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Reconciling Metis Identity and Recognition

A Commentary on Select Presentations at the University of Ottawa Conference on “Reconciliation and the Metis of Canada”

In October 2015, the Metis Treaties Research Project (MTRP) hosted a conference at the University of Ottawa on “Reconciliation and the Metis Peoples of Canada”. The two-day conference included presentations from academics from a variety of disciplines that have expertise on Metis people(s).¹ The conference was an attempt to examine the theme of reconciliation from the perspective of the Metis. Although there were several key themes and controversies that emerged from the two days of discussion, this paper will focus on the theme of Metis identity and recognition that generated much discussion.

In his Keynote Presentation, legal scholar, Paul Chartrand made a remark about reconciliation being like an “ingredient that can be added to any relationship or transaction to make it better. Like French Fries, ‘*would you like some reconciliation with that?*’”² What has become apparent in Metis

¹ Videos of the panel presentations are available on the Metis Treaties Project

² Paul Chartrand, “The Constitutional Status and Rights of the Metis people in Canada” (Reconciliation and the Metis Conference, University of Ottawa, 2015) at 8 [unpublished keynote address]

discussions of reconciliation is that you can't have reconciliation until you actually have a meaningful relationship. From the Metis perspective, the relationship with Canada has always been peripheral at best and non-existent at worse. Metis scholars have consistently noted that this denial of a serious relationship has been the result of entrenched federal policy (motivated, as revealed in the *Daniels* litigation, in part by wanting to avoid the financial burden of establishing a relationship).

Although 1982 marked a watershed moment in terms of Metis recognition due to their inclusion in s.35 of the Constitution, the federal government was nonetheless very reluctant to acknowledge the change in policy terms; and claiming that the Metis are a provincial responsibility and not a federal responsibility. When Canada apologized to the victims of residential schools, on June 11, 2008, Clem Chartier, President of the Metis National Council, made it clear in his response to Parliament and Prime Minister Harper that the Metis are tired of being excluded; "the Metis Nation... wants in", he stated to the politicians and the public at large.³ With the clarification that Metis are under federal jurisdiction, the Supreme Court of Canada in the recent *Daniels* case held that the federal government no longer has an excuse to deny jurisdictional responsibility for the Metis.⁴ Unfortunately, it took 17 years of litigation to create the main course for the accompanying french fries.

There were strong and divergent perspectives expressed during the conference on Metis identity and who can legitimately be identified and recognized as Metis in Canada. Different perspectives emerged from panel presentations made by Chris Andersen, Sebastien Grammond and Denis

³ See Canada, House of Commons Debates, 11 June 2008, starting at page 1605. President Chartier's statement appears on page 1619. Quoted in Signa Daum Shanks, *Searching for Sakitawak: Place and People in Northern Saskatchewan's Ile-A La Crosse* (2015). Electronic Thesis and Dissertation Repository. Paper 3328. (University of Western Ontario) at 3.

⁴ *Daniels v. Canada (Indian Affairs and Northern Development)*, 2016 SCC 12.

Gagnon. Yet, in reviewing their arguments, I found that there was more common ground than there were differences. All three expressed the need to ensure legitimacy and that mere self-identification of Metis ancestry is insufficient. The differences were expressed in identifying the appropriate markers of legitimacy, but neither perspective necessarily foreclosed the possibility of Metis communities outside of Red River Metis. Irreconcilable perspectives were evident, however, by the views of Paul Chartrand and Jean Teillet who claim that the only Metis in Canada are the Red River Metis or as Paul Chartrand claimed, “Riel’s people”.⁵

Chris Andersen does take a strict view of who is legitimately Metis. He argues that to be Metis you must be connected to a distinct Metis community that has pre-colonial roots. It is not enough simply to assert that you have mixed-blood without a “living, breathing community with pre-colonial roots” claiming back to ancestral roots.⁶ This community must have existed politically and have engaged in diplomatic relations to be legitimately recognized as a “people”. Paul Chartrand makes a similar argument. He declares that there must exist some evidence of diplomatic relations or historical treatment and engagement with such a people by the state through policies, regulations or war.⁷ The difference is that for Paul Chartrand only the Metis of Red River meet this criterion.

Chris Andersen explained that a fundamental marker of legitimacy is the “peoplehood” nature of the group asserting recognition.

