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## **‘Quebec Sovereignty and Indigenous Nationhoods: Critiquing the Quebec Secessionist Movement from “an Indigenous” Lens’**

*Chadwick Cowie*<sup>1</sup>

### Introduction

At the end of 2006, the Harper Conservative government recognized, in the Canadian House of Commons that Quebec was, and is, a nation within a nation.<sup>2</sup> Additionally, in the 2015 federal election, questions surrounding the *Clarity Act* and the New Democratic Party’s *Sherbrooke Declaration* rekindled questions and debates surrounding not only Quebec’s unique place in the Canadian federation but also the potential of Quebec’s right to separate.<sup>3</sup> However, there is an important, but often missing ‘piece of the puzzle’ to Quebec’s right to separate: the rights, self-determination, and territorial integrity of Indigenous nations.

Therefore, the purpose of this article is to assess and critique the Quebec secessionist movement from an Indigenous lens in order to include other contexts and views on the topic from a perspective that is traditionally left to the peripheries of the Quebec secessionist movement. In order to add an Indigenous lens to the discussion of Quebec’s secessionist movement, this article will first review the concepts of sovereignty and self-determination from both ‘*western-centric*’ and Indigenous views. Furthermore, this article will then review the historical formation of French and British settlers and power in what many Indigenous peoples call Turtle

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<sup>1</sup> I am grateful to the editor of the journal as well as the two anonymous peer reviewers for their comments and suggestions.

<sup>2</sup> Chantal Hebert, *French Kiss: Stephen Harper’s Blind Date with Quebec* (Toronto: Vintage Canada, 2008), 3.

<sup>3</sup> William Johnson, “NDP’s Sherbrooke Declaration Makes National Unity an Important Federal Election Issue,” *Montreal Gazette*, 18 September 2015, accessed 28 March 2021, <https://montrealgazette.com/news/national/opinion-ndps-sherbrooke-declaration-makes-national-unity-an-important-federal-election-issue>.

Island, referred to by non-Indigenous peoples as North America, from the 1500s until 1960. Lastly, with the many political, economic, and societal changes from the 1960s and on, this article will critique the competing views of Quebec as a sovereign entity to that of Indigenous nationhoods. This article concludes that for Quebec to truly reflect a decolonized state, the inclusion of Indigenous nations as equal partners with their own sovereignty, and thus their self-determination recognized, must also occur. In order for such recognition to be embraced, however, an understanding of how Western views of sovereignty and self-determination, such as those held within Quebec's political and territorial understandings not only reflect a bias but also do little to acknowledge Indigenous histories or the continued colonization they face from both English-speaking and French Canada.

#### 'Western-centric' Concepts of Statehood vs. Indigenous Understandings

The dominant political understanding of the state has been chronicled and written about throughout the centuries by philosophers, theorists, and academics. Although some of the most important theories and concepts established in relation to the state come from scholars not in political science, such as John Locke and Max Weber, the field has utilized these writings to further our understanding of state development through the history of humankind. Colin Hay and Michael Lister state in *The State: Theories and Issues*, that we rely on individuals like Locke because during the Renaissance, the state, for the first time, was conceived of as 'a distinct apparatus of government which rulers have a duty to maintain and which will outlast their rule, as opposed to an extension of the latter's innate authority.'<sup>4</sup>

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<sup>4</sup> Colin Hay and Michael Lister, "Introduction: Theories of the State," in *The State: Theories and Issues*, eds. Colin Hay, Michael Lister, and David Marsh (New York: Palgrave MacMillan, 2016), 7.

The understandings that would grow from the Renaissance period would, and have had, profound effect on ideas about ‘the state’ and how a state is validated today. However, in recent decades criticism has arisen as both new and old ideas from non-western and non-European theoretical and societal views have grown in prominence. One such example are Indigenous scholars such, as Patricia Monture-Angus and John Borrows, as well as non-Indigenous scholars, such as Michael Murphy and Peter Russell, who have highlighted the problematic and colonial understandings that are espoused through the dominant views of sovereignty and self-determination. However, in order to fully comprehend the criticisms that have been brought forth against traditional concepts of sovereignty, nationalism, and self-determination it is important to highlight their meanings and evolution.

### Sovereignty & Self-Determination of ‘Peoples’

According to Theda Skocpol, a modern state’s ability to succeed requires the support of society.<sup>5</sup> The support and legitimization of a state through societal approval is heavily linked to the concept of popular sovereignty. The notion of sovereignty has been and continues to be linked to liberalist tenets of free-markets (capital), individuality, the rule of law, citizenship, and democratic representation – all of which are traditionally considered major factors in modern-statehood.<sup>6</sup> Popular sovereignty demands that control, power and authority of a state is, and should always be, in the hands of its citizens. As Russell explains, ‘popular sovereignty is a theory of political

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<sup>5</sup> Theda Skocpol, *States and Social Revolutions: A Comparative Analysis of France, Russia, and China*, (Cambridge: Cambridge University Press, 1979); Colin Hay, “(What’s Marxist About) Marxist State Theory?,” in *The State: Theories and Issues*, eds. Colin Hay, Michael Lister, and David Marsh (New York: Palgrave Macmillan, 2006).

<sup>6</sup> John Agnew, “The Territorial Trap: The Geographical Assumption of International Relations Theory,” in *The Journal of Politics*, (1994): 53-54; Douglas North, “A Neoclassical Theory of the State,” in *Rational Choice*, ed. J. Elster (New York: New York University Press, 1986), 249.

obligation which holds that political authority is legitimate and ought to be accepted only if it is derived from the people.<sup>7</sup> This allowed many leaders, and the societies that supported them, as Migdal states, 'to make [a] state, with its particular (often peculiar) boundaries, seem meaningful to a majority, or at least a plurality, of the population.'<sup>8</sup> Therefore, the basis of popular-sovereignty is important to comprehend in relation to the state because it assumes the power and authority of the state are in the hands of the people seeking self-determination.

However, there are additional requirements for the right to sovereignty and self-determination of peoples, which reflect theories proposed by European philosophers, such as John Locke, Emmanuel Kant, Emmerich de Vattel, and Edmund Burke. The theories of Lock, Kant, de Vattel and Burke reflect governing, attaining sovereignty, and obtaining representative government which mimicked state construction in western Europe; Locke, Kant, de Vattel, and Burke believed the western European states defined modernity and civilized society.<sup>9</sup> Therefore, Locke and de Vattel for example, argued that to be a civilized state meant the utilization of land in a productive manner, such as resource-based usage and agriculture, permanent settlements, and following the basic demands of European socio-economic hierarchies and structures, therefore defining Indigenous peoples as uncivilized.<sup>10</sup> In adding the theories of Locke, de Vattel, Kant, and Burke, the concepts and impact of nationalism weaved its way into the belief and rationale of

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<sup>7</sup> Quote taken from Peter Russell, *Recognizing Aboriginal Title* (Toronto: University of Toronto Press, 2005), 7.

<sup>8</sup> Quote taken from Joel Migdal "Researching the State," in *Comparative Politics: Rationality, Culture, and Structure*, eds. Mark Irving Lichback and Alan S. Zukerman (Cambridge: Cambridge University Press, 2009), 171.

<sup>9</sup> Michael Murphy, "Civilization, Self Determination, and Reconciliation," in *First Nation First Thoughts*, ed. Annis May Timpson (Vancouver: UBC Press, 2009); Chadwick Cowie, "Validity and Potential: Dual Citizenship and the Indigenous Vote in Canada's Electoral Process," *Masters of Arts Thesis, Political Studies* (Winnipeg: University of Manitoba, 2013).

<sup>10</sup> Murphy, "Civilization, Self Determination, and Reconciliation."

different ethnic groups consisting of their own nations and thus a right to self-determination and their own states – albeit not for every single ethnic group.<sup>11</sup>

Furthermore, Frederico Lenzerini asserts that, due to Western dominance around the world for centuries, these concepts of sovereignty were adopted in situations of colonization for international law.<sup>12</sup> Therefore, when individuals in various oppressed or colonial populations, like the American colonies, began pressing for their independence, their first step was to assert their sovereignty within the territory they claimed. The control of a territory was key for international recognition. If a group of people were able to obtain control of a territory, such as the American colonists, their legitimacy became harder to ignore – whether the land they claimed had belonged to other peoples whom were deemed less civilized by the logic of individuals like Locke and de Vattel.<sup>13</sup>

Both Alan Cairns and Tom Flanagan support such understandings in relation to the existence of states like Canada and its provinces despite the existence of Indigenous nations and peoples prior to and after colonization and Canada's formation. Cairns and Flanagan released books critiquing Indigenous nationhoods and recognitions alongside Canada in 2000. Cairns' *Citizens Plus* was a retort to The Royal Commission of Aboriginal Peoples (RCAP).<sup>14</sup> Cairns argued that Indigenous peoples, although having additional rights through treaties, could only be labelled as Canadians. Doing otherwise would damage the Canadian federation and its sovereign integrity.<sup>15</sup> Furthermore, Cairns relied on the mindset that Indigenous

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<sup>11</sup> *Ibid.*

<sup>12</sup> Frederico Lenzerini, "Sovereignty Revisted: International Law and Parallel Sovereignty of Indigenous Peoples," *Texas International Law Journal* 42 (2006-2007): 163.

<sup>13</sup> *Ibid.*, 158.

