

Aboriginal peoples and hegemony in Canada

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Abstract

This paper introduces the specific terrain of Aboriginal politics in Canada while outlining a framework, centred on the concept of totalization, for understanding that terrain. Three broad themes--hegemony, resistance, and identity--provide the focal points for this discussion. An attempt is made to illustrate the complexity of Aboriginal peoples' political struggles and to argue for the development of a conceptual analysis adequate to its specificity.

Cet article explore le terrain de la politique autochtone au Canada par l'entremise d'un modele elabore a partir du concept de la totalisation et axe sur trois grands themes: l'hegemonie, la resistance et l'identitaire. L'auteur veut illustrer la complexite des revendications autochtones et montrer la necessite d'un modele adequat d'analyse conceptuelle

The comprehensive problem in inquiry is how to understand and to negotiate varying degrees of proximity and distance in the relation to the "other" that is both outside and inside ourselves. (Dominick LaCapra, History and Criticism)

Introduction

Canada has increasingly come to be identified with what was, for much of this century, among the most marginal of the political and cultural issues it faced: the struggle around Aboriginal rights. Increasingly, Canadians visiting other countries are asked about James Bay, or the Innu, or Native women's issues by those who take an interest in our home. The concept of Aboriginal rights marks a shift--the significance of which has yet to be felt--in the universalist discourse of human rights towards culturally specific rights. Hence the discourse of Aboriginal rights in Canada may come to mark something new in the world, a new phase or modality of accommodation between liberal-democratic nation-states and cultural minorities. Aboriginal politics in Canada are a specific terrain of struggle, one that demands its own theoretical maps whose links with broader theoretical reflections and, indeed, with broader struggles themselves, must be carefully worked through and cannot be assumed. What follows emerged from a working paper that attempted to sketch out such a map around the questions of hegemony, resistance, and identity.(f.1)

Hegemony

A few comments about the terms "Aboriginal" and "hegemony" are in order. In this article the term "Aboriginal" is deployed in the sense that the Canada Act (1982) adopts the term. That is, it applies to Indians, Metis and Inuit. Each of these has a different legal status in Canada and would define hegemony in somewhat different ways. It is also worth noting that Indians tend now to refer to themselves as First Nations. There are Indians who have legal status in accordance with the Indian Act, and those who consider themselves Indians but do not have

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legal status. As well, there are First Nations with treaties and those without. Finally, in each of these groups the concerns of women may differ significantly from those of men. At the outset, then, it is crucial to recognize that Aboriginal peoples describe the processes and effects of what I am here calling "hegemony" in very different ways depending on these differing contexts.

Nevertheless, some things can be said about hegemony in general, with specifications and qualifications duly noted and outlined. Aboriginal politics are largely about the continued assertion of difference; they are in great measure a politics of identity concerned to ensure that distinctive Aboriginal cultures find a respected place in Canadian society. The concern is to ensure that Aboriginal ways of life--which include ties to a land-based subsistence economy as well as to languages, spiritualities and cultures--continue to have relevance in the lives of Aboriginal peoples. This means that Aboriginal politics are cultural politics.

Hegemony may be provisionally defined as any attempt on the part of the dominant society to assimilate Aboriginal peoples. Assimilation to Aboriginal leaders means the process of making Aboriginal culture irrelevant in the lives of Aboriginal peoples. The expression "apple"--red on the outside, white on the inside--is used in a derogatory fashion by some Aboriginal peoples to designate those who accept the values and practices of the dominant culture.

Assimilation takes many forms, several of which I will outline before discussing some forms of resistance to it. The normal processes of commodification or the expansion of the commodity form--that is, the restructuring of social life so that every sphere is governed by the logic of the market--have as much impact on the lives of Aboriginal peoples as they do elsewhere and can be seen as a powerful tool of the dominant culture. Thus, an implicit process of assimilation takes place because the driving force of the dominant culture is assimilatory in nature; the commodity form continues to expand as long as capital accumulation is a necessary precondition for Canada. Commodified popular culture reaches to the far corners of Canada, including isolated reserves, and acts in a powerful manner to attract Aboriginal peoples away from what they might recognize as a traditional way of life.

