

Algonquins of Barriere Lake Receive Much-Needed Support from Toronto Students

Introduction and Backgrounder

On Monday March 17, Shiri Pasternak, a former classmate of mine and community activist, contacted me about an ongoing crisis at Rapid Lake. This medium sized First Nation in the Northwest of Quebec lies deep within the heart of La Vérendrye wildlife preserve, the traditional territory of the Algonquins of Barriere Lake (ABL). They have had their chief and council replaced by a puppet government stocked with distant relatives and non-residents, labeled as Third Party Management (TPM).¹ Third Party Management is the most severe of DIA's intervention policy. An outside manager is hired by DIA to deliver the programs and services of a band. The Chief and Council have no say under TPM.

Understandably, the community (~80% of which still supports their elected chief and council) was outraged. Protests ensued and they have been living under police control for several weeks. Local services, almost the only source of employment for ABL residents, have been reallocated to friends and relatives of the Third Party Management, again, some from off-reserve. Most notably, the local school teachers have been replaced with teachers who do not speak Algonquin, and the curriculum has been changed to eliminate traditional teachings. Other services have deteriorated as well. For example, fires now go unextinguished as TPM routinely neglects to fill the fire truck with fuel.

As a form of peaceful protest, roughly 80% of the community has stopped accepting services from TPM. This means no school, no medical centre, no maintenance, and no day care for most of the residents. In retaliation, TPM recently ordered the Sûreté du Québec (SQ) to change the locks on all community buildings to the exclusion of local residents. This includes the band office, community centre, fire hall, gymnasium, and more.

A call for help was sent out by ABL resident Marylynn Poucachiche and Acting Chief Benjamin Nottaway ("acting" meaning elected by the community, not empowered to govern by INAC). Their March newsletter detailed the imposition of a semi-foreign unelected government, the occupation of the reserve by the SQ, and the desperate need for resources. Primarily, they require food and school supplies to begin a temporary, alternate school for the children which will teach the traditional curriculum. To allow them to relay their plight to the outside world, they also requested office supplies and cash donations. Many items were as basic as flour, oil, salt, pencils, erasers, construction paper, copy paper, and printer ink.

I am co-Editor-in-Chief of the Indigenous Law Journal, and will soon be moving to North Bay to work with an Aboriginal law practitioner. My grandmother was from Hunter's Point, an Algonquin community in that area of Quebec, near Kipawa. I also have relatives from Maniwaki, which is near Rapid Lake. My parents still reside in Algonquin territory, between the Matachewan reserve and Kirkland Lake, Ontario. I had difficulty sleeping that evening, feeling

1 DIA made a decision to put ABL into TPM in July 2006, based on an alleged financial deficit. The ABL Elders Council challenged this decision in Federal Court in August 2006. The Elders argue that DIA acted unfairly, without proper consultation and contrary to its own policies by moving ABL from comanagement to TPM." This "alleged deficit" can be traced to an earlier ABL protest against the "DIA's decision in 1996 to impose an Interim Band Council and a TPM on the First Nation.

that sending a cash donation would be insufficient – although I had never been to Rapid Lake, it would not be surprising to be related to at least a handful of families there.

The following day I replied to Shiri and offered to deliver a truckload of supplies to ABL and report back on their current situation. She was responsive and we quickly put out a call for help to many organizations and individuals in Toronto who we expected to be sympathetic to the situation. I also created a Facebook community page asking for donations and propagated the ABL community newsletters through the Aboriginal Law Students Association at UofT.



Illustration 1: Some of the donations left at the OPIRG Toronto office.

As time was extremely tight before the long weekend, the number of respondents was understandably moderate, with the bulk of interest coming from concerned students. Select faculty members, the Ontario Public Interest Research Group, the Ontario Coalition Against Poverty, and No One Is Illegal also donated. We set up drop-off points for donations at OPIRG, the UofT Faculty of Law, and the Geography/Planning Department. By Thursday night (i.e. 2 days) we had amassed almost a truckload of donations, many letters of support, and over \$500 in cash.

I wrote a short note describing the origins of our project and listed the donors who wished to be named. It was wonderful to see the diverse backgrounds: Ojibway, Cree, Gitxan, Algonquin, Métis, and of course, several non-Aboriginal donors. Almost all of the money however came from students, several in law school where tuition tops \$18,000 per year. As such, it felt to me like each dollar was somehow worth more than \$1.