⁵ Paul Chartrand, *supra* note 2 at 4.

⁶ Chris Andersen, “Peoplehood and the Nation Form: Tools for Thinking Juridically about Metis History” paper presented at Reconciliation and the Metis Conference, University of Ottawa, October, 2015 at 18. Accessed online: <http://www.metistreatiesproject.ca/wp-content/uploads/2016/01/Peoplehood-and-the-Nation-Form.pdf>

⁷ Paul Chartrand, *supra* note 2 at 4.

In the specific context of Métis history, then, peoplehood becomes an important lens for understanding what tenets of history we would explore to figure out what made the Métis a people and how it differentiates us from more recent – and more dubious – claims to Métis identity that contain little of the relationality or intersocietal norm building of something like, for example, the Manitoba Act, 1870 or the oral treaties with Dakota in the 1850s. Peoplehood becomes crucial, in other words, looking for what Chartrand and Giokas (2002) referred to as the “positive core” of Métis collectivity. Thus, Chartrand and Giokas argue, a peoplehood-based discussion must begin with by identifying collectives with a history of formal Crown-Indigenous relations (2002: 272) and, for that matter, informal Indigenous-Indigenous relations as well (Andersen 2014: 106-7).⁸

Yet unlike Paul Chartrand, Chris Andersen’s approach to identifying Metis communities is not necessarily restricted to the Metis Nation, but potentially allows for recognition of Metis communities unconnected to the Red River Metis nation provided that there is equally persuasive historical evidence of Metis identity, pre-colonial political existence and inter-relationship with others as distinct Metis polities.

What status then do we accord Metis communities that are seemingly coming out of the woodwork as Chris Andersen puts it?

We live in a country and an era in which so-called “Métis communities” are coming out of the woodwork, making post-colonizing claims to Indigeneity based on the ability of their ancestors to “hide in plain sight” for two centuries and more, or by gathering together scattered references to ‘Metis’ in various colonial archives as evidence of a

⁸ Chris Andersen, *supra* note 6 at 15.

posthumous (yet not posthumous) community. Much of this activity – which I suggest is tantamount to ethnic fraud...⁹

An important question arises from this strict approach given the history of federal policy in regard to Metis recognition. What if diplomatic Crown – Indigenous relations were simply not possible because of the Crown's policy in denying Metis community legitimacy as independent polities? Historical accounts of Metis – Colonial relations demonstrate that colonial authorities consistently resisted acknowledging Metis polities and denied their political and legal significance. If the ability to demonstrate external manifestations of peoplehood is hindered because of a colonial policy of denial and exclusion as Indigenous peoples, is not the reaffirmation of Metis identity in the face of colonial imposed exclusion and peoplehood denial not a statement of profound decolonization? Can we say that such a group which now asserts an Indigenous identity as Metis today are not legitimate because they have no evidence of peoplehood relations given such a history of colonial denial?

Sebastien Grammond, raised similar questions in his presentation. For instance he states:

And you also realize that in many cases that exclusion may have taken place post contact. Through actions of the government that were designed or that had the effect of severing some people from their communities, and thereby more or less creating new communities.... And you can think of urban Indigenous groups. Often they are the product of many forms of exclusion and some of those people who were excluded went to the city and eventually coalesced into new groups.
...

⁹ Chris Andersen, *ibid* at p. 2.

What are the normative consequences of this, of these choices made by individuals in situations of exclusion in the past? What are the consequences today? And then it raises the question, were those choices entirely free and informed? And if they were, can you reverse them today by saying, okay I reassert an Indigenous identity.¹⁰

Being skeptical of the claim that a Metis community has always existed but has been hidden in plain sight is no doubt wise. But given the federal policy of non-recognition of Metis communities as distinct communities and the racism that existed throughout colonial times are factors that would contribute to non-disclosure and subterfuge. These factors do not favour open identification as Metis and thus such communities would be hindered from engaging in diplomatic political action as a people. Arguably they should not be prejudiced from engaging as a distinct Metis community today given that the negative stigma of Indigenous identity no longer exists to the same degree coupled with the increased openness to at least discuss the recognition of Metis communities politically and legally. Arguably, to deny a Metis community as legitimate on the basis of a lack of evidence concerning political diplomacy or engagement with colonial authorities as a distinct “people” is to risk adding insult to injury due to the past policies of ignoring Metis community political distinctiveness in the first place.