<sup>14</sup> Alan Cairns, *Citizens Plus* (Vancouver: UBC Press 2000); Martin Papillon and Marc Hanvelt, "Parallel or Embedded? Aboriginal Self-Government and the Changing nature of Citizenship in Canada," in *Insiders and Outsiders: Alan Cairns and the Reshaping of Canadian Citizenship*, eds. Gerald Kernerman and Phillip Resnick (Vancouver: UBC Press, 2005), 243-245.

<sup>15</sup> Cairns, *Citizens Plus*; Papillon and Hanvelt, "Parallel or Embedded?", 243-245.

peoples were nomadic, dispersed across Canada, and also intertwined with non-Indigenous peoples and society – whether through marriage, cohabitation, education, policies, employment, and/or services.<sup>16</sup> Thus, although Indigenous peoples were unique in the Canadian context they were still to be recognized only as citizens with additional rights.

Flanagan's work in *First Nations? Second Thoughts* also argued that Indigenous peoples were simply Canadian citizens, but he went further than Cairns in rebuking the idea of self-governance. Flanagan's assessment on Indigenous peoples in relation to Canada is through the logic and theories presented on civilization, governance, society, and production by seventeenth century thinkers such as Locke, Kant, and Vattel. Flanagan argues that Indigenous peoples must embrace the Canadian state and remove themselves from any labels that identify them as different, for the fact is the current status quo has not assisted them.<sup>17</sup> Additionally Flanagan proposes that Europeans were simply another wave of immigrants coming to North America and therefore Indigenous peoples are just an early pattern of immigration.<sup>18</sup> Therefore, Flanagan argues Indigenous peoples have no inherent rights or need to be recognized as 'First' peoples because they were the first wave of immigration to the Americas. According to Flanagan, Canada should therefore only be accountable to Indigenous peoples as citizens of equal standing to other Canadians.

Unfortunately, such views continue the 'western-centric' view of autonomy and self-determination. In doing so, the debate and assessment of autonomy and

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<sup>16</sup> Cairns, *Citizens Plus*; Papillon and Hanvelt, "Parallel or Embedded?", 243-245.

<sup>17</sup> Tom Flanagan, *First Nations? Second Thoughts* (Montreal: McGill-Queen's University Press, 2000), 112-113.

<sup>18</sup> *Ibid.*, 112-113.

self-determination automatically pushes Indigenous nationhoods and theories to the peripheries of such discussions, especially as in that of Quebec secession.

### Critiques of Western Theory in Favour of Indigenous Recognition

If the dominant theories and views on sovereignty, nationhood, and self-determination are narrowly focused on a specific understanding of the state, as highlighted above, the ability to include and properly assess the place of Indigenous nations within, or alongside, states like Canada, they will continue to be misrepresented and/or not heard. In following writings by Cairns, Flanagan, and others expressing similar arguments, both Russell and Michael Murphy have argued that such logic is out of date and reflects Eurocentric views of civilization. Other scholars highlight that not only is such logic out of date, but that there needs to be consideration of the reality that Indigenous peoples were here first and therefore merit inclusion and recognition of such.

For example, Martin Papillon looks at Indigenous self-government and its relation to administration and citizenship. In 2005 Papillon, alongside Marc Hanvelt assessed how self-government should be defined in relation to liberal citizenship and whether or not Indigenous self-determination jeopardized Canada as a federated and sovereign state.<sup>19</sup> In their assessment, Papillon and Hanvelt conclude Cairns' idea of 'citizens plus' would fail because it puts Canadian citizenship and identity before Indigenous identities, all of which are attached to a historical and contemporary understanding.<sup>20</sup> Instead Papillon and Hanvelt argue that the self-governing process must follow that of the Nisga'a<sup>21</sup> which allow them to enter agreements with Canada

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<sup>19</sup> Papillon and Hanvelt, "Parallel or Embedded?", 242, 254.

<sup>20</sup> *Ibid.*, 243.

<sup>21</sup> The Nisga'a are a nation which shares territory with the Canadian Province of British Columbia.



on an 'equal standing.' Therefore, in following the process that the Nisga'a agreement outlined, Papillon and Hanvelt believe in allowing Indigenous peoples to formalize their own agreements and thus become Canadian citizens on their own terms through a democratic process of self-determination. However, such agreements have reflected a substantial loss of territory and agreement that Canadian law was paramount.

Carole Blackburn, in her own assessment, disagrees and highlights the negative impact that have occurred to the Nisga'a. Blackburn concludes that the Nisga'a agreement reflects deregulation, administration, and a neoliberal mindset. In reaching the self-government agreement of the Nisga'a, an important component was that their citizenship code must follow Canadian-specific understandings of citizenship, rather than their traditional concepts.<sup>22</sup> Furthermore, in achieving self-government the Nisga'a would have to follow the rules, stipulations, and laws of Canada while also giving up claims to any land not agreed to be handed over to the Nisga'a in the agreement.<sup>23</sup> Lastly, the land under Nisga'a control was to be utilized for self-sustaining projects that would allow the Nisga'a to enter the economic markets as a self-sustaining entity within the Canadian state.<sup>24</sup> Therefore, the forms of self-determination and sovereignty continued to be administered through a non-Indigenous lens – highlighting the need to include a more thorough understanding of decolonization and Indigenous theories on autonomy.

Additionally, the emergence of decolonization, specifically Indigenous theories and critiques of settler-colonialism bolster arguments presented by Murphy and Russell. In relation to settler-colonialism, Mahmood Mamdani specifies that the term

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<sup>22</sup> Carole Blackburn, "Differentiating Indigenous Citizenship: Seeking Multiplicity in Rights, Identity and Sovereignty in Canada," *American Ethnologist* 36, no. 1 (2009).

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

reflects how, 'a Eurocentric perspective has shaped the contours of an important part of political theory.'<sup>25</sup> By this he means that the history of the formation of modern states such as the United States (US), Canada, and Australia is written from the point of view of the settler populations who landed on the shores of the Americas and Australasia. Indigenous peoples are typically ignored – they have no place in the 'autobiographies,' as Mamdani terms it, of the US, Canada, and Australia. Therefore, the addition of an Indigenous lens is warranted to further deconstruct not only the colonial paradigm but also the colonial mindset within states like Canada.

Haudenosaunee scholar Patricia Monture-Angus and scholar David Wilkins, addressing the need to decolonize the approaches to state power and legitimacy, relate the differences that exist for Indigenous groups in topics such as popular sovereignty, territorial borders, and 'western-centric' concepts of the state.<sup>26</sup> The concept of having control over territory goes against Indigenous philosophies that exist about the Earth being a fellow citizen and thus something one cannot own.<sup>27</sup> Instead, the idea of 'sovereignty,' or self-determination as Monture-Angus terms it, is 'not about ownership of territory in the way that [Western] politicians and lawyers would define those words... [but as referring to] *tewatatha:wi*, [which translates to] we carry ourselves.'<sup>28</sup> Monture-Angus explains that *tewatatha:wi* means that sovereignty is 'a responsibility to carry ourselves: collectively as nations, as clans, as families, as

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<sup>25</sup> Quote taken from Mahmood Mamdani, "Settler Colonialism: Then and Now," *Text of 10<sup>th</sup> Edward Said Memorial Lecture* (Princeton: Princeton University, 2012), 1.

<sup>26</sup> See Patricia Monture-Angus, *Journeying Forward: Dreaming First Nations Independence* (Halifax: Fernwood Publishing, 1999); David Wilkins, "An Inquiry into Indigenous Political Participation: Implications for Tribal Sovereignty," *Kansas Journal of Law and Public Policy* 9, (1999-2000); Patrick Macklem, *Indigenous Difference and the Constitution of Canada* (Toronto: University of Toronto Press, 2001).

<sup>27</sup> Monture-Angus, *Journeying Forward*, 36; Also see John Borrows, "Landed Citizenship: Narratives of Aboriginal Political Participation," in *Citizenship in Diverse Societies*, eds. W. Kymlicka and W. Norman (Oxford: Oxford University Press, 2012); John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010).

<sup>28</sup> Quote taken from Monture-Angus, *Journeying Forward*, 36.

well as individually in a good way...in order to take care of the Earth.’<sup>29</sup> In Monture-Angus’ context of ‘sovereignty,’ it becomes clear that for Indigenous peoples it is more than just a land base, and is about autonomy and control over their own sustainability. Therefore, Indigenous views on land hold far more credibility to Indigenous nations and must be given due recognition or acknowledgement.<sup>30</sup>

Such reflection was highlighted with the introduction and passing of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) which could help with the development of a new understanding between Indigenous nations and modern states. The UNDRIP, as Roderic Pitty and Shannon Smith express, is one of the most important documents that not only represents Indigenous rights but also presents an opportunity to challenge and replace the Eurocentric notions that correlate with our understanding of modern statehood today – such as territorial borders that infringe up traditional groups such as Indigenous peoples who may have existed long before modern-state boundaries.<sup>31</sup> The challenge of modern-state boundaries is an important cornerstone to Indigenous and decolonization critiques of the state. It is the imposition of territorial borders alongside popular sovereignty that convolutes the reality of many modern states: their formation through colonization and the usurpation of Indigenous peoples. To further understand how it pushes Indigenous views to the peripheries, this article will next highlight the establishment of Indigenous/European relations in what is referred to as present-day Canada, and, more specifically, the province of Quebec.

