

TECUMSEH'S VISION

Indigenous Sovereignty and
Borders Since the War of 1812



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Ute Lischke, David T. McNab, Paul-Emile McNab

Contributors

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About the Contributors

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Ute Lischke - teaches Indigenous Literature and Film at Wilfrid Laurier University where she is Chair and Professor in the Department of English and Film Studies. Lischke is the author of *Lily Braun, 1865-1916 German Writer, Feminist, Socialist* (2000). Her most recent books, edited with David T. McNab, include *Blockades and Resistance: Studies in Actions of Peace and the Temagami Blockades of 1988-89* (2003), *Walking a Tightrope: Aboriginal People and their Representations* (2005), and *The Long Journey of a Forgotten People: Métis Identities and Family Histories*, (2007) all with WLU Press. In 2013 she co-authored *Indigenous Voices and Spirit Memory* with Aboriginal Issues Press, at the University of Manitoba.

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Karen J. Travers - is currently completing her Ph.D. in the Department of History at York University, Toronto. Her dissertation examines the confluence of policy, politics and economics in the history of Anishinabe peoples and Euro-Canadians between 1790 and 1867 in present-day Lambton County, Ontario. She has presented and published papers on nineteenth-century Great Lakes Métis and Anishinabeg communities and on Aboriginal policy, legislation and water rights.

Introduction

Tecumseh's Vision: Indigenous Sovereignty and Borders since the War of 1812 is a collection of papers and works that illustrate the more than two hundred year relationship between Indigenous peoples and its borders from the War of 1812-14 up until the Idle No More movement that swept across Canada in 2012 to 2014. On September 18th, 1813, more than 200 years ago, Tecumseh (Shooting Star/ Panther Crouching in Wait) (c.1768-1813), spoke at the First Nations' Council House at present day Amherstburg overlooking the Detroit River. He held a wampum belt of many colours that was arranged to tell the story of his people to General Proctor, representing the British imperial government. Tecumseh went on to state that, if the British wished to withdraw from this place, then they should leave behind their arms and ammunition for the Indigenous warriors to use to fight the Americans. Tecumseh finished this speech by giving his vision of sovereignty: "Our lives are in the hands of the Great Spirit—we are determined to defend our lands, and if it is his will, we wish to leave our bones on them." However, the British Imperial forces retreated. They did not fight to also protect First Nations' lands.

The next battle was fought north of the Thames River at the Battle of the Longwoods (also known as Moraviantown). Tecumseh, as well as many other First Nations' warriors died defending their lands. However, their stories did not die with them. Tecumseh is buried on these unceded Indigenous lands and a memorial is standing overlooking the St. Clair River today. His vision of Indigenous sovereignty and independence lives

now as it did in 1813, and before.¹ There were other such visions long before Tecumseh, as Anishinabe prophecy foretold, that they would have to “see with two eyes” in order for Indigenous people to survive colonialism and imperialism. Survived they did into the early 21st century.

An historical plaque, unveiled on October 1st, 2013 on the Bkejwanong Territory now states that “Tecumseh was the Great Leader of the Confederacy of Nations, a war chief, a statesman and an orator, who struggled to protect the Confederacy’s sovereignty over its lands and waters. Tecumseh fought valiantly in the War of 1812 and in the Battle of the Thames. It is believed that Chief Oshawanoë retrieved Tecumseh’s remains hidden near the battlefield and placed them on St. Anne Island. Chief Joseph White, his stepson Silas Shobway, and the Walpole Island Soldiers Club cared for Tecumseh’s bones through the generations. Overlooking the lands and the waters of Bkejwanong Territory, Tecumseh’s remains were placed in this cairn on August 25th, 1941. This final resting place was rededicated on October 2, 2013 in honour of the bicentennial of the War of 1812. Tecumseh’s spirit, his memory, and his legacy live on today.”²

The vision of defending First Nations’ lands was not born with Tecumseh but his vision has come to represent Indigenous sovereignty over the past two hundred years and more. This vision is contradicted by the existence of the British Empire and the Canadian nation-state. It is no wonder then that Tecumseh is seldom remembered through memorials in “Canadian” places whereas Isaac Brock is recognized by our current Prime Minister as a great builder of Empire. At least since, if not well before, the Royal Proclamation of 1763, this vision was guided by the Covenant Chain of Silver, the Two Row Wampum as well as the Niagara Treaty of 1764. It formed an integral part of the relationship of Indigenous Nations with the British Imperial government. The latter sought to share this “vision”, by espousing the myths of protection and citizenship in the form of British Imperial trusteeship. Since 1763 that protection has not been at all forthcoming. Instead the British Imperial (and then the Canadian) government failed to provide any military, or other, protection and proceeded, using the mechanism in the Royal Proclamation (contrary to the 1764 Niagara Treaty), and other legislation, including the Indian Act, to take First Nations’ lands by surrender, or illegally, by other means.

Not being citizens of the British or the Canadian Empires, First Nations' citizens remained sovereign peoples in their own Territories and homelands. Imperial or Canadian citizenship was never offered until 1961 and the myth of British Imperial citizenship was concocted as a form of mere propaganda of these Empires.³ This situation was written large in the de facto control of the Indian Act, 1876, and its successors to this day. Not being citizens, First Nations people had virtually little or no protection against these Empires taking their Territories or homelands. This situation changed in 1965 when Chief Burton Jacobs and the citizens of Walpole Island brought in their form of self-government and removed the Indian Agent.

Lands were taken during and after the American Revolution, the Treaty of Paris of 1783, the McKee Treaty of 1790, the Chenail Ecarte Reserve in the St. Anne Island Treaty of 1796, and the British Imperial "civil" War of 1812. The Treaty of Ghent of 1815 and the subsequent survey of the international boundary, allowed trespass on First Nations' lands in spite of the Indian Protection Act of 1839, the Indian Act of 1876, and thereafter down to 1965. In the latter year the Walpole Island First Nations achieved their form of self-government which marked a watershed since it was the first time that a First Nation had done so under the Indian Act. Even First Nations' children and their dogs were not protected under these colonial regimes. Their children were placed in residential schools and abused horrifically and their dogs were shot. Prime Minister Harper did not say that we, as Canadians were "sorry" until June of 2008. What has Mr. Harper done since 2008?

One should consider a pre/colonial approach to Indigenous Thought and Knowledge. This philosophical notion has been well described by the late Vine Deloria, Jr., in his distinctly spiritual pre/colonial idea of his *The World We Used to Live In* (2006). Deloria posited correctly that we are consumed by "modernism" and by an "uncritical acceptance" of it, including Euro/American knowledge systems. We cannot see that "higher spiritual powers are still active in the world." As a result, we "need to glimpse the old spiritual world that helped, healed, and honored us with its presence and companionship." He also wrote that in the 21st century we "need to see where we have been before we see where we should go, we

need to know how to get there, and we need to have help on our journey.” This wisdom was written in Deloria’s last book before his passing.⁴

Pre/colonial Indigenous Thought systems of spirituality are seemingly incompatible with the modernism of the 20th and 21st centuries based on the material character of Euro/American knowledge systems. Deloria’s thought forms the basis for the primary argument of this book about Tecumseh’s vision.⁵ Tecumseh operated in these contexts. Moreover, he was of mixed heritage--Shawnee, Creek who married into, and was adopted by, the Council of Three Fires. That was precisely why his remains were buried at Walpole Island in 1813. This sacred Place is still the “Soul of Indian Territory” and the “capital” of the Three Fires Confederacy. It is also a powerful Place where Indigenous people return to when they wish to find their identity.

Tecumseh’s vision is also inclusive. It also involves spirit memory across the generations. One of the first steps in the recognition of spirit memory is discovering who we, as Métis, are and where our places are. In Cree, Métis means accurately--“the other son/daughter.”⁶ The French word--Métis--however originally comes from the Latin word “miscere” which, simply but profoundly, means to mix in English. The historical meaning of Métis was the mixing of many peoples from all over the globe with the Indigenous people of this land since at least the 15th century. Thus, the Métis through their ubiquitous family connections have always been part of an international community right into the early 21st century.⁷ They came not just from the Canadian “West”--the former Red River community--as so often has been portrayed in Canadian historiography. They came also from the North and from West to the East and to the South across international borders. In the mid-nineteenth century non-Aboriginal observers regarded the Métis as having a new and distinctive society separate from either First Nations or non-Aboriginal peoples.⁸ These historical issues are vital in understanding and setting the current context of both borders and spirit memory and how the War of 1812-14 and Idle No More shaped the current landscape of Indigenous peoples with the federal government of Canada.

In Chapter one, James Laxer writes about “What the 21st Century Can Learn From Tecumseh.” Laxer contends that not only is Tecumseh

relevant to 2014, but that also his legacy is significant for the histories of the nation-states United States and Canada as they move forward into the 21st century, particularly with respect to territoriality and security through the Great Lakes. How will Tecumseh's vision play out in the 21st century. As Laxer explains, "In Canada, the Harper government featured Tecumseh alongside Brock in television commercials that made it seem that he was fighting to halt an American conquest of Canada. There was not a whisper of the reality that he was fighting for the creation of a sovereign native state. It is no wonder that the government was so startled by the eruption of the Idle No More movement."⁹

In Chapter two, "Two Mysteries, Researching Tecumseh and Brock and the War of 1812-14, Paul-Emile McNab discusses the memory of Tecumseh's role and how it has shaped contemporary Canadian society. The theme of this chapter is the bicentennial celebration of 2012-14, including the "mysteries" of this War. It is also significant to learn what we do not know about this neglected war and about Brock and Tecumseh who both were not citizens of the Canadian nation-state.

In chapter three, entitled "The Significance of the Pierre Piche Wampum Strings of 1818: Historic Saugeen Metis Treaty-Making in the 19th century" David T. McNab analyzes the context of the late 18th and the 19th century Treaty-making process and the participation of the Historic Saugeen Metis from Lake Huron. The discovery of the Piche wampum strings in 2011-12 has echoes of Indigenous Knowledge and Indigenous spirit memory. This Metis Treaty was negotiated through the 12 wampum strings with the Anishinabeg, on or about 1818. It is believed to be the only Metis Treaty made before the British Imperial government negotiated its Treaties for the land (but the waters of the Great Lakes) in what became southwestern Ontario (except the McKee Treaty #2, 1790) and before the international boundary through the Great Lakes was surveyed. This Metis Treaty did not recognize the international boundary through the Great Lakes, and especially Lake Huron.

In Chapter four, Phil Bellfy writes about Indigenous border issues. His contribution, "*1812, 1828, and Other Important Dates related to the Establishment of the Border Through the Upper St. Mary's River*" shows how very incomplete the survey of the international boundary was

through the Great Lakes, even after it was agreed to by the agents of the American and British Imperial governments in 1822. Sugar Island in the St. Mary's River remains unceded Territory and not part of either Canada or the United States today. How could the survey of the international boundary through the Great Lakes remain incomplete and yet at the same time be "approved" by the agents of both governments yet also never approved by the executive authority of Britain and the United States? Other parts of the international boundary east and west of the Great Lakes were approved by executive authority, and by treaty, both before and after the survey through the Great Lakes. These are intriguing and provocative questions which remain to be answered.

Karl Hele continues the discussion relating to border issues in the Sault Ste. Marie region in chapter five in *"An Era's End? Imposing/Opposing Control in the Sault Ste. Marie Borderlands."* With the conclusion of the War of 1812, the role First Nations and Métis would play in the developing colonies remained relatively undecided. Tecumseh had envisioned Great Lakes Nations preserving their "homelands," "sovereignty," "economic independence," and "distinctiveness." Yet, as Britain, British-Canada, and the United States (U.S.) worked towards demilitarizing their common border, the settler governments undertook a variety of efforts to solve what rapidly became known as the 'Indian problem.'¹⁰ Simply, the settlers began to imagine First Nations and Métis as people in need of civilizing instead of allies and partners. Instead of welcoming Tecumseh's vision the new settler nations sought to circumvent it. As British-Canada and the United States transitioned from foes to friends, from colony to nation, First Nations and Métis found themselves confronted with settler governments intent on imposing Westernized versions of 'civilization' upon the landscapes and mindscapes of the Indigenous world post-War of 1812.¹¹

In chapter six, "Quakgwan's Settlement in Bosanquet Township: Blurring the Borders of Knowledge, Law and Policy in Nineteenth-Century Upper Canada," Karen J. Travers examines the role and significance of Quakgwan, who was a Chippewa Chief, an 1812 veteran and signatory to most of the region's treaties. He had petitioned the Governor General in 1849 to grant him the deed to one hundred acres of land that he and

several others had purchased sometime in 1840 near the modern-day town of Port Franks, Ontario. Quakgwan is emblematic of a style of Indigenous leadership that emerged in southwestern Ontario in the early eighteenth century; a leadership that would blur borders of knowledge. The importance of the generation born in the 1790s in understanding the effects of colonialism, past and present, on Indigenous peoples is crucial. His would be one of the last generations who spent their child in Aboriginal villages, away from sustained contact with Europeans and steeped in their culture and language. While their adult years would be marked by some of the greatest changes that Northeastern North America has ever seen, this strong cultural base enabled them to survive and guide their communities through the rapidly changing circumstances around them.

Chapter seven explores the spirit of stories and the significance of story-telling. In “*Anishinabe Children and Borders in the Writings of Louise Erdrich*” Ute Lischke emphasizes that in order to understand stories, one must also understand the spirit of the stories and the spirit of the person and the family who is telling them. Above all, one must know oneself. For Erdrich, the American writer of Métis/Cree/Chippewa origin on her mother’s side and German/Jewish/Catholic heritage, on her father’s side, this has meant a lifelong commitment to writing in order to maintain a sense of sanity and stability. For it is this ‘mixed’ identity that continually confronts her with a sense of, as she describes it, *unziemliches Verlangen*, unseemly longing. Erdrich writes about the interaction between Indigenous peoples and European settlers in her novels and as writer and storyteller she incorporates not one, but several cultural identities. In much of the research about Erdrich these multiplicities of identity have been all but ignored.

In Chapter eight, entitled “Mishomis in Black and White: Reconciling Press Images of an Indigenous Artist”, Carmen Robertson profiles the life of artist Norval Morrisseau (1931-2007). who secured his place in the history of Canadian art, “pictured a contemporary Indigenous art movement forged from elements of visual and narrative Anishinaabeg traditions that inspired generations of artists to create art based on his distinctive visual language.” The 1962 arrival of Morrisseau onto the

mainstream Canadian art scene might be considered a “turntable” for contemporary Indigenous arts because of Morrisseau’s fresh approach to art making and because of the art movement he inspired.¹² Morrisseau’s debut exhibition at the Pollock Gallery marked the beginning of a dramatic shift in how the art world considered Indigenous arts and opened a space for Indigenous artists working with traditional narratives in contemporary ways to find an audience for their work.

In chapter nine, Mark Cronlund Anderson examines “This garbage: Depictions of Idle No More in the *Globe and Mail* and *National Post*” the role of the media and the Canadian public in the Idle No More protests that occurred across Canada in 2012. The Idle No More (INM) movement began in the fall of 2012 with modest ambitions but mushroomed quickly into a national phenomenon with international linkages. It swiftly received sympathetic international media attention, including *Rolling Stone* magazine,¹³ Al Jazeera,¹⁴ the *Huffington Post*,¹⁵ CNN,¹⁶ NPR (National Public Radio),¹⁷ BBC,¹⁸ and the *Guardian*¹⁹ newspaper. Promoting a “peaceful revolution to honour Indigenous sovereignty,”²⁰ it has striven to heighten national awareness about Aboriginal issues, including endemic poverty, chronic governmental underfunding, inequities in the justice system, structural racism in legislation, and to improve general knowledge of treaty rights.

Chapter ten concludes with David T. McNab’s assessment of current Sovereignty and Indigenous disability rights’ issues entitled “*Indigenous Persons with Disabilities, and the United Nations Declaration of Indigenous Rights in Canada*”. Given the current track record of Canada’s federal government, things will definitely not improve for Indigenous people with disabilities now or in the future. For Indigenous people with disabilities, Canada is like a third world country. Disabled First Nations people in Canada are at the bottom as Canadian citizens in terms of health and education despite their rights as proclaimed by the United Nations Declaration as Indigenous people. There is no real linkage between the UN Declaration and rights of Indigenous people with disabilities. In Canada, there is no national or even a provincial plan to address issues of concern to Indigenous Peoples with disabilities. Should such a national plan be developed at the Indigenous community levels who know the

situation best? In the interim, should a community partnership model of such a plan be developed? There is a gap in Canada in this process and it must be addressed.

Tecumseh's vision, and with it spirit memory, moves beyond Indigenous borders and the decolonization of time. It lives on in the present and in the future. This vision is the focal point in examining the last two hundred years. These chapters explore the diverse aspects of Indigenous borders and Indigenous knowledge since the War of 1812-14. They capture new perspectives on issues affecting Indigenous peoples from the War of 1812-14 until the current activities with the Idle No More movement and contemporary Indigenous sovereignty and disability rights.

This publication is the result of collaboration with First Nations and Métis communities who hosted workshops and conferences that focused on these issues. First Nations and Métis peoples along Lake Huron have been particularly affected by the regularization – and regulation – of an international boundary which hasn't taken into account their own traditional territories. The Historic Saugeen Métis hosted and contributed to the Symposium and the Workshop on these events in the summers of 2011 and 2012. This book is a direct result of an international workshop in Southampton, home of the Historic Saugeen Métis that looked closely at "Indigenous Knowledge and Border Issues after the War of 1812." We wish to thank the Social Sciences and Humanities Research Council for supporting these workshops. The Centre for the Study of Indigenous Border Issues (Michigan State University) was also prominent in bringing together Indigenous scholars to discuss the issues related to sovereignty and the international boundary. The workshop is an example of collaborative work and actively involved not only academics but people from the surrounding communities, including local residents, and the Historic Saugeen Métis. We need to break the cycle of only studying the 1812-1814 war by either the US or Canada in isolation from each other, and by not bringing in the independent perspectives of Indigenous people. Bringing together international academics, both Indigenous and non-native, and community members, we hoped to break the boundaries of scholarship and form partnerships. The outcome of the war should include Indigenous Knowledge and Border issues from the perspectives of Indigenous people.

The US-Canadian border has a multidimensional impact on the daily lives of members of Indigenous communities in the Great Lakes watershed. Indigenous people resisted the survey but they were never consulted about it. The border survey requested by the Treaty of Ghent was finished, and agreed to, by 1822, but the issues over Indigenous territory, reserves, and resources continues. The international boundary through the Great Lakes (unlike the rest of the international boundary between Canada and the United States) was never confirmed by executive authority of either these nation states. Along Lake Huron in the early 19th century, Métis and Ojibwe people shared the resources of the lands and the waters. Their agreement to jointly inhabit the traditional Saugeen territory for sharing of land and natural resources predates government treaties. It was marked by the exchange of the Pierre Piche Wampum, twelve strings of white and purple cylindrical beads about a foot long in 1818. Wampum is a traditional Indigenous symbol of an agreement or treaty, as significant and serious as written and signed government treaties. First exchanged in 1818, the Piche Wampum signifies Métis and First Nations cooperation and acknowledgment of their own boundaries – in spite of the official international border survey then in progress.

Endnotes

- ¹ Great Leader of the Confederacy of Nations, War Chief, Statesman and Orator, Tecumseh (Shawnee/Chippewa/Creek) fought to protect the Confederacy's sovereignty over its Lands and Waters. Fighting valiantly in the War of 1812-14, Tecumseh passed away on October 5th, 1813 at the Battle of the Thames. Chief John Nahdee), Tecumseh's brother in-law and his Lieutenant, buried him near the battlefield. By canoe, he was later carried to St. Anne Island. Through the generations, Chief Joseph White (and his stepson Silas Shobway) as well as the Walpole Island Soldiers Club cared for him. Tecumseh was placed in this cairn on August 25th, 1941. Overlooking the lands and the waters of Bkejwanong, Tecumseh's spirit, his memory, and his legacy, lives on today.
- ² See also David T. McNab, "Travels of a Metis through Spirit Memory around Turtle Island, and Beyond", forthcoming 2015.
- ³ See Daniel Gorman, *Imperial citizenship, Empire and the question of belonging*, Vancouver: UBC Press, 2010. For the Indian Act see McNab, "A Brief History of the Denial of Indigenous Rights in Canada", *A History of*

Human Rights in Canada, Janet Miron (ed), Toronto: Scholarly Publishing, 2009, 99-115.

- 4 See Jean-Louis Roy's recent book *Chers voisins: Ce qu'on ne connaît pas de l'Ontario* in which he describes Toronto as "une ville Métisse", quoted in Jeffrey Simpson's February 5th, 2013 column of the *Toronto Globe and Mail* "Quebec, meet your neighbour Ontario", page A 15.
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CHAPTER 1

What the 21st Century Can Learn from Tecumseh

James Laxer

In these remarks, I plan to discuss consciousness, forms of consciousness that are sometimes helpful to us in seeking ways for diverse peoples to live together in Canada, and types of consciousness that stand in our way, blocking us from advancing. First and briefly, I will talk about what I will call “settler” consciousness. Then I will address, at greater length, what we can learn from the life and thought of Tecumseh, the leader of the great native Confederacy in the years prior to, and during, the War of 1812. I had to hand it to the comedian who celebrated the arrival of the year 2013 with his quip that “at least, we won’t have to hear about the War of 1812 anymore.”

The way I see it, last year in public commemorations, we largely failed to understand the war. More important we almost entirely failed to understand that what we were commemorating was really two wars in one. First there was the war of 1812 between the United States and Britain, fought mainly on Canadian soil. And then there was what I call the Endless War, the struggle of native peoples to halt the seizure of their lands by white settlers. To understand the two wars in one, a very good place to begin is by comprehending the vision and struggle of Tecumseh, which is something that both Canadians and Americans, for the most part, have been reluctant to do.

In considering the realities of life on our half continent, I plan to draw on the seminal work of Canadian philosopher Charles Taylor, particularly on the connections he makes between the themes of deep diversity and solidarity. The question I am examining is this: how can those who live in

Canada share this territory, develop an effective democracy, and establish relations of solidarity among peoples, nations and communities that retain historic rights and that live in societies that are, and will continue to be deeply diverse?

Let me begin with “settler” consciousness. Forgive me for making this brief discussion somewhat autobiographical. I was raised in Toronto in an era when “settler consciousness” was at its peak. There was in that day in English speaking Canada very little understanding of the perspectives of immigrants even though those of us who lived in downtown Toronto were well aware that immigrants lived all around us. At Christie and Dupont, where I grew up in a working class area, where the men and some of the women worked in nearby factories, immigrant Italian families were arriving in the neighbourhood on a daily basis. As kids, in the playgrounds, on the street, and at local rinks, we encountered newcomers who didn't speak much English. And, if we came in contact with immigrants without understanding them, we had virtually no awareness at all of the fact of indigenous peoples in our present, let alone in our past. This was a time when as kids at school we received a “settler” education, that focused on discovery and the discoverers—the French and the English who “discovered” this land. It was a history inhabited by Cartier, Champlain, La Salle, Cabot, and Hudson. We were only dimly aware that anyone, certainly anyone of significance, had been on this land prior to the discoverers.

At school in those days before the creation of the Canadian flag, we drew Union Jacks and we were taught that we lived in the British Commonwealth and that Britain and its Empire were the greatest civilizing force, and force for good in the history of the world. In those days, the public educational system in Toronto was an engine of assimilation, an engine of empire and an engine of misunderstanding. Over the last few years, I have been engaged in my own personal, intellectual voyage of discovery. Helping me to get my bearings for this voyage has been my friend and colleague Professor David T. McNab as well as Paul Emile McNab, who has done invaluable research for the projects I have worked on. David McNab told me that his own intellectual voyage involved jettisoning much of what he had been taught when he had studied Canadian history. That turned out to be a helpful notion for me.

A useful place to begin for me was to throw out the maps of North America that have been fixed in my consciousness and to immerse myself in Tecumseh's perspectives on the continent. The more I have studied the life and thought of Tecumseh, the more I believe that his understanding of the struggle for the continent is deeply relevant to us today. Tecumseh's point of departure, when fully developed was this. Let me quote him.

“No tribe has the right to sell land, even to each other, much less to strangers. . . . Sell a country! Why not sell the air, the great sea, as well as the earth? Didn't the Great Spirit make them all for the use of his children? . . . The only way to stop this evil [loss of land] is for the red man to unite in claiming a common and equal right in the land, as it was first, and should be now, for it was never divided.”¹

Every time I read this passage, I see its wisdom, compressed into a few words. “Sell a country! Why not sell the air, the great sea, as well as the earth?” Here Tecumseh could be critiquing the twenty-first century in which we live. Tecumseh's perspective grew out of his experience and that of the Shawnee people. His life was lived during an important chapter in the Endless War.²

Tecumseh was born in 1768 in a Shawnee village near the Ohio River. On the night he was born, his mother looked into the sky and saw a shooting star. Thus he was named Tecumethe, which meant shooting star, blazing comet or in a longer version, I cross the way. The Ohio River, at the time, was the major highway down which settlers moved to the west. During his childhood, the villages in which Tecumseh lived were attacked and burned down and new settlements had to be established further west. He lost his father during an attack in 1774, when he was six.³

His childhood and adolescence taught him that native peoples needed to come together, overcome their differences, to form a great Confederacy to halt and reverse the loss of native land to settlers. He was not the first native leader to have such a vision. Among those before him were Pontiac and Joseph Brant. Tecumseh was the most important such leader in his day. Tecumseh presided over the formation of a great Confederacy comprised of peoples who spoke different languages, some of whom had been hostile to one another in the past. Over the years prior to the showdown

with the United States before the outbreak of the War of 1812, Tecumseh traveled constantly to form an alliance of peoples along the western edge of American settlement from the Great Lakes through Ohio, Kentucky and Tennessee to the Alabama-Mississippi Territory and the Gulf. During these travels, Tecumseh forged links with fellow Shawnees as well as with Potawatamies, Ottawas, Ojibwas, Winnebagos, Kickapoos, Wyandots, Cherokees, and Muscogees.⁴

In August 1810, the showdown came between Tecumseh's Confederacy and the United States. Along with forty other native leaders and warriors, Tecumseh journeyed to Vincennes, then the capital of Indiana to meet with Governor William Henry Harrison.

Tecumseh met Harrison to warn him that a series of treaties signed by the United States with a number of tribes, through which the Americans acquired vast tracts of land, were invalid. He warned Harrison that unless the treaties were nullified and the land returned, there would be war between the members of his Confederacy and the United States. He told Harrison that the United States had to recognize the native peoples as one people and would have to negotiate with them as one.⁵

Tecumseh told the Governor:

You have taken our land from us and I do not see how we can remain at peace if you continue to do so. You endeavor to make distinctions. You wish to prevent the Indians doing what we wish them—to unite, and let them consider their lands as the common property of the whole...in future we are prepared to punish those chiefs who may come forward to propose to sell the land...If the land is not restored to us, you will see, when we return to our homes, how it will be settled. We shall have a great council at which all the tribes will be present...We will see what will be done to those chiefs that did sell the land to you...I am not alone in this determination...I tell you because I am authorized by all the tribes to do so.⁶

Harrison rose to his feet to reply. He categorically denied Tecumseh's contention that the native tribes constituted one nation, having a common property in the lands. If the Great Spirit had intended the native peoples to make up one nation,

Harrison said, he would not have given them different languages. In negotiations, American leaders always emphatically denied that native peoples constituted one people. Tecumseh had no business to challenge the United States and the treaties, Harrison declared. More in sorrow than in anger, Tecumseh left Harrison, having said to him that he thought the two of them would likely have to fight it out, while the President remained in his town far away where he would be able to continue drinking his wine.⁷

Tecumseh traveled from Indiana to the British base on Lake Erie, Fort Malden, where he sealed his alliance with Britain, predicting to the officers there that it would not be long before war broke out between the Americans and the British. In September 1811, during his long journey to extend the native Confederacy, Tecumseh arrived at Tuckhabatchee in present day Alabama, the capital of the Muscogee people, known to the Americans as the Creeks, for the meeting of the Muscogee national council.⁸

In his address to more than a thousand warriors there, Tecumseh mobilized for war. “Brothers—we are friends,” he declared. “We must assist each other to bear our burdens. The blood of many of our fathers and brothers has run like water on the ground, to satisfy the avarice of the white men. We, ourselves, are threatened with a great evil; nothing will pacify them but the destruction of all the red men.”⁹ “Oh Muscogees!” he shouted. “Brethren of my mother! Brush from your eyelids the sleep of slavery, and strike for vengeance and your country.”¹⁰ This latter peroration reinforces the belief of many that Tecumseh’s mother may have had Muscogee ancestors.

Tecumseh’s embrace of solidarity with many native peoples was also extended to his non-native allies. He lived up to his commitments to the British and was unrelenting in his criticism of the British when he believed that they were failing to live up to theirs. In September 1813, when the British were preparing to abandon Fort Malden in the aftermath of the American naval victory on Lake Erie, Tecumseh delivered a scathing lecture to British General Henry Procter in the presence of top British officers.

“When war was declared, our father stood up and gave us the tomahawk, and told us that he was now ready to strike the Americans; that he wanted our assistance; and that he would certainly get us our lands back, which the Americans had taken from us.”

“Listen!” he reminded Procter “You told us that time, to bring forward our families to this place; and we did so, and you promised to take care of them, and that they should want for nothing, while the men would go and fight the enemy.” Then he turned to ridicule: “We must compare our father’s conduct to a fat animal that carries its tail upon its back, but when affrighted, it drops between its legs and runs off.”¹¹

Although Tecumseh was brave in battle, he was humane in victory and never countenanced the use of torture against captured foes. In 1813, at Fort Meigs, Ohio, he intervened to save the lives of captured American soldiers. Some of those saved later wrote that they owed their lives to him. Tecumseh’s principal goal in the war of the native Confederacy against the United States was to establish in alliance with the British a sovereign native state to extend north from the Ohio River to embrace the present states of Ohio, Michigan, Illinois, Wisconsin and much of Minnesota.¹²

This goal, of course, did not come to fruition. After his death, at the Battle of Moraviantown, not far from London, Ontario, the British continued to feature the creation of a great native state as one of their war aims. However, in the negotiations with the Americans in the autumn of 1814, the British completely dropped any notion of a native state from their war aims. In the Treaty of Ghent, signed on Christmas Eve 1814, the state for which Tecumseh fought and died, was missing. Today, both Canadians and Americans are at a loss in trying to figure out what to do with Tecumseh.

The Americans are prepared to recognize Tecumseh as a heroic warrior, but they cannot come to terms with the fact that he took up arms against the United States. They cannot come to terms with the reality that he was fighting for a completely different conception of society and land use than that of the Americans.

In Canada, the Harper government featured Tecumseh alongside Brock in television commercials that made it seem that he was fighting to halt an American conquest of Canada. There was not a whisper of the reality that he was fighting for the creation of a sovereign native state. It is no wonder that the government was so startled by the eruption of the Idle No More movement.

Let me draw together the themes I have developed to a conclusion. In my opinion, the life and thought of Tecumseh illustrate for us a working model that combines both an insistence on deep diversity with a recognition of the need for solidarity, the concepts I mentioned in my introduction. Over the decades, Canada has come to terms, to a considerable extent, with the need to recognize Quebec nationhood, and even, although to a lesser extent, the Acadian fact. There has been much discussion today and there will be tomorrow about the efforts, the successes and the failures of this country to accommodate the presence of immigrants and those from recent immigrant families in our midst.

The construction of an edifice so that people of diverse backgrounds can live together in conscious recognition of each other, will fail—in my opinion, we will be building on shifting sands—unless we fully come to terms with the foundational reality of native societies in Canada. This must be done, not as a gesture, not as symbolism, but as recognition of the fact of native societies historically, and much more than that, as contemporary living societies, with a present and future as well as a past. On this subject, Acadian scholars and artists such as Maurice Basque and Hermenegilde Chiasson have warned against the danger of reducing societies such as their own to a folkloric status.

Finally, deep diversity can only be sustained in conjunction with solidarity. The societies, whose deep and enduring identities, are at the foundation of life on this territory, must have the means, not only to survive—*la survivance* is not enough—but to live and to blossom.

In a time of global economic crisis, this is no small matter. Solidarity, true democracy, cannot be achieved in a society which is riven by a growing disparity between the rich and the rest of the population, including those who live in poverty. And the recognition of deep diversity can only be a sham in a country that harbours such divisions, which continue to

widen. This is where the work of Charles Taylor is so useful to us. As he has argued, deep diversity and solidarity are always works in progress. Without solidarity, there can be no shared agenda or shared democracy. And unless we embrace deep diversity, there can be no authentic recognition of the societies that live side by side in our midst. While settler consciousness may not be as willfully egotistical and narcissistic as it was when I was growing up, it remains a very potent barrier along the road to the recognition of deep diversity and the achievement of solidarity. Coming to terms with who Tecumseh really was and what he fought for is a step along that road.

Endnotes

- ¹ Laxer, James. *Tecumseh & Brock The War of 1812*. Toronto: House of Anansi Press, 2012, Introduction.
- ² Ibid. 9-11.
- ³ Ibid, p. 10-11.
- ⁴ Ibid, p. 11-13
- ⁵ Ibid. p. 77-78
- ⁶ Ibid. p. 79.
- ⁷ Ibid. p. 80-81
- ⁸ Ibid. p. 84.
- ⁹ Ibid. p. 90-91.
- ¹⁰ Ibid. p. 91.
- ¹¹ Ibid. p. 202-3
- ¹² Ibid. p. 202-4.

CHAPTER 2

“Two Mysteries” Researching Tecumseh and Brock: The War of 1812-14

Paul-Emile McNab

In September of 2010, I was fortunate enough to be offered the position of Researcher and Consultant for Author/Historian James Laxer's research project titled *Tecumseh & Brock The War of 1812* by House of Anansi Press. I was honoured to be asked to work on such an important project that would coincide with the bicentennial celebrations in the Summer of 2012 and beyond. My research has generally focused on Aboriginal history in academia and specific claims research in Ontario. Since 2006, I have been employed as Researcher and Consultant. My recent position has been as Vice-President – Research for MAC AN ABA working on archival and historical research with Aboriginal groups across Ontario. Currently I am employed as a Research Analyst with the Canadian Council for Aboriginal Business. Throughout the past several years I have also worked closely in the same capacity with historians Dr. David T. McNab, Dr. Edmund J. Danziger, Olive Patricia Dickason and Professor/Author James Laxer. My research was incorporated into the 4th and 5th editions of *Canada's First Nations*, the publication of the *Great Lakes Indian Accommodation and Resistance during the Early Reservation Years: 1850-1900*, and of course Laxer's *Tecumseh & Brock. The War of 1812*.

The focus of this research revolved around two men Tecumseh and Sir Isaac Brock. As Laxer states: “Although both fought and died on Canadian soil, neither had any particular attachment to Canada”. The War of 1812 has become just as important to Canadians (such as the

bicentennial celebrations across Canada this summer) as 1867, 1931 and 1982 with the defence of the colonies of Upper and Lower Canada (via Brock) and the dream of a Native State (via Tecumseh) and his Native allies. They are forever linked: "It was at Amherstburg that Tecumseh first met with Brock. To Canadians, these two names stand for all that is heroic, loyal and devoted. The white man and the red man fought their last fight and died as they had lived, loyal to their cause. The 'soul' of the Canadian defence was General Brock, and if it had not been for him 'and the band of devoted red men, led on by the brave Tecumseh' during the great struggle of 1812 the question is would there have been a Canada left to us?"¹ The actions of both of these Warriors would not go unnoticed by their respective peoples. The Upper Canadians buried Brock and constructed a monument at Queenston Heights. Tecumseh would be taken care of by his Warriors and taken to his final resting place on Walpole Island. Both Tecumseh and Brock share an important part in their respective histories and they are an integral part of Canadian history.

There have been numerous articles and books written on the War of 1812, all of which are written from either a Canadian or American perspective. Each country has come to its own conclusions as to who won and lost the war. This particular chapter attempts to deviate from the traditional conclusions of the war itself and focuses on "two mysteries." This chapter began with the discovery of the unique relationship between Brock and Tecumseh, which, of course, is one of the central themes of Laxer's book. In my first meeting with Laxer, we discussed the importance of Tecumseh and his allies to the war effort as well as Tecumseh's relationship with Brock. After our first meeting (in September of 2010) I set off to conduct the necessary research across Ontario.

The focal point of my research focused on Tecumseh and Brock. There has been a tremendous amount of research done on Brock and there is also an abundance of primary and secondary sources on him. Brock's writings, letters and correspondence are readily available at Library and Archives Canada, the Archives of Ontario and the Brock University Archives in St. Catharines. However, Tecumseh's was a different story. The most reputable sources on Tecumseh are John Sugden's *Tecumseh: A Life* and Benjamin Drake's *Historical Sketch of the Shawnee Indians*. When

researching Aboriginal history, oral history remains a vital aspect in the research.

There were two specific subjects that Laxer wanted me to address. First, the mystery surrounding the death of Tecumseh and his mysterious burial—for example, who shot Tecumseh? Where was he taken after his death, where is he buried today? These were questions that Laxer also wanted to me to address in the early stages of the project. Secondly, what was the personal life of Isaac Brock, more specifically did Brock really have a romantic liaison with a woman named Sophie Shaw? As I set out to conduct my initial research, I focused on three key subjects: Tecumseh, Brock and the War of 1812-14. The Library and Archives Canada, Archives of Ontario, Brock University Archives, Robarts Library (at the University of Toronto) and the Toronto Reference Library were all starting points. My first stop was in Ottawa at Library and Archives Canada. In terms of primary sources, the Brock Papers are an essential collection and contain the majority of his correspondence before the War and up until his death at Queenston Heights. Most of the letters were between Brock and Sir George Prevost. The collection of the War of 1812 is an excellent primary resource on Brock and the War itself. However, there are only a few sources dealing with Tecumseh. There was a letter from an Indian Agent in the 1930's pertaining to the whereabouts of Tecumseh's bones and his ultimate burial place. After this research at LAC, my next journey took me to the Archives of Ontario.

The Archives of Ontario has a vast collection on the War of 1812. This includes the Strachan Papers, the F.B. Tupper Papers and the Duncan Clark Fonds. The Strachan Papers are a great narrative of Strachan's thoughts on the War, from the importance of the alliance with Tecumseh's Warriors to the invasion of York on April 27, 1813. In a War of 1812-14 file, I came across an article in the *Globe and Empire* newspaper from 1931 on Isaac Brock entitled *Did Brock have a Romance with a woman from York named Sophia Shaw?* I had yet to come across any specific historical information regarding Brock's personal life. As it turned out, Sophia was the daughter of Aeneas Shaw, a British officer who lived at York. The story is as follows:

Sophia Shaw, a daughter of Major General Hon. Aeneas Shaw, was born about 1792. She is said to have met General Brock when he visited the Shaw home at Oak Hill, York (Toronto) in 1811 when she was 19 and he was 42. Sophia's mother was dead and Sophia had grown up in the care of her older sisters. In 1812 she went to stay with her sister Isabella who was married to John Powell, son of Chief Justice Powell. They lived in a new home between Fort George and Queenston. As a result she was near Fort George where General Brock (her fiancée) had his headquarters. General Brock is said to have stopped at this house on his way to Queenston from Fort George on that fateful day. Sophia gave him a stirrup cup of coffee. He is said to have promised to return but was killed at Queenston Heights. In 1813 Sophia returned to York to live with her sister Charlotte. When John Powell died in 1825, Sophia and Charlotte went to live with Isabella. In 1829 Sophia was back in Toronto living with her younger sister Anne, the widow of John Spread Baldwin and mother of Maurice Scollard Baldwin, later the Bishop of Huron. She died on Dec 1, 1872 in her 81st year and was buried at the Necropolis on the banks of the Don River in Toronto. Charlotte married Ephriam Evans, a Methodist minister and had 4 daughters and 1 son. Charlotte pre-deceased her husband.²

To this day, the Sophia Shaw/Isaac Brock love story remains a mystery.

The second mystery was the death and burial of the great Tecumseh. The interest over the whereabouts over Tecumseh's bones spans the nearly two hundred years since his death on 5 October, 1813. The mystery over Tecumseh started with his death in the Battle of the Thames. Richard M. Johnson, a Kentuckian, took credit for killing Tecumseh on the battlefield and later used this to his advantage when running for and subsequently becoming Vice President of the United States. Following his death at Moraviantown, the Warriors took Tecumseh's body to the unceded territory at St. Anne Island, part of the Bkejwanong Territory. However, there are many other speculations on exactly what happened to Tecumseh. It was not until the first centennial of the War of 1812 that Tecumseh's death and the whereabouts of his bones became intriguing to so many.

Unlike Brock, there were no memorials dedicated to Tecumseh's name. Brock received a monument at Queenston Heights, a town and a university were named after him, yet Tecumseh received very little recognition in Canada. However, in the United States Americans embraced him an iconic and heroic figure. The only recognition Tecumseh received in Canada was a small monument with a plaque erected by the citizens of Thamesville. In fact, it was not until August 25th, 1941 that Tecumseh's bones were placed in a cairn on Walpole Island overlooking the St. Clair River.

My research subsequently led to Walpole Island in southwestern Ontario where Tecumseh continues to be honoured by the veterans of Walpole Island First Nation. The story told by the President of the Walpole Island Soldiers Club, Samson Sands, who addressed a letter to Duncan Campbell Scott, The General Superintendent of Indian Affairs on February 4th, 1931, is as follows:

Tecumseh's Story by Sha-noo. After Tecumseh fell on October 5, 1813, he was taken by a party of Indian warriors, to bury the body of Tecumseh in the woods. From the tradition of Chief Shah-noo, he was with Tecumseh to the end and he was one of the party to bury Tecumseh. After the war of 1812, Chief Sha-noo came to reside on St. Ann's Island. He told his son and daughter that he brought the bones of Tecumseh and he buried them near where he lived. There, at the head of this grave the Union Jack was hoisted, and many evenings the pagan rites were exercised by Chief Shah-noo. Some curious people, white and Indian, asked what was the meaning of this. Chief Shah-noo, said 'This is where my great Commander lies.' Many years after Chief Shah-noo's death, the town of Wallaceburg citizens formed a party that started for St. Ann's Island. They approached one of the grandsons of Chief Shah-noo and he pointed his grandfather's grave from the foot of Shah-noo's grave seven feet they discovered bones in a short box like, measured three feet long, two feet in width. This confirms the tradition of Chief Shah-noo. He brought those bones of Tecumseh to St. Ann's Island from the River Thames by canoe, that he may lay, along

side of his Commander, seven feet west of the grave of Tecumseh when his life in this world expires. We cannot produce any better evidence than this. Shah-noo's grandchildren are still residing on this reservation. They have told repeatedly to people as to what their Grandfather, Chief Shah-noo had told them.³

This is the firm belief of the Walpole Island Soldiers club. Chief Sha-noo is a "true and honest Indian Chief" and an integral part of the oral history and tradition on Walpole Island.⁴

For over a century, the remains of Tecumseh remained a mystery, only to be known by the veterans on Walpole Island. In 1876 the Indian Affairs Department wanted to find the remains of Tecumseh, which were then "to be deposited beside those of his late ally and comrade, General Brock".⁵ However, this did not happen. Finally, On October 5th 2013, marking the two hundredth anniversary of Tecumseh's death, the Walpole Island First Nation rededicated the burial place of Tecumseh's bones in a new cairn and a new historical plaque marking his burial overlooking the St. Clair River.

Both Tecumseh and Brock died during the War of 1812-14. Perhaps had both of them lived a little longer, history would have painted a different picture for Indigenous peoples in North America. Unfortunately, we will never know. Tecumseh and Brock will forever be linked by history. They have become mythologized in both American and Canadian histories. Both of them fought for their own reasons, Brock for the British Army, Tecumseh for his people. That should always be understood. But they do remain linked forever and have played an integral part in shaping the continent: "In many respects, Brock and Tecumseh were alike. Both possessed undaunted courage, a keen insight into character, and a hatred of all that was false and mean. Both possessed in a remarkable degree the talent of winning the love and attachment of their friends, and drew even from their enemies expressions of admiration and respect."⁶ The importance of oral tradition is critical to this story. The relationship between Tecumseh and Brock shares a special place in the legacy of the War of 1812-14.