Sebastien Grammond offered a similar but alternative marker for legitimate Metis community identification. Grammond suggests that the hallmark of being “Indigenous” is the experience of injustice based on the European belief of Indigenous inferiority generated by colonization processes.

¹⁰ Sebastien Grammond, “How Courts Perceive Aboriginal Communities”, transcript of presentation (Reconciliation and the Metis of Canada conference, University of Ottawa, October, 2015) at 2-3.

Perhaps the reason that Indigenous is a relative concept, it is not only based on ancestry, it is not only based on cultural traits but on a particular history of relationships between two groups. Before the Europeans arrived in North America, there were no Indigenous peoples. There were Huron's there were Micmacs and Shoshawnee and so on. But they did not feel the need to define themselves as Indigenous. It is a process, a product of a historical process and not any historical process, the process of colonization. In other words, the concept of Indigenous or Aboriginal is a reflection of a particular kind of injustice, one based on the idea that people of European origin were superior. Of course this is a racist idea. And on the basis of all the policies that were enacted or put in place as a result of such a vision.

During his presentation, Sebastien Grammond examined a particular case and tried to rationalize why in this particular case, the defendant's defense of Metis rights did not succeed. Vautour was charged with hunting violations in New Brunswick. He argued he had an Aboriginal right because of his Metis ancestry. Vautour had recently identified as Metis. Yet for most of Vautour's life, he identified as Acadian.

In the case of *Vautour*, based on the evidence, one could conclude that the choice of Acadian identity was not the result of federal policy of forced exclusion from identifying as Metis or other Indigenous identity. There was no evidence of that kind of colonial engagement or coercion. Whereas, in other cases, the community may be re-asserting Metis identity because of a distinct history of exclusion (i.e. the Red Sky Independent Metis Nation) as Metis by federal policy decisions and that this occurred without choice.¹¹ In

¹¹ The Red Sky Metis were originally beneficiaries of the Robinson Superior Treaty of 1850. At the time of treaty, the Metis wished to join as a Metis band, but were denied. Colonial officials said they can only benefit if they joined the Sauteaux bands which they had relations with. The chief accepted them

this context, it can be argued that such a reassertion of Metis identity could very well be a most profound act of decolonization.

In the Vautour decision, the ethnic mobility choice from Acadian to Metis seemed opportunistic and not the result of imposed colonial policies. Consequently, as Grammond noted, there was no historical evidence of Vautour or the Metis community he claimed to belong of having experienced the negative impact of colonization because of being Indigenous. In other words, the community, which identified as Acadian for most of its history has not experienced the negative impact of colonization to justify identifying the community as “Indigenous”.

Read together, both Chris Andersen’s and Sebastien Grammond’s approaches, strict as they are, do however allow for the possibility of non-Red River Metis communities to legitimately exist if the community has a history of diplomatic relations as a people, or if there is a history of negative identity colonialism experienced by the community that could justify the community as being Indigenous. Andersen emphasizes the “people” component of “Indigenous people” whereas Grammond emphasizes the “Indigenous” component of “Indigenous people”. Arguably, both Grammond and Andersen’s approaches could be synthesized. A community claiming to be Metis may be illegitimate because it is not a “people” or illegitimate because it is not qualitatively “Indigenous”. However, as discussed above, relying on the peoplehood criteria must be undertaken with great caution given the history of oppressive federal non-recognition. It is potentially unfair to deny

but several years later, the “Metis” were excluded from the treaty annuity lists because they were ironically Metis and since being excluded, they now have re-formed as a distinct Metis community. See Larry Chartrand, “Metis Treaties: Past Realities Present Promise” in Christopher Adams, Gregg Dahl and Ian Peach eds., *Metis in Canada: History Identity Law and Politics 2nd Edition* (Edmonton: University of Alberta Press, 2016) [forthcoming]

identity simply because the community lacked the means to forcefully resist denial with Red River and Batoche being notable exceptions.

