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Trailblazing:
Charting Aboriginal Identities and Nationalism

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Abstract

In this chapter I trace the tensions around the contested notion of identity, that form a philosophical and political wilderness through which Aboriginal and other scholars and activists must find a stable path over which contemporary people can walk to a future that they also shape. Those who theorise decolonisation seek space for authentic traditional and contemporary political and cultural expression. What counts as traditional and authentic is always subject to contestation; similarly, the fact of contemporary existence means that cultures must and do evolve, and should not be considered inauthentic by virtue of that fact. Identity, then, is both something that we struggle against even while it provides us with the ground on which we resist; similarly, there is never a moment of pure, undiluted and uncontaminated cultural authenticity because always, identity and culture are at specific moments which reflect historical, social, and political influences. Identity is also a real signifier of political and social capital: if the possibility of surviving the colonial assault exists, it does so only because of the healthy, compelling cultural ethos and identity offered by contemporary Aboriginal cultures relative to the dominant option.

Introduction

"Where are you from?" This question is a common one asked by indigenous people of other indigenous people. It is more than a request for a geographical reference point. It is an inquiry about one's national origin(s); about one's identity as an Aboriginal person, located in community and historico-political context. It means also "Who are you; how do you represent yourself; how do you identify yourself within the pantheon of indigenous experiences?"

In this paper I trace the ways in which particular indigenous (or Aboriginal; throughout this paper I use these terms interchangeably) identities are both the products of and the creators of authentic culturally and historically located experiences, and are also acts of resistance against the occupying force of the settler state, which has always sought to assimilate or incorporate indigenous difference into the dominant body politic. Identity is derived from historical cultural and political experience, and there is much pressure and expectation that indigenous identities should, nay must, be historically and traditionally framed. This is evident in the calls by some indigenous intellectuals for a return to an immutable cultural or traditional framework as an act of resistance and a measure of authenticity. (Cf. Taiaiake Alfred 1999:80-88) It is equally evident in Supreme Court rulings that tie certain rights claims by contemporary indigenous peoples to proof of cultural practices which pre-date colonial contact. Yet, identity must be practised by contemporary peoples; rights are claimed for meaningful exercise in contemporary conditions; and all cultural practises are syncretic and always in flux. Cultural formulas which tie authentic identity to earlier regimes effectively freeze culture -- and arguably, that's a recipe for a dead culture. Consequently, identity is political and politicized: it is a site of resistance to colonial domination, and a tool for the legitimation, domination, and exclusion of others within particular cultural communities.

I move from looking at Aboriginal identity, to culture, nationalism, self-determination, and at the tension between Aboriginal accounts of this process and the goal of decolonization, in contradistinction to liberal ones. This tension is most marked in relation to the notions of sovereignty and human rights. I conclude that indigenous intellectuals are moving to a post-colonial discourse that also implies a post-liberal discourse. In the process, identity claims are demonstrated to be consistent with a positive nationalism, one built on the enduring core of indigenous cultures and practised with respect for the liberal human rights discourse that has been used so effectively to assert indigenous rights.

There are many tensions that form a philosophical and political wilderness through which Aboriginal and other scholars and activists must find a path which contemporary people can walk to a future that they also shape. Some of these have been traced by other scholars, but virtually none of these have been taken as determined by indigenous intellectuals and considered from the point of view of the colonized communities who now seek space for politically and culturally meaningful identity. That is, the philosophical paradigms, frames of reference, political objectives, and critiques of indigenous intellectuals are minor footnotes to the dominant claims and counter-claims of liberals in their glorious variety.[i] Indigenous thinkers continually struggle against the dominant and dominating stream of scholarship on rights, sovereignty, culture and identity, as they try to assert the powerful elements of indigenous philosophies into the discursive mix. This is mirrored outside of the ivory towers. As Taiaiake Alfred (1999:70) writes, "Despite all the wisdom available within indigenous traditions, most Native lives continue to be lived in a world of ideas imposed on them by others." Evidently, politics and

public policy are shaped with little regard for the insights of indigenous cultures, and with rather too much uncritical reliance on the monotone of liberalism.

While scholarship is ideally internationalist, critical, and catholic, the fact of liberal intellectual dominance means that a predominant lens of analysis factors in some alternatives and excludes others. Consider, for example, the foundational role of liberalism in constructing the legitimation myths for the colonial state -- including it's claims to sovereignty, the ineluctability of its capitalist economic forms, and the Lockean notion of private property utilized against Aboriginal peoples' claims to territorial sovereignty; all grounded on the proposition that rational selfish individuals are the fundamental component of society. This translates today into scholarship arguing for "realism"[ii], for indigenous integration into the colonial state and it's capitalist economy, for the uncontroversial acceptance of settler state sovereignty, and so on.

