



The John Meisel Lecture Series

The John Meisel Lecture Series
in Contemporary Political Contexts

Canada's Oldest Colonies : The Presence of Reconciliation

Ha den King



About the John Meisel Lecture Series in Contemporary Political Controversies

In 1998, the Department of Political Studies at Queen's University established a lecture series to honour the legacy of scholarship and public service of Professor Emeritus John Meisel. Always engaged in current public affairs and never afraid to wade into the often choppy waters of political issues, The John Meisel Lecture Series in Contemporary Political Controversies provides a forum for meaningful conversation and deliberation of controversial political issues. Each year, the department invites a junior to mid-career scholar to Queen's University in Kingston, Ontario to deliver a major public lecture that addresses a timely political controversy, followed by a "town hall" style interactive discussion that is open to both the Queen's and Kingston community.

About John Meisel

A professor at Queen's University since 1975, John Meisel has written extensively on the topics of political parties, elections, Quebec politics, broadcasting, and culture policy, and contributed significantly to public debate. His scholarship is noted as much for its breadth as it is for its elegance and accessibility. Meisel served as the founding editor of both the *Canadian Journal of Political Science* and the *International Political Science Review*, as well as chair of the Canadian Radio-television and Telecommunications Commission (CRTC), and president of the Royal Society of Canada. He became an officer of the Order of Canada in 1998, and was promoted to companion, the highest grade in the Order, in 2005.

Charming, engaging, optimistic, enthusiastic: John remains all of these things. As a member of the Queen's community, John is all of these and more.

He was a wonderful teacher, inspiring generations of students to engage in political and cultural life. As department head, he recruited stellar new faculty, helping to build the department into one of the strongest in the country. He was an enthusiastic mentor, supporting his younger colleagues and drawing them into national and international networks. Long retired but

still highly visible on campus, and in the community, John remains a symbol of the best of the Queen's tradition.

About Hayden King

Hayden King is Anishinaabe from Beausoleil First Nation on Gchi'mnissing in Huronia, Ontario. The Executive Director of Yellowhead Institute and Advisor to the Dean of Arts on Indigenous Education at Ryerson University, Dr. King is also an adjunct professor (research) at Carleton University and senior fellow at Massey College as well as the co-founder of the Ogimaa Mikana Project. Previously he has served as senior advisor to the Ontario Government, Chair of the First Nations Technical Institute's Public Administration program and scholar-in-residence at the Conference Board of Canada. Dr. King's analysis on the Indigenous-state relationship is published widely.

Table of Contents

About the John Meisel Lecture Series in
Contemporary Political Thought i

Introduction

Canada's Oldest Controversy: The Pretense of Reconciliation

Hayden King

Aaniin, boozhoo.
Bidwewodem indizhinikaaz;
migizi n'doodem;
Gchi'mnissing n'doonjibaa;

Anishinaabe n'daaw.

When I introduce myself, I start with my name, Bidwewodem, or “he who comes speaking”; my clan, Migizi, the Eagle clan; and the place that I come from, Gchi'mnissing, or Beausoleil First Nation (sometimes called Christian Island). Gchi'mnissing is a little island in Southern Georgian Bay. We actually have three islands: Christian Island, Hope Island, and Charity Island, all named by the missionaries who accompanied my ancestors to the Islands in 1830. Now, when we introduce ourselves as Anishinabek people, it's important to talk about our clan relationships and the communities that we are from, because that introduction is effectively an obligation, which motions to my responsibilities to Eagle, my communities, our treaties, and to each other as (o10 11 75u()Tj N10r5 114)da00 11 0 Tc

competing colonial powers fought for Indigenous allies, as disease took a tremendous toll, wiping out 90 percent of the

Reconciliation I: Rights by Proclamation (1763-1783)

By the end of the Seven Years War, it was clear that most examples of good relations that existed between the English and Indigenous peoples were under tremendous strain. In fact, when the English won that war and expected Indigenous peoples to concede, Minavavana famously said, “Though you have conquered the French, you have not conquered us...” (Slattery, 1984). With the realization that the Anishinaabek, among others, would continue the war, the English embarked on the first era of reconciliation by creating the Royal Proclamation in 1763, followed by the Treaty of Fort Niagara in 1764. These efforts came after the peace negotiations with the French that would create a French region in North America (over time, becoming the province of Quebec). For Indigenous people, there was a similar demarcation, with King George drawing a line on the map west of the Thirteen Colonies and pledging to negotiate treaties before crossing the line (Parmenter, 1997).

By this time, the English had learned the language and diplomacy of Indigenous Peoples. To solemnize the Royal Proclamation, an Indigenous version was also created. William Johnson, the Superintendent of Indians, had a wampum belt commissioned, which included depictions of the familiar dish pattern and two figures holding hands. He presented it to 200 First Nation leaders that gathered at Niagara in 1764. Johnson promised military alliance, free trade, mutual autonomy, peace and friendship (Borrows, 2002). With many of those leaders accepting the treaty, there was a period of relative peace for about twenty years (though it is important to note Pontiac’s War did immediately follow the Seven Years War). The English kept their word on treaty-making, establishing a number of

Reconciliation III: Post-war Civil Rights (1950-1969)

It is important to note that First Nations did not accept all of the above without resistance; they pushed back against these policies. They created political organizations like the League of Indians in 1923, despite the Indian Act outlawing organizing (Barron, 2011). Indigenous women met in Homemaker's Clubs at the behest of nuns to make quilts and prepare recipes but used those opportunities to keep ceremony alive. It was really only in the late 1940s that resistance started to influence change at the policy level. Individuals like Fred Loft, the Six Nations war veteran, or Francis Pegahmagabow, who fought in WWII for Canada, returned to push for change. After honouring their side of treaties (military alliance) but realizing very little had changed for their communities - the same sort of oppression and discrimination was ongoing - they gathered new allies to push for change (Dickason, 2006).