Endnotes

- ¹ Hetherington, Lynn. The University Magazine. February, 1909, p. 143.
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- ³ Samson Sands to Duncan Campbell Scott, Indian Affairs, Ottawa. February 4th, 1931. Walpole Island Heritage Centre. War of 1812 File, p. 2-3.
- ⁴ Samson Sands to Duncan Campbell Scott, Indian Affairs, Ottawa. February 4th, 1931. Walpole Island Heritage Centre. War of 1812 File, p. 3.
- ⁵ J.D. McLean, Indian Agent to Gordon, Cascaden, Acting Deputy Superintendent General of Indian Affairs, August 21st, 1902. Walpole Island Heritage Centre. War of 1812 File
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Historic Saugeen Metis Treaty-Making in the 19th Century: The Significance of the Pierre Piche Wampum Strings of 1818

David T. McNab

Following the waterways north, the Historic Saugeen Metis came through Lake St. Clair to Lake Huron where they initially founded some of their communities at the mouths of the Red (Maitland) and the Saugeen Rivers in the late 17th century and early 18th century.¹ One of the primary meeting grounds of the Historic Saugeen Metis Territory is located at the mouth of Saugeen River on Lake Huron. It is thereby was connected to the waterways of the transportation network of the Great Lakes as well as inland through the nastawagan (canoe routes), and other Indigenous trails and roads.² For the Historic Saugeen Metis, these meeting grounds (based on the principle of the “two row wampum” and the “dish with one spoon”) were free trade zones. They were used by the largely independent Metis traders, one of whom was my great-great-grandfather, William Kennedy (1814-90). Kennedy re-affirmed the Pierre Piche Wampum Strings Treaty when he arrived at the mouth of the Saugeen River after the Spring of 1847.³ In 1818 this Wampum Strings Treaty was initially sanctioned through the Historic Saugeen Metis understanding of the sharing (based on the Two Row Wampum) of some of these lands and waters with the Saugeen and Cape Croker First Nations.

The first and most significant of these zones was the Metis trading post located on the northern shore of the Saugeen River in present-day Southampton. This area has been traditionally known as “Saugeen”, later

Southampton, now currently named Saugeen Shores. It should be noted that the Pierre Piche Wampum Strings of 1818 was agreed to before the first Treaties made by the First Nations with the Crown in the Historic Saugeen Metis Territory (HMST) in the period from 1825-1854.⁴

The Supreme Court of Canada determined in the *Delgamuukw* case (1997) “that Aboriginal oral tradition needs to be recognized in the same manner, and be given similar weight, as the written history of non-Aboriginal people in Canada”.⁵ This SCC decision has been re-affirmed in the case of *Tsilhqot’in Nation v. British Columbia* on June 26, 2014.⁶ These arguments determined that oral traditions are a form of knowledge (pertaining to the wampum strings and belt tradition) that is different but not unequal to written knowledge.⁷ To provide but one historical example, wampum strings were used by the Anishinabeg (Council of Three Fires) in 1793 as the basis for a Treaty in the *Moravian Diaries*: “The captain of a group of Chippewa, who lived half a day’s journey on a river north of here (Fairfield Mission near present day Thamesville), came with two of his people. He offered our helpers a string of wampum in show of friendship. They had opened up a trail so that we could visit one another. It leads through much-deep water and swampy areas.”⁸ These forms of treaties had long (at least since the early 16th century) been initiated by Indigenous people as a way of formalizing “actions of peace” rather than war.⁹

In 2009, (to give one example of this oral tradition pertaining to Treaties), Alan Corbiere (a historian with the Ojibwe Cultural Foundation in M’Chigeeng First Nation on Manitoulin Island) in his published paper “Gidonaaganinaa ‘Our Dish’ - An inter-tribal treaty encoded in wampum” described the origins of the Treaty of the Dish with One Spoon, as follows:

There seems to be a pervasive notion that the Anishinaabeg did not use wampum and that it was only the Haudenosaunee who used it.

Provincial curriculum in schools conveys the idea that we did not have intertribal treaties, that treaties were only concluded between the French and Indians or the British and Indians, not between First Nations.

The historical record shows that the Anishinaabeg also used wampum. The historical record also shows that we had intertribal (or international, if you will) treaties. The Anishinaabeg entered into an intertribal treaty called the “dish with one spoon.” This treaty is encoded on a wampum belt with a circle to represent the bowl.

Ojibwa historian, chief and minister Peter Jones (Mississaugas of New Credit) recorded the following council between the Six Nations Haudenosaunee and the Southern Ontario Anishnaabeg to renew this treaty:

‘The first (wampum belt) contained the first treaty made between the Six Nations and the Ojebways. This treaty was made many years ago, when the great council was held at the east end of Lake Ontario. The belt was in the form of a dish or bowl in the centre, which the chief said represented that the Ojebways and the Six Nations were all to eat out of the same dish; that is, to have all their game in common (Jones 1861, pp. 113-4)’.

Although some may dismiss the above as a southern Ontario event, the Anishinaabeg of Manitoulin Island knew of this treaty. In fact the chiefs of Wikwemikong in 1845 wrote a letter in Ojibwa to the Algonquian Chiefs at Oka and requested that if one of the Oka Algonquin chiefs were moving or coming to Manitoulin Island that they bring ‘our dish.’

The chiefs wrote: ‘wii-bi-izhaad azhonda bezhig gid-oogi-maam, maanda ge-ani-niibing; giishpin dash ba-izhaagwenh, aapiji nindaa-gichi-minwendam giishpin wii-bi-gaagizid iwi gechi-agaawaadaman wii-waabandamaan Gid-oonaganinaa gechi-apiitendaagwak, mii sa ezhi-bagoseniminaa.’

‘If he comes, I would be greatly pleased if he would bring with him that which you greatly desire me to see, our dish which is highly valued; that’s what I ask of you.’

This treaty, as well as the principle of having all game in common, was known and practiced by the Anishinaabeg of Manitoulin Island. In fact, prior to the signing of the Manitoulin Treaty

of 1862, the Anishinaabeg held a grand council on Manitoulin in order to strengthen their resolve against any treaties or surrenders.

Ultimately the treaty was signed and another council was held at Manitowaning where Chief Wakegijig reminded the other island chiefs: 'When the land you have ceded shall have been divided among yourselves and white settlers, what land will your children have? Our families are increasing. The Indians are increasing in number. How can all our descendants be provided for?'

'We have no other reserve besides this. My friends, we want to eat out of one dish as it were, we do not wish to break a part of it to give away. All of us who met together at Metchekewedonong (M'Chigeeng) three years ago, and held a grand council there, agreed that we should eat out of one dish. We feel convinced that the Indians would be better off if they kept the Island for themselves, than if they surrendered a part of it. This is what the Wequamekong (sic) Indians think.'

The dish with one spoon concept was utilized here on Manitoulin Island in the 1860's. The principle of the dish with one spoon is that all Anishinaabeg hold the game in common, the dish is the land, and the game is what is served in the dish. The chiefs had resolved to 'eat from one dish' in 1861 however, Oct. 6 1862, the Manitoulin treaty was signed by the some of the chiefs and principal men.

It became the basis for the Pierre Piche wampum strings Treaty of 1818.

The HSM entered into a Treaty with the Council of Three Fires Confederacy in 1818 based on the Treaty of the "dish with one spoon" and the Two Row Wampum Treaty. This Piche Wampum Strings Treaty allowed the Historic Saugeen Metis to share their Territory (including both lands and waters) based on the Indigenous Knowledge principle of a "dish with one spoon". The latter principle was framed by the Two Row wampum which dated at least to 1664, with that of the Confederacy of Three Fires in its Territory. The First Nations gave the HSM the

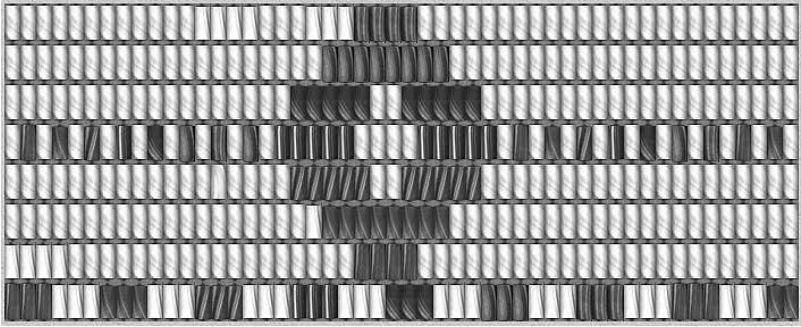


Figure 3.1 *The “dish with one spoon” Treaty wampum.*

wampum as a mark of this Treaty out of peace, mutual respect and trust. This Treaty was not with the British imperial or the Upper Canadian governments who were not parties to it.¹⁰

By the mid-18th century, if not before, the Historic Saugeen Métis had fully developed their own society and distinct communities within the HMST. In Ontario (as well as present-day Michigan), in addition, they participated in the local economies, such as the fur, commercial fish, and timber trades. The Historic Saugeen Metis were also involved in the traditional natural resource harvesting activities, including, among others, (both commercial and subsistence) hunting, fishing, trapping, horticulture, commercial agriculture and gathering of many vegetal products. They were successful landowners and farmers. They became local merchants and middlemen. They grew hay and other grains in the wetlands adjacent to their settlements and had market gardens, growing produce both for sale and for their own subsistence and abundance.¹¹

One of the HSM leaders was Pierre Piche (c. 1770-1837). Piche was an independent fur trader who came to the Lake Huron District and established a trading post on the north shore of the Saugeen River in 1815 after the War of 1812-4. His wife was from the Confederacy of Three Fires at Saugeen. Recent archaeological finds on the shore validate this fact. Piche was given 12 strings of Wampum by the Confederacy of Three Fires in 1818.¹² Patsy McArthur, a descendant of Piche, has written that “upon Piche’s arrival in the Saugeen Territory, the Ojibwe invited Piche to share unmolested the resources of the Saugeen Territory,

with the understanding that Piche would share in the protection of the environment for the benefit of both aboriginal peoples.” It was further agreed that the Piche Wampum Strings Treaty was presented “as a tangible reminder, an enduring record, of the historic diplomatic exchange and the words spoken between the Ojibwe and the Metis that formed their peaceful and sharing relationship in the Saugeen Territory.” The Piche wampum strings Treaty endured. It was “carried by two generations of the Gonneville/Granville family after Piche left Saugeen. There were kinship connections between the two families prior to either coming to the Saugeen Territory to trade. Through the Piche wampum, the Historic Saugeen Metis were connected to previous generations, and it acted as a cultural bridge to future ones.”¹³ The Treaty was recognized and re-affirmed through the process of spirit memory in 2011-12, as well as thereafter. As living things, with its own spirit, the Piche Wampum Strings Treaty was reproduced in 2012 and it is presently in the Historic Saugeen Metis Interpretation Centre in Southampton.¹⁴

The Historic Saugeen Metis and the “Two Row Wampum” represented the relationship between the French and then English imperial governments and the Aboriginal Nations, peace, respect and trust. It is defined as a “bed of white wampum shell beads symbolizing the sacredness and purity of the treaty agreement between the two sides”.¹⁵

In addition to the 1818 Piche Treaty, there were Treaties negotiated and signed by the non-Indigenous governments with First Nations after the 1818 Piche Treaty. These Treaties included the 1825-27 treaty in part of present-day southwestern Ontario, the 1836 treaty at Manitoulin Island, the 1850 Robinson Huron Treaty and the 1854 Treaty regarding the Bruce Peninsula, among others. The HSM were not parties to any of these Treaties either as persons, extended families or as communities. However, in spite of these Treaties, the HSM retained effective control over their territory. The Metis of Rainy Lake (not the HSM) signed Adhesion to Treaty #3 in northwestern Ontario in 1873. This suggests the emergence and solidarity of the HSM in its territory by not signing a Treaty to this day.

The Historic Saugeen Metis’ customs, laws and institutions allowed them to become “free and independent” without signing a Treaty with

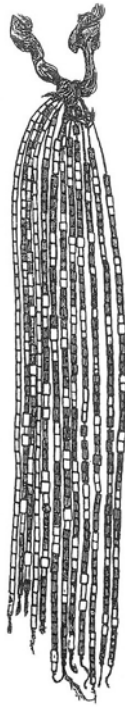


Figure 3.2 *The twelve strings of wampum.*

non-Indigenous governments after 1818.¹⁶ The First Nations gave the HSM the wampum as a mark of this Treaty out of peace, mutual respect and trust. This Treaty was not with the British imperial or the colonial Upper Canadian governments who were not parties to it. The illustration above is the twelve strings of wampum. This Piche Wampum Strings represents the only Treaty signed with the Confederacy of Three Fires.

This Wampum Strings Treaty was given to David Boyle, the archaeologist, in 1904 who became the first Director of the Ontario Museum (which was then part of the provincial Department of Education) in Toronto. The first Ontario Museum was housed at the site of the Toronto Normal School on Gerrard Street in downtown Toronto. The original Museum later became the Royal Ontario Museum in 1912. The original Wampum Strings artifact was placed on the inventory of the Royal

Ontario Museum but the Museum has not been able to find the original Wampum Strings Treaty to date.¹⁷

The description of the Piche Wampum is recorded by the Royal Ontario Museum, as follows, based on Mr. Fred Lamorandiere's notes:

Represents a gift made to the museum by Mr. F. Lamorandiere, Indian interpreter at Cape Croker, through Mr. H.G. Tucker, barrister, of Owen Sound. Mr. Lamorandiere writes that "about 1816 when the voyageurs and adventurers from Lower Canada began to be attracted to the upper country (les Pays d'en haut) to engage in the fur trade with the Indians, one M. Piche took himself to Sauging, (Saugeen). About 1818 Piche married a woman of the Chippewas (Ojibways) of Sauging. They had no family, and when he died his widow was taken care of by Mrs. Augustine Gonneville, (more frequently called Grandeville), who was the daughter of Joseph Lange and a Cree woman. She married Gonneville or Grandeville in the Red River country, and the two removed to Goderich, and Sauging. Mrs. Grandeville cared for her till she (Mrs. Piche) died. Mrs. Piche ingratitude for all the care bestowed on her, presented Mrs. Grandeville with these strings of wampum, saying that they would entitle Mrs. Grandeville to her (Mrs. Piche's) portion of land in the Sauging country. Augustine Grandeville died after raising a very large family, and his youngest daughter got married to Francis Benoit, who died near Sarnia. Mrs. Benoit took charge of her mother until she (Mrs. Grandeville) died, having bequeathed to Mrs. Benoit the strings of beads, repeating the words of Mrs. Piche, that the Wampum would entitle her to one share of land in Sauging territory. "Mrs. Benoit became Mrs. F. Rocher de Lamorandiere. "The land claim was never acted on, as there was no need of doing so, because land was then cheap. "It may be well to remark, however, that the gift of these beads from one tribe to another, or an individual to another, was regarded as very solemn and binding, and a compact, and a compact made that way was never broken. "Having no use for the beads except in remembrance of my late wife, and as a memento of the old

times, I freely donate them to the Department of Education to be placed in the Provincial Museum, or any other place, as the Curator may think fit. F. Lamorandiere.”

Mr. Lamorandiere’s notes are quoted pretty fully, because they present an interesting little picture of life in Upper Canada about the beginning of last century, illustrating, to some extent, the relation that existed between the traders and the Indians, as well as showing us that the aboriginal custom of confirming a promise with some tangible pledge was yet in force. We are greatly indebted to Mr. Lamorandiere for his gift of such a well attested “document” and to Mr. Tucker, for his kindly offices in procuring the wampum for the Provincial Museum.¹⁸

The Piche Wampum Strings Treaty sanctioned the Metis trading post established in 1815-16 on the north shore of the Saugeen River. It also granted a “portion of land in the Sauging country”, and among other considerations, the right of fishing on the Fishing Islands in Lake Huron which was part of the “Sauging country”.

These considerations have always been part of the oral traditions of the HSM. For example, it is likewise reflected in William Kennedy’s activities regarding land, fishing, and timber from 1847-51 at Saugeen. This post was within the Saugeen Territory as well as being within the HSM Territory. In addition to that post, the Confederacy of Three Fires and the HSM permitted the Metis traders, Captains William Kennedy and (his nephew) John Spence, to establish their Niagara Fishing Company at Southampton in 1847, including 1,000 acres of land (including the Longe House, park lots in Southampton), a timber lease and a fishery lease to the Fishing Islands in 1849. All of these activities flowed from and were part and parcel of the Piche Wampum Strings Treaty of 1818. These facts explain why the Historic Saugeen Metis have always recognized in their oral traditions that they have always been “free and independent” as well as having lands and resources in their Territory.

In June, 2012 the Piche Wampum Strings Treaty was reproduced by Mr. Ken Maracle, a Six Nations wampum maker from Oshweken. The reproduction was made since the original was missing and the spirit of the reproductions, like the effect of an echo, may assist through spirit

memory, and result, in the finding of the original. Reproductions are not considered to be appropriations because both artifacts are living and have their own spirit. It was carried by Ute Lischke, and the author, from Oshweken to the Historic Saugeen Metis Interpretation Centre on June 21st, 2012. It is presently in the Historic Saugeen Metis Interpretation Centre in Southampton. It is expected that, through spirit memory, the original Pierre Piche Wampum Strings Treaty of 1818 will eventually be found.

Endnotes

- ¹ See David T. McNab, (with Patsy McArthur and Paul-Emile A. McNab), *Historic Saugeen Metis, A Heritage Atlas*, Belleville, Ontario: Essence Publishing Company for the Historic Saugeen Metis, 11-18. Edward Benton-Banai, *The Mishomis Book: The Voice of the Ojibway*, Hayward, Wisconsin, Red School House, 1988, 1-4, 94-113.
- ² McNab, "Canoes and Culture in Eastern North America", *Encyclopedia of American Indian Culture*, ABC Clío, forthcoming, 2014.
- ³ McNab, (with Patsy Lou McArthur and Paul-Emile A. McNab), *Historic Saugeen Metis, A Heritage Atlas*, 46-8.
- ⁴ See the HSM Website for a description and an illustration of the 1818 Pierre Piche Wampum Strings: <http://www.saugeenmetis.com/main.php?page=heritage> accessed on May 28th, 2012.
- ⁵ McNab, "The 'Heart' of the Matter: Reflections on Aboriginal Oral Traditions and the Written Record", Keynote Address for the Twenty-Fifth Anniversary of Wilfrid Laurier University Press, October 19, 1999.
- ⁶ SCC, 44, 34986, *Tsilhqot'in Nation v. British Columbia*, June 26, 2014.
- ⁷ Alan Corbiere, "Gidonaaganinaa 'Our Dish' - An inter-tribal treaty encoded in wampum", *North Bay Nugget*, 2009, accessed on September 30th, 2011 at: <http://www.nugget.ca/ArticleDisplay.aspx?e=810355&archive=true>.
- ⁸ *Moravians in Upper Canada: The Diary of the Indian Mission of Fairfield on the Thames 1792-1813*, Translated from the original German Script and edited with an Introduction by Linda Sabathy-Judd, Toronto: The Champlain Society, 1999, 81.
- ⁹ McNab, (with Ute Lischke), "Actions of Peace: Introduction", *Blockades and Resistance: Studies in Actions of Peace and the Temagami Blockades of 1988-89*, (with Bruce W. Hodgins and Ute Lischke, ed), Waterloo: WLU Press, 2003, 1-9.
- ¹⁰ *The Papers of Sir William Johnson*, Prepared for publication by Milton W. Hamilton, Volume. XI, Albany: The University of the State of New York, 1953,

- 395-396. See also Paul Williams, "The Covenant Chain", Unpublished L.L.M. thesis, Osgoode Hall Law School, 1982.
- 11 McNab, (with Patsy Lou McArthur and Paul-Emile A. McNab), *Historic Saugeen Metis, A Heritage Atlas*, 32-4; Also see Patsy Lou Wilson McArthur, "The Saguingue and the Fur Trade at Southampton", Lischke and McNab (ed), (co-editor, with Ute Lischke), *The Long Journey of Canada's Forgotten People: Métis Identities and Family Histories*, Waterloo: WLU Press, 2007, 87-134.
 - 12 Peter S. Schmalz, *The Ojibway of Southern Ontario*, Toronto: University of Toronto Press, 1991, 62.
 - 13 McArthur, McNab, (with David T. McNab and Paul-Emile A. McNab), *Historic Saugeen Metis, A Heritage Atlas*, 188.
 - 14 See McArthur, in (McNab, et. al.), *Indigenous Voices and Spirit Memory*, Winnipeg: University of Manitoba, Aboriginal Issues Press, 2013, 21-8.
 - 15 Peter S. Schmalz, *The Ojibway of Southern Ontario*, Toronto: University of Toronto Press, 1991, 62.
 - 16 McNab, (with Bruce Hodgins and S. Dale Standen), "'Black with Canoes': Aboriginal Resistance and the Canoe: Diplomacy, Trade and Warfare in the Meeting Grounds of Northeastern North America, 1600-1820", George Raudzens (ed.), *Technology, Disease and Colonial Conquests, Sixteenth to Eighteenth Centuries. Essays Reappraising the Guns and Germs Theories*, Amsterdam: Brill International, 2001, 237-92.
 - 17 The original Pierre Piche Wampum Strings Treaty may also be in the David Boyle Papers which are housed in the Royal Ontario Museum as well.
 - 18 Cameron, L.K. *Annual Archaeological Report. Royal Ontario Museum: Ontario, 1905*, p. 48-49.

1812, 1828, and Other Important Dates Related to the Establishment of the Border through the Upper St. Mary's River

Phil Bellfy

Introduction

Bawating is the Anishnaabemowin name for the area at the mouth of Lake Superior: it can be translated as “the gathering place of the People.” The place is now called Sault Sainte Marie —French for “The Rapids of the St. Marys River.” Today, the area is divided by the US/Canada border, creating the “Twin Saults,” one in Ontario and the other in Michigan. It is this very same border that divides the Anishnaabeg of the region; there are two Tribes on the southern side of the border, with two First Nations to the north.

The Indigenous people of the region are called the “Chippewa,” a term used almost exclusively in the U.S., and the “Ojibwe” (with various spellings), a term that is used almost exclusively in Canada. In our language, we refer to ourselves as Anishnaabeg, which has been translated as “The People Who Intend to Do Well.” Given this different, politically-tinged “Chippewa/Ojibwe” terminology, we can see how the “visitor governments” attempted to separate these sovereign people into competing and distinct “camps,” utilizing a “divide-and-conquer” strategy while drawing the US/Canada border quite literally through the middle of their community. While this division has been historically successful to a large degree, the Anishnaabeg of the Bawating region are in the process of breaking down that border. Part of that liberating process is a re-thinking

of Sugar Island, the northernmost island in the St. Marys river, and its role in the region's collective history. While ancient in the memories of the Anishnaabeg, it's modern history begins in Europe before the "explorations" of Christopher Columbus.

Fifteenth Century Papal Bulls and the Anishnaabeg

We grant you [Kings of Spain and Portugal] by these present documents, with our Apostolic Authority, full and free permission to invade, search out, capture, and subjugate the Saracens and pagans, and any other unbelievers and enemies of Christ wherever they may be, as well as their kingdoms, duchies, counties, principalities, and other property ... and to reduce their persons into perpetual slavery.

Dum Diversas. Pope Nicholas V, Papal Bull, 1452.

While it may seem odd to see a reference to a Fifteenth Century Papal Bull to start this discussion of Sugar Island, I can assure you that an understanding of that Fifteenth Century history—and how it unfolded itself in the upper Great Lakes—is critical to an understanding of contemporary Anishnaabeg views of the area. This is due to the simple fact that underlies the Dum Diversas Papal Bull, and that is the arrogance of the European "explorers"—Columbus included—who felt empowered by a distant Pope to essentially do whatever they want with the "pagans" that they encountered, and, of course, do whatever they want with their "kingdoms, duchies, counties, principalities, and [their] other property."

Following up on the Dum Diversas, and necessitated by the "discovery" of the Americas, Pope Alexander VI issued the Papal Bull *Inter Caetera*, in 1493. What this Bull did was to establish a line "from the Arctic pole ... to the Antarctic pole" granting to Spain "all islands and mainlands found and to be found, discovered and to be discovered" as long as any of those lands had not yet been "acquired by any [other] Christian prince." Together, these two Bulls—and a third: the *Romanus Pontifex*—"regulated" land seizures and slavery in "The Age of Discovery," essentially granting "monopoly rights" to one European power over any others who might also be inclined to seize "pagan" lands.¹

Relevant to our discussion of the Sault Ste. Marie area as this Papal European arrogance works its way into the "real world" of the

Anishnaabeg, is a brief recounting of the “Pageant of Saint Lusson,” held in Bawating in 1671 (apparently on the north side of the river). Through this “Pageant,” held on June 14, with many “dusky savages” in attendance, the French laid claim to all of North America. Saint Lusson declared:

In the name of the most high and redoubtable sovereign, Louis the Fourteenth, Christian King of France and Navarre, I now take possession of all of these lakes, straits, rivers, islands, and regions lying adjacent thereto ... and I declare all of the people inhabiting this wide country that they now become my vassals [and that] other princes and potentates of whatever rank ... that they are denied forever seizing upon or settling within these circumjacent seas.²

You will note, of course, the reference to the Christian King of France, and his royal warning to “other princes and potentates” that they are now banned from claiming any of these same lands, echoing the fifteenth century Papal Bulls legitimizing European land claims in the “Age of Discovery.” Of course, this “Bull-like” declaration of Saint Lusson, embellished by the rhetorical flourishes of the time, was most likely lost on the Native people who were assembled by the French for the sole purpose of impressing them with such “pageantry.” But it is unmistakable that Saint Lusson was really directing his pronouncement less to the Indigenous people who had been called to this “Great Council” and more to the “princes and potentates” of England, Spain, and any other European power that may seek to assert their own “sovereignty” over this vast continent, lest they bring the wrath of the Most High King of France down upon their collective heads.

It is not by mere coincidence that the language of this 1671 “Pageant” was similar to the Papal Bulls, even though their pronouncements were separated by two centuries. The entire intent behind all of it was to establish a formal mechanism whereby one European state could make a claim to “pagan lands,” and hope to convince other European powers to honor those claims (backed by the force of arms, of course). These “declarations” provided the European powers with that self-defined legal justification and warning.

Colonial Era “Proclamations”

Well, okay, but what does this have to do with Sugar Island? Before I answer that question, we have to look at a few other relevant documents, and jump ahead a century, or more. In 1763, the British government issued its “Royal Proclamation” claiming a monopoly over the disposition of “French” lands in North America. That is, the “Proclamation” laid formal claim to much of the same land that France had claimed in the Sault in 1671, “French” land that was “lost” to the British after their defeat on the Plains of Abraham (near Quebec City) by Great Britain in 1760. Of particular note for our purposes, the Royal Proclamation declared that the lands west of the Appalachian Mountains was “Indian Territory,” and therefore closed to colonial expansion. The language of the proclamation is clear on this point:

And whereas it is just and reasonable, and essential to our Interest, and the Security of our Colonies, that the several Nations or Tribes of Indians with whom We are connected, and who live under our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds.

It is essential that we recognize two important points of this Proclamation: first, it recognizes that the Indigenous people of the region have a *sovereign right* to their “hunting grounds.” And, secondly, any such lands “in the Possession” of these “Indians” can only be ceded to or sold to *the Crown*, and only if the “Indians” are inclined to do so—that is, they cannot be “molested or disturbed in their Hunting Grounds” by the Crown or outside “third parties.” Again, stripping aside that formal eighteenth century language of diplomacy, the Proclamation essentially is a repeat of that other formal seventeenth century language of the French “Pageant of Saint Lusson,” only this time it was more directed at the new “American” government than to other European powers who might challenge British claims to sovereignty over much of North America. So, by 1763, everyone agreed that that which was “French” is now “British”—even though, everyone readily admits that much of North America was really “Unceded Indian Territory.”

While many ignore this fact, this closing off of “Indian Territory” to colonial expansion was an important underlying factor that led to the Revolution; yet, after Independence, the new-established United States of America issued its own “Proclamation” in 1783, declaring that the new US federal government was now the sovereign power in “Indian Territory,” and they alone had the power to obtain cessions of land from the “Indians” (or the right to purchase it from them — “theft” in any form was banned).

One more document needs to be introduced: the Northwest Ordinance of 1787. The relevant passage is quoted here: “The utmost good faith shall always be observed towards the Indians; their land and property shall never be taken without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed.” Again, it is important to note that the US government is recognizing the Native Peoples’ *sovereign rights* to their “land and property.” And, as did both the Royal and the Federal Proclamations, the U.S. Government maintained itself as that entity with the sole “authority” to “treat” with the “Indians” for their lands.

After the American Revolution

All of these Bulls, Pageants, Proclamations, and Ordinances had one very dominant theme: all “civilized” nations recognize the right of one “European” power, and only one, to either steal, trade, or buy the lands of Indigenous (pagan) people —even if that one European power changes. Of course, after the Revolutionary War, all of this had to be sorted out, once again, on the international scene.

The 1783 Treaty of Paris did just that for the new US and British governments after the Revolution. For the purposes of this essay, the boundary that the US and Great Britain “established” through this treaty was not much more than a formal agreement as to which side was authorized to “treat” with which Indians over the “dispossession” of those lands constituting “Indian Territory.”

We will see what problems this led to, but, for now, let’s see what Article Two of the Treaty of Paris said about the boundary between the two countries as it relates to the Bawating area: it says that the boundary will be drawn “along the middle of said water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior.” Anyone familiar with the area knows

that the “water communication”—that is, the Saint Marys River—is full of islands, which, as we shall also see, leads to a number of problems.

Of course, this rather ambiguous language that “defined” the boundary between the two countries created a situation that also threatened the “firm and perpetual peace between his Britannic Majesty and the said states, and between the subjects of the one and the citizens of the other” (Article Seven). In order to resolve many of these issues left unsettled by the 1783 Treaty of Paris, the US government sent John Jay (Supreme Court Justice) to London to negotiate the “Treaty of Amity, Navigation, and Commerce between His Britannic Majesty; and The United States of America,” ratified in 1794 by the two governments. Given that it has a rather cumbersome title, the treaty is more commonly referred to as Jay’s Treaty, or the Jay Treaty.

While Native people were not mentioned in the Treaty of Paris, Article Three of Jay’s Treaty does contain a significant reference:

It is agreed that it shall at all times be free to His Majesty’s subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the said boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America, (the country within the limits of the Hudson’s Bay Company only excepted.) ... No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever.

The significance of this Article is that it makes explicit the political independence and sovereignty of the Indigenous people of North American “Indian Territory.” That is, it clearly defines three separate groups of people on this continent —British subjects, US citizens, and “Indians dwelling on either side of the boundary” established between the two countries, “Canada” and the United States. Of course, we come once again to the problem of determining just where that boundary actually lies. In fact, Article IV of Jay’s Treaty simply kicks that issue down the road by stipulating that “the two parties will thereupon proceed, by amicable negotiation, to regulate the boundary line in that quarter [Lake of the

Woods], as well as all other points to be adjusted between the said parties, according to justice and mutual convenience, and in conformity to the intent” of the Treaty of Paris.

As we all know, the War of 1812 broke that “firm and perpetual peace”—the “Amity” referred to in Jay’s Treaty—long before the surveyors and commissioners could figure out just how to “adjust” all those “other points” of the boundary that the parties had yet to agree upon, which brings us to the 1814 Treaty of Ghent, formally ending the War of 1812. For our purposes, the relevant language is in Article IV:

The United States of America engage to put an end immediately after the Ratification of the present Treaty to hostilities with all the Tribes or Nations of Indians with whom they may be at war at the time of such Ratification, and forthwith to restore to such Tribes or Nations respectively all the possessions, rights, and privileges which they may have enjoyed or been entitled to in one thousand eight hundred and eleven previous to such hostilities.

Later in the same Article, “His Britannic Majesty” agrees to the same restoration of rights, including, one must assume, all of the “possessions, rights and privileges” laid out in Jay’s Treaty. The Treaty of Ghent also recognizes the indeterminate nature of much of the border between the two countries, as Article VI refers again to the problem of the “water communication” that was mentioned earlier:

and whereas doubts have arisen what was the middle of the said River, Lakes, and water communications, and whether certain Islands lying in the same were within the Dominions of His Britannic Majesty or of the United States: In order therefore finally to decide these doubts, they shall be referred to two Commissioners to be appointed, sworn, and authorized to act [to resolve these issues].

Despite the good intentions of the parties laid out in the 1814 Treaty of Ghent, the surveying of the boundary throughout the length of the St. Mary’s River was not commenced until 1828, and, at that time, was not completed due to a disagreement as to just which country would be “awarded” Sugar Island, the northernmost island lying in the St. Mary’s River. Here is how the Commissioners refer to that issue in 1842, when the line is finally determined: “from the place where the joint

Commissioners terminated their labors under the sixth article of the Treaty of Ghent, to wit: at a point in the Neebish Channel, near Muddy Lake”.

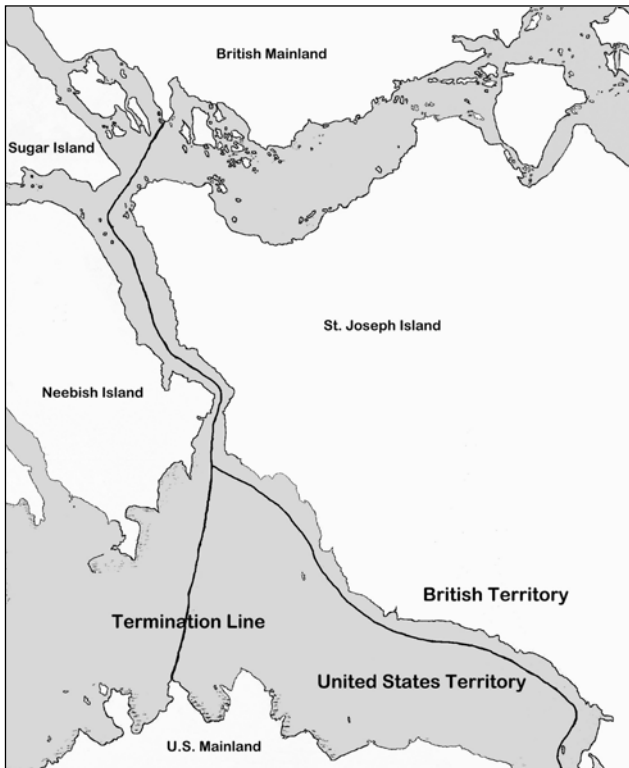
It is that 1842 agreement that finally settled the boundary between the US and Great Britain in the upper St. Marys. The boundary was drawn so as to put Neebish and Sugar Islands on the U.S. side of the border, but please keep in mind that this resolution of the border issue does not “give” these islands to the U.S. Through this 1842 agreement, Great Britain recognizes the “right” of the U.S. to *negotiate* with the area’s Native people for a *cession* of Neebish Island and Sugar Island (along with its “islets”). Remember, these areas of “Indian Territory,” as proclaimed by both the U.S. and Great Britain in the Upper Great Lakes, are still under the absolute sovereignty of the area’s Indigenous people. At this point (1842), not one acre of these islands have been ceded, sold, surrendered, or lost in a “just war,” which brings us to a discussion of “modern” land cession treaties.

The 1836 Treaty of Washington, and the 1850 Huron-Robinson Treaty

In 1836, the US government and the area’s Indigenous people signed the “land-cession” Treaty of Washington. Through this treaty, the US government agreed, in part, that “Sugar Island, with its islets shall also be reserved for the use of the Chippewas living north of the straits of Michilimackinac.” The only problem with this claim, as we’ve seen, is that the border in this area was not yet determined, and as a consequence of this dispute, Sugar Island was not under the “land cession” jurisdiction of the US in 1836. That is, the US did not —by treaty or any other legal instrument—have an internationally recognized agreement with Great Britain that gave either country the right to negotiate with the Native people over the disposition of lands that clearly belonged to those “Indians” as part of what both governments clearly recognized as “Indian Territory.”

This is how the 1836 Treaty of Washington refers to the St. Marys River boundary as it describes the limits of the land it claims is being “ceded” to the United States: “thence northeast to the boundary line in Lake Huron between the United States and the British province of Upper Canada,

thence northwestwardly, following the said line, as established by the commissioners acting under the treaty of Ghent, through the straits, and river St. Mary's, to a point in Lake Superior north of the mouth of Gitchy Seebing." For our purposes, it is important to note that the "line established by the commissioners" terminated at a point south of Sugar and Neebish Islands, a line that did not continue until that point "in the middle of the St. Mary's river, about one mile above St. George's or Sugar Island." That would put the northern terminus of the disputed area just below the Rapids (the map shows the southern terminus of the disputed area).



Map 4.1 *The "Termination Line" as drawn by the Treaty of Ghent Commissioners, 1828.*

Adapted from John Bassett Moore, *History and digest of the international arbitrations to which the United States has been a party, together with appendices containing the treaties relating to such arbitrations, and historical and legal notes*, Washington, Govt. print. off., 1898.

Further muddying these waters, in 1837, in advance of Michigan becoming a state, the area's Indian Agent, Henry Rowe Schoolcraft, drew up a map and census of all of "Michigan's" Reservations and the "number of [Indian] souls" that resided on each of these Reservations.

A Map of the Acting Superintendency of Michigan Reservation Population, 1837

Sault Ste. Marie Bands	180	White River	142
Tacquamenon River	77	Maskigo	94
Drummond Island	64	Grand Traverse B.	417
Grand Island	66	Little Traverse B.	497
River aux Traines	2	L'Abre Croche	314
Chocolate River	73	Village of the Cross	225
Esconawba River	111	Rain's Band	164
Shawan Egeezhig's Band	127	Fort Village G.R.	118
Little Bay de Nocquet	109	" " "	38
Beaver Islands	117	Little Prairie "	53
Bear Skin's Band	108	Grand Rapids "	160
Ance & Missutigo's [Bands]	157	Prairie Village "	47
Chenos	75	Thornapple R. "	106
Michilimackinac & Bois Blanc	72	Forks "	76
Cheboigan	112	Flat River "	135
Thunder Bay	109	Maple River "	156
Carpe river	138		
Plate River	9		
Manistee River	45		
Pierre Marquette	68	Souls	4561

Estimated number of Chippewas in Michigan west of the cession of 1836	1200
Menomonees between Esconawba & Menomonee Rivers.	Est. 500
Saganaws of Michigan.	1000
Swan Creek & Black River Chippewas	300
Total population within the limits of Michigan	7621
Ottawas of Maumee, in Ohio	Est. 200
Total Population	7821

Figure 4.1 Schoolcraft Table of Reservation Populations, 1837.

An original of the map from which the Table was transcribed can be found here http://www.lib.msu.edu/branches/map/MijPEGs/schoolcraft_1837.jsp

While Sugar Island is shown on the map as a “reservation,” the accompanying census data has no reference to Sugar Island. Consequently, given the indeterminate “international” status of both Sugar and Neebish Islands due to the failure of the Commissioners to firmly establish the border in this area, and Schoolcraft’s implicit recognition of this indeterminate status, recognized by failing to include the “souls” of Sugar Island in his Michigan census, many Native people of the area believe that Sugar and Neebish Islands (and their islets) have yet to be “ceded” to anyone; consequently, these islands cannot be said to be a part of either the United States or of Canada.

Let me explain further: in 1836, when the US gained a cession of considerable territory in what is now northern Michigan, the entire border area between the two “termination lines”—including Neebish and Sugar Islands and “its islets”—drawn by the Treaty of Ghent Commissioners, was not under the jurisdiction of the United States. That is, the United States and Great Britain could not agree which of the two governments had the right to “treat” with the Native people of the area for a cession of that portion of “Indian Territory,” a *formal status* accorded to those “Hunting Grounds” under several treaties and agreements, as seen above. Consequently, the 1836 language, as it relates to Sugar island, must be viewed as simply a *land claim* by the US, *not as a cession* by the Anishnaabeg.

Regarding the “Canadian Connection,” land *north of the border* in this area was subject to the “land cession” provisions of the 1850 Huron-Robinson Treaty. Given that the status of the upper St. Mary’s border was agreed upon in 1842 under terms of the Webster-Ashburton Treaty—with the right to “treat” with the Native people of the area being “awarded” to the United States—Canada *did not* include this territory in its 1850 treaty.

So, if the status of Neebish and Sugar Islands was not yet determined by the border commissioners in 1836, the US *could not have obtained their cession* through the Treaty of Washington. Then, in 1850, the British also *did not negotiate a cession* of this territory. So, the important question that needs to be asked is: just when, and through which international treaty, did the Indigenous people of the region “cede” this territory? The answer is clear: the “indeterminate status” of this area at the time of these two

treaties (1836, 1850) is clear evidence that *the area was not ceded to either country*, according to any treaties or agreements recognized by either, or both, or other governments. So, although some may feel that the “Sugar Island issue” was dealt with by the Webster-Ashburton Treaty of 1842, in the minds of many of the area’s Indigenous people, the issue is far from resolved.

Treaty Rights and the Border after 9-11

This historic, indeterminate status of the border as it wended its way through the upper St. Marys River in the 19th century is more than a passing curiosity. Interest in Sugar Island by the area’s Indigenous people has been intensified since the US government beefed-up its border security in the area in the wake of 9-11. The argument for unfettered border crossing, especially for First Nations citizens north of the border in the Sault area, is now sharply focused on the Jay Treaty language that guarantees that “the Indians dwelling on either side of the said boundary line, [can freely] pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America.”

The argument has two major points: first, the US Western Hemisphere Travel Initiative *legislation*, enacted in 2004, cannot replace *treaty* language. That is, the US Constitution declares that treaties are the “Supreme Law of the Land” (Article VI, Section 1, Clause 2); therefore, Congress cannot pass a law that restricts any rights that Treaties have heretofore guaranteed. Secondly, and based on that *treaty* right, First Nations people do not agree that they are “crossing the border” when they drive over the bridge from Sault, Ontario, to Sault, Michigan—they have right to unfettered travel throughout the area, especially due to the simple fact that Batchewana, Garden River, Sault Tribe, and Bay Mills territory is not “US territory” nor is it “Canadian territory”: it is Anishnaabeg territory and recognized as such by *treaty*—not by *legislation*.

The four tribes listed above are the four Tribes of the Anishnaabeg Joint Commission (AJC),³ formed in the aftermath of extensive raw-sewage contamination that polluted the northern shore of Sugar Island in the summer of 2006. It was determined that the source of the contamination

came from the Sault, Ontario, sewage treatment plant, undergoing an upgrade at the time (which, apparently, led to the occasional dumping of raw sewage into the St. Mary's River). Due to "international" jurisdictional issues—the sewage apparently came from Canada, but washed up on the US side of the border—neither government was willing to get involved, claiming they "lacked jurisdiction." The four Tribes of the AJC stepped into this "international jurisdiction" vacuum and signed a modern-day treaty which committed them to assert their collective jurisdiction over the entire St. Mary's watershed. As a consequence, tribal members were designated as those responsible for collecting water samples, etc., throughout the upper St. Marys River, with no concern over "border jurisdiction" issues.

Sugar Island and "International" Indigenous Jurisdiction

It is very important to note that the Sault Ste. Marie Tribe of Chippewa Indians, and the Bay Mills Indian Community both have modern reservation lands on Sugar Island—of course, the area's Native people are now arguing that all of Sugar Island is essentially an "international reservation" given that it was not ceded in the 1836 Treaty of Washington (with the U.S.) nor in the 1850 Huron-Robinson Treaty Made with the Crown. What's more, the 1855 "allotment" Treaty of Detroit, signed by the United States with the Ottawa and Chippewa—that is, with the 1836 Treaty of Washington signatory tribes—contains the following language:

The benefits of [Article 1] will be extended only to those Indians who are at this time actual residents of the State of Michigan, and entitled to participate in the annuities provided by the treaty of March 28, 1836; but this provision shall not be construed to exclude any Indian now belonging to the Garden River band of Sault Ste. Marie. (emphasis added)

Of course, the US government knew full well when it signed that Treaty in 1855 that the "Garden River band of Sault Ste. Marie" referred to the Garden River band of Sault Ste. Marie, Ontario. In fact, the 1855 US Treaty of Detroit had Native signatories from both sides of the river, that is, from both sides of the border, a fact that was also clearly known to the U.S. treaty negotiators.⁴

In yet another significant “cross-border” recognition of the fluidity—or absence—of the pre-9/11 US/Canada border and the role of Sugar Island, citizenship in the Sault Ste. Marie Tribe of Chippewa Indians is open to descendants of anyone listed on (among other “rolls”) the “Garden River Annuities (1846-1925) and Garden River Church Records.”⁵ Remember, this is a provision that is clearly delineated in the Constitution of this US-federally-recognized Tribe (the Sault Tribe Constitution was ratified in 1975). In fact, the Sault Ste. Marie Tribe of Chippewa Indians has its origins on Sugar Island, and is but one more example of the common heritage, culture, and history shared by the entire region’s Indigenous people—with Sugar Island at the core of that history—without regard to the border.⁶

The Border as Fiction

If you look at any map, the territorial integrity of the Anishnaabeg Nation in the Bawating region is clearly evident: Batchewana First Nation territory lies adjacent to the territory of Garden River First Nation; adjacent to that territory, and directly south lies Sugar Island (and “its islets”), which is adjacent to Neebish Island. The Bay Mills Indian Community and the Sault Ste. Marie Tribe of Chippewa Indians both maintain reservation lands on Sugar Island. These territories, considered as a whole, represents perhaps the last remaining vestige of the original “Indian Territory,” the Aboriginal Nation recognized by both the United States and Great Britain as one element of the Treaty that ended the Revolutionary War, as well as the Treaty of Ghent, the Royal Proclamation, the Northwest Ordinance, and other treaties and documents explored in this paper.