As well, assimilation has been an official government policy towards Aboriginal peoples for much of Canada's history; although it is no longer an official policy, many Aboriginal leaders would characterize it as a "hidden agenda" on the part of the State. The federal government was given powers over "Indians and lands reserved for Indians" in the BNA Act (1867) and therefore became the level of government most often associated with Indian policy. In the last 10 years there has been an increasing level of provincial involvement in Aboriginal affairs, but the federal government remains the locus of struggle. The Indian Act (1876) was originally based on a piece of legislation called the Enfranchisement Act (1869), whose purpose was to regulate the orderly transition of Aboriginal peoples into the mainstream of Canadian society. The major revision of the Indian Act in 1951 continued to assert enfranchisement as a goal (in fact, Indian Affairs was housed in the Department of Citizenship and Immigration through much

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of the 1950s), but it made the procedure voluntary except for women who married non-status men.

After Aboriginal peoples obtained the federal vote in the late 1950s formal enfranchisement was no longer the cornerstone of assimilation, but assimilation remained the cornerstone of Indian policy. In fact, it was felt that providing Aboriginal peoples with voting rights would help to integrate them into the dominant cultural values. Canada was one of the last countries in the western world to have full adult enfranchisement, because Aboriginal adults did not gain the right to vote while maintaining their Indian status until 1959. Most western countries reached full adult enfranchisement when women got the vote in the first few decades of this century. Canada and South Africa have the dubious distinction of being relative latecomers.

The Trudeau government in 1969 formally announced a policy of wholesale assimilation that appropriately became known as the White Paper. The struggle over the White Paper, which the federal government was forced to withdraw in 1970, became a formative event for a generation of Aboriginal political leaders. Consequently, it was after 1970 that assimilation shifted from an explicit to an implicit government policy concerning Aboriginal peoples. The State now pays lip service to the maintenance of Aboriginal cultural difference, while deploying a series of policies and programs which in effect work in the opposite direction.

My own theoretical position is that hegemony towards Aboriginal peoples may be characterized by "totalization." The State, in attempting to create conditions conducive to the accumulation of capital, attempts to construct a set of spatial and temporal matrices which work to marginalize and then absorb those whose material preconditions contradict the accumulation of capital. The State has become a totalizing instrument in the lives of Aboriginal peoples and is experienced by them as being totalitarian in nature. Again, it is worth noting that this attempt to totalize is hotly contested; clearly the State does not get and has not gotten its way at every turn.

Effectively, then, unlike those members of ethnic minorities who are struggling for equality and an end to discrimination, many Aboriginal peoples are struggling for the maintenance of difference and the establishment of forms of positive "discrimination." This was called "citizens plus" in the late sixties, and is now generally referred to as "Aboriginal rights." It is only with this presupposition that we can understand why the defining struggle of our era in this terrain was the struggle against a formal government policy whose explicit aim was to end discrimination against Aboriginal peoples through the 1969 White Paper. Similarly, the official State endorsement of multiculturalism in Canada can be characterized as a mechanism of totalizing power in that it positions the particular cultural claims of Aboriginal peoples as one in a series of unspecified claims by Ukrainians, Japanese, Quebecois, Cree, and so on. This serves to decentre the historically and culturally specific claims of Aboriginal peoples (and, not incidentally, of Quebecois and other Franco Canadians), submerging them in a vast, abstract, undifferentiated, multicultural mosaic. The struggle for Aboriginal rights--which cannot be

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claimed by any other cultural minority--against those who attempt to limit, regulate, or extinguish them is one of the basic features of Aboriginal peoples' struggle in contemporary Canada.

Nevertheless, Aboriginal peoples do experience negative discrimination, including racism. Two groups in particular have made the struggle against racism a priority: the Metis often are primarily concerned with establishing equal opportunities, as are non-status Indians, particularly those living in urban settings. Both groups sometimes find themselves opposed to the status Indian and Inuit groups in terms of the discourse of their struggles.

Aboriginal women, depending on their circumstances, may be primarily concerned with gender bias or sex-based discrimination, often (but not only) within their own communities. Indian women who lost legal status as Indians because of discriminatory provisions in the Indian Act sometimes have bitter memories of male Aboriginal leaders' attempts to block their struggle against sexual discrimination. Inuit and Metis women have been less concerned with this specific issue, but it remains a vital concern for many other First Nations women.

