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WORLD-BUILDING IN SETTLER COLONIAL CONTEXTS

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Table of Contents

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"sects," I hope that this thesis is taken in the spirit of pluralizing community perspectives, rather than drawing further divisions between any of the sects. More specifically, by forwarding a *political* perspective, I hope that this thesis may inspire further deliberation and debate about Doukhobor history and concepts. I am reminded of Doukhobor author Eli Popoff's statement: "the publishing of this present material does not mean that everything in this realm has been encompassed. It is to be hoped that the program of passing on our Doukhobor life-concept to our future generations shall be continually up-dated and broadened" (*Stories from Doukhobor History* (1992: 5)). I also hope that friendly agonism is part of community building and revitalization within and across Doukhobors communities and, just as importantly, with the broader world.

The virtue of building a theoretical framework is that it can be extended to interpret issues and perspectives that were excluded from explicit study within a single project. Being an insider to the Doukhobor community, it is easier to appreciate that what I have included in this study is a sliver of what could have been included and interpreted. Being a settler outsider to the Sinixt community, I can only imagine my blind spots. I look forward to learning more, including with respect to past and present self-governing practices that could inform inter-Indigenous and inter-group possibilities for conflict mediation and common care for, among other things, the land.

Finally, I want to say that this project is dedicated to my mother, Nadya. She supported it from the start, and though she sadly passed away before its completion, she remained a strong source of inspiration for me finishing this project. She was loving, curious, hilarious and also irritating – and I am better for all of it. Without such a mix, I am not sure I would have felt the

need to take myself away from where I came from, only to come back around to appreciate it in a

new light.

INTRODUCTION

Democratic World-Building after Multiculturalism

"Although people disagree about what comes after multiculturalism, there is a surprising

consensus that we are indeed in a post-multicultural era."[1]

By the turn of the twenty-first century, toleration of cultural difference, or multiculturalism,

broadly defined, became a hallmark of liberal democratic countries. As the first country to

declare multiculturalism national policy in 1971, Canada became a world-renowned example.

Once the target of forced assimilation or feared as the cause of separatism, diversity came to be

embraced as part of Canada's official national identity and Anglo-individualist liberal heritage

and structure. However, state supported multiculturalism in Canada and elsewhere has been met

with mixed success, a fact which has been made clear by rising social and political movements

which have sought to change or reject its terms. In some cases, these calls are from

representatives of the constituencies whose grievances the model was devised to address. It is in

this fraught context that some critics declare state multiculturalism's bankruptcy and demand a

return to a more homogenous approach, while others suggest expanding or radicalizing the

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[1] Will Kymlicka, "The Rise and Fall of Multiculturalism? New Debates on Inclusion and Accommodation in Diverse Societies," *International Social Science Journal* 68, no. 227-228 [2010] (reissued 2018): 133.

framework's terms. Why has multiculturalism failed to deliver its promise and what comes after it in Canada?

For some, multiculturalism has proven incompatible with liberalism and Western politics. In the decade following the 2001 attacks on the World Trade Center in New York, an echo of the "collapse of multiculturalism" resounded through a range of liberal democracies across the globe. Consider UK Prime Minister David Cameron's 2011 claim that, as terrorism in the UK could be attributed to Islamic extremists, it was now clear that "state multiculturalism has failed." He differentiated Islamic extremism from Islam but claimed that the former may have been smuggled into the UK by a too forgiving multicultural immigration approach. Culturally-diverse groups and their organizations, Cameron promised, would have to answer to liberal values: "Do they believe in universal human rights - including for women and people of other faiths? Do they believe in equality of all before the law? Do they believe in democracy and the right of people to elect their own government? Do they encourage integration or separatism?"[2] In Canada, similar views have been expressed by national leaders such as Maxime Bernier, whose 2018-initated People's Party of Canada calls Prime Minister Justin Trudeau's multicultural approach "a cult of diversity." If elected, Bernier promises to "Repeal the Multiculturalism Act and eliminate all funding to promote multiculturalism," and to promote Canadian values, which "are those of a contemporary Western civilization."[3] Among the general public, one can easily

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[2] "State multiculturalism has failed, says David Cameron," *BBC News*, 5 Feb 2011. https://www.bbc.com/news/uk-politics-12371994.

[3] "Canadian Identity," People's Party of Canada, accessed July 18, 2021, https://www.peoplespartyofcanada.ca/canadian-identity. "The government of Canada has pursued a policy of official multiculturalism that encourages immigrants to keep the values and culture they left behind instead of integrating into Canadian society and adopting Canadian values and culture. With his cult of diversity, Justin Trudeau has pushed this ideology even further into a form of extreme multiculturalism." Also see "How did multiculturalism become so central to Canada's identity?" The Sunday Magazine, *CBC Radio*, accessed July 18, 2021,

find anti-Muslim, anti-immigrant and more general anti-diversity views – particularly in the age of social media.[4] Additionally, the last few years have seen a "white backlash" response to Indigenous activism in Canada.[5]

For others, multiculturalism is not only entirely compatible with liberalism; it is necessary for liberalism to work today. The leading Canadian academic proponent of liberal multiculturalism, Will Kymlicka, argues that multiculturalism, or the right to culture, is not at odds with liberalism, but is in service of the liberal ideal of individual rights. For him, this framework is the best way to ensure unity in the face of diversity. Similarly, the current Liberal Canadian Prime Minister, Justin Trudeau, affirms that multiculturalism is an asset to liberal Canada: "Canada has succeeded—culturally, politically, economically—because of our diversity, not in spite of it."[6] However, others in Canada, particularly Indigenous peoples,[7] have

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https://www.cbc.ca/radio/sunday/the-sunday-edition-for-february-24-2019-1.5029453/how-did-multiculturalism-become-so-central-to-canada-s-identity-1.5029456

[4] For example: "An online Care2 petition asking the government to "stop resettling 25,000 Syrian refugees in Canada" has garnered almost 50,000 signatures …. Calgary schools have been defaced by anti-Muslim graffiti, most recently two weeks ago. In January, a group of Syrian refugees attending a welcome event in Vancouver were attacked with pepper spray. Anti-immigrant groups have organized demonstrations in Canada; Pegida Quebec's march in Montreal on Feb. 6 was shut down by activists." Azeezah Kanji, "Opinion | The Disturbing Movement against Syrian Refugees in Canada," *Thestar.com*, Published March 10, 2016, https://www.thestar.com/opinion/commentary/2016/03/10/the-disturbing-movement-against-syrian-refugees-in-canada.html.

[5] Charlie Smith, "White fragility, racism, and the recent threats against Indigenous opponents of the Coastal GasLink pipeline," *The Georgia Straight,* February 28, 2020, accessed July 27, 2021, https://www.straight.com/news/1366486/why-racism-and-threats-are-being-directed-indigenous-opponents-coastal-gaslink-pipeline

[6] Justin Trudeau, "Diversity is Canada's Strength: Address by the Right Honourable Justin Trudeau, Prime Minister of Canada," November 26, 2015 https://pm.gc.ca/en/news/speeches/2015/11/26/diversity-canadas-strength

[7] Throughout this dissertation, I use the term "Indigenous" to refer to the descendants of the peoples who traditionally occupied the territory that was then colonized to form the territorial basis of modern day Canada and the United States. I use "Aboriginal," "Native," and "Indian," only when quoting others or referencing historical or present legal terms. I tend to use "settler" when referencing actors whose actions are aligned with the negative practices of settler

critiqued the liberal state basis of the framework as blunting their claims to self-determination and thus as recreating a colonial asymmetry in the relationship between them and the federal government. Multiculturalism's purpose is to recognize cultural difference, but for Indigenous peoples, it is a politics of *misrecognition*, and results in *political assimilation* to liberal politics.

James Tully, a prominent theorist of radical democratic constitutionalism and Canadian and Indigenous political history, argues that Canada is obliged to constitutionally respond to Indigenous claims to self-determination based in its British heritage of Crown-Indigenous treaties, international norms, and democratic principles. Canada could and should become a new worldly example, not of liberal multiculturalism, but of *multinational democracy*. "A multinational democracy is free and legitimate," Tully argues, "when the constitution treats the constituent nations as peoples with the right of self-determination in some appropriate constitutional form, such as the right to initiate constitutional change."[8] Tully's treaty-inspired constitutional theory radically reconstitutes multiculturalism: no longer is it the "umbrella"[9] framework for diversity, but is itself framed by a prior diversity, that of plural, co-existing Indigenous and European sovereignties. From this perspective, freedom to participate in setting the terms of governance, or democratic freedom broadly understood, underlies both multinationalism and multiculturalism.

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colonialism. Sometimes I use "non-Indigenous" to either signal actors who are ambiguously positioned with respect to settler colonialism or to signal a normative argument about how such actors could meaningfully contribute to decolonization.

[8] James Tully, "Multinational democracies: an introductory sketch," in *Public Philosophy in a New Key* Vol. 1 (Cambridge: Cambridge University Press, 2008), 219.

[9] Kymlicka's terminology for multiculturalism. *Multicultural Odysseys: Navigating the New International Politics of Diversity*, (Oxford: Oxford University Press, 2007), 18.

Agreeing with the multinational democratic turn that we cannot approach plurality in Canada within the constraints of liberal principles, particularly given the settler colonial context, this study nevertheless departs from a constitutional recognition approach. I expand the democratic impetus from a grounded, historical perspective, tracking the collective actions of particular cases of Indigenous and non-Indigenous communities. Methodologically combining empirical and conceptual analyses, I focus on the illustrative communal Russian Doukhobors and the Indigenous Sinixt. I use this richly layered case of intersectional politics to focus attention on the democratic practices of Indigenous and immigrant-settler communities as they press their claims in a triangulated relationship to one another and the state. While the study is motivated by their present circumstances and claims, I devote substantial attention to the early twentieth century, when these groups were resisting explicit assimilationist policies. Given that liberal multiculturalism would later arise as a response to anti-assimilationism activism, we would do well to look anew at the historical contexts in which claims to group difference arise.

Given that this period lacked a constitution that was either diversity-tolerant or democratically robust, I turn to Hannah Arendt's radical conception of democratic politics as "world-building" to register the divergent practices of political freedom among these communities that fall outside the state but very much within political life, broadly understood. I show how both groups disrupt liberal multiculturalism's conception of cultural freedom because they have historically claimed alternative forms of political community and self-government. Surprisingly, their claims have not necessarily equated to claims to separate from the broader society. World-building not only offers us a framework for reading radical groups' claims prior to the evolution of Canada's constitutional recognition politics but can also supplement Tully's constitutional lens in the present. As Tully's work helps to show, state recognition politics is

vulnerable to usurpation by a contradictory, state-determined functional conception of group

identity that evades engagement with the particularity, and thus the meaning, of group claims,

particularly those of Indigenous peoples. While his constitutional lens is normative, rather than

merely descriptive, and thus urges transformations in Canadian politics, a world-building lens

provides us with a radical perspective of plural democratic practices that direct us towards what

those transformations ought to look like and allow for on the ground. As such, this case can help

us to further reframe national challenges of plurality from the limited abstract view of the state to

the expansive view of the participatory democratic realm.

1. Liberal multiculturalism and its decolonial critics

1.1 Reconciling diversity with liberal individualism

Not unlike our present in which challenges of plurality have congealed into widespread debates

about national identity and rights, in 1971 Canada declared multiculturalism national policy in

response to a national unity crisis. In this section, I discuss Kymlicka's articulation of this history

and defense for liberal multiculturalism as the best framework to meet our present challenges,[10]

and end the section with Indigenous critiques. A key moment in this history was in 1963 when

the Liberal government of Pierre Trudeau initiated the Royal Commission on Bilingualism and

Biculturalism in order to "blunt the growth"[11] of a Quebecois nationalist secession movement.

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[10] I focus on Kymlicka as representative of a liberal school of thought that endorses multiculturalism, or difference-based rights. He is one of many important "Canadian political theorists," who, as Sujit Choudhry notes, "have set the agenda for normative reflection on the various problems generated by minority nationalism." Choudhry also singles out Will Kymlicka as particularly representative but also lists "Joseph Carens … Margaret Moore, Wayne Norman, Allen Patten, Charles Taylor, James Tully, Daniel Weinstock." Sujit Choudhry, "Does the World Need More Canada? The Politics of the Canadian Model in Constitutional Politics and Political Theory," *International Journal of Constitutional Law* 5, Issue 4, (2007): 607-8.

[11] Will Kymlicka, "The Three Lives of Multiculturalism," in *Revisiting Multiculturalism in Canada*, eds. Shibao Guo and Lloyd Wong (Rotterdam: Sense Publishers, 2015), 18.

The Supreme Court would ultimately rule against its right to secede but the movement

nevertheless pressured Canada to become more accommodating of its Francophone population,

including by declaring national official bilingualism. However, as Kymlicka explains, the

emphasis on Canada's 'duality' obscured the contributions of various non-Anglo and non-Franco

"ethnic" groups, who mobilized in support of broader linguistic and cultural recognition.[12] The

Commission was forced to make additional recommendations, which would become the basis for

the 1971 multiculturalism policy and then the 1988 *Canadian Multiculturalism Act*. The Act

legally promises to "recognize and promote the understanding that multiculturalism reflects the

cultural and racial diversity of Canadian society and acknowledges the freedom of all members

of Canadian society to preserve, enhance and share their cultural heritage."[13]

State multiculturalism thus developed as an afterthought to the "accommodation" of

Quebecois nationalism. But its "ad hoc" development does not make it any less valuable,

according to Kymlicka, but is part of its political virtue and capacity to adapt yet again in

response to the most pressing challenges of our contemporary moment.[14] He reminds us that

multiculturalism has already adapted since its inception. In "The Three Lives of

Multiculturalism," he notes that "the initial push for multiculturalism came primarily from . . .

the Ukrainians, Poles, Italians, etc., – the so-called 'ethnic whites.'"[15] Overtime, policies aimed

to remedy "racialization and racial discrimination"[16] supplemented the original conception of

multiculturalism, before bringing us to a third issue. In Kymlicka's view, the "politicization of

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[12] Kymlicka, "Three Lives of Multiculturalism," 18.
[13] *Canadian Multiculturalism Act*, Revised Statutes of Canada, 1985, chapter 24 https://laws-lois.justice.gc.ca/eng/acts/c-18.7/page-1.html
[14] Kymlicka, "Three Lives of Multiculturalism," 17.
[15] Kymlicka, "Three Lives of Multiculturalism," 21.
[16] Kymlicka, "Three Lives of Multiculturalism," 17.

religion"[17] is the pressing issue for our current moment, though he notes that religious identities are not necessarily separate from the two previous "lives" of multiculturalism. He gives the illustrative example of the various ways in which Somali Canadians have organized: ethnically via the Canadian Somali Congress; against racism and alongside other Black Canadians; and finally, some seek to participate as Muslim Canadians. Thus, there is both an ethnicization of Muslim identity, particularly among those who are secular, and at the same time, an increase in the politicization of religion as people around the world challenge the terms of secularization and religious toleration.

In contrast to multicultural critics like Bernier, who question whether multiculturalism is compatible with "Canadian values," Kymlicka defines state multiculturalism as thoroughly liberal and thus thoroughly compatible with Canada's political history and values. Multiculturalism not only developed out of a liberal response to Quebec's national self-determination efforts, but also from a "larger post-war human rights revolution"[18] in which various other "liberalizing reforms" were being established, particularly during the years 1965-1975. Like access to abortion and contraception, the prohibition of gender discrimination, and the abolition of the death penalty,[19] multiculturalism made way for citizenship that was freer and more equal. "This link," Kymlicka stresses, "is not always sufficiently appreciated, in part because many commentators have assumed that multiculturalism must be a conservative and collectivist doctrine, committed to the preservation of group traditions, rather than a liberal doctrine committed to individual freedom."[20] Like other anti-discrimination policies, he argues

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[17] Kymlicka, "Three Lives of Multiculturalism," 27.
[18] Kymlicka, "Three Lives of Multiculturalism," 19.
[19] Kymlicka, "Three Lives of Multiculturalism," 19.
[20] Kymlicka, "Three Lives of Multiculturalism," 20.

that multiculturalism enables individuals to safely express their "identity, in public and private."[21]

Moreover, the potential for the lawful expression of plural identities can help to prevent anti-liberal sentiments from growing, including in the form of terrorism. In the event that claimants of multiculturalism *do* appear to risk violating liberal rights and laws, one need only remember, Kymlicka argues, that the Multiculturalism Act sits within the larger institutional framework that is the liberal-democratic constitution of Canada. This makes it "legally subject to the same constitutional constraints as any other federal policy," including the Charter of Rights and Freedom, the Canadian Human Rights Commission and the Supreme Court.[22] Thus, in the face of broader calls for national futures *after* multiculturalism, Kymlicka highlights its successes in reconciling diversity to liberal individualism and affirms that it "has some life left in it."[23]

1.2 Cultural accommodation as political assimilation

Kymlicka's argument, on my view, rests upon a desire to assuage the fear that we are facing new problems. Instead, he argues, the history of multiculturalism essentially reveals different variations of the same problem: challenges of diversity or group identity to the liberal value of individual autonomy. When seen this way, present challenges should appear less daunting, because there is already a tested framework that can be adapted and reapplied. But what if the problem from the perspective of some groups and peoples is not inclusion in liberal politics while maintaining culture, but *political* assimilation *to* liberal politics?