And all of these treaties and documents point to one indisputable fact—the border that runs through the St. Marys River is nothing more than a “convenient fiction,” agreed to by the US and Canada, but never enacted by legislation in either country, and, as such, it certainly can no longer be recognized by any thinking people as a “border” that somehow bisects and disrupts the “territorial integrity” of the Indigenous North American “Anishnaabeg Nation.”

What of the Future?

What follows should be recognized as nothing more than a self-indulgent fantasy, as the ultimate future status of Sugar Island is obviously in an indeterminate state, mirroring the 19th century reality discussed above. But, if the “Unceded Indian Territory” status of Neebish Island and Sugar Island is ever recognized, this is what I think it should look like.⁷

Canadian readers may not be familiar with the political status of the “District of Columbia,” the seat of the US government. While “Washington, DC,” residents are citizens of the United States, they have no “federal” political rights. That is, they send no voting member to the US Congress, and elect no Senators. Consequently, they do not have the same rights as those enjoyed by all other US citizens.

My vision of Sugar Island is based on this “Washington DC” model. That is, I would like to see a *sovereign* Sugar Island be recognized as “Unceded Indian Territory” and constitutionally organized as the seat of a sovereign “federal” Anishnaabeg Nation. In that configuration, Sugar Island residents would have the same *local* political rights they now enjoy, but no voting rights associated with the functions of the Anishnaabeg Nation—those would be restricted to citizens of that nation.

A modern map of Sugar Island shows that significant sections of the Island are “publicly-owned.” In my fantasy, these lands would immediately become “federal land” (in the US context), or “Crown land” (in the Canadian context), and solely fall under the sovereignty of the Anishnaabeg Nation. Furthermore, any land that was seized for unpaid taxes would also be immediately transferred to the Anishnaabeg Nation. In this same regard, all taxes paid by island residents would be paid to the Anishnaabeg Nation, not to state or federal or “local” governments (township and county), as is now the case.

As part of any monetary settlement negotiated with the US government—which should be huge, given the outright theft of these islands by the US and the passage of 175 years (and counting)—I would suggest that the Sugar Island ferry be “federalized,” that is, all costs of the ferry operation should be borne by the US government and that no fees be charged to anyone for the use of the ferry. Furthermore, the Anishnaabeg Nation

should demand that a bridge be built from Garden River territory to Sugar Island. The cost and maintenance of this bridge should also be borne by the US federal government as part of its ongoing “compensation” agreement.

Also, under this scenario, as Sugar Island would be neither US nor Canadian territory, no “border” agencies would be allowed to function on either the ferry or the bridge. Quite frankly, I don’t think the Anishnaabeg Nation should concern itself with how these visitor governments maintain their own “border security,” but, having said that, I see a possible solution to *their* problem as setting up a border checkpoint on the “mainland-US” side of the Sugar Island ferry operation. I wouldn’t have any problem with either side (US or Canada) “regulating” the border as long as the border is considered by them to be the shoreline in those areas that fall within the two “terminating lines” as determined by the 1928 Treaty of Ghent Commissioners. In other words, those sections of the St. Mary’s river adjacent to Neebish Island and Sugar Island (and its islets) should be recognized as the “international waters” of the Anishnaabeg nation.

A final point relating to “border sovereignty” (as it relates to Sugar Island, and everywhere else along the border, I might add): the sovereignty of both the United States and “Canada” over their respective territories was only recognized by the simple fact that they signed treaties with the Indigenous peoples of “North America” to gain political control over the lands they now claim as theirs. Those same treaties simultaneously recognize the sovereignty—that is, the political independence and territorial integrity—of *Indigenous Nations* throughout this continent. The visitor governments cannot simultaneously claim that the “land cession” treaties they signed are binding on the Indigenous peoples who signed them, but not on themselves. In other words, if the “land cession” treaties of the area—the 1836 US Treaty of Washington, and the 1850 Huron Robinson Treaties—are the documents that are pointed to in recognition of the sovereignty of the visitor governments, they are also the treaties that recognize the sovereignty of the “Indians” to their unceded “hunting grounds.” The visitor governments cannot pick and choose what provisions of these treaties they now recognize—they must recognize all of the treaty provisions or none of them.

Which brings us back, full circle. If Sugar Island (and its islets), and Neebish Island were not ceded to the US government in the 1836 Treaty of Washington, and these islands were not ceded to “the Crown” under provisions of the 1850 Huron Robinson Treaty, just when did Native people lose their sovereignty over these lands? The answer to that critical question is **never**. As a consequence, these islands are the last remaining vestiges of that once vast expanse of North America recognized by the US, Canada, and all nations on this Earth as “Indian Territory” with *all the possessions, rights, and privileges* associated with that sovereignty. As it has been 179 years since the signing of the 1836 Treaty of Washington, it is long past the time when the Indigenous people of the region reassert their sovereignty over the Unceded Indian Territory of the Bawating region. Quite simply, Neebish Island, Sugar Island, and all its islets are ours –let us now proclaim them as the federal district capitol of the Anishnaabeg Nation.

Web links:

<http://www.dur.ac.uk/ibru/resources/arctic/> --North Pole jurisdiction issues.

<http://www.bbc.co.uk/news/world-us-canada-10834006> --August, 2010, Arctic dispute.

<http://digital.library.okstate.edu/kappler/Vol2/treaties/ott0450.htm> --1836 treaty text.

http://avalon.law.yale.edu/19th_century/br-1842.asp --Webster-Ashburton text.

http://www.saulttribe.com/index.php?option=com_content&task=view&id=29&Itemid=205 --for a discussion of the history of the Sault Tribe and its Sugar Island origins.

Endnotes

- ¹ The first Bull, the *Dum Diversas* (1452), set out the “authority” for enslavement, etc.; the second, the *Romanus Pontifex* (1455), granted certain rights to Portugal; the third, the *Inter caetera* (1493), granted certain rights to Spain.
- ² Thwaites, Reuben, ed. “Saint-Lusson’s Process Verbal.” in *Collections of the State Historical Society of Wisconsin*. 1883, XI: 26-29.
- ³ I serve as University Liaison for the Anishnaabeg Joint Commission; hence, this information comes from my personal involvement with these issues.
- ⁴ For details on these “cross-border” treaty-signers, see *Three Fires Unity: The Anishnaabeg of the Lake Huron Borderlands*, Phil Bellfy, University of Nebraska Press, 2011.

- ⁵ The Sault Tribe Constitution can be found through their "Government Docs" link on their web-page: <http://www.saulttribe.com/>
- ⁶ The Sugar Island historical connections can be found through the "History" link on the Sault Tribe web-page: <http://www.saulttribe.com/>
- ⁷ I have had very limited discussions of this "future" with area Tribal members. So, what follows is, for the most part, based on my own musings.

An Era's End? Imposing/Opposing Control in the Sault Ste. Marie Borderlands

Karl S. Hele

With the conclusion of the War of 1812, the role First Nations and Métis would play in the developing colonies remained relatively undecided. Tecumseh had envisioned Great Lakes Nations preserving their “homelands”, “sovereignty”, “economic independence”, and “distinctiveness”.¹ Yet, as Britain, British-Canada, and the United States (U.S.) worked towards demilitarizing their common border, the settler governments undertook a variety of efforts to solve what rapidly became known as the ‘Indian problem.’ Simply, the settlers began to imagine First Nations and Métis as people in need of civilizing instead of allies and partners.² Instead of welcoming Tecumseh’s vision the new settler nations sought to circumvent it. As British-Canada and the United States transitioned from foes to friends, from colony to nation, First Nations and Métis found themselves confronted with settler governments intent on imposing Westernized versions of ‘civilization’ upon the landscapes and mindscapes of the Indigenous world post-War of 1812. This paper utilize colonial efforts to control the borderlands of the Sault Ste. Marie region³ to illustrate how the settler states throughout the nineteenth century sought to control the Anishinaabeg and Métis.⁴

For the Canadian and American nations, as well as scholars, the central concern with the history of the region rests with the concept of when the colonist-nations gained effective control. In 2003, in a precedent setting ruling, the Supreme Court of Canada held that the British-Canadian government only exerted effective control of the region in 1850.⁵ This paper will show that the supposed effective control exercised in 1850 was

never complete nor effective. Scholars such as Robert E. Bieder⁶ as well as Jeremy Adelman and Stephen Aron⁷ maintain that the conclusion of the War of 1812 brought immediate or rapid control of the Sault and the international border. Again this paper will show that the supposed rapid changes brought about by the War of 1812's conclusion took generations to bring about and even then were never complete. While the War of 1812 is a seminal moment for First Peoples living in the Great Lakes region, it only allowed colonial states to begin great efforts to control and eliminate First Peoples.⁸ One hundred years later, these efforts by the colonial states remain ongoing.

Many Anishinaabeg and Métis, as well as settlers, from Sault Ste. Marie fought with Britain in various engagements and saw their villages burned by American troops; nonetheless, the lasting effects of the War of 1812 took decades to become apparent. While the British-Canadian and American authorities moved to establish control over their respective dominions, partly through securing the international border, Sault residents continued to live on the fringe of the new colonial empires. It is only with the signing of the Treaty of St. Mary in 1820 that the effects of the peace between Britain and the United States started to become apparent for the Anishinaabe and Métis living in the Sault Borderlands. The effects of the peace and long term changes in the Settler-First Peoples' relationship continue to plague our people.

Immediately following the 1814 Treaty of Ghent, which re-established the pre-war borders between British-Canada and America, the U.S. attempted to enforce its power in the Sault region. During the war U.S. troops successfully invaded, burned, and pillaged the Sault – both the settlements located in American and British territory – albeit but a few buildings survived.⁹ Thus, shortly after re-occupying Fort Mackinaw, U.S. troops ventured northward to establish their authority over the inhabitants at Sault Ste. Marie, many of whom had fought with the British.¹⁰ Nevertheless, attempts by the United States to send military personnel into Lake Superior in 1815 and again in 1816 failed to advance beyond the Sault. The 1816 expedition as it tried to venture beyond the Sault was fired upon by unknown assailants, forcing the troops to withdraw for fear of an 'Indian attack'.¹¹

Britain's efforts to secure control over its share of region were less vigorous. While British authorities – military offices and officers of the Indian Department – found themselves needing to explain the apparent backtracking on promises made to the Indians during the war, little was done to reinforce the northerly region. At the conclusion of the war the British abandoned Fort St. Joseph due to its poor location and destroyed condition. Drummond Island was selected as the new site; however, with the completion of the boundary survey, through the St Mary's River between Lakes Huron and Superior, in 1828 the new fort was found to be in American territory and thus forcing its closure. Henceforth British military authority would be projected from distant Penetanguishene.¹² Interestingly, the border running throughout the Great Lakes has never been confirmed by any executive authority of either the United States or British or Canadian governments – it is fairly safe to say that one is only 'in' Canada or the U.S. when once firmly standing on dry land on the north or shore shores respectively.

It is only in the 1820s and 1830s that the emerging states sought to place the region firmly within their authority. In 1820 when the U.S. sent a strong force to the Sault region under the command of firebrand and Michigan Territorial Governor, Lewis Cass, the Americans were able to ensure their 'peaceful' passage into Lake Superior. Even then, if it were not for the sage action of Anishinaabeg women and elders a clash would have surely occurred. The end result of the events of 1820 was the signing of the Treaty of St. Mary which gained Anishinaabeg recognition of American claims in the region. Two years later, in 1822, 273 officers and men of the 2nd U.S. Infantry Regiment erected and garrisoned a fort at the foot of the St. Mary's rapids.¹³ Despite this impressive show of force the U.S. troops rarely ventured beyond the relative security of the village.

In addition to militarily occupying Sault Ste. Marie, American authorities appointed an Indian Agent to monitor and encourage the Anishinaabe to become loyal to the republic. To this end the first Indian Agent at the Sault, Henry Rowe Schoolcraft gathered the Anishinaabeg informing them that all visits to British military establishments as well as accepting gifts while there was to cease.¹⁴ Overall with the establishment of the Indian Agency in 1822, under various permutations and its eventual closure in the 1880s, its agents dutifully carried out their task to

enable the president to carry into effect, in this remote part of the union, the benevolent views of the American government with respect to the condition and the wants of the Indian tribes; ... to open a proper intercourse with the most distant bands residing within the northwestern limits of the United States.¹⁵

The agency simply closed when the 'distant bands' in the Sault region no longer posed a threat to nation building, and when the region itself was no longer considered 'remote.'¹⁶

While the U.S. was taking great efforts to exert its influence in the region, Britain and its colonial authorities seemed relatively uninterested in this remote post of empire. The British military and Indian department abandoned the post on Drummond Island in 1828, relocating to distant Penetanguishene. Nevertheless, a growing sense of manifest destiny among British-Canadians led to the appointment of a missionary and Indian Agent to the British Sault in 1832. Similar to the U.S. Indian Agent, the British-Canadian Indian Agent was responsible for maintaining Anishinaabeg loyalty to his respective government – Great Britain – while informing and implementing Indian policies. The role of missionary/Indian Agent only lasted until 1838. From approximately 1839 until the position re-created at the Sault in 1877, the Indian Agent was stationed at Manitowaning.¹⁷

The next effort to gain control of the region by the colonial states came in the form of treaties. Aside from the 1820 Treaty of St. Mary, the most significant treaties for the region were signed in 1826, 1836, 1842, 1850, 1855, and 1859. These treaties, three in the U.S. and two in British North America (BNA) saw the surrender of Anishinaabeg lands through Michigan's Upper Peninsula (1836, 1842, and 1855)¹⁸ and the entire North shore of Lakes Superior and Huron (1850 and 1859)¹⁹ in BNA. Subsequent actions by the American and British-Canadian state into the late twentieth century saw further erosion of the land base. Nonetheless it is these five, six if you include 1820, that prevented the Anishinaabe from playing a significant role in the new economy. Simply, the U.S. and then British-Canada took position of a vast mineral store while denying Anishinaabeg the ability to enjoy the bounty that these mineral revenues represented.

For instance, during treaty investigations by the British-Canadian authorities in September 1849, Chief Shingwaukonse of Garden River noted that “we have the example of our brethern [sic] upon the other side of the lake, to guide us in our transaction, they have sold all their lands, and they can only behold, but not share in the wealth which their lands produce.”²⁰ Despite his efforts, as well as the efforts of other chiefs, the British-Canadian government managed to violate the treaty and its intent by depriving the treaty signatories the right to enjoy revenues drawn from the exploitation of their lands. The first effort to separate the Anishinaabeg from this source of revenue came when the government treaty representative William Benjamin Robinson, in 1850, argued that the land was of little value and managed to secure a treaty for a mere fraction of monies the government had already derived from the mineral leases granted before a treaty was signed.²¹ A second part of this denial came when the British-Canadian government at York failed to revoke the mineral leases of individuals who failed to complete the terms of the original documents post-1850.²² The third denial came in 1867 when the newly created constitution for the Dominion of Canada gave the provincial governments control of resources while placing Indians under the control of the federal government.²³

The division of powers meant that the escalator clause for the annuity under the terms of the 1850 treaties was meaningless. Simply, the annuity could only be raised provided royalties drawn from extraction of resources permitted it. Since the federal government drew no revenue from the extraction of resource in the treaty area, and the province of Ontario refused to share the royalties, the annuity is difficult if not impossible to increase.²⁴ Fourth, in 1924 collusion between Ontario and Ottawa led to the passage of the *Indian Lands Act*. This Act, passed by both the provincial and federal governments, gave Ontario the right to 50% of all mineral royalties generated on reserves within the province. Passed with consultation, this Act violated the 1850 Robinson-Huron Treaty which clearly states that the

reservations shall be held and occupied by the said Chiefs and their tribes in common for this own use and benefit; and should the said Chief and their respective tribes at any time desire to

dispose of any part of the such reservations, or of any mineral or other valuable productions thereon, the same will be sold or leased at their request ... for their sole benefit and to the best advantage.²⁵

This act remained enforced until a revision in the 1980s saw the province place its claim in abeyance.²⁶ Other laws, the Indian Act (1874-current), as well as various legal decisions, have given the Department of Indian Affairs and its minister the power to pre-empt reserve lands for the benefit of both private and public interests.²⁷

Anishinaabeg lands and minerals on the American side were similarly lost to the state. Each of the American treaties contained clauses that, if implemented, would have forced the removal of the Anishinaabeg. Thankfully, outright refusals to co-operate with the U.S. agents and protests from local settlers as well as the eventual withdrawal of removal policies allowed the people to remain in the region. Nonetheless, the 1855 treaty saw the dissolution of the treaty's land base as well as the tribal government. Under the terms of the treaty the Anishinaabeg surrendered various reserved lands in the region in exchange for the right of individuals to select plots within the surrendered lands. Lands were set aside for five years for this process of Anishinaabe selection, thereafter all the lands would be thrown open for settlement. Various delays by the state to survey, failure to prevent settlers from pre-empting land during the five year moratorium, and failure to issue land patents in a timely manner made the five year pre-emption right meaningless. These non-actions by the U.S. federal and state governments left the Anishinaabeg land holdings in limbo for the rest of the nineteenth century as well as into the next. Many people ended up settling on Methodist church lands at Bay Mills, to which the Anishinaabeg held no titles. These lands were eventually converted to reservation status in the 1930s.²⁸

The Sault Métis fared even worse when it came to land issues in both countries. Under the terms of the U.S. treaties the "half-breeds" were compensated on a sliding scale based on the amount of Anishinaabeg blood. Even when the treaties did contain land grants for the Métis the U.S. Congress rejected those clauses. When lands and titles were determined in 1828 some Métis families did secure title to their lands within

village limits, albeit proper title documents did not arrive until 1855.²⁹ In British-Canada the Anishinaabeg chiefs, specifically Shingwaukose and Nebenagoching, attempted to include the Métis under the terms of the 1850 Robinson-Huron Treaty. The government's negotiator rejected this request, although he did inform the chiefs that they could allot land on their reserves to the Métis. William Robinson also offered to help the Métis petition the government to ensure that they would receive title to their properties. In his report, Robinson recommended that plots the Métis occupied be granted to them.³⁰ In the years following 1850, various government commissions sought to remove Métis names from the various Bands' treaty annuity lists, thereby ejecting them from the reserves. Additionally, machinations undertaken by the settler elite of Sault Ste. Marie saw the Métis forced from their lands as well.³¹ Moreover, Canadian censuses through the nineteenth and twentieth centuries failed to include the category of Métis, leaving individuals the only options of French or English – effectively erasing them from a very public record.³² These efforts by the state at the national, provincial, and municipal level led to the notion among Sault residents that the Métis held no distinctive identity or peculiar rights to the region.³³ Additionally, ethnic-nationalist scholars and others who study or claim Métis identities in Western Canada continue to obfuscate, deny, or cast Sault and other Great Lakes Métis as a prelapsarian peoples without a sense of a national identity until they either moved west to join with the 'true' Métis, took advantage of the inclusion of the term Métis in the 1982 Canadian Constitution, or emerged after the Supreme Court in 2003 ruled that the Sault Métis are a community.³⁴ Nonetheless, regardless of modern conventions surrounding identity and its accompanying politics, the Sault Métis after 1850 regardless of which country they resided in saw a loss of land and denial of their collective identity.

Other legislative and political efforts by the state led to identity issues with the Anishinaabeg community shortly after the War of 1812. Many of these legislative efforts became known as 'civilizing', 'assimilating', and 'integrating' First Peoples into the Settler colonies.³⁵ Overall these policies sought and continue to seek the complete eradication of First Peoples identities, nations, and communities from the body politic of colonial settler states. The first and foremost set of policies centered

on the creation and definition of 'Indian'. The initial step in defining Indianness came with the implementation of the categories of 'American' and 'British' or 'Canadian' Indians. Initially used to label where particular individuals originated, these terms came to embody a sense of ownership or control by the state and were used to control people's movements and rights. By the 1840s British colonial authorities had developed the additional categories of 'visiting', 'wandering', and 'resident' Indians. 'Visiting' Indians were essentially individuals from the U.S. The people were to be encouraged to return and remain within American borders, and were eventually denied 'gifts'.³⁶ While the treaties affecting the Sault region made no reference to residency, implementation was an entirely different matter. American and British-Canadian authorities refused to recognize each other's Indians rights. Currently Canada does not recognize border crossing rights as outlined under the 1794 Jay Treaty, while the U.S. has placed limitations on the same rights.³⁷ Both settler-states attempted to deny annuity payments to non-resident Indians and even used the receipt of 'foreign' annuities to strike people from the various pay lists.³⁸

Canada further complicated the issue of border rights and identity under the Indian Acts. Beginning in 1851, British-Canada began to define who was and was a 'status' Indian and subsequently refined these laws through various amendments to its Indian Acts since 1874.³⁹ These 'status' laws continue to affect Anishinaabeg rights in determining who is or is not a member of the community. A 'non-status' Indian has no rights to live on a reserve or receive any benefits accruing to 'status' Indians. Overall these rules determining 'status' are designed to eliminate Indians as a distinct group and their relationship to the federal government as well as rights or claims upon Canada as a whole. The issue of 'status' is further complicated by the failure of the Canadian state to recognize American Indians as having 'status'.⁴⁰ As such, any American Indian who moves to Canada will generally be treated and classed as any other immigrant. This policy decision makes no sense when one considers the fact that the international border bifurcated First Nations communities, thereby creating an artificial divide. The Sault Anishinaabeg community prior to the border was a cohesive whole that was neither American nor Canadian under any law. Nonetheless, according to Canadian law anyone marrying an American Indian jeopardies their 'status' or their children's 'status' in Canada. This

rule affected Potawatomi and Odawa peoples fleeing from Michigan to the British Sault, and elsewhere in British-Canada, as well as their host communities.⁴¹ Similarly, in the U.S. cross-border marriages between Anishinaabeg may jeopardize federal recognition based on a 50% blood quantum rule. Since Canada does not follow a '50% blood quantum rule' it is difficult to offer American immigration authorities documents that would ensure a cross-border membership in the American Indian community. Finally, these rules have overtime affected community and marriage practices between the South Shore or American Chippewa and the North Shore or Canadian Ojibwa. Whereas cross-border marriages were common in the first part of the twentieth century, in the twenty-first century these unions are almost non-existent. Moreover, the comfort level and familiarity across the Anishinaabeg communities has declined to such an extent that American and Canadian Anishinaabeg do not feel entirely comfortable on each other's reserves. Today, we claim alliance to a greater Anishinaabeg identity within the region among the four recognized bands or tribes but there remains this uncomfortable and barely audible disjuncture in regional identity.

Over the generations these artificially state-imposed identities has led to further splits with the Anishinaabeg and Métis communities. The overall failure of the vast majority of Western Métis and scholars to recognize that the Great Lakes Métis held an identity has created rifts throughout the Lakes. It has led to interesting facets of internal-colonialism whereby the Métis Nation of Ontario (MNO) based on an interpretation of the Powley Decision will or will not recognize individuals or communities as holding a right to a Métis identity. It has also led to the acceptance of imported cultural symbols from the Western Métis among the Lakes Métis.⁴² Government policies have also led to tensions among the Métis and Anishinaabeg at Sault Ste. Marie and throughout the Great Lakes. Among the Anishinaabeg divisions has arisen between those who support narrow or broad definitions of membership and between those who live on or off-reserve. There are even levels of resentment based on whether or not one has darker or lighter skin, thereby looking more or less Indian, which is often interpreted as a lighter skinned individual being able to pass in settler society. Nonetheless, all communities at the Sault are working to overcome these colonial created identity issues to

reform our communities and nationhood on a respectful and sustainable level.

Melding into the efforts to remove the Anishinaabe from land and destroy their identity as a people, the state in the post-War of 1812 era began undermining self-governance. The initial attempt was the British Indian Department's elevation of Nebenagoching to the role of chief at 8 years of age after his father had fallen in the War of 1812.⁴³ While this attempt was viewed as unusual, and the Anishinaabeg ignored the selection, this interference would accelerate in subsequent decades. In 1835 under the authority of colonial authorities Missionary-Indian Agent William McMurray appointed Shingwaukonse as chief of the Ojibwa. This was undertaken because Nebenagoching refused to permanently relocate to the British shore, was a supposed smuggler, remained a steadfast Roman Catholic (McMurray was Anglican), and supported Métis rights.⁴⁴ While it is debatable whether or not the Anishinaabeg acquiesced or whether or not McMurray was merely recognizing something already in place, this remains the second attempt to interfere with self-governance by the state. Subsequent attempts took place after Shingwaukonse's death in 1854. Essentially, from 1854 to 1876, missionaries, local officials, and the Department of Indian Affairs clashed over who should lead the band – Ogista or Buhkwujjenene. Shingwaukonse wisely split his symbols of authority between these two sons. However, the Reverend James Chance, Anglican Missionary to Garden River from 1854-1871, supported Buhkwujjenene and most of the others supported Ogista. The government sent its agent to investigate and at a public meeting the Anishinaabeg decided Ogista would be their official leader.⁴⁵ Further complicating the issue was the passage of *An Act for the Gradual Enfranchisement of Indians* in 1869. Merely an effort to further the process of civilization, instill a democratic spirit among the Indians, and destroy traditional governments, the *Act* gave the Minister of Indian Affairs the right to depose leaders based upon non-native criteria.⁴⁶ The third attempt to meddle in the band's self-governance came when Ogista died in 1891 and the Department of Indian Affairs imposed the elected band system at Garden River. The first election took place under the watchful eyes of the Indian Agent in January 1891.⁴⁷ Since this imposition, band

elections have been the primary method for selecting our governments. Yet, when there is disaffection over the electoral process, the government will step in and if it determines it is necessary will void the election and call a new one. Additionally, the government retains the right under the Indian Act to determine the structure of band governments, the election procedures, as well as the right to depose chiefs and/or councils.⁴⁸

On the American side the Anishinaabeg have had to endure similar interference. The death of Oshawano in 1837 saw Indian Agent Schoolcraft attempt to appoint or determine the Sault head-chief.⁴⁹ Similarly, Schoolcraft regularly attempted to elevate his relative via marriage, Waiskey, to more prominent positions within the local Anishinaabe governance system and possibly exaggerated his mother-in-law's father Waubojeeg's status.⁵⁰ The next blow to self-governance came when Schoolcraft and Territorial Governor Lewis Cass colluded to create an artificial government structure among the Odawa and Anishinaabe to ensure the signing of the 1836 treaty. This artificial structure was subsequently terminated under the terms of the 1855 treaty. Unfortunately for the Sault Anishinaabe, the federal and State governments interpreted the termination clause as dissolving all forms of tribal governance as well as the Sault Michigan Anishinaabeg's relationship with the federal government.⁵¹ This relationship was not restored until 1937 for the community centred at Bay Mills.⁵² Subsequent efforts by the Anishinaabe living in and near Sault Ste. Marie led to the creation of the Sault Tribe in 1972.⁵³

How Canada and the U.S. view the Anishinaabeg governments also differs. In the U.S., thanks to the 1832 Marshall Decision, tribal governments are viewed as domestic dependent nations.⁵⁴ While this legal-political perspective may have taken over a century to be put into practice across the U.S., as domestic dependent nations American Indians have greater power over their day-to-day lives and laws when compared to Indians in Canada. In Canada legislation and politics has served to categorically deny any sort of quasi-independent status for First Nations. As such, Band governments are extremely limited in their exercise of political and legal powers, with all laws that Chief and Council pass subject to approval by the Department of Indian Affairs.⁵⁵ Nonetheless, the

Anishinaabe governments on the American and Canadian shores remain subject to overview and dissolution by the state at any time regardless of their slightly different status within each country.

While the various pieces of policy and legislation were enacted to distance First Peoples from their lands, identities, communities, and governments, the state and its agents began a campaign of reeducation. In the Sault region, as elsewhere, this took the form of altering our beliefs and enforcing Western concepts of education. First came the missionaries. In 1828 the Baptist missionary, Reverend Abel Bingham arrived in Sault Ste. Marie. He was quickly followed by the Anglican missionary in 1832, the Methodists in 1830, the Presbyterians in 1831, and Catholics in 1834.⁵⁶ All the missionaries came to convert or change Anishinaabeg belief and value systems to that of the European. To effect this fundamental change the missionaries came not only as representatives of a foreign religion but also as schoolteachers. Bingham operated a boarding school in Sault Michigan from the 1830s to the early 1850s.⁵⁷ The other Christian sects employed day, night, and Sunday schools through the nineteenth century in the Sault region. In addition to their regular schools, the Anglican Church operated a boarding school under Reverend Chance from 1854-1870 and residential-industrial schools known as the Shingwauk and Wawanosh Homes from 1873 and 1879 through to their closure in 1970 and 1912 respectively.⁵⁸

While the churches may have run and staffed the schools it was the federal government's legal and financial support that made it all possible. For instance, William McMurray's missionization and educational efforts collapsed in 1835 when the Lieutenant-Governor Sir Francis Bond Head withdrew government funding.⁵⁹ Chance's efforts simply stopped when he resigned as missionary to Garden River.⁶⁰ The efforts under Bingham and the Baptist church, like McMurray's efforts, came to an abrupt halt when the U.S. government refused to continue funding the boarding school. Day and Sunday schools continued through the period under various federal, state, provincial, and religious funding and efforts. Garden River First Nation had Catholic and Anglican Day schools on the reserve until the 1960s. The schools were closed once the Department of Indian Affairs embarked on the policy of integration. Garden River's

children are now bussed into schools operated by the settler school boards in Sault Ste. Marie. This development left us with minimal control over our children's education. The Shingwauk and Wawanosh Homes are a part of Canada's attempt to forcibly remove First Peoples' children from parental control and ideologies. It was hoped that the residential schools would succeed in 'killing the Indian' within the child thereby elevating them to a civilized and assimilated status, something it was believed that the day schools could not accomplish.

Regardless of whether children attended day or residential schools the pedagogy and curriculum failed to reflect Anishinaabeg philosophy. Children were subjected to materials that elevated the European and denigrated the Indian. While our views of the Earth and heavens were rejected as mere superstition, our history was deemed irrelevant artifacts of the past. Our languages, until relatively recently, were not taught in the schools and were banned outright in the residential system. The manner of instruction and loss of control over the education of our children accelerated as the nineteenth century progressed, keeping step with the increasing governmental control of our lives, lands, and governments. Today we are attempting to wrest control of our children's education from the state in an effort to ensure that our communities once again can ensure an Anishinaabeg education for our children. This is not meant to imply that we failed to be able to inculcate our children with Anishinaabeg philosophy during the times of repression and control. It was just much more difficult to instill Anishinaabeg values and language in the generations being taught it was wrong.

While this paper has focussed on increased government efforts to control the Sault region and its peoples since 1814, I do not want to imply that the Anishinaabeg and Métis were passive or powerless. Leaders, such as Oshawano, Shingwaukonse, Nebenagoching, Ogista, Thomas Thibeault, Amable Bousinneau, Frank Teeple, Norman Cameron and many others, boldly confronted British-Canadian and American colonialism. Their efforts led the colonizer to refashion and redouble efforts to ensure civilization, assimilation, and integration of the Sault Métis and Anishinaabeg into colonial societies. Similarly, the actions of all our ancestors, whether leaders or not, enabled our communities to survive the onslaught. Today

our people and leaders continue that fight while leading their lives as members of the Sault Anishinaabeg and Métis Nations.

Post script – Spinning 1763

7 October 2013 was the 250th anniversary of the Royal Proclamation of 1763. To commemorate this momentous document a number of events were undertaken by various groups and communities. The interest in the Royal Proclamation of 1763 and its meaning for Canada sparked Aboriginal (aka Indian) Affairs and Northern Development Canada (AADNC) to publish a webpage dedicated to the document. Additionally, the Government of Canada and the Land Claims Coalition offered a one day event to examine and commemorate 1763 in its relationship to modern Canada.⁶¹ Interestingly, for such an important document, the Government of Canada spent very little time and money in celebrating its existence.

The both the AADNC and one day event, while using history to offer a very limited and edited contextualization of the 1763 Royal Proclamation proclaimed the document one of inclusion and importance for guiding Aboriginal-Canadian relations. The history of Canada pre and post-confederation trying to ignore, negate, and get around the guidelines of the Royal Proclamation are soundly silent. Additionally, at the one-day event, the minister of AANDC even declared uncontestedly to those assembled that Canada was not founded on the doctrine of discovery and the Royal Proclamation of 1763 is a testament to this.

Such spin denies the colonial and doctrine of discovery legacy of Canada as well as its ongoing adherence to both. Once again the settlers and their government are attempting to deny or cast a reality of their making. These spins reflect the ongoing attempts by Canada to control the Indigenous peoples within its borders while bolstering its sovereign myths. Much like our ancestors, we are forced to contest these settler driven narratives thereby forcing a reassessing of our individual and collective pasts, presents, and futures. Regardless, I was left wondering “What exactly is being commemorated” when celebrating the mythical aspects of Canada’s long-standing respect for the Royal Proclamation of 1763.⁶²

Endnotes

- 1 Edmund Jefferson Danziger, Jr., *Great Lakes Indian Accomodation and Resistance During the Early Reservation Years, 1850-1900* (Ann Arbour: University of Michigan Press, 2009), viii.
- 2 A good example of this shift in perception is seen in Herman Merivale, "Policy of Colonial Governments towards Native Tribes, as Regards Their Protection and Their Civilization," in *The Native Imprint, Vol 2: From 1815: The Contributions of First Peoples to Canada's Character* (Canada: Athabaska University Press, 1996), 12-20.
- 3 I am using Sault Ste. Marie to refer to both the British-Canadian and America Saults unless otherwise specifically noted in the text.
- 4 I am using Anishinaabeg (plural) and Anishinaabe (singular) to refer to the people commonly referred to the historic documents as well as contemporaneously as the Ojibwa and Chippewa. I have opted for Anishinaabeg for clarity and as a means to express unity, which is lost with the usage of multiple terms. I have chosen to use the term Métis for the people who are variously referred to in the historical record as 'métis', 'French', 'Canadian', 'Bastard', 'Breed', and 'half-breed' for clarity. Métis is also used to illustrate the sense of identity and community present at Sault Ste. Marie. Karl S. Hele, "Manipulating Identity: The Sault Borderlands Métis and Colonial Intervention," in *The Long Journey of a Forgotten People: Métis Identities and Family Histories*, ed. David T. McNab (Waterloo: Wilfrid University Press, 2007), 163-96.
- 5 R. V. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43. <http://csc.lexum.org/decisia-scc-csc/scc-csc/scc-csc/en/item/2076/index.do> (accessed 20 Sept. 2013); "Métis handed 'massive victory': MNO," 24 Feb. 2001, *The Sault Star*, reprint *The Métis Hunt for Justice*, <http://www.metisnation.org/POW/powSAULTfeb1.html>. See also *The Métis Hunt for Justice: A Plainspeak of the Powley Decision* (Vancouver: Pape and Salter, 2000). More recently a Federal Court decision found that the Métis population of Canada, while not Indians, fall under the exclusive federal power to legislate for Indians under section 91(24) of the Canadian Constitution. This decision is currently being appealed by the federal government to the Supreme Court of Canada. "Métis, non-status Indian ruling to be appealed: Higher judicial authority needed before major change, minister says" *CBC CA* 6 Feb. 2013. <http://www.cbc.ca/news/canada/story/2013/02/06/pol-metis-ruling-appeal.html> (accessed 18 Feb. 2013); *Hary Daniels, Gabriel Daniels, Leah Gardner, Terry Joudrey and The Congress of Aboriginal Peoples V. Her Majesty*, 2013 FC 6.
- 6 While discussing the effects of the War of 1812 on the Sault, Bieder only examines how the events unfolded in Michigan. Overall he concludes that the confirmation of the South Shore as American, combined with the establishment of a military post and the presence of U.S. troops, signaled the end of British influence and the start of U.S. domination. Many of his conclusions and even his attenuated time frame, circa 1815 to 1830, however, reflect a failure to understand the cross-border nature of the area. Bieder claims that the Ojibwa at the Sault found themselves fully

under American domination by 1830, but when the border is taken into consideration as well as the small number of troops and overall lack of government authority beyond the palisades, it is apparent that the U.S. did not dominate the region until much later. Bieder's own references to the paranoia of American Indian Agent Henry R. Schoolcraft and the Michigan Governor Lewis Cass about continued British influence is testimony to this lack of control. Bieder also makes the assumption that the fur trade at the Sault was ruined when the U.S. military burned most of both Saults to the ground in 1814. Additionally, he claims that society at the Sault prior to 1820 was "seigneurial and collective" while the incoming American elites—U.S. military, Indian Agent, and American fur traders—were "entrepreneurial and individualistic." This is an interesting comparison since military service, duties of the Indian Agent, and trader-Indian relationship rested on paternalistic concepts. Robert E. Bieder, "Sault Ste. Marie and the War of 1812: A World Turned Upside Down in the Old Northwest," *Indiana Magazine of History* XCV (Mar. 1999): 1-13. See also Karl Hele, 'By the Rapids': The Anishinabeg-Missionary Encounter at Bawating (Sault Ste. Marie), c. 1821-1871 (Ph.D. dissertation, McGill University, 2003), 9-12.

- 7 Adelman and Aron claim that the borderlands within the Great Lakes had been shattered through the War of 1812 and the solidification of the border between British North America (BNA) and the U.S., leaving First Nations with little room to manoeuvre. While this interpretation is a possibility for the Lower Great Lakes, the Sault region remained a borderland throughout this period as British-Canadians and Americans sought to extend their control North and West. At the Sault, British-Canadian and American authorities were unable to control their respective territories, while the Métis and Anishinabeg attempted to negotiate their place in the emerging order. Jeremy Adelman and Stephen Aron, "From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History," *American Historical Review* 104, 3 (1999): 814-41. See Hele 'By the Rapids', 15-20 for a discussion of the U.S.-Canadian borderlands of Sault Ste. Marie as well as Philip C. Belfly, "Division and Unity, Dispersal and Permanence: The Anishinabeg of the Lake Huron Borderlands" (Ph.D. diss., Michigan State University, 1995).
- 8 Similar to Bieder, Adelman and Aron, and Richard White argues that the common and mutually comprehensible world that existed in the Great Lakes-Ohio Valley region collapsed after 1815. While White acknowledges that the end was not immediate, it was absolutely assured as First Nations lost the political and military clout in the region. Like Adelman and Aron, White's end narrative is more appropriate for the rapid changes taking place in the Southern Great Lakes-Ohio Valley than in the Upper Lakes region or the West, it also fails to take into account difference between the American and British-Canadian experiences over time. Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York: Cambridge University Press, 1993), 516-17
- 9 Hele, 'By the Rapids', 117; Janet Lewis, *The Invasion: A Narrative of Events Concerning the Johnston Family of St. Mary's* [1932] (East Lansing: Michigan State University Press, 2000), 96-108; Marjorie Cahn Brazer, *Harps Upon the Willows: The Johnston Family of the Old Northwest* (Ann Arbor: Historical

- Society of Michigan, 1993), 108-11; Gabriel Franchère, *The Journal of Gabriel Franchère, 1811-1814* (1854; reprint, Toronto: Champlain Society, 1969), 183-6.
- 10 Brazer, *Harps Upon the Willows*, 98-9; and Janet E. Chute, *The Legacy of Shingwaukonse: A Century of Native Leadership* (Toronto: University of Toronto Press, 1998), 26-9.
 - 11 George Johnston, Memorandum Book, 1817, 1826, Reminiscences by George Johnston, Box 1, George Johnston Papers, 1792-1851, American Fur Company Papers (Sault Ste. Marie Collections), Clarke Historical Library.
 - 12 Samuel F. Cook, *Drummond Island: The Story of the British Occupations, 1815-1828* (Author's Edition: Lansing Michigan, 1896 [UMI Books on Demand, 1997]); and Jill Lowe Brumwell, *Drummond Island: History, Folklore and Early People* (n.p.: Black Bear Press, 2003).
 - 13 *Treaty with Chippewa, 1820 in Indian Affairs. Laws and Treaties: Vol. II (Treaties)*, ed. Charles J. Kappler (Washington: Government Printing Office, 1904), 187-8; Return from Fort Brady, Michigan, Jun. 1822. Fort Brady, Mich., June 1822 - Dec. 1841, Returns from U.S. Military Posts, 1800-1916; Charles E Cleland, *Rites of Conquest: The History and Culture of Michigan's Native Americans* (Ann Arbor: University of Michigan Press, 1992), 183-6; *The Place of the Pike (Gnoozhekaaning): A History of the Bay Mills Indian Community* (Ann Arbor: University of Michigan Press, 2001), 16-19; Andrea Gutsche, Barbara Chisholm, and Russell Floren, *The North Channel and St. Mary's River: A Guide to the History* (Toronto: Lynx Images, 1997), 259-61; Lewis, *Invasion*; and Mentor L. Williams, ed., *Schoolcraft's Narrative Journal of Travels*, quoting *Detroit Gazette*, 30 Jun. 1820 (East Lansing: Michigan State University Press, 1992), 503.
 - 14 For instance, see H. R. Schoolcraft to Lewis Cass, 18 Jul. 1822, pp.5-7; Schoolcraft to John H. Paton, Secy of War, 7 Aug. 1829, Letters Sent: Jul. 12, 1822 - May 2, 1833: 246-8, Sault Ste. Marie Agency Records; Cass to George Boyd, Indian Agent, Mackinac, 7 Apr. 1822, Volume 1: May 7, 1816- Nov. 1, 1831, Letters received by the Agent at Mackinac, Records of the Michigan Superintendency of Indian Affairs 1814-1851; and H. R. Schoolcraft to Lewis Cass, 12 Jul. 1822, Sault Ste. Marie Agency Records, Letters Sent: Jul. 12, 1822-May 2, 1833: 1-2; Records of the Michigan Superintendency of Indian Affairs.
 - 15 Circular, Schoolcraft, Indian Agent to George Johnston, Elijah B. Allen &c., 5 May 1823, Sault Ste. Marie Agency Records, Letters Sent, Jul. 12, 1822 - May 2, 1833: 27-8.
 - 16 The U.S. Sault agency closed in 1832 when it was consolidated with the Mackinac Agency. In 1837 a separate subagency was established in the Sault until 1852 when it once again merged with the Mackinac Agency. The Mackinac Agency itself was abolished in 1889. The Mackinac Agency was reborn in 1899 for the Chippewa living at the western end of Lake Superior and merged with the Lac du Flambeau Agency in 1927. The Michigan Agency was created in approximately 1938 and is currently located in Sault Ste. Marie, Michigan
 - 17 The Sault agency was closed in the 1970s with authority and supervision passing to an Indian Affairs office based in Sudbury.