In contrast, to Grammond and Andersen, Paul Chartrand and Jean Teillet's perspectives foreclose any possibility of there being other Metis communities outside the Red River core. Paul Chartrand stated in his opening address that his analysis has lead him "ineluctably to the conclusion that the Metis people in s. 35 is Riel's people."¹² According to Denis Gagnon, this view is consistent with well-known Metis lawyer Jean Teillet. Dennis Gagnon claimed that Jean Teillet's perspective was "radical". In her view, according to Gagnon, the only Metis people are those who originated in the Red River Colony.¹³ This view was strongly opposed by Denis Gagnon who argued that it has no historical basis as the term Metis was used historically in reference to communities in the Maritimes and eastern Canada.¹⁴ In addition, in my own research, I have noted how the term Half-breeds was used by the British in describing certain communities in the Great Lakes area.¹⁵ Moreover, the Supreme Court of Canada in the recent *Daniels* case said:

There is no consensus on who is considered Métis or a non-status Indian, nor need there be. Cultural and ethnic labels do not lend themselves to neat boundaries. 'Métis' can refer to the historic Métis community in Manitoba's Red River Settlement or it can be used as a

¹² Paul Chartrand, supra note 2 at 4.

¹³ Denis Gagnon, "A Return to Politics – The Senate and Metis Identity" transcript of presentation (Reconciliation and the Metis conference, University of Ottawa, October, 2015) at 13.

¹⁴ For an interesting argument confirming the existence of Metis communities in Nova Scotia, see Sebastien Mallette video of a presentation at Dalhousie law school:

<https://www.facebook.com/daphne.williamson.3/videos/10156566142575612>

¹⁵ Larry Chartrand, supra note 11 at 28.

general term for anyone with mixed European and Aboriginal heritage. Some mixed-ancestry communities identify as Métis, others as Indian:

There is no one exclusive Metis People in Canada, anymore than there is no one exclusive Indian people in Canada. The Metis of eastern Canada and northern Canada are as distinct from Red River Metis as any two peoples can be. . . . As early as 1650, a distinct Metis community developed in LeHeve [*sic*], Nova Scotia, separate from Acadians and Micmac Indians. All Metis are aboriginal people. All have Indian ancestry.¹⁶

Yet, Denis Gagnon is also equally critical of how some groups in eastern Canada and the Maritimes are asserting a Metis identity for reasons unconnected to the legitimate recognition of a pre-existing distinct mixed-blood community. Those that identify as Metis to avoid hunting and fishing charges for example may be doing so for reasons unconnected with assertions of legitimate Metis identity. He states that “individuals who define themselves as Metis before the courts in order to benefit from hunting and fishing rights are doing enormous harm to not yet recognized Metis communities.”¹⁷

Thus, Andersen, Grammond and Gagnon are not so far apart in their approaches as one might at first believe. Their differences are perhaps one of degree and weight given to various possible markers of recognition. Paul Chartrand and Jean Teillet’s views, however, are not reconcilable with the possibility of there being other legitimate Metis communities outside of the

¹⁶ *Daniels v Canada*, supra note 4 at para. 17 quoting with approval (R. E. Gaffney, G. P. Gould and A. J. Semple, *Broken Promises: The Aboriginal Constitutional Conferences* (1984), at p. 62, quoted in Catherine Bell, “Who are the Metis People in Section 35(2)?” (1991), 29 *Alta. L. Rev.* 351, at p. 356.)

¹⁷ Gagnon, supra note 13 at 15.

Red River core, nor are they reconcilable with the views of the Supreme Court of Canada in *Daniels*.¹⁸

The conference participants certainly struggled with the Metis identity debate. In doing so, it became increasingly apparent that the issue has yet to be fully resolved and may not be fully resolved soon, but that it remains imperative to have more research and dialogue on the issue. Tony Belcourt, for instance stated he was not confident that the only true Metis group was the Red River Metis and that there are other stories of mixed-blood communities that we are only beginning to learn about and that we need to be open to such possibilities.¹⁹

Nicholas Vrooman also discussed the issue of identity in terms of imposed colonial boundaries and non-recognition of Metis political communities. He reminded the conference attendees that Metis communities, connected by kinship, exist south of the U.S – Canada border.²⁰ The Metis of the prairies, particularly the Metis who participated in buffalo hunting brigades were borderland people. The international boundary between Canada and the United States was practically nonexistent for a long period well in to the 1870s. It may have existed on paper and had relevance to Canada and the United States, but it did not exist in reality for the Metis whose hunting grounds and whose communities existed in this colonially “divided” region. The impact of the boundary did not become a serious issue of concern to the Metis way of

¹⁸ I sometimes question whether there is some sort of collusion between MNC and the federal government to limit the scope of Metis to the communities of the prairie west and western Ontario (Sault St. Marie notwithstanding). In recent speeches by the Prime Minister of Canada, Justice Trudeau talks about “the Metis Nation” as if there is only one Metis people.

