# Coming Home Through Stories: Indigenous and Métis Peoples from the Middle of the 20th to the Beginning of the 21st Century:

Week Ten


Imgaes via: Piktochart

## (Re)constructing Historical Narratives Through Stories:

One must recognize that the construction of historical narratives serves to legitimize a settler-colonial state of Indigenous erasure. The education system is a part of a colonial structure that circulates and produces knowledge to reinforce the dispossession of Indigenous peoples, limiting their historical agency. We must move away from these damaged and trauma-centred stories and listen to Indigenous peoples themselves. History is rewritten through the validation of Indigenous voices, creating stories that account for everyone's experiences. Centring Indigenous voices through the retelling of stories challenges colonial systems and structures of dominance and oppression. We have to recognize how and why historical narratives change over time to either further exclude particular groups or bring them in. The restoration of history requires us to tell stories that account for the voices, experiences and lives that colonialism and racialization have sought to erase, silence and assimilate. By centring Indigenous voices, history is rewritten to account for everyone's experiences, demonstrating the need for Indigenous-led movements of resurgence.

## Thoughts/Considerations:

Although Indigenous peoples have brought the government to the negotiation table any assertion of sovereignty or title recognition has occurred via the settler states' terms. While the treaties across Canada are all different, they all have the same underlying tones of colonial logic that justify land theft. State assertions of land ownership are reaffirmed by Canada's historical narrative that perpetuates settler stories, erasing Indigenous peoples from the land. Despite small victories of land claims, Indigenous peoples are obligated to go along with false interpretations of treaties because the state promises one thing and contradicts it with its actions, as evident in UNDRIP and DRIPAs implementation. Canada presents itself as virtuous, despite continuing to be a racist colonial state that limits Indigenous sovereignty and restricts their title to land.

## Historical Context

- Indigenous peoples joined the fight in WWI in hopes of increasing their rights at home. However, Indigenous soldiers returned home after enlisting to find that the government was revising The Indian Act
- The Indian Act was revised in 1927, responding to growing Indigenous organization, making it illegal for Indigenous peoples to hire lawyers and raise money for land claims
- During WWII, Indigenous peoples participated in armed combat, contributed to the home-front and used their traditional languages as code talkers. Upon returning home, Indigenous calls for decolonization were more successful
- From 1946-1948 hearings occurred between the Joint Senate and the House of Commons Committee on The Indian Act. In 1951 The Indian Act was revised, repealing the potlatch ban, other anti-ceremony legislation and removed restrictions regarding political organizing, increasing the self-control of Indigenous peoples

## Indigenous vs. State Perspectives of Treaties

- Treaties are complex because of the vast perceptions/definitions of what they mean and entail
- The Canadian government views treaties as a surrender of Indigenous land, title and sovereignty
- Indigenous peoples view treaties as agreements of peace and friendship, agreements that acknowledge and honour mutual respect for involved parties
- The Canadian government does not recognize Indigenous interpretations of treaties
- Treaties are a contentious subject because of how differently the explanation of them was from their interpretation. Indigenous peoples made oral agreements and then signed documents they did not fully understand in private. Indigenous peoples signed treaties because of what was said, not what was written. Indigenous peoples never received a translated written document of the treaties
- State actors manipulate the original intentions of treaties over time to control and oppress Indigenous nations leading to a lot of contemporary land claim issues

