

Insight, Blindness, and Unexamined Assumptions in *Seen but Not Seen*

Hamar Foster

Volume 33, numéro 2, 2023

URI : <https://id.erudit.org/iderudit/1108213ar>

DOI : <https://doi.org/10.7202/1108213ar>

[Aller au sommaire du numéro](#)

Éditeur(s)

The Canadian Historical Association / La Société historique du Canada

ISSN

0847-4478 (imprimé)

1712-6274 (numérique)

[Découvrir la revue](#)

Citer ce document

Foster, H. (2023). Insight, Blindness, and Unexamined Assumptions in *Seen but Not Seen*. *Journal of the Canadian Historical Association / Revue de la Société historique du Canada*, 33(2), 235–241. <https://doi.org/10.7202/1108213ar>

Insight, Blindness, and Unexamined Assumptions in *Seen but Not Seen*

HAMAR FOSTER

A little learning is a dangerous thing;
Drink deep, or taste not the Pierian spring:
There shallow draughts intoxicate the brain,
And drinking largely sobers us again.
—Alexander Pope (1688–1744)

No one could describe Donald Smith as a man of little learning: he drinks deep, and his topic is sobering. For more than half a century, he has been researching and writing about relations between Indigenous and non-Indigenous peoples in Canada. *Seen but Not Seen* is the culmination of this work. As one reviewer commented, Smith's characterization of Alberta historian Hugh Dempsey as "a bridge between two worlds, communicating valuable information about the Indigenous world to non-Indigenous [people]" is in fact "an apt description" of Smith himself.¹

The thesis of *Seen but Not Seen* is in its title: the visibility of Indigenous people in non-Indigenous Canada has fluctuated over time, but for most of our mutual history it has been low, and anything like a nuanced understanding has been well below the event horizon. For me, a spectacular example of this invisibility occurred in 2012 when journalist Stephen Hume wrote an excellent piece in the *Vancouver Sun* on the 150th anniversary of the devastating smallpox epidemic of 1862–63 that likely killed at least 60 percent of the Indigenous people in British Columbia.² The mortality rate was probably greater than during the Black Death in Europe in the fourteenth century, and its effect on BC's Indigenous peoples was catastrophic. That history is still very much with us. Yet, while most British Columbians knew that 2012 was the 100th anniversary of the sinking of the *Titanic*, when I sent this article to my law school colleagues, one who had gone to school and university in British Columbia asked a pointed question: "How did I grow up in this province without being told about this?" How, indeed.

The *dramatis personae* of Smith's book includes ministers (e.g., George Monro Grant), missionaries (e.g., John McDougall), academ-

ics (e.g., Franz Boas, Kathleen Coburn), an artist (Emily Carr), a judge (Chancellor John A. Boyd), a schoolteacher (John Laurie), a politician (Sir John A. Macdonald), a bureaucrat/poet (Duncan Campbell Scott), an Indigenous activist (Harold Cardinal), a newspaper publisher (Maisie Hurley), and even an intriguing imposter (Chief Buffalo Child Long Lance). Nor is this the whole list: as Jan Noel notes, there are several additional “walk-ons.”³

The examples of both insight and ignorance in *Seen but Not Seen* raise at least two questions. Why were only a small minority of non-Indigenous Canadians able to see through the prejudices of their times, and why were they able to see only so much? I think part of the answer to the first question is that these were generally people who had developed meaningful and enduring relationships with Indigenous people and communities, and therefore rejected popular misconceptions about them. Part of the answer to the second question is that even many of these people were unable to transcend the limitations imposed by their commitment to versions of Christianity and theories of civilization that were dominant at the time — and which, ironically, were often the motivation behind their involvement with Indigenous people in the first place. As one reviewer wrote, *Seen but Not Seen* is a book about “determined unseeing.”⁴ I agree, provided that, with respect to most of the persons in the book, “determined” does not mean intentionally obtuse, but hampered by unexamined assumptions. As John Webster Grant observed forty years ago, “To an extent that is seldom recognized, the assault on Indian culture bemoaned by social activists today was led by social activists of an earlier era.”⁵

