

ÉTUDES CRITIQUES / REVIEW ESSAYS

New Peoples, Renewed Debates

ADAMS, Christopher, Gregg Dahl, and Ian Peach (eds.) – *Métis in Canada: History, Identity, Law & Politics*. Edmonton: University of Alberta Press, 2013. Pp. 530.

ANDERSEN, Chris – *“Métis”: Race, Recognition, and the Struggle for Indigenous Peoplehood*. Vancouver: University of British Columbia Press, 2014. Pp. 267.

After years of frustrations in the courts and the hard-fought struggles by Métis political leaders to secure recognition of Métis Aboriginal rights, it would seem as though the Métis are on a winning streak of late. Although their full implications remain to be seen, the Supreme Court’s 2013 decision that the federal Crown failed to implement the land grant provisions set out in the Manitoba Act and the 2014 Federal Court of Appeal ruling that the Métis fall under federal jurisdiction as defined by s. 91(24) of the British North America Act, promise to alter Métis jurisprudence. The two rulings emerged after a decade’s worth of cases (especially in the area of harvesting rights) that followed the Supreme Court’s landmark 2003 *Powley* decision. The effects of these decisions, and of the expansion in litigation more generally, are being felt in Métis scholarship. Two recent books illustrate how this swiftly changing legal landscape have injected a new urgency to recurring debates within Métis historiography, even as they chart new directions for the field.

In *“Métis”: Race, Recognition, and the Struggle for Indigenous Peoplehood*, Chris Andersen argues that this changing legal landscape and the public recognition of Métis rights is actually a *misrecognition* that is based in a faulty understanding of the Métis as a hybrid offshoot of “Indian” and “white” races, rather than as an autonomous Indigenous people. The racialization of the Métis as such, and the “tethering of the term to racial understandings of mixedness,” he argues, is the outgrowth of Canadian colonial policies and the administrative categories used to classify Indigenous peoples and to diminish Métis claims to indigeneity (200). According to Andersen, the conflation of “Métis” and “mixed” in the legal and popular imaginations is rooted in the racial logics that define Métis-ness solely in relation to blood and on their presumed connections to other Indigenous peoples. The implication is that what makes the Métis “Métis” is, above all, the question of their not-quite whiteness, not-quite Indianness. This is hardly accidental. The racialization of the Métis as such is inextricably bound up in the broader settler colonial projects of land-taking and the use of race as a tool to facilitate the transfer of lands and to legislate Indigenous peoples out of existence.

Andersen builds his case, first, by tracing how the notion of Métis hybridity has helped sustain a racialized understanding of who is or what it means to be

Métis. By way of illustration, Andersen uses the shifting currents in Great Lakes ethnohistory to show how, in recent years, ethnohistorians have used the moniker to identify the people in communities in the Great Lakes and beyond. Such practices have erased the analytical distinctions between “Métis” and “métis” communities that had been common in earlier studies, and that reserved the use of capital M “Métis” for communities (like that at Red River) that evinced a contemporary self-consciousness as Métis, along with the various markers of their distinctiveness as a new people: distinctive language, dress, cosmology, artistic traditions, political organizations, and a sense of their own history. Andersen criticizes those who suggest that other communities became “Métis” by virtue of their mixed ancestry, their separation from First Nations and white communities, and, in some cases, by their self-identification as “Métis” in the more recent past. By conflating non-tribal Indigenous settlements with the social and political dynamics at Red River, he argues that these observers diminish Métis legitimacy by reducing “Métisness” to the “mere condition of mixedness” (50).

Andersen then proceeds to show how these ideas have also exerted tremendous power over juridical views of Métis rights and the statistical understandings of “Métis” in the Canadian census. He argues that this racialized view is behind the surge of people who have self-identified as Métis in recent censuses, and behind recent court decisions that, despite their apparent affirmation and expansion of Métis rights under section 35 of the Constitution Act (1982), nonetheless traffic this racialized understanding of Métis-ness. For example, the Supreme Court’s influential decision recognizing Métis harvesting rights, *R v. Powley* (2003), established that mixed Indigenous-white ancestry and separateness from “Indian” tribal and European communities were among the necessary criteria needed for a community to be recognized as Métis. In so doing, the court translated a “complex set of historical Indigenous self-identifications” into a single, “contemporarily recognizable juridical category: Métis.” (65) Beyond its legal significance, Andersen suggests that the *Powley* decision has also shaped provincial policies that now use the *Powley* criteria as the metric for their assessment of Métis community claims and for the administration of social programs. The decision has also shaped the way scholars have framed their work. As fields of knowledge production, the legal, policy, and scholarly worlds have thus imbued the administrative category “Métis” with a particular set of meanings that produce this widespread misrecognition.

