The Colonial Politics of Recognition in Trudeau's Relationship with Indigenous Nations

In the days leading up to Canada 150 celebrations, a cadre of students from Carleton University, a group of Bawating water protectors, and their allies marched to Parliament Hill and erected a ceremonial tipi as an act of reoccupying Indigenous land, specifically the unceded territory of the Algonquin nation. The ceremonial tipi was initially raised on Wellington Street near Parliament Hill, but after negotiations, it was moved to the northwest corner of the Canada 150 event space. Drawing on a long tradition of Indigenous political thought and philosophy that places land at the centre of Indigenous modes of life, Reoccupation challenged settled—meaning both 'seemingly beyond debate' and 'of settler society'—notions of place and land. Reoccupation demonstrated that Parliament Hill, which for Canadians is the symbol and locus of crown sovereignty, is *also* situated on unceded Algonquin territory, the very land that is coextensive with the Algonquin nation.

The 2015 election of a Trudeau-led Liberal majority suggested a fresh direction in Canadian-Indigenous relations. Indeed, the Liberal platform boldly stated that, 'It is time for Canada to have a renewed, nation-to-nation relationship with Indigenous Peoples, based on recognition, rights, respect, co-operation, and partnership.' 'No relationship,' Trudeau assured Canadians, 'is more important.' And, since winning the election and forming government, this foreboding language has become a habitual refrain anytime Trudeau or his Ministers speak to Indigenous affairs. It is rhetoric that is suggestive of two discrete political entities, yet both of the same political unit: the Canadian nation on the one hand, and the Indigenous nation on the other. Yet despite the rhetorical acknowledgement of Indigenous nationhood, Trudeau's tack in regards Indigenous nations continues a colonial politics of recognition. The policy of the current government is largely no different than the White Paper liberalism that has been the standard of Canadian governments for the past five decades (which, in aiming for extinguishment of Indigenous title, is an extension of the often violent policies that preceded it). It is, we argue, a policy couched in the language of the politics of recognition (affirming, for example, the value of Indigenous languages, cultures, and limited self-governance), but which remains structured by a hegemonic framework that treats the relationship between settlers and Indigenous peoples as nation-to-subaltern culture, and thus committed to attenuating—preventing—the renewed nation-to-nation status pledged by Trudeau.

Grounded Normativity and the Recognition of Extinguishment

In what follows, we will apply the theoretical framework developed by Glen Sean Coulthard in *Red Skin, White Masks* to the current government's policies. These contemporary policies, though, are rooted in the colonial history of the Canadian settler state. This history necessitates reading the contemporary framework of reconciliation against the dispossession of Indigenous peoples' land. In Canada, Coulthard notes, reconciliation has three different meanings: first, the restoration and recognition (by the Canadian nation) of individual and collective Indigenous culture and practices; second, the restoration of damaged political relationships between Indigenous nations and the Canadian nation; and third, the attempt to bring consistency to unsettled claims between crown sovereignty and Indigenous title (Coulthard 2014: 106–107). Writing in the aftermath of the Canada 150 celebrations and the Indigenous Reoccupation of Parliament Hill, it is worth noting that reconciliation in the first two senses would require the revision of several prominent settler-Canadian national narratives. Geographic tropes abound in settler myths of Canadian identity, ranging from the 'discovery of *terra nullius*,' to the burdensome tasks of transplanted European

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pioneers that 'turned the land' of the rugged terrain, and other evocative imagery of the birth of Canada nationhood from the triumph over previously uninhabitable wilderness (Mackey 2008). These seemingly benign land-based tales of Canada's national origins displace the Indigenous relationship with land and place, forestalling the reconstruction of positive nation-to-nation narratives. Indeed, the same reverence for land and territory is omitted in settler considerations of Indigenous nationhood. This sharp contrast in recognition, however, is not merely a discursive phenomenon apparent only in the difference between Canadian and Indigenous national narratives.