- ¹⁸ *Treaty with the Chippewa, 1826; Treaty with the Ottawa, etc., 1836; Treaty with the Chippewa, 1842; Treaty with the Ottawa and Chippewa, 1855; Treaties with the Chippewa of Sault Ste. Marie, 1855*, in *Indian Affairs. Laws and Treaties: Volume II (Treaties)*, ed. Charles J. Kappler (Washington: Government Printing Office, 1904), 268-273, 450-6, 542-5, 725-31, 732.
- ¹⁹ "No. 61. [Robinson-Huron Treaty (1850)]," and "No. 91 (A) [Pennefather Treaty (1859)]," in *Canada: Indian Treaties and Surrenders, Volume 1: Treaties 1-138* (1891; reprint, Saskatoon: Fifth House Publishers, 1992), 149-52, 227-31; Letter to Chiefs and Warriors of the St. Mary and Batchawana from the people of Garden River, 11 Jun. 1859, photocopy of RG 10 document in the Garden River file, Regis College Archives; and Karl Hele, *Anndi Gaazhaamigak Gdakiiminaanag; "Where Did Our Land Go?" Garden River First Nation* (Sault Ste. Marie: Cliff Printing, n.d. [1989]), 4-5. David T. McNab correctly refers to the treaty and the process involved in obtaining it as one full of "fraud and abuse." McNab, *Circles of Time: Aboriginal Land Rights and Resistance in Ontario* (Waterloo: Wilfrid Laurier University Press, 1999), 137. See McNab, *Circles of Time*, 135-46, for a brief history of Batchawana's attempts to find justice following the 1850 and 1859 Treaties. Garden River First Nation also continues to struggle for a rectification of issues created by the fraud committed in 1850 and 1859. "Garden River First Nation Negotiations (Phase III)," *Garden River News*, 18 Jul. 2001.
- ²⁰ "The Indians on Lakes Huron and Superior," *British Colonist* 16 Nov. 1849.
- ²¹ "The Robinson Treaties [Wm. B. Robinson's Report]" in *The Treaties of Canada with the Indians of Manitoba and the North-West Territories including the Negotiations on which they were based* (Toronto: Belfords, Clarke & Co., Publishers, 1880), 17-21; and *British Colonist* 16 Nov. 1849.
- ²² "No. 61.", 150; Mary-Lynn Murphy, "Draft Research Report: The Mining Locations of the Garden River Indian Reserve #14" (Toronto: Ontario Native Affairs Secretariat, January 1987; revised by Jean Manore, May 1990); Chute, *The Legacy*, 145-6; and Hele, "By the Rapids," 154-5.
- ²³ See sections 91 "Powers of the Parliament" and 92 "Exclusive Powers of Provincial Legislatures" of the *Canadian Constitution, 1982*. Justice Laws Website. Government of Canada. <http://laws-lois.justice.gc.ca/eng/Const/index.html> (accessed 21 Sept. 2013).
- ²⁴ "No. 61. [Robinson-Huron Treaty (1850)]," 150; and Janet Chute, "Moving on Up: The Rationale for, and Consequences of, the Escalation Clause in the Robinson Treaties," *Native Studies Review* 18.1 (2009): 53-65.
- ²⁵ "No. 61. [Robinson-Huron Treaty (1850)]," 150.
- ²⁶ Karl Hele, *The is Indian Land: An Overview of Garden River First Nation's Lands* (Sault Ste. Marie, ON: Garden River First Nation Community Trust, 2011), 28, 30-1; 85-90; *An Act for the Settlement of Certain Questions Between the Governments of Canada and Ontario Respecting Indian Reserve Lands*. S.C. 1924, c.48; and *Indian Lands Agreement* (1986) Act (1988 c.39) [Assented to July 28th, 1988]. *Government of Canada, Justice Laws Website* <http://laws-lois.justice.gc.ca/eng/acts/l-6.7/page-1.html> (accessed 20 Sept. 2013).

- ²⁷ For instance, in 1905 Indian reserves could be eliminated if they were near a town of more than 8,000 residents. In 1911 the Indian Act was amended to allow for the expropriation of reserve lands for public works, such as railways, roads, and telegraph lines. It also permitted the relocation of reserves away from any municipality. Under Prime Minister Harper, the Government of Canada has or will be altering various aspects of the Indian Act to enable easier surrenders and leasing of Indian lands. "Conservative proposed omnibus Indian Act changes would allow bands to lease out reserve lands without majority community support," *APTN National News*, 21 Nov. 2012. <http://aptn.ca/pages/news/2012/11/21/conservative-proposed-omnibus-indian-act-changes-would-allow-bands-to-lease-out-reserve-lands-without-majority-community-support/> (accessed 21 Sept. 2013). For an example of how the Supreme Court has made it easier for reserve lands to be seized, see *Delgamuukw* (1997), *Sparrow* (1990), and *Van der Peet* (1996). For a discussion of these cases, and others, see Thomas Isaac, *Aboriginal Law: Commentary, Cases and Materials*, 3rd edition (Saskatoon: Purich Publishing Ltd, 2004). To read the relevant Supreme Court decisions, see *Judgements of the Supreme Court of Canada* <http://csc.lexum.org/decisia-scc-csc/scc-csc/en/nav.do>.
- ²⁸ Cleland, *Rites of Conquest*, 237; *The Place of the Pike*, 67-73; and Dorothy Reuter, *Methodist Indian Ministries in Michigan, 1830 - 1990* (U.S.A: A Project of the Michigan Area United Methodist Historical Society, 1993), 133.
- ²⁹ Brazer, *Harpes Upon the Willows*, 163-6. Some uncertainty surrounded all titles at the Michigan Sault until the U.S. Supreme Court declared a French seigneurial grant from 1781 invalid in 1867. F. Clever Bald, *The Seigneurie at Sault Ste. Marie* (Sault Ste. Marie, MI: Sault Express, 1937); and Theresa Schenck, "Who Owns Sault Ste. Marie?" *Michigan Historical Review* 28, 1 (2002): 109-120.
- ³⁰ Diary (or Journal) of W. B. Robinson, 24. Sir John Beverly Robinson Papers, F44 MS 4, Archives of Ontario (AO); Hele, "This is Indian Land," 66-7; "Is it marked in the Bible, that the English and American should draw a line and do what so he pleases with the natives?": The 1850 Treaty as an International Document " [Manuscript].
- ³¹ Alan Knight and Janet Chute, "In the Shadow of the Thumping Drum: The Sault Métis – The People In-Between" in *Lines Drawn Upon the Water: First Nations and the Great Lakes Borders and Borderlands* (Waterloo, ON: Wilfrid Laurier University Press, 2008), 109-10.
- ³² For a discussion of the issues surrounding the Canadian Census, especially its utility for classifying and enumerating First Peoples, see Michelle Hamilton, "'Anyone Not on the List Might as Well Be Dead': Aboriginal Peoples and the Censuses of Canada, 1851-1916," *Journal of the Canadian Historical Association* 18, 1 (2007): 57-79; and Bruce Curtis, *The Politics of Population: State Formation, Statistics, and the Census of Canada, 1840-1875* (Toronto: University of Toronto Press, 2001).
- ³³ Growing up in the Sault I was aware, as many were, of comments and racialized jokes that indicated the existence of Métis but largely denied them a singular identity. Many comments were made that if you scratched an

Indian you would find a Frenchman, or if you scratched a Frenchman you would find an Indian. Similarly, in the Anishinaabeg community we could identify members descended from Frenchmen by simply observing their poor canoeing skills. Where the power canal is located in Sault Canada, the former Hudson Bay Company's grounds, a 'squatter' community known as 'French town' existed until its residents were forced out by creeping modernity. The place where Métis families settled at Garden River became known as Frenchman's Bay. Finally, it was also fairly well known that Goulais Bay, on Lake Superior, was a French-Indian community.

- ³⁴ For instance, see Jacqueline Peterson, "Red River Redux: Métis Ethnogenesis and the Great Lakes Region," in *Contours of a People: Métis Family, Mobility, and History*, eds. Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 22-58; and "Many Roads to River: Métis Genesis in the Great Lakes Region, 1680-1815," in *The New Peoples: Being and Becoming Métis in North America*, eds. Jacqueline Peterson and Jennifer S. H. Brown (Winnipeg: University of Manitoba Press, 1993), 37-72. Some scholars, such as Chris Anderson, even attempt to deny Great Lakes Métis identity on limited historical evidence interpreted through the lens of Western Métis exclusivity and ethno-nationalism. Chris Andersen, "Moya 'Tipimsook ('The People Who Aren't Their Own Bosses'): Racialization and the Misrecognition of "Métis" in Upper Great Lakes Ethnohistory,"

Ethnohistory 58.1 (2011): 37-63. The overt insistence by many scholars that the Métis identity only existed on the plains serves as a severe handicap when it comes to exploring or discussing other Métis identities across Canada and the northern United States. For a discussion of late twentieth century identity emergence, see Sebastien Grammond and Lynne Groulx, "'Finding' Métis Communities," *Canadian Journal of Native Studies* 32, 1 (2012): 33-48; and Sabrina Peressini, "From 'Great Lakes Métis' to 'Aboriginal People of Canada': The Changing Identity of Canadian Métis During the Eighteenth, Nineteenth and Twentieth Centuries," *Nexus* 14 (2000/2001), 87-107.

- ³⁵ For discussions of Canadian Indian policy, see John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy" in *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*, eds. Ian L. Getty and Antoine S. Lussier (Vancouver: University of British Columbia Press, 1990), 39-64. For a comparative discussion of Canadian and American policies, see Roger L. Nichols, *Indians in the United States and Canada; A Comparative History* (Lincoln and London: University of Nebraska Press, 1998). For American Indian policy, see Francis Paul Prucha, *The Great Father: The United States Government and the American Indians, Abridged Edition* (Lincoln: University of Nebraska Press, 1996).
- ³⁶ James A. Clifton, *A Place of Refuge for all Time: Migration of the American Potawatomi into Upper Canada 1830 to 1850* (Ottawa: National Museum of Man Mercury Series, 1975), 33-5, 53-4; Nichols, *Indians in the United States and Canada*, 200; Philip Curtis Bellfy, "Division and Unity, Dispersal and Permanence: The Anishnabeg of the Lake Huron Borderlands" (Ph.D. diss., Michigan State University, 1995), 156-60; Karl S. Hele, "The Anishnabeg and Métis in the Sault Ste. Marie Borderlands: Confronting a Line Drawn Upon the Water," in *Lines Drawn Upon the Water: First Nations and the Great*

Lakes Borders and Borderlands, ed. Karl S. Hele (Waterloo, ON: Wilfrid Laurier University Press, 2008), 73-4.

- ³⁷ See Catlin C. M. Smith, "The Jay Treaty Free Passage Right in Theory and Practice," *American Indian Law Journal* 1,1 (2012): 161-180; "First Nations and Native Americans," *Embassy of the United States, Ottawa, Canada* <http://canada.usembassy.gov/visas/information-for-canadians/first-nations-and-native-americans.html> (accessed 20 Sept. 2013); Mitchell v. Minister of National Revenue, [2001] 1 S.C.R. 911. 2001 SCC 33. *Judgments of the Supreme Court of Canada* <http://scc.lexum.org/decisia-scc-csc/scc-csc/scc-csc/en/item/1869/index.do> (accessed 20 Sept. 2013).
- ³⁸ Cross border residence of Piabetassung and his band resulted in their dissolution when both British-Canada and the U.S. declared them American and Canadian Indians, respectively, based on their receipt of treaty monies from both countries. For a discussion of this event, see Hele, "The Anishinabeg and the Métis in the Sault Ste. Marie Borderlands," 73-4.
- ³⁹ For the various Indians and amendments, see Sharon Helen Venn, *Indian Acts and Amendments, 1868-1975: An Indexed Collection* (Saskatchewan: Native Law Centre, University of Saskatchewan, 1981); *The Indian Acts and Amendments: 1970-1993: An Index Collection* (Saskatchewan: Native Law Centre, University of Saskatchewan, 1993); "Mclvor v. Canada," Aboriginal Affairs and Northern Development Canada <http://www.aadnc-aandc.gc.ca/eng/1100100032433/1100100032434> (Accessed 20 Sept. 2013); and Indian Act (R.S.C., 1985, c. I-5) [last amended on 2013-04-01]. <http://laws-lois.justice.gc.ca/eng/acts/i-5/> (Accessed 20 Sept. 2013).
- ⁴⁰ For an excellent discussion of identity issues and the Indian Act, see Bonita Lawrence, *"Real" Indians and Others: Mixed-Blood Urban Native Peoples and Indigenous Nationhood* (Vancouver: University of British Columbia Press, 2004).
- ⁴¹ Norman Shields, "The Grand General Indian Council of Ontario and Indian Status Legislation" in *Lines Drawn Upon the Water: First Nations and the Great Lakes Borders and Borderlands*, ed. Karl S. Hele (Waterloo: Wilfrid Laurier University Press, 2008), 205-18.
- ⁴² For instance, see the "Culture and Heritage" section of the Métis Nation of Ontario's website. <http://www.metisnation.org/culture--heritage/who-are-the-metis> (accessed 20 Sept. 2013).
- ⁴³ Chute, *The Legacy*, 30.
- ⁴⁴ Captain T. G. Anderson, Superintendent of Indian Affairs to Captain G. Philpotts, A.D.C., 18 Jul. 1835, Strachan Papers, AO; Petition dated 12 Jan. 1835 to Sir John Colborne, Sault Ste. Marie file, Catholic Archdiocesan Archives (Toronto); "A Study in Failure: The Anglican Mission at Sault Ste. Marie, Upper Canada 1830-1841," *Journal of the Canadian Church Historical Society* 45, 2 (2003): 175-7; and Anonymous, *Centennial Commemoration; One Hundred Years of the Church of England in Sault Ste. Marie, Ontario* (Sault Ste. Marie: Cliffe Printing, 1932), 10.
- ⁴⁵ J. Chance to Mr. Campbell, 10 Mar. 1866; C. Dupont to W. Spragge, 8 Sept. 1867; J. Chance, Reply to Mr. Dupont's letter of Sept. 1867; Dupont

to Spragge, 4 Oct. 1867; Spragge to Dupont, 16 Aug. 1867; Chance to Spragge, 17 Jun. 1867; Report, Dupont to Spragge, enclosing copy of his address to the Indians of Garden River and their responses, 4 Oct. 1867, RG 10, vol. 616; J. Chance to A. N. Buell, 22 Nov. 1867, Buell Papers, AO; Letter (C-512), J. Chance to H. L. Langevin, Secretary of State, 30 Apr. 1868; Letter (C-533), J. Chance, Port Hope to W. Spragge, 20 Jun. 1868; Letter (C-594), Chance to Langevin, 20 Jan. 1869, RG 10, vol. 326; Hector Langevin to William Plummer, 5 Nov. 1869, RG 10, vol. 617; W. Abbott, Indian Agent, Sault Ste. Marie, 17 Apr. 1874. Letter found in Garden River Student History Project, Unpublished manuscript, Garden River First Nation Library; Chute, *The Legacy*, 185-191, 199-218; and Karl S. Hele, "Conflict and Cooperation at Garden River First Nation: Missionaries, Ojibwa, and Government Interactions, 1854-1871," *Journal of the Canadian Church Historical Society* XLVII, 1 (2005): 91-9.

- ⁴⁶ *An Act for the Gradual Enfranchisement of Indians* of 1869 refined two earlier Acts passed in 1851 and 1857. In addition to allowing for the imposition of elected governments, the 1869 Act imposed a blood quantum requirement and women who married non-natives were also excluded from band membership. Olive Patricia Dickason, *Canada's First Nations: A History of Founding Peoples from Earliest Times* (Toronto: Oxford University Press, 1997), 232-3; Robert J. Surtees, "Canadian Indian Policies" in *Handbook of North American Indians: Volume 4, History of Indian-White Relations*, ed. Wilcomb E. Washburn (Washington: Smithsonian Institution, 1988), 89-91; and John Milloy, "The Early Indian Acts: Developmental Strategy and Constitutional Change," in *As Long as the Sun Shines and Water Flows: A Reader in Canadian Native Studies*, Ian A. L. Getty and Antoine S. Lussier, eds. (Vancouver: University of British Columbia Press, 1990), 62-63.
- ⁴⁷ Chute, *The Legacy*, 212. See William Van Abbott's correspondence relating to the first election in RG10, vol. 2522, file 112279.
- ⁴⁸ Section 74, "Elections of Chiefs and Band Councils," Indian Act (R.S.C., 1985, c. I-5). *Justice Laws Website*, Government of Canada. <http://laws-lois.justice.gc.ca/eng/acts/i-5/page-27.html#h-34> (accessed 22 Sept. 2013).
- ⁴⁹ Henry R. Schoolcraft, *Personal Memoirs of a Residence of Thirty Years with the Indian Tribes of the American Frontiers: with a brief notices of passing events, facts, and opinions, A.D. 1812 to A.D. 1842* (Philadelphia: Lippincott, Grambo and Co., 1851), 570; William Whipple Warren, *History of the Ojibway People* (1885; reprint, St Paul: Minnesota Historical Society Press, 2009), 224; and Chute, *The Legacy*, 89.
- ⁵⁰ Letter, John Clitz, Capt 2nd Inf, Commanding Officer & Acting Indian Agent to Major W. P. Cobbs, Fort Brady, Acting Ind. Agent, 22 Jan 1836. Letters sent by the Agent at Mackinac, May 31, 1833 - July 1836. *Records of Michigan Superintendency of Indian Affairs, 1814-51*. Clarke Historical Library; Brazer, *Harp Upon the Willows*, 266-7; Chute, *The Legacy*, 67-8; and Charles E. Cleland, *Faith in Paper: The Ethnohistory and Litigation of Upper Great Lakes Indian Treaties* (Ann Arbor: University of Michigan Press, 2011), 62-63.
- ⁵¹ *Treaty with the Ottawa and Chippewa, 1855* in *Laws and Treaties*, Kappler, ed., 729; Letter (G48), H. G. Gilbert, Indian Agent to G. Manypenny, Commissioner of Indian Affairs, 11 Mar. 1856, Folder, Mackinac 1856,

- A36-G90: 80-1, Mackinac Agency 1828-1880; Cleland, *Place of the Pike*, 36-7, 43, 50, 69-70; and *Faith in Paper*, 86-7.
- 52 Cleland, *Place of the Pike*, 67-73.
- 53 "The Struggle for Federal Recognition," *Sault Tribe of Chippewa Indians*. <http://www.saulttribe.com/history-a-culture/story-of-our-people/96-the-struggle-for-federal-recognition> [accessed 20 Sept. 2013].
- 54 This doctrine was established by the U.S. Supreme Court in a series of cases commonly known as the "Marshall trilogy." These cases are *Johnson v. McIntosh* (21 U.S. (8 Wheat.) 543 (1823)); *Cherokee Nation v. Georgia* (30 U.S. (5 Pet.) 1 (1831)); and *Worcester v. Georgia* (31 U.S. (6 Pet.) 515 (1832)). The term 'domestic dependent nation' was created by Marshall in the 1831 case of *Cherokee Nation v. Georgia*. Nancy Shoemaker, *A Strange Likeness: Becoming Red and White in Eighteenth-Century North America* (New York: Oxford University Press, 2006), 102-3.
- 55 Various Indian Acts since 1874 have defined the organization of band governments and their jurisdictional scope. Additional laws such as the 1884 Indian Advancement Act have been passed that further limit or define self-governance
- 56 Hele, "By the Rapids," 171-286.
- 57 "Report," *Missionary Magazine* 36, 7 (Jul. 1856), 222; and "Ojibwa Mission," *Missionary Magazine* 36, 7 (Jul. 1856), 310-1. "Transfer of the Indian Missions to the American Baptist Home Missionary Society," *Missionary Magazine* 39, 7 (Jul. 1859): 235; Hele, "By The Rapids," 181, 188; and John Cumming, ed., "A Missionary Among The Senecas: The Journal of Abel Bingham, 1822-1828," *New York History* 60, 2 (1979): 157-93; and "A Puritan," 213-14.
- 58 "Shingwauk Indian Residential School — Sault Ste. Marie, ON," Mission and Justice Relationships. Anglican Church of Canada. <http://www.anglican.ca/relationships/trc/histories/shingwauk> (accessed 22 Sept. 2013).
- 59 William McMurray, "Mission Work Among Indians at Sault Ste. Marie in Early Days," *The Canadian Church Magazine* (1891 [typescript]): 4; Hele, "'How to Win Friends and Influence People': Missions to Bawating, 1830-1840" in *Historical Papers 1996: Canadian Society of Church History*, ed. Bruce L. Guenther (Canada: Canadian Society of Church History, 1997), 164; and Hele, "By the Rapids," 209-12.
- 60 "Mrs. Chance's Report," *The Annual Report of the CCCS* (1869): 31; James Chance to Mr. Campbell, 10 Mar. 1866, RG 10, vol. 616: 44-6, NAC; Chute, *The Legacy*, 158-94; "...extracts Mrs. Chance," *Annual Report of the CCCS* (1870): 37; "Minutes of a Meeting of the General Committee held on Thursday Feb 21, 1867," CCCS, General Minute Book, Jan. 2, 1862 - Dec. 19, 1872; and Hele, "By the Rapids," 217.
- 61 AANDC, "250th Anniversary of the Royal Proclamation of 1763," <https://www.aandc-aandc.gc.ca/eng/1370355181092/1370355203645> (accessed 3 Mar. 2014).
- 62 Karl Hele, "Events show varied perspectives on Royal Proclamation," Anishinabek News, 24 Oct. 2013. <http://anishinabeknews.ca/2013/10/24/events-show-varied-perspectives-on-royal-proclamation/> (accessed 3 Mar. 2013).

Quakgwan's Settlement in Bosanquet Township: Blurring the Borders of Knowledge, Law and Policy in Nineteenth-Century Upper Canada

Karen J. Travers

Quakgwan, a Chippewa Chief and 1812 veteran petitioned the Governor General in 1849 to grant him the deed to one hundred acres of land that he and several others purchased sometime in 1840.¹ On this lot, southeast of what would later become Stony Point Indian Reserve No. 43,² Quakgwan's "band" cleared the land and established farms; they had extensive improvements and some lived in log homes. They sought friendship and assistance from locals to establish and sustain their farming community while retaining important aspects of their own culture and worldviews and they did this with little or no assistance from the Indian Department. For nearly ten years, this community represented the kind of co-existence envisioned by First Nations leaders in the wake of the War of 1812. But in 1847, under pressure from the Indian Department, Quakgwan reluctantly agreed to relocate to Walpole Island provided he and his people received adequate compensation for the land and their improvements. Two years later, Quakgwan suddenly changed his mind and resisted moving, even when other community members left for Sarnia and when he was repeatedly entreated to do so by the local Interpreter and Indian agent. When he demanded his deed so that the land could not be sold, he unleashed the wrath of the Indian Department. In 1850 the Indian department sold the land to Allen Kennedy, a local postmaster and magistrate.³

Quakgwan is emblematic of a style of Indigenous leadership that emerged in southwestern Ontario in the early eighteenth century; a leadership that would blur borders of knowledge. The importance of the generation born in the 1790s in understanding the effects of colonialism; past and present, on Indigenous peoples is crucial. His would be one of the last generations who spent their childhoods in Aboriginal villages, away from sustained contact with Europeans and steeped in their culture and language. While their adult years would be marked by some of the greatest changes that Northeastern North America has ever seen, this strong cultural base enabled them to survive and guide their communities through the rapidly changing circumstances around them.⁴ Throughout their lives, they were able to mitigate the worst aspects of colonial policy by combining Indigenous and European ways of knowing and doing.

Characterized as superstitious traditionalists stubbornly clinging to their old ways, Anishinabe leaders in the St. Clair region frustrated the various missionaries who tried to convert them.⁵ In reality Quakgwan and these leaders embodied what Mi'kmaw Elders Murdena and Albert Marshall refer to as 'Two-Eyed Seeing'; a philosophy, methodology and way of life based on the belief that Indigenous and Western systems of knowledge are not mutually exclusive but complementary to one another. In their words; "[w]e must...be diligent in taking the best from our two worlds: Indigenous and Western."⁶ This was espoused repeatedly throughout the nineteenth century by Indigenous leaders who felt that their children's futures depended upon the acquisition of the tools necessary to survive in Western society. Walpole Island Chief Peterwegeshik asked officials for "two eyes" or an education in the ways of non-natives which could then be added to an already-established Indigenous cultural base.⁷ Individuals like Quakgwan were not stubborn traditionalists; they were members of a generation who simply refused to sacrifice their own cultural beliefs as a prerequisite for coexistence with their non-native neighbours. Quakgwan embodied 'Two-eyed seeing' and his settlement is indicative of what might have been had Indigenous peoples been able to control their own destinies.

In terms of our present historiographical understanding, the period between the War of 1812 and the first legislation directed at Aboriginal

peoples in 1850 is not well understood. A myth of stability, created by peace with the Americans after 1814, overshadows the complex and difficult circumstances faced by Anishinabe peoples in Upper Canada and all peoples in the Great Lakes borderlands.⁸ An absence of “rules and laws” between 1814 and 1850 as Webber notes, meant that “the structure of the relationship [between Aboriginals and Europeans] was formed as much from the compromises on the ground as from abstract principles of justice. It was the outcome of trial and error.”⁹ Quakgwan was able to establish his settlement in such an environment in the Western District of Upper Canada and the same absence of rules and laws enabled the Indian Department to take his lands away.¹⁰

Though complex and fluid, Aboriginal landholding strategies in Upper Canada could and did operate within a broader system of fee-simple ownership. Quakgwan demonstrates that communal and individual systems of land ownership are not mutually exclusive. Though the Crown assumed control of reserves and ungranted ‘wild’ land in the *1839 and 1849 Crown Lands Acts*, there were no laws expressly prohibiting Aboriginal people from individually purchasing land.¹¹ Colonial society simply operated on a belief that Aboriginal people could only own land once they became ‘civilized’ and enacted legislation to that effect in the 1850s.¹² Prior to this however, the Indian Department could only restrict access to annuities for the purpose of purchasing land and discourage settlers from selling land to “Indians.” So long as Quakgwan’s communal settlement in Bosanquet remained a customary or oral arrangement, it was tolerated in the absence of any law prohibiting it. Once Quakgwan sought to have his tenure legally recognized in the form of a deed he assumed a role that would not be tolerated—that of an established Aboriginal yeoman farmer. By scrounging up the money to purchase the lot, Quakgwan appears to have found a way to circumvent the civilization program by becoming the trustee. Once possessing the deed, not only could he allow others to live on his land as he saw fit but the Indian department would be powerless to do anything about it. In nineteenth century Upper Canada, it was believed that Aboriginal people could only hold their land in common under the control of the Crown and it was under the auspices of equality that initiatives undertaken by individual Aboriginal people like Quakgwan were thwarted.

Traditional Territories

Continually inhabited by Aboriginal people for thousands of years, the region bordered by Lake Huron, St. Clair and Lake Erie and the innumerable inland lakes and marshes were a source of diverse plants, fish, fowl and game. The Sauble River¹³ and Lake Huron shorelines were a transportation gateway allowing First Nations in this region to utilize an area stretching from Sarnia to Goderich. According to one resident of Kettle Point “[w]e were one of several Nations, organized under traditional Chiefs. We did not live in one location but migrated seasonally throughout our territory which included southwestern Ontario. We used the available resources of the local river valleys, the Lake Huron shoreline and numerous inland hunting and maple sugaring areas.¹⁴ Prior to the development of tile-drain technology, the region possessed a diverse ecosystem which included a mixture of Carolinian forests, cedar swamps, dry ridges and grass plains.¹⁵

In the wake of the War of 1812 and growing settlement in what was then known as the Western District, Aboriginal peoples recognized that maintaining their old way of life would become increasingly difficult. With this in mind, the transition to settled coexistence with newcomers was of primary concern and Deputy Superintendent Alexander McKee, had already approached Aboriginal people in the region in 1790 and 1796 to secure surrenders of land for incoming Loyalists. The latter treaty in particular secured a homeland for Aboriginal people who, following the loss of the Ohio Valley, were encouraged to settle on the British side. It was articulated by McKee and other officials as a partnership between allies of the Crown.¹⁶ In 1818, when Indian Agent John Askin approached the Chiefs of the St. Clair region to discuss a surrender of their lands they demanded in exchange, the tools to successfully make this transition. This included cash to pay for agricultural implements and instructors to teach them to farm. A final agreement, made in 1825 and signed in 1827, set aside four reserves at Sarnia (St. Clair), Moore (Lower Reserve), Kettle Point and at the Sable River (Stony Point).¹⁷

Nearly 2.2 million acres of traditional territories were included in the Huron Tract Treaty.¹⁸ Documents suggest the tiny land base reserved (less than one percent of the total) was based on the expectation that



Figure 6.1 *Lambton County and Adjacent Parts of Kent, 1901.*

Source: Edward Phelps, ed., *Beldon's Historical Atlas of the County of Lambton, Ontario 1880* (Sarnia, ON: 1973) p. 71.

the signers would have control over their financial affairs and continued use of unsettled territories.¹⁹ Control of the lands they possessed and income generated from those surrendered were part of a strategic plan designed to provide a solid economic base for future generations. Yet in 1828, only a year after the Huron Tract purchase, Major-General H.C. Darling recommended that Aboriginal people be induced to settle in villages where they could be isolated from the negative influences of white settlers, introduced to Christianity, taught to farm and educated.

In 1831 Indian Agent William Jones received instructions to encourage as many as he could to settle in what would be a model village at Sarnia.²⁰ While the selection of reserves was a conscious and deliberate choice made by Anishinabe leaders and the people they represented, the policy of collecting them into one village under the watchful eyes of an agent was certainly not.²¹ "Anishinabek political structure was 'flat' or on a level plane rather than a hierarchical order."²² Quakgwan was a veteran of the War of 1812 and based on age and experience he likely held a position of responsibility to a small group of interrelated people who camped with him.²³ Though he would act in an advisory capacity, he would not be a Chief in the way the Department expected him to be—he would not run their affairs. Though one person did not hold administrative power for the entire community or the authority to speak on their behalf, some like Joshua Wawanosh of Sarnia rose to this role in the 1840s simply because the government demanded it of them.²⁴ Disagreement, dissention and conflict were natural byproducts of the adjustment to these changes and Wawanosh was actually removed from the position of Head Chief after vociferous complaints from his own people and an inquiry conducted by the Department.²⁵ Though the Chief was later reinstated, agents, missionaries and interpreters recognized that divided communities had difficulty resisting coercive aspects of the civilization program and sought at every opportunity to insinuate themselves into band politics by favouring particular individuals, influencing decision making and spreading rumour and gossip.²⁶ The Department ensured these conflicts spread beyond individual communities by treating the four individual reserves as one administrative unit with the most populous Sarnia village receiving the most attention and votes on council.²⁷ Amalgamating these former smaller independent kinship units into one large band and placing the control of their lands and resources under one Head Chief and his family was a disaster in the making.

Dissent, when it occurred, did not only impact Anishinabe communities socially; it affected communal decision-making, ostensibly harming them economically as well. The department would not pay accounts if they all could not agree and the paperwork was relentless. Councils voted on everything and individual Chiefs had to authorize all requisitions for supplies and all payments to merchants before the Indian Agent signed

off on them. Consequently, it was not uncommon for bills to remain unpaid for years at a time which harmed relations with merchants and discouraged them from dealing with the department thereafter.²⁸ Hardships caused by the lack of supplies, delays in deliveries and poor quality goods were made worse by the fact that between 1836 and 1839 and perhaps for even longer, many of the reserves did not receive their annual presents as they should have.²⁹ Additionally, while the Potawatomi and other Indigenous peoples fleeing removal in the United States were initially welcomed, the imposition of an artificial border on people accustomed to coming and going and new definitions of “American” and “British” Indians with requisite advantages and disadvantages did nothing to help the situation. Consequently, by the 1830s, “the Sarnia Reserve was rife with dissention...” and Quakgwan and those with him decided to leave.³⁰ While he may have indeed had a falling out with Wawanosh, Quakgwan also may have viewed relocating as a way to return to a less-contentious and smaller kinship grouping. Removing themselves from day-to-day conflict preserved the broader political coalition required in their dealings with the department.

The Land in Bosanquet

In 1839 William Jones, the Indian Agent for Sarnia, reported that several families had left for the Sable reserve.³¹ While an 1845 Census suggests Quakgwan’s community was at the Sable, he had actually begun the process of purchasing a lot of land southeast of the reserve sometime after September 1839 and was residing on it.³² Andrew Jamieson, the Missionary at Walpole Island wrote to Joseph Clench,³³ the Superintendent of Indian Affairs and explained the situation quite clearly; “[Quakgwan] wishes me to write you concerning the land he now occupies at the Sable. He says that he thinks that you are labouring under some wrong impression in regard to the said land. He informs me that the land was purchased by himself—that it was purchased by money earned by himself...”³⁴ George Hyde, an influential member of the Western District Council and Reeve of the nearby town of Plympton, wrote to Clench on Quakgwan’s behalf that the land was purchased from a man named Sampson Ward.³⁵ In the 1820s, the Wards lived in Moore Township but began purchasing or leasing lots in Bosanquet from

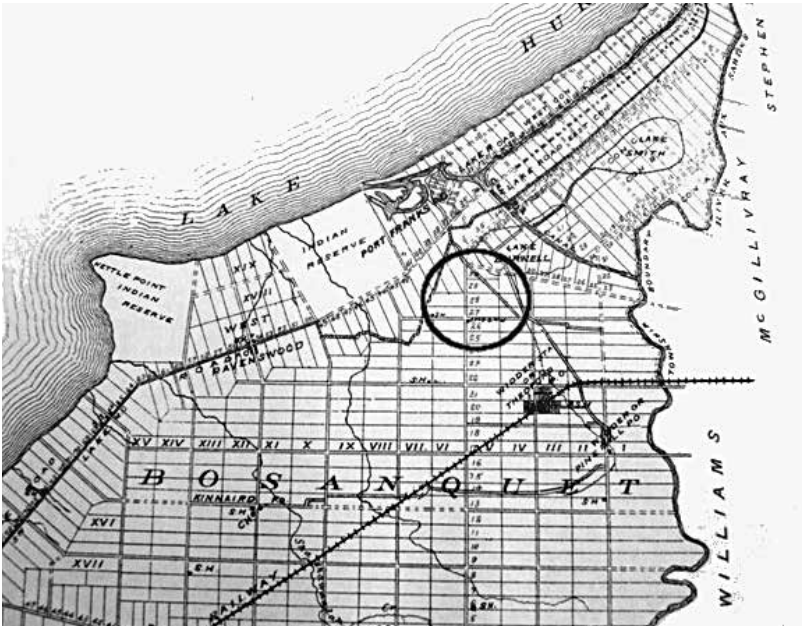


Figure 6.2 Location of the Lot in Bosanquet Township. Land in Bosanquet, Williams, McGillivray and Stephen Townships (excepting the reserves) were purchased by the Canada Company in 1826.

Source: *Beldon's Historical Atlas of Lambton County*, 1880.

the Canada Company “[along] the ‘Ridge’ forming the south-western boundary of the Lake Burwell tract” in the late 1830s.³⁶ In September 1837, Sampson Ward entered into a contract with the Canada Land Company to purchase Lot 27 in Concession 6 and received the deed less than one year later.³⁷ The final transaction in 1840 coincides with documents suggesting that Quakgwan and Ward arrived at some kind of deal to transfer ownership of the lot.³⁸

Given the conditions in the western portion of the district, it is not difficult to see that the lot in Bosanquet had much to offer. By the late 1830s, squatters plagued Walpole Island, Sarnia was in conflict and residents of the Sable Reserve found it difficult to farm the sandy soils; so much so that they considering selling it in 1839. More importantly, in the 1830s, the idea of purchasing plots of land suited to different

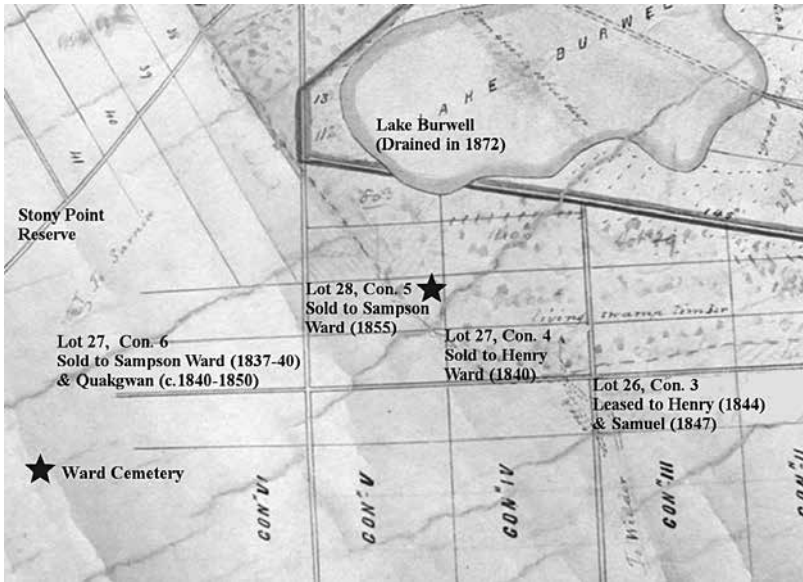


Figure 6.3 *Quakgwan's Land and Ward Family Lots in Bosanquet*

Source: Ontario Archives, Canada Company Fonds, F129, Map of Part of the Township of Bosanquet, Stephen and McGillvray Recertified for the Drainage of Lake Burwell July 1865, Pkg. 2, Map # 163, D750948, ; (OA), Canada Company Fonds, F-129, Series B-3, Registers and Deeds, Volumes 19, 30 and 31, MS 729, Reels 3 & 4.

purposes was considered by the Chiefs and they ultimately did buy lands in Enniskillen for making maple sugar.³⁹

Bosanquet was sparsely settled and well-suited to all Aboriginal subsistence strategies.⁴⁰ The Canada Company purchased 2.5 million acres of land surrendered in the Huron Tract Treaty in 1826 for colonization purposes but in 1840, Bosanquet still remained a veritable wilderness.⁴¹ [highlighted sentence here] But the eastern portion flooded continuously and until 1842, limited credit offered by the Company ensured that only a very few well-established settlers could purchase land in the area and the adjacent townships.⁴² In the 1830s, a payment system was offered and St. Clair-Sarnia Indian Superintendent William Jones became the agent in the Baldoon office authorized to accept them.⁴³ After 1842, the company initiated a leasing program to stimulate lagging settlement

although many fell behind on their payments and by the late 1840s, delinquency became a problem.⁴⁴ Anishinabe Interpreter, H.P Chase⁴⁵ told Clench that “Quagegewan and Brother have made agreement with the Company to purchase the Lot. They have taken it I believe in the Leased system by paying the...first installment and Likely to increase the sum at the end of ten years at which time the DEED will be given them.”⁴⁶ Although the ability to make payments increased settlement, it would still be several years before Bosanquet witnessed any substantial development. In 1842, there were only 132 people in the entire township.⁴⁷ The residents were without a main road until 1843 and a municipal government until 1847.⁴⁸

Isolation may have necessitated social interaction and cooperation between native and non-native residents that helped to break down stereotypes. The few settlers brave enough to homestead likely provided a ready market for Indigenous produce and could provide goods or farming advice in return. Documents do suggest this was the case between Quakgwan and the Wards. Along with other notables in the area, the Wards were Methodists and temperance advocates and we do know that at this time, Quakgwan converted to Methodism and was baptized Jacob.⁴⁹ Under contract with the Indian Department to supply agricultural tools and stock to the reserve at the Sable the Wards supplied Quakgwan with oxen, steers and seed potatoes in the early 1840s. Unfortunately Chase was writing because the requisitions were five years old and still unpaid.⁵⁰ Since, the Governor-general and other colonial officials wanted all “wandering bands” contained on reserves, Clench or his superiors likely refused to approve the expenses of the rogue community to encourage them to move.⁵¹ Quakgwan no-doubt abandoned the idea of going through the department and bartered with Ward and his neighbours privately.

The community's relationship with the Wards would have been significant and advantageous. As clerks, pathmasters, tax assessors, postmasters and councilmen, the Wards held significant positions in Bosanquet though they might not have been considered extremely wealthy or influential elsewhere.⁵² This combined with the ‘friendship’ of Henry Hyde meant that Quakgwan had access to people who could advance

his interests and these people had no reservations about rendering him assistance.⁵³ He was enumerated with other non-native settlers in the 1842 census and along with Thomas and Sampson Ward, is recorded as the fourth Pathmaster in the Southern Division, having performed thirteen hours of statute roadwork in 1848.⁵⁴ For all intents and purposes, Quakgwan lived as any other settler in the small community and was welcomed by them.

Unfortunately there is very little information from the early years of the settlement but what is written suggests the community was quite successful. The department only became interested in them in the late 1840s when pressure mounted for Quakgwan to sell the land and move.⁵⁵ By 1849, they were reported as having “made large clearings on the Lot and...enlarging their Fields annually...”⁵⁶ We know the land was fenced as Chase pointed out that they were “good but need repairing.”⁵⁷ We also know that rather than one large communal field, there were several “large clearings” worked by individuals or families and that these were under cultivation.⁵⁸ More significantly, one report indicates that they had “cleared ninety acres” of 111 acre lot “by themselves.”⁵⁹ This number is astounding given that average clearance rate for all of Lambton County in 1851 was about twenty percent of lands occupied and in 1861 had improved to less than thirty-five percent. Clearance rates in the County were so bad that in 1880 the authors of an atlas speculated the numbers had been recorded in error.⁶⁰ Their housing and improvements were also comparable to those of non-native settlers in the region. Of the two log houses erected on the lot, Quakgwan’s contained two-rooms and was described as large, shingled and “comfortably arranged and furnished.”⁶¹ The success of this community might also explain why it was targeted by the department in the latter half of the nineteenth century. In 1844, the Governor General issued instructions for smaller bands to be moved to larger reserves where more aggressive forms of schooling and social control could be undertaken in order to both hasten a process of ‘civilization’ that was viewed as progressing too slowly and cut the exorbitant expenses of the Indian Department.⁶² The decision was difficult for Quakgwan to make and he was torn between staying and complying with the directive. It was apparent that old divisions at Sarnia and the tendency

for the department to treat them as one, were uppermost in his mind. Quakgwan felt that he and his people had a separate interest in the land in Bosanquet and should be entitled to reap the rewards. They had built a community themselves and he made it clear that when the land was sold, the money should not go into the General Indian Fund, but should “be expended for the benefit of himself and the families under his care.”⁶³ For reasons of convenience and access to schooling for their children, between January 1848 and September 1849, the community fragmented and many of the residents relocated to Sarnia. Quakgwan stayed behind; he wanted to stay and he wanted the deed.⁶⁴

The Law of the Land

Legally, Quakgwan was a settler like any other who purchased land from the Canada Company. According to the Indian Department’s own policy the lot was not Indian land.⁶⁵ The main question then, is how and why the Indian Department came to view it as such; ostensibly involving agents and superintendents in what should have been a private transaction. George Hyde; who by that point was also a magistrate, was certainly confounded by the circumstances. He wrote that Quakgwan “wishes now to sell the land, whether he has the right to do so or not I am ignorant...”⁶⁶ The only grey area existed in an 1839 Order-in-Council prohibiting the payment of debts from Indian funds without permission.⁶⁷ The fact that Quakgwan had or was about to make final payments on land purchased privately off reserve suggests that it may have been this Order in the absence of legislation saying otherwise, that the Indian department used to prevent him from completing the transaction.⁶⁸ Sometime in 1849, the Indian Department took control of Quakgwan’s land, the only way they could; by dividing the community and questioning the source of the funds for the initial purchase and improvements. If they made the land communal by suggesting the monies came from the annuities paid under the Huron Tract Treaty, officials could question Quakgwan’s sole interest in the land and prevent him from disposing of it.

Unfortunately we do not know with certainty, where the funds came from to purchase the lot. Quakgwan claimed at one point to have raised the money himself, however several officials offered completely different and contradictory explanations which simply do not add up. There is

evidence that community members contributed to a collection that was utilized but the funds were raised through private means and not taken out of annuities.⁶⁹ At one point Quakgwan “procured farm implements” however how much was paid for independently and how much was through departmental requisitions is unknown.⁷⁰ The uncertainty nonetheless, provided the department with a perfect window of opportunity.

Beginning in 1847 the prevailing explanation changed from Jamieson’s original statement that Quakgwan purchased the lot with funds raised independent of the annuity to a simple acceptance that the land was purchased in common and all of their implements and improvements came from the annuity. Thus, by 1849 the department was certain that Quakgwan’s request to receive his deed was a concealed attempt to defraud his people.⁷¹ Accusations of fraud allowed the department to intervene on the pretense of protecting the others. If there were suspicions of wrongdoing, then the department was morally compelled to do something, including confiscating the land in order to pay back the annuity.

In the urgency to separate Quakgwan from the land, we see the policies of trusteeship and wardship in evolution. The following August, legislation would be passed to “protect” Aboriginal peoples and their lands by removing their capacity to manage their own lands and resources and empowering the government and its representatives to intervene on their behalf.⁷² The circumstances as they unfolded appear to have been too hard on Quakgwan. Reluctantly, he made arrangements to return to Walpole Island but died in early 1851; shortly after Allan Kennedy purchased the lot.

Whether true or not, officials linked the purchase of this lot to money from treaty annuities—funds that were communal. Whether Quakgwan intended to keep the lot or sell it on his own for the benefit of his people was not their concern. Quakgwan would not get the chance because he simply could not get more than his fair share—even if that money was earned individually through paid labour, even if as individuals, his band contributed more, and even if he was summarily disadvantaged by that very equality. The Department left Quakgwan without any options: he could not keep the land himself because the government insisted that it be sold to pay back the annuity fund and he could not sell the land

himself because the government would not let him have the deed. As he feared would happen in 1850, the government took care of it for him.