I used some of the money to purchase items from the ABL request list which had not been donated and which were essential. At that point, my pickup truck was full to capacity with supplies. I contacted Marylyn Poucachiche and she was very excited to have us deliver the donations to Rapid Lake. She also arranged for us to meet with the Acting Chief upon our arrival.



Illustration 2: Keeping the goods from freezing

The Road to Rapid Lake

My traveling companion Jane and I left Toronto at dawn on Good Friday. We drove 600 km to my parents home at Kenogami. We spent a day visiting and ice fishing, and my mother donated four boxes of children's books as well as more food to the now-overflowing load.

Saturday night I was surprised to receive a call from Marylynn in Val D'Or (the nearest city to Rapid Lake and on the highway we would be traveling the following day). She said she had no

ride back to Rapid Lake to meet us Sunday and wondered if we could pick her and her daughter up in Val D'Or. While space was a concern, I assured her we would make it work.

Sunday morning we left at dawn. It was 20 below zero and all the Northern towns we drove through looked like ghost towns. Hardly a person or a car was to be seen at 7:00 AM on Easter Sunday in Kirkland Lake, Larder Lake, Evain, Rouyn-Noranda. We met Marylynn at a Shell station in Val D'Or at 10:00 AM. Jane was kind enough to hide behind the seats of my truck, while Marylynn, her daughter Maria Wabigooni ("Flower"), and I shared the front.

During the two-hour drive to Rapid Lake, Maria enjoyed a popsicle and played with my emergency tools. Indeed, I also loved vice grips as a child. Despite my many questions, she said nothing to me during the extent of the drive. She spoke far too quickly to her mother for me to understand any of the Algonquin, but I did catch her mentioning that I "didn't *look* like Austin Powers".

Marylynn lacked any of the signs of despair or hopelessness I would expect of someone in her situation. She was energetic, articulate, powerful, and obviously eager to spend some time with someone (anyone) who was willing to hear the story of her people. She initially explained why she was in Val D'Or. Her husband had been arrested a few weeks prior. During the SQ's forceable importation of Third Party Chief Casey Ratt into the community, her husband (and others) had cut trees across the only road, in protest. The SQ showed up promptly with chainsaws. His truck (and source of income as a woodsman) was impounded for 30 days, and he was ordered to stay out of Rapid Lake. Prior to his removal from the community, Marylynn described how he has been routinely detained and questioned by the SQ – often threatening to impound his truck unless he would describe to them any criminal activity happening on the reserve. In refusing, he managed to accumulate over \$2000 in fines and charges.

Marylynn's husband has no choice but to live in Val D'Or, 160 km away from Rapid Lake. There, their two oldest children are enrolled in provincially-run secondary school. He cares for their one and a half year old, while Marylynn takes Maria back to Rapid Lake weekly for traditional schooling. She repeatedly expressed her deep sadness at living without her husband and three of her children, compounded by the high cost of traveling back each weekend.

Marylynn shared stories with us during the entire drive. She tried to explain the current situation as best she could. This is a situation so complex that a recent document filed by the Acting Chief's legal counsel struggled to summarize it in under 120 pages. Marylynn described some of the SQ's alleged behaviour during their occupation: pushing down elders, insulting residents, telling children that their parents and council are no good, threatening to impound peoples' vehicles unless they file complaints against their own neighbours, and many other deeds which would be immediately scrutinized if they happened in the city.

She described how TPM were permitted to block roads in and out of the community while local residents were deprived of shovels. One resident used his Residential School payment to purchase a small front-end-loader. TPM immediately parked some heavy machinery in front of his driveway to prevent him from using it. She described the state of community offices: residents fired and friends of TPM hired, locks changed on all community buildings, outside teachers brought in and housed on reserve under SQ protection, and how non-TPM supporters who did retain local jobs were made to feel threatened at work.

Marylynn attempted to explain the constant occupation by the SQ, sometimes in riot gear and accompanied by paddy wagons. She described some of the incidents she has captured on video, including the SQ's treatment of a protesting minor: depriving him of his shoes (outdoors), threatening him, and finally carrying him off for protecting a female protester – not without punching him once or twice in the face on the way into the paddy wagon.