As Coulthard argues, the third aspect of reconciliation undermines the first two (were they possible); it 'lies at the core of Canada's legal and political understanding of the term: namely, rendering consistent Indigenous assertions of nationhood with the state's unilateral assertion of sovereignty over Native peoples' lands and populations' (Coulthard 2014, 107). In this way, recognition implements a colonial form of domination that was once always first implemented by violence; while state violence is no longer the 'regulative norm,' the settler policy remains extinguishment (Coulthard 2014: 15). Thus the dispossession of land remains the goal of settler-colonialism. But land is at the centre of Indigenous place-based practices, both of cultural forms and of political and economic self-determination. Indigenous struggles are based on what he calls 'grounded normativity'; they are best understood as struggles oriented around the question of *land*—struggles not only *for* land, but also deeply *informed* by what the land as a mode of reciprocal *relationship*…ought to teach us about living our lives in relation to one another and our surroundings in a respectful, nondominating and nonexploitative way. (Coulthard 2014: 60).

Thus in contrast to Western concepts of land, land is not merely a resource available for human exploitation, Locke's vast wilderness awaiting the improvements of human labor. For Indigenous peoples, Coulthard maintains (following Vine Deloria Jr.) that land provides 'an ontological framework for understanding relationships' (Coulthard 2014: 60). Drawing on the philosophical thought of the Dene, he argues that land possesses three interrelated meanings: 'land as resource central to our material survival; land-as-identity, as constitutive of who we are as a people; and land-as-relationship,' as guiding relationships between humans, non-human animals, and the environment (Coulthard 2014: 62). As Coulthard contends, both the subjective and objective dimensions of Indigenous self-determination rest upon this sense of grounded normativity.

Coulthard's concept of grounded normativity is just as applicable to the Dene negotiations of the 1970s (examined in Chapter 2 of 'Red Skin, White Masks') as it is to current negotiations. The modern treaty negotiations underway between the Crown and the Algonquins of Ontario bring Trudeau's asymmetrical recognition into sharp relief. The current process bisects the Algonquin nation along the Ontario-Quebec border; an arbitrary demarcation from the Algonquin perspective, yet designed to extinguish and modify Algonquin rights only within the Ontario region, leaving the same untouched within Quebec. There are deeper ramifications to the Algonquin nation within this process. While the aim of transferring Algonquin title to the Crown concerns only lands in Ontario, the treaty process comprises a mere sub-group of the Algonquin people. That is, Algonquins living in the Quebec region of the Algonquin nation are excluded from a critical process that forever alters the composition and territorial integrity of their ancestral nationhood. This misrecognition of Algonquin nationhood elides important aspects identified twenty years ago in the final report of the Royal Commission on Aboriginal Peoples (RCAP). There, RCAP pointed out that an Indigenous 'nation constitutes a majority of the permanent population of a certain territory or collection of territories and, in the future, operates from a defined territorial base' (RCAP vol. 2, 175). While not particular to any one Indigenous nation, it was clear that the nation entails a particular 'population' in a 'defined territory.' In the case of the Algonquin treaty, the Crown has entered the process with an oblique recognition of the Algonquin population and territory. This colonial politics of (mis)recognition are not lost on Chief Lance Haymond of the Kebaowek First Nation, an Algonquin community in Quebec. Haymond, with the support of Chiefs from other Algonquin communities and the Mohawks of Kahnawake, has noted the Crown's failure to properly recognize both the population and territory comprising the Algonquin nation. Haymond has stated that 'I can't just legitimately sit back and watch that…10,000 legitimate Algonquins are going to be excluded,' referring to the segment of the Algonquin population living in the Quebec region that are excluded from participating in the treaty negotiation. Haymond further observed that, 'We didn't divide up the Algonquin territory. That was governments many, many years ago, that physically create separation.'

Despite the remonstration from Algonquin chiefs and other Indigenous leadership, the Trudeau government has forged ahead, continuing to evade Algonquin efforts to properly assert Algonquin nationhood. Haymond has gone so

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far as to request a meeting on the matter with Trudeau's Minister for Crown-Indigenous Relations, Carolyn Bennett. Despite assurances from Bennett's Office to meet and hear his appeal on behalf of the Algonquin nation, Haymond's attempts to secure an audience with the Trudeau government have thus far gone unfulfilled. It is a response that carries forward the colonial politics of recognition that the Royal Commission on Aboriginal Peoples explicitly sought to remedy. 'The Commission concludes that *Aboriginal peoples are entitled* to *identify their own national units* for purposes of exercising the right of self-determination' (RCAP vol. 2, 174; emphasis added). The Commission went on to recommend 'there is a need for the federal and provincial governments *actively to acknowledge* the existence of the various Aboriginal nations in Canada and to engage in serious negotiations designed to implement their rights of self-determination' (RCAP vol. 2, 174; emphasis added).