The central chapter of this book—its pivot—offers an alternate understanding of Métis national history, of the Métis as a nation or people with its core rooted in the Red River valley and with “shared memories of the territory, leaders, events, and culture that sustain the Métis people today.”(13) Andersen’s recounting of the key events that served as the building blocks of the historical Métis peoplehood will be familiar to many: the Battle of Seven Oaks, the trial of Guillaume Sayer and the associated struggles over free trade, the clash with the Sioux at the Battle of the Grand Coteau, the Red River Resistance and the North-West Resistance. Since the 1980s, it has been commonplace to decry the focus on these moments (and the people behind them) as a kind of “Red River myopia” that has blinkered

the field to the broader variations in Métis histories and experiences beyond this region. Andersen rejects those charges. These events and the social relations that produced them, he contends, fostered “the ethos by which the Métis began to conceive of and organize themselves” (124). For Andersen, the role of narrating this particular national history (and of naming it as such) is meant not just as a retort to who define the Métis solely by reference to race and hybridity, but also to underscore the contingency of Canadian claims to sovereignty as ultimately dependent on suppressing the national claims of Indigenous peoples like the Métis.

Indeed, one of Andersen’s goals here is to suggest that the courts, federal policy makers, and scholars need to reframe their inquiries and assessments of the Métis past and present. In his fourth chapter, he suggests ways in which agencies such as Statistics Canada or the courts might transform their practices to be more respectful of Métis nationhood, while distinguishing between “Métis” and non-Nation “métis” communities. More controversially, Andersen also asserts that those communities or individuals who currently self-identify as Métis but who do so without any demonstrable connections to this “Red River core” and the histories he describes, should stop doing so. Pointing to the changing ways that the Labrador Metis Nation advanced their claims to recognition and the investment in the notion of Métis-as-mixed it has produced, Andersen argues that the efforts by others to pursue their own claims to recognition by drawing on the symbolic resources of the Métis, undermines the very substance of Métis claims and unwittingly reproduces the colonial frameworks that were put in place to dispossess Indigenous peoples.

While Andersen challenges the decisions that have given the legal imprimatur to Métis claims from communities across the country, other scholars are more sanguine about this development. In their introduction to the recent edited collection, *Métis in Canada*, Christopher Adams, Gregg Dahl, and Ian Peach note that the collection emerged out of the “change to the Métis conceptual landscape” brought about by the 2003 *Powley* decision and a shared desire to “reflect the changes the decision had produced.” (xii) Accordingly, the editors describe how the use of the term “Métis” emerges in the volume as a kind of “signifier of a mode of being, a particular mode of humanity, peoples of a particular type, rather than the signifier of a particular population situated in a specific time and place.” (xv) This rather more fluid definition of the Métis is in fact meant to reflect the post-*Powley* state of affairs: in a political and legal setting in which the courts are being asked to assess whether various communities can meet their definitional test, the notion of Métis “as a mode of being” aligns with the court’s willingness to recognize multiple Métis communities.

The essays assembled in this volume also reflect a relatively expansive approach to Métis studies, at least in terms of the scholarly terrain they cover. For example, in the first section, Gloria Jean Bell examines the written and visual depictions of nineteenth-century Great Lakes Métis in an effort to assess how these individuals may have understood and invented themselves through the clothing they wore. Laura-Lee Kearns transforms the written transcripts of oral interviews

with Métis women Elders into “found poems,” in order to make their narratives public and to (re)claim Métis Aboriginal ancestry. Gregg Dahl, meanwhile, traces the distinctions that scholars and other observers have drawn between “Half-breeds” and “Métis” and shows how (and why) the category “Métis” has subsumed that of Half-breed. In the second section, history, Glen Campbell and Tom Flanagan introduce a small handful of previously unpublished documents by Louis Riel, Darren O’Toole offers a detailed historiographic re-assessment of Métis ethnogenesis and identity formation, and Liam Haggarty recasts discussions of Métis involvement in the fur trade by resituating Métis communities within Indigenous networks of reciprocity, cooperation, and mutual obligation.