### Five Hundred Years of Contention: Indigenous Nations & European Settlement

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<sup>29</sup> *Ibid.*

<sup>30</sup> Monture-Angus, *Journeying Forward*, 36; Macklem, *Indigenous Difference*, Chapters 3 and 4.

<sup>31</sup> Roderic Pitty and Shannon Smith, “The Indigenous Challenge to Westphalian Sovereignty,” *Australian Journal of Political Science* 40, no. 1, (2011): 125; Also See: Lenzerini, “Sovereignty Revisited,” 155-189.

Quebec's complex and complicated history begins long before France and Great Britain and their settlers came to Turtle Island. Another added layer to Quebec's history predates its existence and reflects the various Indigenous nations whose territory is claimed by the present-day boundaries of the province: Mi'kmaq, Inuit, Cree, Haudenosaunee, Montagnais, and Algonquin, to name a few.<sup>32</sup> It was the aforementioned Indigenous nations that began a nation-to-nation relationship with the French as they slowly moved into their territories in the sixteenth century.

The establishment of both British and French peoples in North America began in similar ways through alliances as well as peace and friendship treaties with the various Indigenous nations, each of which had their own understanding of laws, society, territory, and views of existence. *The Papal Bull* of 1537 stipulated that the Indigenous nations of the Americas were indeed human but not as 'civilized' as that of the Christian nations in Europe. Thus, in order to obtain land, the European nations had a few choices, the most important ones being: 1) outright war and conquering or 2) treaties.<sup>33</sup> However, the stipulations of *The Papal Bull* were not entirely followed in every case.

### The Beginning of a Tarnished Settler/Indigenous Relationship

During the sixteenth century, France laid claim to parts of Turtle Island which extended from present day Quebec to Canada's maritime provinces, as well as into

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<sup>32</sup> Peter Gossage and J. I. Little, *An Illustrated History of Quebec: Tradition and Modernity* (Don Mills: Oxford University Press, 2012), xv; Gossage and Little highlight that at the time of initial European contact, there were "Mi'kmaw on the Gaspé Peninsula; Innu on the North shore of the St. Lawrence as far west as present-day Quebec City; Atikamekw, Cree and Naskapi farther north, and Algonquins in the Ottawa watershed...Finally, there were Mohawk peoples in the St. Lawrence Valley." Gossage and Little, *An Illustrated History of Quebec*, 2-3.

<sup>33</sup> Russell, *Recognizing Aboriginal Title*, 30-50.

the Ohio Valley and down through to present-day Louisiana.<sup>34</sup> While the French sought to establish their prominence in these territories, their meetings with different Indigenous nations required the utilization of alliances and formations of friendships with many of them in order to do so. Further complicating France's movement into Indigenous territories was the fact that the concept of land ownership that existed in Europe was non-existent to Indigenous peoples. For instance, The Haudenosaunee Confederacy moved its villages a few kilometers every ten to fifteen years – highlighting why the sites of Stadacona and Hochelaga were inhabited when first in contact with the French explorer Jacques Cartier but not during his next visit.<sup>35</sup> The French, on the other hand, believed permanent settlement is what granted control and ownership of property on behalf of the sovereign. Conversely, Indigenous peoples did not have a concept of land ownership in the European sense. For many Indigenous peoples, the earth was another living entity to which Indigenous peoples were not only connected but for which they were caretakers, rather than the masters and owners of territory.<sup>36</sup> Despite this fundamental difference in view, the French began their own process of settlement on Turtle Island.

By the 1580s a permanent French settlement was required to ensure a continued supply of furs and other resources back to France. In order to secure the ability to establish a French settlement, a diplomatic gathering was held between the French, Montagnais, Algonquins, and Maliseet around 1603.<sup>37</sup> It was through the aforementioned diplomatic gathering that the French were granted permission to settle with an agreement of military assistance to the Indigenous nations in attendance. In turn, the French were granted the area where the Haudenosaunee

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<sup>34</sup> Gossage and Little, *An Illustrated History of Quebec*, xvii.

<sup>35</sup> Gossage and Little, *An Illustrated History of Quebec*, 4.

<sup>36</sup> Monture-Angus, *Journeying Forward*; Borrows, "Landed Citizenship."

<sup>37</sup> Gossage and Little, *An Illustrated History of Quebec*, 10.

settlement known as Stadacona had once been situated – leading to the establishment of Quebec City.<sup>38</sup> The agreement to support the Montagnais, Algonquins, and Maliseet only brought tension between France and the Haudenosaunee Confederacy and likely the establishment of Quebec City on territory the Haudenosaunee utilized did not ease the tension. In turn, skirmishes between the French and the Haudenosaunee Confederacy were common right through until the latter half of the eighteenth century.<sup>39</sup> Despite the tensions with the Haudenosaunee Confederacy, New France was further expanded with additional settlements established at present-day Trois Rivières and Montreal.<sup>40</sup>

As France continued growing its presence in the ‘new world,’ Great Britain also established its presence on Turtle Island through its thirteen colonies to the south. In doing so, the long-standing feud over territory, resources, and power with France, that had begun in Europe centuries earlier, had found its way to Turtle Island and on to the boundaries of their colonies and their Indigenous allies. Victories by the British led to France’s relinquishment of the majority of Acadia to the British via the 1713 *Treaty of Utrecht* and, following the Seven Years War, all of New France in The *Treaty of Paris* in 1763.<sup>41</sup> Indigenous nations impacted by this decision, as well as others in the region, contested such unilateral claims of territory that Indigenous nations considered to be under their care. This led to disputes and skirmishes, which British and Canadian history refer to as Pontiac’s Rebellion.<sup>42</sup> The skirmishes led

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<sup>38</sup> *Ibid.*

<sup>39</sup> Gossage and Little, *An Illustrated History of Quebec*, 10; Garth Stevenson, “The Politics of Remembrance in Irish and Quebec Nationalism,” *Canadian Journal of Political Science* 37, no. 4 (2004), 910.

<sup>40</sup> Gossage and Little, *An Illustrated History of Quebec*, 21, 47.

<sup>41</sup> Stevenson, “Irish and Quebec Nationalism,” 915-916; Note: Indigenous allies concluded a separate peace with Great Britain. With the fall of Louisbourg in 1758, Canada was left vulnerable from the east as well as the west. Gossage and Little, *An Illustrated History of Quebec*, 54.

<sup>42</sup> Alain Beaulieu, “An Equitable Right to Be Compensated: The Dispossession of the Aboriginal Peoples of Quebec and the Emergence of a New Legal Rationale (1760-1860),” *The Canadian Historical Review* 94, no. 1 (2013): 5; Gossage and Little, *An Illustrated History of Quebec*, 57.

Great Britain to establish an additional agreement that not only affected Indigenous nations but also French subjects in 'British North America.' *The Royal Proclamation of 1763*.

*The Royal Proclamation* established that lands west of the St. Lawrence valley and Appalachian Mountains belonged to Indigenous peoples and thus could not be appropriated without an Indigenous nation agreeing. In addition to Indigenous lands, the proclamation promised an elected legislative assembly in the Canadian colony, although Catholics would not be able to serve due to the oath requiring recognition of the British sovereign as head of the Church.<sup>43</sup> This would be an area of contention for French subjects as the ability to enter the legislative assembly meant only the British elite in the colony could do so, leading to their subjugation and colonization by Great Britain. Additionally, the fact the Proclamation did not reference Indigenous lands in the St. Lawrence Valley was a contentious issue for Indigenous nations like that of member nations within the Haudenosaunee Confederacy.<sup>44</sup> The British, and the government of the Quebec colony, on the other hand, claimed they did not warrant recognition for they had entered the St. Lawrence valley only after the French had already established themselves in the area.<sup>45</sup>

French Canadians and Indigenous peoples again faced an onslaught from the British in the year prior to, and during, the American Revolution as loyalists from the thirteen colonies fled north. Their move to Quebec led to the *Quebec Act* of 1774. The Act looked to keep Great Britain's Quebec colony appeased by reestablishing French civil law alongside English common law, free practice of the Catholic faith as

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<sup>43</sup> Gossage and Little, *An Illustrated History of Quebec*, 59.

<sup>44</sup> Beaulieu, "An Equitable Right to Be Compensated," 3, 4; Note: "Indigenous peoples living in the Saint Lawrence River Valley who had received copies of [the Proclamation] invoked its premise to support their land claims at the end of the eighteenth century and during the nineteenth century." Beaulieu, "An Equitable Right to Be Compensated", 5.

<sup>45</sup> *Ibid*, 8.

well as opening vast tracks of Indigenous lands, guaranteed protected by the 1763 proclamation, for settlement.<sup>46</sup> Additionally the 1783 *Treaty of Paris* was considered an affront to many Indigenous nations for it allowed lands considered to belong to various Indigenous nations to be handed over to settlers who were no longer controlled by the crown that these Indigenous nations had entered agreements with.<sup>47</sup> Such action originally led to widespread discontent amongst Indigenous peoples who could not comprehend how the British, like the French before them, could simply hand over lands that they have called home for millennia to another entity. However, the opposition from Indigenous peoples and their nations continued to be ignored. To further British and settler dominance in the region, Great Britain established the *Constitution Act of 1791*, splitting the Canada colony into two different colonies: Upper Canada and Lower Canada.<sup>48</sup> In doing so, the *Constitution Act of 1791*, as Beaulieu states, ‘marked a significant step in the implementation of a Quebec-specific territorial policy. This event intensified a trend emerging in the Saint Lawrence valley of refusing to negotiate the purchase [and recognition] of [Indigenous] land[s].’<sup>49</sup>

By the end of the eighteenth century, Great Britain had established control in North America and established its control over New France and the French settlers who continued to live within it. In turn, both French settlers and Indigenous peoples faced appropriation and control by Great Britain and British settlers but there was a stark difference between the treatment of French settlers and Indigenous peoples:

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<sup>46</sup> *Ibid*, 10; Gossage and Little, *An Illustrated History of Quebec*, 60.