The Colonial Politics of Recognition

At this point, we need to address what rights are at stake in Indigenous rights to self-determination. Returning to the work of Coulthard, we argue that the Canadian state's implementation of reconciliation operates at the level of affirmative recognition rather than transformative recognition. Following Coulthard, we contend that the fact that capitalism is a settled feature of Canadian social relations by definition precludes a transformative reconciliation of Indigenous-settler nation-to-nation status. Before discussing the failures of recognition in Trudeau's policy, we briefly detail the key features of Coulthard's critique of the policy of recognition, in order to distinguish between what he calls (following Nancy Fraser) 'affirmative' and 'transformative' forms of recognition. Then, we address his appropriation of Fanon to show how Canadian policies of recognition will necessarily remain, as long as questions of economy are *settled*, culturally affirmative rather than transformative.

Coulthard distinguishes between three types of practices: affirmative recognition, transformative recognition, and what we call transformative politics. The first two he adopts from the work of Nancy Fraser, and they operate as key terms in the critique of recognition:

'transformative' models of redistribution are those that aspire to correct unjust distributions of power and resources *at their source*, whereas 'affirmative' strategies, by contrast, strive to alter or modify the second-order effects of these first-order root causes (Coulthard 2014: 19).

For our purposes, we treat transformative and affirmative practices according to their scope: transformative practices recognize the cultural, political, and economic roots of Indigenous dispossession whereas affirmative practices presume that the Canadian settler economy is normative and settled while attempting to redress some degree of Indigenous self-government and cultural renewal. Like Coulthard, we believe that concrete Indigenous resurgence and the implementation of nation-to-nation status requires transformative measures. This puts our analysis at odds with the prominent Canadian philosopher Charles Taylor, who—as Coulthard argues—remains within the affirmative paradigm. Taylor's approach largely focuses on the recognition of 'disparaged identities,' redressing injustices through granting cultural rights, a degree of self-government, and land claims packages. As a result, though, Taylor does not address the social structures—the capitalist economy, gendered and racial hierarchies, and state power—that produce the inequalities that necessitate redistribution and redress (Coulthard 2014: 34–35).

But Fraser's work also remains problematic. For this reason, we've drawn a distinction between transformative *recognition* and transformative *politics*. Despite focusing on transformative problems that address 'institutional patterns of value,' Fraser (as she herself concedes) nonetheless normalizes the settler-state framework as the instrument of recognition and redistribution. Indigenous assertions of nationhood challenge both the settler-state's claim to sovereignty over Indigenous peoples (that is, exclusive settler-Canadian sovereignty over a so-called nation-to-nation relationship between settlers and Indigenous peoples) and the normative status of the state-form as a model of governance (Coulthard 2014: 36). The difference, then, between transformative politics and transformative recognition rests on the different concepts of the relation between political agency and social change. Transformative models of recognition remain trapped in the settler-state paradigm—the state is the presumed instrument of redistribution, but the general structures of the state remain undisturbed. By contrast, transformative politics entails practicing Indigenous self-empowerment.

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Drawing upon the work of Frantz Fanon, Coulthard argues that Indigenous self-empowerment requires both subjective and objective transformative practices. The Canadian settler-colonial project implemented both the objective dispossession of Indigenous political power and the perpetuation of what Leanne Betasamosake Simpson refers to as 'cognitive imperialism.' In the subjective sense, Indigenous self-empowerment requires dismantling 'cognitive imperialism': the construction of settler-centred history which asserts that before colonialism, Indigenous peoples lacked a civilization of our/their own (See Note). As Simpson writes, 'cognitive imperialism' perpetuates 'the idea that Indigenous Peoples were not, and are not, thinking peoples—an insidious mechanism to promote neo-assimilation and obfuscate the historical atrocities of colonialism' (Simpson 2011: 32). Concomitantly, Indigenous self-empowerment necessitates both the restoration of economic and political power, and a revaluation of colonial values; the colonized must reestablish ourselves/themselves as 'creators of the terms, values, and conditions by which they are to be recognized' (Coulthard 2014: 39).