Finally, in characterizing hegemony as it is articulated in the struggles of Aboriginal peoples, it is important to recognize that capital directly has a place, but not in the same way that it does in relation to the working class. While workers more immediately experience capital as the theft of time (the theory of surplus value), Aboriginal peoples experience capital as an invasion of their space. The most notable struggles of Aboriginal peoples against capital have been over the exploitation of non-renewable resources in the Canadian hinterland, and the resulting environmental impact such exploitation has, including the negative consequences for those whose material livelihood depends upon a subsistence economy directly linked to the land as the means of subsistence. It is usually the State that is on the front line of these struggles, either as the developer (as in the case of hydro-electric projects) or as a "mediator" working in the interest of transnational corporations seeking access to a particular resource (as was the case with, for example, the Mackenzie Valley pipeline construction project). At a more abstract level, however, the process of dispossessing Aboriginal peoples by separating them from their means of subsistence so that they will be forced to sell their labour on the restricted wage-labour market remains an incomplete project.

In sum, while I would describe the hegemony that Aboriginal peoples face as a totalization primarily located around the State, but also present in the cultural forms of the dominant society, I would qualify this by noting that some groups of Aboriginal peoples--such as urban Indians, Indian women, and Metis--also have concerns such as ending gender or racial discrimination.

Resistance

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Resistance takes place on many levels. I will begin by discussing an implicit level and then turn to organized struggle. Implicit resistance tends not to be self-reflective or self-conscious, but nevertheless moves against the workings of totalizing power. For example, in the struggle against totalization, teaching your children an Aboriginal language can be a form of resistance. Implicit resistance of this sort takes place on an everyday level and most often involves some form of subversion.

This approach to implicit resistance forms part of my own theoretical work. Subversion involves taking structures, signs, technologies, and so on that have been deployed by the established order and reversing them, deploying them in a manner that works against their intended effects. It can be characterized as a strategy of semiotic reversal. For example, Inuit have been able to take television, a powerful carrier of commodity culture, and partially remake it to reflect Inuit experience and Inuit ways of seeing. The Inuit Broadcasting Corporation uses television to strengthen aspects of Inuit culture.

Another kind of subversion can be found in an historical reading of the Indian Act. When Indians were defined by the Enfranchisement Act (1869), this was done on the assumption that Indians would want the franchise, would want to be "full" citizens of Canada, and would be prepared to "apply" to gain this status. Indians voted with their feet to remain Indians by not applying in significant numbers for enfranchisement (hence the State moved to a system of involuntary enfranchisement), and effectively created the category "Indian status" as something desirable, as a legal ground on which to assert their difference. The State-imposed definition of Indian as a tool of totalization was subverted and redeployed by Aboriginal peoples as a legal mechanism for maintaining difference. Such forms of implicit resistance or subversion continue on the level of everyday experience and must be acknowledged in any accounting of the struggles of Aboriginal peoples.

Explicitly and organizationally, each of the different fragments of the Aboriginal reality has a political voice. Most prominent of these is the Assembly of First Nations (AFN) (formerly the National Indian Brotherhood), which represents status Indians, primarily those on reserves. The chiefs of the various bands come together in the annual assembly to set policy and elect representatives. Since the federal government has constitutional authority for Indians, the AFN most frequently attempts to deal with Ottawa on a nation-to-nation basis, struggling for the recognition and assertion of collective Aboriginal rights. The Native Women's Association of Canada (NWAC) represents all Aboriginal women, whether or not they have legal status. It has had a fractious relationship with the AFN, at times supporting it and attacking it on other occasions. It is primarily but not exclusively concerned with ensuring that Aboriginal women's individual equality rights are protected.

The Native Council of Canada represents non-status Indians. Its membership has diminished somewhat as many First Nations people have regained their legal status due to Bill C-31, which attempted to reinstate people who lost status for a variety of reasons, including the sexually discriminatory provisions around Indian women marrying non-Indians. The National Association

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of Indian Friendship Centres, while not a formal political organization, is the only organization that provides a forum for urban, status Indians. It also represents any Aboriginal person--Metis, Inuit, treaty, etc.--who may be a member of the friendship centre movement. The Metis National Council represents Metis at a national level. The inclusion of Metis in the definition of Aboriginal in the Canada Act (1982) was a significant victory for the Metis and allows them to define their struggle in terms of Aboriginal rights. The Inuit Tapirisat of Canada represents Inuit in Quebec, the Northwest Territories and Labrador. It is a member of the Inuit Circumpolar Conference, which represents Inuit in Canada, Greenland, Alaska and Siberia. Pauktuutit represents Inuit women in Canada. Both of these organizations insist on the specificity of the Inuit struggle for Aboriginal rights.