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[21] Kymlicka, "Three Lives of Multiculturalism," 20.
[22] Kymlicka, "Three Lives of Multiculturalism," 20-1.
[23] Kymlicka, "Three Lives of Multiculturalism," 17.

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Arguably the most widespread and pressing critique of this kind comes from Indigenous peoples. As Leanne Betasamosake Simpson states, "cultural recognition can be read as compatible with settler colonialism because it fits within an inclusive narrative of Canada as a multicultural society."[24] For many Indigenous peoples, an inclusive multicultural Canada begs the question of Canada's founding on Indigenous land and historic treaties made on a nation-to-nation basis. Were these treaty promises respected, it would lead to political self-determination rather than freedom to culture as an extension of a settler-state granted liberal individual right. From this perspective, an adapted liberal multiculturalism cannot overcome its original settler colonial nature.

I take Kymlicka's response to be that while multiculturalism directly responds to challenges regarding ethnicity, racialization and religion from an individual rights basis, it also enables accommodations for collective claims to nationhood, or self-determination *within* Canada. He explicitly notes that for him multiculturalism is an "umbrella term" that also refers to and responds to claims of national groups and Indigenous peoples.[25] Multiculturalism appears, on Kymlicka's view, to broadly describe the constitutional changes that took place during the late twentieth century, which were directed not only at Quebec and cultural minorities, but Indigenous peoples. In 1982, Canada enshrined Aboriginal rights in the Constitution, and though

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[24] Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom Through Radical Resistance*, (Minneapolis; London: University of Minnesota Press, 2017), 50.
[25] Kymlicka states that he uses multiculturalism as an "umbrella term for a very wide range of policies adopted or demanded by many different types of ethnocultural groups, including 'immigrants,' 'minorities,' 'national' groups, and 'indigenous peoples,'" *Multicultural Odysseys,* 18. For a list of "multicultural" policies applied to Indigenous peoples, see *Multicultural Odyssey,* 67-8. For more on his inclusion of Indigenous peoples into his liberal multicultural framework, see: Will Kymlicka, "The Rise and Fall of Multiculturalism? New Debates on Inclusion and Accommodation in Diverse Societies," *International Social Science Journal* 68, no. 227-228 [2010] (reissued 2018): 137.

these rights were not explicitly defined, they made political and legal space to further define them over time. In the ensuing years, the government would develop a land claims process and new treaties, all of which, Kymlicka notes, has generally led to processes of consultation and participation on issues affecting Indigenous communities.[26] Together with a growing international Indigenous rights discourse, Canada's multicultural approach continues to work in the favour of Indigenous cultural and political self-determination.[27] In Kymlicka's words, "I will call this a shift towards a more 'multicultural' approach, although this term is not typically used by indigenous peoples themselves, who prefer the terminology of self-determination, treaty rights, and aboriginality or indigeneity."[28]

For those who remain unconvinced of multiculturalism's decolonial potential, the problem is that domestic and international Indigenous rights can be interpreted and operationalized by liberal states in ways that paradoxically work against Indigenous self-determination. Regarding Canada's constitutional protection of Aboriginal rights, it is important to note how they refer to traditional activities existing prior to European contact. Though these activities can be modified over time, critics argue that they have functioned as cultural rights, "protected by the constitutional framework rather than being abstract political rights in conflict with colonial imposition."[29] As Sheryl Lightfoot argues, Canada's identity as a steward of human rights motivates it to act with respect to the emerging global discourse of Indigenous rights in order to rectify its tainted colonial history. "Multiculturalism then pushes that action into a particular framework that emphasizes equality and correcting socio-economic disparities as an

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[26] Kymlicka, *Multicultural Odyssey*,147
[27] Kymlicka, *Multicultural Odyssey*, 123.
[28] Kymlicka, *Multicultural Odyssey*, 67.
[29] Erich Steinman, "Indigenous Nationhood Claims and Contemporary Federalism in Canada and the United States," *Policy and Society* 24, no. 1 (2005): 116.

end goal."[30] The result is that Canada's "over-compliance" in "soft rights" "is actually a form of *state resistance* to the emerging global consensus in indigenous rights."[31] The 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a key achievement in the growing global indigenous rights discourse, which affirms Indigenous peoples' right to self-determination.[32] While the document also affirms state sovereignty,[33] Lightfoot argues that when seen outside of a narrow human rights and liberal multicultural perspective, this document is potentially profoundly transformative.[34]

Not only does liberal multiculturalism distract from a more robust and plural political approach from appearing and being implemented but it does necessarily even lead to greater

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[30] Sheryl Lightfoot, "Emerging International Indigenous Rights Norms and 'Over-Compliance' in New Zealand and Canada," *Political Science* 62, no. 1 (2010): 101.
[31] Emphasis added. Lightfoot, "Emerging International Indigenous Rights Norms," 103. Lightfoot notes that Indigenous action has propelled many important reconciliation efforts in Canada but the problem is Canada's paradoxical reconciliation of them with its colonial sovereignty: "Reconciliation efforts in Canada, from the creation of the Territory of Nunavut, to the Apology for Residential Schools, to the British Columbia Treaty Process, all substantial achievements when considered from an international perspective, nevertheless all operate within the framework of the Canadian model of reconciliation. This model of reconciliation not only excludes features of the indigenous model of reconciliation, such as co-management of resources, but in certain cases such as the British Columbia Treaty process, actually acts pre-emptively to avoid a renegotiation of power relations between First Nations and Canada." Ibid.
[32] UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples: resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295, available at: https://www.refworld.org/docid/471355a82.html (accessed 26 July 2021) Article 3: Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development; Article 4: Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.
[33] UNDRIP, 2007. Article 46 states: "Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States."
[34] Sheryl Lightfoot, *Global Indigenous Politics: A Subtle Revolution* (Oxford: Routledge, 2016).

socio-economic equality. As Fiona MacDonald explains, Indigenous peoples' "cultural difference," is somehow taken to lead to problems of social and economic marginalization. Indigenous communities are then put at helm of de-politicized "Aboriginal" "services" (such as education, resource development and family law) administered by state agencies. This creates channels of government interference into Indigenous communities that build on top of generations of collective trauma from residential schools and overt assimilation policies. Within this context of political disempowerment, these services do not necessarily treat the root problem, which is colonial political domination, and thus do not necessarily even lead to better socio-economic outcomes. This can perpetuate colonial stereotypes of Indigenous peoples as dependent on a benign Western government. Accordingly, the damage of the multicultural framework is that it "excludes any in depth discussion of the political relationships and process required for meaningful Indigenous autonomy."[35] Instead, in the view of Glen Coulthard, the problem with the cultural recognition approach is that "Indigenous subjects are the primary object of repair, not the colonial relationship."[36]

2. Democratic multinationalism from a treaty history perspective

2.1 *Reconciliation* and *resurgence?*

In response to the problems generated by liberal recognition politics, Tully argues that there is a more expansive historical and normative basis from which to imagine reconciliation between Indigenous peoples and Canada. Indeed, Canada must look beyond this basis lest it continue a colonial politics of *mis*recognition. He explains:

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[35]Fiona MacDonald, "Democratic Multinationalism: A Political Approach to Indigenous-State Relations," *Constellations* 21, no. 4 (2014), 608.
[36] Coulthard, Glen. *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 127.

Struggles over recognition were initially simply taken to be conflicts between particular

cultural, religious, linguistic, indigenous and other forms of 'minority diversity' and the

impartial and universal 'equality' of individuals. But this was based on a lack of

understanding of many of the claims classified under 'diversity.' Many of the claims that

indigenous peoples are actually making around the world are not claims for minority

status nor are they primarily based on culture or diversity. They are claims to be

recognised as 'peoples' with the 'universal' right of self-determination, based on prior

occupancy and sovereignty, and thus to be recognised as 'equal' in status to other

'peoples' under international law and federal constitutional law.[37]

He thus points out that there are multiple angles from which Canada is pressured to recognize

Indigenous self-determination. Not only is there a wealth of scholarship making the case, but the

1996 Royal Commission on Aboriginal Affairs describes them as "peoples." This implies that if

Indigenous peoples' claims to internal self-determination are not recognized then they would

have the right to pursue self-determination externally.[38]

But Tully's contribution to these questions is ultimately largely inspired by the political

history of treaty relations between Indigenous peoples and the British Crown. He explains that

during the first couple hundred years of interaction between Europeans and Indigenous peoples,

the latter had an advantage over newcomers or at least "existed in a balance of power with

Europeans." Given that Europeans were arriving on land that was unfamiliar to them and that

they recognized to be under the governing power of First Nations, whom they recognized as

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[37] James Tully, "Recognition and Dialogue: The Emergence of a New Field," *Critical Review of International Social and Political Philosophy* 7, no. 3 (2004), 94.
[38] James Tully, *Public Philosophy in a New Key* (Cambridge: Cambridge University Press, 2008), 219.

"independent, self-governing nations equal in status to European nations," the first treaties involved Europeans seeking the recognition of Indigenous peoples that they were worthy of entering into nation-to-nation agreements:

> The Aboriginal peoples agreed to recognise the settlers as coexisting, self-governing nations, equal in status to themselves, with the right to acquire land from them, over which the settler governments could then exercise jurisdiction and sovereignty, by means of nation-to-nation treaties based on mutual agreement. This is the basis of the treaty relationship … the basic justness of Canada as a self-governing federation actually rests on its recognition by the Aboriginal peoples, not the other way round. [39]

In the nineteenth century, however, Europeans began settling en masse and drastically increased their economic ventures. As Matthew Wildcat explains, this tipped the balance of power from one that Indigenous peoples could manage to one they could not.[40] European settlers eventually incorporated Indigenous peoples and land into the newly established colonial government. Thus, the treaty era was largely – though not entirely – overtaken by the settler colonial era. For Tully, recovering a nation-to-nation politics of *mutual recognition* would, contra liberal cultural recognition, be a more politically sound approach to decolonize Indigenous-state relations.

Those thinking through treaty history thus posit an alternative way to conceive of Indigenous self-determination claims in Canada. As some Indigenous theorists argue, treaty making is part of Indigenous histories prior to European contact, and has historically mediated

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[39] Tully, *Public Philosophy*, 234.
[40] Matthew Wildcat, "Fearing Social and Cultural Death: Genocide and Elimination in Settler Colonial Canada—an Indigenous Perspective," *Journal of Genocide Research* 17, no. 4 (2015), 398. Wildcat's article is focused on the northern plains region of what is now Canada, but this history is roughly representative across the country.

"what it means to live in a multicultural and multinational world."[41] Thinking with the

Indigenous Anishinaabe, Heidi Kiiwetinepinesiik Stark notes that they are not simply one

collective, but comprised of bands with different traditions, different sorts of "internal conflicts"

and ties to different areas of the extensive landscape between the Great Plains and Great Lakes.

Cultural and national differences and similarities were developed through "social, economic and

political alliances that required engagement across national borders, kin ties, and

epistemologies."[42] A plurality of diplomatic and treaty practices – not simply written – mediated

these intra- and inter-national engagements.[43]

Tully's treaty-inspired thought destabilizes the singular sovereignty of Canada by

disclosing its development within a prior history and nation-to-nation relationship model with

Indigenous peoples. From this perspective, it is neither historically accurate nor politically

legitimate to imagine a starting base of liberal state politics that then "integrates" or includes

diversity; rather, Canada is itself a product *of political plurality* – literally developed through a

political history of European peoples encountering one another and Indigenous peoples. This is

not to say that force and violence were not part of treaty history, nor to romanticize any

particular treaty or treaty party. But there is value in taking normative inspiration from these past

practices, even if they were flawed, to reenergize our thinking about political plurality in the

settler colonial context going forward. Moreover, Indigenous peoples do not necessarily see them

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[41] Heidi Kiiwetinepinesiik Stark, "Respect, Responsibility, and Renewal: The Foundations of Anishinaabe Treaty Making with the United States and Canada," *American Indian Culture and Research Journal* 34, no.2 (2010), 147.
[42] Stark, "Respect, Responsibility, and Renewal," 147-8.
[43] Stark, "Respect, Responsibility, and Renewal," 148.

as romantic – they see them as "broken promises,"[44] meaning that Canada committed itself to them and is called upon to continue to negotiate their fulfillment.

At the same time, some Indigenous theorists and community members are deeply skeptical of the possibility of any meaningful reconciliation with settler Canada. In a co-edited volume, *Resurgence and Reconciliation: Indigenous-settler Relations and Earth Teachings*, Tully, Michael Asch, and John Borrows reflect on the fact that for some theorists of "Indigenous resurgence," self-determination necessarily takes place outside state channels.[45] Indigenous resurgence prioritizes the *critical* revival of Indigenous traditions, meaning a self-conscious, reflexive relationship to the past, identity and traditions in order to avoid the traps of cultural essentialism, while also rejecting the notion that progress requires moving away from traditions for the sake of "modernity." [46] Indigenous resurgence can mean "embracing a daily existence conditioned by place-based cultural practices."[47] It can include also include the creation of land-

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[44] Alicia Elliott, "A Memo to Canada: Indigenous People are not your Incompetent Children," last modified January 5, 2018, accessed July 27, 2021, https://www.theglobeandmail.com/opinion/indigenous-memo-to-canada-were-not-your-incompetent-children/article37511319/

[45] For a broad overview of the tensions between resurgence and reconciliation, see: Borrows and Tully, "Introduction" in Michael Asch, John Borrows, and James Tully, *Resurgence and Reconciliation: Indigenous-settler Relations and Earth Teachings* (Toronto: University of Toronto Press, 2018). For this particular quote, see page 4.

[46] Coulthard writes that it is vital that the movement recognize the "pitfalls associated with retreating into an uncritical essentialism in our practices of cultural revitalization." He quotes Taiaiake Alfred who writes that 'Working within a traditional framework, we must acknowledge the fact that the traditions change, and that any particular notion that constitutes 'tradition' will be contested.' Coulthard also refers to a similar insistence on cultural dynamism that informs Leanne Simpson's work. For Simpson critical revitalization requires that Indigenous peoples reclaim 'fluidity of [their] traditions, not the rigidity of colonialism.' Resurgence theorists therefore see themselves as drawing on values and practices in their peoples' histories in order to "radically transform the colonial power relations that have come to dominate [the] present." Coulthard, *Red Skin, White Masks*, 156-7.

[47] Jeff Corntassel, "Re-envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination," *Decolonization: Indigeneity, Education & Society* 1, no. 1 (2012), 89.

based education curriculum,[48] the revival of Indigenous languages, an upsurge in traditional land-based economies, oral storytelling, arts and direct action protests.[49] While the language and practice of culture is still significant, it is not seen or practiced as an identity that is securable by an individual right protected by the colonial state, but critically co-constituted through the collective actions and politics of Indigenous communities themselves. For Coulthard, resurgence allows for "decolonial, gender-emancipatory, and economically nonexploitative alternative structures of law and sovereign authority grounded on a critical refashioning of the best of Indigenous legal and political traditions."[50]

While Tully, Asch and Borrows agree with Indigenous resurgence arguments that the recent history of recognition politics has in many ways led to recolonization, they nevertheless caution that an unnecessary polarization between reconciliation and 'separate resurgence' has emerged. They source some of this polarization to the importation of Third-World decolonization concepts from the 1950s and 1960s which articulated decolonization as a necessary process of separation from the colonizer. Agreeing that tactics of separation are sometimes necessary, Tully and the editors nevertheless affirm that the pre-settler colonial era of Indigenous-European treaty politics, including the Two Row Wampum, we well as the Royal Proclamation of 1763, demonstrate ways of conceiving Indigenous-settler inter-dependent rule, or shared rule with space for independence and difference. Moreover, they note that Indigenous conceptions of self-government are often described as forms of interdependence with the earth

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[48] Matthew Wildcat, Mandee McDonald, Stephanie Irlbacher-Fox, and Glen Coulthard, "Learning from the Land: Indigenous Land Based Pedagogy and Decolonization," *Decolonization: Indigeneity, Education & Society* 3, no. 3 (2014).
[49] Corntassel, "Re-envisioning Resurgence," 89.
[50] Alexander Reid Ross, "Interview with Glen Coulthard," *Anarchist Modernities* No. 1 & 2 (2015), 179.

and all species, and such practices are deeply needed in the contemporary context of global warming and an enmeshed Indigenous-settler society and landscape. Ultimately, Tully, Asch and Borrows argue that only forms of reconciliation that make space for and are built through practices of Indigenous resurgence will be valid from a decolonial, plural political perspective.[51]

As important as the treaty turn is to rethinking Indigenous-state relations outside the liberal multicultural frame, Indigenous resurgence brings attention to the fact that decolonization cannot be solely counted on to take place through state channels. Moreover, there is the question of non-Indigenous citizens: how is their citizenship and democratic freedom altered in light of the treaty turn? The contemporary moment is much more complex than what a stylized representation of treaty history conjures, that is, an agreement between two separate but equal nations. Not only are Indigenous nations themselves diverse, and include practitioners of Indigenous resurgence, but the Canadian nation comprises, for example, Francophone nation claims and the many cultural minorities described by Kymlicka. Consider for example that Quebec is in Canada and many Indigenous peoples and cultural minorities reside in Quebec. Existing in various degrees of harmony and tension, each has inevitably been influenced by interactions with one another, as well as by Canada's liberal policies, and by the legacy of settler colonialism and assimilationist policies – leading to negative and positive hybrid traditions. In the next section, I turn to Tully's work on multinational democracies, which thinks through some of these complexities.