Identity is something that we struggle against even while it provides us with the ground on which we resist. There is never a moment of pure, undiluted and uncontaminated cultural authenticity because always, identity and culture are at specific moments which reflect historical, social, and political influences.[iii] Historically colonized Aboriginal nations are now also part of the framework, no matter how peripherally, of globalised consumer culture (most powerfully pedalled through the mass media) and its neoliberal ideology. Yet, those who theorise decolonisation seek space not only for cultural revitalization but also for authentic traditional and contemporary political and cultural expression. The influences framed by mass media,

globalised capitalism, identity and nationalist claims, and the hegemony of the state also shape indigenous minds and options, although less unilaterally than for the dominant culture. (Smith 2001:99, Green 2003) Still, there is political possibility for indigenous contestation in which the result is not simply insertion into the monoculture of the state and capitalist economy. If that possibility exists, it does so only because of the healthy, compelling cultural ethos and identity offered by contemporary Aboriginal cultures relative to the dominant option.

Aboriginal Philosophical Commonality

While it is true that indigenous cultures are enormously diverse and are now also affected by different historical experiences with colonialism, there are also some core cultural commonalities that emerge as a consequence of particular political economies and world-views of land-based cultures. Anna Hunter affirms this in relation to politics and identity, writing: "Aboriginal people generally approach politics informed by their traditional values, ceremonies, and the teachings of elders and other respected leaders (and) Aboriginal people use a different set of benchmarks to measure policy success: the will to sustain Aboriginal languages, cultures and traditions". (Hunter 2003:32) Similarly, Richard Falk writes: "Indigenous peoples, seeking to have the right to a separate existence based on their traditional patterns of organization and governance, ... insist that the traditionalist alternative be legitimized, and to the extent necessary, safeguarded." (2000:51) Both Hunter and Falk, then, invoke the centrality of tradition to Aboriginal identity and to Aboriginal rights claims, including the right to self-determination (which includes the more anemic 'self-government') and to particular political outcomes. These

traditions are invoked in contradistinction to the values assumed to be penultimate by the apostles of liberalism and modernization. The framing of these values in the language of human rights and self-determination has produced what Falk calls "the first truly intercivilizational critique of the prevailing human rights discourse and its world order implications". (2000:151)

Most profoundly, indigenous philosophical differences relate to how land is viewed. As Sioux philosopher Vine Deloria Jr. explained decades ago, the reality of the land is inextricable from indigenous world-views: "American Indians hold their lands -- places -- as having the highest possible meaning, and all their statements are made with this reference point in mind." (Deloria 1973:75; see also Smith 2001:99) The relationship with the land constructs ecologically conscious approaches and attitudes toward traditional territories, and very detailed and intimate knowledge of the terrain and of its many inhabitants. This knowledge is encoded in traditional practices and stories, and forms the basis of what is known in the academy as Indigenous Knowledge. This perspective is implicit in the *Beijing Declaration of Indigenous Women*, which asserts: "The Earth is our mother. From her we get our life, and our ability to live. ... (W)e continue to protect, transmit, and develop our Indigenous cosmovision, our science and technologies, our arts and culture, and our Indigenous socio-political economic systems, which are in harmony with the natural laws of mother earth." (Http://www.ipcb.org/resolutions/beijingdec.html) This relationship is quite different from the private property concept that frames individual ownership of land by state citizens, subject to the radical title always held by the crown. Indeed, territory is integral to Aboriginals' identities. Patrick Macklem identifies the distinction between Aboriginal territorial interests and property

claims. "To speak of property is to speak primarily of ownership. Territory signifies a space to which individuals experience an attachment that partly constitutes their identification with a broader social and political collectivity." (2001:103) In other words, territory is linked to identity in community intergenerationally, economically, and culturally and is a far bigger concept than property.

In indigenous philosophies, there is a prevailing notion of the relationship of human beings with other beings, rather than the hierarchical model suggested, for example, by the Genesis myth that places Man at the pinnacle of a creation that is made for his benefit and domination. In indigenous cosmologies, the Creator is understood to be of and for all elements of creation: the theologies and other myths of indigenous peoples reflect and reaffirm this primary relationship within territories and ecosystems. (Smith 2001:73; 105) The structures of land-based societies also produce social pressures in favour of internal conflict minimization and of the honouring of relationships. And the majority of indigenous cultures reference space/place, in contradistinction to the western focus on time, in matters of philosophy. (Deloria 1973:76; and generally) When indigenous peoples from around the world get together, for example at international conferences such as the World Council of Indigenous Peoples (in what Cairns (2002a:216) labels the "indigenous international"; Smith (2001:110) calls "the international social movement of indigenous peoples; and Richard Falk (2000:50) calls "the global network of indigenous peoples") there is mutual recognition of these shared values, which transcend cultural and historical differences and geographical spaces. The *problematique* of how indigenous nations can decolonize while remaining faithful to the values of their particular national

identities and cultures is a difficult one. It is structured by the conditions of *de facto* settler occupation of traditional territories, and by the existing and preferred political economies of indigenous communities which are often (but not always) opposed to the marauding capitalism characteristic of the settler states.