These national organizations all have provincial and territorial counterparts. Most of the status Indian counterparts are named as a First Nation, Nation, Treaty Nations Alliance or Tribal Council. The foundation of the status Indian organizations are band councils, established in accordance with provisions of the Indian Act. Interestingly, the government established band councils in the late nineteenth century in order to undercut the authority of traditional leaders and women. Nevertheless, band councils have become an order of government in Canada and for the most part reflect the democratic aspirations of their communities. Technically, band councils have limited powers resembling those of municipalities; however, they also act as a focus for politics in rural Aboriginal communities, frequently dealing with issues far beyond the narrow scope specified for them in the Indian Act. Some band councils are organized regionally into tribal councils, which pool resources and act as administrative and lobbying supports.

Two crucial concepts now inform the organized struggle against totalization--self-government and land claims, both subsumed by the umbrella of Aboriginal rights, itself a legal mark of positive difference in Canadian society. A few words on each is appropriate.

Self-government is an explicitly political response to a struggle whose major terms are political but not always understood as such outside Aboriginal communities. For the most part, earlier interaction between Aboriginal peoples and non-Natives in what became Canada was economic, organized around the exigencies of the fur trade. In the period between roughly 1850 and 1920, a transition took place as the fur trade became less important economically to Canada. While the fur trade remained--and continues to remain--disproportionately important to Aboriginal economies, the line of contact between Native and non-Native people changed. It became primarily political rather than economic in nature. The State replaced fur-trading companies as the non-Native institution most associated with the lives of Aboriginal peoples. Thus, the Indian Act and the treaties were both established in this period, and political control became the locus of Aboriginal peoples' struggles. As Cinday Gilday, a Dene woman from the NWT puts it, "when an Indian breathes, it's politics."

Self-government, as a recognized right and in practice, is a response to this situation. At a minimum self-government implies taking over the administrative responsibilities of the federal

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government regarding Aboriginal peoples. It implies giving band and tribal councils more government-like powers so that Aboriginal peoples themselves have greater control over their daily lives. In my own theoretical terms, it implies attacking the root source of explicit totalization by removing its legal controls and shattering its legitimating foundations.

Land claims are more directly related to ensuring that Aboriginal peoples have an economic basis for their subsistence economies. Comprehensive land claims refer to claims where no previous treaty has been signed. They usually involve very large sums of money, extinguishing Aboriginal title, establishing smaller land areas that the First Nation in question has ownership over, forms of joint management for "surrendered" land, and other more minor types of provisions. Specific land claims refer to those claims where a treaty promise has been broken or not kept. While there are very few comprehensive claims (about 20 in total in Canada), there are hundreds of specific claims. These usually involve lesser sums of money and are comparatively less complex cases.

Both the self-government and land claims processes are hotly contested--not in the least because the State and Aboriginal peoples often approach the negotiating table with a very different sense of what constitutes a desirable process and outcome--and can serve as tools of totalization. The federal government has attempted in the last decade to constrain self-government so that it is a form of delegated authority with municipal-like powers and western forms of politics. Effectively, it wants bands to administer themselves in the manner that the Department of Indian Affairs administers them, replacing State bureaucrats with Indian bureaucrats. This form of self-government would do nothing to maintain cultural difference--and would in fact erode it. The government's current model of self-government strongly resembles the Indian Advancement Act of 1884, which was developed precisely as a tool of assimilation. Most Aboriginal leaders argue that the powers of self-governing First Nations should be roughly provincial in level, and that Aboriginal forms of decision making and accountability must be reflected in the self-governing bodies.

Similarly, on land claims the government continues to assert that extinguishing Aboriginal title is a basis of the land claims process and, effectively, seeks to use the land claims process to turn the affected First Nation into little more than an indigenous capital accumulation centre. The State envisages and promotes land claims that would make First Nations stakeholders in non-renewable development processes. Again, the First Nations themselves seek to use land claims to assert Aboriginal title, to broaden the scope of negotiations to include self-government, and to protect the environment as a basis for subsistence economic activities associated with a traditional way of life.

In sum, Aboriginal resistance takes place both in institutional forums and through established processes, such as land claims or self-government negotiations, with different organizations reflecting the particular demands of different groups. Resistance also takes place on an implicit level, usually involving forms of subversion, in the sphere of everyday life.