## Treaties in BC and Treaty Nine

- The BC treaty process is unique and represents a progressive form of control, manipulation & assimilation
- Between 1850-1854 James Douglas (the Governor of BC) signed 14 agreements, later recognized as treaties. Indigenous peoples viewed these treaties as peace and friendship agreements, however, Douglas saw them as an exchange/selling of land for the sum of three blankets for each male head of a family (371 blankets in total). The intention behind these treaties is lost in translation
- Douglas eventually stopped signing treaties because of the costs and logistical problems involved
- The discrepancies over the Douglas Treaties have created problems around land claims and questions of whether the land is ceded or unceded
- Treaty Nine negotiations occurred in 1905 and were about honouring and respecting each other and the land, not about control and land ownership. Indigenous leaders agreed to the treaty via an oral agreement, but the treaty was signed in private, creating discrepancies over its interpretation
- The written agreement and oral agreement of Treaty Nine differ. The written document is the state's official interpretation and is a surrender of all Indigenous rights/title to land and resources. The oral agreement is what Indigenous peoples agreed to and is a treaty of peace, protection and mutual prosperity that never once mentioned a surrender of land

## The 1969 White Paper

- The White Paper created by Pierre Trudeau (Prime Minister) and Jean Chretien (Minister of Indian Affairs) was a solution to ongoing Indigenous tensions. It proposed the full social, economic and political participation of Indigenous peoples in Canadian life
- It called for the abolition of the Department of Indian Affairs and a repeal of The Indian Act, meaning Indigenous peoples would no longer be a federal
- The problem is that it sought to integrate Indigenous peoples into mainstream society by erasing what little sovereignty they had and their inherent right to lands; it would remove their Indigenous status
- Indigenous leaders rejected the paper on the premise that it was assimilatory legislation in the language of equality. Alberta countered it with the proposal of The Red Paper, which addressed ongoing land issues, and BC countered it with The Brown Paper
- In March 1971, there was a formal retraction of The White Paper, and multiculturalism was implemented instead as a state policy in October 1971, however, it did nothing to change the unequal power structures

## Indigenous Nations Fight for Title (Land Claims)

- Canada believes it owns the land because of the belief that Indigenous peoples signed away their land through the treaty process, creating modern land claim issues. Presently, Indigenous people have to prove their continued occupation of territory to the government. This recognition of title, however, does not equal ownership or give Indigenous peoples governing authority over their lands
- Title protects the aspects of Indigenous culture that the state has ruled pre-European
- In 1973 Frank Calder and other Indigenous elders won a groundbreaking appeal at the Supreme Court of Canada that recognized their (Nisga'a) title to traditional, ancestral and unceded lands after failing in the BC courts and an appeal in 1969 in the BC Supreme Court. It recognized the claims of Indigenous peoples to their lands, but there was no idea about how to deal with them
- The federal government creates The Office of Native Claims in 1974 to deal with land claims, restitution, compensation, and unfulfilled treaty terms. It is an unjust system, however, because Ottawa dictates the terms
- The Delgamuukw decision in 1998 by the Supreme Court was groundbreaking, accepting oral histories as credible evidence and ruling that Aboriginal title existed as an exclusive territorial right of ancestral use/occupation of the land. Earl Muldue (Gitxsan) and Alfred Joseph (Wet'suwet'en) brought on the initial case on behalf of their nations, seeking title to their traditional territories. Although the court ruled that Aboriginal title existed generally, it didn't recognize Wet'suwet'en and Gitxsan title to land despite 3 years of oral testimony. Both nations appealed separately, although they both walked away from the process after facing unsuccessful negotiations

## The United Nations and Indigenous Peoples

- In the 1920s, Chief Deskaheh of the Haudenosaunee spoke to The League of Nations about Indigenous sovereignty. However, Canada and Great Britain prevented Indigenous appeals to The League
- After The White Paper, Indigenous leaders discussed a return to the UN to advocate for rights. In October 1975, The World Council for Indigenous peoples headed by Chief George Manuel was created at a convention in Port Alberni, and by 1977 this council became a working group at the UN
- In 2007, Canada rejected The United Nations Declaration of Indigenous Peoples (UNDRIP). In 2010, however, the state adopted it to further reconciliation movements. In 2016 the Trudeau government promised to implement it as Bill C-15, and BC implemented it as Bill 41 in 2019. Despite state implementation of UNDRIP and reconciliation promises via the legislation, state actors continue to fail Indigenous peoples

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