Parsing Identity Politics

The category *indigenous* or *Aboriginal* is not primarily an identity location: it signifies an historico-political relationship. The terms arise only in conditions of colonial occupation, in relation to those who colonize, settle, and appropriate the territory of indigenous nations. This is acknowledged in the *Draft Declaration of Indigenous Peoples*, where indigenous is defined as anteriority to the colonizing populations and contemporary political non-dominance in the settler state. (Anaya 2000, Green 2004b) There is little point, then, in excavating the nature of indigenous identity, for that identity is inextricably tied to the specific histories of colonialism. (And similarly, it shapes the settler identity as well.)

The enduring identity that indigenous peoples seek to maintain, or re-create; and to transmit intergenerationally, is the specific cultural identities of particular socio-political communities. These identities are also characterized by a "stable core" (Alfred 1999) but are shaped syncretically by all of the influences brought to bear on them at particular historical moments. As John Borrows says, Aboriginal peoples are "traditional, modern, and post-modern" (Borrows 2000), and so are their identities. These are identities that did not begin at

the moment of colonization nor end one moment before (see Borrows 2002:56-76 for a critical analysis of the "frozen rights" thesis that ties Aboriginal rights to a pre-colonial moment of cultural authenticity.) For example, "Indians" have a shared consciousness of colonial oppression in Canada, but only the Ktunaxa have Ktunaxa identity, connected to the territory, and seek to practice it and to transmit it intergenerationally, in ways that are both faithful to the values encoded in tradition and that are responsive to the conditions of modernity. A common mistake of liberalism is to conflate the two positions – indigeniety and particular community – and to consider both identically, apolitically, and ahistorically, as identity.

Nor is indigenous identity only (or primarily) personal, though obviously each individual experiences identity personally. Still, individuals are utterly contextualized by community, and by community practices and acceptance. Deloria writes that "The possibility of conceiving of an individual alone in a tribal religious sense is ridiculous." (1973:201) Community is necessary for identity; healthy community with intact social practices and traditions produces healthy individual identity. This is far more substantial than the pallid "beads and feathers" or "dance, diet and dress" versions of multicultural inclusion.

In the Canadian Constitution, the category *Aboriginal* includes *the Indian, Inuit and Metis* peoples. (S.35, *Constitution Act 1982*) The language of the Constitution, then, points to the fact of recognition by the state of the colonized relationship, and then to those peoples who were colonized. This constitutional recognition is of aboriginality, according to the three categories which have largely been imposed by colonial bureaucracies and which have little to do with how

the many Aboriginal peoples understand themselves. Indian Act - defined Indians are actually Kainai, Ktunaxa, Cree, and so on: the Metis (or metis, depending on who you talk to) are in the throes of struggles to determine what exactly comprises Metis-ness – and who decides. The imposed categories of recognition are also liabilities, imposing definitional and boundary-maintenance requirements for the primary benefit of an external authority who will recognize the categories as rights-bearing. Aboriginality is a relational notion: rights arise as a consequence of colonial domination. The facts of this have nothing to do with identity, though identity, along with culture, family, community, economy and so on, took a beating in the process of colonial domination.

Identity, both cultural and political, emerges from the location of individuals in relation to particular communities. Identity is conferred, but also chosen and performed by the agency of individuals and communities. This includes an element of agency, of choice, on the part of individuals and communities. Sol Yurick writes that "'Identity' ... means *identification-with*, which entails a submersion of one's psychological self in some greater, mass 'self'. (Yurick 1995, 205) (Emphasis in original) So, too, for the Royal Commission on Aboriginal Peoples: Aboriginal cultural identity is not a single element, but rather is a "state of being that involves being wanted, being comfortable, being a part of something bigger than oneself". (RCAP Vol.4 1996:524) This aspect of individual meaning deriving from collective identity is fundamental both to the concept of identity (hence, section 27 of the *International Covenant on Civil and Political Rights*, which guarantees all persons the right to enjoy one's culture in one's community), and to the significance of what it means to be Aboriginal: this is a relational notion,

and its practice requires shared culture and community. Identity includes both "continuity over time, and differentiation from others" (Guibernau, 1996:72); it is stable even while it evolves; it infers boundaries that distinguish *this* community from the *other.* For Edward Said, identity is also an act of political agency, of political will, and thus, identity is performed "by acts of self-representation that are always essentially political". (Ashcroft and Ahluwalia 1999:12-13) Identity, like history, emerges from the "transforming power of stories" (Williams 1995:200) and thus is an intergenerational expression of and a creator of culture.

Identity emerges from culture (a fundamentally communal social characteristic), in historical context and thus is linked to politics. The collective experiences are shaped and understood by culture and by the stories by which we remember our experiences and interpret our histories. Individuals understand themselves in relation to these collective experiences and imaginings, forming their sense of identity from these foundational psycho-social materials. Nor is culture reducible to a list of attributes on some anthropological checklist[iv]: it involves processes that respond to change over time, while transmitting core myths and values that place individuals in meaningful context.