The Chippewas of Sarnia were obviously led to believe that they would receive the proceeds of the sale of Quakgwan's lot, particularly after his death and as they faced the expense of accommodating members of the community on the reserve. While Kennedy had evidently paid up by 1855, the Chiefs complained that same year they had not received any money for the lot sold in Bosanquet.⁷³ Kennedy wrote to the department in 1855 inquiring about his deed however he was informed that it could not be issued until a surrender from Quakgwan to either the Chippewas of Sarnia or the Crown was located. In September 1855, the Superintendent, Froome Talfourd received notice that; “[n]o surrender of the kind is found among the Records in this office, nor had Colonel Clench supplied any information respecting it.”⁷⁴ Nine days later, and five years after the lot had already been sold to Kennedy, Wawanosh and the Sarnia Council signed Surrender No. 266 transferring the lot in Bosanquet to the Crown.⁷⁵

Post-Script

Quakgwan and the estimated thirty people who resided on the lot with him are virtually erased from the land records of Bosanquet and from the history of the area. His name does not appear in the records of the Canada Company, in the municipal land records or even in the transfer of the lot which was conducted by a direct conveyance from Sampson Ward to Kennedy in 1850. The roads adjacent to the land are named after Non-natives and the local cemetery; where the Ward and Kennedy families are buried, bears no hint of these Anishinabe residents. Despite a potential language barrier, Quakgwan developed close relationships with those around him and over the course of ten years, became part of the community. As this paper discussed, however, these relationships were primarily oral agreements made in the course of their day-to-day existence; on the farm, in church and on the road. Quakgwan trusted that people would act honourably and that his community would continue to be accepted as the neighbours they were. By 1850 however attitudes were changing and officials and policy makers increasingly viewed Indigeneity as something incompatible and separate from Upper Canadian society



Figure 6.4 *The Land Today. Corner of Lot 27, Concession 6, Bosanquet Township. (Now Kennedy Line, Municipality of Lambton Shores, Ontario) 2013. Photo by the Author.*

and institutions. Though Quakgwan had proven this wrong, legislation passed in 1850 forced this status upon all Indigenous peoples limiting the possibility that such instances of co-existence could or would exist in the future.⁷⁶

Why did Quakgwan eventually comply with the demands of the Department and surrender the lot in Bosanquet after fighting for so long to receive his deed? A claim by his descendants for the proceeds of the lot launched in 1889 sheds much light on the circumstances surrounding the sale to Kennedy.⁷⁷ According to documents from a Sarnia lawyer, the family claimed that Quakgwan agreed to surrender the lot in return for nine hundred dollars. One hundred dollars was for his transportation to Walpole Island, four hundred was to be paid to him once he built a



Figure 6.5 *The Ward Cemetery, 9411 Sitter Road (Municipality of Lambton Shores, Ontario) 2013. Photo by the Author.*

house and four hundred placed in trust for his children. According to the lawyer, “Qua-Ke-guan did not receive any compensation or payment of the money. If the statements made to me be correct then the placing of the proceeds of the sale to the Credit of the Band would appear to have been a mistake and should be corrected.”⁷⁸ In terms of compliance with the sale, Quakgwan really had no choice; if the department did not take the land outright, Clench could have pressured Wawanosh and the Sarnia Council to force a surrender vote in the council. The failed claim of his children attests to ability of the department to rewrite history in order to achieve an objective.

Quakgwan stayed on the lot for approximately a year after the department claimed it was sold either out of protest or because he may have been ill, given that he died shortly after the sale.⁷⁹ Whatever his issues with Wawanosh were, he steadfastly refused to have his money placed at Sarnia’s disposal and may have even feared that the future was threatened by the sale of too much Anishinabe land.⁸⁰ Ensuring his children had some funds at their disposal might have been a hedge against actions he disagreed with. However, the family lost their battle with the department as the lawyer was presented with the 1855 surrender as proof his clients were not entitled to any money.

Conclusion

By his very success, Quakgwan became a threat to the system of communal landholding and wardship; central tenets of a civilization policy that ironically wanted to civilize Aboriginal people as fast as possible so reserves could be severed into individual lots and sold. Quakgwan and his people rejected “civilization” and by the second half of the nineteenth century molded a way of life that worked in both Indigenous and European worlds. Quakgwan saw with two eyes—he was a farmer, a pathmaster for the township, and a landowner, yet at the same time he was also a respected advisor; he maintained his language and beliefs and shared the land with more than thirty people. He recognized that while his people could no longer live as they had in the past; neither did they have to wholly embrace a society and economy devoid of Anishinabek culture and values. In this respect, he was ahead of his time. In ten short years, Quakgwan and his “band,” were able to achieve on their own, what the Indian Department could not precisely because they settled on their own terms. Quakgwan’s settlement is proof that the aggressive ‘civilization’ program foisted upon Aboriginal people in Southwestern Ontario, failed because it was not Indigenous in origin. Though peace had been achieved in 1814, for Aboriginal people there was little stability. Quakgwan’s life and his settlement in Bosanquet has the potential to provide new information concerning the settlement of Aboriginal people in Ontario and the many ways they negotiated the unrelenting and suffocating meddling of settlers and the Indian Department into their affairs. Custom was very much alive in the post-treaty period and that customary ways of working the land came to be reworked yet preserved within the narrow confines of Western notions of landholding. The borders between Aboriginal people and settlers in Upper Canada and people and land in general are blurred by his actions.

Endnotes

- ¹ Quakgwan, referred to in the documents as “a Chippewa Chief” and was likely born c1790 in Michigan. His name, which translates to “Feather,” has several spelling variations including Quakegon, Qua-ke-gone and Equaikigon. Not to be confused with Qua-qua-ke-boog “Revolution” of Walpole Island or Quakegic (Quekijick) of the Thames/Bear Creek area. See

John Richardson, "A Trip to Walpole Island and Port Sarnia," *Literary Garland*, 7 (1849): Appendix; Greg Curnoe, *Deeds/Nations*, "Q", Occasional Paper No. 4 (London Chapter, Ontario Archaeological Society, 1996).

- 2 After a suspect surrender in the late 1920s, the Federal government expropriated Stony Point Reserve No. 43 under the War Measures Act in 1942 and the community was relocated and merged with Kettle Point. It was retained as a Provincial Park (Ipperwash). The community fought for years to have the land returned and in 1995, during an occupation of the park, Native protester Dudley George was shot and killed by Ontario Provincial Police. An inquiry followed that chronicled years of neglect, broken promises, abuse and racism towards Aboriginal peoples in Ontario. Stoney Point has been particularly affected by bureaucratic oppression that has denied their existence as a people separate from Sarnia and Kettle Point . The lands were returned to the Chippewas of Kettle and Stony Point First Nation in 2009. Stoney Point First Nation. *Aazhoodena: The History of Stoney Point First Nation*. Project of the Aahoodena and George Family Group for the Ipperwash Inquiry . June 30, 2006 . See also The Ipperwash Inquiry, Hon. Sydney Linden, Commissioner , 2007. <http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/index.html>
- 3 A Presbyterian Scot employed with the Hudson's Bay Company in New Jersey, John Kennedy brought the family to Halton County after the American Revolution. John's son Morris, a UEL and 1812 Veteran located in Bosanquet . His son Allen Kennedy [1817-1895] along with his many siblings, continued to manage and add to the family's holdings in Lambton and Halton Counties and Magnetawan Township where Allen is buried. *Commemorative Biographical Record of the County of Lambton, Ontario* (J.H. Beers & Co., 1906) 25-28.
- 4 Donald B. Smith, *Mississauga Portraits: Ojibwe Voices from Nineteenth-Century Canada* (Toronto, University of Toronto Press, 2013) 244.
- 5 Peter Jones, *The Life and Journals of KAH-KE-WA-QUO-NA-BY* (Rev. Peter Jones), (Toronto: Anson Green, 1860); Denys Delage, Helen Hornbeck Tanner, Pierre Chazelle, "The Ojibwa-Jesuit Debate at Walpole Island," *Ethnohistory*, Vol. 41, No. 2 (Spring 1994), 295-321.
- 6 In conjunction with Cape Breton University Professor Cheryl Bartlett, Murdena and Albert Marshall have taught the importance of "Two-eyed seeing"; particularly in the sciences, to Indigenous and non-Indigenous students and educators. "Two Eyed Seeing", The Institute for Integrative Science and Health. Cape Breton University, Accessed May 2012, <http://www.integrativescience.ca/Principles/TwoEyedSeeing/> See also Albert Hatcher et. al. "Two-Eyed Seeing in the classroom environment: concepts, approach and challenges. *Canadian Journal of Science, Mathematics, and Technology Education*, 9(3): 141-153. The validity and importance of combining the two worldviews has also been discussed by Peter Knudtson and David Suzuki in *Wisdom of the Elders: Native and Scientific Ways of knowing about Nature* (Vancouver/Toronto: Douglas & McIntyre, 2006).
- 7 "In Between Dawn." *Minishenhying Anishinaabe-aki, Walpole Island: the Soul of Indian Territory* (Wallaceburg, Ont.: Nin.Da.Waab.Jig, 1987) 39..

- ⁸ Robert Bothwell, *Penguin History of Canada*, Chapter 7 (Toronto: Penguin, 2006): 151-152.
- ⁹ Jeremy Webber, "Relations of Force and Relations of Justice: The Emergence of Normative Community Between Colonists and Aboriginal People," 33 *Osgoode Hall L.J.*, 623 (1995): 627.
- ¹⁰ The area first known as the District of Hesse was created in 1788 . In 1792 it was renamed the Western District and in the late 1790s, divided into the Counties of Essex, Kent and London . In 1849, the ten northern counties were organized into the County of Lambton but they remained administratively united with Kent. In 1853 Lambton County officially separated.
- ¹¹ *An Act for the protection of the Lands of the Crown in this Province, from trespass and injury*. 11 May, 1839. The legislation was drafted to address problems of squatting and resource theft and centred on a complaint-based system of removal and fines . It applied to unauthorized persons found occupying or poaching resources from Indian reserves and unsurveyed and ungranted lands belonging to the Crown, "sold or held by...lease or licence of occupation..." *An Act to explain and amend...An Act for the protection of the Lands of the Crown in this Province from trespass and injury, and to make further provision for that purpose*. 25 April 1849.
- ¹² *An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied or enjoyed by them from trespass and injury*, 10 August, 1850 . This act, like the Proclamation of 1763 was primarily concerned with unauthorized purchases of Indian land by non-natives. It operated on an assumption that Aboriginal lands were solely reserves and they were held in common . Several clauses generally prohibit "purchase or contract" of any kind for land "which may be made of or with the Indians or any of them" without consent.
- ¹³ Also known as the Ausable and Riviere aux Sables (French) or Aux Sables River (English).
- ¹⁴ Victor Gulewitsch, *The Chippewas of Kettle & Stony Point: A Brief History* (Chippewas of Kettle & Stony Point Historical Claims Research Office, 1995) 3; *Chippewas of Kettle & Stony Point: Camp Ipperwash*, (Chippewas of Kettle & Stony Point, Negotiating Committee, 1996), Accessed, 3 November, 2010, www.ipperwashpapers.com/ipperwashdocuments/B-1.pdf , 3.
- ¹⁵ Mahlon Burwell, Survey Diary, Chippewa Indian Reserves in London and Western Districts, 11 September-30 December 1826, Archives of Ontario [hereafter AO], Record Group 1, Series CB-1, Survey Diaries, Field Notes and Reports, Box 16, No. 3, MS 924, Reel 11.
- ¹⁶ Library and Archives Canada , Record Group 10, [hereafter LAC, RG 10] Indian Affairs, Consecutive No. 7, Vol. 1840, Deed of Sale of Lands at Chenail E'Carte in Upper Canada from the Chippewa Nation to Alexander McKee, IT 022-IT 028, Reel T-9938.
- ¹⁷ The 1818 council evolved into several different agreements over a period of twenty years. A provisional agreement was reached in 1825 and finally signed in 1827 . A reserve at Bear Creek and one for Chief Tomego on the Thames were never officially made . "Minutes of a Council", 16 October,

1818, LAC, MG 19, FI, Vol. 11, Claus Papers, Reel C-1480, p. 95-96; Provisional Agreement, 9 May 1820, RG 10, Vol. 797, C-13623, p. 216-224; Treaties 27½ and 29, Canada, *Indian Treaties and Surrenders*, Vol. 1, p. 65-7, 71-75.

- ¹⁸ Though they all utilized the same territories, the lands were divided in 1819 between the Chiefs of the Huron Tract (St. Clair) and Longwoods Treaty (Bear Creek and Thames).
- ¹⁹ Darlene Johnston, *Connecting People to Place: Great Lakes Aboriginal History in a Cultural Context*, Report Prepared for the Ipperwash Commission of Inquiry, 2004, http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/transcripts/pdf/P1_Tab_1.pdf, 20.
- ²⁰ Zachariah Mudge, Sec'y to the Lt. Governor to Jones, 18 May, 1831, p. 41-42. LAC, RG 10, Vol. 456, C-13328, p. 43.
- ²¹ Peter Jones wrote that there were thirty principal men in the St. Clair region in 1829. An estimated thirty "headmen" organized under several principal Chiefs were merged into one "band" by the department. After many complaints to Indian Affairs, this large group was reduced by the separation of Walpole Island in 1860 and the division of Sarnia from Kettle and Stoney Point in 1919. Jones, 246; Gulewitsch, 17.
- ²² David D. Plain, *The Ways of our Grandfathers: Our Traditions and Culture* (Trafford Publishing, 2007) 2.
- ²³ The earliest reference to Quakgwan I have been able to find is in the post records at Amherstburg in the 1820s. He came to receive presents as a "deserving" Chippewa Chief which entitled him to more and better goods as a wounded veteran of the war. DPL, BHC, George Ironside Papers, Indian Record Books, 1815-1824, Box 16, Folder 4, 13 October, 1820.
- ²⁴ Wawanosh was under great pressure as the Chief of a model village and forced to deal with intense scrutiny of both his decisions and the affairs of the council.
- ²⁵ *Chippewas of Sarnia Band v. Canada (Attorney General)*, 2000 CanLII 16991 (ON CA), <http://canlii.ca/t/1fbhf>, retrieved on 2010-03-15. Prior to 1850, all of the Chiefs spoke Ojibwe and conducted business with the Department and locals through interpreters.
- ²⁶ For the selective choices made by officials during treaty negotiations see Lise C. Hansen, "Chiefs and Principal Men: A Question of Leadership in Treaty Negotiations," *Anthropologica* 29:1 (1987): 46
- ²⁷ Gulewitsch, 17.
- ²⁸ It should also be noted here that there is evidence to suggest Indian Agents and Superintendents used the requisition and payment system as a way of skimming band accounts therefore disagreements may not have been the sole reason why supplies were not received and merchants were not paid. Thomas Fisher, Moore River to Clench, 3 September 1847, LAC, RG 10, Vol. 437, C-9634, P. 249 and Chase to Clench, 24 September 1846, LAC, RG 10, Vol. 436, C-9633. p. 580.

- ²⁹ Munceytown and the St. Clair reserve complained that they did not receive presents from 1837 to 1839 while Walpole Island sent a petition to the Governor General in 1838 stating that presents had not been received for three years prior . Though the department blamed supply issues caused by the Rebellions of 1837-8, Walpole Island petitioners suggested otherwise, writing that “[w]e are not receiving what our fathers did, nor what we ourselves once did . In our ignorance, we sometimes, think that our Great Father does not know this.” Copy of a letter from William Gladstone, Colonial Secretary to Lieutenant General Charles Murray, The Earl Cathcart, 16th February 1846 . RG 10, vol. 438, C-9634, p. 165; William Jones, Port Sarnia to Samuel P. Jarvis, 12 December, 1839, Archives of Ontario, William Jones Fonds F 454, MS 296; Walpole Island Petition to the Governor General of British North America, RG 10, Vol. 441, C-9636, 563-564.
- ³⁰ Darlene Johnston, Connecting People to Place http://www.attorneygeneral.jus.gov.on.ca/inquiries/ipperwash/transcripts/pdf/P1_Tab_1.pdf, 22.
- ³¹ William Jones, Port Sarnia, to Colonel Samuel P. Jarvis, Chief Superintendent of Indian Affairs, Toronto, 14 November, 1839, AO, William Jones Fonds, F 454, MS 296.32 According to the 1845 Census, Wapagace had thirty-two people living with him at the Sauble while Quakgwana had forty-five for a total of seventy-seven people. Johnston, 21.
- ³³ Joseph Brant Clench, placed in charge of the Western Superintendency after 1844 was later made an Indian land agent . In the mid-1850s he was investigated for misappropriating thousands of dollars of land payments . His health declined and he died in 1857 . Daniel J. Brock, “Clench, Joseph Brant,” Dictionary of Canadian Biography Online, http://www.biographi.ca/009004-119.01-e.php?&id_nbr=3836&interval=20&PHPSESSID=qsv6gfn26ecmmljvds81dqb77
- ³⁴ Andrew Jamieson, to Clench, 21 October 1847 . LAC, RG 10, Vol. 438, C-9634 p. 409.
- ³⁵ George Hyde, Plympton, to Clench, 17 January 1850, LAC, RG 10, Vol. 438, C-9634 p. 323-4.
- ³⁶ Three major family groupings of Wards exist in the Western District: in Bosanquet, Amherstberg and Wardsville (Middlesex). The Bosanquet Wards (Joseph, Henry, Sampson and Samuel) came to Moore Township from Detroit after the War of 1812. Samuel’s wife Rachael was the sister of Rufus Henderson, another prominent landowner in Moore. It appears that a number of original Moore and Sarnia settlers bought land from the Canada Company in the 1830s and relocated to Bosanquet. 1842 Census, Bosanquet Township, AO, Western District Fonds, F2007-5, MS 390, Reel 1; Lambton Township, *Illustrated Atlas of the Dominion of Canada* (Toronto: H. Beldon & Co., 1880), xi; Samuel, Henry and Sampson Ward, contracts. AO, Canada Company Fonds, F-129, Series B-3, Registers and Deeds, Volumes 19, 30 and 31, MS 729, Reels 3 & 4.
- ³⁷ “Ward,” Ontario Archives Land Record Index, On File in the main reading room. Microfiche 050.
- ³⁸ AO, Canada Company Fonds, F-129, Series B-3, Registers and Deeds, Volume 19, pg. 174, MS 729, Reel 1; Deed of Land, Sampson Ward, Lot 27,

Concession 6, 4 August 1837, Lambton County Archives, Lambton Room, "Ward" Family Surname File. While transactions are recorded in Canada Company registers, leases do not appear to exist. Some copies may be extant in local archives or private papers however they are not in the company fonds at the Archives of Ontario. Peter Baskerville, private email correspondence, 2013.

- ³⁹ Four hundred acres in Enniskillen were purchased with annuities in 1841 and 1842 from Louis Rendt and David McCall. Jones to Colonel William Rowan, Upper Indian Reserve, 7 May, 1834, Jones to Givins, 6 March, 1836, AO, William Jones Fonds, F 454, MS 296; Canada, *Indian Treaties and Surrenders*, Vol. 1, No. 100 and 101 (Toronto: Coles Publishing Co., 1971), 244-247.
- ⁴⁰ A small portion of land along the ridge was excellent for farming but opportunities for fishing, hunting and gathering in a largely unsettled and untouched portion of the province were far superior.
- ⁴¹ "Canada Company," *The Canadian Encyclopedia*, Historica-Dominion, <http://www.thecanadianencyclopedia.com/index.cfm?PgNm=TCE&Params=A1ARTA0001223>
- ⁴² Beginning in the 1870s, the Canada Company began draining Lakes Burwell and George and in 1894, cut a channel (The Canada Cut) to open up these lands for settlement. AO, F 129, Canada Company Fonds, Map of Part of the Township of Bosanquet, Stephen and McGillivray, July 1865, Recertified for Drainage of Lake Burwell, Map #163, Pkg. 2, Map 3-D750948; Plan of Parts of the Townships of Bosanquet, McGillivray and Stephen...Recently Improved by the Lake Burwell Drainage Works and Now Offered for Sale, January 1878, Map #177, Pkg. 2; Clarence Karr. *The Canada Land Company: The Early Years*, Ontario Historical Society Research Publication, No. 3 (Ottawa: Love Printing Service, 1974), 26-30.
- ⁴³⁴ The office was closed in 1835. Karr, 82.
- ⁴⁴ The leasing program allowed those with without the means to make a down payment to pay twelve annual installments. At the end of the contract they were given the option to renew at 2.5 percent or purchase the lot outright. Karr, 103, 105.
- ⁴⁵ Henry Pahtahquahong Chase was the Interpreter at Sarnia from 1843-1856. He became a Methodist minister and served Anishinabe communities in Ontario until his death in 1900. See Donald B. Smith, "Chase, Henry Pahtahquahong," *Dictionary of Canadian Biography Online*, http://www.biographi.ca/009004-119.01-e.php?&id_nbr=6026&interval=25&&PHPSESSID=qsv6gfn26ecmmljvds81dqbk77
- ⁴⁶ H.P. Chase, Sarnia, to Clench, 14 January, 1848, RG 10, Vol. 436, C-9633, p. 617-618.
- ⁴⁷ 1842 Census, Bosanquet Township, OA, Western District Fonds, F2007-5, MS 390, Reel 1.
- ⁴⁸ Henry Ward assumed the position of clerk however the township remained merged with Warwick until 1847. Letter from Henry Ward to the District Council, Eighth Session, June 1843, F2007 Western District Fonds, Municipal

- Section B, Minutes of the Municipal Council of the Western District, 1843-1848, MS 134, pg 76-77; Karr, 107.
- ⁴⁹ Though the Department consistently referred to him as “The Indian Chief Quakgwan”, he was known in Township documents as “Jacob Quakgwan.” His daughter, Jemima Jacob became the third wife of Nicholas Plain Sr. (Ozahshkedawa) the last hereditary Chief at the Sarnia reserve. David J. Plain, *The Plains of Aamijwnaang* (Trafford Publishing, 2007) 109.
- ⁵⁰ H.P. Chase to Clench, 24 September 1846, LAC, RG 10, Vol. 436, C-9633, p. 580.
- ⁵¹ See the Bagot Report, November 28, 1844; Province of Canada, *Journal of the Legislative Assembly of the Province of Canada, 1844-5*, Appendix EEE, 20 March, 1845, Appendix No. 2, to the Fourth Volume, (Montreal: R. Campbell, 1845) unpaginated.
- ⁵² At various points in the 1840s, Henry Ward was the Township Clerk, Thomas sat on council and was Pathmaster in 1848. Western District Fonds, Bosanquet Township Census, 1842, File F2007-5, MS 390, Reel 1; Western District Municipal Records. Statute Labour Returns, 1842-1849. File 9, MS 168, Reel 8.
- ⁵³ Quakgwan seems to have been able to speak and understand English however he communicated with the Department through interpreters and non-natives who wrote letters on his behalf.
- ⁵⁴ This Census was completed by Henry Ward in the capacity of Township Clerk. Western District Fonds, Bosanquet Township Census, 1842, File F2007-5, MS 390, Reel 1; Western District Municipal Records. Statute Labour Returns, 1842-1849. File 9, MS 168, Reel 8.
- ⁵⁵ As settlement increased, the release of the 1844-45 Bagot Report, with renewed emphasis on education, meant that the pressure on small Aboriginal communities to surrender their land and join larger ones increased.
- ⁵⁶ Chase, to Clench, 18 September 1849, LAC, RG 10, Vol. 436, C-9633, p. 676.
- ⁶⁷ Chase, to Clench, 14 January 1848 LAC, RG 10, Vol. 436, C-9633, p. 617-18.
- ⁵⁸ Chase, to Clench, 18 September 1849 LAC, RG 10, Vol. 436, C-9633, p. 676.
- ⁵⁹ Chase to Clench, 14 January 1848, LAC, RG 10, Vol. 436, C-9633, p. 617-18; Crown Lands, Schedules and Land Rolls, Lots in Huron County belonging to the Canada Company, 1843, AO, RG1-32, Vol. 64, MS 400, Reel 13.
- ⁶⁰ In 1851, out of 168,000 acres occupied, 34,497 were cultivated, amounting to approximately one-fifth or 20 percent. In 1861, 291, 000 acres were occupied and 96, 000 of them under cultivation for a total of approximately one-third or thirty-four percent. The entire County had 8 grist mills in 1851 and only 3 in 1861, the authors were convinced that swaths of the region had to have been missed by enumerators. *Illustrated Atlas of the Dominion of Canada*, 5; Karr, 76.
- ⁶¹ Chase to Clench, 14 January 1848, RG 10, Vol. 436, C-9633, p. 617-18.
- ⁶² Bagot Report.; Chase to Clench, 18 September 1849, RG 10, Vol. 436, C-9633, p. 676

- ⁶³ Jamieson, to Clench, 21 October 1847, RG 10, Vol. 438, C-9634. p. 409.
- ⁶⁴ Chase to Clench, 18 September 1849, RG 10, Vol. 436, C-9633, p. 676; Clench to Bruce, 19 June, 1851, RG 10, Vol. 570, C-13373.
- ⁶⁵ The lot was technically Indian Territory in 1763, surrendered in the Huron Tract Treaty in 1825-27 and sold to the Canada Company. The lot was sold to Sampson Ward and then to Quakgwan.
- ⁶⁶ George Hyde, Plympton, to Clench, 17 January 1850, RG 10, Vol. 438, C-9634, p. 323.
- ⁶⁷ *Minishenhying Anishinaabe-aki, Walpole Island: the Soul of Indian Territory*, 35.
- ⁶⁸ Legislation for non-reserve land may not have been deemed a priority because at common law, the underlying title of all lands is considered vested in the Crown (later Canada) by virtue of discovery. Thus in 1839 under the Crown Lands Act, Aboriginal lands became administered under the same regime as undeveloped Crown lands. The difference here is simply one of race—while officials would not interfere in the private land transactions of non-Natives, it considered intervention a matter of course when Aboriginal peoples were involved.
- ⁶⁹ Jamieson to Clench, 21 October, 1847, LAC, RG 10, Vol. 438, C-9634, p. 409; Chase to Clench, 14 January, 1848, Vol. 436, C-9633, p. 618; Chase to Clench, 18 September 1849, RG 10, Volume 436, C-9633, p. 675.
- ⁷⁰ Chase to Clench, 18 September, 1849, RG 10, Vol. 436, C-9633, p. 677.
- ⁷¹ T.E. Campbell, Superintendent General, to Clench, October 1849. LAC, RG 10, Vol. 436, C-9633, p. 502.
- ⁷² The Act prohibited private transactions for land or goods, banned the sale of alcohol and exempted “Indians” from debt and taxation. Virtually unchanged, this Act along with the 1857 Gradual Civilization Act [10 June, 1857] and 1869 Enfranchisement Act [27 June, 1869] would form the core of the 1876 Indian Act. *An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied or enjoyed by them from trespass and injury* [10 August, 1850].
- ⁷³ To cover the costs of Quakgwan’s resettlement, Walpole Island received £25. Sarnia accepted it with the proviso that it would be distributed “among the tribe.” Sarnia requested and received an additional £89 for similar purposes. *Minishenhying Anishinaabe-aki, Walpole Island: the Soul of Indian Territory*, p. 43; Chippewas of Sarnia Band v. Canada (Attorney General), 2000 CanLII 16991 (ON CA), <http://canlii.ca/t/1fbhf>, retrieved on 2010-03-15; Clench to Bruce, 13 May, 19 June, 5 November, 1851, RG 10, Vol. 570, C-13373; Bury to Talfourd, SIA, Sarnia, 14 April, 1855. Vol. 451, C-9645, 24.
- ⁷⁴ Viscount Bury, Superintendent General of Indian Affairs to Froome Talfourd, SIA, Sarnia, 18 September 1855. RG 10, Vol. 451, C-9645, p. 64.
- ⁷⁵ A surrender directly from Quakgwan or Sampson Ward to the Crown or to any employees of the department has never been found. It seems unlikely that one would have been made at the time since Quakgwan would not have consented to it and the department did not seem to need it. Canada, *Indian Treaties and Surrenders*, Vol. 3, No. 266, pg. 256.

- ⁷⁶ The 1850 legislation appears to have combined the restrictions concerning the alienability of land in the 1839 Crown Lands Act with restrictions on contract and debt in the 1839 Order-in-Council to separate Aboriginal people physically and economically from society around them.
- ⁷⁷ Claim made by the Heirs of the Late Ka-ke-Guan alias Jacobs, owner of Lot 27, Con.6, Township of Bosanquet. Surrender of that Land to the Crown for the Benefit of the Chippewa Band., 1889-1890, LAC, RG. 10, Vol. 2452, File 94254, Reel C-11223.
- ⁷⁸ Joshua Adams, Barrister, Sarnia to Edgar Dewdney, Superintendent General of Indian Affairs, 16 March 1889, 8 July, 1889. RG. 10, Vol. 2452, File 94254, C-11223.
- ⁷⁹ Clench to Robert Bruce, 19 June 1851, LAC, RG 10, Vol. 570., C-13373,.
- ⁸⁰ In 1843 Walpole petitioned the Governor-General to protest several issues including the fact that Wawanosh was surrendering too much land against their wishes. Petition, 13 June 1843, LAC, RG 10, Vol. 571,C-13373, p. 464-71.

Anishinabe Children and Borders in the Writings of Louise Erdrich

Ute Lischke

Lands and Borders—isn't that what the War of 1812 was all about?

“No tribe has the right to sell land, even to each other, much less to strangers. Sell a country! Why not sell the air, the great sea, as well as the earth? Didn't the Great Spirit make them all for the use of his children?” (Tecumseh-quoted in Laxer, 5)

Two hundred years after his death, the Shawnee chief Tecumseh is still considered one of the greatest leaders of North America's First Peoples. Laxer's and Rudnicki's picture book, an illustrated biography, tells the story of his remarkable life, culminating in the War of 1812. This children's book recounts the turbulent times of the late 18th and early 19th centuries when settlers began to push westwards encroaching on the traditional lands of the First Peoples. Tecumseh had great foresight in unifying tribes to form a confederacy in an attempt to hold on to their lands. His vision was to create an independent native state north of the Ohio River. More than two hundred years later, his vision is being re-kindled. Louise Erdrich is an Indigenous author who has continued to understand and describe the struggle of her ancestors along the borderlands that had become a political border after the War of 1812.

To understand stories, one must also understand the spirit of the stories and the spirit of the person and the family who is telling them. Above all, one must know oneself. For Erdrich, the American writer of Métis/Cree/Chippewa origin on her mother's side and German/Jewish/Catholic heritage, on her father's side, this has meant a lifelong commitment to writing in order to maintain a sense of sanity and stability. For it is this

'mixed' identity that continually confronts her with a sense of, as she describes it, *unziemliches Verlangen*, unseemly longing. Erdrich writes about the interaction between Indigenous peoples and European settlers in her novels and as writer and storyteller she incorporates not one, but several cultural identities. In much of the research about Erdrich these multiplicities of identity have been all but ignored.

Erdrich is an international writer of fiction, poetry and non-fiction and she presently resides in Minneapolis, Minnesota. She is an enrolled member of the Turtle Mountain Band of Chippewas in North Dakota, just south of the international border that divides Canada and the United States. Members of this community include Anishinabe (Ojibway or Chippewa), and Cree/Métis people. Erdrich's father is a first generation German American and her mother, Rita Gourneau, is of Anishinabe/Cree/Métis descent. This family history informs Erdrich's writings and her stories come from these places and the families who reside along the borderlands.

Erdrich writes about the interaction between Native peoples and Europeans in all of her works and for this reason it is also important to understand that she, as writer and storyteller, incorporates not one, but several cultural identities. One critic has remarked that Erdrich has the capacity to understand '... the ties between people and geographical locations, the importance of community among all living beings, the complexities of individual and cultural identity, and the exigencies of marginalization, dispossession, and cultural survival. Family and motherhood, storytelling, healing, environmental issues, and historical consciousness are likewise central, thematic emphases that thread Erdrich's works . . .' (Rainwater 271). Significantly, it is these cross-cultural revelations that have made Erdrich into a remarkable storyteller. She has the ability to question identities that are formed when several cultures come together. In many of her works, Erdrich has multiple narrators that reflect the inter-cultural world of her stories. But the stories themselves derive from her mother as well as her father. It is Erdrich's 'reconstruction' of these stories – weaving from past, present and future and from culture to culture – that has shaped and reshaped her life and her vision of the past.

Through her stories she raises questions about the impact of newcomers on North America, an aspect of her work that has given her work recognition not only in North America, but in Europe, especially Germany, as well. The renowned German Studies scholar Suzanne Zantop observed presciently when she wrote:

Ethnic categories alone do not do justice to the diversity and multiplicity within Indian and German populations or even within individuals. The Native American writers remind us that there is no such thing as “authenticity” or a fixed “identity”; cultures, be they German or Indian, are in a constant flux; individuals have multiple, shifting, and at times, warring identities. Yet as the writers insist, divisions along gender, class, regional, sexual, or religious lines not only create further fragmentation – they also allow for affiliations and solidarity above and beyond ethnicity (Calloway 12).

Erdrich has fulfilled, at least in part, this unseemly longing by finding an imaginary home in and through her family history and her storytelling, which is reflected in all of her writings. While Erdrich’s family history forms the point of departure, the raw material and stimulus for her writings, her ultimate aim is to expose and possibly resolve the tensions between wandering and immigrating on the one hand, and between settling and ‘being’ (between foreign and native, European and (native) American) on the other. That is, she is attempting to eliminate the borders of her own identity.

Métis storytelling

In *Love Medicine* (1984/1993), the winner of the National Book Critics Circle Award in the United States, Erdrich had introduced her readers to the multiplicity of interrelated stories of Ojibwe, Métis, and European families that resided around the fictional town of Argus (Fargo, North Dakota) and the neighbouring reservation (Turtle Mountain). These are intertwined stories of family histories, families who have intermarried, Indigenous and European, on and off the reservation, intersections of multiple cultures and histories. They include accounts of the mixed-blood family known as the Pillagers, who were Métis/Cree/Ojibwe, residing in

the border country of the northern Great Lakes. Their homeland covered both the places of Canada and the Tribal Territories in the present-day United States. The centrality of the narration of these stories flows from this family – also the Kashpaws – and especially Fleur Pillager. Cree people to the north also figure prominently in the stories. *The Beet Queen* (1986) focuses on the lives of immigrant families who settle in the small fictional rural town of Argus near a reservation and is the first novel that focuses on German immigrants. The books are significant in its concentration on how Métis families have settled on the land and have a very uneasy existence between two worlds – the European settlements and the Indigenous territories.

Fact and fiction are blended in Erdrich's stories. Indeed the histories of these families provide a glimpse of the richness of her own mother's family history – 'Mary Lefavor, my grandmother–Ojibwa, French, and Scots [and certainly Métis/Cree], perhaps a descendant of the Selkirkers of Rudolph's land. . .'(Erdrich, *Blue Jay's Dance* 138). Her mother is Chippewa from the Turtle Mountain Reservation in North Dakota. And Turtle Mountain is border country abutting Rudolph's Land- Canada.

In her poetry, fiction, and prose, Erdrich tells the stories of reservation families with names such as Kashpaw, Métis families such as Lamartine, Lazarre and Morrissey as well as immigrant families such as Adare, James, Kozka and Pfeff. She describes how these families live and interact on the land, alternating between reservation and town. The land becomes a signpost for how all the characters interact, how they are connected to each other and to the land. And in order to understand herself and her roots, Erdrich constantly uses her family history, her Native American and European connections to construct her own cultural identity through the telling of the stories that she learned from both her mother and her father. Consequently she has become a writer whose work encompasses and transcends boundaries – Argus, North Dakota, Canada—Turtle Island, and Europe. Her cultural identities remain fluid and are never static. Her writing is not so much the knowledge of belonging to either, or both, cultural traditions, but the longing to belong; an 'unseemly desire' to belong to the peoples who populated America before the European conquerors, colonists, and settlers arrived; and an unseemly desire to find an

imaginary home in and through writing. While her family history forms the point of departure, the raw material and stimulus for her writings, her ultimate aim is to expose and possibly resolve the tensions between wandering and immigrating, on the one hand, and settling or 'being', on the other, between foreign and native, European and Indigenous. Clearly, the telling and recording of such stories became, for Erdrich, part of the healing process in resolving her own crises of multiple identities and belonging, including a resolution of the concept of unseemly longing. Indeed, it is her richly configured and interwoven heritage that provides her with the basis of weaving such delicately intricate patterns into the stories of her life experiences. Truly Erdrich's writings are a glimpse of a world in balance and a rekindling of Tecumseh's vision.

Children's Literature

This genre is significant in the way that Erdrich describes the importance of the land—and the loss of land and the formation of borders for her readers. Equally, children have a significant place in Indigenous society and they have a central role to play within their families. According to each of the four seasons, children are taught early to carry out specific chores that are connected to the hunting and gathering society. Trapping, fishing, harvesting wild rice, picking berries, drying fish and curing skins, they each have their responsibilities to contribute to the welfare and survival of the family. Erdrich's children's books and young adult fiction reflect these significant contributions of young members of the family. In the 1990s Erdrich began to focus on children's books with her first picture book, *Grandmother's Pigeon*. Published in 1996, it is a story of an adventurous grandmother who heads not west but north and east to Greenland on the back of a porpoise, leaving behind grandchildren and three bird's eggs in her cluttered bedroom. The eggs hatch into passenger pigeons, thought to be extinct, through which the children are able to send messages to their missing grandmother. It's a book about the centrality of the family and of working together to come to the right decision—it is also about survival.

In her second picture book, *The Range Eternal* (2002), Erdrich pays tribute to her mother by reminiscing about the range that stood in her tiny family's cabin at Turtle Mountain ("The Range Eternal" are the words

emblazoned on the front of the blue enamelled stove and the words conjure up the past, for example the range where the buffalo roam in borderless country). The story Erdrich tells is one of family and tradition, the wood-burning stove provides warmth and comfort, delicious soups, and hot potatoes to warm cold hands on frozen winter mornings. It is the true centre of the home reflecting the warmth and care of maternal love. It is about rituals and dynamics that bind family and community.

Historical Events and Juvenile Fiction

But Erdrich also incorporates historical events into her juvenile fiction. As we know, in 1837, Ojibwe chiefs and government officials met near present-day St. Paul, Minnesota, resulting in the sale or cession of 13 million acres in east-central Minnesota and northern Wisconsin. The transaction was contingent on the Ojibwe retaining rights to hunt, fish, and gather on the new Treaty territory. This was followed five years later by a 10 million acre treaty that opened the south shore of Lake Superior to lumber companies, along with iron and copper mining. Soon, these treaties were breached and the Ojibwe living east of the Mississippi River were to be removed from their homes. Strong opposition to President Taylor's removal orders at first stopped the removal, but a scheme to lure Ojibwe into Minnesota and trap them there over the winter at Sandy Lake by shifting the site where annuity payments were to be made, devastated the Ojibwe.

Further attempts to lure Ojibwe to Sandy Lake were rebuffed by survivors who referred to this place as a "graveyard." Two years later, when the United States sought Ojibwe land in Minnesota's Arrowhead region, the Ojibwe of Lake Superior region agreed to share more territory in exchange for permanent reservations in Upper Michigan and Wisconsin through the Treaty of 1854. Driven by the events at Sandy Lake and a love for their homeland and the graves of their forefathers, these Ojibwe were resolved to stay in their traditional villages. Only a few other American Indian tribes successfully saved hunting, fishing and gathering rights on the Treaty lands. One hundred and fifty years after the Sandy Lake tragedy, the descendants of the 1850 annuity bands remembered and gathered to dedicate a memorial to those who suffered and died. This is the historical background and geographic setting of Louise Erdrich's

juvenile fiction, a series that begins with *The Birchbark House* (1999) and continues with *The Game of Silence* (2005), *The Porcupine Year* (2008) and *Chickadee* (2012) which span 100 years in the history of the Ojibwe nation and the Treaties.

As cultures live through word of mouth, the art of storytelling, rooted in experience itself, becomes a significant contributor to maintaining cultures across borders. As a writer Erdrich contributes to the survival of her people by telling the stories of resistance and survival at Sandy Lake. *The Birchbark House* introduces Omakayas, Little Frog, a seven-year-old Ojibwe girl, who lives on an island in Lake Superior at the time when Europeans are beginning to settle the land and displace the native communities. The young girl's days are filled with hard work, but also a love for the old ways, but the "newcomers" hover at the frame of the story, their smallpox decimating the Anishinabe. Erdrich reverses the narrative perspective used in most children's stories about nineteenth-century Native Americans. Rather than looking out at 'them' as dangerous curiosities, Erdrich tells the story from the native perspective, from the inside. Indeed, Erdrich has remarked that she consciously inverted the "Little House on the Prairie" books by Laura Ingalls Wilder to tell the tale of white settlement of Native American lands from the point of view of the dispossessed. *The Game of Silence*, the second book of the trilogy, also reflects this history of relocation, based on stories told to her by her mother. It also includes this family's Anishinabe/Métis history, how indigenous families first intermarried with the French voyageurs. In this book, Omakayas, still living with her family on an island in Lake Superior in the 1850s, is aware of how the *chimookomanag*, or the white people, have come to settle the land and are forcing the Native people to move further and further west. She knows that her way of life is being threatened by these *chimookomanag*. At the same time, she is also told by her Nokomis (grandmother) of the different relationships various tribes have with the white people:

'Listen, my little one,' she said, 'for I'm going to tell you the truth. The *chimookomanag* we see here are only the first drops of rain. A storm of them lives past the sunrise, in the east. They can flood us like a river.'

'Can't we stop them?'

'We have seen what happens to others when they resist, go to war. The river wipes them out. Our way is different. We have always found out how to live with them, work with them trade with them, even to marry them!'

Nokomis's eyes fixed on Omakayas with amusement and Omakayas smiled back. Deydey's [father's] grandfather had been a French trader, one of the first. Deydey had grown up in a house made of trees, like the cabin he'd built for his family. This alone marked him out as different (Erdrich *Game of Silence* 26).

In *The Game of Silence*, Omakayas is now ten years old. This book won the Scott O'Dell award established to encourage writers to focus on historical fiction in order to increase the interest of young readers in the historical background that has helped to shape their country. Omakayas's family has recovered from smallpox, but a greater menace—the white man's government—continues to threaten their existence and will irrevocably change their lives. The book covers the intricacies in the life of Omakayas over four seasons and Erdrich deals with the broader meaning of family and Omakayas' coming-of-age on a vision quest. Erdrich mixes her own family histories with a realistic narrative that creates a world in which humans and spirits coexist. The Ojibwe are matter-of-fact about spirits, which are sometimes frightening and often helpful. Learning to live with them is like learning to live with other people—necessary, but not always easy (Boyden, *Orenda*). In '*The Game of Silence* Omakayas discovers, with some dismay, that she has a special connection with the natural and the spirit worlds. The connection will shape her destiny.

The Game of Silence takes its title from a system of education—of listening and learning and rewards the Ojibwe use to keep their children quiet when the elders have serious matters to discuss. In the opening pages, Omakayas watches as half-starved refugees arrive at her island in Lake Superior. They are Ojibwe, driven from their homes by government order into the territory of a different tribe. Attacked by that tribe, their village and crops destroyed, they took to canoes and fled to the island where some of their people still live—Omakayas' people.

While the children listen in silence, the new arrivals and the elders discuss why the government is breaking its treaty with them, what they must do and whether there is a way to stay in their homeland. The Ojibwe understand the Treaties as sharing. They do not comprehend the Europeans' concept of land ownership nor the government's disregard for the Treaties it has signed with them. They speculate that an Ojibwe somewhere must have offended the government, perhaps by killing a white man. They decide to send four men on a year's search to the north, south, east and west, to discover what the offence was.

Between these epochal events, Erdrich continues Omakayas' own story, filling in the outline of her special destiny. Omakayas welcomes her talent for healing but resists her ability to communicate with spirits in her dreams. Eventually, though, after one of her dreams rescues her father from certain death, her grandmother brings her the lump of charcoal that signals an Ojibwe rite of passage:

If she took the charcoal, she would be sent out to the woods to fast and to listen for her spirits. . . . She didn't want to go. . . . She was afraid of her dreams. She both wanted to know, and didn't want to know, what they might tell her. Their power frightened her (Erdrich, *Birchbark House* 27).

Power indeed: on her third and last night in the woods, Omakayas foresees her whole future.