<sup>47</sup> Beaulieu, “An Equitable Right to Be Compensated”, 11.

<sup>48</sup> Beaulieu, “An Equitable Right to Be Compensated”, 16; Gossage and Little, *An Illustrated History of Quebec*, 61.

<sup>49</sup> Quote taken from Beaulieu, “An Equitable Right to Be Compensated”, 16.



the French settlers were looked at as fellow 'peoples.'<sup>50</sup> In other words, French settlers were considered to be part of the civilized world, albeit not as civilized as the British thought of themselves.

The nineteenth century and the first half of the twentieth century continued British control and expansion on Turtle Island. Although Great Britain had established its control, French Canada did fight back for certain rights such as responsible government. The instigators in the Lower Canada Rebellion of 1838, demanded for more power to the French-speaking liberal professionals.<sup>51</sup> Although some local power was returned to the French-speaking elites, the Lord Durham Report of 1839 pushed for a re-amalgamation of the two Canadas in order to integrate and assimilate French Canadians.<sup>52</sup> Lord Durham expressed the issue of competing races in the Canadian colonies and that a decision had to be made on which race was best to civilize and utilize the vast resources of the territories Great Britain continued to add to British North America – the competing races Lord Durham mentions are French and British.<sup>53</sup> It was clear, from Lord Durham's mindset, that French Canadians needed to be colonized and assimilated but no mention of Indigenous nations and peoples was made. Indigenous nations were not included.

The decision to amalgamate the two Canadas led to constant gridlock in the colonial government. The way forward eventually turned to the idea of a federation of British North American colonies, leading to the establishment of the Dominion of Canada in 1867. The *British North America Act* (BNA Act) of 1867 established a

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<sup>50</sup> Peter Russell, *The Constitutional Odyssey: Can Canadians Become a Sovereign People?* (Toronto: University of Toronto Press, 2005).

<sup>51</sup> Stevenson "Irish and Quebec Nationalism", 912; Gossage and Little, *An Illustrated History of Quebec*, 70.

<sup>52</sup> *Ibid.*

<sup>53</sup> Gossage and Little, *An Illustrated History of Quebec*, 79-82; Caroline Desbiens, "Nation to Nation: Defining New Structures of Development in Northern Quebec," *Economic Geography* 80 no. 4 (2004), 351.

federal state that separated the two Canadas again and established the province of Quebec.<sup>54</sup> In the case of Quebec, the French language was allowed to continue to exist, the province of Quebec obtained its own provincial legislature as well as authority over what it claimed to be its territory, natural resources, and schooling system, to name but a few.<sup>55</sup> Quebec's establishment as a province also continued the persistence of the Catholic church's importance amongst French Canadians and the societal structure within Quebec.<sup>56</sup> Indigenous peoples, on the other hand would be unilaterally relegated to an entirely different standing.

### The Dominion & the 'Indian' Question

The *BNA Act* formally brought into existence the Dominion of Canada and enacted the laws of the new state. Section 91(24) of the *Act* stipulated that the newly formed federal government of Canada had jurisdiction over Indigenous peoples that the British Crown had formulated treaties and relationships with.<sup>57</sup> This was done without consultation with the Indigenous nations. By ignoring Indigenous nations, the Canadian government would eventually pass additional acts that saw the unilateral transfer of lands to the provinces, such as in 1898 and 1912 to Quebec – forming the present-day Quebec boundaries recognized by Canada.<sup>58</sup>

After Canada's formation, the federal government began contemplating effective options to 'civilize' and assimilate Indigenous peoples that they considered being within Canadian boundaries. Tactics used for assimilation by Canada included

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<sup>54</sup> Allan Sherwin, *Bridging Two Peoples* (Waterloo: Wilfred Laurier University Press, 2012), 64.

<sup>55</sup> Russell, *The Constitutional Odyssey*, 31-33.

<sup>56</sup> *Ibid.*

<sup>57</sup> Pam Palmater, *Beyond Blood: Rethinking Indigenous Identity* (Saskatoon: Purich Publishing Limited, 2011), 21.

<sup>58</sup> Laura Schaepli and Anne Godlewska, "Ignorance and Historical Geographies of Aboriginal Exclusion: Evidence from the 2007 Bouchard-Taylor Commission on Reasonable Accommodation," *The Canadian Geographer* 58, no. 1 (2014): 115.

their interpretation of the treaty relationship. This included forced enfranchisement of any Indigenous people that were considered civilized enough to be a part of western society as well as legislation like the *Indian Act of 1876*.<sup>59</sup> The Act would be used as a key component to making Indigenous peoples who were defined within it as wards of the Canadian state.<sup>60</sup> Additionally, the Act effectively lumped those nations defined within it as one entity rather than separate and unique peoples. This began to wash away from the settler psyche the understanding that Indigenous peoples actually comprised many different nations. Additionally, the Act was used as a means to ban traditional systems of Indigenous governance and impose a western system of band governance in order to further integrate them into the developing Canadian state. Lastly, the Act was used to remove children from their communities and families in order to be placed in the residential school system – which was designed to ‘kill the Indian in the child.’<sup>61</sup> The removal of Indigenous children was done to facilitate their assimilation by preventing their parents and community from teaching them their traditional language, laws, and societal structures.

While Quebec benefited from the continued appropriation and silencing of Indigenous nations, it also continued to be at odds with English-speaking Canada over the ongoing power imbalance in favour of the latter. The Conscription Crises of World War I and World War II highlighted a clear division that continued to exist between English-speaking and French Canadians – with English-speaking Canadians believing it their duty to serve the Empire and French Canadians looking

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<sup>59</sup> Palmater, *Beyond Blood*, 21-23; John Tobias, “Protection, Civilization, and Assimilation,” in *Sweet Promises: A Reader on Indian-White Relations*, ed. J. R. Miller (Toronto: University of Toronto Press, 1991), 132.

<sup>60</sup> John Steckley and Bryan Cummins, *Full Circle: Canada's First Nations* (Toronto: Prentice Hall, 2001), 121; Sherwin, *Bridging Two Peoples*, 132; Palmater, *Beyond Blood*, 126, Government of Canada, *Report of the Royal Commission on Aboriginal Peoples* (Ottawa: Canada Communications Group, 1996).

<sup>61</sup> Palmater, *Beyond Blood*, 33.

at the Empire as a colonizer of Quebec.<sup>62</sup> By the 1960s, new forms of resistance against English-speaking Canada would develop in Quebec, as well as from Indigenous peoples towards both Quebec and Canada.

### Quebec Distinctness and Indigenous Nations: The 'It's Complicated' of Canada

Over time, Quebec witnessed political, economic, and social transformations. These transformations included various movements to protect their identity as well as to wrestle control of Quebec from English-speaking elites, heightening the belief in Quebec's distinct society. Thus, according to Peter Gossage and J. I. Little, a central question emerged for Quebec by the twentieth century:

Should Quebecers fully embrace their distinctiveness as a people with a unique history, a deep sense of collective self, and the inherent right – perhaps even the duty – to seek greater autonomy for themselves and their descendants, or are they better served by a narrative of participation, one that encourages them to situate their unquestioned distinctiveness within the eminently Canadian narrative of diversity, pluralism, cooperation, and consensus building across linguistic, ethnic, religious, and territorial divides?<sup>63</sup>

In looking to answer the aforementioned question, many scholars turned to not only a study of Quebec and French Canada's history, but also a comparative lens with other pushes for independence and sovereignty by other groups of people. Unfortunately, a majority of comparative assessments usually contrast Quebec with other entities looking for secession that is represented within the 'western-centric' discourse of sovereignty and self-determination, as highlighted in the first premise. For instance, some have compared Quebec's secession movement to that of the Scottish, Flemish, Catalans,<sup>64</sup> and the Irish republic.<sup>65</sup> For many, a comparison of Quebec's sovereignty

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<sup>62</sup> For more on the former see Jatinder Mann, "'To the Last Man and the Last Shilling' and 'Ready, Aye Ready': Australian and Canadian Conscription Debates During the First World War", *Australian Journal of Politics and History* 61, no. 2 (June 2015): 184-200.

<sup>63</sup> Gossage and Little, *An Illustrated History of Quebec*, xv.

<sup>64</sup> Stephane Dion, "Why is Secession Difficult in Well-Established Democracies? Lessons from Quebec," *British Journal of Political Science* 26, no. 2 (1996): 269-283.

<sup>65</sup> Stevenson "Irish and Quebec Nationalism".

movement to that of that of similar movements adds a comparative understanding. However, Indigenous perspectives highlight it as problematic for it ignores their territorial and historical legitimacy to the same territory that Quebec and proponents of a separate Quebec claim. Such lack of understanding towards Indigenous nationhoods is only further complicated as a majority of the literature on Quebec's secession movement looks at Indigenous peoples as either obstructing development and the Quebecois peoples, or as citizens within the Quebec nation.

