

Why Natives resist deals

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Feb. 12, 2001

In September 1758 Colonel James Murray made the following report of his attack on the Mi'kmaq village of Esgenoopetitjg, now known as Burnt Church:

"In obedience to your instructions I embarked the Troops having two Days hunted all around Us for the Indians and Acadians to no purpose, we however destroyed their Provisions, Wigwams, and Houses; the Church was a very handsome one built with stone, did not escape. We took numbers of Cattle, Hogs, Sheep and Three Hogsheads of Beaver Skins, and I am persuaded there is not now a French Man in the River Miramichi."

After the summer of 2000, it is impossible to say that things have changed very much at Burnt Church. There may be a lull this winter in lobster fishing, but history could still very well repeat itself, as it almost certainly did last summer.

As Zygmunt Bauman argues in "Modernity and the Holocaust," violence may appear to have been removed from daily life, but in fact the civilizing process has brought with it an increasing, not decreasing, incidence of violence in society. Bauman demonstrates that humankind is rapidly establishing the conditions for another holocaust, rather than curtailing them. He says the most dangerous ingredients in modernity are the uninhibited growth of bureaucracy, the amassing of power and armament, and the tendency of bureaucracy to aspire to some "grand vision of a better and radically different, society" based on "scientifically conceived plan." As Bauman puts it "modern genocide is genocide with a purpose . . . the gardener's vision . . . that weeds must die not so

much because of what they are, as because of what the beautiful orderly garden out to be."

What is chilling is that the Burnt Church has exposed all the essentials for genocide, particularly a need to bring Aboriginal nations and communities into conformity with some "grand vision" of Canadian order, if need be, at the point of a gun. It translates as a need to stay in charge, if only to preserve the status quo.

Conservation is not the issue since lobsters are not endangered, nor were they endangered by the Burnt Church fishery. The fact is Burnt Church has its own conservation plan that DFO simply refuses to consider. Conservation is only a pretense. The real issue is that Canada has been built on the appropriation of Aboriginal lands and resources, and it is not now prepared either to acknowledge this fact or share even a small portion of those lands and resources. As Sheila Wilmot so astutely points out, the reason for government intransigence has more to do with the fear that the Marshall decision could become "the thin edge of the wedge" threatening the basic need of a capitalist state to maintain "total control over land and resources." The issue is simply not negotiable, and so, rather than face up to reality honestly, it resorts to military intimidation. Above all, it demonstrates Bauman's theory of a bureaucracy's preparedness to engage in genocide when faced with a threat to its self-interested vision of order.

At the same time Canada carries on the charade of calling Mi'kmaqs and Maliseets "First Nations", while having no intention of respecting them as such. When in the 1960s Canada imposed Canadian citizenship on all Aboriginal people, it underhandedly attempted to terminate our treaty status since there can be no treaties between citizens of the same nation. More recently it has begun to denigrate our treaties by labelling them "suigeneris" (unique) which implies that they are not truly treaties and that we are not truly nations. When

Canada demonstrated last summer its total unwillingness to share resources with the very people it had stolen them from, its actions spoke louder than words.

Throughout government officials have persisted in blaming the victims. Even the Governor General of Canada did so when she appealed to the Mi'kmaq of Burnt Church for calm by reminding them that Aboriginal people had at one time enjoyed the peaceful relations with Canada. That so-called peace has been purchased at the price of oppressing and dispossessing Aboriginal people, and that it was very effectively maintained by cultivating the racist fiction that Aboriginals were neither nations nor sufficiently human to deserve their own land.

As long as those with the money and power were able to control legal and educational systems, and make sure that everyone, even Aboriginal people, accepted the fiction, the system worked well for those in power.

The irony here is that as historic facts continue to emerge in the wake of various court cases, many Canadians have directed their anger at Native people rather than at the system. And many people, styling themselves as our friends, have again begun pushing the old racist "solutions" -- that Aboriginal people should have assimilated long ago, or that they should at least be integrated into Canadian society, particularly its political and economic systems (as the fishery agreements provide). The racism of these "solutions" seems to escape the average Canadian, so effectively have schools indoctrinated everyone.

This is, clearly, one reason that many Aboriginal people and communities fall for the fishery and logging agreements, but another, more compelling reason derives from the misery of oppression. The more severe the oppression, in fact, the more likely a people can be manipulated on the promise and hope

that their deprivation and misery will somehow be lessened. It is this situation of duress that is created and exploited by those in power, and it is here that bribery as official strategy usually works.

For a while last summer it appeared that my community at Tobique was prepared to follow the lead of Burnt Church and resist the bribe. A community referendum on the matter overwhelmingly rejected a fishery deal with DFO. It would have meant setting aside important provisions of our treaties guaranteeing access to resources on lands and waters which we never surrendered. It would have constituted a surrender of our status as a nation, effectively making us partners in our own genocide. And it offered us access to salt water resources only in the territory of the Passamquoddies whose access to their own resources would then be severely restricted, even though they were a party to the same treaties as Mi'kmaqs and Maliseets. My community was to be used as pawns in the age old colonial game of divide and conquer.

Undaunted by the referendum results, DFO continued to pressure some of the councillors at Tobique and finally made an offer of \$7.5-million for a fishery deal. Only four of the 11 councillors present voted to accept the deal, five voted against it, and two abstained. By all calculations the deal had been rejected. What we did not count on was how determined Indian Affairs and DFO could be to twist anything in their favour, even if it meant subverting a council decision. In this case a loophole in the Indian Act regulations was found that declares an abstention to be equivalent to a vote in favour. So instead of five to four against the agreement, the vote magically transformed into six to five for the deal. So much for democracy!

From here on DFO was assured that its bribery would work. Once the \$7.5-million actually reached the community, even many opponents would be hard-pressed to refuse the jobs supplied. It is such chicanery and perversion of democratic principles

that has outraged the community and sparked another sit-in and hunger strike.

At Burnt Church the violence was seen immediately by the world and rightfully decried. Since the violence at Tobique has occurred only in backrooms it is less visible and more difficult to bring to the attention of the world; but that we must do, for in the end it is the only safeguard against excesses of power and the genocide that is inherent in the fishery deals.

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