Only two men return from their journey, bringing terrible news. What they have found is not a transgression by one of their people, but an American empire bent on seizing land even if it costs many Indigenous people their lives. There will be no reprieve; official orders to move west are on the way. The last chapter tells of the people leaving their island home for an unknown place far away. As Tecumseh had wisely remarked, this land knew no borders and no one had a right to sell it.

Still, there is room for some levity in the lives of these displaced people. Omakayas' younger brother is loud, greedy, and selfish—the bane of her life—but while everyone shushes him, no one beats him into submission. And Two Strike Girl, who would rather be a boy, manages to ignore the standard girls' play to hunt and trap, dodging the less exciting “woman's

work.” The adults discuss her as a problem, but they do not curb her harshly. She will grow up, after all. Patience is an Ojibwe virtue—and it requires a lifetime to learn. One cannot ignore the bonding function of Erdrich’s work, highlighting Indigenous survival and continuation. Throughout, it is always the story, the “Histories” and how they are told, that remain significant. The stories originate from “borderless” places and in their telling, she makes spiritual connections with that place, pointing out the relationship the individual has to community and the roles that both community and individuals occupy in their survival.

Retrospect

Louise Erdrich is a writer whose work encompasses and transcends borders and boundaries – Argus, North Dakota, Europe, and Turtle Island itself. Her cultural identities remain fluid and dynamic. They are never static. Erdrich’s writing is not so much the knowledge of belonging to either, or both, cultural traditions, but the longing to belong; an ‘unseemly desire’ to belong to the peoples who populated America before the European conquerors, colonists, and settlers arrived; and an unseemly desire to find an imaginary home in and through writing. While her family history forms the point of departure, the raw material and stimulus for her writings, her ultimate aim is to expose and possibly resolve the tensions between wandering and immigrating, on the one hand, and settling or ‘being’, on the other. Clearly, the telling and recording of such stories became, for Erdrich, part of the healing process in resolving her own crises of multiple identities and belonging, including a resolution of the concept of unseemly longing. Indeed, it is her richly configured and interwoven heritage that provides her with the basis of weaving such delicately intricate patterns into the stories of her life experiences. Truly Erdrich’s writings are a glimpse of a world that attempts to find its balance and where, indeed, thoughts are free, as Tecumseh’s vision is to this day.

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Mishomis in Black and White: Reconciling Press Images of an Indigenous Artist

Carmen Robertson

Securing his place in the history of Canadian art, Anishinaabe artist Norval Morrisseau (1931-2007) pictured a contemporary Indigenous art movement forged from elements of visual and narrative Anishinaabeg traditions that inspired generations of artists to create art based on his distinctive visual language. The 1962 arrival of Morrisseau onto the mainstream Canadian art scene might be considered a “turntable” for contemporary Indigenous arts because of Morrisseau’s fresh approach to art making and because of the art movement he inspired.¹ Morrisseau’s debut exhibition at the Pollock Gallery marked the beginning of a dramatic shift in how the art world considered Indigenous arts and opened a space for Indigenous artists working with traditional narratives in contemporary ways to find an audience for their work.

Prior to Morrisseau’s first show, media coverage and mainstream awareness of contemporary Indigenous arts were mostly limited to the promotion of Inuit art marketed through the Eskimo Art Cooperative, a federally-funded government project engineered by James Houston.² Yet, what appeared to be a pivotal moment for Morrisseau resulted, because of sustained stereotypical media coverage, in stagnation because the press framed him as a racialized and largely imaginary construction that considered his art works secondary to his “Indianness,” thus making it difficult for him to fully realize his importance to Canadian art history.³ The media painted Morrisseau with what Ralph and Natasha Friar describe as, a “permanent fictional identity,” a construction fraught

with colonial motivations such as assimilation, discipline, and racism.⁴ The pivotal moment for contemporary Indigenous art had little effect on representations of Indigenous artists and Indigenous peoples, more generally, in Canada's media. News reports continually pegged Morrisseau as a composite of child-like, violent, drunken, and shamanistic descriptors, mixing a potent cocktail of stereotypical signifiers, as the media is wont to do, in order to provide the public with an "objective" representation.⁵ From 1962 until 2006, the span of Morrisseau's artistic career, the press formulated a racialized *object* rather than promoting an internationally renowned subject.

Complicating the narrow colonial imaginary, however, remains the artist's rich artistic practice. Morrisseau envisioned a future for Indigenous art based on artistic traditions that reference aesthetics and narratives inspired by Original people's art and this made his art unique and important. The retrospective exhibition of his work mounted in 2006 complicated enduring press imagery because the breathtaking array of works assembled for the first time defied facile analysis and challenged the media's habit of focusing on the man rather than on the artwork. An interrogation of print media related to Morrisseau's press coverage of the opening of his retrospective in 2006 offers an opportunity to critically engage Morrisseau's vision and consider how the press responded to the startling collection of art presented.

The National Gallery of Canada retrospective exhibition of Morrisseau's art career in October 2006 in Ottawa serves as a watershed moment in art historical discourse in Canada. To begin with, as the first retrospective exhibition afforded an Indigenous artist in Canada, and therefore its importance reaches historic proportions. Indigenous curator Greg Hill brought together a range of seminal works from private and public collections, curating an exhibition befitting the first entry of a southern Indigenous artist in the National Gallery.⁶ Signaling that he had "made it," the National Gallery retrospective bestowed credibility by repositioning Morrisseau's art in convincing ways.

Though Morrisseau was a trailblazer from the early 1960s and left his mark on an Indigenous arts movement, his work has not been accessible until the retrospective. Morrisseau was a mostly unknown or forgotten

entity to the nation and the retrospective provided opportunities for not only his art, but his biography to be revisited. Born in 1931 in northwestern Canada and raised by his grandparents, Morrisseau's grandfather Moses Potan Nanakanogas, respected shaman in the Medewiwin spiritual traditions of the Anishinaabeg nation, fostered in his grandson a rich education related to spiritual and cultural matters. Morrisseau's Catholic grandmother and his abbreviated stint at residential school introduced him to mainstream Canadian culture. While Morrisseau chose not to follow his grandfather in the Medewiwin society, he benefitted from stories and images that inspired the creation of his personal visual language. Indeed, stories that are the glue that connects the diverse communities of Anishinaabeg served as the basis for his early work.⁷ It was stories, too, that served as a basis to create an art movement, often labeled as Woodland Art, that influenced such artists as Daphne Odjig, Carl Ray, Jackson Beardy, and Roy Thomas.

More than 14,000 islands in the Pre-Cambrian shield of northwestern Ontario and Minnesota host a veritable art gallery of painted images with some dating back more than one thousand years. *Mazinapikiiganan* is the word for "rock paintings" in Anishinaabemowin,⁸ and anthropologist Selwyn Dewdney recorded one hundred and sixty-six examples of rock art in this region during an eight-year systematic program initiated by anthropologist Kenneth E. Kidd in 1957.⁹ These sacred markers, visual stories wrought in red ochre or as petroglyphs incised in rock, demonstrate an enduring history of Anishinaabek visual and oral culture.

Using Indigenous narratives and visual conventions rather than European art traditions as his muse prompted the media to recognize Morrisseau as a pivotal artist in the shaping of a new artistic visual language. Morrisseau was also acknowledged as a leader by arts and cultural institutions. A member of the Royal Canadian Academy of the Art since 1973 and a recipient of the Order of Canada in 1978, with art in public collections nationally and internationally, Morrisseau's art pedigree is solid.

While the retrospective exhibition offered Morrisseau's art a newfound seriousness, what would happen to the imagined notion of Morrisseau—a mythology crafted in the press, art books, and documentary films in the 1960s and 1970s that endured and found its fullest form by the late

1980s? For the purposes of this paper, I will limit analysis to print media sources from two feature reports and supporting art works written by the Ottawa *Citizen's* Paul Gessell and *Globe and Mail's* art critic Sarah Milroy. Press reports surrounding the retrospective exhibition in which the press rediscovered this artist demonstrate evidence of Morrisseau's art as a "turntable" as well as an enduring stereotypical and racialized construction of the man.

Imagining Canada

The modern nation-state, Canada included, as Benedict Anderson has famously shown, is largely an imaginary construct. "It is *imagined* because even the members of the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion," he wrote.¹⁰ The notion of the imaginary can be extended beyond consideration of the nation.

In Canada, dominant culture *imagines* Canada as an inclusive community built around a notion of cultural pluralism, though in a country where Aboriginal people face stereotypical representations of themselves in popular culture as the "imaginary Indian," to borrow Daniel Francis's term, the concept does not hold.¹¹ Media analysis of portrayals of Indigenous peoples in Canada demonstrates that it is the imaginary Indian and not any one individual that most concerns the media.¹² Variations on popular culture perceptions of Aboriginals include popular archetypal packaging such as the Moribund Native, the Aboriginal *qua* Savage, the Stoic or Noble Native, the Childish Native, the Intemperate Native (aka, the Drunkard), and morph into countless variations.¹³ Each construct is then manipulated as a signifier to suit the nation's needs—all imaginary that is, empirically mistaken yet culturally real in the Canadian colonial mindset.

In *The House of Difference: Cultural Politics and National Identity in Canada*, anthropologist Eva Mackey agrees that a model for normal Canadianness "is defined not by any particular characteristics, but by its difference from (and often its ability to tolerate) other marked Canadian identities such as multicultural-Canadian, Native-Canadian or French-Canadian."¹⁴ Difference also defines the identity of an Indigenous artist such as Morrisseau who the press positioned as someone other than a

mainstream Canadian artist. This difference was marked by racialized identity. Aboriginals fit in the Canadian colonial project as Others, designated outsiders in their own land. Still, the Other plays a key role in Canada's imaginary to remind the mainstream about the value of its own self-perceptions while using Aboriginals' espied behavior, portrayed through colonial lenses, as a means to gauge itself positively. When Morrisseau stepped into the mainstream art world in 1962 he was fitted into the Canadian colonial project in a public way.

That Was Then—1962-1963

Morrisseau's work, as noted, famously premiered at the Pollock Gallery in Toronto in September 1962 and the media scrambled to not only cover the spectacle but also to construct a suitable identity for Morrisseau. The *Globe and Mail's* arts reporter Pearl McCarthy began the process of forging Morrisseau's narrative when she wrote a short article in advance of the exhibit in August 1962. "Explorers Discover New Ideas" announces Morrisseau's entry into Toronto's art scene; the title succinctly conjures up a colonialist discourse of claiming and discovery. The story demonstrates a reliance on racial stereotypes, also. "Ontario's hinterland has afforded an exciting discovery in the work of a 31-year old Ojibway Indian..." implying that Jack Pollock of the Pollock Gallery had, like Christopher Columbus, entered the wilds of Ontario and discovered and laid claim to *his* artist.¹⁵ Positioning Pollock as discoverer, overseer, and expert on Morrisseau became part of the mythology.

McCarthy posited that Morrisseau has done two remarkable things:

He has realized that though Ojibway ritual law demands their metaphysics be kept secret, the Indians would benefit if outsiders knew their culture. And he has devised his stylized semi-abstraction to express the mysticism of the culture.¹⁶

While the arts reporter sketches a racialized construction in the first paragraphs of her essay of the artist as a frozen-in-time relic, steeped in exotic spirituality, she recognizes in his work an artistic genius that trumps his primitiveness and strongly argues that his work overwhelms the facile identity constructions she uses on the man: "Morrisseau's [sic]

genius for unifying or breaking space in his designs is astounding, as is his sureness of line. It cannot be classed as primitive art."¹⁷ Racial classifications appear far more rigid than artistic ones here as Morrisseau the man remains trapped as a primitive while his art has moved beyond. McCarthy's follow-up arts report in mid-September clarifies this notion. I agree with Ruth Phillips who argues that McCarthy's September 15th column contradicts the headline, "Ojibwa Painter no Primitive" with a range of signifiers that clearly substantiate and reinforce Morrisseau's primitivism.¹⁸ In the one short paragraph devoted to Morrisseau's show at the Pollock Gallery McCarthy notes that the work is "basic," that he represents "man" and "beast" to, "convey the metaphysics of his ancient race," and that one of his "native talents" is how he isolates an idea.¹⁹ Though readers had little familiarity with Morrisseau's visual style, they were well versed in reading the racial signifiers tossed about by McCarthy and could therefore paint their own picture of the artist in colourfully-coded terms.

Beginning with the damning and primitivist caveat, "It has been long popular to consider Indian daubs as less revealing artistically than ethnographically," *Time Magazine* weighed in on Morrisseau's debut as it clarifies, "there was no such confusion in the minds of gallery goers who pried themselves into Toronto's little Pollock Gallery for a one-man show by an Ojibway painter named Norval Morrisseau."²⁰ The report underscores the significance of this art exhibition as a pivotal one for Canadian art history:

Few exhibits in Canadian art history have touched off a greater immediate stir than Morrisseau's. The Toronto critics approved unanimously and speculated that self-taught Morrisseau may have launched a vogue as chic as that of the Cape Dorset Eskimo's prints. Said Radcliffe-educated Jean Boggs, new curator of the Toronto Art Gallery: 'It's like looking at Chinese painting—a form of art from the past that is very attractive and appealing.'²¹

While Boggs connects Morrisseau's art to the viewing relics of a distant and exotic past, aligned with the sustained primitivism advanced by McCarthy, *Time* generally approves of his art. Artistic descriptions of

Morrisseau's exhibition includes such phrases as "brilliant imagery" and "vivid" but much of the two column review centered on descriptions of Morrisseau, "a part-time gold miner with a fourth-grade education" that were less generous to him as a man as they adeptly employed the Noble Savage construction: "Hulking (6 ft. 2 in.) Primitivist Morrisseau began to paint only three years ago, after a dream in which he was told to set down the symbols and myths of his fellow Ojibways ... The constantly beaming artist himself was almost a larger attraction than his work."²² The comment regarding Morrisseau's lack of schooling was a notion seized upon by reporters and reviewers alike and haunted him, and most other contemporary Indigenous artists of the 1970s, in press stories. The notion of spectacle has been a stalwart in colonial discourse—the exotic Other for consumption—like the World fairs that had long promoted the spectacle of exotic and primitive Indigenous peoples on display, Morrisseau's exhibition at the Pollock Gallery satisfied ogling viewers, eager to view the novelty on display as much as his artwork. Morrisseau, throughout his career served as spectacle.²³

The *London Free Press* arts reporter Lenore Crawford penned a story on Morrisseau shortly after the exhibition opened, stating that given his overnight success the artist was "more firmly determined to follow a pathway trod in Indian moccasins, for Norval Morrisseau at 31 is an Ojibway who treasures legends of his tribe and derives all his inspiration and ideas from there."²⁴ In the interview given at Dewdney's home in London, the racially-charged report stressed Morrisseau's lack of formal education, his primitive, poverty-stricken upbringing, and the uncertainty of life as an Aboriginal living in Canada at that time. It includes Morrisseau's take on religion: "I pray directly to the Great Manitou of the Indian... Then a wave of Christianity comes over me and I get confused about what I believe and I am unhappy. Then I go for a walk and hunt beaver and the confusion leaves'."²⁵ Readers would approve of Morrisseau's pull to Christianity, demonstrating Canada's efforts at assimilation for First Nations, equally mollified by his "frozen-in-time" authenticity—his enduring exotic grasp for the "Great Manitou." Prophetically Crawford asserts, "He also will seek to resolve the problem of being himself an Indian today."²⁶ This reporter clearly heralds Morrisseau's entrance into the Canadian art scene as a problematic one—not because of any artistic

deficiency, after all each of the noted arts reports was clear that his art was worthy of acceptance, but rather because of his Indigeneity that marked him as a questionable and unsuitable art star. Like the *Globe and Mail* and *Time Magazine*, the London *Times* separates out Morrisseau's artistic output from his racial identity—acknowledging his Indianness as the problem.

The Toronto *Star* took a different approach to the debut exhibition. Covering the opening, it mostly applauds Morrisseau's work, citing Dewdney and Pollock as experts who are impressed by the art, noting, "Last night there was no lack of appreciation among Morrisseau's white brothers."²⁷ Whereas the *Globe and Mail* focused on Torontonians Jack Pollock as Morrisseau's discoverer, both the *Star* and a Winnipeg *Free Press* (CP) report credited Allister Grosart, national director of the Progressive Conservative Party, as having first recognized Morrisseau's talent. The *Free Press* article under the headline, "Budding Artist Discovered Twice," explained that Grosart, after instigating correspondence with the artist, contacted Selwyn Dewdney, "an expert on Indian paintings" who confirmed Morrisseau's artistic abilities. According to the article, Grosart then altruistically provided Morrisseau with \$900 in order that he could quit his job and paint full time. Whether it was a politician or an art gallery owner that staked claim to Morrisseau, the important issue for Canadians was that "white brothers," mainstream agents of change, instigated Morrisseau's entry onto the art scene and in so doing, these discoverers maintained the colonial spirit in this nation and promulgated the mythology surrounding the artist that presented him as needy and childlike, relying on others.

Closer to Morrisseau's home, the Fort William, [present-day Thunder Bay] Ontario's *Daily Times-Journal* announcement of Morrisseau's upcoming exhibition in August 1962 positioned him as more of a historian of Ojibway legends than as an artist and viewed his success as an opportunity to spotlight the region surrounding his home in Beardmore in northwestern Ontario. With three large photographs of Morrisseau and his art works that stretched the width of the front page and a banner headline, "Ojibway Painting Recording Area's Early Legends," the paper enthusiastically promoted Morrisseau as a local who made it in the big

city.²⁸ *Daily Times Journal* followed up with a second story on September 14 to promote Morrisseau's successful debut exhibition and reported that 'their' local artist as considered "genius" by Toronto gallery owner Jack Pollok and explained how "Indian art expert" Selwyn Dewdney was "immensely impressed."²⁹ Local readers already knew of Dewdney because earlier in 1962 the rival local paper, the twin-city Port Arthur *News Chronicle* had reported that he published a book about regional rock art sites (noted above) and acknowledged the help of "one of our own Indian citizens," known as local Ojibway chief Jack Bushy.³⁰

An extensive feature article in *Weekender Magazine* with full-colour photographs of the artist and his work was published in November that year.³¹ The addition of colour reproductions marked the first time Canadians had an opportunity to view the artist's work as it was shown in the gallery. The feature story by Bill Brown, titled, "Copper Thunderbird: An Ojibway Paints His People's Past," shapes Morrisseau's importance for a Canadian audience. The *Weekender* magazine, published as an insert in a variety of national newspapers, reached a wide readership and became a primer for the developing mythology of Norval Morrisseau.

A large reproduction of one of Morrisseau's painted portraits is used as both ethnographic and art historical evidence. The caption describes, "Picasso quality is apparent in Thunderbird's idea of how an Indian will look and dress in Heaven."³² Brown compares Morrisseau's work to that of Modernist Pablo Picasso's cubist art and this appears to have been the first time Morrisseau and Picasso were aligned artistically in the press. Both artists fashioned a new visual language. Over time, Morrisseau was often referred to as the "Picasso of the North."³³ Brown also describes Morrisseau as a "talented and successful artist" evidenced by the fact that he made a profit of "\$2,500" from his sold-out premier exhibition in Toronto.³⁴ News reports commonly included sale prices of art works as a way to impress on readers an artist's worth.

In the feature Brown judges Morrisseau as authentically "Indian" because he "moves and speaks with the traditional dignity of the Indian," reinforcing a Noble Savage construction.³⁵ Referring to the artist as "Thunderbird," a shortened version of the Cree syllabic formulation of Morrisseau's "Indian name" *Miskwaabik Animiiki* or Copper

Thunderbird, which he uses as his signature, Brown asserts that the Ojibway have no written language, inferring an uncivilized culture. Explaining that Morrisseau borrowed the Cree syllabics from the Cree, he was apparently unaware that the syllabics were not a First Nations invention but an innovation of a Methodist missionary and amateur linguist James Evans in about 1840 to aid in the teaching of the Christian Bible to First Nations peoples.³⁶ The use of syllabics as a signature does not provide a stamp of authenticity to Morrisseau's racialized identity as advanced by Brown, rather it reveals the depths of colonial intervention in First Nations cultural ways. The *Weekender* feature offers a stamp of approval for Morrisseau's racial authenticity but also for his art.

In spring 1963, the *Montreal Gazette* published a romanticized version of Morrisseau's place in Canadian culture. Juxtaposed with an early anthropologist and one of Canada's best-known artists to paint Indigenous peoples of the Northwest coast, Morrisseau is also afforded credibility as an artist and positioned ethnographically as the Other. Reporter Dorothy Pfeiffer lumps Morrisseau together with pioneering anthropologist Marius Barbeau (1883-1969) and artist Emily Carr (1871-1945) as figures whose legacy, according to the report, provides Canada with more of an understanding of the "Redman's ways."³⁷ Barbeau's "engrossing" books, "taught us more of the marvelously imaginative rituals of our authentic 'First Canadians'."³⁸ Pfeiffer describes Carr as an artist who "opened certain windows of comprehension by her magnificent paintings of West Coast Haida Indian villages."³⁹ Morrisseau, according to Pfeiffer, joins her triumvirate of Indigenous authority because he serves as an "untutored" but important "link" and noted that his "discoverer," Dewdney, was an authority on Stone Age art in Canada, thus emphasizing Morrisseau's seemingly close alignment with a primitive way of life rather than with contemporary Canadian culture. This bit of reportage reads more like an anthropology lesson than a fine arts discussion typical of the arts page of the newspaper. Terms such as "untutored," "link," and "discoverer" illustrate strong links ethnographic study and draw direct connections to frozen-in-time constructions. Though the reporter agrees that Morrisseau "is an exceptionally articulate artist," despite the fact he has "very little formal schooling," she positions Morrisseau's "stylized semi-abstractions" as expressions of mysticism of "the Indian's culture"

creating a monolithic construction where Morrisseau's art represents the spiritual symbolism of all Indigenous peoples.⁴⁰ In so doing, the report avoids aligning Morrisseau with Modern art antecedents such as Picasso, as was Brown's wont, in favour of binding him and his art to the primitive and a more naïve expression of universalism that inspired Modern artists of the twentieth century.

In each of the reports penned in the year following of Morrisseau's debut, Morrisseau and his art turned out to be a curiosity. Was his art primitive or Modern? Was it tribally derivative or creatively unique? Placing Morrisseau's art in any one box seemed impossible and defied the usual arts reportage, continually leaving the artist's work open to a wide range of explanations. The artist, however, could easily be imagined within an established frame of stereotypical signifiers.

This Is Now—2006

From a twenty-first century perspective, it does not seem surprising that confining colonial press representations were employed to situate Morrisseau in 1960s Canada. Tolerance and awareness of identity politics have shifted discourse dramatically. Or has it? The choice to award Norval Morrisseau a retrospective exhibition at the National Gallery of Canada in Ottawa opened a new dialogue on Morrisseau in the press.

The role of a retrospective exhibition for any artist encompasses a career in its entirety. *Norval Morrisseau: Shaman Artist* at the National Gallery, curated by Greg Hill, does something similar. Hanging Morrisseau's art in the National Gallery imbued it with what Svetlana Alpers called in 1991, the "museum effect."⁴¹ The very act of hanging art in a museum setting changes the way an audience reacts to the work. Yet, even before the exhibition officially opened Morrisseau's art caught the attention of Canadians in news reports derived from a press conference prior to the official opening of the exhibition.

The planned media event held prior to the opening on 3 February 2006 led to a flurry of new stories related to the exhibition in papers regionally and nationally. Many of the reports were accompanied by a photo of the ailing Morrisseau positioned in his wheelchair in front of *Androgyny*, an image widely disseminated over the wire service. *Androgyny*, an

impressive mural painted by Morrisseau in 1983 as a gift to the people of Canada, hung for the past twenty-three years in the lobby of the *Terrasses de la Chaudière*, a large federal office building and headquarters of the then Department of Indian Affairs in Gatineau, Quebec.⁴² While it had been view with complacency in a busy lobby, it quickly created a buzz in the gallery space. The photograph of Morrisseau, reunited with his gift to the people of Canada, caused viewers to pause. It was impossible not to notice the painting's monumentality, its intense colors, defiant in its role as backdrop especially in juxtaposition to the ailing artist seated in his wheelchair before it. The press photograph of Morrisseau and the painting installed at the National Gallery of Canada invests the object(s) with new meaning. Viewers of the newspaper easily conflate the photographic documentation with the art institution itself. Without having to enter the gallery space per se, the press photograph itself aided viewers/readers in shifting the meaning of the work and thus transferring added significance to the painting. The Ottawa *Citizen* headline, for example, that ran above a large colour version of the photograph announces, "Copper Thunderbird gets his Day in the Sun," as it appropriates the painting's intense yellow color as a sign of success, directly fusing *Androgyny* to the heightened status of Morrisseau's oeuvre, to visually herald the artist's new-found importance.

A claiming of sorts occurs in viewing Morrisseau seated in his wheelchair before the painting. Like *Androgyny*, the artist too, serves as an object of significance within this "virtual" gallery space. On display, caught by the camera, the 'museum effect' for Morrisseau as *object* is arguably greater than that of the painting because Canadians have long viewed Indigenous men on display through a colonial lens. Yet this objectification is different, a new value is accorded the artist. Like *Androgyny*, Morrisseau becomes more valuable, more important because the National Gallery has claimed him as an artist—not just an "imaginary Indian." This quashes debate about Morrisseau's art. Inserting Morrisseau and his paintings into this bastion of Canadian culture, if only for the course of the exhibition, imbues both the man and his art new respect and a form of objectified exoticism. The press image and accompanying story manufacture and extend aspects of the museum space, changing the

story of the object(s) and adding value with its sanction by the National Gallery.

Unlike the visual significance of the image of Morriseau before his impressive painting, textual news coverage of the opening was less definitive. On January 29, after the press conference organized by the National Gallery in concert with the opening of the exhibition in Ottawa, veteran arts reporter Paul Gessell filed two reports for the Ottawa *Citizen*, the nation's capital daily newspaper.

A number of dailies across western Canada carried a version of Gessell's stories about the artist and the groundbreaking exhibition in advance of the exhibition that was scheduled to hang until April 3, 2006 before it began a two-year tour of other galleries. Four western papers carried edited and shortened versions of the Gessell story.⁴³ The Ottawa *Citizen* paired Gessell's stories with the following provocative headlines: "Taming Their Demons,"⁴⁴ and "An Art Pioneer Makes His Final Breakthrough."⁴⁵

What Gessell says about Morriseau is important because his story reaches such a wide Canadian audience. As noted, he penned two stories for the final edition that day. "An Art Pioneer Makes His Final Breakthrough" ran on the front page with a 1999 photograph of the artist provided by the National Gallery and a caption that reads, "Who would be the first Native artist to be given a show akin to the exhibitions granted such 'white' Canadian artists as Tom Thomson and Emily Carr? The consensus among the Aboriginal art community was that Norval Morriseau, seen here [in an accompanying photograph] in 1999, had to be the one."⁴⁶ This concise report conveys a sense of the importance of this exhibition within the context of the National Gallery and the Canadian art world. Gessell prophetically suggests that the show "... could very well be the final nail in the coffin of institutionalized discrimination against First Nations art, or what used to be called Indian art, at the National Gallery."⁴⁷ The arts writer has done his homework as he charges that cultural institutions in Canada had long exercised a form of "cultural apartheid" that could not end until the National Gallery gave a First Nations artist a "solo show akin to the kinds of exhibitions granted ..." "white" Canadian artists."⁴⁸ Quoting contemporary Aboriginal art curator from the Canadian Museum of Civilization, Lee-Ann Martin

as confirmation that the Aboriginal art community felt Morrisseau deserved the honour of being the “first,” Gessell sketches a short overview of Morrisseau’s career since the sold-out exhibition at the Pollock Gallery in 1962. The *Calgary Herald* and the *Edmonton Journal* both include Gessell’s comment, “The exhibition could very well be the final nail in the coffin of institutionalized discrimination against First Nations Art...”⁴⁹ Little in this politicized report concerns Morrisseau’s art directly because it instead speaks to the significance of an exhibition by an Indigenous artist more generally.

Greg Hill’s retrospective catalogue *Norval Morrisseau: Shaman Artist* published by the National Gallery of Canada in 2006 serves as a comprehensive archive of the exhibition, and includes three essays: one by Hill that positions Morrisseau’s significance in Canadian art history, one by Ruth B. Phillips who focuses on the early portion of Morrisseau’s career, and an extended prose poem by Armand Ruffo that celebrates the artist’s life. The catalogue also includes a list of works included with colour reproductions, archival photographs, and a timeline of the artist’s achievements. The catalogue focuses on Morrisseau’s contributions to Canadian art, positioning his significance within a larger art milieu and directly relating his achievements to his cultural heritage.

Still, while the exhibition catalogue offered interested readers complete and scholarly information regarding the artist, it is news outlets that reach a wider audience and therefore informed Canadians about Morrisseau and his retrospective. Gessell’s in-depth feature story in the Arts section of *Ottawa Citizen* (with portions printed in Western Canadian newspapers) offers readers a more accessible narrative about the artist and his art. “Taming their Demons” includes six-colour reproductions of Morrisseau works from the exhibition. Gessell begins “Taming” by once again striking a blow at the National Gallery. He leads with:

More than an exhibit, it’s an exorcism of sorts: In his upcoming solo show, the aging Norval Morrisseau escapes his image as a twisted soul conflicted by cultures, booze and sex. And the National Gallery finally, fully embraces the First Nations art it ignored for so long.⁵⁰

The term ‘exorcism’ evoked by Gessell is a problematic one. Is he

suggesting that Morriseau is haunted by demons that require some sort of colonial cleansing? Does Gessell mean that by including Morriseau's art in the National Gallery that his work has been assimilated into mainstream Canada's art world? Is the artist and, by extension, First Nations arts worthy of entry into the ivory tower because artists have begun to act civilized or because First Nations arts are truly on equal or greater footing than much of the art present in the collection? Or does Gessell feel he can undo the media history that preceded him by recasting Morriseau and his art within a revisionist art dialogue?

When paired with "demons," the term "exorcism" conjures up the images of primitive culture that Pearl McCarthy spoke of in her 1962 reports in the *Globe and Mail*. Gessell succeeds in reactivating constructions that signify the very demons he ostensibly aims to extricate in this feature report. As noted, most Canadians reading about Morriseau in 2006 had little understanding of the artist and his biography and thus these reports provided a significant basis of understanding for readers. Given that Gessell finds odious the history of cultural apartheid at the National Gallery, a reader might expect to find a narrative that elevates the artist from former stereotypical press reportage. Sadly, even while Gessell writes with good intentions, he slips into a common discourse pattern.

Extracting somewhat obscure quotes from gallery dealer Jack Pollock's 1989 autobiography, Gessell resurrects obscure details related to Pollock's initial meetings with the artist in 1962.⁵¹ Noting, by way of a quote, that Morriseau was, "disgusting—drunk and he had pissed his pants" and that "his house was in the middle of a garbage dump" in the first 100 words of the approximately 1,000 word essay reinforces decidedly stereotypical constructions that overwhelm readers with a version of Morriseau's life that had little to do with his art prowess but much to do with a negative racialized identity construction that feeds the frame of the "imaginary Indian."⁵²

Gessell chooses to present tired stereotypes that, like signifiers in the noted 1962 reportage, are familiar to Canadians. While blaming the National Gallery for its 120 years of backward ways and citing curator Greg Hill's confirmation that Morriseau is an internationally renowned artist, Gessell includes two narrative strands that seem incongruous. For

example, the story unfolds a “long and bumpy” road to success tainted by alcohol, drugs, jail time, living on skid row and brushes with the mob juxtaposed with evidence of Morrisseau’s artistic merit. In an effort to tell the “whole truth” about the artist, Gessell’s regurgitation of tropes in the opening paragraphs of this pivotal national story maintains a racialized mythology from which Morrisseau was unable to escape. As Gessell attempts to provide readers with a balanced picture of the artist, to aid in this so-called exorcism, his reliance on a cross-pollinating assemblage of racial signifiers from which he cannot extricate Morrisseau, leaves this feature story mired in the ooze of colonial discourse he condemns the National Gallery for reinforcing.

A number of colour images accompanied Gessell’s text. Besides a 1974 photograph of Morrisseau painting in his studio, the *Citizen* printed five of Morrisseau’s works in full colour to offer a clearer sense of Morrisseau’s artistic value. It is the art, as in the photographic documentation of Morrisseau and *Androgyny*, that tell a refreshingly honest story—one that proclaims Morrisseau’s significance as an artist. These include *Self-Portrait Devoured by Demons* (1964), *The Virgin Mary* (1966), *Indian Jesus Christ* (1973), *The Gift* (1975) and *Observations of the Astral World* (c. 1992).⁵³ The works that accompany the report herald Morrisseau’s talent. However, the five paintings are also chosen to support the biases in the text. The first page of the feature positions *Self-Portrait Devoured by Demons* (1964) next to the noted looming headline, “Taming Their Demons.” The eye-catching painting can be utilized as an illustration of Gessell’s thesis of exorcism as the painted representation of Morrisseau stands naked on display, his body twisted and entwined by serpents, a signifier of exorcism heavily steeped in a Christian tradition. No textual discussion of the work is included. Three of the pieces relate to Christian themes evoked by the author in the report. Like the textual narrative, these paintings can easily be connected to a version of the Morrisseau mythology, made famous in news reports and by the 1974 National Film Board of Canada documentary *The Paradox of Norval Morrisseau* and reinforce the film’s argument of a polarized struggle in the artist between Anishinaabe and Christian influences.⁵⁴ Gessell includes an early *Virgin Mary* from 1966 and the more provocative *Indian Jesus Christ* painted during his 6-month incarceration in Kenora, Ontario in 1973, as well

as *The Gift* from 1975. According to Gessell, “Morrisseau was trying to integrate Christianity with native spirituality.”⁵⁵ Gessell notes that Morrisseau had originally been a Catholic, converted “to the Apostolic faith” and then in 1976 he embraced Eckankar, “a New-Age religion.” *Indian Jesus Christ* is described in a caption as having been painted by the artist after he was jailed for “drunk and disorderly behaviour.” The main text of the story explains that painting this work was a “decidedly political act back then” though does not elaborate, adding strength to the assertion that these paintings can be “read” semiotically to reinforce Gessell’s textual exorcism.⁵⁶ *The Gift*, another of Morrisseau’s provocative works from the 1970s is afforded more analysis. Gessell explains:

This 1975 painting is one of Morrisseau’s most political. It shows a priest-like character handing the ‘gift’ of smallpox to an aboriginal adult and child. Works such as this opened the floodgates for other contemporary aboriginal artists to create politically charged works criticizing relations between native and European communities.⁵⁷

Gessell introduces the political allusions present in Morrisseau’s work, though does little to contextualize the political turn, missing an opportunity to focus on complexities of Morrisseau’s impressive oeuvre.

Observations of the Astral World packs a punch as the masthead to this two-page spread. Below the painting is a large block quote from Pollock, “He’s eccentric, mad, brilliant. He’s an extraordinary human being. I love him and I can’t stand him... But he loves me. There’s a bond between us. Amazing.”⁵⁸ Gessell’s reliance on testimony from Pollock adds fuel to the myth-making process that occurred early in Morrisseau’s career that aided in confining the artist to a narrow racial identity. Without considering the monumental eight by seventeen feet painting’s significance in any way in relation to his oeuvre or to Canadian art, readers are left only to admire a pretty picture.

A second feature article printed in the national *Globe and Mail*, on 7 February 2006 by Sarah Milroy also interprets this exhibition for readers. The former editor of *Canadian Art* magazine, Milroy has been the art critic at the *Globe and Mail* for more than a decade. She has written controversial reviews of First Nations art exhibitions including, more

recently, the Art Gallery of Ontario's 2009 *Remix: New Modernities in a Post-Indian World* show where she questions the need for such an exhibition at all.⁵⁹ Under the 2006 headline, "Morrisseau has Defeated the Demons," she also conjures the term demons. Unlike Gessell who pairs the term "taming" and "exorcism" with Morrisseau's *Self-Portrait Devoured by Demons*, Milroy's feature report offers its national readership a successful culmination of his life's work. Pairing the artist's significant painting *Misshupishu* or *Water Spirit* (1972) with the headline's active verb construction regarding defeat of demons alludes to a triumphant symbolic calming of the turbulent waters that surrounded Morrisseau's artistic career. The review spills onto page five with a secondary headline, "Visionary Spirituality on Display."

In her review, Milroy repositions the exhibition and Morrisseau in ways that compliment Hill's curatorial vision in *Shaman Artist*. She states, "One of Canada's most treasured painters has overcome alcoholism, sexual abuse, and pandering tourist-trap drivel...His creative brilliance deserves this moment in the sun."⁶⁰ Clearly aware of the past media rhetoric surrounding Morrisseau and his personal issues, Milroy adeptly moves beyond such descriptors, choosing instead to contextualized his work around an art discourse, recognizing a more germane narrative. For example, Milroy acknowledges past stereotypical constructions of Morrisseau and suggests a new reading:

...seated in front of his huge, vividly coloured work *Androgny*, the artist sits slumped in his wheelchair...At his feet a swarm of photographers crouched to get their shots of the Anishinabe artist...They were pulling out all the stops, going for the most dramatic view of the artist's weatherbeaten, crumbling frame, a figure that many might see as embodying the tragic, broken figure of the Indian in contemporary society...In truth, behind the mask of his Parkinsonism, Morrisseau was having a great moment, long awaited, and fully savoured...⁶¹

With this description of a frenzied and "surreal" press conference, Milroy recognizes that the "spectacle of the museum, the artist and the public is almost as fascinating as the art on display" hitting on the nub of this story, acknowledging how Morrisseau's art has often played a secondary role

to a larger racial narrative.⁶² However, unlike Gessell, Milroy seems intent in focusing her remarks on Morrisseau's contributions to Canadian art, lauding the artist, the curator, catalogue essays, and most of all Morrisseau's "magnificent" art on display at the gallery.

Water Spirit (1972), Milroy argues, "articulates his 'visionary spirituality.'"⁶³ The image of Mishupishu demonstrates Morrisseau's unique visual language that features thick unifying black line, interior segmentation, and a clear relationship to Anishinaabe oral narratives. An illustration of the final panel of Morrisseau's iconic six-panel work *Man Changing into Thunderbird* from 1977, another symbolic work, this one charts Morrisseau's evolution as an artist and spiritual being, his transformation into Copper Thunderbird. "In his activism," Milroy explains, "Morrisseau was a pioneer breaking new ground in a discourse that has now become a staple of Canadian cultural debate."⁶⁴ While Milroy laments Morrisseau's turn away from the edgy art he produced in the 1970s, she admits, "we should rejoice in these later paintings, light and decorative though they may sometimes be. Morrisseau, at last, is seeing the joyous side of life."⁶⁵ With respect to the term demons used in this art review, Milroy contends, "One of the comforts of advancing years, surely, is that one's inner demons can finally lie down and sleep a little."

Conclusion

The die was cast early—long before Morrisseau's 1962 debut when racialized and colonial discourse entered the pages of newspapers. The press, as part of Canada's colonial project, has long served as a primer for racialized discourse. Canadians adeptly read between the lines and a story such as Gessell's January 29 feature story does not deviate far from the constructions printed after Morrisseau's debut exhibition in 1962 and sadly does little to reposition Morrisseau's story around art.

Gessell and Milroy both refer to Morrisseau's so-called demons in their feature stories regarding his landmark 2006 retrospective exhibition. However, Gessell attempts to perform an "exorcism" through a conjuring of past descriptions of the artist and pairing works that lead the reader toward an assimilationist discourse long fused with the artist, while Milroy is content to report on Morrisseau's artistic achievements. Gessell weaves

together arcane details that reinforce stereotypes already present in media discourse; Morrisseau as spectacle. Milroy, instead, acknowledges the popular cultural habit of spectacle with regard to Morrisseau—the press conference, the public, and the gallery. Though Gessell quotes Hill's refutation of the tired, but long standing, claim that, "the artist was incapable of reconciling 'Norval Morrisseau the Indian' and 'Norval Morrisseau the contemporary artist'," much of the *Citizen* essay reinforces this confining rhetoric.⁶⁶ Milroy, it seems, treats this retrospective as one might expect, as a pivotal contribution to the history of Canadian art. By focusing mostly on Morrisseau's art rather than on the stereotypical tropes continually rehashed by the press throughout his career, she accomplishes what Gessell seems incapable of doing, moving beyond the tired rhetoric that has framed this artist since 1962.

While these two media reports were in no way the final word on the retrospective, together, I believe, they capture differing directions at work in Canada. Though Gessell's feature article reminded readers of the National Gallery's complacency regarding Aboriginal art in the gallery, his story fails to move beyond a long-standing racialized discourse that had haunted Morrisseau and in this way, serves only to illustrate the entrenched and pervasive force of such constructions. Milroy, however, understands that the retrospective is an acknowledgment of Morrisseau's vision for his art and his legacy for contemporary Indigenous art in Canada. Morrisseau's art reveals an expansive vision, one informed by his agency and revelation, a body of work that deserves to be considered beyond racial bounds.

Morrisseau's artistic contributions to Canadian art history indicate a "turntable" for contemporary Indigenous art in that his work signals both a revolutionary new direction artistically with the introduction of a visual language separate from the Eurocentric art traditions typically drawn upon and an opening for other contemporary Indigenous artists. Morrisseau's arrival on the art scene did not, however, shift the racial discourse entrenched in Canadian media constructions of Indigenous peoples. While the press may have had to search for terms to describe his unique art, descriptions of Morrisseau, the man, were ready made. Reporters in the 1962 and into the twenty-first century maintained a

well-established discourse of representing the artist as an “imaginary Indian” that Canadians know so well. For Canadians to appreciate why Morrisseau deserves attention as a visionary artist and a significant trail-blazer for contemporary Indigenous art in Canada requires readers to look more closely.

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Endnotes

- ¹ Olive Patricia Dickason utilizes the term "turntable" to describe the War of 1812 in Canada's First Nations: A History of Founding Peoples from Earliest Times, (Norman: University of Oklahoma Press, 1992) 215-224. The term is also used by David McNab in "A Brief History of the Denial Of Indigenous Rights in Canada" *A History of Human Rights in Canada: Essential Issues*, Janet Miron, (ed.), (Toronto: Canadian Scholar's Press, 2009) 103.
- ² Both the Inuit art market and the Haida artist Bill Reid on the west coast offer parallels to Morrisseau. For information on the nascent Inuit art market, See: Nelson Graburn, "The Discovery of Inuit Art: James A. Houston—Animateur," *Inuit Art Quarterly*, vol. 2, 2 (1987): 3-5; Kirstin Potter, "James Houston, Armchair Tourism and The Marketing of Inuit Art," *Native American Art in the Twentieth Century*, Jackson Rushing III (ed.), 39-57 (New York: Routledge, 1999). Bill Reid inspired a generation of artists in relation to Northwest Coast art. Although Reid had begun to investigate Haida formline and create jewelry inspired by earlier objects, his significance as an artist occurred in the mid-1960s and was followed by a mythology that rivals Morrisseau's. See Karen Duffek and Charlotte Townsend-Gault, Eds., *Bill Reid and Beyond*

- (Vancouver: Douglas & McIntyre, 2004); Tippet, Maria. *Bill Reid: The Making of an Indian*. (Toronto: Random House, 2011).
- 3 As noted in the case of Bill Reid, this was a common issue for Indigenous artists in Canada. See Tippet.
 - 4 Ralph E. Friar and Natasha A. Friar, *The Only Good Indian...The Hollywood Gospel*, (New York: Drama Book Specialists, 1972) 2.
 - 5 Treatment of Canada's Indigenous peoples in the press more generally has been established. See: Mark Cronlund Anderson and Carmen Robertson, *Seeing Red: A History of Natives in Canadian Newspapers* (Winnipeg: University of Manitoba Press, 2011).
 - 6 Greg Hill, *Norval Morrisseau: Shaman Artist*, (Ottawa: National Gallery of Canada, 2006). In 2002 the National Gallery of Canada mounted a retrospective exhibition of Inuit artist Kenojuak Ashevak and had earlier in 1996 showcased the work of Pitseolak Ashoona. In 1992 the National Gallery created a permanent gallery to house its Inuit collection.
 - 7 Jill Doerfler, Niigaanwewidam James Sinclair, and Heidi Kiiwetinepinesiik Stark, (eds.), *Centering Anishinaabeg Studies: Understanding the World Through Stories*, (Winnipeg: University of Manitoba Press, 2013).
 - 8 Louise Erdrich, *Books and Islands in Ojibwe Country*, (Washington DC: National Geographic Press, 2003), 5.
 - 9 Selwyn Dewdney and Kenneth E. Kidd, *Indian Rock Paintings of the Great Lakes*. (Toronto: University of Toronto, 1967).
 - 10 Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. (New Edition. New York: Verso (1983) 2006) 6.
 - 11 Daniel Francis, *Imaginary Indian: The Image of the Indian in Canadian Culture*. (Vancouver: Arsenal Pulp Press, 1992).
 - 12 Anderson and Robertson, *Seeing Red*. See also: Valerie Alia, *Un/Covering the North: News, Media, and Aboriginal Peoples*, (Vancouver: University of British Columbia Press, 1999); Francis, *Imaginary Indian*; Mary Jane Miller, *Outside Looking In: Viewing First Nations Peoples in Canadian Dramatic Television Series*, (Montreal: McGill-Queen's University Press, 2008); Gail Guthrie Valaskakis, *Indian Country: Essays on Contemporary Native Culture*, (Waterloo, ON: Wilfred Laurier Press, 2005).
 - 13 Anderson and Robertson, *Seeing Red*, 6-8.
 - 14 Eva Mackey, *The House of Difference: Cultural Politics and National Identity in Canada*. New York: Routledge, 1999). P. 21.
 - 15 Pearl McCarthy, "Explorers Discover New Ideas" *Globe and Mail*, 15 August 1962, 25.
 - 16 McCarthy, "Explorers" *Globe and Mail*, 15 August 1962, 25.
 - 17 McCarthy, "Explorers" *Globe and Mail*, 25.
 - 18 Ruth Phillips, "Morrisseau's 'Entrance': Negotiating Primitivism, Modernism, and Anishnaabe Tradition." In *Norval Morrisseau: Shaman Artist*, edited by Greg Hill, (42-77): 44. Ottawa, ON: National Gallery of Canada. For the

original source, see Pearl McCarthy, "Ojibwa Painter no Primitive" *Globe and Mail*, 15 September 1962, 14.