2.2 "Multinational democracies are also multicultural:" [52] *democratizing constitutional reconciliation between Indigenous and non-Indigenous citizens*

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[51] Borrows and Tully, introduction to *Resurgence and Reconciliation*.
[52] Tully*, Public Philosophy*, 188.

In his book chapter "Multinational democracies: and introductory sketch," Tully outlines some of what these interactions entail, while making clear that "since multinational democracies are just coming into being in the present era, it is not possible to present a definitive or comprehensive account."[53] Tully argues that what makes Canada a multinational democracy is that there are claims to nationhood that challenge the conception of Canada as a singular nation. He adds that whether a multinational democracy is truly just and free, however, depends upon whether the constitution validates not just democratic principles, but self-determination principles. In line with his arguments about reconstituting Indigenous-state relations according to treaty history, Tully argues that Indigenous peoples should have the right to self-determination within the Canadian constitution. Claims to self-determination and democracy are not separate for Tully because "When a demand for the recognition of one or more nations or peoples arises in a multinational democracy, it 'problematises' the constitutional identity of the society."[54] This means that constitutional negotiations over self-determination claims would pressure Canadians to reconceptualize Canada as multinational. It would be similar to the process under which Canada developed its multicultural identity, except that multiculturalism also in some ways stunted self-determination claims and thus a truly multinational identity from developing.

It should be made clear that not all multinational democracies are settler colonial countries, but in the cases of those that are, Indigenous claims to nationhood are not simply one of multiple national claims. Were they simply one of many recognized by the liberal state, we would arguably be back to the logic of liberal multiculturalism, where political diversity is folded into a framework of liberal freedom that sets limits on claims of plurality. Instead, I read

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[53] Tully, *Public Philosophy,* 185.
[54] Tully, *Public Philosophy,* 194.

Tully and MacDonald – who also proposes democratic multinationalism to structure Indigenous-state relations in Canada[55] – to forward the significance of the specific historical and political texture of each multinational democratic context. In settler colonial contexts, Indigenous claims to nationhood, or self-determination, are inextricably linked to their pre-colonial relationships to land, treaty history, and the growing international discourse of Indigenous rights. Their claims to self-determining nationhood thus disrupt liberal sovereignty and politics by inflecting a prior history of self-government nation-to-nation relations with European newcomers. In the Canadian case, it is only upon this foundational basis that negotiations of self-determination *and* multiculturalism are *democratically* negotiated if we are to move towards a decolonial multinational democracy.

A democratic context is necessary for members of internal nations to pursue self-determination – itself also an expression of democratic freedom broadly understood[56] – and also for citizens to respond to such claims and make their own demands for accommodation and freedom. Tully sums up these overlapping and contesting practices:

> Both the nations and the multinational association as a whole are composed of individuals and cultural, linguistic, religious, ethnic and civilisational minorities who struggle for and against distinctive forms of recognition and accommodation of their cultural diversity. In response, the nations and the multinational association develop procedures and institutions for the democratic discussion and reconciliation of these forms of diversity with the unity of their respective associations (one way or another), in

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[55] Fiona MacDonald, "Democratic Multinationalism."
[56] "The members of the nations are, or aspire to be, recognised as self-governing peoples with the right of self-determination as this is understood in international law and *democratic* theory" (emphasis added). Tully, *Public Philosophy,* 187.

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addition to the reconciliation of their multinational diversity. The struggles over minority

and multinational diversity overlap, compete and undergo democratic negotiation as

well.[57]

Folded into a framework of plural political communities – Indigenous and non-Indigenous – the

question of cultural diversity is no longer a problem for liberal individualism to reconcile.

Instead, from a democratic multinational constitutional perspective, the premise of *politics is*

plurality. Cultural diversity is simply one of many forms of association and belonging that makes

up democratic life. Constitutionally protected democratic procedures and practices thus become

the grounds of shared life – not in spite of differences – but by way of them. More specifically, it

means that democracy is comprised not of abstract, homogenous citizens, but of deeply diverse

citizens. A desire for the freedom to participate in setting the terms of governance links the

complex array of overlapping and conflicting claims in contemporary societies.

Without a democratic context, multinational and multicultural claims *would* arguably

become a matter of irreconcilable identity differences. Reflecting on Tully and Lisa Wedeen's

conceptions of culture, Rita Dhamoon notes how their work has furnished political science with

a less ontological and more socially constructed notion of culture.[58] Wedeen writes that "culture

designates a way of looking at the world that requires an account of how symbols operate in

practice, why meanings generate action, and why actions produce meanings, when they do."[59]

Put this way, culture need not mean an inward turn from the broader world, but might inspire

ongoing interpretations of the world and action. For Tully, "struggles of recognition" and

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[57] Tully, *Public Philosophy,* 188.
[58] Rita Dhamoon, "Shifting From 'Culture' to 'the Cultural': Critical Theorizing of
Identity/Difference Politics," *Constellations* 13, no. 3 (2006).
[59] Lisa Wedeen, "Conceptualizing Culture: Possibilities for Political Science," *The American
Political Science Review* 96, no. 4 (2002), 702.

"identity politics," which he uses somewhat interchangeably, are "not a politics of many separate, bounded and internally uniform nations, cultures or other forms of identity … even though leaders often portray them in this manner."[60] Rather, not only do people tend to consciously or unconsciously identify with more than one group, but also group identities are themselves constantly changing through the activities of their members and by external influences, including the politics of the state and the dominant nation. Given what Tully articulates as the desire of cultural minorities to participate in setting the terms of governance, he states that "the identity politics of multicultural citizens and the struggles for recognition of suppressed nations and Indigenous peoples in multinational associations are not different in kind or necessarily incompatible, as is often assumed."[61] Both speak to the issue of the "freedom of the members of an open society to change the constitutional rules of mutual recognition and association from time to time as their identities change."[62]

3. World-building in Settler Colonial Contexts

3.1 Registering radical democratic politics within and without formal democratic constitutions
Agreeing with the decolonial critiques of liberal multiculturalism and the general thrust of the turn to democratic multinationalism, this study nevertheless shifts the focus away from a constitutional lens. I argue that this is necessary in order do justice to understanding and registering the problems and opportunities for actual cases of plural democratic activity in the settler colonial context of Canada. While the study is motivated by present challenges in the Doukhobor and Sinixt cases, and what those challenges say about the broader political context and questions of plurality, I also attend to the early twentieth century. This period represents the

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[60] Tully, *Public Philosophy,* 167.
[61] Tully, *Public Philosophy,* 152.
[62] Tully, *Public Philosophy,* 189.

thick of Canada's settler colonial assimilationist politics. Chronologically, it falls after the treaty era and before liberal multiculturalism and politically, it is the antithesis of the constitutional democratic multinationalism articulated by Tully.

Returning to the settler colonial period provides us with an opportunity to re-evaluate the plural democratic and self-determining energies of Indigenous and non-Indigenous peoples before they are channeled into the liberal multicultural approach. But given that the period lacked a democratic constitution friendly to such plural expressions, I argue that we need a political lens that can help us to register the ambiguity of group activities during the period.[63] Such a lens will also complement Tully's constitutional framework by helping to describe contemporary group activities and claims that are particularly at odds with status quo state politics, such as Indigenous resurgence, and some non-Indigenous citizens like the Doukhobors. While Tully uses the language of reconciliation and democratic constitutionalism as a normative critique and pressure on the historical Canadian state to transform based in part on these very group activities and claims, we would do well to have additional political language that does not as easily connote the state to which certain groups strongly resist. Such language will be further in service of highlighting problems and democratic possibilities for institutional transformation and shared politics, or moving Canada's constitution further towards multinational democratic principles.

3.2 Plurality as the worldly condition of politics

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[63] From a modern liberal perspective, particularly the social contract tradition, there might be an objection that it is not possible to call such activity "democratic" or "self-determining" without a constitution or state in place that already recognizes and "constitutes" or brings such collectivities and actions into coherent being. But this would presume that top-down state liberal multiculturalism *made* such activity political, when in fact it was a *response* to political challenges from below.

I turn to Arendt for conceptualizing group claims and practices prior to and during the settler colonial and during the contemporary period that are political but at odds with the liberal multicultural solution to such claims. Most importantly, Arendt's conception of politics as centred on the world between people is significant for disrupting the tendency of liberal and settler colonial politics to depoliticize the claims of groups which challenge the status quo as if they were matters of "identity." First, I will articulate how I draw from her to create a conception of politics as world-building and then I will crystalize the problem with liberal multiculturalism's conception of the problem of diversity as one of group identity against the standard of liberal individualism.

The problem with much of the Western tradition's thinking about politics, according to Arendt, is the focus on "man" in the singular, as if there were a political essence to be found within the individual. But this is a flawed starting basis and focal point given that "politics deals with the coexistence and association of *different* men."[64] If we start with the assumption that there is some essence to "man" such as a Platonic form or an image of God, then by default, variations across individuals are a problem to politics. Such thinking has led to arguments that philosopher kings and priests should rule.[65] Or, in modern liberal thinking, it can lead to the presumption that the purpose of government is to lessen the clash between putatively sovereign

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[64] Hannah Arendt, *The Promise of Politics,* ed. Jerome Kohn (New York: Schocken Books, 2005), 93. The gendered language is of course representative of the longer Western tradition. I do not change Arendt's language but it should be made clear that in the context of this project, political actors can be any gender. At the same time, our inherited political conditions retain many patriarchal assumptions and thus in many ways depoliticize the actions of people who are not identified as men. Interrogating those dynamics is unfortunately beyond the scope of the current project.

[65] Arendt, *The Promise of Politics,* 95.

individuals. Freedom becomes equated with the ability to escape such clashes as much as possible, by securing a private sphere for the development or pleasure of the self.

If we instead reframe politics around the indisputable fact that it is about different individuals coexisting together, then we can get to work negotiating better ways to live together. If we conceive of "better" as simply "the less I have to deal with other individuals" then we are back to the mis-construal that political freedom is a property or substance of the individual and that "perfect liberty is incompatible with the existence of society."[66] Worse yet, it is not a real individual but an idealized version. This would mean that freedom is out of reach of living people. But if "politics is based on the fact of human plurality,"[67] then political freedom must also be associated with plurality, with living in a community. To be clear, Arendt is not moving us away from "the individual" towards "collectivism." The notion of an undifferentiated society, in which all individuals share one perspective, is a different expression of the same problem: a fantasy of the idealized "man." For Arendt, plurality refers to the fact of differences between living people and politics necessarily must proceed from and through these conditions: "politics arises in what lies *between men* and is established as relationships."[68]

But what exactly lies between individuals and establishes these relationships? Arendt writes that "wherever people come together, the world thrusts itself between them, and it is in this in-between space that all human affairs are conducted."[69] The world, for Arendt, is partly comprised of what we might normally think of as "political:" "laws, constitutions, statutes, and the like," as well as the informal social customs and conventions that consequentially develop

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[66] Hannah Arendt, "What is Freedom?" in *Between Past and Future: Six Exercises in Political Thought* (New York: Viking Press, 1961), 155.
[67] Arendt, *The Promise of Politics,* 93.
[68] Arendt, *The Promise of Politics,* 95.
[69] Arendt, *The Promise of Politics,* 106.

from these political structures.[70] Individuals cannot come together, except by way of a shared

space, meaning objective worldly structures, which simultaneously separate them. Thus, an

individual cannot simply "will" their sovereign self, preferences or interests into the public or

private – indeed, there is no such self from a world-building perspective. Instead, it is only

through speaking about the world and acting in it, in relation to others, that we develop and

disclose ourselves and our interests:

> action and speech go on between men, as they are directed toward them, and they retain
>
> their agent-revealing capacity even if their content is exclusively "objective," concerned
>
> with the matters of the world of things in which men move, which physically lies
>
> between them and out of which arise their specific, objective worldly interests. These
>
> interests constitute, in the world's most literal significance, something which *inter-est*,
>
> which lies between people and therefore can relate and bind them together.[71]

Within an Arendtian conception then, the freedom of the individual is worldly and relational

rather than metaphysical and autonomous; while these relations and interests do have an

intangible, normative quality that is always in flux, "this in-between is no less real than the world

of things we visibly have in common."[72]

The freedom of the self, thus depends upon our and others' worldly participation, which

is equivalent to care for the tangible and intangible aspects of shared life. "Concern for the

world"[73] as Arendt puts it, is to be concerned that it remains hospitable to different people. If

difference was a problem either because the standard is the ideal individual or collectivism, then

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[70] Arendt, *The Promise of Politics,* 106.
[71] Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 182.
[72] Arendt, *The Human Condition,* 183.
[73] Arendt, *The Promise of Politics,* 106.

each actual individual – me and you, the reader, included – would go unheard or unseen, or be

seen as a problem to assimilate. We thus require a space in which each has the opportunity to

disclose themselves or "make their appearance explicitly,"[74] in relation to others. No such space

exists "in nature," nor can a distant "government," or "someone else" create or secure it for us,

because it definitionally lies between that "someone else" and us. Actively maintaining this

political "in-between" space requires not only the "courage"[75] to speak and act but also a

receptivity to the voice and actions of others. Because while our perspective is irreplaceable, it is

still only *one* perspective on the world, and thus partial.[76]

In order to see the world in a more objective way, we have to *think* with other

perspectives. It is not about passively adopting others' perspectives or positions, since that would

be a loss of our own perspective, and thus plurality, but thinking in a less "prejudiced" or partial

way.[77] It involves a willingness to have our perspective of the world disrupted and enlarged by

new objects and concerns that are brought into view by others. Described as a practice of

"representative thinking," it involves re-presenting objects in the world that have been brought

into view by others and thinking critically about them.[78] It is ultimately up to each of us how we

make sense of and act with respect each new depiction of the world. As a practice that enlarges

our perspective and increases our mental mobility, it might move us from thinking to action,

including collectively mobilizing to deconstruct and reconstruct the world. Irrespective of the

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[74] Arendt, *The Human Condition,* 199.
[75] Arendt, *The Promise of Politics,* 122.
[76] Arendt writes that the world is revealed "differently to each and comprehensible only to the extent that many people can talk *about* it and exchange their opinions and perspectives with one another, over against one another." *The Promise of Politics,*128-9.
[77] Hannah Arendt, *Lectures on Kant's Political Philosophy,* ed. Ronald Beiner (Chicago: University of Chicago Press, 1989), 43.A
[78] Arendt, *Lectures on Kant,* 64; Arendt, "Truth and Politics."

outcome, the practice is freeing, as it is a reminder and exercise of the capacity to be free from a limited perspective.[79] It is not the inner freedom of the individual critiqued above, but one experienced through participation in a plural world.

3.3 The occlusion of a common world: the tenacity of the sovereign self in liberal multiculturalism

We now have a conception of politics centred on care for a world built in common between a plurality of people. Before getting to the applicability of this conception for analysing particular cases, like the Sinixt and Doukhobors, I will show why it is needed. More specifically, why, despite its virtues, Canadian liberal multiculturalism is not simply a problem in the Indigenous case, or settler colonial context, but occludes the political significance of diversity generally. In terms of its virtues, it is hard to argue with the fact that liberal multiculturalism is an improvement relative to Canada's explicit assimilation policies of the early twentieth century. There is much scholarship documenting Canada's white-Anglo supremacist history during this period. Broadly, people who were seen to fall outside the dominant norm, were vulnerable to systemic discrimination, assimilation, exploitation and violence. Canadian society and government are significantly more welcoming and accommodating of cultural and visible minorities since the late twentieth century than in the 1920s for example.