So, too, with the vexed question of Canadian identity and it's utility for political positions and outcomes. What it means to be Canadian is inextricably linked to the reality of our colonial past, the immiseration of indigenous peoples, and the assertion of Aboriginal rights in the 1982 Constitution, because colonization produces a 'shared culture' "for those who have been colonized and for those who have colonized". (Smith 2001:45) Colonization shapes settler

identity also: "white settlers came to know themselves through what they were not" (Mawani 2002:54) It includes the fact of Aboriginal prior occupancy as a "foundational feature of Canadian constitutional identity". (Macklem 2001:105) Ultimately, what it means to be Canadian may become synonymous with a retreat from the racist legitimations of state sovereignty and land theft, and with a new imperative of a post-colonial relationship grounded in principles of justice. That is, the fraught Aboriginal-settler relationship may hold the elements for a truly meaningful and transcendent Canadian identity and hence, for a truly viable unifying Canadian citizenship. (Green 2004b)

And how is identity confirmed? It is confirmed in community; while individuals may have a consciousness of identity, it is not only an individual attribute but one that takes it's meaning from practice in community. Aboriginal peoples have been subject to colonial *diktat* about what it means to be Aboriginal – always relative to the authoritative arbiters of knowledge in colonial academies, bureaucracies, governments, mass media, and law. Former AFN National Chief and subsequent co-chair of the Royal Commission on Aboriginal Peoples, Georges Erasmus, has noted in relation to contemporary treaty negotiations, that "It is difficult to establish trust when the person sitting across the negotiating table from you begins by saying: You are not who you say you are." (Cited in Neu and Therrien 2003:150) The authority for determining the components of particular indigenous identity and therefore, of membership/citizenship, must vest in the community itself. This is profoundly an element of the human right of self-determination.

Yet, this power cannot legitimately be used in ways that violate fundamental human rights, including, tautologically, the right to culture in community – that is, the right to one's identity; and indigenous nations and communities are also bound by the international human rights standards that they have invoked in struggles against colonialism. (Green 2001) Decolonization is linked here to liberalism through human rights discourse, and the crucible of contested discourse produces a new set of analytical tools, the emerging shape of post-liberal and post-colonial theories. The power of and over identity in community and thus, membership; and over the authoritative interpretation of culture, is a challenge for decolonizing communities. Ashcroft and Ahluwalia write that "Culture is both a function of and a *source* of identity, and this explains the return to some form of cultural traditionalism in post-colonial societies, often in the form of religious or national fundamentalism. ... Alternatively, culture also becomes one of the most powerful agents of resistance in post-colonial societies"(1999:90) Smith, too, identifies the power of "belief in an authentic self ... (by appealing to) an idealized past when there was no colonizer ... to our authentic selves as a people". (2001:73) This authenticity, though, was never static and never uncontested or 'pure': cultural evolution and syncretism did not begin with colonialism. What did begin with colonial bureaucratization of racist formulations of indigenous identity was the notion that indigenous identity was pure, though primitive, pre-colonial contact and subsequently, was en route to civilization via assimilation. And thus did identity become the terrain for resistance to colonial domination and cultural genocide.

Differences, including identity differences, "appear to generate conflict only when they are associated with inequalities in either material benefits or political power." But

when they do generate conflict, they become resources to be shaped and mobilized for political struggle (Simeon 2002:33). In the context of struggle, there are competing views of identity and history, of meaning, of culture, of authority. Not only is identity fluid, but it is manufactured as well as experienced in the forge of the political process of constructing consensus through mythic, empirical, and theoretical means. Identity itself is a politicized frame of reference. It's deployment in the service of politics too often produces essentialism, leading to intra-group squabbles over who is real and which practices are authentic. Smith notes: "These debates are designed to fragment and marginalize those who speak for, or in support of, indigenous issues. They frequently have the effect also of silencing and making invisible the presence of other groups within the indigenous society like women". (1999:72)

Identity is a consequence of culture, and culture itself is a right of both individuals and communities. Culture is of interest to human rights law, and is conceptualized by James Anaya as part of a cluster of international norms framing indigenous peoples' rights to self-determination. Through this set of norms, identity and culture are linked to self-determination, itself a fundamental human right and a right of peoples. (Anaya 2000:97-109) Identity, then, is fraught with the politics within indigenous communities, because the recognition of particular identity is both legitimation of the individual in relationship to community; and is affirmation of political analyses and agendas. Similarly, denial of recognition is a form of exclusion that goes beyond merely personal relationships: denial of recognition has political and material consequences. It can mean exclusion, erasure, marginalization, ostracization.[v]