- ¹⁹ McCarthy, "Ojibwa Painter no Primitive" 14.
- ²⁰ "Myth & Symbol," *Time Magazine* 28 September 1962, 18.
- ²¹ "Myth & Symbol," *Time Magazine* 18.
- ²² "Myth & Symbol," *Time Magazine* 18.
- ²³ By the 1970s, Morrisseau began to manufacture his own brand of spectacle recognizing an opportunity to capitalize on mainstream Canada's colonial mindset, demonstrating his savvy at manipulating stereotypes and putting them to work for his own purposes. This discussion is beyond the scope of this essay.
- ²⁴ Lenore Crawford, "Self-Taught Ojibway Artist Finds Fame Overnight." *London Free Press*, 29 September 1962: 19.
- ²⁵ Crawford, "Self-Taught Ojibway Artist." 19.
- ²⁶ Crawford, "Self-Taught Ojibway Artist." 19.
- ²⁷ *Toronto Star*, 13 September 1962, 13.
- ²⁸ "Ojibway Painter Recording Area's Early Legends," Fort William, ON, *The Daily Times-Journal* 20 August 1962.
- ²⁹ *Fort Williams Daily Times Journal* 14 September 1962.
- ³⁰ *Port Arthur News Chronicle*, 6 February 1962. Morrisseau and Dewdney collaborated on a text in 1965.
- ³¹ Bill Brown, "Copper Thunderbird: An Ojibway Paints His People's Past." *Ottawa Citizen Weekender Magazine*, 24 November 1962, 52-53.
- ³² Brown, "Copper Thunderbird" 52-53.
- ³³ See Hill.
- ³⁴ Brown, "Copper Thunderbird" 52.
- ³⁵ Brown, "Copper Thunderbird" 52.
- ³⁶ Dictionary of Canadian Biography Online, (accessed March 21, 2014) http://www.biographi.ca/009004-119.01-e.php?&id_nbr=3376.
- ³⁷ *Montreal Gazette*, 27 April 1963.
- ³⁸ *Montreal Gazette*, 27 April 1963.
- ³⁹ *Montreal Gazette*, 27 April 1963.
- ⁴⁰ *Montreal Gazette*, 27 April 1963.
- ⁴¹ Svetlana Alpers, "The Museum as a Way of Seeing," *Exhibiting Culture: The Poetics and Politics of Museum Display*, Ivan Karp and Steven Lavine, eds., 25-32 (Washington: Smithsonian Institution Press, 1991).
- ⁴² Norval Morrisseau, *Androgyny*, 1983, acrylic on canvas, 365.7 X 152.4 cm. Indian Affairs Canada Collection accession number 306400.
- ⁴³ Stories include: *Victoria Times-Colonist* 29 January 2006, 2; *Victoria Times-Colonist* 29 January 2006, 1; *Vancouver The Province* 29 January 2006, 28;

- Edmonton *Journal* 29 January 2006, 3; Calgary *Herald* 29 January 2006, 3; Ottawa *Citizen* 29 January 2006, 1; Ottawa *Citizen* 29 January 2006, 1.
- 44 Paul Gessell, "Taming Their Demons," Ottawa *Citizen* 29 January 2006, B1-4.
- 45 Paul Gessell, "An Art Pioneer Makes His Final Breakthrough" Ottawa *Citizen* 29 January 2006, A1.
- 46 Gessell, "An Art Pioneer" A1.
- 47 Gessell, "An Art Pioneer" A1.
- 48 Gessell, "An Art Pioneer" A1.
- 49 See: Calgary *Herald* 29 January 2006, 3; Edmonton *Journal* 29 January 2006, 3; "An Art Pioneer Makes His Final Breakthrough" Ottawa *Citizen* 29 January 2006, A1.
- 50 Gessell, "Taming Their Demons," B1-4.
- 51 See, Jack Pollock, *Dear M: Letters from a Gentleman of Excess*, (London: Bloomsbury, 1990).
- 52 Gessell, "Taming Their Demons," B1-4.
- 53 This selection of works was made from the press kit assembled by the National Gallery for the exhibition. Media outlets could choose from a pre-selected group of works from the exhibition to easily obtain copyright approval and rights for publication. Gessell, "Taming Their Demons," B1-4.
- 54 Carmen Robertson, "The Reel Norval Morrisseau: An Analysis of The National Film Board of Canada's Paradox of Norval Morrisseau." *International Journal of Learning*, Vol. 11. Fall (2005): 315-321.
- 55 Gessell, "Taming Their Demons," B1-4.
- 56 Gessell, "Taming Their Demons," B1-4.
- 57 Gessell, "Taming Their Demons," B1-4.
- 58 Gessell, "Taming Their Demons," B1-4.
- 59 Sarah Milroy, "Are We Past the Age of an Aboriginal Art Show? (Review of Remix: New Modernities in a Post-Indian World). *Globe and Mail* 22 April 2009.
- 60 Sarah Milroy, "Morrisseau has Defeated the Demons," *Globe and Mail* 7 February 2006, R1, R5.
- 61 Milroy, "Morrisseau," R1.
- 62 Milroy, "Morrisseau," R1.
- 63 Milroy, "Morrisseau," R1.
- 64 Milroy, "Morrisseau," R5.
- 65 Milroy, "Morrisseau," R5.
- 66 Gessell, "Taming Their Demons," B1-4.

“This garbage” Depictions of Idle No More in the Globe and Mail and National Post

Mark Cronlund Anderson

The collective effort of four Saskatchewan women, the Idle No More (INM) movement began in the fall of 2012 with modest ambitions but mushroomed quickly into a national phenomenon with international linkages. It swiftly received sympathetic international media attention, including *Rolling Stone* magazine,¹ Al Jazeera,² the *Huffington Post*,³ CNN,⁴ NPR (National Public Radio),⁵ BBC,⁶ and the *Guardian* newspaper.⁷ Promoting a “peaceful revolution to honour Indigenous sovereignty,”⁸ it has striven to heighten national awareness about Aboriginal issues, including endemic poverty, chronic governmental underfunding, inequities in the justice system, structural racism in legislation, and to improve general knowledge of treaties. In short, the movement has sought to draw attention to the social costs of the scourge of Canadian colonialism and the fact that colonialism continues to plague the country. The movement has inspired peaceful protests, events such as rallies, flash-mobs, sit-ins, and media interviews.

In the national press INM was highlighted by Attawapiskat First Nation Chief Theresa Spence’s six-week hunger strike that ended January 24, 2013, as well as Spence’s request that national political leaders, in particular Prime Minister Stephen Harper and Governor-General David Johnston, meet with Native leaders to begin to address some of INM’s concerns. The movement was notably de-centered (which led to criticism in the media that it lacked focus and specificity) and captured front-page coverage across Canada in the late autumn of 2012 and into early winter

of 2013. In fact, for a time it dominated news coverage. That said, by February press interest turned elsewhere and INM mostly disappeared from the news.

Thirteen days before Spence ended her protest fast and at the apogee of INM's news popularity, on January 11 Doug Cuthand, veteran columnist at the daily Saskatoon *Star-Phoenix* who has written widely on Aboriginal issues, charged that media coverage of Idle "revealed the dark underbelly of racism in Canada."⁹ He noted that "reaction by some media organizations to peaceful protest has been over the top." He termed the reportage "disgraceful" and "specious" for its wanton disregard for journalistic balance and empirical accuracy. "It's about fostering racial hatred and spreading wrong information." As is his style, Cuthand's observations were measured, precise, supported by evidence, and pulled few punches. He concluded that "certain Canadian news organizations have reinforced racial and negative stereotypes, that this behavior contributes to an escalating pattern of racial violence against First Nations people."

Considered broadly, Cuthand's assertions are supported by decades of media studies research. To begin with, media content reflects the culture in which it is produced.¹⁰ In this way, one may reasonably expect that a colonial society necessarily begets colonial reportage. To put it simply, a country such as Canada, built through colonialism will predictably produce racist images of the ostensibly conquered—that is, Aboriginal people. And this is precisely what has happened since the country's nominal founding in 1867.¹¹

Second, media coverage teaches audiences how to think about issues, known as "framing."¹² But more than that, the media may also tell its consumers what to think, known as "agenda-setting." This research dates to the 1970s and now has a substantial literature to support it.¹³ In practice, it is of course more complicated than I have sketched it here, in part because the media, as noted, also reflects its audience even as it invariably leads that same audience.

With respect to INM, third, an additional complication presents itself—denial, selective memory.¹⁴ All nations essentialize their shared worldviews in such a way as to imagine that their views are entirely natural, "common sense,"¹⁵ and not the result of historical or prevailing

cultural influences. The result is that in colonial societies racist imagery simultaneously abounds yet remains mostly invisible to those who embrace the national, that is, mainstream, “natural” concept of the national self. Press denial of Canadian colonialism exhibits at least two basic features. To begin with, historically, newspapers argued that practices such as the establishment of reservations or residential schools were well-intentioned necessities and even sanctioned by God. As such notions became increasingly untenable, by the mid-twentieth century the press simply changed tacks and began to hunker down and argue that colonialism was merely a thing of the past, over and done with. Yet the colonial imagery endured and even prospered and surfaces routinely in longstanding media archetypes such as the Savage, Noble Savage, the Drunkard, the Whore, the Indian Princess, and others.¹⁶

Additionally, given the way that Canada has defined itself at least in part by favorably comparing itself to the way it stereotypes the United States, Canada’s newspapers have denied racism by claiming that racism was a well known American attribute. Canada, the argument ran, was the opposite of America on the topic of race relations, therefore Canada was not racist. Yet press images of Natives from each country have historically been virtually indistinguishable.¹⁷

The result, precisely, as Cuthand argues, is that press racism toward Native people thrives at the same time as it remains largely unseen and/or fiercely abnegated by its practitioners. Perhaps worse, many who endorse colonialism throw it back at those who deplore it—and this includes Native and non-Natives—by labeling them as so many communists, Marxists, leftists, racists, reactionary ideologues, lazy, stupid, unemployed, fat, and female. In other words, colonialism and denial walk hand in hand. Further, if Cuthand, the academic literature, and INM are correct, one would expect colonial reportage to continue to surface today and to be discernible in newspaper coverage of Idle. Two 2013 examples of recent INM press coverage in Canada’s most prominent national newspapers exemplify and support Cuthand’s basic assertions. These include a January 10, 2013 editorial in the *Globe and Mail*, and a January 8, 2013 column by the prominent journalist Andrew Coyne in the *National Post*, and the “Comments” sections that followed each of them.

“A fantasy”

The 300-word *Globe* editorial, titled, “Native groups wrong to insist that Governor-General attend meeting,” took issue with Chief Spence’s request that Governor General Johnston take part in the meeting she called for.¹⁸ The first sentence offers: “Spence’s demand...is a publicity stunt and arises out of a lack of understanding, perhaps even a willful one, about the role of the Crown and government in modern-day Canada.” Thus, readers learn immediately that Spence is aggressive—she does not request or ask politely or even insist, she “demands.” Temperamental, she is impractical and foolish, use of the term “stunt” indicates. Further, ignorance becomes her, insofar as she exhibits a “lack of understanding.” And she is unintelligent or deceitful (possibly both) because her ignorance may be feigned, hard to tell, the paper insinuates in its phrase “perhaps even a willful one.”

The sentence also implies that Spence’s ignorance extends to “the role of the Crown and government in modern-day Canada.” This presents a one-two stereotyped colonial punch. That is, Spence does not understand because she is, first, stuck in the past (not “modern-day”) and, second and relatedly, holds to a time when the office of Governor-General, as official Queen’s representative, still carried some political authority. Yet the paper itself grants such institutions substantial weight by employing upper-case lettering for words such as “Crown” and “Governor General.” If indeed the Governor-General no longer matters in Canada, then why does the office exist and why does the paper kowtow to it? Why did the Prime Minister require the Governor-General’s blessing to prorogue Parliament just two years earlier?

My point is not to find fault with the crown but, rather, to suggest that the editorial simultaneously twists logic, presents no relevant evidence to substantiate its argument and, most importantly, employs long-established North American stereotypes of Native people in its criticism of Chief Spence. Aboriginal people have in the press for centuries in United States and Canada been tagged with aggressive behaviour, innate stupidity, excessive willfulness, deceitfulness, as well as being stubbornly resistant to espied historical evolution.¹⁹ The results render them, in press portrayals, as difficult, troublesome, backward, and stuck in an earlier

phase of social evolution. In this way, Spence, cast in the role of a well-trod Indian archetype, had been invented long before the *Globe* editorial came along.

The *Globe's* argument then proceeds to offer an appeal to authority. To impress and perhaps intimidate readers, and certainly used as a rhetorical gambit to foreclose potential disagreement, it cites one "Lord Denning" as saying that, in effect, that Spence must deal with "Canada's Parliament and its courts." Clearly, according to *Globe* coverage up that point, neither of these entities (i.e., Denning or Parliament) would be present at the requested meeting, either, apart from the prime minister. But then the editorial logic gets really murky. "It would be wrong to suggest that Mr. Johnson cannot meet with native leaders to hear their grievances. There may even be an interest in doing so. As the Supreme Court ruled in 1990, 'the honour of the Crown is at stake in dealings with aboriginal peoples.'" But if the "honour" of the "Crown" lies at stake, then Johnston should attend the meeting, right, unless the meeting has no "honour"? By the editorial's own meandering line of reasoning, Spence, Harper et al should all meet, for the "honour of the Crown is at stake." By its reckoning, apart from the first sentence, the editorial actually argues that Spence's request is entirely reasonable and not "wrong," as it claims, at all. Remaining consistent with its initial framing of Spence as unintelligent and pushy and demanding and sneaky, the issue seems suddenly to be that the editorial takes exception to Spence as a Native person. To put the editorial more plainly: Native people must never challenge duly constituted authority in Canada.

Building toward a conclusion, the editorial stresses that "what the Governor-General cannot do is attend a substantive meeting." This makes little sense. In other words, following the *Globe's* wandering line of argumentation, the Governor-General is really important but is not important at all. Johnston, thus, is significant enough to hear "grievances," by definition of minor importance, but not sufficiently weighty to hear "substantive" issues related to grievances. Consider the angry and imperious concluding sentence in which all Aboriginals are fashioned as a monolith by virtue of Spence's alleged retarded thinking: "It is as if she sees the Crown and the government of Canada as separate entities. This is a fantasy that native leaders need to put to rest."

By way of conclusion, the editorial consequently frames Spence and Natives more generally and their petty “grievances” as part of a larger “fantasy” driven by ignorance and a stubborn insistence to adhering to a dead past. Presenting Natives as unintelligent is possibly the oldest move in the colonial playbook. But more than that, the thrust of the editorial reeks of 1991 Oka “Crisis” press coverage and the Mulroney government’s indifferent response to Oka²⁰ or the occupation of Anicinabe Park in Kenora, Ontario, in 1974, and the local press reaction to it.²¹ Again, the message is clear: Spence and Aboriginals must neither appeal to nor challenge “substantive” authority. In short, the editorial’s endgame is to preserve the status quo by applying a series of well worn clichés to frame Spence and Natives, ultimately, as irrational or insane (“fantasy”) and to issue a sort of veiled warning by drawing a line in the sand by the use dire of either-or phrasings (e.g., “it would be wrong” or “what the Governor-General cannot do”). The editorial ultimately argues that Spence and INM must play by naturalized rules as understood by the editorial—the first of which is, never question duly constituted authority. The rules do not allow for questioning. Indeed, this is the first premise of colonialism: submission.

“Fundamentalists”

Andrew Coyne’s pugnacious, 900-word column, “Meeting with Harper won’t settle aboriginal people’s problems,” is every bit as dismissive as the *Globe* editorial but also adds a biting and sarcastic tone.²² And where the *Globe* aimed in particular at Chief Spence, Coyne in particular targets Pamela Palmeter, a Ryerson University professor and unofficial INM spokesperson.

The column begins with a brief attempt to contextualize itself: “It if does nothing else, the Idle No More Movement of the past few weeks will have provided a valuable lesson in why so many aboriginal Canadians remain so chronically destitute—and why progress has been so frustratingly elusive, and why it is likely to remain so.” Coyne, like many columnists, presents himself as an ultimate authority, positioning himself as a teacher who will provide Natives with a “valuable lesson.” He is careful not to paint all Natives as losers, just “so many,” but the inference is clear—Aboriginal peoples have failed to “progress” and INM’s approach

serves, as he promises to show, as an example not only of failure in itself but also, as he peers into the future, as a example of why “so many” Natives will continue to fail. This is a well-worn colonial rhetorical maneuver in which the victim of colonization is blamed for the ills of colonization. The Other, by definition, simply cannot win.

Coyne goes on to frame INM as confused because it attacked the Harper government for “reasons that are not widely understood.” Of course, not only does this mean that INM does not know what it is doing or why but also that Coyne cannot understand INM’s behaviour—yet he presumes the expertise to criticize that which he admits he does not “understand.” Accordingly, he diminishes INM leaders as so many “putative leaders” engaged in nothing more than a public spectacle—“of the parade”—but not as serious people with legitimate concerns.

Spence and Palmeto are angry, too, he finds, displaying “wrath.” Yet, too, they are befuddled and oppose Harper for reasons opposite to what they themselves think. It turns out that Coyne knows their minds better than they do. “It is not Harper’s neglect that inspires their wrath, but his activism,” he writes, but does not explain what he means by the latter term.

Coyne sums up Palmeto’s academic career in 85 words by cherry picking phrases that, repeated in his column, aim to portray her as, he concludes, a “fundamentalist.” Given the way this word has been politicized since 9/11, are we to infer that she may be a terrorist? He certainly presents her an extremist who believes that the Harper government is hell bent on “genocide” of Aboriginal people.

In two sentences he lashes the “extremist” Palmeto, now serving as straw man of his own creation, merely by citing the names of Tory bills that, for Coyne, reveal her as a reverse racist. Then he summarizes his findings: “if you are puzzled by how providing safe drinking water or recognizing self-government add up to genocide, well, you need to take responsibility for your own racism.” Can one reasonably infer from the title of a piece of recent legislation that said legislation has met with the outcome its sponsors intended (think: long gun registry)? Of course not. All Coyne does is name some bills, but he has neither explained nor assessed them. But Coyne does not linger.

Next, he objects to INM's existence as pointless and he presents Natives as an old-fashioned monolith. "The more it has gone on, the more it has become clear it is not so much a dispute between aboriginal Canadians and the Harper government, but between rival factions in the aboriginal community." Even if this were true—and he presents no evidence to support the allegation—why should anybody expect all Natives to agree on something so fundamental? In his prominent career as a political commentator, Coyne has never expected all non-Aboriginal people to agree on much of anything. But, in this case, Coyne finds fault when the people who do so are Aboriginal or perhaps because they are Aboriginal. And he rejects all INM criticism of the federal government because not all Natives necessarily agree with it.

Because Palmeto is not one of those "who are prepared to work with the Harper government" she becomes a "fundamentalist," as noted. This sort of binary construction conjures up the stereotype of the Indian Savage—angry, dangerous, unreasonable, lacking self control, unintelligent yet crafty and cunning, confused, in short, entirely opposite to Coyne's ideal and considerably different from the Native "modernizers," whom he lauds, who desire nothing more than "to participate in a modern market-based economy."

In this way, as archetypal Savage Palmeto, by definition, is destined to failure. Curiously, however, Coyne's framing uses the kinds of rhetoric for which he criticizes INM. For example, he has argued that INM cannot "progress" because it adheres to failed approaches of the past, yet Coyne's own binary presentation of these alleged failures (both of policy [not explained] and people—the "fundamentalists") is itself "rigid," and allows no room for space, yet alone difference of opinion. He divides the world of Canada's more than one million Natives into two essentialized camps—the loser "fundamentalist" bunch, a framing scholars have identified as the defanged Noble Savage, who used to be referred to as "the good Indians," invariably as convenient stooges, versus the ones who would work with government toward full assimilation that Coyne covets. It remains unclear, of course, whether Coyne's Native modernizers would endorse his use of hoary old colonial tropes.

Additionally, he denigrates the movement as "ill-defined" while issuing

“vague and shifting demands.” Further adding to its organizational confusion, according to Coyne, INM is excessively populated by “different self-appointed spokespersons,” engaged in “absolutist rhetoric” and contemptuous “of dissenting opinion as so much ‘racism’,” and is “above all” fruitlessly wedded to a “rigid insistence” of following proven failed past approaches. His final criticism is that Palmetter resides on the political left, that she and her ilk prize and champion the “collective” at the expense of Coyne’s politically right-wing worldview, that is, “giving individual natives and bands the tools they need.” The focus for Coyne is the individual. But, in fact, that is precisely what Natives have been asking for decades—the “tools they need,” but without the paternalism and cynicism of Coyne’s contradictory, self-referential, tired colonial reasoning.

“Comments”

The *Globe* editorial elicited 281 and Coyne’s column drew 285 responses in Comments sections that followed each opinion piece.²³ On the whole, these responses expressed strong but not universal support, respectively, for the editorial and the column. They did so in various ways, but mostly by portraying Spence, Palmetter, INM, and Natives, often conflated into a single construction, as classic colonial Others who exemplify characteristics anathema to how mainstream Canada imagines itself. For example, in the cases where responses argued that Spence or Palmetter or Aboriginals lack intelligence, one may infer that commenters imagine themselves to be smart; where Spence, Palmetter, and Natives were identified as criminal or likely criminal, in turn, commenters uphold the law; where Spence, Palmetter, and Aboriginals displayed alleged incompetence, commenters would have shown competence, and so on across a list of cultural markers that serve to denigrate Indigenous people at the same time as championing settler-culture Canada.

In this way, the various attributes of the Other sketch a demeaned, diminished, and hapless character, given to criminality and venality. At the same time, the Other serves as a measuring stick where one may locate as well as bask in one’s positive attributes, comforted in the idea that you are the opposite of the Other. Taken together, these affirmative Other-busting attributes fashion what we know as nationalism, an “imagined community,” as Benedict Anderson has famously termed it.²⁴ And make

no mistake. They are heartfelt and provide the necessary kind of cultural glue that effectively holds a nation together. People go to war and will die to defend them. And the Comments section following the editorial alternatively, bristle, wallow, and glow with such sentiment.

In the section that follows I attempt to let the commenters speak for themselves as much as possible. For organizational purposes, I have broken down the combined 566 discrete responses into the most common attributes used to represent Spence, Palmeter, Natives, and INM.²⁵ It is worth remembering that we know virtually nothing about those who chose to comment other than that they presumably read at least a portion of the editorial or column and chose to weigh in with an opinion. Indigenous people are typically referred to as “Indians” or “FN” (First Nations). I have left the grammar and spelling untouched from the originals with the occasional exception of the addition of capitalization for the sake of improving clarity.

“Most of us are so disgusted”

Globe and Mail on Spence: “Peevish stupidity...shame on here [sic]”; “Theresa does not understand how Canada is governed”; “She is an idiot”; “Indians [are] not understanding reality and the way the world works”; “Spence and her boyfriend are too stupid”; “There really should be a button where you can just report stupidity”; “Appeals to reason and rational argument are waste of time with this crowd”; “It’s chaos they want...they have been smoking their peace pipes far to[o] much”; “Much money has been wasted”; “She is clueless [and] made natives across the country look like fools”; “Spence’s actions can best be described as absurd and bizarre.”

National Post on Palmeter: “Pamela Palmeter is a crackpot”; Palmeter displays “muddled and poorly thought out responses”; “She has contributed nothing but vicious hyperbole grounded in not a whit of fact...Besides, I think she’s certifiable and getting worse”; “Palmeter is the reason most of us are so disgusted.”

“Natives are children”

Globe and Mail on Spence and Natives: “My money is on an ambulance run for vague symptoms. Make that a Wahhhh- mbulance”; “But then here we are trying to talk sense to someone who also believes that holding your breath until you get your way is effective”; “Natives are children”; “But we need to trust Spence. Just like we did with millions and millions of dollars with no receipts. We should just give her money now”; “End her hunger games...Is it time to buy stock in fish broth? When will I be able to feed my cat again?”; Spence’s hunger strike is really “a Weight Watchers diet”; “Why have Spence and her genius of a boyfriend made it so hard to track the money? [They should have] list[ed] one-line entries about where the money went. ‘\$10,000 to send Pete Eaglefeather and his family to Timmins for KFC’”; “Their hatred for non-natives is so palpable I don’t think I’ve ever seen one smile”; “These good for nothing lazy people to whom we give 10 BILLION dollars a year should not keep us for ransom. The hell with them: they have contributed nothing...Let her die if that’s her wish”; “Chief Starving has done irreparable damage”; “Putting on a headdress and banging on a drum does not make you a proud warrior. Clowns do that in circuses”; Theresa Spence should be named “thief expense.”

“Pathetic...pathetic”

National Post on Palmeto and Natives: “She is not well qualified...She started out as ‘white’ then obtained metis status, like her brothers. A year ago she obtained Indian status”; “The woman is pathetic. An apologist of the highest water...And we are paying her to instruct our young!!!”; Palmeto’s educational credential include a “dozen years of third-rate schooling” [she holds a doctorate in law from Dalhousie University]; “She seems to hold herself above ‘her people’”; “manipulating the grassroots”; “Like many zealots, she will only accept the choice of the people if their choice is her choice”; “Palmeto [exhibits] dictator[-] like qualities”; “Palmeto is looking for a lifetime of handouts via the Canadian tax payer”; “How can Palmeto

accuse the government of genocide when most actions of natives is [sic] one of self genocide, mainly to try get attention to their histrionic plight"; "Pathetic is about the only thing one can say"; "She is an opportunist, plain and simple."

"Nothing short of domestic terrorism"

Globe and Mail on Spence: "She is just looking for sympathy before the mounties hopefully move in"; "Send in the OPP [Ontario Provincial Police]"; "I am all for police investigations, charges, and conviction"; "Could she be charged with public mischief?"; "The Harper Govt should have had the mounties in there years ago"; "Politics has sunk so far we can't see a crook"; "Will any fraud charges be laid?"

National Post on Palmeter: "She reminds me of the mullahs in Iran, she wants to shove natives back into the dark ages"; "The INM movement has been endorsed by Iran!!! Ms. Palmeter, mouthpiece for the INM movement, must be so proud"; "I can hardly wait till we get to the terrorist comparisons. Count me on the accuser's side"; "The actions that this Palmeter are promoting are nothing short of domestic terrorism. I would assume that CSIS has a file on her"; "She reminds me of the fanatical Islamists, mostly men"; "She's a fraud"; the federal government "should bring in the RCMP fraud squad."

"Who are the real racists?"

Globe and Mail on INM: "Commonsense and Idle No More are oxymorons. And extremists like Palmeter are making things worse with offensive comments that anger all Canadians of goodwill;" "The[y] use anti-white racism to cover up the ruthlessness of their own leaders."

National Post on INM: "Who are the real racists?...Shame on you."

"Idlers forever"

Globe and Mail: Spence]is "playing the victim card;" "She plays a sickie and blames Harper; Spence is "purportedly not eating";

Spence has manufactured a “fake health crisis”; “This is all a smoke screen”; “The Idle No More extortionists and their poster-Chief [are]...like Palmeto. The rest is a ruse”; “Let’s stop calling it a hunger strike. We all know it’s not.”; “Sounds like a person could subsist on [Spence’s hunger strike diet] indefinitely”; “Spence’s fake hunger strike”; “If it means that natives and wannabe natives (metis) are finally going to get out of the line-up for government handouts”; “She is simply using [Johnston] as a propaganda tool...with this publicity stunt”; “It is time to confront them and say get lost”; “Because it’s not a real fast. Seen any weight loss?”; “Public being played by Natives”; “FRAUDULENT hunger strike”; “Her leadership corruption... free of their corrupt control”; “Corrupt and completely incompetent”; “For Christ’s sake, this isn’t chump change”; “[S]pence [is] using millions of dollars for her home, caddy, etc and not her people is the governments fault for not doing paperwork, pathetic, just pathetic”; “She should just stay home and let the real leaders talk.”

National Post: “I wish she [Palmeto] would tell reporters what INM really means...: Idle? No! More Money!!”; “The red man wants us to pay for his decisions...the red man thinks that consultation means that all of them must agree and the pot sweetened until they all do, nothing more than a shakedown racket. And now the federal court has determined that all the half breed metis are now status Indians, so there goes a couple billion more a year in handouts to people too frigging lazy to do for themselves”; “Sham Spence”; “Conned by the Native 1%ers,” including “Spence and Palmeto”; “The idle evermore group knows their target intimately and know just where to stick the shiv”; “Time for Canadians to wake up to the giant con game being played by the radical Indian movement”; “Indian reserves today are little more than small soviet collectivist societies”; “Idle evermore”; “This is the legacy Indians have made for their children: ‘Destined for a life of Welfare, Misery, Drug & Sexual Abuse, and resentment Towards the World’”; “Child abuse is absolutely rampant among some native reserves. The reason so

many of their women are lost to the streets is that they grow up with it"; "Playing the victim card over and over again won't do the trick"; "Professional native grievance mongers...good god what a bunch a flakes and wingnuts"; "To be sovereign you are expected [to] take care of yourself, less [sic] you be called a moocher"; "This garbage"; "FN...trying to provoke popular outrage"; "Dependent on government handouts"; "The less we do, the more money we get"; "Idlers forever"; "Forever idle"; "Idle No More? You mean the natives are going to work?"; "[Robert] Mugabe could take lessons from these people"; "These people are takers and continue to be takers. They contribute nothing and want everything. Resentment, 'racism' if you will, is the natural result."

"She"

Globe on Spence: "She certainly is on no hunger strike. More like fasting to me and she sure can use it"; "Slim down. Spence need only to enroll in the local gym, not make a fool of herself on the news"; "Why is Theresa Spence still so portly after a 4 week hunger strike?"

Post on Spence and Palmeter: "If she [Spence] dies from hunger, it will not be soon"; " 'Hell hath no fury' :); Palmeter is "...a woman scorned maybe"; "I'm going to dye my hair and see if it helps me get better media coverage"; "Wouldn't be surprised if she forces herself on the media"; "This woman is pure poison"; "She's just ever so jealous of Spence"; "Pam Palmeter's hysterical assertions"; "How did she obtain the job? My guess, a whole lot of free cigarettes and suitcase full of our money." Responses to the query, "How did she get her job," include: "She's Indian...no other reason needed"; "A native and a female to boot. You fill in the blanks"; "Wampum"; "Affirmative action?"; "Affirmative action strikes again"; "Kiss the right ass and [it] sends the message the rot in our system wants to send"; "Hmmm...just checking out some of those internet pictures of Pam Palmeter. Maybe I was a little hasty judging her. She's not half bad...kind of saucy looking...might be an actual pleasure to watch her orate." With

respect to sexual orientation, the *Post* also offered a single and unique homophobic smear that INM is gay: “Guess the homosexuals have won AGAIN...Non-white and ugly.”

“Assimilate”

Globe and Mail: “I think we are all Canadians...This business of reserves was a stupid idea to begin with. Let’s all live together and not be segregated. It’s time for integration just like other countries”; As a first step, “Declare all treaties negotiated with Britain null and void.”

National Post: “The Indians should be Canadian only, not divided into tribes or bands, but all Canadian as well as the French who hold [sic] up in Quebec, the very same, they will also not be 100% Canadian until we get rid of catering to them”; “All Canadians should have the same right AND responsibilities”; “Indians...should assimilate.”

“Living in the past”

Globe and Mail: “Their lands were incorporated into Canada long, long ago. That is reality”; “Can her [Spence’s] understanding of Canada still be stuck in the 19th century?”; “Dependent on government handouts”; “Throw more money at Indians to quieten [sic] them now and see them come back in a few years for more. Now is the time my fellow Canadians to finally say NO MORE to the Indian”; “Since FNs insist on living in the past, sponsored, subsidized and accountable to no one, then it is time that WE (the nobody’s [sic]) rally, circle the wagons round our FN friends, stop the funding...This reverse discrimination has got to stop now”; “Wake up, play the game by today’s standards...instead of whining about the good old days of the 1700s”; Natives would be “happier living off the land in teepees or igloos.”

National Post: “If the red man had been this lazy before white people came to North America he would have died out a long time ago”; “Let them put that in the pipe and smoke it”; “Now it is getting on to two generations past and you are still using the

residential schools as an excuse, it was exaggerated and questionable abuse when it happened, now it is becoming laughable. No one is cowed by phony allegations of things done to their grandparents"; "For pal meter [sic]. No more funding. To Indians... trade your beaver pelts"; "People need to remember what this was all like 156 years ago...especially Indians"; "Radical progressive natives...If the progressive radicals win they'll be dangerous because their agenda seems to be 'Shove natives back into the seventh century' whilst we pillage and rape...you financially"; "Palmeto talks about the old ways but lives in a very large home just outside of Toronto. She is a one percenter who has live off the system for years."

"True Canadians"

Globe and Mail: The commenters mostly identify themselves with the mainstream by employing terms such as "we Canadians," "our money," "true Canadians," and "we all know." Several authors identify themselves as "normal white folk," fully racializing the contention that Natives are not "normal." This only serves to further distance Spence and Natives as undeserving outsiders, outcasts, not merely without respect to espied behaviour but by virtue of race. "If the Indians can have IDLE NO MORE, perhaps it is time for us, the taxpayers, to start the movement 'PAY NO MORE'," one writer alleged, neatly juxtaposing the Aboriginal as Other to "normal white folk"; "Unfortunately, as usual, they are just trying to steal the gullible media's attention to try to increase the dollar\$\$ flow out of the many 'hard-working, tax-paying' true Canadians."

National Post: The commenters closely associate themselves with the settler mainstream by selective use of terms such as "we" and "our," as in "we, the taxpayer," "they will also not be 100% Canadian until we get rid of catering to them," "our money," "our young," "our money," and "our institutions."

“Ignorant bigots”

Globe and Mail: A small but vociferous handful of respondents took exception to the Comments section that followed the editorial, if not the editorial itself. “Complaining that the rest of society [sic] pays to have them sit on their a\$\$ does nothing!” wrote one. “Idle no more is a movement trying to get to both sides of the coin to move beyond this type of discourse...most of you sound like ignorant bigots.” While this post, in part calls for open-mindedness, it also endorses the idea that Natives are lazy moochers. Like several other writers, it also chastises the Harper government for hypocrisy by picking on Spence’s small reserve’s financial difficulties when the federal government “is about to spend \$5.8 billion on jets.”

A second more positive response called on “Canadians” to “acknowledge that yes there is a bigger picture, a longer history, an older agreement, and a different perspective that needs to be respected.” In response, one writer termed this entry “a voice of reason.” Finally, another respondent argued that “since First Nations view themselves as sovereign states,” they had a “rationale” for requesting direct negotiations with the prime minister and governor general.

An even smaller handful evinced direct support for Spence. For example, one took a swipe at the federal government for “micromanaging” reserves at the same time as arguing that “it would appear that Chief Spence was actually tightening up loose [fiduciary] controls.” A second supportive comment identified Spence as unfairly maligned yet still called for a thorough investigation of her reserve’s spending.

“An excellent column”

National Post: Unlike the *Globe* editorial, a number of commenters praised Coyne’s column and its author directly. For example, “Damn—that was good Andrew”; “Well damn, Andrew just went up another few notches in my esteem”; “One of the best articles yet. Andrew Coyne has hit the nail squarely on the head”; “This was an excellent column”; “Good article... the more convinced I am that she [Palmetoer] has a few screws

loose, is a hateful agitator"; "It's as if I wrote this myself. Great job"; the column articulates "what I feel in my heart and know in my mind"; "Great job by Andrew Coyne for calling out Pam Palmeter for being the opportunist she is."

In sum, because consumers tend to purchase products they desire, as you might expect, the vast majority of *Post* commenters agreed strongly with Coyne as *Globe* commenters likewise endorsed its editorial. *Post* writers, and again as was the case with *Globe* commenters, were also less measured in tone and content than the original document to which they reacted. That said, if more inflammatory, *Post* commenters still inclined to express predictable and even mundane colonial outbursts. A few took exception to Coyne's opinion piece. "Coyne is always right-wing," one person wrote, and complained about Coyne's use of "sarcasm" and "underlying anger." Another charged, "Oh this is Coyne at his worst!" Yet another lamented, "Andrew Coyne must be so proud of the caliber of truly nasty individuals that agree with him and comment on his articles."

"The Stalinists"

National Post: Comments portrayed Palmeter and universities more generally as contaminated by leftist thought. For example, one writer expressed chagrin at "the far left bias in most post-secondary institutions," and added, "If she [Palmeter] did not exist they would have to invent her [and] they probably did." Other respondents opined, " 'Indigenous studies' [is nothing more than]...a 1 day course I hear. Ryerson U...wonder if it's still populated by professional bums and wacked out liberals (also bums)"; "Unfortunately, she [Palmeter] is not alone-there are lot like her in our institutions of higher learning"; INM constitutes "the indolent, the Stalinists"; "Whilst she rules from her elite academic tower of elitism"; Palmeter has done "as all Marxists do"; "The fundamentalist and collectivist Palmeter"; "Well she is a Marxist, with a stated aim to destroy capitalist societies...[the] soviet structure is her model"; "We saw what happened to the soviet union"; Palmeter is a "staunch communist"; "The sleezeball who is president of Ryerson should be shot"; "Palmeter et al...have a central committee"; Palmeter et al

endorse and practice “The Good lefty way”; “Palmer is a classic communist who wants to carve out a soviet style collective with Indians as its slaves”; “She is a communist”; “Palmer tells you all that’s wrong with Ryerson ‘university’. Its teaching staff is filled with vicious left-wing ideologues only interested to [sic] promoting their perverse view of the world...this joke of academe”; “She has co-opted the movement to be her exclusive play toy to advance her Marxist agenda. To a Marxist, communal living is the socialist way. Free enterprise is the devil”; “So-called academia, mostly from the left—including Communism.”

“We are all indigenous”

National Post: The following exchange on the topic immigration also typifies discussion in the *Post* Comments, which tend mainly yet inconsistently and sometimes loosely to follow the initial threads established by Coyne. For example, “‘indigenous’ ...the term would imply the people originated in North America rather than immigrated here, just like the rest of us.” This posting elicited a rare dissenting opinion, the author of which suggests that the original commenter read Ronald Wright’s book *Stolen Continents*,²⁶ and added that the important thing to remember is “what they did when they got here.” This in turn elicited several direct responses, proffering a kind of return to form for the *Post*. *What they did?* “Nothing,” charged one response. Another lamented, “No need for this treaty BS.” And then, “I assume you agree that we should all abide by the law.” And yet another, “Given that logic, we are all indigenous since we began in Africa.” And then various postings debate the definition of what the term “indigenous” means all the way to suggesting that CSIS, Canada’s spy agency, track the behaviour of the “radicals.”

Another example of the sometimes meandering path followed by the commenters arose in the *Post* over a response that “radical Marxists” dominate INM. It claims that “Whether White, Red, Yellow, Brown, or Black they are all driven by the same sense of entitlement and collective thought.” One response to this comment opined that the author “is not

unlike the Nazi's [sic]," which in turn elicited a reference to Godwin's law (the idea that sooner or later all internet discussion boards tend toward a discussion of National Socialism), and concluded, "Do not take this lefty seriously." And then this in turn was followed by a "grumpy" discussion about the use of apostrophes. The return to the main topic—at that point, Palmeter and INM as "radical Marxists"—began with the assertion that one commenter was "a plant in the Harper regime... sent out to call them Marxists. How laughable."

Conclusion

In depictions of the Idle No More movement the *Globe and Mail* and the *National Post* remain faithful to a long Canadian tradition of stereotyping Aboriginal people. They do so organically and naturally, even as both papers decry racism, by employing classic colonial tropes, including allegations that Natives exhibit backwardness, stubbornly resist progress, linger defiantly in the past, and display wide-ranging incompetence. The two females that feature prominently, Chief Theresa Spence and Dr. Pamela Palmeter, also experience none too subtle condemnation by virtue of being Native and female. Spence is singled out as classic "squaw" drudge, overweight and unintelligent in part simply because she allegedly fails to conform to the mainstream ideal feminine body type. Palmeter, meanwhile, is cast as a kind of whorish hysterical female who cannot control her own body as it embraces unclean Marxist and radical ideas. Worse, one commenter went so far as to suggest that he would like to watch her perform oral sex—"Hmmm...just checking out some of those internet pictures of Pam Palmeter...She's not half bad...kind of saucy looking...might be an actual pleasure to watch her orate."

Overall, the *Globe* editorial, Coyne's *Post* column, and the Comments sections that followed them resorted to tired, predictable, deeply-established Canadian cultural visions of Aboriginal people. Not stated explicitly in these portrayals were two inflammatory traditional press assertions—that Natives were dying out in the face of overwhelming civilization and that Aboriginals were overtly racially inferior to whites. Yet the premise upon which Canadian colonialism rests is built precisely and squarely upon assumptions of alleged Native inferiority, which contains racial and cultural components. The European invasion, after all, was predicated on the

notion that Natives were racially inferior. And second, the insistence that Natives assimilate, if fully effected, would require ultimately that Native culture disappear. But unless one embraces the idea of essentialized racial difference, all that separates non-Aboriginals and Aboriginals is culture. In this way, full assimilation necessarily and logically begets cultural genocide. Thus, one might argue, the *Globe* and *Post* have deliberately, if perhaps unwittingly, allied themselves on what is often termed the “wrong side of history.”

Meanwhile, the respective Comments exemplify precisely what commenters accused “Indians” of doing constantly—gripping and complaining and exhibiting petulance and irrational thought. Further, the commenters did precisely what the two newspapers insisted that they not do in a Comments section—spew offensive, unfounded assertions. Surely, framing Natives as not “true” Canadians, Spence as “still so portly,” and Palmeto as one whom it be “an actual pleasure to watch her orate,” reach well beyond good taste.

In fact, the respective Comments generally fail to engage rationally with substantive issues. Rather, they canber with marked consistency to shout colonial invectives at the only people in Canadian history subjected to invasion, military conquest, systemic child kidnapping, systematic nation-wide physical and sexual abuse, all wrapped in Jim Crow culture. In short, the Comments sections in the *Globe* and *Post* ooze resentment and bristle with seething contempt for Natives, entirely in keeping with quotidian, matter-of-fact Canadian colonial thinking. “These Indians have picked a fight with Canada and [we] need to show in no uncertain terms who is running the show,” one typical commenter expressed a common sentiment in the *Post*. And it is a “show,” after all, a kind of colonial performance ritual—“this garbage,” but, like in the way that Canadian colonialism denies its own existence, precisely the opposite. Doug Cuthand was right all along.