### Post-1960s: Québécois Nationalism & Indigenous Resurgence

From the 1960s and onwards, Canada witnessed many transitions and challenges over Quebec's place within the federation as well as the resurgence in Indigenous nationhoods. The resurgence in Indigenous nationhoods would not only cause challenges with Canada but also Quebec's growing claim for separation with land which Indigenous nations also considered to be theirs.

### From Quiet Revolution to 'Modern' Treaties & The First Quebec Referendum

For Quebec, and many Quebecois, the Quiet Revolution significantly altered their views on politics, the state, and the church. Growing dissatisfaction with the Catholic church's control over life, whether private or public, led many in Quebec to turn to the state as a regulator for the future of Quebec and its citizens. There was also a growth in viewing their identity not as French-Canadians but rather Quebecois.<sup>66</sup> Efforts throughout the 1960s and 1970s pushed for Quebec control over territory and industry, such as electricity and natural resource development, as well as legislation

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<sup>66</sup> Schaeffli and Godlewska "Ignorance and Historical Geographies", 115; Stevenson "Irish and Quebec Nationalism", 921-923; Hudson Meadwell, "The Politics of Nationalism in Quebec," *World Politics* 45, no. 2 (1993), 207.

to protect the French language in order to decolonize themselves from English-speaking Canada's control.<sup>67</sup> In doing so Indigenous communities and Indigenous rights advocates condemned such unilateral action by Quebec, as was similarly being espoused towards English-speaking Canada and the US in other parts of Turtle Island.

In turn, Quebec began to ponder answers to their own 'Indian question.' One answer that Quebec implemented was to grant 'citizenship' to Indigenous peoples within Quebec's provincial boundaries in 1969, finally allowing Indigenous peoples to participate in provincial politics – Quebec was the last province to do so.<sup>68</sup> Although Indigenous nations that shared territory with Quebec had similar issues with English-speaking Canada, the reality was that the Indigenous peoples looked at Quebec as being another layer of their own colonization. Thus, the movement towards granting Indigenous peoples' 'citizenship' did not integrate them into Quebec or the Quebecois identity. Another suggested solution was following in Pierre Trudeau's footsteps and pushing for their own form of forced assimilation policy in 1971. The Quebec government proposed that Canada should transfer the jurisdiction of Indigenous peoples within Quebec, to Quebec and allow for them to abolish reservations.<sup>69</sup> In abolishing the reservation system, communities like Kahnawa:ke would become municipalities and their rights as Indigenous peoples would be rescinded, allowing for Quebec's power to be further maximized and an erasure of any enclave not within their jurisdiction.<sup>70</sup> This was rejected by both Indigenous

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<sup>67</sup> Schaeffli and Godlewska, "Ignorance and Historical Geographies", 115; Caroline Desbiens and Etienne Rivard, "From Passive to Active Dialogue? Aboriginal Lands, Development, and Metissage in Quebec, Canada," *Cultural Geographies* 21, no. 9 (2014), 102; Caroline Desbiens, "Nation to Nation", 352.

<sup>68</sup> Caroline Nepton, "To Vote or Not to Vote: Aboriginal Peoples in Quebec to Decide," *CBC*, 2 April 2014, (accessed 28 March 2021), <https://www.cbc.ca/news/aboriginal/to-vote-or-not-to-vote-aboriginal-people-in-quebec-to-decide-1.2594710>.

<sup>69</sup> Schaeffli and Godlewska, "Ignorance and Historical Geographies", 115.

<sup>70</sup> *Ibid.*

peoples and Canada, albeit only Canada's rejection of it mattered because of the views by both Quebec and English-speaking Canada that Indigenous peoples were not granted rights as distinct nations with a continued existence of sovereignty. Despite the aforementioned rejections, Quebec continued to assert its territorial and development rights to territory within the present-day boundaries of Quebec.

The mindset that Quebec could open any territory for natural resource utilization and Indigenous land rights came to a head in the mid-1970s. The Quebec government announced plans in 1971 to build a hydroelectric dam along the 'La Grande' River but had not only done so without an environmental assessment but also without consulting with the local population, a strong majority of which was either Cree or Inuit.<sup>71</sup> In response, as Caroline Desbiens highlights, 'the Crees and Inuit made a legal appeal and received a favourable judgement from Quebec Superior Court Judge Albert Malouf.'<sup>72</sup> Additionally, *Calder et al V. Attorney General of British Columbia* (1973) added support to the Cree and Inuit as it ruled that Indigenous land title was not always extinguished, especially in relation to Indigenous communities who had not formulated treaties or where land usurpation, despite a treaty, had taken place.<sup>73</sup> Therefore, it became clear that Quebec could not pursue development in Cree and Inuit territory, which had been unilaterally transferred into Quebec's boundaries by 1912, without negotiation – challenging the popular perception in Quebec that their 'ethno-national collectivity could achieve sovereignty through exclusive control over territory within its borders.'<sup>74</sup> In order to fulfill the requirements to negotiate, the *James Bay and Northern Quebec Agreement* (JBNQA) was

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<sup>71</sup> Schaeffli and Godlewska, "Ignorance and Historical Geographies", 115; Desbiens, "Nation to Nation", 353; Steckley and Cummins, *Full Circle*, 159-166.

<sup>72</sup> Desbiens, "Nation to Nation", 353.

<sup>73</sup> Supreme Court of Canada. 1973. *Calder et al. V. Attorney General of British Columbia*. Last modified 31 January 1973, <https://scc.lexum.org/en/1973/1973scr0-313/1973scr0-313.html>.

<sup>74</sup> Schaeffli and Godlewska, "Ignorance and Historical Geographies", 116.

formulated in 1975, allowing for not only a settlement over land between the Cree, Inuit, Quebec, and Canada for shared usage but also the protocol for resource development, the building of the hydroelectric dam, as well as the first ‘modern treaty’ between Canada and Indigenous nations.<sup>75</sup>

Following the JBNQA, the provincial election in Quebec in 1976 also brought forth a political shift with the election of the Parti Quebecois (PQ) to government and the promise for further recognition of Quebec’s identity as well as a referendum on separating from Canada.<sup>76</sup> The further establishment of a Quebec identity ‘focused on a new collectivity that was to not solely reflect French ancestry but rather the participation in a common and distinct culture that embraced ethnic differences,’ according to Laura Schaepli and Anne Godlewska.<sup>77</sup> Although many legislative changes to entrench the aforementioned view of a Quebec identity were achieved, the 1980 referendum for a free and independent Quebec failed with over sixty percent of voters saying no.

### Patriation, Mega-Constitutional Debates and the Resistance at Kanehasata:ke

Despite the referendum’s failure, Canada looked to modernize the BNA Act in ways that would make Quebecers feel they were partners in the Canadian federation, to make English-speaking Canadians happy, as well as to introduce a *Charter of Rights*. However, Canada’s promise of constitutional modernization and inclusion that brought forth the *Constitution Act* of 1982 was met with not only disagreement and anger from Quebec but also Indigenous peoples. Quebec continued to demand its identity not only be recognized, but that additional powers be handed over.<sup>78</sup>

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<sup>75</sup> Desbiens and Rivard, “From Passive to Active Dialogue?”, 102; Desbiens, “Nation to Nation,” 355.

<sup>76</sup> Russell, *The Constitutional Odyssey*, 92.

<sup>77</sup> Schaepli and Godlewska, “Ignorance and Historical Geographies”, 116.

<sup>78</sup> Russell, *The Constitutional Odyssey*, 92.



Indigenous peoples wanted proper and full recognition of their rights as nations, and additional rights agreed to within treaties that were signed.<sup>79</sup> Canada, instead of listening to Quebec's demands for protection from assimilation, went ahead and approved the new constitution with the support of the other nine provinces – leading to what is referred to as the 'night Canada stabbed Quebec in the back.'<sup>80</sup> In addition, the inclusion of Section 35 of the Constitution, which recognized existing rights of Indigenous peoples, was entrenched without full consultation and approval from Indigenous nations.<sup>81</sup>

Quebec's anger over the *Constitution Act*, 1982, had many impacts on Quebec's continued push for autonomy and territorial control. In relation to Indigenous nations that Quebec shared territory with, there were amendments made to Quebec's constitutional framework 'to clarify the rights and status of Indigenous people in Quebec.'<sup>82</sup> The amendments put forth in Quebec's National Assembly, in 1985 and 1989 'Recognized the existence of eleven Indigenous nations in Quebec, confirm[ed] existing treaty rights including those outlined in the 1975 James Bay and Northern Quebec Agreement...[as well as for] the government to pursue negotiations with the nations on issues ranging from self-government to economic development.'<sup>83</sup>

Although Quebec's government believed these were a positive movement forward, Schaepli and Godlewska highlight that the language of the motions, however, received objections from Indigenous peoples as it differed significantly from what they agreed to as well as their lack of recognition of Indigenous communities

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<sup>79</sup> Russell, *The Constitutional Odyssey*, 92.

<sup>80</sup> *Ibid.*

<sup>81</sup> Bruce, Halie, "Forward," in *Box of Treasures or Empty Box? Twenty Years of Section 35*, eds. Ardith Walkem and Halie Bruce (Vancouver: Theytus Books Ltd., 2003).