This raises another issue, one that Smith addresses in the book and that also came up in the question period at the virtual roundtable: presentism. He writes in the prologue that he has tried “to understand people in their historical context, through the reconstruction of the atmosphere and mentality of their age to help reveal their outlooks and situations.” In other words, he has tried to avoid “what historians call ‘presentism,’ the judgment of the past through the lens of the present” (xxii). And in case we missed the point the first time, he repeats it in the epilogue: “We should always keep in mind that in judging the past those responsible were individuals of their times, and the times were not ours. For me the good news is, over the course of my three-quarters of a century in this country, I now see a growing political, regional, and public awareness of Indigenous Canada — *Seen and Now Seen*” (273).⁶

The question is, does avoiding presentism mean that historians may not pass judgment on what has happened in the past? Of course not, and Smith does just that. He praises when he thinks praise is due and criticizes when he thinks it is not. He is an admirer of E. H. Carr, who wrote that “when we take up a work of history, our first concern should be not with the facts it contains but with the historian who wrote it.”⁷ I learned a related lesson in the first history course I took at university: a work of history tells one as much about the period in which it was written as it does about the period it was written about. There is therefore a sense in which one cannot help but see the past through the lens of the present. The real problem is different: it is the sort of 20/20 hindsight that causes myopia, not the unseeing described by Smith, but myopia, nonetheless.⁸

This, I think, is Smith’s most important point. The caution about presentism is not a plea for the suspension of judgment. It is rather a warning that the past is complex, and that context matters. There can therefore be no “official” version of an historical issue that renders it beyond debate. As one of the greatest historians of English law said in 1888, a “lawyer must be orthodox, or he is no lawyer; an orthodox history seems to me to be a contradiction in terms.”⁹

Historian Theodore Binnema has written that the problem with “simply condemning the actions of the past is that it reinforces a natural tendency to see ourselves as morally superior to the people who committed them.” This minimizes “the very real challenges and difficult choices that earlier generations, both Aboriginal and non-Aboriginal, had to make.”¹⁰ A remarkable Indigenous example is Ga’axsta’las (Jane Cook) who, as the only female member of the executive of the Allied Indian Tribes of British Columbia, was both an Aboriginal rights campaigner and a supporter of the potlatch ban.¹¹

A good non-Indigenous example is the briefest walk-on in *Seen but Not Seen*, Arthur Eugene O’Meara, because he was both a man of his time and ahead of it (208). An Anglican priest and a lawyer, O’Meara combined the two professions most calculated to get under the skin of government, especially as he devoted the last two decades of his life to what was then called the “British Columbia Indian Land Question.”¹² In 1909, he presented the Cowichan Petition to the Privy Council in England; in 1910, he cofounded the Conference of the Friends of the Indians of British Columbia; in 1913, he presented the Nisga’a Petition to the Privy Council; he was active in the Indian Rights Association; and he was general counsel to the Allied Tribes

from its inception in 1916 to its demise in 1927. O'Meara's dedication to the cause of Indigenous rights not only exposed him to criticism by the press and politicians, who unjustly described him as incompetent and equally unjustly accused him of getting rich by fleecing his clients; it also may have lost him the affection of his family.¹³

By the spring of 1928, deputy superintendent of Indian affairs Duncan Campbell Scott had agents gathering evidence to lay a charge against O'Meara under the 1927 amendment to the Indian Act that effectively made fund raising for land claims illegal.¹⁴ But O'Meara outfoxed them by dying of a heart attack before a charge could be laid. His last will and testament revealed that he had no cash to speak of, and no stocks, bonds, or property. His entire estate consisted of two life insurance policies for his wife and children, which on two occasions he had had to borrow against.¹⁵ Yet Arthur O'Meara, whose dedication to the progressive cause of land claims stemmed primarily from his Christian faith, was, for the same reason, a staunch advocate of residential schools. As Nigerian writer Chinua Achebe, the author of *Things Fall Apart*, wrote, the legacy of colonialism is not simple.¹⁶