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[79] Arendt succinctly describes the relationship between seen from diverse perspective and freedom: " This freedom of movement, then—whether as the freedom to depart and begin something new and unheard-of or as the freedom to interact in speech with many others and experience the diversity that the world always is in its totality—most certainly was and is not the end purpose of politics, that is, something that can be achieved by political means. It is rather the substance and meaning of all things political." Arendt, *The Promise of Politics,* 129.

I thus agree with liberal multiculturalists that we ought to reject assimilationist politics and embrace diversity, but questions remain as to how we do so, which requires first answering what we really mean by "diversity." To partly repeat an illustrative passage from Kymlicka:

> Many commentators have assumed that multiculturalism by definition must be a conservative and collectivist doctrine, committed to the preservation of group traditions rather than a liberal doctrine committed to individual freedom. But in fact multiculturalism, from the start, has been understood in Canada as a policy of reducing the barriers and stigmas that limit the ability of individuals to freely explore and express their ethnic identities … multiculturalism was conceptualized as a way of expanding the scope of individual autonomy.[80]

Kymlicka goes on to cite the 1971 parliamentary statement on multiculturalism by Prime Minister Pierre Trudeau which claimed that it is 'basically the conscious support of individual freedom of choice.' Kymlicka cites as well the preamble to the official Multiculturalism Act which affirms "the freedom of individuals 'to make the life that the individual is able and wishes to have.'"[81] Kymlicka's account of diversity thus rests squarely on highlighting it as a phenomenon, or extension, of individual freedom. From one angle, Kymlicka's liberal multiculturalism could be read to correct for the problem diagnosed by Arendt, that is, the modern liberal conception of society being at odds with political freedom. After all, liberal multiculturalism is a deliberate way of cultivating political space to accommodate the fact that individuals choose different lives.

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[80] Kymlicka, "Three Lives of Multiculturalism," 20. See footnote 20 for where I have already cited part of this passage.
[81] Kymlicka, "Three Lives of Multiculturalism," 20.

However, by accounting for this difference as a matter of "choice," liberal multiculturalism remains problematically tethered to the received philosophical identification of freedom with the faculty of the will and its ultimately illusory notion of freedom as sovereignty. As Arendt writes

> politically, this identification of freedom with sovereignty is perhaps the most pernicious and dangerous consequence of the philosophical equation of freedom and free will. For it leads either to a denial of human freedom namely, if it is realized that whatever men may be, they are never sovereign or to the insight that the freedom of one man, or a group, or a body politic can be purchased only at the price of the freedom, i.e., the sovereignty, of all others … if men wish to be free, it is precisely sovereignty that they must renounce.[82]

By contrast with the inherited conception of freedom as sovereignty, Arendt distinguishes between the "I-will" and the "I-can:" "it is only where the I-will and the I-can coincide does freedom come to pass." The I-can points to the common world built with others, then, as the condition of "being able to do what one wills."[83] Inviting us to think about freedom as "not an attribute of the will but an accessory of doing and acting,"[84] Arendt presses us to see our interdependent relations with others as the very condition of any meaningful conception of political but also individual freedom.

To see this more fully, consider Arendt's distinction between the "who" and "what" of politics. "The moment we want to say *who* somebody is, our very vocabulary leads us astray into saying *what* he is; we get entangled in a description of qualities he necessarily shares with others

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[82] Arendt "What is Freedom?" 164-5.
[83] Arendt, "What is Freedom?" 160-1.
[84] Arendt, "What is Freedom?" 165.

like him."[85] This entanglement involves categorizing persons under an already 'known' identity – as a member of an "Indigenous" or "religious" group – based on "what" qualities they appear to have and share with others from that identity group. Of course, each of us shares qualities with others based on our class, gender or cultural identity, for example. But recalling Tully and Wedeen, culture and identity are always in a process of an uncertain development through interactions with the outer world, including the political world. Thus, even the broad qualities shared by a group are always changing. Moreover, we ought not presume that at any point in time, all members of a group share one perspective - the antithesis of plurality. In other words, we have to be careful to not fall back into the trap of collectivism.

For Arendt, the "specific uniqueness,"[86] of "who" a person is, is partly intangible, and thus not reducible to pre-given nameable traits. As discussed, we can only disclose ourselves to others by speaking and acting in relation to a shared world, which no particular individual has sovereign control over, either in terms of our abilities to act or how we are received. For starters, we are born into a world already shaped by objective structures and by others' words and deeds, and thus there is no neutral point from which to choose "who" we are. Then "who" is a political persona developed partly through the common world influencing and pressuring us to respond and to act, and partly as a process of conscious thought and action. But even in the latter case, the reception of our voice and action by others is out of our control. Whereas "what" someone is presumes we can focus on particular (similar) subjects, the "who" can only be seen in relation to a plurally shared, and thus contested, mutable world. Understood in the Arendtian terms of plurality, the diversity that multiculturalists would respect and foster cannot remain tethered to

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[85] Arendt, *The Human Condition,* 181.
[86] Arendt, *The Human Condition,* 181.

"what" someone is. It must attend to the worldly conditions that facilitate the development of a public persona, the "who." I argue that liberal multiculturalism tends to eclipse the shared world in which this "who" can emerge. By lodging freedom in the will and identifying it with sovereignty, multicultural approaches remain mired in a celebration of the autonomous individual – the "what." The otherwise laudable goal of promoting individual free expression remains tied to an ultimately illusory sovereign ideal of freedom.

From an Arendtian perspective, by contrast, free expression should be claimed as a way of *developing inter-ests*, or concerns that could be advocated as common and taken up by others. Free speech is not simply a platform from which to voice "predefined" interests, as if they arose from an autonomous inner realm, or collective of individuals sharing the same group qualities or identity.[87] The expression of these qualities lacks worldly resonance, and thus world-building power, compared to a speaker whose different perspective is taken to say something unique or new, but still about the *shared* world. Thus, while liberal multiculturalism continues to expand the realm of "what" qualities may be expressed under an "umbrella" of claims to difference – ethnic, racial, religious, Indigenous, etc. – an autonomous individual persists as the "who." The result is that liberal multiculturalism paradoxically assimilates diversity to a politics of liberal individualism, muting its worldly power.[88]

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[87] Arendt, *The Promise of Politics*, 128-9; "What is Freedom?" 164.
[88] This is particularly ironic in the case of Indigenous peoples given that there was a broad pan-Indigenous, anti-colonial movement in Canada in the late twentieth century that specifically mobilized against assimilation to liberal individualism. The catalyst was the federal government's announcement in 1969 that it was going to dissolve the 1876 Indian Act. The purported rationale was that the distinct status of Indigenous peoples in Canada was keeping them from enjoying liberal equality. In fact, decade's worth of explicit colonial and assimilationist policies (including genocidal, state supported residential schools) had created enormous social disparities between Indigenous and non-Indigenous citizens in Canada. As Coulthard (2014: 5) argues, the government's image as a modern, progressive country was "tainted" by the plight of Indigenous peoples, leading the government to craft a discourse of

Indigenous peoples have been particularly vocal about the falsity of Canada's liberal multicultural approach as enabling a "common" future, [89] or a middle or shared path between assimilation on the one hand, and separation on the other hand. But as this discussion elucidates, the idea of a "common" world predicated on the autonomous individual is not simply a problem vis-à-vis Indigenous claims, but for political plurality generally. From a world-building perspective, citizens, whatever their identity, require a political space in which claims to difference are *not* reduced to "identity," or the peculiar life choices of the autonomous individual. A common world is a space in which we uniquely contest and/or affirm the institutions and norms that structure collective life. While we may speak on behalf of our group, a world-building lens troubles the temptation to predict the meaning of group claims based on qualities already known to be shared by similar people. Whether part of the "majority," or a "minority," world-building demands the acknowledgement that we only come to know and express ourselves by way of a world created in common with others.

3.3 Reclaiming the worldly relevance of group claims

As I argue in the chapters, settler colonial liberal Canada effectively cultivated "identity politics" well before it became an explicit alternative to liberal individualism in the late twentieth century. It did so by responding to Indigenous and non-Indigenous group claims as if their difference represented a problem "needing" elimination or assimilation to a political world defined by white

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liberal equality in the 1960s. Indigenous peoples mobilized into a national movement because while they rejected the colonial nature of the Indian Act, liberal individualism was simply colonial assimilation by another means. The government was forced to not only keep the Act but was pressured to expand difference-based rights, eventually leading to the 1982 constitutional entrenchment of Aboriginal rights, which as I have argued, are still grounded in a conception of the freedom of the individual.

[89] As an example, Flowers specifically critiques the language of a "common" future between Indigenous people and settlers in Rachel Flowers, "Refusal to Forgive: Indigenous Women's Love and Rage," *Decolonization: Indigeneity, Education & Society* 4, no. 2 (2015).

and/or individual-based nationalism. For this reason, I argue for world-building as an alternative

to the language of "identity," when we are trying to explain when members of groups are making

claims that challenge the terms that structure the world between them and the state or broader

society. Recalling Wedeen's conception of culture as "designat[ing] a way of looking at the

world," it need not be the case that culture creates an identity at odds with participating in the

broader world. Tully does explicitly reframe the meaning of "identity politics" from something

that describes ontological and insular claims, to describing groups whose very identity is

constructed in an ongoing way through democratic politics. While an important modification of

identity politics, on my reading, the language itself can sound as though their democratic

participation is a way to secure conditions that allow the maintenance and recreation of their

group identity over time. While this may be true in some cases, I think Tully is also pointing to

the fact that when such groups challenge the dominant terms of citizenship,[90] the political

activity is relevant to the broader democratic community.[91] For example, the Doukhobors' claims

to pacifism, and the Indigenous Sinixt's claims to be custodial caretakers of their homeland,

could each be read as matters of their respective identities and the demand to have those cultural

differences recognized and respected. Alternatively, they could be read as claims on the broader

society to reconceive political relations on terms that are pacifist and ecologically sustainable

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[90] Tully, *Public Philosophy,* 166.

[91] He does sometimes describe the change as occurring through an overlapping consensus, as in
the following quote. However, his description of multinational democracies undergoing
constitutional identity changes in response to the claims of one group also speaks to the fact that
the claim of one group influences the rest of society. "One of the most important discoveries of
identity politics is that people with very different cultural, religious, gender and linguistic
identities can nevertheless reach overlapping agreements on norms of public recognition, such as
charters of individual and group rights and obligations, as long as these are formulated,
interpreted and applied in an identity-sensitive manner." Tully, *Public Philosophy,* 181.

and based in plural sovereignties. World-building directs our focus to the challenges and possibilities of reading such claims in this latter, broader democratic register.

The following chapters examine such challenges and possibilities as they appear in the Doukhobor and Sinixt cases. Both groups have historically claimed the freedom to generate their own community-based collective practices and simultaneously critiqued the capitalist economics and hierarchical practices of states. I argue that we need to attend to the fact that in so doing, these groups have been speaking to potential members of the common world – their own members and any audience willing to engage in non-statist forms of politics understood as Arendtian worldbuilding. Drawing on Arendt, I contend that their claims are political insofar as they are not merely claiming cultural tolerance for themselves as a group but are attempting to bring into view and to alter the shared world that lies between different persons and groups. At various historical moments, the world to which these groups refer has been more or less aspirational, which is to say, that it had yet to be built, in part because state politics tends to overwhelm space and sight of other possible practices of collective freedom. Thus, these claims to world-building may emerge from particular (fluid) identities but they are not necessarily *about* identity.

3.4 Chapter summaries

Chapter 1 critically examines liberal multiculturalist assumptions about the Doukhobors. While they claimed conscientious objector status upon arrival to Canada at the turn of the twentieth century, I argue that they were claiming more than a right to religious freedom, which is how they are retroactively understood in the grammar of multiculturalism. From a world-building perspective, their pacifist stance reflects a political critique of state practices and a claim to build a community through pacifist relations. This claim is one that can be taken up by other groups

and individuals who are not members of the Doukhobor community in a shared world-building practice. Reduced to a claim to religion or culture – to Doukhobor "identity" – however, it is shorn of its real political potential to create this shared world. Moreover, the cast of culture would become a border within which oppressive intra- and inter-group dynamics festered (including settler colonial), and which would slowly contribute to Doukhobor assimilation.

Chapter 2 challenges liberal multiculturalist and state-centric multinationalist assumptions about the Sinixt. Declared "extinct" in 1956, the Sinixt's uncertain status in Canada has also been compounded by the Canadian-American border which cuts through their traditional territory. In 2021, the Supreme Court of Canada restored partial recognition of them. At the same time, Canada is promising to renew its relationship with Indigenous peoples, and to implement the UNDRIP, which supports Indigenous self-determination. The Sinixt thus stand on the cusp of a new era of recognition politics. While promising in certain respects, the chapter highlights the many risks of a repetition of a problematic history of liberal recognition politics. While the Sinixt claim land and nationhood, a liberal state-centric frame creates Westphalian distortions and tensions with other Indigenous peoples (the Ktunaxa) who have overlapping claims to the land. When we instead look at the Sinixt's claims through Indigenous resurgence theory and a world-building lens, we see that they do not call for exclusive repossession, but to be able to enact much more fluid spiritual- and land-informed political practices. At the same time, they invite the surrounding community to reconsider land's political meanings, and to participate in stewarding ecological sustainability and other shared projects. The case thus presents the possibility of moving towards radical, *democratically* sustained treaty model of settler-Indigenous politics.

Chapter 3 shifts the focus to the fraught world between the Doukhobors and the Sinixt. The Doukhobors purchased land in the early twentieth century with the hopes of continuing their pacifist community politics against the assimilative pressures of the state. When later confronted by a Sinixt family who was displaced by their communal settlement, the Doukhobors refused to return any land. The irony is that the Doukhobors' settler colonial politics would indirectly assimilate them to the very state politics that they sought to resist. This chapter thus considers how settlers with a radical democratic history can both perpetrate settler colonialism and how they might reclaim more expansive world-building freedom through decolonial political engagements with the Sinixt going forward.

CHAPTER ONE

Liberal Multiculturalism's Misrecognition of Democratic Claims:

The Case of the Doukhobors

"Not only did they resist the institutions, laws and beliefs that would have made them into

"good" immigrants and docile citizens but they also refused to recognize the terms of

recognition."[1]

"Freedom of conscience does prevail in Canada, but not the freedom we declared."[2]

"'Will these people assimilate to Canada?' The Doukhobors chose another path, saying: 'We

support integration, not assimilation.'"[3] These are the words of Koozma Tarasoff, perhaps the

most well-known Canadian-Doukhobor author of Doukhobor history. He explains how the

Doukhobors developed in Russia "as a dissident group challenging the authority of the church

and state." Persecuted by Russian authorities since their emergence in the mid-17th century, by

the end of the 19th century, they managed periods of prosperous communal organization, or what

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[1] Julie Rak, introduction to *Negotiated Memory: Doukhobor Autobiographical Discourse* (Vancouver: University of British Columbia Press, 2005), viii.

[2] This was a statement from the Doukhobors' appeal to the Sultan of Turkey to allow them to emigrate there. Quoted in: John A. Cormie, "Appeal from the Doukhobors of Canada to the Sultan for Permission to Settle in Turkey," *Westminster* 4 (1904), 343-348, accessed in Doukhobor Research Collection, Part 1 Box 1 No. 63, 1839-1980, RBSC-ARC-1169, University of British Columbia Library Rare Books and Special Collections.

[3] Koozma Tarasoff, "Multiculturalism and the Rise of a New Spirit," in *Spirit-Wrestlers' Voices* ed. Koozma Tarasoff (Ottawa: Legas, 1998), 329-345. Excerpt accessed 27 July 2021, http://www.spirit-wrestlers.com/excerpts/Multiculturalism_Rise_New_Spirit.html

Tarasoff and others sometimes refer to as "a state within a state."[4] However, when their clashes

with the Russian government came to a head in 1895 over the Doukhobors' pacifist rejection of

conscription, a concerted transnational effort involving various political and religious supporters,

including Peter Kropotkin and Leo Tolstoy, assisted their immigration to Canada.[5] The Canadian

government was seeking an immigrant population to serve as agricultural labour power to

colonize Indigenous land on the prairies as a settler strategy to extend national sovereignty. The

Doukhobors were pitched as ideal agricultural candidates and the Doukhobors' interest in

avoiding military duty would be served by Canada's 1855 *Militia Act*. Extended to individuals

who "from the doctrines of his religion, is averse to bearing arms,"[6] this right was created to

attract other religious agricultural communalists, including Hutterites and Mennonites.[7] Beyond

claiming this right, Kropotkin forwarded a letter requesting two other conditions for the

Doukhobors: 'full independence in their inner organization' and 'land in a block' because 'they

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[4] Tarasoff, "Multiculturalism and the Rise of a New Spirit;" also see for example: Nicholas B. Breyfogle, *Heretics and Colonizers: Forging Russia's Empire in the South Caucasus* (Ithaca: Cornell University Press, 2005), 231.