Culture can (although it does not always) morph into nationalism, a political self-consciousness that seeks measures of self-determination for the community of identification. And Said warns that culture comes to be associated with the nation or state in xenophobic ways; this becomes a source of identity, sometimes characterized by 'returns' to culture and tradition that assert problematic codes of intellectual and moral behaviour. (Said 1994:xiii; also see Green 2004a) Aboriginal communities have taken up the language and ideology of nationalism to promote politically-significant indigenous identities in relation to the colonial state. Again, this draws on the motif of relationship: nationalism is linked to culture through its political programme for a positive future for the collectivity, in which membership includes a cultural affiliation with some kind of narrative of a common past. (Guibernau, 1996:72-84) Political community grounded in a cultural framework is always a selective and mythic project. Particular practices, symbols, and historical narratives become emblematic of the community, or the nation. Nationalism emerges as the political programme of a community which understands itself through a cultural and historical narrative in opposition to others. Guibernau considers contemporary nationalism "a response to a need for collective as well as individual identity". (1996:74)

This nationalism is a culturally bounded project for self-determination, a fundamental human right. It is a right that challenges the way in which the Canadian state came to hold sovereignty over its current territory, against the indigenous nations that held it originally. That appropriation came through the legal incantation of *terra nullius* and the construction of

indigenous peoples as incapable of holding sovereignty, by virtue of cultural, moral, political, and racial incapacities. Consequently, the historical reading of Canada's appropriation of others' sovereignty suggests it was an inevitable and natural part of political progress. Asch notes that "Canada still has no conceptual frame other than assimilation to explain how it asserted absolute sovereignty and jurisdiction over indigenous peoples and their territories without their consent." (Asch 1999:441)

Self-determination is a challenge to "the monopoly of power" settler states exercise over indigenous communities. (Williams 1995:149) It implies a challenge to the sovereignty settler states have appropriated from indigenous nations, even though its exercise does not require transformation to statehood. And self-determination is a human right of peoples, conceptually a creature of liberalism, in the service of counter-hegemonic politics and theory. It links the colonized and the colonizers through the most liberatory of liberal tools, and the reality of liberal state oppression through the history of colonialism. It calls on those who claim the right to commit to the defence of human rights, and the practice of democracy. Anaya writes that "self-determination entails a universe of human rights precepts" which requires that "the governing institutional order be substantially the creation of processes guided by the will of the people, or peoples, governed." It also requires that this governing order "be one under which people may live and develop freely on a continuous basis". (2000:81) Self-determination, then, requires democratic mechanisms and practices, and an absence of the political fundamentalisms that impose upon cultural development and practice. It requires cultural authenticity and vibrancy, without the rigidity that restricts cultural

transformation and that can lead to human rights violations. Culture, and the existence of a bounded community of identity, are essential for self-determination.

Boundary identification and maintenance

Of the three Aboriginal peoples cited in the Canadian constitution, the Metis perhaps best exemplify the tensions between identity, culture, aboriginal rights, and decolonization. The facts of hybridity and of indeterminancy form the complex foundation on which Metis identity, or identities, rest/s. These facts provide a profound challenge to the racist assumptions implicit and explicit in the history of colonization and in its material outcomes on the citizenship and public policy of the people regulated by both. (Mawani 2002:49-51 and generally) Mawani argues that it was the "in-between-ness" -- the evidence of commensurability between colonized and colonizer -- of mixed race people that white elites found threatening. (2002:49-50) Metis, or "mixed-race" people, have been objects of deep ambivalence for settler populations and for their governments. Mawani suggests this is because settler privilege is based on race privilege, relative to "natives", making it necessary to know who is who. "Differentiating between Indian-ness, whiteness, and everything in-between was necessary for protecting the identity, privilege, and property of whites." (Mawani 2002:53) Hence, the colonial fascination with establishing categories of 'natives' for management and assimilation – and also, as objects of racist justifications for colonialism itself. Through the colonial gaze, indigenous identity was projected onto peoples who had identities; yet, through the complex relationship by which colonial-colonized relationships are mediated, this projection also becomes incorporated by the colonized.

(Cf. Said 1979) We become inextricably defined by each other, as well as by the characteristics we choose to foreground from our pre-colonial existence.

Metis people(s) are now working through the matter of identity, and their processes are instructional for thinking through the matter of identity. Of the three constitutional orders of Aboriginal peoples, it is the Metis who are both Aboriginal and who by definition emerge from a minimum of two prior identifiable and politically distinct communities. This hybridity is often foregrounded as the quintessence of Metissage, yet this mistakes the fundamental Aboriginality of Metis cultures and identities. The fact of the existence of the distinct communities with political and cultural self-consciousness, tied to the historic emergence *here* and not derived from *elsewhere*, and combined with colonial subordination, is what makes the Metis authentically Aboriginal. LaRocque makes the point that "Metis and Halfbreed histories and identities cannot be so easily generalized or fused together" with the macro-category of all people with indigenous and settler ancestry (2001:381; 382-83) and she asserts that Metis Nation peoples have both particular political and cultural identity (2001:383) which should not be evaluated in comparison to or relative to conformity with Indian cultural traditions (2001:392).