Alexander Pope's eighteenth-century warning about a little learning being a dangerous thing is therefore a salutary one. Charlotte Gray's twenty-first-century version is less polite: "If we want the future to respect our moment in history," she wrote, "perhaps we should expand our knowledge of the past before we [judge it]."¹⁷ This is what Smith has done in his book: he has expanded our knowledge, and he has done so in conformity with Claude Levi-Strauss's admonition that the "denial of complexity is the greatest tyranny."¹⁸ Smith also hopes that "young scholars, both Indigenous and non-Indigenous,"¹⁹ will continue this work, and that one day we will "see a full study of the Indigenous populations' perceptions of non-Indigenous Canadians since the 1840s" (xxiv). Given the increasing numbers of excellent Indigenous scholars in Canada, such an equally contextual companion volume to *Seen but Not Seen* would be welcome.

HAMAR FOSTER, KC, is a professor emeritus of law at the University of Victoria. His most recent publication is "Sharp as a Knife: Judge Begbie and Reconciliation," in *Voicing Identity: Cultural Appropriation and Indigenous Issues*, ed. John Borrows and Kent McNeil (University of Toronto Press, 2022).

HAMAR FOSTER est professeur émérite de droit à l'Université de Victoria. Sa publication la plus récente est « Sharp as a Knife : Judge Begbie and Reconciliation », dans *Voicing Identity : Cultural Appropriation and Indigenous Issues*, éd. John Borrows et Kent McNeil (University of Toronto Press, 2022).

Endnotes

- 1 Maurice Switzer, "Book review: *Seen but Not Seen*," *Anishinabek News*, May 26, 2021, <https://anishinabeknews.ca/2021/05/26/book-review-seen-but-not-seen/>.
- 2 Stephen Hume, "Titanic Disasters, Selective Memories," *Vancouver Sun*, April 25, 2012.
- 3 "Seen but Not Seen: Influential Canadians and the First Nations from the 1840s to Today," Canadian Historical Association, recorded April 18, 2023, uploaded April 20, 2023, YouTube video, 44:44, <https://www.youtube.com/watch?v=6F-bDKu7FDg>.
- 4 Elaine Coburn, "But Blind They Were: The Fallacy of an Empty Continent," *Literary Review of Canada*, June 2021.
- 5 John Webster Grant, *Moon of Wintertime: Missionaries and the Indians of Canada in Encounter since 1534* (Toronto: University of Toronto Press, 1984), 185.
- 6 Chris Sankey, formerly an elected councillor of the Lax Kw'alaams Band, has said something similar: "Please keep this in mind, too: Instances and incidents of real racism — discrimination enshrined in law, policies of overt oppression, and true hatred, rather than micro-aggressions and misunderstandings — are much lower in Canada today than in almost any other country. Compared with 40 years ago, the space created and shared with Indigenous peoples is enormous. We are gaining real authority to exercise self-determination." Chris Sankey, "The Road to Reconciliation Has Been Marred by Eco-colonialism," *Globe and Mail*, February 12, 2022.
- 7 E. H. Carr, *What Is History?* (Harmondsworth, UK: Pelican Books, 1964), 22.
- 8 One example of historical myopia is the characterization of Egerton Ryerson's views as "instrumental in the design and implementation of the Indian residential School System," which appeared on a plaque at what is now Toronto Metropolitan University. Fittingly, Ryerson is yet another subject of Smith's careful research. See Donald B. Smith, "Egerton Ryerson and the Mississauga, 1826 to 1856, an Appeal for Further Study," *Ontario History* 113, no. 2 (2021): 222–43.