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Self-Definitions

Collective identity for most Aboriginal peoples is associated with the particular First Nation culture to which an individual belongs. For example, someone might identify themselves as a member of the Git'san Nation, or the Nis'gaa, or as Dene, or Inuit, or Metis. Another source of identity is with the home community or region of an individual: this is particularly important for Inuit, who might identify themselves as from Baffin Island, or the Keewatin region, or Pangnirtung, and so on. Non-status Indians might identify more broadly with their culture, as in Cree, or Ojibwe, or Blackfoot. Non-status Indians who have long family histories in urban settings might not know or identify with their culture, and might therefore call themselves Aboriginal, indigenous or First Nations people.

Clearly, the question of identity is a complex and crucial one in this terrain of struggle. Legal definitions have worked to set parameters and separate Aboriginal peoples, but cultural differences remain important. The variety of potlatch cultures are very distinct from sun dance cultures, as they are from sweat lodge cultures; these are themselves distinct from longhouse cultures, as are northern drum dance cultures or Inuit from all of the above. Metis may be associated with the historic Red River Metis, or as the result of more recent intermarriages that cross cultural boundaries. Metis itself means "mixed blood" and was originally used to distinguish new peoples of English-speaking and Aboriginal descent, called "half-breeds," from new peoples of French-speaking and Aboriginal descent. When we add to this the urban/rural split and the fact that gender and sexual orientation are clearly identity-defining characteristics, the complexity is apparent.

Furthermore, the question of identity converges with the struggle for self-government: citizenship is seen as a crucial area of control for First Nations in their struggle for self-government. This is only partly due to the fact that State control of citizenship through a definition of Indian via the Indian Act has had such disastrous consequences. Within Aboriginal communities, women are concerned that First Nations control over citizenship could be deployed in such a way as to deprive them of a political voice in a manner that further entrenches the patriarchy that the Indian Act attempted to establish. That is, First Nations women have a strong cultural argument, relating to traditional egalitarianism in gender relations, which distinguishes their struggle from those oriented exclusively around a liberal discourse of equality rights.

Urban Aboriginal peoples, in particular, are often sensitive to the question of identity and are frequently determined to maintain fairly rigid boundaries. They have often led the charge around issues such as cultural appropriation in the arts and the politics of representation. Rural peoples have tended to be more secure in their sense of identity, and have a different source of identity concerns (such as, for example, preoccupation with museum policies and appropriation). Clearly, I would be remiss if I did not note that there are many who would challenge my right to what that I am saying in this document. While I have tried to present an analysis without speaking for anyone, this too is a slippery slope.

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There is a solidarity, which sometimes goes under the name of "pan-Indianism," which crosses the cultural and legal boundaries asserted by Aboriginal peoples--the reaction to the Oka crises demonstrated this. It is also the case that the term "Aboriginal" is by and large not meaningful in an everyday sense to most Aboriginal peoples, reflecting a constitutional category, not a collective identity. Thus, primary identification tends to be with a specific First Nation or community. And, of course, there are times when the differences between First Nations do act to divide them from each other. The politics of identity is a crucial aspect of the Aboriginal terrain of struggle.

It should be clear by now that the discussion of Aboriginal politics in Canada is not illuminated by adhering to a framework of theoretical concepts drawn to understand the struggles of dominated races, classes, or genders. Each of these frameworks provides some insight into the struggles of Aboriginal peoples, but none offers a sufficient analytical paradigm. Furthermore, combining the three in some fashion is equally insufficient. The philosopher Jacques Derrida has suggested that "each advance in politicization obliges one to reconsider, and so reinterpret, the very foundations of law such as they had previously been calculated or delimited.(f.2)" The call of Aboriginal peoples in Canada, which must be inscribed at the centre of any meaningful vision of social justice or human rights in this country, demands a "reconsideration" of this (foundational) magnitude and perhaps the invention of a new theoretical language and new conceptual approach if it is to be adequately addressed.

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Footnotes:

(f.1) I have largely left intact the working-paper form of this analysis, for example its lack of citations. I refer readers to my "Theses on Aboriginal Rights," which introduced a collection of court cases I edited called *Unjust Relations* (Don Mills: Oxford University Press, 1994), for a fuller discussion of the issues raised here.

(f.2) Jacques Derrida, "Force of Law: 'The Mystical Foundation of Authority,'" in Drucilla Cornell, Michel Rosenfield and David Gray Carlson, eds., *Deconstruction and the Possibility of Justice* (New York: Routledge, 1992), 28.