

**TITLE: Journeying Forward, Dreaming First Nations' Independence. Fernwood Press: Halifax, 1999. 175 pp., \$26.95.**

**AUTHOR: *Patricia Monture-Angus***

**REVIEW: *Book review by Rae Mitten***

**SOURCE: Saskatchewan Law Review**

**CITED: (2000), 63 Sask. L. Rev. 756-758**

**1** Monture-Angus, a First Nations lawyer and professor, advocates passionately for the articulation of Aboriginal world views. She maintains that prevalent colonial attitudes and practices perpetuate pain and dislocation in Aboriginal peoples lives and prevent them from reclaiming their sovereignty and independence. I discern four themes around which her narrative unfolds. First, she incisively analyzes how Canadian courts, by applying their Eurocentric bias, perpetuated through the doctrine of precedents, have been instruments of colonial oppression. Second, she maps the effect of s. 35 in the Constitution Act, 1982 and its interpretation by the courts. Section 35, by recognizing and affirming Aboriginal and treaty rights, should have heralded the end of colonialism and the reassertion of Aboriginal independence. However, in the watershed Sparrow decision, the Supreme Court preserved the status quo. It failed to realign the division of powers between the federal and provincial governments to include the new s. 35 rights. Monture-Angus contends that allowing the federal Crown to justify infringement of Aboriginal and treaty rights maintains the tradition of control and subordination of Aboriginal Peoples. Third, she argues that, without an Aboriginal perspective, this pattern will self-perpetuate. Her fourth and most illuminating area of concern is how to articulate Aboriginal perspectives.

**2** A most interesting, unresolved issue in the articulation of Aboriginal perspectives, I find, is how to decolonize the effects of the Indian Act regime on many generations of First Nations to provide an uncontaminated consensus forum for Aboriginal world views. Monture-Angus models how this might be done by underpinning her own analysis with the inclusive, affirming principles of the Iroquoian "Great Law of Peace". I am particularly impressed with her special narrative style, characteristic of many Aboriginal cultures. She circles her topic from various contexts: the historical, the judicial, the constitutional, and the personal. Throughout her narrative, she remains respectful of the readers' ability to discover and express their own truth, and would never impose a perspective. In contrast to the privileged, formal discourse of the courts, she uses a culturally

appropriate style of communication and decision-making.

**3** I commend Monture-Angus for challenging us to question and expand our philosophical underpinnings. She stimulates us to ponder, in a pluralistic society that values diversity, which ideology judges should use to interpret laws so as to arrive at impartial decision-making. The evolution of Canada from a colonial society to a constitutional one involves a paradigm shift: the constitution is written, signed, and patriated, yet Eurocentric perspectives still pervade our courts and institutions in interpreting the new order. Awareness of underlying assumptions is the first step in the transformation of paradigms. As her title conveys, Monture-Angus' insightful critique compels us to journey forward in search of world views that will enhance Aboriginal independence. I await with anticipation further articulation of Aboriginal perspectives from this author.

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