[5] For more on the people and negotiations that led to their immigration, see: Carmichael, Adam, *Problematic Settlers: Settler Colonialism and the Political History of the Doukhobors in Canada*, PhD Dissertation, UVic, 2016; Barbara Arneil, *Domestic Colonies: The Turn Inward to Colony* (Oxford: Oxford University Press, 2017).

[6] Province of Canada, *An Act to Regulate the Militia of this Province, and to Repeal the Acts now in Force for that Purpose,* 1855. Accessed 27 July 2021, https://www.canadiana.ca/view/oocihm.47768/7?r=0&s=1
Subsection of militia act cited in the letter written by a Quaker on behalf of Doukhobors requesting their exemption from military duties in Canada. Quaker Advocate. *Doukhobor Military Exemption in Canada*. 6 Dec. 1899. Library and Archives Canada, R.G. 2, Series 2, Vol 783: page 3.

[7] Doukhobor exemption from military service was guaranteed by Order in Council 1898-2747. Exempting from military service the Doukhobors, settling permanently in Canada, upon production of certificate of membership – Min. Interior, Order in Council 1898-2747, 30 November 1898, RG2, Privy Council Office, Series A-1-a, volume 783, Library and Archives Canada, Ottawa, Canada.

cannot live in isolated farms.'[8] These conditions were initially granted, and thus at the turn of the twentieth century, approximately 8000 Doukhobors immigrated en masse and settled into their own "domestic colonies"[9] on the Saskatchewan prairies.

However, within a few short years of settling, it would become apparent that the Doukhobors and the government understood the nature of the agreement very differently. The disagreement would reveal itself over what Tarasoff aptly calls "fault lines" or "crisis points," regarding "military service, land ownership, the oath-of-allegiance clause, public school education, heritage language and culture, as well as the co-operative ethic and communal structure." The Doukhobors would fracture into three sects in response to the first crisis point involving land. The government informed the Doukhobors that to hold land at all, they would in fact have to register land individually and consent to become subjects of the British Crown.[10] Those Doukhobors who accepted the government's terms became known as *Independents*. In contrast, the *Community* and *Freedomite* sects migrated to British Columbia (BC), where land was less in demand, and where they were able to put off the pressure of citizenship. However, as Tarasoff notes, they would soon find themselves faced with a provincial government intent on creating a homogenized Anglo-liberal national order. The combination of BC's more aggressive assimilationist policies and more resistant Doukhobors would lead to infamous Doukhobor-state clashes. The most sensational of these conflicts involved Freedomite protests, which included nude marches (often led by women)[11] and destruction of public property. While the Freedomites

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[8] Letter forwarded to James Mavor, a professor at the University of Toronto who was also involved in the Doukhobors' settlement, quoted in Barbara Arneil, *Domestic Colonies*, 186.
[9] Arneil, *Domestic Colonies*.
[10] Arneil (2017) and Carmichael (2016) helpfully parse how this change in government orders was precipitated by changes in the personnel in the Minister of the Interior.
[11] Given the large role played by women in the sect, I use the gender-neutral, "Freedomites" rather than "Sons of Freedom," another oft-used name for them.

were the smallest in number of the three sects, and it was yet a smaller number within them that participated in these acts, the Doukhobors as a whole garnered the reputation as fanatical if not ethnically or psychologically inferior people.[12]

These clashes would peak during the 1950s and1960s over the issue of compulsory education before reaching an exhaustion point rather than a resolution. As historians George Woodcock and Ivan Avakumovic wrote in 1968, the promise of a concord began to coincide with the publication of their book, but "it is a concord paid for by the surrenders of a people who have long lived out of time and place and now yield unwillingly before the pressures of a majority."[13] The nature of the concord was developed in part through a government-commissioned study of the BC Doukhobors, led by anthropologist Harry Hawthorn, and published in 1955. It drew attention to the fact that while "distinctiveness and separateness in their culture have contributed to their conflict with government,"[14] that many Doukhobors "have rapidly adopted and adjusted to Canadian ways."[15] Moreover, efforts to lessen "prejudice" could be made so as to not only encourage more Doukhobors to willingly integrate, but also so as to find "elements of Doukhobor thought and life which will contribute to the richness of Canadian culture."[16]

While federal multicultural policy was not announced until 1971, Tarasoff, like many, understandably reads early-twentieth century Doukhobor history through a multicultural lens. As

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[12] Simma Holt, *Terror in the Name of God* (Toronto, McClelland and Stewart, 1964). This book played a large role in creating a sensationalized image of the Doukhobors as religious extremists and even ethnically and psychologically inferior people.

[13] George Woodcock and Ivan Avakumovic, *The Doukhobors* (Toronto: McLelland and Stewart Ltd., 1968), 332.

[14] Doukhobor Research Committee, *The Doukhobors of British Columbia,* ed. Harry B. Hawthorn (Vancouver: University of British Columbia, 1955), 9.

[15] Doukhobor Research Committee, *The Doukhobors,* 11.

[16] Doukhobor Research Committee, *The Doukhobors,* 26.

he says, the fault lines which were revealed between the Doukhobors and government are liable

to arise "in a multicultural society," and Hawthorn's characterization of "the Doukhobor

problem" foreshadows liberal multiculturalism's logic of integration as an alternative to either

assimilation or separation. Tarasoff implies that Doukhobor Independents, of whom he is a

member, foreshadowed a successful negotiated enactment of the ideal of integration. For him,

the Independents "embrace multiculturalism as the way of the future." In contrast, the future of

BC Doukhobors is more uncertain. It was reported in 2018 by one of Canada's largest

newspapers, *The Globe and Mail*, that in BC, Doukhobor "elders are struggling to stop the

decline of their Old World ways and language." It posed the question, "are Doukhobors dying

out?"[17]

Why have BC Doukhobors not become one of Canada's multicultural success stories?

Residing in arguably the most culturally tolerant country in the world, why have they not

maintained cultural and religious practices as strongly as the Doukhobor Independents, when it

seemed that historically, they were even more fiercely committed to them? Tarasoff critiques the

BC Doukhobors, implying that their resistance to adapting to modern society has left them

separated from any viable future.[18] Perhaps it is the case that BC Doukhobors have been resistant

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[17] Violetta Kryak, "Are Doukhobors Dying out? In Rural B.C., a Sect Tries to Stop Their Faith from Fading Away," *Globe and Mail*, last modified 9 Sept. 2018, https://www.theglobeandmail.com/canada/british-columbia/article-are-doukhobors-dying-out-in-rural-bc-a-sect-tries-to-stop-their/.

[18] This view is partly indicated by his critical summaries of the two BC groups: "The *Community Doukhobors*, today known as the Union of Spiritual Communities of Christ (USCC) under Honorary Chairman *John J. Verigin, Sr*, clung to the spiritual charismatic leadership of *Peter V. Verigin*, the leader who was finally released from exile in Siberia in 1902 and permitted to join the Doukhobors in Canada. While this group is the most organized and the wealthiest in terms of corporate property, their official paid membership is barely 1000. They consider themselves the 'real' Doukhobors, in contrast to the Independents, who are seen as having 'sold out' to the government. Even more radical is a fringe *zealot* group known earlier as the 'Sons of Freedom' (or alternatively as Freedomites, Wanderers, Pilgrims, or Sons of God) considered untrustworthy

to any kind of shared world, but if the normative purpose of liberal multiculturalism is to serve

minority communities, and the BC Doukhobors are at a disjuncture, a fresh look is warranted. I

revisit the fault line that was the immediate catalyst to the Doukhobors' immigration to Canada:

military service. It is well understood that while the Doukhobors and Russian government

variously clashed, it was the issue of conscription that was the final crisis that propelled their

emigration to Canada. Given that the Doukhobors claimed pacifism as the basis of their refusal

to conscription, many were baffled if not outraged that Freedomites damaged property, seeing it

as violence. Moreover, many, including the Doukhobors' religious allies, wondered why the

Doukhobors refused to follow Canadian laws because although the communal aspects of the

Doukhobor-government agreement were broken, religious-based accommodation to abstain from

the military did not appear to be under threat. But if in 1904, Doukhobors affirmed that "freedom

of conscience does prevail in Canada, but not the freedom we declared," then we are pressed to

get clarity on what freedom was at stake for them.

 Drawing on Hannah Arendt's distinction between a moral conception of conscientious

objection and a political conception of civil disobedience, I return to the Doukhobors' Russian

history to destabilize the suitability of a multicultural lens, or a liberal conception of religious

toleration, to understand the BC Doukhobors' clashes with the government.[19] I show how the

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(if not outright criminals) by other Doukhobors. The zealots see themselves as the true followers of God's laws, the 'bell ringers' of society, and seek to return to the earlier traditions of a more simple life, free from both horses and machines. In terms of numbers the group is practically negligible, though still observable of the Western Canadian landscape." "Multiculturalism and the Rise of a New Spirit." Quote is in excerpt, available at: http://www.spirit-wrestlers.com/excerpts/Multiculturalism_Rise_New_Spirit.html

[19] I am building off of Carmichael's important argument, but through an Arendtian conception of political freedom. He writes: "Historical attention to the colonial source of state conflict with the

Doukhobors emerged as a movement to reject subjecthood based in obedience, first to Russia's

religious autocracy, and then to Canada's 20ᵗʰ century liberal right to conscience. Instead, their

original critique of the command-obedience structure of institutionalized Christianity was co-

constituted with the practical disclosure of an alternative worldly possibility: if peasants were

actually endowed with the capacity for spiritual judgment – what the Doukhobors call *iskra* –

they were also endowed with the capacity for self-government – what the Doukhobors aspired to

in their experimentations with the ancient peasant institution of the *mir*. In short, the freedom

declared by the Doukhobors in Canada was not a right that the liberal world already offered, but

a political world fit for ordinary peasant freedom they aspired to build. While this world was

separate from liberal state conceptions of individual and religious freedom, it was not inherently

separatist. Their positive conception of pacifism suggested that a common world based on

democratic relationships between people – a "universal brotherhood" as it was often put - was

possible. Reduced to a matter of religious identity, however, the BC Doukhobors would resort to

separatist tactics in order to resist assimilation to liberal politics. In particular, they would

paradoxically claim obedience to God in order to escape obedience to the Canadian government

and thereby maintain the possibility of a radical democratic future. But they were far from

successful. Increasingly distrustful of the government and outside world, Doukhobor leaders

were charged with breaking their own democratic principles by becoming more controlling and

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Doukhobors also has the effect of calling into question the framing of this conflict as an issue of
religious liberty and state accommodation. Like multiculturalism, the framework of religious
liberty and accommodation has been applied retrospectively on Doukhobor history. While this
framework might be appropriate for a retrospective normative assessment of government action,
archival evidence suggests that these conflicts were not understood in terms of liberty and
accommodation; rather, they appear to be conflicts about survival of political communities."
(*Problematic Settlers,* 18).

even abusive of community members. Given that intra community abuse is a concern expressed by liberals in contemporary multicultural debates regarding claims to religious accommodation,[20] this case invites us to consider how expanding the scope of *democratic* rather than "religious" freedom per se may help to prevent such abuses from occurring in the first place.

I: Freedom of conscience versus civil disobedience

Arendt builds her discussion and distinction of conscientious objection and civil disobedience through a critique of Henry Thoreau, who helped to popularize a certain meaning of the latter term. In 1846, Thoreau refused to pay a poll tax to the United States government, reasoning that it would use the money to support slavery and war – unjust practices in Thoreau's view. Forced to spend one night in prison, Thoreau defends his act of "civil disobedience" not as the obligation of the citizen in relation to the law, but as the individual in relation to his own conscience. For him, the government's problematic relationship to the individual deserves an aloof attitude: "the government does not concern me much, and I shall bestow the fewest possible thoughts on it ... There will never be a really free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly."[21] While the individual is the source of 'higher and independent power,' Thoreau leaves us wondering wherein this power lies if it is not recognized by the State. Although it is the duty of the individual to "abstain from practically supporting" wrongs committed in the world by the state, civil disobedience lacks the kind of political teeth that the citizen Thoreau himself might have wished. Reflecting on his act in an 1849 essay, Thoreau's privatized meaning of civil disobedience would become widely

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[20] Kymlicka, "Three Lives of Multiculturalism," 29.
[21] Henry David Thoreau, "Civil Disobedience" (1849). Accessed 27 July 2021: https://xroads.virginia.edu/~Hyper2/thoreau/civil.html

influential, including on Leo Tolstoy, who, as noted, plays an important role in the Doukhobors' history.

In her essay on civil disobedience, Arendt took Thoreau to task—rightly or wrongly—for failing to think politically about his act of conscience. If Thoreau's critique of the state rests on the individual's freedom of conscience, what does this freedom amount to? Arendt highlights that "the rules of conscience … do not say what to do; they say what not to do. They do not spell out certain principles for taking action; they lay down boundaries no act should transgress."[22] Moreover, they do not even say what *people,* in the plural, ought not to do. Conscience indicates what an individual can or cannot bear to live with, and this differs from one person to the next.[23] Some people can apparently live with participating in war. Others cannot. Conscience is by no means inconsequential to human life, but it is "unpolitical"[24] because it is a subjective matter.

In contrast, politics creates a public world of objective practices and institutions through which individuals are related to one another as citizens, or members of the same political community. Civil disobedience is political because it involves citizens making a public claim in relation to the laws, institutions and norms that structure the world between them, with the intent of changing them. It is political action that transgresses the officially designated channels available to citizens because it arises directly in response to a situation in which those channels are seen to be corrupt or inadequate to register the grievance or make the changes called for. In Arendt's words, "Civil disobedience arises when a significant number of citizens have become convinced either that the normal channels of change no longer function, and grievances will not

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[22] Hannah Arendt, "Civil Disobedience," in *Crises of the Republic* (San Diego: Harvest Books, 1972), 63.
[23] Arendt, "Civil Disobedience," 64.
[24] Arendt, "Civil Disobedience," 60.

be heard or acted upon, or that, on the contrary, the government is about to change and has

embarked upon and persists in modes of action whose legality and constitutionality are open to

doubt."[25] It is conceivable that civil disobedience is sparked by an individual's sense of

conscientious freedom. However, the point at which the grievance has been claimed in relation to

the law and communicated to others, who judge the claim and perhaps join in action, conscience

has become irrelevant from a political perspective.[26] At this point, the subjective and

metaphysical quality of conscience has materialized into worldly, collective action, or at least a

public and positive claim about what ought to be done in the shared world.

 With this critique of conscientious freedom in mind, I turn to the Doukhobors' origins to

destabilize the common reduction of them to a religious group. I show how conscientious

freedom was not an end but the basis of a spiritually-inspired practice of world-building politics.

With this in mind, we will be equipped to see that their collective protest of Russian conscription

– just prior to immigrating to Canada – was an extended practice of their politics – a form of

civil disobedience – and thus not reducible to freedom as conscientious objection.

2. An ambiguous spiritual movement: Recovering the Doukhobors' world-building politics

It is thought that the Doukhobors emerged during Russia's *Great Schism* which started as a

massive fracture in the unity of the Orthodox Church.[27] In 1652, Patriarch Nikon of the Orthodox

Church began to correct for human errors in the reproduction of Bibles and to reform certain

rituals, such as the number of fingers used to make the sign of the cross. A backlash from priests,

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[25] Arendt, "Civil Disobedience," 74.
[26] Arendt, "Civil Disobedience," 67.
[27] On the historical dating of the Doukhobors origins, see for example: John W. Friesen and Wilson Alves de Paiva, "Contrasting Community and Individualistic Perceptions of Spirituality: Anabaptists Versus Spirit Wrestlers," *Journal of Educational Thought* 47, no. 1/2 (2014), 55. On the *Great Schism* more broadly see: Kenneth L. Campbell, *Western Civilization: A Global and Comparative Approach: Volume I: To 1715* (New York: Routledge, 2012), 329-330.

who became known as the Old Believers, argued that the old way, even if in error, was better for the unity of the Russian people than the reforms, which were critiqued as being of Western influence (Roman Orthodox and the Protestant). As Natalia Dinello explains, Russia has a deep-seated *Homo Orthodox* tradition, in which national identity is believed to be rooted in a natural or spiritual covenant within which each person is judged for their contribution to the collective, and which mimics the command-obedience relationship of the Old Testament's covenant between God and the people.[28] The Church fracture therefore cast the whole national order into question.[29] In addition to the appearance of the Old Believers, a number of sectarian religious dissidents, including the Doukhobors,[30] broke from the Orthodox Church altogether.[31]

Historian of anarchism and of the Doukhobors George Woodcock explains that the dissolution of the medieval fusion of Church and government was largely initiated by disputes over religion, which made way for not only new religious explanations and movements, but for the development of wholescale social and political critiques, movements, and revolutions. The development of anarchism, while often being fiercely secular, overlapped with religious

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[28] Natalia Dinello, "Russian Religious Rejections of Money and Homo Economicus: The Self-Identifications of the 'Pioneers of a Money Economy' in Post-Soviet Russia," *Sociology of Religion* 59, no. 1 (1998), 45-51.