<sup>82</sup> Schaepli and Godlewska, "Ignorance and Historical Geographies", 117-118.

<sup>83</sup> *Ibid.*

not recognized under the Indian Act.<sup>84</sup> Despite these objections from the Indigenous nations that Quebec shared territory with, little discussion and assessment on the 1985 and 1989 proposals within Quebec have occurred. An answer to why little discussion has occurred may very well relate to the mega constitutional discussions that occurred during the late 1980s and early 1990s, the crises between the town of Oka and Kanehasata:ke, as well as Quebec's second referendum on secession.

With a change in Canada's federal government in 1984, the Mulroney government looked to seek changes to the *Constitution Act, 1982*, and obtain Quebec's support for Canada's constitution and the federation. The negotiations centred around five important requirements for Quebec's approval, with one of them being the recognition of Quebec's distinct society.<sup>85</sup> The package of agreed upon constitutional changes by the Mulroney government, with the approval of many of the provincial Premiers, was the *Meech Lake Accord*. However, the Accord failed to obtain full support from Newfoundland and Manitoba by the deadline of 22 June 1990 and thus became non-binding and non-operational.<sup>86</sup> While Quebec looked at the Accord's failure as another example of English-speaking Canada rejecting their identity and unique place within the federation, many Indigenous peoples, organizations, and nations were happy.

Indigenous support of the Meech Lake accord was, for the most part, non-existent for it focused solely on the provinces and Quebec's distinct identity while Indigenous nations were completely ignored. Although the Mulroney government continued to tell Indigenous peoples that the next round of negotiations would focus on their concerns, it was important to first reflect Quebec's needs.<sup>87</sup> Most Indigenous

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<sup>84</sup> *Ibid.*

<sup>85</sup> Russell, *The Constitutional Odyssey*.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*

peoples did not buy the Mulroney governments claims and looked at the Accord as another attempt to ignore Indigenous nationhoods, rights, and jurisdictions.<sup>88</sup>

Therefore, for many Indigenous peoples, the actions of Manitoba New Democrat Party Member of the Legislative Assembly, Elijah Harper, a member of the Cree nation, were celebrated. Harper, during the debate and planned vote on the *Meech Lake Accord* in the Manitoba Legislature, stood up, and expressed he could not support the Accord because of its complete lack of inclusion and recognition of Indigenous peoples.<sup>89</sup> While Indigenous peoples celebrated Harper's act of defiance in support of their rights, Quebec nationalists 'saw in [Elijah] Harper's decision yet another [Indigenous] attempt reminiscent of the James Bay conflict, to impede Quebec's self-fulfillment.'<sup>90</sup>

A second attempt to quell the criticisms from Indigenous people by English-speaking Canada, Quebec, and various rights organizations was the *Charlottetown Accord*, which upon being put to a referendum also failed to obtain the needed support from Canadian voters – with the majority of both Quebecers and Indigenous peoples rejecting it.<sup>91</sup> For many in Quebec it did not go far enough in the recognition they wanted and thus helped stoke the flames and growth of the secessionist movement during the early 1990s as the threat of assimilation grew. As Stephane Dion wrote, 'the fear of assimilation in Quebec...nourishes secessionist support...To the extent that the Canadian federation inspires fear among French-speaking Quebecers.'<sup>92</sup> Following the Accords' failures, the mentality highlighted by Dion was expressed by Lucien Bouchard in his scathing assessment of Canada. Bouchard

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<sup>88</sup> Russell, *The Constitutional Odyssey*.

<sup>89</sup> *Ibid.*

<sup>90</sup> Schaeffli and Godlewska, "Ignorance and Historical Geographies", 116.

<sup>91</sup> Russell, *The Constitutional Odyssey*.

<sup>92</sup> Dion, "Why is Secession Difficult", 276.

expressed that ‘the Quebecois are second-class citizens of Canada and that the [current] constitutional framework of Canada does not allow them to be part of Canada as Quebecois.’<sup>93</sup>

From an Indigenous perspective, there was little trust of the Canadian system to begin with because too much was being done to recognize the rights and jurisdiction of provinces as well as individuals within a Canadian context – as had been done since 1867.<sup>94</sup> In addition, the events of the summer of 1990 between the Quebecois town of Oka and the Mohawk community of Kanehasata:ke only fuelled distrust as well as further and clearer divisions between Quebec and Indigenous nations.

The summer of 1990 witnessed another example of Quebec’s belief in territorial integrity and Indigenous territorial integrity coming to a head – this time in the St. Lawrence valley. The town of Oka decided to approve the extension of a golf course, despite objections from the Mohawks of Kanehasata:ke, who have consistently argued that they never relinquished the land in question – land which had significant cultural, historic, and societal importance to them.<sup>95</sup> The stalemate led to an influx of other Mohawks and Indigenous peoples to assist those in Kanehasata:ke to blockade the area the town of Oka would develop. In turn, the Quebec government called in the Surete du Quebec<sup>96</sup> and eventually, via the federal

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<sup>93</sup> Meadwell, “The Politics of Nationalism”, 214.

<sup>94</sup> Russell, *The Constitutional Odyssey*, 2005; Cairns, *Citizens Plus*; Alan Gagnon and Raffaele Iacovino, “Canadian Federalism and Multinational Democracy: ‘Pressures’ from Quebec on Federation,” in *Canadian Federalism: Performance, Effectiveness, and Legitimacy*, eds. Herman Bakvis and Grace Skogstad, (Toronto: University of Toronto Press, 2007), 334-351; Government of Canada, *RCAP*.

<sup>95</sup> Kiera Ladner and Leanne Simpson, “This is an Honour Song,” in *This is an Honour Song: Twenty Years Since The Blockades*, eds. Kiera Ladner and Leanne Simpson (Winnipeg: Arbeiter Ring Publishing, 2010); Peter Russell, “Oka to Ipperwash: The Necessity of Flashpoint Events,” in *This is an Honour Song: Twenty Years Since The Blockades*, eds. Kiera Ladner and Leanne Simpson (Winnipeg: Arbeiter Ring Publishing, 2010).

<sup>96</sup> The Surete du Quebec, also known as the SQ, is the provincial police force for the province of Quebec.

government of Canada, the military, to end the stand-off. Canadians looked at the Indigenous blockade as an affront to the rule of law and an attack against an innocent town.<sup>97</sup> The Mohawk, Haudenosaunee Confederacy, as well as other Indigenous peoples and nations looked at the blockade not only as continued resurgence in nationhoods but also a symbol of resistance to colonization not only by Canada but also Quebec.<sup>98</sup> Many Quebecers looked at it as yet another attack on Quebec and the lack of Canada coming to their defence and bringing to end a threat facing a small Quebec town.

### The Promise of a Royal Commission & The Second Quebec Referendum

Following the failure of both the *Meech Lake* and *Charlottetown Accords*, as well as the resistance at Kanehasata:ke, Quebec went through another political change and elected the PQ back into government, with the promise for a second referendum on Quebec independence. The literature on the process of the Quebec referendum is vast but focuses mostly on the semantics around Quebec's place in Canada and Quebecois' history to English-speaking Canada. Little attention has been traditionally given to Indigenous nations and peoples. While the referendum was a very close vote, with just over fifty per cent voting no, the amount of focus on English-speaking Canada's appeal to Quebecers to stay within Canada was a feat in itself.<sup>99</sup> Various rallies brought Canadians into Montreal to show support for Quebec staying within the federation and Quebec neighbourhoods were littered with signs either supporting federalism or an Independent Quebec.<sup>100</sup> Another clear division that was very

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<sup>97</sup> Ladner and Simpson, "This is an Honour Song".

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*

<sup>100</sup> *Ibid.*

noticeable was the feelings by a majority of Indigenous nations whom shared territory with Quebec.

Although some Indigenous communities may have agreed with the premise of them having a place within an independent Quebec, many did not. This was especially clear when the Cree, Inuit, Innu, and Montagnais communities held their own referendums to see where the support of their members and citizens stood in relation to an independent Quebec. These Indigenous nations were not favourable to being a part of an independent Quebec, with the Cree voting ninety-six per cent against the idea.<sup>101</sup> The Cree referendum, according to Desbiens, raised important issues that seemed to have been largely ignored prior to Quebec's own vote:

If Canada could be divided, so could Quebec...If Quebec seceded, the [Cree] would take the land and resources to which they claimed a legal and historical entitlement and remain in Canada...[W]hat should become of the hydroelectric and overall development infrastructure of the territory to which Hydro-Quebec and the Quebec government, in turn, claimed ownership?<sup>102</sup>

Additionally, Scott Reid highlighted that Inuit leader Sebedee Nungak suggested that: 'If Quebec secedes, it should retain only the territory in the St. Lawrence River valley that had been settled by France prior to the British conquest.'<sup>103</sup> Such points made by Indigenous peoples and leaders did bring forth some discussion and consideration of Indigenous rights, but it continued to be done through a discourse of citizens within Quebec – such as recognition of Indigenous self-government initiatives as part of a larger effort to shift identity focus from 'the notion of plurality to that of citizenship.'<sup>104</sup>

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<sup>101</sup> Scott Reid, "The Borders of an Independent Quebec: A Thought Experiment," in *The Good Society* 7, no. 1 (1997), 12; Desbiens, "Nation to Nation", 361.