I was surprised when Marylynn told me that the entire population speaks Algonquin, and most as their primary language. In my experience, it is rare to find a First Nation in Canada where neither English nor French are a large threat to the Indigenous language. The situation in Rapid Lake is in part the result of happenstance. The previous generation of Algonquins in Quebec were mostly sent to residential schools run by the French Catholic church. They spoke Algonquin originally, but were forced to learn French at residential school. Marylynn's generation however were allowed to be taught in the languages of their choice, in their case Algonquin and English. As such, Algonquin became the only common language between the two generations and it has remained the only language used universally. When the local schooling program began, local residents were in an ideal situation to pass it on to the current generation of children.



Illustration 3: Welcome to Rapid Lake

Marylynn also began to explain their plan for a temporary school. The reserve has over 40 students enrolled in their grade 2-6 school. The vast majority of parents are not willing to send them to the TPM-run school void of traditional teachings and taught by outsiders, some American. The community is cleaning out a small workshop and a small warehouse to be used as a temporary school she explained; they are two of the only buildings which have not had the locks changed by TPM and the SQ. The students will be taught the traditional curriculum, along with Math, English, and the other standard subjects, she explained. As most parents expect their children to receive two meals per day at school, the food we were carting would be an absolute necessity.



Illustration 4: Wabigooni: happy to be home with animosh Spike

Welcome Home

It is a bit confusing that the Algonquins of Barriere Lake live at Rapid Lake, while neither lake seems to physically exist. The reserve is situated on the shore of the Cabonga Reservoir, held artificially high by Hydro Quebec. Despite the flooding of some of their traditional territory, Rapid Lake is not connected to the hydroelectric grid. Rather, the community is powered by a diesel generator which runs 24x7 and must be filled by a tanker truck every two weeks, at a cost of \$1 million per year.

Driving through La Vérendrye, one gets an appreciation for the natural bounty it must contain. There are tourist camps all along the highway, outdoorsy hotels here and there, and signs warning of slow-moving logging trucks everywhere. Despite a 1991 agreement with the two Crowns and a 1998 agreement of implementation with the Quebec government, ABL currently sees no share of this revenue.

The road from the highway to Rapid Lake is 7 km long, and maintained by a community plow. It was glare ice when we arrived, as was every road, street, and driveway in town. Neither salt nor sand are used on the roads. I was barely able to walk without falling. I have no idea how community elders manage. (I later learned that they don't. Almost no one in the community is over 70.)

The entry into the community is littered with former protest sites, fire ashes, checkpoints, but lacks any signs, flags, or documentation. Half-finished buildings are common, as are half-burned ones. The streets have no name – there are only house numbers. The band office, the police station, and the gymnasium have no signage at all. The health centre was the only building I saw with any indication of its contents: the typical black and gray Indian Affairs Canada sign.

We drove straight to Marylynn's house. Maria was elated to be out of the truck and went straight to playing with the dog. We were there less than five minutes when two trucks of men arrived to help unload the cargo. I was not introduced to anyone, and they said almost nothing. The men unloaded the goods quickly, which nearly filled an entire room of Marylynn's house. Marylynn was happy to see the addition of some items which they had not explicitly requested: easter eggs, children's books, first aid supplies, and letters of support from all over Toronto.



Illustration 5: Marylynn ponders where to put all of this stuff

I realized that one of the men helping unload was in fact Acting Chief Benjamin Nottaway. He was quiet and completely devoid of pomp, yet at 27 he exuded more self-confidence and dedication than many law school graduates I know. (Perhaps raising six children builds character.) He ordered no one around, yet everyone seemed to know what he wanted them to do. Finally Marylynn introduced us. The Acting Chief indicated that he was willing to show us around the community and answer any questions we had on video.

Touring with the Chief

Despite housing over 400 people, the entire community can be walked in under ten minutes. Acting Chief Nottaway began by showing us the community school. Over 40 students regularly attend the grade 2-6 institution, but under 15 are currently being sent to learn the TPM curriculum. The building itself was built in the 70s and is in desperate need of repair. The eaves troughs are broken and icicles abound. Some windows need repair. There was obvious heat escaping through the roof and walls. One can only imagine the state of the interior. Chief

Nottaway alleged that TPM had recently brought in outsiders and paid them to clean the roof of the school. Apparently, community members were willing to do it on a volunteer basis but this was an excellent opportunity for TPM to “buy support”.