[29] See for example: Breyfogle, *Heretics and Colonizers*, 22-3; Thomas Marsden, *The Crisis of Religious Toleration in Imperial Russia: Bibikov's System for the Old Believers, 1841-1855* (Oxford: Oxford University Press, 2015), 2; Faith Hillis, *Children of Rus': Right-Bank Ukraine and the Invention of a Russian Nation* (Ithaca: Cornell University Press, 2013), 1.

[30] To provide a sense of their numbers and location, historian A.I. Klibanov, writes: "from the 1760s to the beginning of the 19th century, Dukhobor preachings found a relatively wide response among various categories of state peasants. In this space of time, it acquired thousands of followers, primarily in Voronezh (especially in its Tambov provinces), then in Ekaterinoslav, Khar'kov, Tavriia, and finally in Astrakhan, Samara, Penza and Riazan Gubeerniias." But from end of 18th to beginning of 19th cent Doukhobor movement decreased thanks to "exceptionally severe court actions." A.I. Klibanov, *History of Religious Sectarianism in Russia, 1860s-1917*, ed. by Stephen P. Dunn, trans. Ethel Dunn (Oxford: Pergamon Press, 1982), 105.

[31] This is common knowledge. See for example: Alfred Heard, *The Russian church and Russian dissent: comprising orthodoxy, dissent, and erratic sects* (Harper & brothers, 1887).

dissidents' critiques of the status quo, in terms of representing a fall from a previous state of natural morality, freedom and justice.[32] The Doukhobors' occasional invocation of the Garden of Eden, the historical life of Jesus Christ, and their belief in *iskra,* or the idea that there is a divine "spark" in each person have led some – particularly those looking through a Western Protestant or liberal perspective – to miss ways in which the Doukhobors had significant resonance with political thought and movements, including anarchism.[33] As the contemporary Community Doukhobors' webpage states, "Doukhobors developed not only as a religious … group, but … with all the components, almost as in a separate nation, including economic, cultural and political infrastructure."[1] In fact, while anarchists would become interested in them, many adjacent religious groups found the Doukhobors, upon closer inspection and interaction, frustratingly "non-religious." For example, Quakers who visited them in 1819 left "depressed" because no set times and "no seriousness" accompanies their worship, and worse yet, there are no clear religious principles due to a disregard for the notion of the Bible as an authority.[34]

2.1: Conscience and the political world of the mir

Given this ambiguity, I offer a political re-reading of the Doukhobors, which requires a closer look at their critique and collective actions in relation to the state. While it is often noted that they did break from or resist the state, it is usually implied to have been symptomatic of their religious outlook, or symptomatic of the fact that the state was "attached" to the Church. But whereas other sectarian groups who emerged from the Schism, including the *stranniki*

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[32] George Woodcock, *Anarchism: A History of Libertarian Ideas and Movements* (New York: Penguin Books, 1962), 37.

[33] I do not rely on anarchist thought to interpret the Doukhobors' political past, as I see Arendt's thinking to be more helpful in drawing out facets that can answer to challenges of plural politics today.

[34] Alymer Maude, *A Peculiar People: The Doukhobors* (New York: Funk & Wagnalls Company, 1904), 141.

(wanderers) and *beguny* (runners), did hold that a true Christian had to escape the world and live a life of ascetism,[35] meaning distancing themselves from the state and most shared human affairs and obligations, the Doukhobors drew a different conclusion from their critique of the Orthodox Church. As many note, a key basis of the Doukhobors' critique of the Church was the development of a belief in *iskra,* which has various shades of meaning, but can be interpreted as a capacity for divine reason and implies that no person should be a means to another's ends. Rather, even ordinary people, including peasants, should have space for developing themselves according to their own reason. However, doing so turns out not to be a matter of individual conscience. In Russia's Homo-Orthodox covenantal context, the "individual" was only recognized as an obedient subject, and would be punished for any transgressions. Thus, the self-determining Doukhobor individual required "a space of appearance,"[36] in which their words and deeds could take on meaning beyond the predetermined political and social norms and rules.

The Doukhobors would give material grounding to this space by repurposing the institution of the *mir,* which was traditionally a feudal institution that already required peasants to communally organize their labour through deliberative structures. While the following is likely an idealized portrait, it provides a sense of what the Doukhobor *mir* aspired to:

> the social order among the D[o]ukhobors… was marked by democratic structure. They
>
> had neither religious hierarchies nor administrative hierarchies. 'In their meetings,' we
>
> read in the memorandum of 1805, 'they teach the word of God to each other. Any could

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[35] Eugene Clay, review of *Crisis of religious toleration in imperial Russia: Bibikov's system for the old believers, 1841-1855*, by Thomas Marsden, Reviews in History (review no. 1950), June 2016, https://reviews.history.ac.uk/review/1950
[36] Arendt describes the space of appearance as predating and preceding "all formal constitution of the public realm and the various forms of government" and existing only as long as the community actively maintains it. *The Human Condition* (Chicago: University of Chicago Press, 1958)*,* 199.

speak of what he knew for the edification of the brothers' … The rights of women were not limited, 'for they say, women also have intellect – and the light is in intellect' ... As concerns the institutions of power, in the words of the author of the memorandum, 'in their society there are no *starshchiny* [elders] at all, who would administer and direct the society; but the society is ruled by everyone and by each one.[37]

Membership in the community was not based in a formal, modern sense of citizenship, nor was it based exclusively in belief in *iskra* and rejection of the Church. One had to affirm and participate in building and maintaining democratic practices. However, given the Doukhobors' intermittent history of charismatic and kinship leadership that at times has brazenly transgressed the radical democratic egalitarianism suggested in this passage, the point is not to romanticize them but to recover the significance of the fact that their break from the Church was co-constituted with political practices – even if imperfectly. Recovering this significance will not only help us to better understand the BC Doukhobors' clashes with the government, but also provide more productive sources of critique of their actions – what was actually lost by those community transgressions according to their own terms – and potentially build more constructive future Doukhobor paths.

What I want to highlight as significant to see about this political history is that they enacted freedom in a way that exceeds obedience to moral conscience in multiple ways. *Iskra* functioned to deconstruct the legitimacy of command-obedience relations that structured the Church, but readings of the Doukhobors often assume that they simply removed the Church from the equation, creating a direct line of command-obedience between each person's conscience and God. But their history of the *mir* demonstrates that a community of peers and a shared world was

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[37] Klibanov, *Religious Sectarianism,* 108. ("Dukhobor" is an older transliteration spelling.)

necessary for the expression of the free individual and this was in many ways embraced, rather than seen as a burden. Freedom thus did not function as a negative principle on the individual to obey their conscience – do not kill, and do not participate in state wrongs - it incited a positive, collective call to create alternatives to state organization. As such, the Doukhobors' history can also be read as a practice of civil disobedience because they did not quietly claim freedom from the world – including the state – based in conscience but openly defied the Church and state based in a claim of freedom to change the world. It is politically fitting then that *mir* translates as "world." By loosening the grip of the purported primordial Russian identity, the Doukhobors opened space to imagine a new common world, one fashioned through a plurality of perspectives and ordinary practices of peasants.

For anarchists in Russia, even those who were atheist, the political significance of the Doukhobor movement was palpable. According to Kropotkin, the Doukhobors demonstrated that the *mir* could foster the growth of individual freedom *through* community cooperation.[38] The deliberately constructed *mir*, or what we could call the politicization of the *mir*, was not merely an attempt to reverse who materially profited from the land. Rather, the reformulated Doukhobor *mir* offered a possibility of reinventing social relations to land based on individual and collective freedom (in both spiritual and secular senses), rather than on hierarchical political, social, and economic relations rooted in either Russian autocracy or Western private property. Thinking with the Doukhobor *mir* and the empirical history of clan organization and collective relations to

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[38] In Kropotkin's words, "To see the immense advantages which [the Doukhobors] got from their semi-communistic brotherly organization; and to realize what a success their colonialization was, amidst all the failures of State colonization, was learning something which cannot be learned from books." Kropotkin, *Memoirs of a Revolutionist*, quoted in Matthew S. Adams and Luke Kelly, "George Woodcock and the Doukhobors: Peasant Radicalism, Anarchism, and the Canadian State," *Intellectual History Review* 28, no. 3 (2017), 2.

land prior to the formation of nation-states, Kropotkin conceptualizes "mutual aid," or social and

economic relations based in reciprocity as demonstrably possible.[39] In Kropotkin's view,

material needs could be met in and through a plurality of other meaning making practices:

> The village community was not only a union for guaranteeing to each one his fair share in
> the common land, but also a union for common culture, for mutual support in all possible
> forms, for protection from violence, and for further development of knowledge, national
> bonds, and moral conceptions; and every change in the judicial, military, education, or
> economical manners had to be decided at the folkmotes of the village, the tribe, or the
> confederation … It was the *universitas*, the *mir* – a world in itself.[40]

Not surprisingly, what made the Doukhobors interesting to anarchists and even to some

liberals[41] made them threatening from the perspective of the Russian state. The Doukhobors'

self-organization and claims to "universal brotherhood" made them recognizable as part of a

growing challenge of "popular sovereignty."[42] The threat presented by the Doukhobors was not

that they had sophisticated written criticisms of state politics, but that they pragmatically

disclosed it as simply one form political reality might take, not "the" objective one.[43] This led

Tsars to fluctuate between "hard" and "soft" tactics to contain the spread of the Doukhobor

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[39] Peter Kropotkin, *Mutual Aid: A Factor of Evolution* (New York: Knopf 1916), 98-99; Woodcock, *Anarchism,* 335-6.

[40] Kropotkin, *Mutual Aid,* 98-99.

[41] As historian Luke Kelly explains, in the early 19th century imagination of British liberal theorists, Russia's peasantry appeared as the "backward" population of a Europeanized noble class, but that image was "flipped" later in the century. The *mir* appeared as a possible site of democratic self-government. Luke Kelly, *British Humanitarianism in Russia, 1890-1923* (London: Palgrave Macmillan, 2018), 29.

[42] Marsden, *Crisis of Religious Toleration*, 1; Breyfogle, *Heretics and Colonizers,* 20.

[43] To speak with John Dewey, the "disclosure . . . of possibilities that contrast with actual conditions is the most penetrating criticism of the latter that can be made." John Dewey, *Art as Experience* (Carbondale: Southern Illinois University Press, 1989), 38.

movement. For example, in 1816, Alexander I advised a more "humane" approach to the

Doukhobors, given that thirty years (1771-1801) of severe action had correlated with an increase

in their number, which by the end of the nineteenth century, is estimated to have been 60,000.[44]

As historian Nicolas Breyfogle explains, toleration was not about encouraging religious or

political pluralism but an indirect tactic to re-invite obedience. As Alexander I stated, 'they must

feel that they exist under the protection and patronage of the laws, and only then can we reliably

expect them to love and feel an attachment to the Government, and to exact their fulfillment of

its laws.[45] However, the following Tsars, Alexander II and III, retracted corporate toleration as

part of a shift toward growing the state apparatus, both in regulation and territorial reach.[46]

Between 1830-1880, the government demanded that all 'especially pernicious' "religious

sectarians" be relocated to Transcaucasia by either forcible exile or voluntary resettlement.[47] Not

only would this serve to geographically diffuse the influence of the sectarians in central Russia,

but the government could utilize their position in the periphery for economic, colonial, military

and political purposes. In exchange for relative autonomy, the Doukhobors were required to

provide auxiliary military support (such as growing food and billeting soldiers) on the southern

and most insecure areas of the Russian Empire.[48]

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[44] Andrew Donskov, "Tostoj, Tolstoyans and the Doukhobors. From Imperial Russian Archival Files," *Russian Literature XLIII* 43, no. 4 (1998), 431.

[45] Quoted in Breyfogle, *Heretics and Colonizers,* 26.

[46] These efforts included the standardization of the state's treatment of diverse groups through "cultural Russification" or imposing Orthodoxy, and creating a more "invasive" state. Breyfogle, *Heretics and Colonizers,* 221-2.

[47] The Doukhobors, Molokans, and Subbotnikis, included. Breyfogle notes that however standardized the state aimed to be, there was no comprehensive plan; "state-building was constantly renegotiated around democratic energies." "The protracted deliberations about the place of sectarians in Russian society and polity that led up to the 1830 statute also offer a clear example of the contingent and often haphazard policymaking process of early nineteenth-century Russia." *Heretics and Colonizers,* 47-8.

[48] Breyfogle, *Heretics and Colonizers,* 24, 124.

2.2 The Burning of Arms as civil disobedience

In 1895, the fluctuating relationship between the Doukhobors and the Russian government came to a violent head. The Tsar increased its military expectations to conscription, and the Doukhobors responded with a massive protest in which thousands collectively assembled and burned their weapons. Doukhobors who took part in what is known as the *Burning of Arms* have often been described as having taken a religious turn. For example, it has been suggested that Doukhobors who participated in the demonstration and then emigrated to Canada where they would claim conscientious objector status were "traditionalists" who clung to their conservative religious ways, while those Doukhobors who stayed in Russia[49] and "who favoured open relationships with non-sectarians and worked with the Russian government" were "progressives."[50] From a socialist perspective, historian A.I. Klibanov argues that the Doukhobors were prime candidates for joining the emerging Bolshevik movement, but Doukhobor leaders used their influence to disarm and divert the group. For Klibanov, burning weapons was not a declaration against the state, but a surrender to any bourgeois state that would offer religious toleration.[51] Many note that Peter Verigin, the Doukhobor leader at the time, was in correspondence with Tolstoy and became inspired to prioritize a conscientious form of Tolstoyan Christianity. For example, Alymer Maude, who was a translator for Tolstoy, and who made the journey with some Doukhobors to Canada, states that Verigin "essentially assimilated Tolstoy's ideas."[52]

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[49] According to Klibanov, about 20,000 stayed in Russia. *Religious Sectarianism, 112.*
[50] Robert Sawatzky, "A Comparison of the Mennonite and Doukhobor Emigrations from Russia to Canada, 1870-1920." Master's Thesis, Dalhousie University, 1998, vi.
[51] Klibanov, *Religious Sectarianism,* 129-138.
[52] Maude, *Peculiar People,* 159.

It is undeniable that Tolstoy was a great influence on Verigin, and he undoubtedly played

an immense role in the history of the Doukhobors in this period, including substantially funding

their migration to Canada. However, there is a limit to how much we ought to try to see

Doukhobor history through Tolstoy's influence. For one, Verigin sometimes openly disagreed

with Tolstoy in correspondence, arguably due to his position as a political-spiritual leader on the

ground. For example, Tolstoy engages Verigin as if they are in agreement that it is always better

to prioritize the "eternal soul," even if it means "sacrificing all our worldly, temporal affairs."[53]

However, I read Verigin's direct response to Tolstoy on this point to affirm an inextricable

interrelation between material conditions, community and spirituality: "people can be united only

by their vital material interests, something that requires a sense of community in and of itself."[54]

He also states to Tolstoy that "lowering or raising people's spirits largely depends on the

material conditions of life."[55] Even more significant in my view, however, is the rhetorical and

political power of the Doukhobors' collective actions, which were comprised of a plurality of

primarily ordinary members, situated in a messy history of grounded world-building. This

collective history would not only be seen from a plurality of perspectives within the movement

but would have political resonances beyond the control or thought of Tolstoy, Verigin, or any

other individual.

Seen within the context of their world-building history and relationship to the Russian

state, the radical politics of the Burning of Arms has been largely underappreciated. Readings

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[53] Leo Tolstoy in Andrew Donskov. *Leo Tolstoy and the Canadian Doukhobors: A Study in Historic Relationships. Expanded and Revised Edition*. Vol Expanded and revised edition. (University of Ottawa Press; 2019), 160. Accessed July 29, 2021. https://search-ebscohost-com.proxy.uchicago.edu/login.aspx?direct=true&db=e000xna&AN=2382175&site=ehost-live&scope=site40.

[54] Verigin in Donskov, *Leo Tolstoy and the Canadian Doukhobors*, 162.

[55] Verigin in Donskov, *Leo Tolstoy and the Canadian Doukhobors*, 152.

that emphasize the event as a religious turn suggest that the Doukhobors were disobeying the government's orders based in a conscientious objection to violence. In other words, there is a presumption that it was "for" *non-violence*. But what is the opposite of violence? Thinking with Arendt, it is not non-violence,[56] but *power*, which "corresponds to the human ability not just to act, but to act in concert." While for Arendt's Thoreau, the individual is the source of higher power, for Arendt, "power is never the property of an individual."[57] The Burning of Arms was not a demonstration of non-violence based in an individual's freedom to obey conscience, but an act of power, or political freedom. As mentioned, *mir* translates as "world," but it also translates as "peace," and when the Doukhobors claimed pacifism as a reason against conscription, they were claiming the freedom to maintain the *mir* - a world of collective relations outside the militaristic state model. While they gave spiritual reasons, they were not claiming a spiritual identity outside of politics.