<sup>102</sup> Quote taken from Desbiens "Nation to Nation", 361; Also see Dion, "Why is Secession Difficult", 277.

<sup>103</sup> Quote taken from Reid, "The Boarders of an Independent Quebec", 12.

<sup>104</sup> Schaepli and Godlewska, "Ignorance and Historical Geographies", 116.

Quebec's actions did not follow the recommendations outlined by the *Royal Commission on Aboriginal Peoples* (RCAP). RCAP, commissioned by the Mulroney government in 1991 and releasing its final report and recommendations in 1996, suggested actions for the Canadian government to take. RCAP highlighted the tarnished relationship and how the situation stood at the time of the final report's release. Additionally, RCAP denounced the assimilationist policies of Canada and emphasized the need to move forward together as equal partners within the state. Lastly, and most importantly, RCAP recognized the unique place of Indigenous peoples and their nations through the treaty relations and suggested ways to support such recognition – whether through another level of government specifically for Indigenous peoples, or self-determination.<sup>105</sup>

Unfortunately, many of RCAP's recommendations have been ignored, and noticeably absent from the 1998 Supreme Court ruling on Quebec's right to separate. The Supreme Court rejected the assertion that Quebec has a unilateral right to secede from the rest of Canada and that negotiation within the structure of an appropriate constitutional amendment process must occur.<sup>106</sup> In other words, Quebecers do have a right to self-determination if they see fit but there must be an understanding of negotiations required with the rest of Canada for Quebec to become an independent state. Indigenous nations, especially in relation to those who share territory with Quebec, were not included in the equation as separate rights holders but rather as general citizens within Quebec.

### From Plan Nord to Today

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<sup>105</sup> Monture-Angus, *Journeying Forward*, 36.

<sup>106</sup> Allen Buchanan. "The Quebec Secession Issue: Democracy, Minority Rights, and the Rule of Law," *Namos* 45, (2003): 239-241.

Although the events of the 1980s and 1990s had a profound impact on the relationship between Quebec and the Indigenous nations it shares territory with, there were examples of a willingness to negotiate and formulate agreements with them – albeit from the view that Quebec was the dominant entity recognized in the negotiations. For instance, the introduction of the *Plan Nord* in 2008, under the Charest provincial government, looked to open the northern territories to further development and add to the self-sufficiency of Quebec.<sup>107</sup> A ‘Partners Decision Table’ was formulated to include those with stakes in the area looking to be developed, including representatives from the Inuit, Cree, Naskapi, and Innu.<sup>108</sup> However, it quickly became known that the negotiations and ‘Partners Decision Table’ were not established to reflect a nation-to-nation relationship but rather one as different segments of Quebec representing their interests within Quebec. Caroline Desbiens and Etienne Rivard highlighted that:

One Innu representative made a statement where he alluded to a cultural boundary between the Quebecois and the Innus by referring to ‘you’ and ‘us.’ He was quickly put in his place by then Aboriginal Affairs Minister and by the Minister responsible for Plan Nord...Both expressed their moral outrage that this individual would remove the Innus from the collective ‘we’ that had been invited to the discussion table. The forced inclusion of an Aboriginal group into the Quebecois national voice is a strong example one group is more authoritative than the other, which lends it the capacity to silence the minority group.<sup>109</sup>

The quote reflects a view established by Quebec since the 1970s and one that continued to be held through to the most recent provincial election in 2014. The 2014 Quebec election was one that focused heavily on Quebec identity and the integration of newcomers. The Quebec Values Charter, seeking to define the limitations of

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<sup>107</sup> Desbiens and Rivard, “From Passive to Active Dialogue?”, 101.

<sup>108</sup> *Ibid*, 103.

<sup>109</sup> Quote taken from Desbiens and Rivard, “From Passive to Active Dialogue?”, 104-105.



accommodation to non-Quebecois traditions, was a cornerstone of the PQ and continued to be a focal point of discussion between 2012-2014.<sup>110</sup> The values charter the PQ presented highlighted limitations on cultural and religious symbols that were not reflective of Quebecois culture, including certain Indigenous symbols. Again, there was little distinction or consideration for the fact Indigenous peoples have long existed as nations – with not only cultural importance potentially being impacted by the Charter of Values but also a continued lack of Indigenous policy on relations presented by all but one Quebec political party: Quebec Solidaire (QS).

The QS, like the PQ, are also a separatist party but one that acknowledges that Indigenous nations have long existed on the same territory that the Quebecois now claim. While the QS acknowledges that the Indigenous nations have never given up their sovereignty, the commitments in their 2014 platform do little to reflect their sovereignty as distinct nations but rather ones within Quebec with distinct and additional recognition<sup>111</sup> – such as that claimed by Quebec during the mega constitutional discussions. However, such a narrow view of Indigenous nationhoods and the rise in discussion around another potential referendum once conditions were favourable for separatism, led to a retort from the Regional Chief of the Assembly of First Nations (Quebec and Labrador), Ghislain Picard, that Quebec has a right to its culture and language but not to secession with lands that are, and continue to be, inherently Indigenous.<sup>112</sup> Although it has not yet been a full six years since Picard's reminder to Quebec, there has been little evidence that his point has been fully

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<sup>110</sup> Benjamin Shingler, "Quebec Election 2014: PQ Charter Back in Focus," *Huffington Post Canada*, 30 March 2014, accessed 28 March 2021, [https://www.huffingtonpost.ca/2014/03/30/quebec-election-pq-charter\\_n\\_5059371.html](https://www.huffingtonpost.ca/2014/03/30/quebec-election-pq-charter_n_5059371.html).

<sup>111</sup> Quebec Solidaire, (2014) *QS Platform*, accessed 28 March 2021, [https://www.quebecsolidaire.net/wpcontent/uploads/2014/03/14-01088-QS-Plateforme\\_courteEN\\_WEB.pdf](https://www.quebecsolidaire.net/wpcontent/uploads/2014/03/14-01088-QS-Plateforme_courteEN_WEB.pdf).

<sup>112</sup> Nepton, "To Vote or Not to Vote."

understood and accepted within Quebec – instead continuing a Quebec-centric path for Quebec while Indigenous nations continue to fight for their own rights to self-determination and nationhoods that do not necessarily reflect them only as citizens within Quebec or that of Canada.

### Conclusion

The political and legal right for Quebec to become an independent state is not necessarily as certain as much of the literature in Canadian political science, Canadian media, and Canadian politics may like to suggest. While as Gossage and Little have highlighted ‘here has emerged a distinctive sense of the collective self in Quebec – a Quebec-ness,’<sup>113</sup> Indigenous nations with which Quebec shares territory, like the Haudenosaunee, have continued to reference their immemorial occupation of the region since long before they welcomed the French and British, as equals on Turtle Island.<sup>114</sup>

However, the fact that non-Indigenous recognition of Indigenous legitimacy is not only rooted in colonial and ‘*western-centric*’ mentality on what is needed for sovereignty and self-determination but also that non-Indigenous recognition is needed for dialogue to be ‘activated’ is a strong indication of who is controlling the dialogue. The reliance on the logic espoused by European theorists such as Locke and de Vattel have only assisted in creating, and continuing to create, the problems faced by Indigenous peoples. Additionally, ignorance towards Indigenous concepts of land, authority, and sovereignty do not assist with decolonization or inclusion of Indigenous peoples when considering Quebec’s right to separate. Instead, by

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<sup>113</sup> Gossage and Little, *An Illustrated History of Quebec*, xvii.

<sup>114</sup> Beaulieu, “An Equitable Right to Be Compensated”, 18.

including literature and arguments by scholars like Monture-Angus, Borrows, Russell, and Blackburn it becomes clear there is a need for further research and a far more in-depth review of subject matter such as Canada's history, Canada's political establishment and formation, Quebec's history, as well as the many contentions situations that have occurred for Canada, Quebec, and Indigenous nations since the 1960s.

However, for such inclusion and consideration to have the proper effect, there must be a willingness to embrace and examine, more thoroughly, situations such as Quebec secession and its distinct identity with a lens that reflects Indigenous views and philosophies. In doing so, an understanding of why Indigenous peoples cannot simply be critiqued as citizens within Quebec or another layer to its collectivity will come further to light. As RCAP highlights: 'Only when [Indigenous] peoples are viewed, not as races within the boundaries of a legitimate state, but as distinct political communities with recognizable claims for collective rights, will there be a first and meaningful step [forward].'<sup>115</sup> Only once Indigenous nations and views are properly respected and truly represented at Quebec's decision tables, can Quebec truly begin looking at steps towards becoming a decolonized entity or a state not born out of colonization.

### Bibliography:

Agnew, John. "The Territorial Trap: The Geographical Assumption of International Relations Theory." *Review of International Political Economy* 1, no. 1 (1994): 53-80. <https://doi.org/10.1080/09692299408434268>

Beaulieu, Alain. "An Equitable Right to Be Compensated: The Dispossession of the Aboriginal Peoples of Quebec and the Emergence of a New Legal Rationale (1760-1860)." *The Canadian Historical Review* 94, no. 1 (2013): 1-27. <https://doi.org/10.3138/chr.1060>

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<sup>115</sup> Government of Canada, RCAP.

Blackburn, Carole. "Differentiating Indigenous Citizenship: Seeking Multiplicity in Rights, Identity and Sovereignty in Canada." *American Ethnologist* 36, no. 1 (2009): 66-78.