- 9 Frederic William Maitland, "Why the History of English Law Is Not Written," in H. A. L. Fisher, ed., *The Collected Papers of Frederic William Maitland* (Cambridge: Cambridge University Press, 1911), 1:49
- 10 Theodore Binnema, Review of *With Good Intentions: Euro-Canadian and Aboriginal Relations in Colonial Canada*, ed. Celia Haig-Brown and David A. Nock, *BC Studies*, no. 150 (Summer 2006): 118. Nigerian journalist and novelist Adaobi Tricia Nwaubani provides an interesting contrast with the current discourse in Canada around Sir John A. Macdonald, to whom Smith devotes a whole chapter. Nwaubani thinks that it is unfair to judge a nineteenth-century man by twenty-first-century principles. "Assessing the people of Africa's past by today's standards," she argues, "would compel us to cast the majority of our heroes as villains." Adaobi Tricia Nwaubani, "My Nigerian Great-Grandfather Sold Slaves," BBC News, July 19, 2020, <https://www.bbc.com/news/world-africa-53444752>. For commentary, see Gwynne Dyer, "Slavery and History," Gwynne Dyer (website), July 29, 2020, <https://gwynnedyer.com/2020/slavery-and-history/>.
- 11 See Leslie A. Robertson with the Kawgu't Gixsam Clan, *Standing Up with Ga'axsta'las: Jane Constance Cook and the Politics of Memory, Church, and Custom* (Vancouver: UBC Press, 2012).
- 12 See E. Palmer Patterson II, "Arthur E. O'Meara, Friend of the Indians," *Pacific Northwest Quarterly* 58, no. 2 (1967): 90–99; Mary Haig-Brown, "Arthur Eugene O'Meara: Servant, Advocate, Seeker of Justice," in Haig-Brown and Nock, *With Good Intentions*, 259–96; Hamar Foster, "We Are Not O'Meara's Children: Law, Lawyers, and the First Campaign for Aboriginal Title in British Columbia, 1908–1928," in *Let Right be Done: Aboriginal Title, the Calder Case and the Future of Indigenous Rights*, ed. Hamar Foster, Heather Raven, and Jeremy Webber (Vancouver: UBC Press, 2007), 61–84; and Hamar Foster, "If Your Life Is a Leaf: Arthur Eugene O'Meara's Campaign for Aboriginal Justice," in *The Promise and Perils of Law: Lawyers in Canadian History*, ed. Constance Backhouse and W. Wesley Pue (Toronto: Irwin Law, 2009), 225–41.
- 13 For the litany of charges made against O'Meara by Senator Sir James Lougheed when the Allied Tribes went to Ottawa to oppose compulsory enfranchisement and implementation of the McKenna-McBride report, and the Tribes' vigorous defence of O'Meara in response, see James Teit, Special Agent of the Allied Tribes, and W. J. Lincoln and Charles Barton, Special Delegates of the Nishga Tribe, to the Senate of Canada, June 9, 1920, vol. 11047, RG 10, Library and Archives Canada.
- 14 SC 1926-27, c. 32, s.6. This was dropped from the consolidation of the Indian Act in 1951.
- 15 Haig-Brown, "Arthur Eugene O'Meara," 272, 294n.

- 16 Achebe “argues that a key reason for the weakness of the Nigerian state is that it repudiated too much of the colonial legacy inherited from the British. A man best known for his anti-colonial views claimed in his final work that colonialism in the lower Niger River area left legacies that remain both beneficial and relevant, alongside its harmful ones.” Bruce Gilley, “Chinua Achebe on the Positive Legacies of Colonialism,” *African Affairs* 115, no. 461 (2016): 646.
- 17 Charlotte Gray, “We Need to Widen our Views: Understanding Canadian History Requires both Context and a Sense of Proportion,” *Canada’s History*, February–March 2019, 27.
- 18 As quoted by Judge Anthony Sarich, author of *The Report of the Cariboo-Chilcotin Justice Inquiry* (1993), in the introduction to his talk on the Inquiry at the Victoria Branch of Project North, January 20, 1994, as reported in *Project North BC Newsletter* 5, no. 1 (July 1994): 1.
- 19 Smith, “Egerton Ryerson,” 223.