But more recent narratives of the Doukhobors and this event corresponds with the Christianized view that they were claiming freedom of conscience. For instance, Canada's webpage on the Doukhobors states, "the Russian Tsar granted permission to this group of conscientious objectors to leave Russia."[58] The webpage fails to mention that they claimed that right in the context of, to recall from Kropotkin, "'full independence in their inner organization' and 'land in a block' because 'they cannot live in isolated farms.'"[59] – effectively, conditions to rebuild the political world of the *mir*. They are problematically recognized as a religious group

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[56] Hannah Arendt, "On Violence," in *Crises of the Republic* (San Diego: Harvest Books 1972): 155.
[57] Arendt, "On Violence," 143.
[58] "Doukhobors," Library and Archives Canada, accessed July 20, 2021, https://www.bac-lac.gc.ca/eng/discover/immigration/history-ethnic-cultural/Pages/doukhobor.aspx
[59] Cited in Arneil, *Domestic Colonies,* 186.

claiming a liberal individual right well before the Doukhobors even discuss the possibility of

emigration to Canada. Combined with the Tsarist government's tenuous sovereignty nearing the

end of the 19th century with the rise of popular sovereignty movements, the Burning of Arms did

not appear as a request for recognition as conscientious objectors to any sovereign government,

but a claim *of* self-government. Capping roughly two centuries of political tension with the state,

and one which was already broadcast by influential people like Kropotkin and Tolstoy,[60] and the

fact that the Doukhobors themselves "wanted the world to know"[61] of their pacifist movement,

the Burning of Arms was eventful civil disobedience. It was a clash between autocratic and

democratic political communities.[62]

3. A retreat from the political world: religious and individual freedom in Canada

Upon arrival to Canada, Verigin was greeted by Mr. Moffatt, a government representative, who

assured him, "'You'll be glad to be in a country,' 'where there is religious and individual

freedom.' 'I haven't looked round yet,' answered Verigin, through the interpreter, 'so I cannot

tell whether this is a free country or not.' 'You know, however,' said Mr. Moffatt, 'that in

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[60] Charlotte Alston, "«A Great Host of Sympathisers»: The Doukhobor Emigration and its International Supporters, 1895–1905," *Journal of Modern European History 12.2 (2014), 203.*
[61] Eli Popoff is a well-known Community Doukhobor author of Tarasoff's generation. Eli Popoff, *Tanya*, ed. by Elaine Podivinikoff (Grand Forks, British Columbia: MIR Publication Society, 1975), 84.
[62] Borrowing from John Dewey, the Doukhobors' protest highlighted a tension between means- and ends-based government. He writes that democracy and aristocracy both aim for a state of perfection, through the unity of the individual and society, so the difference between them "is not a question of ends, but of means." Autocracy is oriented by the achievement of the end goal, what it imagines as society's ultimate potential, and thus justifies instrumentalizing violence to force reality to accord with its ideal. On the other hand, democracy relies on open-ended "spiritual relations." Its purpose is to enable the free development and flourishing of the "the spirit of personality" that dwells within each person, which in the Dukhobor case, I argue, is the the development of *iskra* within the context of the *mir.* John Dewey, *The Ethics of Democracy* (Ann Arbor: University of Michigan, Philosophical Papers, Andrews & Company Publishers, 1888), 241-3.

Canada we do not put people in prison because of their political or religious views.' 'Oh yes,' answered Verigin, 'I know that.'"[63] Within a few years, differences in conceptions of freedom between the Doukhobors and the Canadian government would come to the fore. In 1907, Verigin explained in a letter to Tolstoy that

> all the lands registered in the Doukhobors' name have been declared 'free,' and now they are inviting people who agree to accept British Citizenship and to live and work on the land on an individual basis to register their homesteads afresh … I'm quite satisfied that … the majority of them already decided the question of Citizenship about three or four years back – in the negative.[64]

Doukhobors who did agree to the government's terms became known as the Independents, a name which signals their break from the leadership of Verigin. Those who would become the Community Doukhobors would migrate to BC under the leadership of Verigin, where they would try to restart the *mir* in a less regulated and less populated area of Canada.[65] Finally, the Freedomites, who would mostly also migrate to BC, would form as a more radical sect that was extremely distrustful of the Canadian government. They also saw the other Doukhobor sects as too cooperative with the government and so began to distrust them as well. The Freedomite tactic of marching and protesting nude would become infamous media material, and fodder for a broadly applied Doukhobor reputation for "dedication to hate and violence," and a "refusal to

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[63] British Columbia, *Report of Royal Commission on Matters Relating to the Sect of Doukhobors in the Province of British Columbia* (Victoria: The Legislative Assembly of British Columbia, 1912), 22.

[64] Verigin in *Leo Tolstoy--Peter Verigin: Correspondence*, ed. by Andrew Donskov, trans. by John Woodsworth, (Ottawa: Legas, 1995), 63 and 83.

[65] While I focus here on their conflict with the government, in Chapter Three, I focus on how their move to BC would entail settler colonial violence towards the Sinixt.

conform to any normal society, any rule of law and order."[66] While the Freedomites came to be seen as a group that only abided by "divine revelation,"[67] the Community Doukhobors came to be seen by many as a mini religious theocracy with thousands of subjects under Verigin.[68]

Exactly what abuse happened within the Doukhobor community is hard to objectively know, but that some forms of exploitation of community members by the more influential and powerful in the name of religion is hard to deny. It is a history that foreshadows many concerns in multiculturalism debates today, specifically that groups might claim religion in a way that creates distance from liberal norms and "justifies" illiberal hierarchies and practices within communities. Not only was Verigin perceived to become more controlling in light of the internal community factioning[69] but in the mid-twentieth century, the anarchic and largely women-driven Freedomites would turn to Stephan Sorokin, a former Baptist preacher from Russia, who was likewise accused of undermining the spirit of democratic egalitarianism for his own power and financial gain. In both cases, a more charismatic and patriarchal leadership style seemed to take hold, even while Doukhobor women continued to actively disturb mainstream norms of the domestic woman.[70] From a contemporary perspective, the legal characterization of liberal

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[66] Kirkus book review of *Terror in the Name of* God by Simma Holt, (1965), accessed July 20, 2021, https://www.kirkusreviews.com/book-reviews/simma-holt/terror-in-the-name-of-god-3/.
[67] Doukhobor Research Committee, *The Doukhobors,* 27.
[68] Royal Commission, 37.
[69] Paul H. Avrich, "The Sons of Freedom and the Promised Land," *The Russian Review* 21, No. 3 (1962): 264-276.
[70] "Sons of Freedom women – who were often protest leaders, who openly advocated collective activity and who did not subscribe to any of the norms of feminity [sic] (except for the importance of motherhood) – were represented as possibly monstrous and certainly unfeminine [and] therefore as a fundamental threat to the Canadian way of life." Julie Rak, "The Doukhobor Problem: Media Representations of Sons of Freedom Women, 1952-1960," *Religious Studies and Theology* 26, no. 1 (2007), 60; Ashleigh Androsoff, "A Larger Frame: "Redressing" the Image of Doukhobor-Canadian Women in the Twentieth Century," *Journal of the Canadian Historical Association* 18.1 (2007): 81-105.

multiculturalism would never, Will Kymlicka explains, allow it to be claimed in a way to override the rights of women and children within religious communities, but that doesn't mean that defining the "precise 'limits of tolerance'"[71] is easy to do. Welfare of Freedomite children was increasingly invoked as a reason to interfere directly into the community, and led to two hundred children being put into a residential school in the 1950s.[72] However, this too, would come to be widely viewed by liberals as an illiberal solution. Rather than being a tool of integration, residential schools were a tool of assimilation and, in the case of Indigenous peoples, outright genocide.[73]

For many sympathetic observers, the BC Doukhobors' clash with the government and society was unnecessary, because even in 1907, the government's recall of the broader terms of the Doukhobor agreement was not going to affect their conscientious objector status.[74] Maude,[75] who had a Christian background, pleaded with the Doukhobors to cooperate with the Canadian state, noting that "there is no duty more clearly inculcated in the New Testament than obedience to rulers and governors, and to their laws, so long as these do not conflict with the higher law of

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[71] Kymlicka, Will, "The Three Lives of Multiculturalism," in *Revisiting Multiculturalism in Canada*, eds. Shibao Guo and Lloyd Wong (Rotterdam: Sense Publishers, 2015), 29.
[72] As mentioned in footnote 12, the following book played a large role in cultivating the infamous image of the Doukhobors, partly based on a purported concern for Doukhobor children: Simma Holt, *Terror in the Name of God* (Toronto, McClelland and Stewart, 1964).
[73] For example, see: Kristy Kirkup, "Kamloops residential school has woken up world to 'genocide' in Canada, Bellegarde says," *The Globe and Mail* 20 June 2021 https://www.theglobeandmail.com/politics/article-kamloops-residential-school-has-woken-up-world-to-genocide-in-canada/
[74] The government's notice stated that it would "protect them as it has hitherto done in their religious beliefs, but it cannot longer give them privileges in regard to land which it does not give to other people." Quoted in: William Janzen, *Limits on Liberty: The Experience of Mennonite, Hutterite, and Doukhobor Communities in Canada* (Toronto: University of Toronto Press, 1991, 42.
[75] To recall, Maude was a translator for Tolstoy and accompanied some Doukhobors to Canada.

God."[76] But as Verigin's own statements seemed to imply during this period, God's law was at odds with the terms of liberal government, and seemingly any earthly government: "We are urged to show obedience to men and the laws of men. One cannot serve two masters. We are released from human power by recognizing the power of God alone over ourselves, and obey only its commands."[77]

Did the Doukhobors make a religious turn? Were they a religious group all along? Or perhaps the politics that I ascribed to them could only function in geographic separation from other politics, particularly statist or secular politics? Without taking away accountability and agency from the Doukhobors, I suggest that we are also pressed to consider that the BC Doukhobors were partly products of liberal politics, not simply reacting to it. As Woodcock and Avakumovik note, many have mistakenly assumed that the Freedomites formed in Russia because of how anti-Canadian they seemed to be. But they formed in Canada in response to the government's broken promise about land. Accordingly, they are "peculiarly Canadian," representing a particular moment of historical conflict in Canada's national development.[78] Woodcock had hoped that in contrast to the 19th century autocratic Russian state, the 20th century modern state of Canada would allow for "pockets of eccentricity," particularly given Canada's "defined regionalism and federalism." However, when he finally had the opportunity to travel to Canada and meet the Doukhobors, he came to argue that the Doukhobors were evidence of "the inability of the modern state to cope with groups whose eccentricities defied the logic of

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[76] Quoted in Janzen, *Limits on Liberty,* 42.
[77] Verigin, quoted in Mure Robertson, "The Dukhobors' search for Utopia," *Empire Review* 63 (1936), 110-113. Accessed in Doukhobor Research Collection, File 68, 1839-1980, RBSC-ARC-1169, University of British Columbia Library Rare Books and Special Collections
[78] Woodcock, *The Doukhobors,* 10; For an insider account articulating Freedomite identity as fluid and fraught see: Ahna Berikoff, "Songs of Existence: Sons of Freedom Doukhobors Within Time," PhD Thesis, School of Child and Youth Care, University of Victoria, 2013.

central control and uniformity inherent in the state model."[79] In effect, the Freedomites were partly a product of centralizing state politics.

While it is true that the Doukhobors' world-building Russian history depended in large part on land and separation upon which to be self-sufficient, that history also demands that we reflect on a different possible lesson for today's questions of pluralism. What if the very terms of freedom offered by liberal Canada to the Doukhobors encouraged an escape from politics, just not of the geographical kind? Conscientious objector status was a right to be exempt from the practice of war based on an individual's religious belief. It was a right to escape a political practice, war, based in a moral obligation to one's Christian (or other religious) conscience. Liberal conscientious objector status was a negative and subjective rule, and did not "spell out certain principles for taking action," to speak again with Arendt. For a group with a history of collective action – of materializing objective structures and practices in relation to states – freedom of conscience can be read as a regression to the command-obedience relationships that the Doukhobors originally emerged in open defiance of. It would function as a command to the peasant to disappear as an active agent in the world and into their own subjective conscience.

Thus, while the Freedomites and Community Doukhobors both appeared to claim a religious identity as an escape from politics, I argue that we need to loosen the sense that at stake for them was a larger scope of "religious freedom." In a context where a liberal understanding of individual and religious freedom was offered, they can also be read as claiming religious freedom defensively and strategically so as to reveal that it had an incoherent or untenable political basis. More specifically, without negotiating broader principles for political action – what the original Doukhobor-state agreement can be read as providing – mere freedom to

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[79] Adams and Kelly, "George Woodcock," 12.

conscience would leave the Doukhobors in a liminal space in relation to worldly politics. Verigin's invocations of "the kingdom of God within"[80] and the Freedomites' claim to obedience to transcendent Godly authority, can be seen as a strategy of creating a wedge between assimilation to the negative prerogative of liberal freedom and the worldly democratic impetus of *iskra*. It was after all in the context of an active democratic community, the *mir*, that Doukhobor conceptions of individual and religious freedom were historically constituted. The Doukhobors' broader history thus helps us to see that at stake for them in their clashes with the government was not separation from a common world, based in religious freedom, but a refusal to consent to the possibility of freedom without one.

Conclusion

In comparison to the early-to-mid twentieth century, the relationship between individual freedom, including to conscience, and democratic freedom, is more robust in contemporary Canada. This brings us back to the question raised at the outset – why are BC Doukhobors struggling today – when liberal multiculturalism and democracy have since developed in ways that would not only place the Doukhobors in a more positive light but might have allowed them to claim a spiritual identity with less stigma and participate as democratic citizens? As Kymlicka notes, Canadian multiculturalism has developed through three phases, first tending to claims from ethnic minorities, then racial minorities and now religious minorities. He writes, "the increased prominence of religion as a basis for political participation and claims-making … reflects a global trend towards the (re)-politicization of religion, as believers of various faiths mobilize politically, and contest the attempt to exclude religion from politics and the public

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[80] "Kingdom" is yet a third translation for *mir*, along with "world" and "peace."

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square.[81] While the question of the scope of religious toleration is actively in flux in our present moment, we can draw some insights and future-looking lessons from the Doukhobors' history and the history of liberal multiculturalism thus far. The question raised by religious groups, according to Kymlicka, is how to minimize stigma and enhance the freedom of individuals who belong to such groups to lead lives of their choice and to participate in shared, democratic life.[82] He adds that "human rights, and in particular norms of individual freedom and equal citizenship," are the contextualizing factors that will guide what is considered acceptable for "religious accommodation."[83] The Doukhobor case is testament to the intra-community abuses that can occur under the cloak of religion, however, it should also caution us from assuming too readily that groups who are religious, or invoke spiritual reasons, are necessarily "politicizing religion" when they make claims in public.

Even though the Doukhobors resorted to arguably subjective religious language to reject liberal politics, they made such claims publicly and collectively. They brought the voice of conscience to the broader public where, as an extremely disruptive collective speaking and acting in relation to the state, they became "politically significant,"[84] forcing a response from the state and public. Without condoning all their public protests and actions, we can recognize that these clashes represented opportunities to politicize more than "religion," which, from a liberal multicultural perspective, is conceived to be an extension and context of individual choice. The

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[81] Kymlicka, "Three Lives of Multiculturalism," 27.

[82] "The task for the third stage of multiculturalism is to determine which claims for religious accommodation enhance the freedom of individuals to lead the kinds of lives they choose, strengthen their ability to participate as democratic citizens in our collective life, and remedy the inherited stigmas and burdens that minorities have faced." Kymlicka, "Three Lives of Multiculturalism," 31.

[83] Kymlicka, "Three Lives of Multiculturalism," 31.

[84] Arendt, "Civil Disobedience," 67.

Doukhobors' original rejection of command-obedience relationships was co-constituted with claims of how to build a public world, and animated shared questions such as – when is force justified? What does gender equality and freedom look like? Are hierarchical economic relations justified in a society predicated on equal citizenship? What is the relationship between an ordinary individual's judgment, informal community norms, and official institutions? If we frame these as questions of the "politicization *of religion*," we risk seeing them as a subjective matter of conscience, or group identity, rather than matters of common concern. As for the Doukhobors, they might also refuse to see their future as dependent upon whether they can maintain a religious identity and revitalize their history of animating these sorts of questions as having broader significance. They need not resort to the aggressive tactics of the past, but use democratic citizenship in ways that nevertheless shed light on the limits of Canadian democracy's liberal foundation.

