

Across the country the land rights of indigenous people have become intertwined with questions regarding residual sovereignty that may or may not be recognized or entrenched under the Constitution. Indigenous people cannot see how they can exercise any real collective land rights without jurisdiction over the land itself. The vast majority of First Nations seek recognition, under the Constitution, of First Nations jurisdiction over their own communities. The positions taken by the Longhouse people suggest on the other hand, an unqualified assertion of sovereignty, making constitutional reform irrelevant from this perspective.

The holistic worldview of many indigenous cultures means that concepts such as land and self-government or sovereignty are often inseparable. They are viewed as ideas so fundamentally linked that they cannot be compartmentalized into neat manageable policy areas to suit the convenience of negotiators. The Mohawk insistence on expressing their positions in terms that implied sovereignty was continually interpreted by government as clear evidence of bad faith. From the Mohawk perspective, the persistent refusal of federal and provincial governments to discuss any Mohawk proposal involving an implicit assumption of residual sovereignty was insulting.

A representative of the Longhouse People of The Pines stated that in appearing before the Standing Committee, the Mohawk people were not there to prove their sovereignty, they were there to assert it again as they have done many times in the past. Government negotiators had their instructions not to negotiate any terms involving an implicit acknowledgement of Mohawk sovereignty. Mohawk negotiators would not negotiate any agreement that did not include some room for Mohawk jurisdiction or shared Mohawk-Canada/Quebec jurisdiction on the fate of the People in The Pines. In very different ways, sovereignty was not "on the table" for the negotiators on each side. In addition, the most firmly held belief of all parties was that the other side of the negotiating table had no real intention to negotiate. Perhaps the most dearly held goal was to avoid making any significant change in position. In this the negotiating parties were united.

While the commitment to armed struggle was not widespread in terms of active participants of the total population of Kanesatake, it is too early to conclude what long term political or other effects the experience will have on the community. The Kanesatake Emergency Measures Committee submitted evidence on the impact of stress on the community, particularly the children of Kanesatake. Federal assistance in a healing process has been requested. The Committee was also briefed on the negative impacts of the conflict on Oka, Châteauguay and other communities in the area. There is no question that the trauma and losses of communities and individuals have been real and that in many ways the Oka crisis is not over for many people.