

## Facing up to history

By **Tony Pearson**

Last week, the Supreme Court of Canada issued a landmark decision in the case of *Daniels v. Canada*. The court unanimously affirmed the Métis as a federal responsibility under the constitution, in effect recognizing their status as an integral part of the fabric of native peoples in Canada.

Writing for all nine members of the court last week, Justice Rosalie Abella stated: "As the curtain opens wider and wider on the history of Canada's relationship with its indigenous peoples, inequities are increasingly revealed and remedies urgently sought. This case represents another chapter in the pursuit of reconciliation and redress in that relationship."

History as taught in school textbooks can often be "white-washed." Only recently have we learned the full horrors of the residential school system. The object of this program was assimilation "eradicating the cultures, languages, and traditions of the original inhabitants of Canada, and turning them into darker-skinned members of mainstream society."

The other half of this policy was reducing most reservations "the meagre lands given to indigenous peoples in exchange for 10 provinces and three territories" to a state of poverty, dependence, and social deprivation.

I do not pretend to be an expert on native issues. But I do know a bit about their history. And as African-American Pulitzer Prize winning writer James Baldwin wrote: "People are not only trapped in history; history is trapped in them."

The Métis nation, as their symbolic flag with its infinity symbol indicates, resulted from the mingling of European (especially French) fur-traders with native women. The word "Métis" is derived from a French term for "mixed." Thus, the Métis fell between two worlds "First Nations and European. They did try to build a truly multicultural society under Louis Riel in Manitoba, but the attempt was in vain. Métis communal lands were turned private, and ended up in the hands of white settlers from Ontario. A final stand in Saskatchewan, where Métis joined with many status Indians, was defeated, and their leader executed. As the Métis anthem mourns:

In the land from which they came, in the land they helped to build,  
They found themselves the alien, found their vision unfulfilled.

And despite their valiant effort to defend what they believed,

When at last the battle ended, they were only left to grieve.

Riel himself outlined the reasons for the Métis rebellion:

"Years of suffering, impoverishment, and underhanded malignant persecution have opened our eyes; and the sight of the abyss of demoralization into which the Dominion of Canada is daily plunging us deeper and deeper every day, has stricken us with horror." But he also struck a note of hope at the end of the last stand at Batoche: "In a little while it will be over. We may fail. But the rights for which we contend will not die."

Throughout the 1800s and for nearly three quarters of the 20th century, this hope seemed in vain. Not only were Métis abandoned, but many other aboriginals lost their constitutional protections. Native women who married non-native lost their status. So did natives who pursued a college education, or who tried to vote in a federal election. These "non-status Indians" were also restored to full native status by the *Daniels* decision.

Meanwhile, lands supposedly granted to indigenous peoples were taken back and sold to growing cities, to mining and logging companies, and to railway and highway builders. The revenue from the sales, allegedly held "in trust" for natives, was later confiscated by the federal treasury. Native customs, such as pow-wows, sun dances, and potlatches, were banned. Traditional leaders elected by their tribes were banned from band councils by white bureaucrats.

The tide started to turn with John Diefenbaker's Bill of Rights, which enfranchised natives. In the early 1980s, Pierre Trudeau's Constitution Act finally gave constitutional recognition to the rights of all indigenous peoples "First Nations, Inuit, and Métis. But these rights still have to be given full program impact.

Now the process of negotiating native rights has expanded to include the Métis Nation. Métis Nation of Ontario president Gary Lipinski summed up the Supreme Court decision:

"While this judgement removes the barriers that have stood in the way of reconciliation with the Métis, it is critical that the federal government not delay and move quickly to the negotiating table with Métis governments. Currently Métis people do not receive access to the whole series of programs and benefits that are available to First Nations and Inuit people. These include funding for post-secondary education, uninsured health benefits and many others."

Lipinski also stressed the importance of establishing a land claims process for the Métis Nation. "We can no longer be a landless

people in our own country.?

Prime Minister Trudeau expressed his hope: ?We'll be engaging with indigenous leadership to figure out what the path is forward. I can guarantee you one thing: the path forward will be together.?

We can only hope that it will unfold as the Métis anthem concludes

?We are proud to be Métis, watch our Nation rise again. Never more forgotten people, we're the true Canadian.?