualité* (1 November 1995):17, 20. This survey included both francophone and non-francophone voters, hence the proportion of francophones who feel that non-francophones should have no choice in the matter of independence is presumably greater than 30 percent.
57. Tu Thanh Ha, "Partition talk gives Quebec a jolt," *The Globe and Mail* (5 February 1996):A1.
58. Rhéal Séguin, "Cabinet edgy as Bouchard takes over," *The Globe and Mail* (29 January 1996):A4.
59. "Le choix des citoyens," 17.
60. Richard Mackie, "Poll finds Quebecers proud of Canada," *The Globe and Mail* (24 February 1996):A5.
61. "Quebec's bill of divorcement," A19.
62. "The speech Jacques Parizeau never got to give," A21.
63. Pierre Martin, "Association after sovereignty? Canadian views on economic association with a sovereign Quebec," *Canadian Public Policy* 21(1995):53.
64. Ken Dewar, "Who's the balkanizer now?" *The Globe and Mail* (2 March 1995): A19.
65. Jean-Pierre Derrienic, *Nationalisme et Démocratie; Réflexion sur les illusions des indépendantistes québécois* (Québec: Boréal, 1995).
66. Pierre Vallières, *Un Québec impossible* (Montréal: Editions Québec/Amérique, 1977), 66. This author's translation; the original reads: "Par crainte du 'précédent,' la majorité des États-membres des Nations unies adopteront la même attitude que le gouvernement canadien. Croire le contraire, c'est rêver en couleurs."
67. Russel L. Barsh, "The Aboriginal Issue in Canadian Foreign Policy 1984-1994."
68. Russel L. Barsh, "Indigenous Peoples and the UN Commission on Human Rights: A Case of the Immovable Object and the Irresistible Force,"

Human Rights Quarterly [in press].

69. Including Mr. Parizeau's *de facto* state visit to Paris in January, 1995, which culled promises of French official recognition from Paris Mayor Jacques Chirac, and less explicit but equally important signals from other major national leaders.

70. Russel L. Barsh, "The Aboriginal Issue in Canadian Foreign Policy 1984-1994," 122.

71. Michael Pomerance, *Self-Determination in Law and Practice; The New Doctrine at the United Nations* (The Hague: M. Nijhoff, 1982).

72. For a thorough review of international law and practice, see Donat Pharand, *The Law of the Sea of the Arctic, With Special Reference to Canada* (Ottawa: University of Ottawa Press, 1973).

73. The large Mohawk communities in the Montreal area could possibly be included in a partition arrangement that separated this federalist region of Quebec from the staunchly nationalist "eastern townships". However, excising the federalist ridings of the Montreal region would leave the Abenaki, Algonquins, Huron-Wendat, Montagnais, and Mi'kmaq in an independent Quebec.

74. Erica-Irene A. Daes, *Explanatory note concerning the draft declaration on the rights of indigenous peoples*, UN Document E/CN.4/ Sub.2/1993/26/Add.1 (Geneva: United Nations, 1993), 5.