Furthermore, in objective terms, this dispossession of Indigenous political power is accomplished by the dispossession of land through the Canadian project of capitalist imperialism. Indigenous peoples are dispossessed through the primitive accumulation of land. In this way, Coulthard radicalizes even Fanon's model of the failures of colonial recognition, which still emphasizes the exploitation of labor: 'What he [the master] wants from the slave is not recognition but work' (Fanon 1952: 195). Coulthard could summarize the power relations of settler-colonial Canada as: what the settler wants from the [Native/Indian] is not recognition but land. And thus all negotiations that extinguish Indigenous title by definition preclude the possibility of Indigenous self-empowerment.

We could summarize Coulthard's argument by way of differentiating between the ways that the Canadian government could commit to the negotiation of nation-to-nation status with Indigenous nations. We—both Indigenous peoples and settlers—must ask ourselves: Is the state committed to transformative politics, i.e., the negotiation of nation-to-nation relations that begin from the assumption of the symmetry of Indigenous title and Crown sovereignty and aiming for the restitution of land, cultural forms (such as language, oral tradition, ceremony, and non-adversarial forms of consensus-based governing), and political and economic power? Or is it a transformative form of recognition, entailing the restitution of land but also the subsumption of Indigenous governance within the normative state form of Crown sovereignty? Or, is it merely yet another attempt at affirmative recognition, recognizing Indigenous cultural forms while extinguishing Indigenous title?

Trudeau's Affirmative Recognition: Reducing Indigenous Nations to Subaltern Cultures

Moderating rhetoric and turn of phrases such as 'renewed nation-to-nation relationship' obscure the affirmative politics of recognition pursued by Trudeau's government. The language is suggestive of new relations, yet it re-affirms the normative status of the Canadian nation as a place that merely harbours Indigenous peoples as members of varying cultures, not as members of autonomous nations. The Crown's continued policy of territorial dispossession of Indigenous peoples is complemented by modest efforts to accommodate Indigenous cultures within the dominant Euro-descended social milieu. As the Metis scholar, Joyce Green, has pointed out, this politics shifts the focus away from identifying Indigenous peoples as members of nations. Instead, the politics is underwritten by a 'logic of difference,' centred around *cultural difference* as the site of political contestation (Green, 2000; emphasis added).

Indeed, what Trudeau is willing to recognize of Indigenous peoples is not as territorial-based nations, but rather as historically oppressed *cultural groups* requiring state protection. It is the affirmative politics of recognition described by Nancy Fraser, noted above. As Fraser points out, this mode of affirmative recognition ignores—even excuses at times—material deprivation, such as territorial dispossession in the case of Indigenous peoples (Fraser, 1995). Mere days prior to the Reoccupation of Parliament Hill, Trudeau's Statement on National Aboriginal Day, June 21, 2017, read as 'Every year, we join together on this day to recognize the fundamental contributions that First Nations, Inuit, and the Métis Nation have made to the identity and culture of all Canadians. The history, art, traditions, and cultures of Indigenous Peoples have shaped our past, and continue to shape who we are today.' Trudeau's Indigenous politics—sympathy with Indigenous peoples as cultures—is evident in announcements that propose cultural acknowledgements and protections, such as the intended Indigenous Languages Act, continues the long-established, colonial convention of affirmative recognition. It continues in a tradition that elides a transformative politics that would mark a true 'nation-to-nation relationship' and a decolonized relationship that will bring about a

vibrant, flourishing Indigenous resurgence.

Note

Given that one of the authors is Indigenous and the other is a settler, we have followed the phrasing choices of Tuck and Yang's 'Decolonization is not a Metaphor,' using the forward slash to indicate 'our discrepant positionings in our pronouns throughout this essay.' For example, we would say, of Indigenous nations, 'our/their nations' unless referencing specific nations of which neither of us are members (Tuck and Yang 2012: 3 fn.1).

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