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Land, Law & Literature

***Literary Land Claims: The “Indian Land Question” from Pontiac’s War to Attawapiskat* by MARGERY FEE**

Wilfrid Laurier UP, 2015 \$38.99

Reviewed by **CHERYL LOUSLEY**

“How does literature claim land?” With this question Margery Fee opens her analysis of how several pivotal Canadian figures imagined and performed land claims for Indigenous peoples in the context of colonial dispossession. Fee’s book is as useful for its detailed survey of the legal narratives, policies, and history that shaped settler land ownership and Indigenous dispossession as for its nuanced discussion of five writers and thinkers: John Richardson, Louis Riel, E. Pauline Johnson, Grey Owl, and Harry Robinson, together spanning the late eighteenth through twentieth centuries. At the centre of her narrative is the legal concept of the honour of the crown, in which misrepresentation, dubious tactics to induce agreement, and failure to honour promises and commitments can undermine the legal authority of the government and its regime of law—and show, as recent legal judgments reveal, the weak grounds on which settler property rights have rested. Literature plays an ideological role in this shaky legal context by establishing a cultural sensibility in which some kinds of land claims are naturalized and others are disavowed. Moreover, this cultural claiming of land—and concomitant failures to uphold treaty promises and to act honourably toward Indigenous people—remain very much

contemporary and not only historical processes, challenging all of us who live in this territory to consider what it would mean for land claims to be settled justly and honourably.

For ecocritics, Fee’s account of legal and literary land claims is important because of her emphasis on the role of concepts of nature in property rights, resource use, science, nationalism, settler identity and Indigenous dispossession, and how these, in turn, have shaped land use practices, resource policies, and ecologies in Canada over several centuries. Fee considers ecology explicitly in her discussion of Archibald Belaney and his persona as Grey Owl, arguing that the Indian imposter debates have enabled his environmental advocacy to be dismissed as nostalgic and sentimental rather than recognized for its innovative approach to community-based resource management and for his deep attachment to beavers. She writes:

In the scramble to avoid being seen as ‘wannabes,’ many forget that most of us, like Belaney, are living on other people’s land and profiting from their resources. Rather than spending our time as ‘nativized informers,’ contending for an ever-shrinking patch of moral high ground while the ecosystem goes downhill and colonization continues, we need to consider what indigenizing our worldview might mean in respectful conversation with elders and others who know the land better than we do. (164-65)

Fee's arguments about Richardson and Riel are the most intriguing. Fee reads Richardson's *Wacousta* and its sequel *The Canadian Brothers* against the grain of both romantic nationalists, who have seen Richardson as the originary father of Canadian literature, and anti-racist critics, who accuse Richardson of one-dimensional stereotypes of Indigenous people as savages. Situating Richardson's novels within the historical context of Indigenous military alliances and land settlements of Pontiac's War, the War of 1812 and 1815 Treaty of Ghent, Fee argues that the novels present an allegory of colonization in the form of a marriage plot, in which dishonourable trickery to claim a bride is paralleled to dishonourable treatment of one's allies following a war, when Indigenous lands were allocated to non-Indigenous "Loyalists" not loyal Indigenous allies (underscored in the novels by a further parallel with land dispossession in Scotland and depictions of the Scottish Clara as connected to nature). Fee suggests this practice of securing the Canadian nation by placating "land-hungry settlers" is now extended to "developers and resource extraction companies" (49), although the connection is obscured by a national literature that represents settlement as the development of a spiritual connection to the land. Fee suggests that the gothic ending of *The Canadian Brothers*, with the deaths of Indigenous leader Tecumseh, whom Richardson had met personally and admired greatly, and the fictional Canadian brothers, one falling to his death at the site of that national icon of the naturally sublime,

Niagara Falls, is not only another version of the trope of the vanishing Indian but also depicts the failure and death of Canada, "its distinctiveness as a nation destroyed by its inability to maintain an honourable relationship with Indigenous peoples" (41).

Detailed historical context is also crucial to Fee's discussion of Riel, Johnson, and Robinson, in which she emphasizes the difficulty each experienced in being heard and understood as Indigenous and literate. Fee's larger point here is to foreground the shifting land, identity, and governance policies that shaped the material conditions of Indigenous literacy and performance, which, in turn, were essential for asserting legal rights and land claims. It is in this context, Fee argues, that we might better appreciate the singularity of poet E. Pauline Johnson's performance career. Her contemporary, "Confederation poet" and Indian Act administrator Duncan Campbell Scott, played a significant role in curtailing the talent and access to public stages of subsequent generations, Fee soberly notes:

By increasing control of Indian agents over reserve populations and sending more and more children to abusive residential schools, he made it ever less likely that 'ordinary Canadians' would encounter accomplished Indigenous people like Johnson in their daily lives. In fact, he ensured that few Indigenous people would get the education or opportunities to write and

travel freely that had fostered her ability to make a living. (124)

Facing up to this dishonourable history will help prepare us for the task Fee argues is most important: learning “how to share land, not only between Indigenous nations and newcomers, but

also with the animals, the plants, the rivers: all those beings that make up the living land” (226).

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