The Acting Chief took us to see the fire hall. It had not been plowed out, but this was not a problem he said, as the fire truck was often left without fuel. If there is a small fire in the community “we would probably try to put it out ourselves” he said. Larger fires, they let burn. Indeed, there are carcasses of mostly-burned homes here and there.

Adjacent to the fire hall is an even larger building designed as a heavy equipment garage. It has been turned into a makeshift gymnasium. Although they are currently locked out, it was not often used anyway, as the furnace is intermittent and Chief Nottaway explained that it “cools down pretty fast, and takes a long time to heat up.” He wishes they had built an ice rink instead.



Illustration 6: Half-burned houses left standing for over a year



Illustration 7: School... for now

The SQ followed us around the reserve the entire time we were there. It was not clear whether they were watching us (visitors) or the Acting Chief. Most of the time they peered eerily out at us, saying nothing, making no gestures. Yet they were never more than a turn away, drinking coffee and staring blatantly. Finally, just as we were about to leave, they stopped to speak with Jane and I. With thick Quebecois accents they asked whether we were having a good Easter. Great, we replied, and them? Not quite as great they answered – they were unsure whether the Domaine they were staying at would be serving Chinese food or lasagna for Easter Sunday dinner.

We walked by the \$1.5 M healthcare facility. Chief Nottaway explained that all but one of the staff have been replaced by TPM supporters. He said the rest of the staff are making her feel “very uncomfortable” so she is thinking of quitting. There was a small residence next to the clinic with barred windows, obviously designed to house employees from elsewhere. Next to the clinic is an old Catholic church which has been used for many years as the community day care. As with other community buildings, only TPM currently have the keys, so most parents are too busy taking care of children to work, hunt, participate in community politics.

On the way to the temporary school facilities, Acting Chief Nottaway explained how Casey Ratt, the “Internet Chief” appointed by INAC was brought in from out of the community. We learned how he is not respected in the community and has no traditional skills such as hunting, fishing, or trapping. Mr. Ratt has no residence and has moved in temporarily with his father. His father, a disgruntled resident, reportedly makes most of Casey Ratt's decisions for him, in consultation with the INAC and the province.



Illustration 8: Diesel generator for the entire community

The final stopping point of our tour was the temporary school location. Outside the temporary buildings, the ground was littered with mechanical hardware, scrap metal, electrical machinery, and the ever-present glare ice roads. The doorstep to the workshop was the only square meter I saw on the entire reserve where some gravel had been thrown down to avoid falls. Just feet away from the school buildings, the diesel generator roared. It could be heard throughout most of the community, and standing near it made conversation almost impossible. Surrounding the generator were decommissioned electrical transformers and other equipment not particularly child-friendly.



Illustration 9: Temporary schoolhouse

The first building is a former woodworking shop, built by a community member, so its locks had not (yet) been changed by TPM. It has a wood stove and lighting, but no furniture. The second building, roughly equal in size, is a storage shed. When we arrived, it contained a boat and motor which had yet to be removed. There were a handful of desks, but only a few chairs. There was a chalkboard, but likely no chalk. All of the lights were missing, the electric door did not open, and the regular door was missing. The electric heater was non-functional. Chief Nottaway admitted that there would be “some cleaning up to do” before school started the next morning.

The Road Home

Unceremoniously, we handed over the bundle of letters and donations to Marylynn. “Okay,” she said. We drove out of Rapid Lake in near silence. It was one of those experiences that takes a few hours, if not days, to digest. There is so much potential there. The language is alive. The children are full of life. Most of the community respects traditional customs and values. There is a commitment to make things work that I have not seen elsewhere. Yet the current state of infrastructure is horrible and the current governance is worse. Unemployment is over 80%. The houses are falling apart, moldy, and yet hold 6, 7, 8 or more people each.