In 1951, a Liberal government led by Louis St. Laurent was elected. As a response to the protests, the government consulted First Nation leaders for a new policy. By this point, most First Nations governance structures had been turned inside out and dismantled, replaced with an elected band council system in the place of clan systems, confederacies or hereditary systems. Nonetheless, the consultation revealed that communities wanted an end to oppression and a return to self-determination. The Liberals of the day agreed with the >BD.9(h24(t)00

Power Movement percolated alongside the demand by Black communities and women for civil rights. Trudeau extended St. Laurent's legacy by crafting a new Indian policy. And like St. Laurent, Trudeau's government spent a year, 1968-1969, on consultations. To the credit of Canadians, the 1950-1969 era represents the first time in one hundred years when Indigenous people are actually asked their opinions. Unfortunately, that consultation would be betrayed when the policy was unveiled by then Minister of Indian Affairs Jean Chrétien.

this very tumultuous time of institutional, legal, and policy change in Canada, First Nations boarded a train in British Columbia travelling across the country to Ottawa, making stops along the way, demanding recognition of their rights (Manuel and Derrickson, 2015). They demanded self-determination. They demanded a type of relationship that had existed prior to Canada, at least in principle.

This more formalized type of change, but also conflict, would lead to the fourth era of reconciliation.

Reconciliation IV: Emergence of Aboriginal Rights (1982-1996)

Those on the Constitutional Express, as well as Inuk and Métis leaders who demanded change through the Red Power Movement, continued with these efforts. Aboriginal rights did, after all, make it into the 1982 constitution. This began the fourth era of reconciliation, one that Pierre Trudeau ushered in with his admission, “perhaps you have more legal rights than we thought you did” (Miller, 2000). Those rights would be encapsulated in Section 35: “the existing Aboriginal and treaty rights are hereby recognized and affirmed” (Constitutional Act, 1982). While vague, and the result of intense negotiation, the inclusion was a gesture that would forever change the legal landscape in Canada. To remedy the challenge around Section 35’s vagueness, the Constitution also mandated a series of conferences to further elaborate and even define Aboriginal rights. Between 1987 and 1992, three conferences were held. It was a remarkable undertaking and the first time in the Western hemisphere that a colonial government sat down with an Indigenous people and talked about the scope of their relationship and their obligations to each other. Moreover, they did it in front of Canadians, broadcast on the CBC.

It is difficult to compare the five eras chronicled here against each other or to determine which was the most impactful. Certainly, none have led to the structural change demanded by Indigenous peoples since Confederation. As far as incremental change goes, the era of Aboriginal rights has resulted in the emergence of Aboriginal law and all the corresponding legal hand-wringing that has ensued. But, like the previous three eras, this turned quickly, too. Ultimately, the constitutional conferences ended with provincial leaders and Prime Ministers Trudeau to Mulroney, unwilling to take Indigenous demands

ignore the document and its emphasis on Indigenous self-determination, land rights, and substantial investment. Instead,

Reconciliation V: The Rights Framework (2013-present)

This brings us into the contemporary era of reconciliation. The resistance to successive Harper governments would lead to more protest, building on a very long history of activism all the way to back to Pontiac, and would culminate in the Idle No More movement in 2013. Originally a response to federal legislation that proposed changing laws around fisheries and navigable waters, the movement grew into a multi-dimensional, multinational protest about our very bad relationship generally, resulting in significant discursive and symbolic impacts. Followed quickly by the work of the Truth and Reconciliation Commission (TRC), the energy was enough to launch this latest era.

It has been fueled in part, by the election of Justin Trudeau

any notion of free, prior and informed consent). Provincial, territorial and federal governments will continue to patronize and intervene in the lives and lands of First Nations peoples.

All of this is despite Trudeau's rhetoric on reconciliation, UNDRIP, the nation-to-nation relationship, or the commitment to "breathing life" into Section 35 of the Constitution. And while there are some welcome changes including resources for program and service delivery, there is also a clear attempt to maintain a modified version of the status quo, and as such, an effort to mislead First Nations on the transformational nature of these changes. This has consequences. As the Auditor-General remarked, "there are so many discussions about the need to close the socio-economic gaps between Indigenous people and other Canadians in this country and we don't see those gaps closing" (Sholey, 2018).

The danger of accepting government messaging in this latest era of reconciliation, and the Rights Framework, as it is currently articulated, is entrenching these gaps for the long-term and settling for a very narrow vision of Indigenous jurisdiction over lands, resources and self-determination generally. In the late fall of 2018, First Nations mounted a campaign against the Rights Framework legislation and process, which intensified into the winter. Political organizations, Indigenous youth, and communities challenged the government's approach. In turn, the federal government announced that the Rights Framework legislation that would

In the Shadow of Shade: the New/Old Relationship

While it is difficult to predict how the relationship will proceed from here, if the trends that I have sketched, in the most terse and general ways, hold, then we can expect it to end badly. This is where all the contextualization comes to bear, because in

the trends described here reflect this process. There is superficial co-opting of Indigenous demands into an

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