¹⁹ Tony Belcourt, Reconciliation and the Metis of Canada Conference, transcript of proceedings, Panel 5 (University of Ottawa, October, 2015) at 20.

²⁰ Nicholas Vrooman, “Montana’s Metis: Federal Recognition & Shared State/Tribal Sovereignty”, Reconciliation and the Metis of Canada Conference (University of Ottawa, October, 2015) at 1.

life until both American and Canadian authorities began patrolling and enforcing the border in the late 1870's.

The Metis often joined with the Chippewa Indians on their reservations because of the policy of non-recognition of Metis as entitled to collective recognition as an independent tribe. Chippewa tribes welcomed the Metis due to the close relations with them. United States policy, however, insisted that if you were Metis, you were either non-Indian or "Canadian" and therefore did not belong. The Chippewa reserves were cleaved of Metis on several occasions. It is the Metis who were cleaved that are now making a claim as a tribe called the Little Shell Tribe of Chippewa Indians in Montana.²¹

In the United States, Metis do not exist as a separate entity and this policy became more strictly enforced as time passed. The policy of non-recognition and subsequent cleaving has been a dominant theme in Colonial – Indigenous relations in both Canada and the United States. It is also according to UNDRIP, a violation of Metis human rights. Article 8 (2) holds that:

States shall provide effective mechanisms for prevention of, and redress for:

(a) Any action, which has the aim or effect of depriving [Metis] of their integrity as distinct peoples, or of their cultural values or ethnic identities.²²

Arguably, forcing the Metis in Montana to identify as "Chippewa" instead of "Metis" is a violation of this principle. Moreover, one could also argue that forcing Metis in Canada to choose "scrip" and thereby become White or join

²¹ Vrooman, *ibid* at 3.

²² Article 36, UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295*, available at:

<http://www.refworld.org/docid/471355a82.html> (Hereinafter referred to as UNDRIP).

a First Nation band and become Indian is also arguably a violation of this human right to maintain one's integrity as a distinct people. Metis beyond Red River insisted that they be able to enter into treaty relations as Metis on the prairies, but Canada consistently refused.²³ Reconciliation, in this context may mean that Canada must now acknowledge this harm of non-recognition. An important implication of addressing this harm would be the recognition of Metis communities as distinct political communities that continue to have outstanding claims to lands and resources because of the failure to obtain their consent by treaty to acquire the land and resources the Metis communities traditionally used and occupied. These claims remain unresolved for much of the prairies and other places where Metis communities were refused treaty because they were mixed-blood communities such as in the Great Lakes area, Eastern Canada, British Columbia and south of the U.S – Canada border.²⁴

Redress for this kind of peoplehood discrimination ought therefore be an aspect of the reconciliation process endorsed by Canada and the courts. According to the Truth and Reconciliation Commission (TRC), the UNDRIP is the appropriate framework for reconciliation going forward. Significantly, the TRC has as a Call to Action to the adoption of the UNDRIP by all levels of

²³ Michel Hogue, *Metis and the Medicine Line* (Regina: University of Regina Press, 2015) at 116 – 118.

²⁴ It was pointed out during the conference by Sebastien Grammond that there is precedent for negotiating treaties where an Indigenous group was excluded from the original treaty that ostensibly intended to cover the area where the Indigenous group lived. The current Algonquin claim to much of the Ottawa valley is an example of such a claim. In this claim, non-status Algonquin bands are recognized in the land claims process. The Metis of Fort Francis that adhered to Treaty 3 in 1875 is an even more direct example of a relevant precedent. See Victor Lytwyn, "In the Shadows of the Honourable Company: Nicolas Chatelain and the Metis of Fort Francis" in Nicole St-Onge, Carolyn Prodrukchny and Brenda Macdougall, eds., *Contours of a People: Metis Family, Mobility and History* (Oklahoma: University of Oklahoma Press, 2013).

government and a call to government to develop a national action plan to implement the goals of UNDRIP.²⁵

Moreover, the recent *Daniels* case emphasized the importance of reconciliation with *all* Aboriginal peoples including the Metis. The court referenced the TRC in making this important statement.