Nor is Metis identity simply hybridity in the Saidean sense of multiplicity. Yoke-sum Wong argues that "The conjunction of two cultures produces a hybridised cultural identity that is neither fully indigenous nor exogenous." (2000:260) But this definition of hybridity does not encompass the reality that new identities are produced, hybrid but also absolutely authentic and

distinct from that which has gone before in all the contributory progenitors. And this is the insight that Metis identity performs: it is one thing, it emerges because of multiple origins and influences -- *just as all other identities do*. At any point in time, in particular communities, culture and identity are absolutely authentic socio-political practices, yet there is ineluctable change with time and the change incorporates the effects of the influences of particular epochs. Metis identity cannot be captured by the tired, stale formula of "native women and French (or Scottish) men) who produced "half-breed" children. Nor can the contemporary nationalism of the Metis, and the self-consciousness of this set of communities, be understood as a bastardized version of contributory identities, "neither fully indigenous nor exogenous". While the lack of legislative attention and of land bases have contributed to Metis and other Aboriginal cultural erosion, "cultural erosion does not mean cultural amnesia" (LaRocque 2001:391) and arguably, the collective experiences of disenfranchisement within the Canadian polity have shaped Metis identities profoundly.

Similarly to other Aboriginal peoples, the Metis are concerned to maintain their culture(s) and identities (but this is not a claim to "racial or ethnic purity or cultural superiority"). (LaRocque 2001:396) The RCAP noted that regardless of the ethnic, geographical and sociological and historical diversity of Metis people, the experience of rejection by the communities of both sets of ethnic ancestors is common; and (this, of course, pre-*R*. v. *Powley* (S.C.C. 43)[2003]) RCAP declared: "The refusal by the government of Canada to treat Metis as full-fledged Aboriginal people covered by section 91(24) of the constitution is the most basic current form of governmental discrimination." (RCAP 1996, Vol.4:219) But it is not only the

Canadian government that has used racist justifications for ignoring the Aboriginal rights of the Metis; the "rejection by the communities of both sets of ethnic ancestors" is the performance of racism by Aboriginal and settler Canadians, of those who are always constructed as "other" by virtue of the very hybridity that demonstrates our fundamental common humanity. Metis identities, then, are shaped by history, by cultures – all of them – by political economies, by particular communities' practices, and perhaps more than for any other community of identity, by the unrelenting experience of racism.

Citizenship, Identity, and Boundaries

Citizenship provides the fodder for examining the ways in which differences are made politically significant, and the ways in which identity has been deployed in constructing political relationships. Citizenship is complicated by being both a goal for which its implications provide a foundation; and also, a legal relationship that crystalizes expectations and responsibilities, and establishes politically significant difference.

Citizenship in the settler state is generally taken to be a normative goal and neutral standard that applies equally to all who are captured by the category "citizen". Further, this status is treated as unproblematic even for those, such as Indians and women, who have historically been excluded from full citizenship by state sexism and racism. Advocates of the all-inclusive Canadian citizenship tend to see the state and its citizenship as neutral in the use of power and formation of identity; that is, these are considered non-political or at least, non-

politicized relationships and categories. Yet, some intellectuals and activists contest the applicability, neutrality, and desirability of citizenship in the settler state -- and further contest the settler state's claim to hold the best claim to sovereignty over territories and peoples. Citizenship is membership in the political community of the state, and the state has been the oppressor of indigenous peoples throughout colonial history. Citizenship assumes and confers identity – and indigenous identities are not entirely coterminous with membership in the colonial state. This is fraught terrain, both intellectually and politically, and it requires careful mapping.

Ethnic subordination such as that constructed by Canadian colonialism is a problem usefully considered through the lens of critical race analysis and as a human rights problem. Such analysis focuses on the phenomena of racism and colonialism (and hence, on the particular political economies based on colonial appropriation of indigenous resources), and on the goal of democratic inclusion and on democratic participation issues. Here, we move from considering race and racism, to rights, in the context of identity of indigenous peoples in settler states.

Racial categories (like 'native' and 'halfbreed') are always problematic, focussing on physical distinctions which are alleged to mark profound, essential, and hierarchically evaluated differences between categories of people. Race is a fallacious and imaginary concept: human beings are all one species, or "race". Racism, however, is not imaginary: it results from people and governments behaving as though race were real. As Albert Memmi remarked, " racism is the racist's way of giving himself absolution"

(cited in Williams 1995:172-73); or as Guibernau puts it, racism is "a doctrine of denial of political, civic and social rights". (1996:89)

Race is sometimes evoked in defence of cultural difference with meaningful political consequences – and also invoked against policies directed at the implementation of cultural and Aboriginal rights, as in the objection to 'race-based' hiring or fishing rights and so on. When measures of decolonization occur, they are sometimes attacked by elements in the settler population with arguments grounded in law and economics, but ultimately reducible to the rejection of measures which constrain white privilege. Race, then, is sometimes conflated with rights claims, equality claims and policies, and self-determination claims. But race is not the operative distinction grounding these claims. Rather, culture, history and human rights provide the foundation for claims against domination by communities and political practices that have historically invoked 'race' in defence of oppressive relationships.