Borrows, John. "'Landed' Citizenship: Narratives of Aboriginal Political Participation." In *Citizenship in Diverse Societies*, edited by William Kymlicka and Wayne Norman, 326-344. Oxford: Oxford University Press, 2012.

Borrows, John. *Canada's Indigenous Constitution*. Toronto: University of Toronto Press, 2010.

Bruce, Halie. "Forward." In *Box of Treasures or Empty Box? Twenty Years of Section 35*, edited by Ardith Walkem and Halie Bruce. Vancouver: Theytus Books Ltd, 2003.

Buchanan, Allen. "The Quebec Secession Issue: Democracy, Minority Rights, And the Rule of Law." *Nomos* 45 (2003): 238-271.

Cairns, Alan. *Citizens Plus: Aboriginal Peoples and the Canadian State*. Vancouver: UBC Press, 2000.

Cowie, Chadwick. "Validity and Potential: Dual-Citizenship and the Indigenous Vote in Canada's Federal Electoral Process." Masters of Arts Thesis, Political Studies, University of Manitoba, 2013.

Desbiens, Caroline. "Nation to Nation: Defining New Structures of Development in Northern Quebec." *Economic Geography* 80, no. 4 (2004): 351-366. <https://doi.org/10.1111/j.1944-8287.2004.tb00242.x>

Desbiens, Caroline, and Etienne Rivard. "From Passive to Active Dialogue? Aboriginal Lands, Development, and Metissage in Quebec, Canada." *Cultural Geographies* 21, no. 1 (2013): 99-114. <https://doi.org/10.1177%2F1474474013487485>

Dion, Stephane. "Why is Secession Difficult in Well-Established Democracies? Lessons from Quebec." *British Journal of Political Science* 26, no. 2 (1996): 269-283. <https://doi.org/10.1017/S0007123400000466>

Flanagan, Tom. *First Nations? Second Thoughts*. Montreal: McGill-Queen's University Press, 2000.

Gagnon, Alain, and Raffaele Iacovino. "Canadian Federalism and Multinational Democracy: 'Pressures' from Quebec on the Federation." In *Canadian Federalism: Performance, Effectiveness, and Legitimacy*, edited by Herman Bakvis and Grace Skogstad, 334-351. Toronto: University of Toronto, 2007.

Gossage, Peter, and J. I. Little. *An Illustrated History of Quebec: Tradition and Modernity*. Don Mills: Oxford University Press, 2012.

Government of Canada. *Report of the Royal Commission on Aboriginal Peoples*. Ottawa: Canadian Communications Group, 1996.

Hay, Colin. "(What's Marxist About) Marxist State Theory?" In *The State: Theories and Issues*, edited by Colin Hay, Michael Lister and David Marsh, 59-78. New York: Palgrave MacMillan, 2006.

Hay, Colin and Michael Lister. "Introduction: Theories of the State." In *The State: Theories and Issues*, edited by Colin Hay, Michael Lister and David March, 1-20. New York: Palgrave MacMillan, 2006.

Hebert, Chantal. *French Kiss: Stephen harper's Blind Date with Quebec*. Toronto: Vintage Canada, 2008.

Johnson, William. "NDP's Sherbrooke Declaration Makes National Unity an Important Federal Election issues." *Montreal Gazette*, 18 September 2015. Accessed 28 March 2021. <https://montrealgazette.com/news/national/opinion-ndp-sherbrooke-declaration-makes-national-unity-an-impotant-federal-election-issue>.

Ladner, Kiera and Leanne Simpson. "This is an Honour Song." In *This is an Honour Song: Twenty Years Since the Blockades*, edited by Kiera Ladner and Leanne Simpson, 1-10. Winnipeg: Arbeiter Ring Publishing, 2010.

Lenzerini, Federico. "Sovereignty Revisted: International Law and Parallel Sovereignty of Indigenous Peoples." *Texas International law Journal* 42 (2007): 155-189.

Macklem, Patrick. *Indigenous Difference and the Constitution of Canada*. Toronto: University of Toronto Press, 2001.

Mamdani, Mahmood. *Settler Colonialism: Then and Now*. Edward Said Memorial Lecture. Princeton: Princeton University, 2012.

Mann, Jatinder. "To the Last Man and the Last Schilling' and 'Ready, Aye, Ready': Australian and Canadian Conscription Debates During the First World War." *Australian Journal of Politics and History* 60, no. 2 (2005): 184-200. <https://doi.org/10.1111/ajph.12097>

Meadwell, Hudson. "The Politics of Nationalism in Quebec." *World Politics* 45, no. 2 (1993): 203-241. <https://doi.org/10.2307/2950658>

Midgal, Joel. *Researching the State*. Vol. 2. In *Comparative Politics: Rationality, Culture, and Structure*, edited by Mark Irving Lichbach and Alan S. Zuckerman, 162-192. Cambridge: Cambridge University Press, 2009.

Montour-Angus, Patricia. *Journeying Forward: Dreaming First Nations Independence*. Halifax: Fernwood Publishing, 1999.

Murphy, Michael. "Civilization, Self Determination, and Reconciliation." In *First Nations First Thoughts*, edited by Annis May Timpson, 252-269. Vancouver: UBC Press, 2009.

Nepton, Caroline. "To Vote or Not to Vote: Aboriginal Peoples in Quebec to Decide." *CBC*, 2 April 2014. Accessed 28 March 2021.  
<https://www.cbc.ca/mews/aboriginal/to-vote-or-not-to-vote-aboriginal-people-in-quebec-to-decide-1.2594710>.

North, Douglas. "A Neoclassical Theory of the State." In *Rational Choice*, edited by R. B. J. Walker, 248-260. New York: New York University Press, 1986.

Palmater, Pam. *Beyond Blood: Rethinking Indigenous Identity*. Saskatoon: Purich Publishing Ltd., 2011.

Papillon, Martin and Marc Hanvelt. "Parallel or Embedded? Aboriginal Self-Government and the Changing Nature of Citizenship in Canada." In *Insiders and Outsiders: Alan Cairns and the Reshaping of Canadian Citizenship*, edited by Gerald Kernerman and Philip Resnick, 242-256. Vancouver: UBC Press, 2005.

Pitty, Roderic and Shannara Smith. "The Indigenous Challenge to Westphalian Sovereignty." *Australian Journal of Political Science* 46, no. 1 (2011): 121-139.  
<https://doi.org/10.1080/10361146.2010.546336>

Quebec Solidaire. *QS Plateforme*. (2014). Accessed 28 March 2021.  
[https://www.quebecsolidaire.net/wp-content/uploads/2014/03/13-01088-QS-Plateforme\\_courtEN\\_WEB.pdf](https://www.quebecsolidaire.net/wp-content/uploads/2014/03/13-01088-QS-Plateforme_courtEN_WEB.pdf).

Reid, Scott. "The Borders of an Independent Quebec: A Thought Experiment." *The Good Society* 7, no. 1 (1997): 11-17.

Russell, Peter. "From Oka to Ipperwash: The Necessity of Flashpoints." In *This is an Honour Song: Twenty Years Since the Blockades*, edited by Kiera Ladner and Leanne Simpson, 29-47. Winnipeg: Arbeiter Ring Publishing, 2010.

Russell, Peter. *Recognizing Aboriginal Title*. Toronto: University of Toronto Press, 2005.

Russell, Peter. *The Constitutional Odyssey: Can Canadians Become a Sovereign People*. Toronto: University of Toronto Press, 2005.

Schaeffli, Laura, and Anne Godlewska. "Ignorance and Historical Geographies of Aboriginal Exclusion: Evidence from the 2007 Bouchard-Taylor Commission on Reasonable Accommodation." *The Canadian Geographer* 58, no. 1 (2014): 110-122.  
<https://doi.org/10.1111/cag.12064>

Sherwin, Allan. *Bridging Two peoples*. Waterloo: Wilfred Laurier University Press, 2012.

Shingler, Benjamin. "Quebec Election 2014: PQ Charter Back in Focus." *Huffington Post Canada*, 30 March 2014. Accessed 28 March 2021.  
[https://huffingtonpost.ca/2014/03/30/quebec-election-pq-charter\\_n\\_5059371.html](https://huffingtonpost.ca/2014/03/30/quebec-election-pq-charter_n_5059371.html).

Skocpol, Theda. *States and Social Revolutions: A Comparative Analysis of France, Russia, and China*. Cambridge: Cambridge University Press, 1979.

Steckley, John, and Bryan Cummins. *Full Circle: Canada's First Nations*. Toronto, Ontario: Prentice Hall, 2001.

Stevenson, Garth. "The Politics of Remembrance in Irish and Quebec Nationalism." *Canadian Journal of Political Science* 37, no. 4 (2004): 903-925.  
<https://doi.org/10.1017/S0008423904003518>

Supreme Court of Canada. *Calder et al. V. Attorney General of British Columbia*. Last modified 31 January 1973.  
<https://scc.lexum.org/en/1973/1973scr0-313/1973scr0-313.html>.

Tobias, John. "Protection, Civilization, and Assimilation." In *Sweet Promises: A Reader on Indian-White Relations*, edited by J. R. Miller, 127-144. Toronto: University of Toronto, 1991.

Wilkins, David. "An Inquiry into Indigenous Political Participation: Implications for Tribal Sovereignty." *Kansas Journal of Law and Public Policy* 9 (2000): 732-751.