Endnotes

- ¹ <http://www.rollingstone.com/politics/news/idle-no-more-native-led-protest-movement-takes-on-canadian-government-20130204> (last accessed May 11, 2013).
- ² See, for example, <http://www.aljazeera.com/indepth/features/2013/03/20133267596704469.html> (last accessed May 5, 2013); <http://www.aljazeera.com/indepth/opinion/2013/01/20131289123344980.html> (last accessed May 8, 2013) <http://www.aljazeera.com/programmes/insidestoryamericas/2013/01/20131167814118428.html> (last accessed May 8, 2013).
- ³ <http://www.huffingtonpost.ca/news/idle-no-more/> (last accessed May 9, 2013); http://www.huffingtonpost.ca/tobold-rollo/idle-no-more-canadian-support_b_2600457.html (last accessed May 9, 2013); http://www.huffingtonpost.ca/will-braun/keystone-haisla-first-nation_b_2825791.html (last accessed May 9, 2013).
- ⁴ See <http://ireport.cnn.com/docs/DOC-897829> (last accessed May 9, 2013); <http://ireport.cnn.com/docs/DOC-910208> (last accessed May 9, 2013);
- ⁵ <http://www.npr.org/2013/01/09/168983530/canadas-indigenous-people-rally-for-rights-around-idle-no-more-initiative> (last accessed May 16, 2013).
- ⁶ See, for example: <http://www.bbc.co.uk/news/world-us-canada-20879175> (last accessed May 12, 2013); <http://www.bbc.co.uk/news/world-us-canada-21047472> (last accessed May 16, 2013).
- ⁷ <http://www.guardian.co.uk/commentisfree/2013/jan/11/canada-indigenous-people-demand-better-deal> (last accessed May 16, 2013).
- ⁸ <http://idlenomore.ca/> (last accessed December 30, 2013).
- ⁹ Doug Cuthand, "Idle no more underlines need to change attitude," *Saskatoon Star Phoenix*, 11 January 2013.
- ¹⁰ See, for example, Edward Said, *Covering Islam: How the Media and the Experts Determine How We See the Rest of the World* (New York: Vintage, 1997); Edward Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (New York: Pantheon, 2002).
- ¹¹ See Mark Cronlund Anderson and Carmen Robertson, *Seeing Red: A History of Natives in Canadian Newspapers* (Winnipeg: University of Manitoba Press, 2011).
- ¹² See Stephen D. Reese, Oscar H. Gandy, and August E. Grant, eds., *Framing Public Life: Perspectives on Media and Our Understanding of the Social World* (New York: Routledge, 2003).
- ¹³ See Maxwell McCombs, *Setting the Agenda: The Mass Media and Public Opinion* (Oxford: Polity, 2004).
- ¹⁴ See, for example, Aleida Assmann, "Europe: A Community of Memory? Twentieth Annual Lecture of the GHI, November 16, 2006, University of Konstanz (http://www.memories.uni-bremen.de/files/2011/03/Assmann_Europe-A-Community-of-Memory-2007.pdf; last accessed May 1, 2013).

- ¹⁵ See Elizabeth Furniss, *The Burden of History: Colonialism and the Frontier Myth in a Rural Community* (Vancouver: University of British Columbia Press, 2000).
- ¹⁶ See Daniel Francis, *The Imaginary Indian: The Image of the Indian in Canadian Culture* (Vancouver: Arsenal Pulp Press, 1992).
- ¹⁷ On press representation of Aboriginal people in the United States, see, John M. Coward, *The Newspaper Indian: Native American Identity in the Press, 1820-90* (Champaign: University of Illinois Press, 1999); Mary Ann Weston, *Native Americans in the News: Images of Indians in the Twentieth Century Press* (Westport, CT: Praeger, 1996); Elizabeth Bird, ed., *Dressing in Feathers: The Construction of the Indian in American Popular Culture* (Boulder: Westview Press, 1996). On press representation of Aboriginal people in Canada, see Mark Cronlund Anderson and Carmen L. Robertson, *Seeing Red, A History of Natives in Canadian Newspapers* (Winnipeg: University of Manitoba Press, 2011); Robert Harding, Robert Harding, "Historical Representations of Aboriginal People in the Canadian News Media." *Discourse and Society* (2006): 205-234; R. Scott Sheffield. *The Red Man on the Warpath, The Image of the 'Indian' and the Second World War* (Vancouver, UBC Press, 2004).
- ¹⁸ <http://www.theglobeandmail.com/commentary/editorials/native-groups-wrong-to-insist-that-governor-general-attend-meeting/article7158424/> (last accessed May 4, 2013)
- ¹⁹ See Robert F. Berkhofer, *The White Man's Indian: Images of the American Indian from Columbus to the Present* (New York: Vintage, 1979); Devon A. Mihesuah, *American Indians: Stereotypes and Realities* (Atlanta: Clarity Press, 2009).
- ²⁰ See Amelia Kalant, *National Identity and the Conflict at Oka: Native Belonging and Myths of Postcolonial Nationhood in Canada* (New York: Routledge, 2004); Geoffrey York and Loreen Pinder. *People of the Pines, The Warriors and the Legacy of Oka* (Toronto: McArthur and Company, 1999).
- ²¹ Mark Cronlund Anderson and Carmen L. Robertson, "The 'Bended Elbow' News, Kenora, 1974, How a Small-Town Newspaper Promoted Colonialism, *American Indian Quarterly* 31: 3 (2007): 1-29.
- ²² <http://fullcomment.nationalpost.com/2013/01/07/andrew-coyne-idle-no-more-movement-is-a-dispute-between-rival-factions-in-the-aboriginal-community/>
- ²³ The "Comments" section immediately follows the editorial itself: see *Globe*: <http://www.theglobeandmail.com/commentary/editorials/native-groups-wrong-to-insist-that-governor-general-attend-meeting/article7158424/>; *National Post*: <http://fullcomment.nationalpost.com/2013/01/07/andrew-coyne-idle-no-more-movement-is-a-dispute-between-rival-factions-in-the-aboriginal-community/>
- ²⁴ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 2006).
- ²⁵ The 566 figure is slightly inaccurate for three reasons. First, *Globe* or *Post* staff censored several dozen responses for use of inappropriate or offensive

language. In other cases, second, some comments are simply unintelligible. For example, one *Globe* comment offered: "Knights of Ni: Ni! Ni! Ni!" presumably from the film, Monty Python's *Life of Brian*. Third, some posts do nothing more than agree in one or two words with other comments.

²⁶ Ronald Wright, *Stolen Continents: 500 Years of Conquest and Resistance in the Americas* (New York: Mariner Books, 2005).

Indigenous Persons, with Disabilities, and the United Nations Declaration of Indigenous Rights in Canada

David T. McNab

On July 30th, 2012 the federal Conservative government finally approved, in a half-hearted way, the UN Declaration of Indigenous Rights in Canada.¹ However, it did not come without a fight. For many years the Liberal federal government supported the Declaration. In 2006 a new minority Conservative government came to power and reneged on this commitment for almost 6 years. This change in support for the Declaration reflected the way in which Indigenous rights are seen within Canada, notwithstanding our Constitution (1982). Although the Declaration is legally not binding, the real issue is one of sovereignty within the many layers of the Canadian Confederation or empire.² Obviously, another factor is the kow-towing of the Canadian federal conservative government to the American government on this particular and other issues.

Domestically, Indigenous rights are part and parcel of Canada's Constitution Act (1982), in section 35(1), which states that the "existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and reaffirmed." Indigenous peoples have been defined as are "the Indian, Inuit and Métis peoples of Canada" (s. 35[2]).³ At the same time, the Indian Act (since 1876, as revised) is still on the legislative books. It is, and has been repeatedly, acknowledged as both racist and colonial in an apartheid-like sense. The Indian Act takes away the rights of those Indigenous Canadian "citizens" for whom the nation-state recognizes the same rights under its own Constitution. The legislative

consequence of all of this history is that Indigenous people must still live with and work through the Indian Act today. These conditions prevail touching on their economy, education, and other issues, in spite of the many initiatives taken by Canada's Indigenous peoples to change the policies and the processes of the federal government. It is no wonder that Indigenous people still have to resist the implementation of current national policies on a day-to-day basis in Canada. Unlike the Indigenous people in the American Constitution, they do not even have dependent sovereign status under Canada's Constitution.

The fundamental issue is, from the perspective of Canada's Indigenous people, one of Indigenous sovereignty. This issue is the primary political motivation behind the federal government's rejection of the UN Declaration of Indigenous Rights until the summer of 2012. The same is true on the international stage. On 13 September 2007, the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples by an overwhelming majority: 143 votes in favour, 4 negative votes (Canada, Australia, New Zealand, and the United States), and 11 abstentions. Les Malezer, chair of the International Indigenous Peoples' Caucus, welcomed the adoption of the Declaration in a statement to the General Assembly:

The Declaration does not represent solely the viewpoint of the United Nations, nor does it represent solely the viewpoint of the Indigenous Peoples. It is a Declaration which combines our views and interests and which set the framework for the future. It is a tool for peace and justice, based upon mutual recognition and mutual respect.⁴

The Declaration "calls on nations with Aboriginal peoples to give them more control over their lands and resources" but it "is not binding". Governments are urged, however, "to introduce laws to underpin its provisions". In June 2007 it was reported that a "Canadian delegate has told the council it will have no legal effect in his country" and that "several of the articles would violate the national constitution or even prevent the country's armed forces from taking measures necessary for its defence." The latter is a reference to the events of the summer of 1990 at Oka when the then conservative federal government did call on the Canadian

armed forces. However, “Indigenous coalition representatives say they believe the big power opposition was largely driven by concern over the potential loss of state control over how natural resources like oil, gas and timber, are exploited.”⁵ Canada’s negative vote on the Declaration, it should be noted, was after previous Canadian governments had been instrumental at the UN in initiating and drafting the document.

On 8 April 2008, as reported in the American newspaper *Indian Country Today* (but not in any Canadian newspapers or in electronic media), at the urging of Canada’s First Nations, the House of Commons “passed a resolution to endorse the declaration as adopted by the UN General Assembly” and called on the government of Canada to “fully implement the standards contained therein.” Mary Simon, then president of the Inuit Tapiriit Kanatami, stated that the “UN Declaration on the Rights of Indigenous Peoples provides a road map for the reconciliation of indigenous and non-indigenous peoples in Canada and around the world.” The House of Commons voted 148–113, with the Liberals, NDP, and Bloc Québécois voting in favour. The federal Conservatives continued with their opposition to this Declaration: “This government’s latest arguments against the declaration show just how ridiculous their position has become”, said Chief Wilton Littlechild, international chief for Treaty Six, in a press release: “The UN declaration explicitly states that treaties and other agreements with indigenous peoples are to be honoured and respected.” Tellingly, this *Indian Country Today* report states that the “Harper government’s arguments are belied by briefing notes from legal advisers to the departments of Foreign Affairs, Indian Affairs and National Defence to government ministers”, and even the federal government’s “legal advisers had recommended that Canada endorse the UN declaration and support its adoption.”⁶ This human rights issue is now joined in Canada both at the international and domestic levels. The federal Conservative government claimed that resource rights and other claims were among the reasons of the document’s initial refusal.

In December 2010, the decision to adopt and sign on to this declaration was met with praise from the National Chief Shawn Atleo: "It signals a real shift, a move forward toward real partnership between the first nations and the government,"⁷ The United States of America became the last country to sign on. President Barack Obama officially announced on 16 December, 2010, that it would support the UN declaration on the rights of Indigenous Peoples. Obama announced the decision during the second White House Tribal Conference, where he said he is "working hard to live up to" the name that was given to him by the Crow Nation: "One Who Helps People Throughout the Land."⁸

In 1970, the then Minister of Indian Affairs, Jean Chretien, tried through a consultative White Paper, to abolish the Indian Act and attempted, without success, to terminate Indigenous peoples. That process is still underway in Canada, notwithstanding First Nations' initiatives. On 24 January 2012, at the Crown First Nations Summit, the issue over the future of the Indian Act was again raised. A majority of the Chiefs at the Summit (led by Atleo) disagreed with the federal government position on what should be done with the Act: "Prime Minister Stephen Harper told the gathering that the act is too entrenched to get rid of entirely, and the government won't repeal or unilaterally rewrite the act. "After 136 years, that tree has deep roots. Blowing up the stump would just leave a big hole," Harper said. But there are real and practical ways to change the act, or introduce measures outside the act, he said at a one-day gathering of government and First Nations chiefs in Ottawa, with consultation between the government, the provinces and First Nations' communities." The incentives buried in the *Indian Act* self-evidently lead to outcomes that we all deplore," he also stated.⁹

By the end of the Summit, both parties were again split on the future of the Indian Act. However, they did agree that there was no better time to reset the relationship between First Nations and the federal government. The process in which to get to that point was in doubt. As stated by the National Chief: "Atleo said there will be people who look at Tuesday's gathering skeptically, not expecting any real change to come of it, and he

said he understands that. “It would be disrespectful of the suffering of our peoples . . . if I did not.” But, “first we must repair, as has already been said here, the trust that has been broken. To rebuild the partnership, we must rebuild the trust on which it must be based.” At the closing press conference, Atleo said the event was a first step, but an important first step, and must become the normal way of doing business together. He also pointed to the agreement that the Indian Act needs some kind of change. “Today we also both identified the Indian Act as being an obstacle,” he said, pointing to “the shared notion that we can and must arrive at a day where the Indian Act is simply an obsolete relic of the past.”¹⁰

However, since last January, the federal government is now moving unilaterally, once more, without consultation, to change the Indian Act, with a private members’ Bill brought forward by a Conservative, Rob Clarke, “a former RCMP officer and Muskeg Lake First Nation member” proposed as “Bill C-428, the Indian Act Amendment and Replacement Act.” APTN reported that the “proposed bill would strike down several sections of the Indian Act including those dealing with residential schools, wills and estates and band bylaws.”¹¹ It will pass with its majority in the House of Commons. Is this really the answer to what is essentially a “white problem”?

However, to date, nothing further has been done. This is where we are now. What about the implementation of the UN Declaration in Canada? I believe that, except for (once again) the initiative of Indigenous people, nothing will happen. In the interim, I believe we should move ahead with projects that use a consultative, community-based approach, among others, involving Indigenous disabled persons who are also supposedly protected by a different UN convention with respect to disabled persons, (UN HRC, 2009).¹² However, in Canada, both UN Declarations are ignored by the federal government. In fact, within the last year, or so, the federal government has cut off most, if not all, funding for organizations for disabled persons. The federal government does not provide any funding for Indigenous people either on or off-reserve.

This approach may be accomplished through a developmental partnership. We have funding for such a project (2012-15) to develop a model for the future. Let me describe our project.¹³ It is based at York University

in the School of Health Policy and Management in the Faculty of Health. Other faculty members such as those in Education and Liberal Arts and Professional Studies are also involved as active participants. What follows is our collective description of the project as we proceed with our community partnership:

This developmental partnership is the first one in Canada to promote dialogue and Indigenous knowledge in research regarding disability rights and monitoring by Indigenous adults and youth with disabilities. While Aboriginal people with disabilities are diverse in terms of cultures, languages spoken, social and spatial locations, they share the legacies of colonialism - specifically, the oppression brought forth by the Indian Act and the multigenerational effects of the residential school system. Indigenous people face a disproportionate burden of disability; experience disproportionately high rates of homelessness; and face greater barriers to local and culturally appropriate services, often having to move away from families and communities in order to access services. The words of Indigenous persons with disabilities and of their communities have consistently been left out of efforts to monitor disability rights in Canada due to lack of resources, capacity and ingrained racism. Also lacking, are tools and training resources that advance Indigenous values in monitoring disability rights. The proposed partnership responds to this need by working collaboratively with Indigenous people with disabilities and their organizations in the development and implementation of responsive practices to uncover and address their critical human rights concerns.

The goals are to build capacity within Indigenous communities in the area of disability rights knowledge; and to develop a disability rights monitoring model consistent with Indigenous worldviews and protocols and led by Aboriginal people themselves. Disability rights monitoring, that involves collection, analysis, and mobilization of data and knowledge about the life circumstances of people with disabilities using human rights standards as benchmarks, is essential to ensure the equal

enjoyment of human rights by Aboriginal persons with disabilities. Activities over three years are designed to create four strategic outcomes: 1. “Indigenize” research on disability and rights monitoring; 2. increase capacity of Aboriginal communities to own the processes of disability rights monitoring; 3. change public policy; and 4. increase public awareness and education.

This partnership brings together universities, Indigenous community groups, government representatives, and Indigenous and non-Indigenous scholars working in the fields of Indigenous studies, disability and disability rights monitoring. A partnership approach that involves this diversity of partners in all aspects of the research is most likely to have a synergistic effect in that the knowledge and expertise produced will be greater than the sum of individual knowledge and expertise. The Indigenous partners and people with disabilities are directly involved in developing rights education materials that advance Indigenous values and in leading the rights education workshops and monitoring activities. Community and university partners will combine knowledge and experience to produce, translate and disseminate research through research and monitoring of non-governments, community-based initiatives, creative multi-media projects, articles in open access journals, and policy briefs. The partnership will also train students to conduct research in multi-cultural and multi-site contexts. The results and the experiences gained through this partnership piloted in Ontario have the potential to provide the basis for a larger study that can lead to creating a national coalition on disability rights and monitoring directed by Indigenous communities.

There will be stronger recognition of the unique value and role of Indigenous research and enhanced research capacity for Indigenous research. This project will produce new research on disability and disability rights that advances Indigenous views and the meaningful realization of rights by Indigenous people with disabilities. Indigenous ways of knowing and core values

of traditional teachings are central to this partnership in its work to develop a disability monitoring model consistent with Indigenous worldviews and protocols and led by Indigenous people themselves. Involvement of Indigenous people with disabilities, community leaders, and Indigenous scholars in both substance and process of research and knowledge creation will enhance research capacity within Indigenous communities around disability rights and monitoring. Creation of spaces for ongoing dialogue and relationship-building, and integration of Indigenous and non-Indigenous research paradigms.

This partnership assembles a unique interdisciplinary team of Indigenous and non-Indigenous community leaders and academic researchers (e.g., among others, critical disability researchers, educators, social workers, psychologists) experienced in decolonizing methodologies, traditional Indigenous epistemologies, critical disability studies and disability rights monitoring. This will create a unique space for integration of Indigenous and non-Indigenous research paradigms, ongoing dialogue, and relationship building among partnership's partners and participants, an improved flow of research benefits to Indigenous communities and advancement of Indigenous scholars' research careers.

Indigenous partners, community leaders, people who possess knowledge through their experiences of disability, and Indigenous scholars are all equal partners in all stages of research, from research design and development of tools and methods to knowledge sharing and translation. The experience and values of Indigenous participants, together with their in-depth understanding of their communities and their challenges will inform the creation of new and transformed knowledge and appropriate practices in disability rights monitoring that will benefit the communities where knowledge has been created.

Indigenous scholars will have the opportunity to advance their careers in integrated theory and methods in disability studies that advance Indigenous worldviews, evidence-based

research and pioneering approaches to rights monitoring within Indigenous frameworks. Enhanced capacity for Indigenous communities to engage in and benefit from research. Supported by a strong knowledge dissemination and translation strategy embedded in community-based initiatives, this partnership will actively involve Indigenous organizations and people with disabilities in developing rights education resources that advance Indigenous values and in leading the rights education workshops and monitoring activities in various communities across Ontario. Equipped with appropriate knowledge and skills on rights monitoring as grounded in their traditional values and personal experiences of living with a disability, Indigenous people with disabilities will become key actors in charting best practices in monitoring responsive to the needs of their communities and also taking an active role to impact social policy.

Grounded in a *cross-sector, interdisciplinary network for research and knowledge creation and mobilization approach*, this developmental partnership will produce groundbreaking work to advance Indigenous views and understandings of disability and disability rights. It will also actualize critical social improvements in the lives of Indigenous people with disabilities by advancing responsive practices in disability rights monitoring directed by Indigenous communities. Disability rights monitoring is a research method that involves tracking, collection, analysis, and mobilization of data and knowledge about the life circumstances of people with disabilities using human rights standards as benchmarks. Currently, the rights of Indigenous persons with disabilities are often neglected in policy and federal efforts to meet international human rights obligations (UN HRC, 2009). Also lacking, are tools and training resources that advance Indigenous values in monitoring disability rights by and with Indigenous people. This unique multidisciplinary collaboration among Indigenous and non-Indigenous people and groups is the first in Canada to promote dialogue, mutual learning, and Indigenous knowledge in research regarding disability

rights and monitoring by Indigenous adults and youth with disabilities.

It is imperative that change must happen. Almost one third of Indigenous people in Canada, it is recognized by the Health Council of Canada in its May, 2013 Progress Report, currently have disabilities.¹⁴

Retrospect: Tecumseh's Dis/Abilities

In the Spring of 2013, I was invited to take part in a major gathering which was to celebrate and rekindle Tecumseh's vision at Bkejwanong on the 200th anniversary of Tecumseh's passing at the Battle of Moraviantown on October 5th. Tecumseh's remains are buried in a cairn overlooking the St. Clair River on Walpole Island. This event was the highlight of the summer since in July, I (and Paul-Emile McNab, my youngest son) was asked by Walpole Island Heritage Centre to research and to write the words for the historical plaque which would unveiled on October 1st, in a re-dedication ceremony hosted by the Walpole island Soldiers Club at the Third Stopping Place. Obviously, the community was also involved in this process so as to include the oral traditions of Walpole Island, since Tecumseh's lieutenant, Chief John Nahdee, was responsible for protecting Tecumseh in battle, and his bones, after he passed away to the spirit world.

I worked at my paper on Tecumseh over the summer focusing on the significance of Tecumseh's vision for the 21st century. It was entitled "We are determined to defend our lands': Tecumseh and the British Imperial (and Canadian) Myths of Protection and Citizenship" and it was delivered on September 30th. I concluded that Tecumseh's vision of sovereignty lives on in the early 21st century in contradistinction to the myths of protection and citizenship propounded for well over two hundred years by the British Imperial and the Canadian governments. Tecumseh's vision is being rekindled at the place where he was buried in 2013.

The next day the citizens of Walpole Island unveiled the historical plaque and re-dedicated the place where Tecumseh's remains at located in a cairn (from where he was originally buried on St. Anne's Island) on August 25th, 1941 on Walpole Island. This ceremony was very moving.

Before the ceremony began, on a day when the sun shone brightly in a

cloudless, blue sky, Eric Isaac, an Elder from Walpole Island, told me a story about Tecumseh. From an early age, Tecumseh, long celebrated as a great Chief and a powerful warrior, was an Indigenous human being who was disabled. His right leg was shorter. Tecumseh built a wooden box (with a hole and a rope which he tied to the box) which he used regularly to be able to mount his horse when both travelling and riding into battle, or otherwise. As a human being, Tecumseh was able to overcome his disability and become an outstanding Indigenous person whose vision and memory would live on after his travels in the natural world were over.¹⁵

Later that morning, the historical plaque was unveiled and Tecumseh's vision and his memory were celebrated at an international gathering. The words on the plaque stated: "Tecumseh was the Great Leader of the Confederacy of Nations, a war chief, a statesman and an orator, who struggled to protect the Confederacy's sovereignty over its lands and waters. Tecumseh fought valiantly in the War of 1812 and in the Battle of the Thames. It is believed that Chief Oshawanoe retrieved Tecumseh's remains hidden near the battlefield and placed them on St. Anne Island. Chief Joseph White, his stepson Silas Shobway, and the Walpole Island Soldiers Club cared for Tecumseh's bones through the generations. Overlooking the lands and the waters of Bkejwanong Territory, Tecumseh's remains were placed in this cairn on August 25th, 1941. This final resting place was rededicated on October 2, 2013 in honour of the bicentennial of the War of 1812. Tecumseh's spirit, his memory, and his legacy live on today." Tecumseh, a disabled human being, had become Indigenous in both body and in spirit and in our memory. His spirit, his memory, and his legacy lives on today.

We must build on Tecumseh's Dis/Abilities. This coming year, it has been proposed, that we build on this developmental partnership. The model will be community partnerships. We need to need to build them in Ontario and Manitoba where we began and first developed this model. The next step is to translate this model across Canada. This will be exceedingly difficult given the enormity of the task and the diversities of Indigenous communities in all regions. First of all, we must seek to obtain funding. We must seek out new partners in Indigenous communities both on and off-reserve. However, change will come for Indigenous people with disabilities only at their own initiatives.

Endnotes

- ¹ Aboriginal and Northern Development Canada, <http://www.aadnc-aandc.gc.ca/eng/1309374239861/1309374546142>, accessed on October 22, 2012. The Statement dated November 12, 2010 is quoted in full below:

Canada's Statement of Support on the United Nations Declaration on the Rights of Indigenous Peoples.

Today, Canada joins other countries in supporting the United Nations Declaration on the Rights of Indigenous Peoples. In doing so, Canada reaffirms its commitment to promoting and protecting the rights of Indigenous peoples at home and abroad.

The Government of Canada would like to acknowledge the Aboriginal men and women who played an important role in the development of this Declaration.

The Declaration is an aspirational document which speaks to the individual and collective rights of Indigenous peoples, taking into account their specific cultural, social and economic circumstances.

Although the Declaration is a non-legally binding document that does not reflect customary international law nor change Canadian laws, our endorsement gives us the opportunity to reiterate our commitment to continue working in partnership with Aboriginal peoples in creating a better Canada.

Under this government, there has been a shift in Canada's relationship with First Nations, Inuit and Métis peoples, exemplified by the Prime Minister's historic apology to former students of Indian Residential Schools, the creation of the Truth and Reconciliation Commission, the apology for relocation of Inuit families to the High Arctic and the honouring of Métis veterans at Juno Beach.

These events charted a new path for this country as a whole, one marked by hope and reconciliation and focused on cherishing the richness and depth of diverse Aboriginal cultures.

Canada continues to make exemplary progress and build on its positive relationship with Aboriginal peoples throughout the country, a relationship based on good faith, partnership and mutual respect.

The Government's vision is a future in which Aboriginal families and communities are healthy, safe, self-sufficient and prosperous within a Canada where people make their own decisions, manage their own affairs and make strong contributions to the country as a whole.

The Government has shown strong leadership by protecting the rights of Aboriginal people in Canada. The amendment to the *Canadian Human Rights Act*, the proposed Gender Equity in Indian Registration Act and the proposed legislation concerning matrimonial real property rights on reserve are just a few recent examples.

This government has also taken concrete and viable actions in important areas such as education, skills development, economic development, employment, health care, housing and access to safe drinking water. These are part of a continuing agenda focused on real results with willing and able partners.

At the international level Canada has been a strong voice for the protection of human rights. Canada is party to numerous United Nations human rights conventions which give expression to this commitment.

Canada has a constructive and far-reaching international development program that helps to improve the situation of Indigenous peoples in many parts of the world. Canada's active involvement abroad, coupled with its productive partnership with Aboriginal Canadians, is having a real impact in advancing indigenous rights and freedoms, at home and abroad.

In 2007, at the time of the vote during the United Nations General Assembly, and since, Canada placed on record its concerns with various provisions of the Declaration, including provisions dealing with lands, territories and resources; free, prior and informed consent when used as a veto; self-government without recognition of the importance of negotiations; intellectual property; military issues; and the need to achieve an appropriate balance between the rights and obligations of Indigenous peoples, States and third parties. These concerns are well known and remain. However, we have since listened to Aboriginal leaders who have urged Canada to endorse the Declaration and we have also learned from the experience of other countries. We are now confident that Canada can interpret the principles expressed in the Declaration in a manner that is consistent with our Constitution and legal framework.

Aboriginal and treaty rights are protected in Canada through a unique framework. These rights are enshrined in our Constitution, including our *Charter of Rights and Freedoms*, and are complemented by practical policies that adapt to our evolving reality. This framework will continue to be the cornerstone of our efforts to promote and protect the rights of Aboriginal Canadians.

The 2010 Olympic and Paralympic Winter Games were a defining moment for Canada. The Games instilled a tremendous sense of pride in being Canadian and highlighted to the world the extent to which Aboriginal peoples and their cultures contribute to Canada's uniqueness as a nation. The unprecedented involvement of the Four Host First Nations and Aboriginal peoples from across the nation set a benchmark for how we can work together to achieve great success.

In endorsing the Declaration, Canada reaffirms its commitment to build on a positive and productive relationship with First Nations, Inuit, and Métis peoples to improve the well-being of Aboriginal Canadians, based on our shared history, respect, and a desire to move forward together.

- ² McNab, "Métis Voices and Sovereignty: Reflections on Métis Resistance to Imperial Layers of Colonialism in Canada", *Comparative Indigenous Identities, Toward a Hemispheric Approach*, M. Bianet Castellanos, Lourdes Gutierrez Najera, and Arturo J. Aldama, (ed), Tucson: University of Arizona Press, 2012, 67-80.
- ³ McNab, "'We are sorry[?]'", Chapter 29 in Fourth Edition, *Canada's First Nations, A History of Founding Peoples from Earliest Times*, Olive Patricia Dickason and David T. McNab, Oxford University Press, 2009, 427-57, especially 431-3.

- 4 (with Olive Patricia Dickason), Fourth Edition, *Canada's First Nations, A History of Founding Peoples from Earliest Times*, Toronto: Oxford University Press, 2009, 431.
- 5 'UN council approves indigenous rights treaty', ABC News online, 30 June 2006.
- 6 'Endorsing their rights', Indian Country Today, 21 Apr. 2008, at: www.indiancountry.com/content.cfm?id=10964117131.
- 7 The Globe and Mail, Ottawa Notebook, November 12th, 2010. Accessed Online at: <http://www.theglobeandmail.com/news/politics/ottawa-notebook/ottawa-wins-praise-for-endorsing-un-indigenous-rights-declaration/article1797339/>
- 8 Washington Post, December 16th, 2010. Accessed online at: <http://www.washingtonpost.com/wp-dyn/content/article/2010/12/16/AR2010121603136.html>
- 9 CBC News, *First Nations get broad promises on Indian Act, development*, January 24th, 2012. Accessed online at: (<http://www.cbc.ca/news/canada/story/2012/01/24/pol-crown-first-nations-tuesday.html>)
- 10 CBC News, *First Nations get broad promises on Indian Act, development*, January 24th, 2012. Accessed online at: (<http://www.cbc.ca/news/canada/story/2012/01/24/pol-crown-first-nations-tuesd.html>)
- 11 APTN National News, October 18th, 2012, "Harper government unveils 'path' to repeal Indian Act", http://aptn.ca/pages/news/2012/10/18/harper-government-unveils-path-to-repeal-indian-act/?goback=%2Egde_51130_member_176959546, accessed on November 4th, 2012.
- 12 UN Convention on Disabled Persons, 2009, <http://www.un.org/disabilities/convention/conventionfull.shtml>, accessed on November 4th, 2012. Section p. in the Preamble states "Concerned about the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status,".
- 13 Marcia Rioux, et. al., "Expanding the Circle: Aboriginal People with Disabilities Focus on Rights", revised 2012. This Social Science and Humanities Developmental Partnership application received funding for almost \$200,000 over three years 2012-15. It is outlined below.

**Expanding the Circle:
Aboriginal people with disabilities focus on rights**

Activities over three years are designed to create four strategic outcomes: "Indigenize" research on disability and rights monitoring; increase capacity of Aboriginal communities to own the processes of disability rights monitoring; change public policy; and increase public awareness.

Overall goals and objectives – This partnership assembles a unique interdisciplinary team of Indigenous and non-Indigenous groups, community leaders and academic researchers (e.g. critical disability studies researchers, educators, social workers, psychologists) experienced in community-

based research, decolonizing methodologies, traditional Indigenous epistemologies, critical disability studies and disability rights monitoring. The goals of this partnership are to:

Create opportunities within Aboriginal communities to develop their own capacity in the area of disability rights knowledge. Develop a disability rights monitoring model consistent with Indigenous worldviews, protocols and values by and with Aboriginal people with disabilities

The specific objectives of this partnership are to:

1. Explore and advance the Indigenous perspectives in understanding disability and disability rights and meaningful realization of these rights by Aboriginal people.
2. Produce report cards documenting the conditions experienced by Aboriginal people with disabilities; identify emerging recommendations to inform future actions; and disseminate the findings to disability community and government representatives.
3. Develop and disseminate community-specific rights education materials “by and for Aboriginal persons with disabilities”
4. Produce evidence-based knowledge on the nature and extent of individual and collective violations of the rights of Aboriginal adults and youth with disabilities in Ontario through storytelling and sharing circles
5. Provide training and mentorship opportunities for Aboriginal and non-Aboriginal students to acquire community-based research skills and in collaboration with a multi-disciplinary research team
6. Identify and strengthen, in conjunction with partner groups, additional organizational partners within the Aboriginal communities beyond Ontario to scale up the efforts in documenting disabilities, sharing perspectives and building solidarity around disability rights.

By facilitating the multi-directional flow of knowledge among diverse groups, researchers, and members of Indigenous communities, we expect this partnership to generate significant long-term social impact. Building on the experience gained through this partnership piloted in Ontario, we hope to expand the initiative into a SSHRC Partnership Grant with the goal of creating a national coalition on disability rights and monitoring directed by Aboriginal communities across Canada.

Socio-cultural context and significance

The concern of this partnership is grounded first within the current situation of Aboriginal people with disabilities in Canada. While Aboriginal people with disabilities are diverse in terms of cultures, languages spoken, social and spatial locations, they share the legacies of worldviews, values, as well as colonialism - specifically, the discrimination and oppression brought forth by the Indian Act and the multigenerational effects of the residential school system. Aboriginal people face a disproportionate burden of disability, being more than twice as likely to have a disability as the general population (31% vs. 15%) (APS, 1991; MacDougall et al., 2006); experience disproportionately high rates of homelessness (Baskin, 2007); and face greater barriers to

local and culturally appropriate services, often having to move away from families and communities in order to access services (Elias & Demas, 2001; Royal Commission on Aboriginal Peoples, 1996). The existing information is, however, being found as insufficient and unreliable (HRSDC, 2006; MacDougall, Rickard & Destounis, 2006), leading to a serious lack of research knowledge in this area (Durst & Bluehardt, 2006). Although there have been some changes in recent years, Aboriginal people have too often been ignored as potential researchers (Battiste, 2000). The words of Aboriginal adults and youth with disabilities and of their communities have consistently been left out of efforts to monitor disability rights in Canada due to lack of resources, capacity and ingrained racism.

In the context of dramatic inequalities faced by Aboriginal people with disabilities and a serious lack of data and appropriate resources, there is a need for evidence-based data that documents Aboriginal human rights concerns and creates the space for Aboriginal people with disabilities, including youth, to take on leadership roles in disability rights. The proposed partnership responds to this need by engaging Aboriginal adults and youth with disabilities and their organizations in the development and implementation of responsive practices to uncover and address their critical human rights concerns.

Contribution to knowledge in the social sciences – taking Indigenous thought seriously

This partnership seeks to advance a vision of disability and the meaningful realization of rights by Aboriginal people with disabilities, by facilitating and reflecting on a synthesis of Indigenous and non-Indigenous perspectives and frameworks. Fundamental to this partnership is the understanding that disability is a multi-faceted concept influenced by different cultural contexts with different stereotypes, criteria, experiences, and consequences. Accordingly, the proposed partnership advances an innovative, *decolonizing approach* (Smith, 1999; Mutua & Swadener, 2004) to disability and disability rights emerging at the confluence of *Indigenous* and *interdisciplinary theoretical perspectives* (Stewart-Harawira, 2005; Wilson, 2008; Kovach, 2009). *Critical disability discourse* will be used to explore the impact of social constructions and language on the way persons with disabilities are experienced and experience themselves. A *rights-based approach* creates the space where difference is expected, celebrated and accommodated (Rioux, 2001). Meaningful participation of a wide range of rights holders with various abilities (UN CRPD; Canadian Charter of Rights and Freedoms; CHRC), accommodation needs and diverse cultural and social backgrounds is a corollary of this expectation. In-depth understanding of the variety of meanings of disability within Aboriginal communities is also central to our approach. For example, core values of holistic traditional teachings as expressed in the Medicine Wheel and the Seven Sacred Teachings - Love, Respect, Courage, Honesty, Wisdom, Humility, and Truth - (Benton-Banai, 1998) are consistent with the human rights principles of dignity and respect, creating a dialogue between Indigenous perspectives and rights-based approaches to disability. Various Aboriginal understandings of disability will be contextualized as the product of traditional Indigenous worldviews, colonialism and marginalization within Aboriginal communities. Aboriginal

persons with disabilities often experience multiple forms of marginalization (Barile, 2000) and it is therefore necessary to understand the impact of intersecting forms of marginalization on the lives of Aboriginal people with disabilities.

Bringing the diverse cultural, experiential and disciplinary perspectives of the participants and partners, this partnership will produce new research on disability and disability rights within an Indigenized multidisciplinary framework which simultaneously considers the role of Indigenous knowledge and the impact of colonialism.

Methodological approach, project flow and partnership functioning

Historically, research conducted “on” or “about” Aboriginal people has too often served to advance the “politics of colonial control”, “classifying and labeling” in an attempt to “manage” Aboriginal people (Caldwell et al., 2005; Dodson, 1994). This partnership relies on *participatory* and *emancipatory research* (**PER**) in relation to *Indigenous ways of knowing* and is guided by the principles of *ownership, control, access and possession*. PER emerged from work with oppressed people in developing countries (Fals-Borda et al., 1991; Hall, 1993) and is premised on the notion that local communities have to be full partners in the process of knowledge creation and social change (Hall, 1993; Cornwall & Jewkes, 1995; Wallerstein & Bernstein, 1994). PER plays a central role in disability research aimed to challenge existing power structures (Barnes & Mercer, 1997). Since the focus of this partnership is to build capacity within Aboriginal communities to take action on critical human rights concerns, PER constitutes an appropriate and effective approach for realizing the goals of this partnership. PER however does not prevent the marginalization of Indigenous knowledge and perspectives by the scientific and academic community (Caldwell et al., 2005; Smith, 1999; Rigney, 1999; Kendall et al., 2008). This partnership will avoid this outcome by ensuring that *Indigenous epistemologies* are foundational to the participatory approach to research and that the research adheres to the principles of *ownership, control, access and possession* (**OCAP**) (NAHO, 2007; Schnarch, 2004).

The most appropriate analytical frameworks and data collection methods such as storytelling and sharing circles will be considered in consultation with participants, partners and Elders. Sharing circles and storytelling are an accepted data collection method used by many Indigenous researchers from diverse Nations across Canada (Anderson, 2004; Baskin, 2005, 2011; Fitznor, 1998; Hart, 2007; Kovach, 2009; Lanigan, 1998 Lavallee, 2009; Wilson, 2001). According to Cree researcher Lanigan (1998), storytelling “can be a starting point for moving away from assimilationist to liberationist education”. This is backed up by Mi’kmaq educator, Baskin (2011) who states that “storytelling as a methodology fits beautifully with research. It includes responsibility on the part of the listener/researcher, interpretation/analysis, room for many explanations of the phenomena being researched, a creative search for solutions, and a political act of liberation/self-determination.” This approach provides Aboriginal people with opportunities to tell their own stories using their own frameworks rather than potentially misrepresenting Indigenous perspectives by using inappropriate frameworks (Archibald, 2008; Baskin, 2005; Bishop, 1996).

Project flow, activities and relationships

Rather than approaching research linearly, as a series of steps along an unidirectional trajectory, this partnership conceptualizes the research as cyclical, whereby the various stages of the research are interconnected, reflexive and mutually constitutive, the implications and products of each stage unfolding in relation to the other stages. The Aboriginal circle model or Circlework depicted in the figure below (Graveline, 1998; Styres, 2008) is but one representation of such a cyclical approach to research.

1. Vision of Rights (Eastern Door) - *bringing together multiple visions and understandings*

We start with a vision of rights embedded in Indigenous worldviews/cosmologies that inform the Indigenous practice and understandings of rights. At this stage, we will map commonalities and diversities among various perspectives of rights that will inform the partnership's approach to rights.

2. Knowledge Building (Southern Door) - *A Report Card on the current knowledge of the situation of Aboriginal people with disabilities in Canada*

We move to building our relationships with existing knowledge in the area of Aboriginal people with disabilities in Canada. Over the last decades, researchers and non-governmental organizations have made some strides toward developing an understanding of the critical situation of Canada's Aboriginal people with disabilities. However, there has been a lack of attention to integrating findings into a cohesive synthesis as well as to the responses from those most intimately involved, Aboriginal communities.

These oversights have significant repercussions with respect to the development of future knowledge and appropriate policy responses. Using a report card model, we will conduct a systematic review of key studies and reports in order to chart a comprehensive map on the main issues affecting various Aboriginal groups, main experiences, learnings and recommendations. Students will work under the supervision of academic researchers and in close consultation with our partner organizations to identify key studies; synthesize main recommendations and their outcomes. This report card is an essential step to chart practice in the field and guide future research endeavors. Further, it will confirm the position of our partners in their advocacy work and their proactive rather than reactive role.

3. Capacity Building (Western Door) – *Disability Rights Education and Monitoring*

Due to lack of resources and capacity within Aboriginal communities themselves and the disregard of many researchers outside the communities, there is little awareness around rights of Aboriginal persons with disabilities, and the role people can play in the implementation of the Convention on the Rights of People with Disabilities (CRPD) recently ratified by Canada. Our research partnership structures its work in two main streams to respond to this call:

(a) Capacity-building and empowerment around disability rights: Training resources around human rights and their interpretation within the disability context and in connection with Indigenous perspectives will be developed in consultation with the Aboriginal participants and other partners. Rights education and capacity-building workshops will be organized with the support of our partners.

Specifically, three 2-day workshops will be organized across Ontario - each with about 30 participants. One workshop will bring together people and community leaders (Elders, Band Councils) from four Tribal Councils through the involvement of our partner the Grand Council Treaty #3; another workshop will be organized in Toronto by our partner the Native Canadian Centre of Toronto (NCCT); and the other workshop in Southampton by our partner Historic Saugeen Metis. Bringing together persons with different types of disabilities, including youth, with various cultural and social backgrounds and a multitude of experiences living on-reserve or in urban environments, these workshops will create vital spaces of mutual learning. Throughout these workshops, participants will have the opportunity to link abstract concepts of rights with their daily life situations and their traditional teachings. Equipped with knowledge and skills enriched by their personal stories of experiencing disability, these people will be the messengers in their communities who can encourage their peers to speak out about their rights beyond the life of this proposal. Access to training resources will be available through the cultural and health centres of various communities and will be also disseminated at various community events (e.g. annual chiefs' assemblies, Brighter Futures Initiative). A virtual space will also be created to facilitate communication among people from various communities, building a sense of connection and bridging solidarity.

(b) Disability rights monitoring – *personal narratives and reflection of experiences*

Through a combination of sharing circles and face-to-face interviews or research conversations as decided by each group of participants, people from five communities across Ontario will have the opportunity to tell their stories as a way of reflecting on their personal experiences around violations and realization of their rights. Volunteers from the four Tribal Councils of the Grand Council Treaty #3 and from the Historic Saugeen Metis will participate in monitoring activities. Our partners will oversee activities at each site and will liaise with community representatives, health workers, Chiefs, and Elders to develop appropriate ethics review and monitoring practices which are relevant, functional and respectful of local protocols for each individual site while creating mechanisms for sharing between sites. The sharing circles and the interviews will be led by Aboriginal people with disabilities themselves, previously trained as *rights monitors* through 3-day monitoring workshops delivered by researchers and partners of this partnership at each community involved. These workshops will take place right after the education workshops for

costs saving reasons. Participants in sharing circles, as it is customary, will have the option of passing if they prefer not to respond to particular segments of the data-gathering/storytelling. All information shared in the circle will be used only for the purposes of the research and participants may withdraw from the process and have their words struck from the record at any point in the research. All participants will observe the conventional protocol that "what we say in the circle stays in the circle." In reporting the results, every effort will be made to respect anonymity unless a participant specifically requests his/her name to be used. Participants will be informed of their rights regarding the research and will give consent either orally on tape or in writing. Monitoring guides developed by our international partner DRPI within diverse contexts will be adapted and further developed in collaboration with our Aboriginal partners via consultations with community representatives from all sites in order to recognize specific Indigenous approaches.

- 4. Action:** The knowledge that has been gained will be taken up by our partners to advocate for changes to policies and to scale up the monitoring practices.

Re-visioning: The circle will iterate over and over during the project to adjust and re-evaluate the perspectives, learnings and experiences gained throughout the stages of research as we complete the circle and initiate a new cycle.

- ¹⁴ Health Council of Canada, Progress Report, May 2013, "Aboriginal Health", accessed on March 23rd, 2014, http://www.healthcouncilcanada.ca/rpt_det.php?id=481
- ¹⁵ I am very grateful to Eric Isaac for giving me permission to tell this story given my own disability since after my stroke my right leg is shorter than my left.

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