Rights, however, are meaningless in the abstract; people seek rights for concrete purposes. Culture, history and political and sociological organisation, such as leadership recruitment and kinship regimes, contain the practices which are expressions of the rights claimed against the racist and homogenizing power of dominant communities. Kinship and culture are repositories of the nation, intergenerationally, in which rights are held relative to the colonial state as well as relative to the nation of identity. Kinship and culture are not racial identities, and they are specific, not

amenable to homogeneous identity markers such as the bureaucratic creation 'Indian'.

Importantly, the concrete practices that encode rights are also the terrain of political struggle, and occasionally, of the politics of domination. Not all who claim membership in subordinated groups are equally placed within those groups, nor is there unanimity on the analysis of oppression and the priority strategies for liberation. This reality underlies conflict over whose visions will dominate, and who is dispensable. It is because of this shared human propensity for disagreement and oppression that indifferent codes of human rights are helpful in maintaining some semblance of normative codes of conduct, and of outcomes, for even the most marginal of community members.

And rights are the product of liberal philosophy. How will a post-colonial order employ the conceptual tools of liberalism? As indigenous and other critical thought informs the broad stream of dominant ideology, it too changes; we are moving toward a post-liberal philosophy as well as toward post-colonialism. Neither state of being can detach itself from the past, though both can be created with other conceptual materials and can produce new and transformative outcomes. Rights discourse is one of the most useful liberatory tools that liberalism has provided, and it is unlikely that this tool will be abandoned simply because of its liberal antecedents. International human rights discourse has provided law and norms that frame and constrain state action toward it's citizens. While some have suggested that rights claims are un-indigenous and should be

avoided, they have been the terrain on which many indigenous activists have launched claims against the colonial state. Philosophy, like identity and citizenship, is not only one thing; there are no incommensurabilities between thinkers, and all thinkers, all philosophy, all politics, borrow from the factors that influence them.

Rob Williams suggests that it is the "emerging global discourse of indigenous human rights ... in the emerging postmodern world legal system" that represents the best strategic option for indigenous struggles for self-determination and decolonization and extends universal norms that constrain the sovereign nation-state. (1995:193-4) Decolonization levies a moral challenge also: international human rights discourse must address "a radical transformation of the present-day racist models relied on by western settler-state governments to respond to indigenous rights demands." (1995:199)

Self-definition, membership, or citizenship regimes are crucial not only because they are exercises in self-determination and boundary maintenance, but because they establish the community of rights-bearers with claims against the nation, community, or state. Those without status are denied access to entitlements of status; perhaps more importantly, they are denied meaningful recognition of identity. This exclusion is especially problematic for those who identify with a minority community but find themselves excluded, exiled into a majority that is historically oppressive and at best, oblivious; at worst, racist, toward Aboriginal people.

The Canadian colonial state has established and policed Indian status through the Indian Act in order to define a policy community, and to bureaucratically administer policy for the defined community. In this way, colonial racism was bureaucratized. (Green 1995) Indian status, however, says nothing about the identity of a particular community, or nation. It is a restrictive pan-national formula that erases indigenous particularity. Nor does it speak to the complex relationships between indigenous communities. Rather, it homogenizes history, cultural particularity, and political aspirations into the category 'Indian' even as it restricts that status to a select list of recognized Indians based on patrilineality and colonial recognition.[vi]

Yet, it is not the violation of human rights of indigenous persons by indigenous citizenship regimes that is the primary threat to indigenous peoples' human rights. That prize goes to the settler state, which has throughout its history barred whole categories of people from the full citizenship relationship through what .Sherene Razack calls the "racialized structure of citizenship". (2002:5) To now present the conditions for and status of citizenship as neutral is to dodge the entire history of the settler state, which is racist, sexist, and imbued with class preferences in ways incompatible with a neutral and universal benefit.

Conclusion

Given the political project of decolonization, how do Aboriginal and settler identities and

cultures function in the process; and how will each be transformed by the process? Will there be honourable space for the children of hybridity -- which, if we take seriously the proposition that all cultures and identities are always in transition, and that essentialism is a mischaracterization, is what we all are? And what would decolonisation look like? These questions form part of the framework for talking about the just resolution of the historical and continuing practices of colonialism, legitimated by racism, and concretized in Canada's educative, cultural, administrative, political, corporate, and other sites of power. The state is the locus of people, of peoples: the contemporary immigrant, the descendants of historical colonizers, and the descendents of the historically colonized -- and all of the hybrid populations formed of the common humanity shared via human relationship between these categories. The state, then, is both arena and agent; both oppressor and liberator; both the guardian of colonial privilege and the champion of indigenous contestation. Nothing is absolute, or simple, in these relationships. Identity is at the core of the *raison d'etre* for the politics of decolonization: identity as Aboriginal resistance to colonialism, in particular Aboriginal communities, which are claimants of rights at international and Canadian constitutional law. Similarly, what it means to be Canadian is simultanenously particular -- framed by regional and community histories, political economies, and cultures, yet also part of the macro-category *Canadian*. This identity-in-community; this location of the person and the personal in historico-cultural context; drives the impulse toward decolonization and toward new identity in the emerging context of a decolonizing settler state. What it means to be Metis, Ktunaxa, Quebecois, Saskatchewanian, and Canadian, is always in transition between past and now. Any historical moment is also a product of what have been deeply problematic power relations, and this is reflected in our

identities.