The constitutional changes, the apologies for historic wrongs, a growing appreciation that Aboriginal and non-Aboriginal people are partners in Confederation, the *Report of the Royal Commission on Aboriginal Peoples*, and the *Final Report of the Truth and Reconciliation Commission of Canada*, all indicate that reconciliation with *all* of Canada's Aboriginal peoples is Parliament's goal.²⁶

On the conference panel devoted to the *Daniels* case, Joseph Magnet, lead counsel for the Congress of Aboriginal Peoples in *Daniels*, was not, however, assured that the Federal government would act on its jurisdiction over the Metis if the court found them to be "Indians" under s. 91 (24). Hence, he also asked the court for a declaration that the Crown has a constitutional obligation to negotiate and resolve outstanding claims by the Metis. He stated "it is unlikely these negotiations will happen unless the court issues the third declaration, the obligation to negotiate with the representatives of the peoples concerned."²⁷ However, this requested declaration was not granted by the court. Yet, as quoted above, the court did emphasize the importance of Parliament to "reconcile with *all* of Canada's Aboriginal peoples". Whether this translates into the federal government deciding to include the Metis

²⁵ The Truth and Reconciliation Commission, *Canada's Residential Schools: Reconciliation, Vol. 6* (McGill-Queen's University Press, 2015) at 28 – 29.

²⁶ *Daniels v. Canada (Indian Affairs and Northern Development)*, 2016 SCC 12, para. 37.

²⁷ Joseph Magnet, Reconciliation and the Metis of Canada Conference, transcript of proceedings (University of Ottawa, October, 2015) at 5.

within the comprehensive and specific claims processes is uncertain.²⁸

However, given the likelihood of court action based on discrimination for non-inclusion of various programs and services available only to status Indians and the current government's openness to working with the Metis, there is a good possibility that inclusion in existing processes or the creation of a new targeted process for Metis and non-status claims will likely develop.²⁹

In terms of the impact of the international border in splitting up the Metis people, the UNDRIP addresses the unfairness and harm that an international border may cause in splitting up an Indigenous people. It states that Indigenous peoples have the right to maintain relations with their own members across borders.³⁰ One of the TRC's most significant calls to action asks that Canada adopt and implement UNDRIP without conditions or caveats.³¹ Reconciliation may therefore require the federal government to initiate border crossing processes that facilitate relations between the Metis in Canada and the United States.

In conclusion, it was apparent from the conference and the dialogue it generated that much more research is needed on Metis communities and identity both historical and theoretical. A credible theoretical tool needs to

²⁸ Metis have been excluded from the comprehensive and specific claims processes because the federal government maintains that Metis rights have been extinguished or are not a federal matter (the exception is in the Northwest Territories where the federal government has negotiated comprehensive land claims with the Metis or are presently in negotiations). More importantly, now that *Daniels* has decided that Metis are under federal jurisdiction, it is not possible to reconcile the differential treatment of Metis claims in the Northwest Territories from Metis claims in the provinces.

²⁹ Magnet, *ibid* at 3.

³⁰ Article 36, UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295*, available at:

<http://www.refworld.org/docid/471355a82.html>.

³¹ TRC, *supra* note 25.

be developed to assist in determining whether a self-identifying Metis community is legitimate or not. A comprehensive review of the literature may reveal important points of convergence in the development of a theory of Metis recognition that is compelling and intellectually rigorous. Conference participants have contributed valuable insight into various ideas worth considering in the development of such a theoretical tool.

There was also concern about Metis – First Nation relationships and the need to foster positive relations by the historically grounded kinship based nature of First Nation relations and to build relations of respect. First Nations have been influenced by the rhetoric of Metis as half-Indians or that their rights were dealt with and extinguished in the past. These stereotypes have no basis in reality. The sharing of First Nation – Metis histories and experiences is important in countering the harmful effect of inaccurate stereotypes. This will be important as we face an uncertain future regarding the impact of the *Daniels* case. The decision will no doubt add fuel to the fire of First Nation resistance to Metis recognition and will need to be thoughtfully addressed by historical and present day evidence of mutual co-recognition. Much research and work remains to be done so we have an accurate portrayal of the Metis experience in Canada from which Metis can ground a more equitable relationship with First Nations and Canada in the future.