Unlike treaty Indians in Ontario and the West, the Algonquins have avoided extinguishing their Aboriginal title. At law they retain all of the rights flowing from the simple fact that they were here 20,000 years before Europeans -- setting a dangerous precedent from the perspective of the government. The 1991 co-management agreement forged at Rapid Lake has been called the "gold standard" for Aboriginal peoples across the country, theoretically allowing them to manage their own resources and to help control resource extraction on their expansive traditional territory. Yet they have been deceived and subverted in every way imaginable for the past 15 years by both the federal and Quebec governments.



Illustration 10: Despite countless hardships, Acting Chief Benjamin Nottaway shows endless leadership and pride

Driving out of that road though, all I could think about was the children arriving at school Monday morning and the community members guarding the door – waiting for the SQ to arrive.

The first major town on our way back to the city was Maniwaki. The Mitgan Zibi First Nation backs onto the city of Maniwaki. I slowed down out of interest. The difference from Rapid Lake was striking. The homes on the reserve were beautiful and well kept. Most driveways had new vehicles. Every third building seemed to be an art store or gift shop or smoke shop or small business. There was a grocery store, a hardware store, local enterprises, a beautiful community centre with giant wigwams, and billboards expressing pride in their community at both ends of the highway. Maniwaki is only 175 km from Rapid Lake, but they are worlds apart.

We left Maniwaki reassured that “Indian” reserves are not inherently needy. They are molded by circumstance – some lucky, some others unlucky. Some surrounded by commerce, others deprived of natural resource revenue. Some fueled by tourists from Ottawa, others ignored deep within the wilderness. Rapid Lake's need for outside support, good governance, and an end to the abhorrent behaviour of both governments and the SQ cannot be understated.

Now is the time to act. We must work swiftly to set up a longer-term support program, raise awareness of the situation, and make it clear to all levels of government that their current behaviour is completely unacceptable.

Good luck at school on Monday.

All my relations.

Resources

- Video footage from visit: <http://ablsupport.blip.tv/>
- Facebook support group: <http://www.facebook.com/group.php?gid=941714361>
- ABL February Newsletter: <http://groundstate.ca/files/ABL%20Newsletter%20Feb%2018%2008.pdf>
- ABL March Newsletter and call for help: <http://groundstate.ca/files/ABL%20Call%20For%20Help%20Mar%2013%2008.pdf>
- ABL Memorandum of Facts and Law, filed in Federal Court: <http://groundstate.ca/bulk/barriere-fact-and-law.pdf>
- ABL Chronology (INAC): <http://www.ainc-inac.gc.ca/pr/info/brl-eng.asp>
- 1991 Trilateral Agreement: <http://ncseonline.org/nae/docs/notzke.html>
- Assembly of First Nations Resolution: <http://www.afn.ca/article.asp?id=2993>
- 1998 Implementation Agreement: http://www.saa.gouv.qc.ca/centre_de_presse/communiqués/1998/saa_com19980804_en.htm
- INAC Backgrounder: http://www.ainc-inac.gc.ca/nr/prs/s-d2001/01237bk_e.html
- La Vérendrye (Quebec Heritage): http://outaouais.quebecheritageweb.com/attractions_details.aspx?attractionId=40

Write Letters To

- Prime Minister Stephen Harper: pm@pm.gc.ca
- Chuck Strahl, Minister of Indian & Northern Affairs Canada: riding@chuckstrahl.com
- Lawrence Cannon, MP for Rapid Lake: Cannon.L@parl.gc.ca
- Premier Jean Charest: <http://www.premier-ministre.gouv.qc.ca/premier-ministre/nous-joindre/nous-joindre-en.shtml>
- Benoit Pelletier, Quebec Minister Responsible for Native Affairs: http://www.saa.gouv.qc.ca/courriel_en.asp
- Claude Bechard, Quebec Minister of Natural Resources and Wildlife: ministre@mddep.gouv.qc.ca
- Line Beauchamp, Quebec Minister for Sustainable Development, Environment & Parks: line.beauchamp@mddep.gouv.qc.ca

Author

Austin Acton is a third-year law student at the University of Toronto Faculty of Law. He was raised in Kenogami Ontario and is a citizen of the Métis Nation of Ontario. He is currently co-Editor-in-Chief of the Indigenous Law Journal and an active council member of the Aboriginal Law Students Association. He will be articling with a practitioner of Aboriginal Law at Nipissing First Nation this fall.