The articles in the final two sections are perhaps more closely related. In the third section, Ian Peach and Jeremy Patzer offer contrasting assessments of Métis Aboriginal Rights jurisprudence. And, in the final section, four authors describe the historical development of Métis political organizations and their present-day political strategies. Kelly Saunders describes the evolution of Métis self-government in Saskatchewan from the late nineteenth century forward to the present day. Siomonn Pulla traces the broader development of Métis political organizations across Canada and shows how these organizations adapted to shifting historical circumstances, including the development of Canadian Indian policies across the nineteenth and twentieth centuries. The focus returns to Saskatchewan with Janique Dubois’s examination of the Métis Nation of Saskatchewan’s 1993 constitution and the changing legislative framework in that province and their significance for the ongoing efforts to realize self-government. Finally, Christopher Adams investigates how Métis organizations in the provinces seek to influence their provincial governments and the public on key issues. In a large volume such as this, the broad topics noted in the volume’s sub-title—history, identity, law, and politics—provide the rather loose framework for these wide-ranging discussions.

Here, too, the *Powley* decision is inescapable. Adams, Dahl, and Peach begin and end their volume with a discussion of it, it looms large in the articles that deal specifically with Métis Aboriginal rights jurisprudence, and emerges as a necessary part of the discussions by Dahl and Saunders. Consensus about the decision is elusive, however. Whereas Peach surveys the evolving legal understandings of Métis rights and notes their transformation into “cognizable” rights that the courts have begun to affirm, Patzer argues that these expanding legal recognitions have come at a high cost. According to Patzer, the very decisions that have seemingly advanced Métis legal rights have essentialized Métis identities and have erected new divisions or potential barriers to the ongoing assertion of Métis rights in the courts. In this, Patzer shares Andersen’s dim view of the effects of such legal prescriptions of Métis identity. Not only does the current approach to Aboriginal rights and title place the burden of proof on Métis claimants, it also introduces the risk that, if such communities fail to convince the courts of their rights, then it may then be more difficult to convince governments or the public that such rights exist (309). As these essays illustrate, it is very difficult to disentangle historical inquiries into Métis pasts from present-day legal conversations.

In this context, the longstanding questions within Métis historiography have reemerged, as have the debates that once marked the historians of the Métis as a not-so snug little flock. For instance, behind O’Toole’s critique of what he terms the “second wave” or “second generation revisionist” historians, it seems, is a desire to reboot older conversations about the political life of Red River and of Métis and Half-breed communities more generally. He argues that with their relentless focus on social history, recent works have been too focused on specific communities, too reductionist in their understanding of identity formation, and too willing to blur the distinctions between Métis and Half-breeds at Red River, and—most important—too eager to overlook the critical role of political self-consciousness in Métis ethnogenesis. Dahl covers some of the same ground when he returns to the discussion about the relationships between Red River’s “Half-breed” and “Métis” communities (in this case, with an eye to (re)asserting a seemingly forgotten legal recognition of Half-breeds and to highlight the imprecision introduced by scholars’ terminological choices). These essays highlight some of the strains in the efforts to create a singular national/nationalist narrative, even one based in the Métis “core” in the Red River valley. The ever-widening scope of Métis studies in a post-*Powley* landscape will no doubt mean that debates about Métis origins and community formation will remain pressing. It is not just because, as these essays suggest, earlier conversations were never fully resolved, but also because these debates about the very definition of “Métis” cut to the core of field.

Collectively, the essays in *Métis in Canada* remind us that, when it comes to the political, legal, and social terrain of being Métis in Canada, it’s complicated. And so it is. The volume is notable for its efforts to capture the varied work that scholars across different disciplines are currently undertaking in the Métis past and present. For all its attentiveness to the political stakes of such conversations, however, the essays in this volume are cast in a way that will appeal mostly to specialists. It is to Andersen’s credit that he covers much of the same terrain yet does so in a way that ought to resonate well beyond the field of Métis studies. His thorough engagement with political theory, critical race studies, postcolonial theory, and the work by Indigenous studies theorists connect these conversations to a wider scholarly world. The book’s relentlessly argumentative assessment of the legal and policy conversations about the Métis and the scholarly literature that has grown up around such conversations is no doubt meant to provoke debate. It should also provoke a sharper, more analytically precise discussion about the recurring questions in Métis history and historiography.

Michel Hogue
Carleton University