Nationalism has been part of the political culture through which generations of Canadian political elites sought to develop a cohesive public identification with a particular political project. It is a benign nationalism for most of the settler population, devoted to building Project Canada rather than expanding Canadian hegemony internationally. Yet, Canada rests on the foundation of indigenous lands, jurisdictions, and on the oppression of indigenous nations. Project Canada is foundationally about oppression, and so Canadian nationalism has been malignant in its denial and justification of colonial and racist practices. These processes are typical of the ways in which communities establish dominant myths of identity and origin -- "nations themselves are narrations". (Said 1994:xiii)

Nationalism is sometimes conflated with racism, most evidently in fascist formulations. But Guibernau reminds us that "Nationalism is about building, dreaming and working for a better future for the new generations. Racism does not attempt to construct anything." (Guibernau, 1996:90) That is, nationalism is also a positive expression of identity in political formation. And, as Asch reminds us, indigenous discourse is grounded by a goal "to enter into a permanent relationship with the settlers on the basis of sharing". (2002:18) Nationalism, then, both Canadian and indigenous is, like identity, a powerful and dangerous tool that can be used for good or ill.

Decolonization requires that the colonizer changes foundational assumptions about state

legitimacy and acquisition of sovereignty. This in turn requires that advocates of decolonization provide both a compelling theoretical critique of the legal, political, and cultural status quo; and more compelling alternatives that would result in genuine transformation accommodating indigenous self-determination as well as the kinds of integrative and sectoral political and administrative practices that are currently taken to be about "self-government". (Williams 1995:147) But equally, decolonization means that the settler state must change. In the Canadian context it means, for example, the authority to set the parameters of the conversation about what this means cannot lie only with the intellectual and political settler elites who so unselfconsciously have appropriated that authority to date. The flavour of nationalism must change to include the objective of decolonization. What it means to be Canadian will then include the history to date, and the decolonization objective I have framed here.

Indigenous nationalisms have also had, and have, as part of their project, the development of political culture. Contemporarily, that includes a culture of indigenous opposition to the Canadian state; a powerful pride in indigenous cultures, languages, political and social forms; and a demand for the full panoply of rights accorded peoples and nations in international law. Nationalism is linked to culture through its political programme for a positive future for the collectivity, in which membership includes a cultural affiliation with some kind of narrative of a common past. (Guibernau, 1996:72-84) It is not only resistance but also the process of collective identity formation in the service of a collective, cohesive political project for those within the politico-identity boundary. Indigenous identities function both as a form of resistance to the brutalization of colonialism, and as affirmation of the values shared by

indigenous peoples. Like all peoples, indigenous nations will have to walk the fine line between positive affirmation and xenophobia; between cultural maintenance and revitalization, and oppressive fundamentalism. The positive potential is worth the difficulties that will attend finding this path.

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Endnotes

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i.For an enumeration of the luminaries considering indigenous identity, all but one non-indigenous and all but that one drawing on the philosophical toolkit of variants of liberalism, see Schouls 2003, especially 1-38.

ii.See, for example, Cairns 2002; while not identically in prescription to Cairns, Thomas Flanagan and Mel Smith also take up an implicitly realist approach. *cite dates etc.

iii.I wish to acknowledge Phillip Hansen, Department of Philosophy, University of Regina, for his insightful analysis of these relationships. See also Phillip Hansen, "Hannah Arendt and Bearing With Strangers"**,** *Contemporary Political Theory* Vol.3, No.1 (April 2004). Pp. 3-22.

iv.See LaRocque 1997:78-80 for a critique of lists of cultural attributes.

v. Consider the consequences for specific excluded individuals because the *Indian Act* has maintained a register of "status" Indians for well over a century; a list of who is entitled to be treated as an Indian by the government of Canada. (See Jamieson 1978 for a thorough discussion of this.) Consider the powerful condemnation of some Indian activists that Ward Churchill expresses (including persons' names) in the Acknowledgments to his book *Indians Are Us?*: "a whole herd of hang-around-the forts, sell-outs and 'nickel' Indians". (1994)

vi.Similar erasure occurs with the application of pan-Maori identity and membership in the Aotearoa/New Zealand casse. Andrew Sharp, "Blood, Custom, and Consent: Three Kinds of Maori Groups and the Challenges They Present to Governments", *University of Toronto Law Journal*, 2002, at 15-19.