CHAPTER TWO

Liberal Multinationalism's Misrecognition of Indigenous Claims:

The Case of the Sinixt

"Although Indigenous peoples have been talking about nationhood for years, the idea of

Indigenous nationhood is a concept still very misunderstood by Canadians."[1]

"*Whuplak'n* defines Sinixt, not the state."[2]

If one is local to the southwest of British Columbia (BC), it is likely that one has encountered the

declaration of a local Indigenous people: "We are still here, and we are strong!"[3] Though the

Sinixt's traditional territory follows the Columbia River on both sides of the Canada-US border,

most of the Nation's approximately 6000 members live on the side of the US.[4] This is not the

result of choice. Rather, by the early twentieth century, settlers arriving to the claimed colony of

British Columbia and increasingly controlling settler policies ultimately displaced the Sinixt to

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[1] Simpson, Leanne Betasamosake, *As We Have Always Done: Indigenous Freedom Through Radical Resistance*, (Minneapolis; London: University of Minnesota Press, 2017), 6.
[2] Lori Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction: Sinixt in British Columbia," unpublished conference paper, *Canadian Anthropological Association* (2014), 13. Barkley explains, "*Whuplak'n* is not only the law of the land, but also from the land," page 16, note xx.
[3] Tami Starlight, *"The Sinixt Nation: 'We Are Still Here'"* Vancouver Media Co-Op, July 21, 2011, http://vancouver.mediacoop.ca/story/sinixt-nation-we-are-still-here/7814. Accessed 1 May 2020.
[4] Liam Harrap, "New book released on the untold Indigenous history of Revelstoke," Revelstoke Review, January 16, 2020, https://www.revelstokereview.com/community/new-book-released-on-the-untold-indigenous-history-of-revelstoke/

the overcrowded Colville Reservation. Located on the other side of the international border, in Washington state, the reserve comprises a fraction of their traditional territory. Then, in 1956, Canada claimed by way of its 1876 gendered and colonial *Indian Act* that because there was only one known living member of the group, a woman named Annie Joseph, that she could be added to her late husband's Okanagan Indigenous registry, and the Sinixt – who were at the time known as the Arrow Lakes Band[5] – could be declared "extinct." Joseph did not consent to this logic[6] and her ancestors would continue to fiercely resist legal erasure.

During the course of writing this chapter, the Sinxit made some legal progress with respect to this history of erasure. The Supreme Court of Canada did not overturn the federal government's declaration, however, it ruled on April 23, 2021, that if citizens of Canada *or* the US can prove they are Sinixt descendants, then they might have recourse to Canada's constitutionally entrenched Aboriginal rights.[7] The case stems from an incident involving a

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[5] I use "Sinixt" throughout given the contemporary focus of this project and its contemporary usage. Another spelling is "Sin-Aikst" which the author Lawney Reyes, who I refer to, uses in this book. As I understand, a more traditional spelling is *sngaytskstx*. As Andrea Geiger notes, the Sinixt gave themselves this name in reference to a local Trout fish (page 123, footnote 2). However, as Geiger also explains, colonial and political authorities generally referred to the group based on where they could "place them" geographically. Arrow Lakes in modern British Columbia was such a place and why they were referred to as "Arrow Lakes Band" or "Lakes Indians." I would like to point out that given the traditional nomadic mobility of the Sinixt and the fact that they did not settle within a single area, the colonial system's naming process would operate as a tool of settler colonialism. The colonial government in BC would in part claim them "extinct" in 1956 based on a claim of them no longer being in the "Arrow Lakes" area. A criteria of colonial nationhood recognition is thus settlement rather than mobility. But as we will further see, their absence from this place was not simply a matter of Sinixit seasonal migrations. Rather, they were increasingly restricted from migrating north and south by the US-Canada border. Andrea Geiger, "Crossed by the Border: The U.S.-Canada Border and Canada's 'Extinction' of the Arrow Lakes Band, 1890-1956," *Western Legal History* 23.2 (2010).
[6] Geiger, "Crossed by the Border," 140.
[7] "The Sinixt are, in effect, no longer extinct … even though the federal government has not formally reversed its 1956 declaration of their extinction." "Sinixt, First Nation bordering Canada-U.S., can claim Indigenous rights, top court rules," *BC Local News* online, April 23, 2021, https://www.bclocalnews.com/news/sinixt-first-nation-bordering-canada-u-s-can-claim-

Sinixt man, Richard Desautel, a resident of Washington, who hunted an elk on the Canadian side

of the Sinixt's traditional territory in 2010. In consultation with his community leaders, Desautel

carried out the act deliberately as a way of "reclaim[ing] their identity in Canada," as *CBC News*,

puts it.[8] Desautel immediately reported his act to B.C. Conservation and was charged under the

Wildlife Act because he wasn't part of any recognized Indigenous group in Canada and thus

couldn't claim cultural hunting rights. According to the news coverage, this case is the first time

that the court has interpreted the definition of "Aboriginal peoples of Canada." "The majority of

the judges said that "Aboriginal peoples of Canada" refers to the current descendants of societies

that occupied Canadian territory at the time of European contact, even if those societies are now

located outside of Canada."[9] This case of recognition is thus literally unprecedented and

promises to expand access of dispossessed diasporic Sinixt to their traditional land and it might

open up opportunities for Indigenous peoples in the US and elsewhere to claim Aboriginal rights

in Canada. Though sparked by the act of hunting,[10] the decision is thus "about more than hunting

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indigenous-rights-top-court-rules/. Political anthropologist Lori Barkley tempers the celebratory
tone of the media coverage, writing, "Sinixt still have no First Nation government recognized by
Canada and are still precluded from entering into government-to-government relationships with
BC and Canada. This also means there is no mechanism to participate in the contemporary land
claims process, despite their filing a land claim decades ago and creating contention in Sinixt
traditional territory. In sum, it affirmed Sinixt Aboriginal rights of Sinixt living on the Colville
Reservation in the US to use the land, but did not recognize Sinixt rights to the land itself, nor to
be consulted on what happens to it regardless of which side of the border they live. The Desautel
decision did not remove the bureaucratic extinction of the Sinixt Arrow Lakes Band. Not yet,
anyway." Lori Barkley, "Op/Ed: Really? Post Colonial Chaos, Again," *The Nelson Daily,* May 4,
2021, http://thenelsondaily.com/news/oped-really-post-colonial-chaos-again.
[8] Olivia Stefanovich, "Sinixt Indigenous nation not 'extinct' in Canada, Supreme Court rules,
"CBC News, April 23, 2021. https://www.cbc.ca/news/politics/supreme-court-of-canada-
desautel-sinixt-ruling-1.5998062.
[9] "Sinixt, First Nation bordering Canada-U.S.," *BC Local News* online
[10] "The judges agreed that hunting in what is now Canada is a continuation of a historical Sinixt
practice, stating that there is essentially no difference between the pre-contact practice and the
current one." "Sinixt, First Nation bordering Canada-U.S.," *BC Local News* online.

rights" - but what more remains uncertain, as "this is just the opening of the door," states Desautel.[11]

The Sinixt's timely juridical recognition exemplifies, on my view, the national (and in fact, international) climate in which Indigenous peoples are increasingly recognized, while the political and legal terms and implications of such recognitions remain ambiguous. A notable marker of this new political climate, and resultant of Indigenous peoples' organizing around the world, is the momentous 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The UNDRIP set new international standards on state recognition of Indigenous peoples, including, the right to "belong to an Indigenous community or nation,"[12] "self-determination,"[13] and "free, prior and informed consent" regarding their "lands and territories."[14] As we saw in the Introduction chapter, Canada was a global leader with respect to developing and implementing rights and recognition of cultural diversity in the form of multiculturalism, and around the same time (in 1982, specifically), it enshrined "Aboriginal Rights" into the constitution (Section 35).

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[11] "Sinixt, First Nation bordering Canada-U.S.," *BC Local News* online.
[12] Article 9: "Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right." UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples: resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295. Accessed July 26, 2021. https://www.refworld.org/docid/471355a82.html
[13] UNDRIP, 2007, Article 3: "Indigenous peoples have the right to self-determination. By virtue of that right they freely deter-mine their political status and freely pursue their economic, social and cultural development."
[14] UNDRIP, 2007, Article 10: "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return." Also see: Article 29 (environmental protection), Article 32 (development).

However, the rights and recognition approach has been criticized on a number of grounds, particularly with respect to the case of Indigenous peoples. Broadly, the criticisms suggest that the state-centric and individual right framework re-entrenches rather than undoes the colonial asymmetry, in which the government has the ultimate authority over Indigenous peoples and their lands. This means that the 1982 promise of Indigenous peoples' "inherent right of self-government" was not achieved. Instead, Aboriginal rights have functioned normatively and legally in a similar manner to multiculturalism's protection and inclusion and cultural minorities, since they were vaguely defined[15] as applying to their "internal cultural affairs."[16] While Indigenous peoples *do* seek to preserve and practice their distinct cultures, they generally seek to do so as holistically part of practices of *political* self-determination, tied to traditional territories.

The Canadian government has thus been pressured to continue to evaluate and transform the relationship with Indigenous peoples. Citing the UNDRIP together with Canada's particular history of relations with Indigenous peoples, the current Canadian government has promised more robust recognition of Indigenous peoples by way of renewing a "nation-to-nation"

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[15] In the government's own words: "In 1982, Aboriginal and treaty rights were recognized and affirmed through Section 35 of the *Constitution Act, 1982*, but the work to define these right was not undertaken." Government of Canada, Prime Minister Justin Trudeau, "Government of Canada to create Recognition and Implementation of Rights Framework." https://pm.gc.ca/eng/news/2018/02/14/government-canada-create-recognition-and-implementation-rights-framework.

[16] Coulthard, Glen. Red Skin, White Masks: Rejecting the Colonial Politics of Recognition (Minneapolis: University of Minnesota Press, 2014), 3; Simpson, *As We Have Always Done*, 50. The government's own recent explanation speaks to Indigenous critiques regarding the limited sense of self-governing rights as pertaining to internal community affairs: "Recognition of the inherent right is based on the view that the Aboriginal peoples of Canada have the right to govern themselves in relation to matters that are *internal* to their communities, integral to their unique cultures, identities, traditions, languages and institutions, and with respect to their special relationship to their land and their resources." Emphasis added. Government of Canada, "The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government," Available at: https://www.rcaanc-cirnac.gc.ca/eng/1100100031843/1539869205136.

relationship.[17] I shorthand this recent iteration of liberal state recognition and rights discourse as it applies to Indigenous peoples as "multinationalism." This phrase signals the government's and public's increasing reference to Indigenous peoples as distinct "nations," a term which differentiates them from minority "cultural groups." At the same time, the phrase captures the fact that it shares the political logic of multiculturalism, meaning a politics of state recognition of difference.[18] It should be noted that the scholarly literature also includes James Tully's normative theorization of "multinational democracy," which I discuss in the Introduction Chapter and refer to briefly in Section 3 of this chapter. The primary focus of this chapter, however, is the political discourse and state practice in Canada which is dominantly liberal. Unless referring to Tully's approach, I interchangeably use "multinational" and "liberal multinationalism" in this chapter to refer to a liberal statist uptake of Indigenous nationhood claims in the present.

What might the Sinixt's newfound legal recognition in Canada afford them in this broader political turn towards multinationalism? From the world-building approach that I

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[17] "The Government of Canada is committed to achieving reconciliation with Indigenous peoples through a renewed, nation-to-nation, government-to-government, and Inuit-Crown relationship based on recognition of rights, respect, co-operation, and partnership as the foundation for transformative change." Government of Canada, Department of Justice, "Principles: Respecting the Government of Canada's Relationship with Indigenous Peoples," 2018. Available at: https://www.justice.gc.ca/eng/csj-sjc/principles-principes.html.

[18] As the government states, "To truly renew the relationship between Canada and Indigenous Peoples, the Government of Canada must make the recognition and implementation of rights the basis for all relations between Indigenous Peoples and the federal government." "Government of Canada to create Recognition and Implementation of Rights Framework," Gina Starblanket's critique of the current Liberal government's purported move towards strengthening Indigenous self-government while at the same time suggesting that their rights flow from the sovereignty of Canada captures the problem with what I am referring to as liberal multinationalism. Starblanket writes, "For instance, the "Overview of a Recognition and Implementation of Indigenous Rights Framework," currently being developed by the federal government, employs the language of Indigenous nationhood and is purported to represent a move toward implementing self-government; however, it continues to frame self- government as delegated and flowing from federal recognition." Gina Starblanket, "The Numbered Treaties and the Politics of Incoherency," *Canadian Journal of Political Science* 52, no. 3 (2019), 9.

develop in this thesis, we ought to celebrate with the Sinixt their hard earned legal milestone, but this chapter also invites us to look deeper into their claims and ask what the state recognition and rights approach might nevertheless occlude. In Section 1, I take us through the turn from the explicit settler colonial politics that defined the late 19th to early 20th century as seen through Sinixt history, and what promises were held by the turn in the late twentieth century towards the constitutional recognition of Indigenous peoples. Taking seriously Indigenous critiques of the norms inherent to those promises and the historical and political consequences of recognition politics, I end the section by calling for a different political framework. As a non-Indigenous scholar, I argue that the world-building conception of politics better attunes us to more expansive political stakes. Drawing on Indigenous resurgence theory, Section II applies my world-building conception as a lens through which to read the Sinixt's claims to nationhood and land within the context of their ordinary struggles to rebuild their community. The Sinixt's claims and practices indicate a world of relational nationhood that is not alienated from the land in either the way of exclusive property or territorial sovereignty. From this perspective, their claims to the state are not so much a claim to recognition of a juridical identity and rights that are reconcilable to the territorial state model and authority, but a potential destabilization of its very political logic. Section III thus brings into full view the limitations of seeing the Sinixt case through a liberal multinational approach. While the settler colonial state context pressures Indigenous peoples to make use of recognition and rights as a matter of survival, a world-building perspective alerts us to the fact that they simultaneously beckon the broader world to participate in reconstituting foundational political concepts like nationhood as practices of decolonial, plural politics.

I: Sinixt history through the dispossessive politics of two states and a call to radically "re-present" their claims

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There is a broad scholarly - and more recent political - consensus that the activities and politics

of European newcomers in what became modern North America became severely more

detrimental to Indigenous peoples in the middle of the 19th century, when settler colonial politics

overtook trade and treaty relations. While trade relations were relatively restricted to economic

affairs, the difference between treaty and settler colonial relations is that the former were defined

by nation-to-nation treaty relations in which the parties were regarded as equal peoples, while the

latter constituted an asymmetrical relationship in which European powers exerted authority over

Indigenous peoples through settler policy.[19] Of course, this distinction is more of a conceptual

one than a depiction of history as it actually played out. In practice, neither of the relations

should be understood to wholly define any particular phase, agreement or event, since there has

never been conditions and relations of complete equality or domination. Moreover, while the

distinction appears to map the broad historical contours of Indigenous-foreign relations, the

reason that it is drawn on for political reasons has to do with the search for decolonial relations

for the present and future. Scholars and the Canadian government draw on the distinction as

historical grounding and inspiration for altering the Indigenous-state relationship from its unjust

settler colonial iterations towards the recovery of the history treaty relationship model.

Although the province of BC where the Sinixt's traditional land lies is an outlier in

Canada in that no historic treaties were established, meaning Europeans transitioned from trade

to settler colonial relations, a liberal nation-to-nation discourse has since developed. Indeed,

liberal multinationalism has already influenced more recently established "modern" treaties with

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[19] See for example Tully, Tully, James, *Public Philosophy in a New Key* (Cambridge: Cambridge University Press, 2008), 225-226, 288; Wildcat, Matthew, "Fearing Social and Cultural Death: Genocide and Elimination in Settler Colonial Canada—an Indigenous Perspective," *Journal of Genocide Research* 17.4 (2015), 393.

other Indigenous peoples in BC. The recent Supreme Court ruling on the Sinixt is also testament

to the growing Canadian promise to Indigenous peoples that Indigenous "rights are not going to

depend on the forces of colonialism and whether you were forced out of your territory."[20] In this

section, I track that history of forceful dispossession as it applied to the Sinixt. Against that

backdrop, it will be clearer why recognition politics – beginning from its twentieth-century

origins until now – has so much appeal. I end the section by suggesting that despite its virtues,

the framework generates and re-inscribes problems for both decolonization and expansive

notions of political freedom for Indigenous peoples, but also for worldly-building opportunities

for non-Indigenous citizens like myself.

1.1 Settler states' colonial politics of dispossession

Lawney Reyes, a contemporary Sinixt author, describes how the shift in the mid-nineteenth

century from trade to settler colonialism affected his people. The trade period first consisted of

French trappers who entered the area prior to 1800, followed by the Hudson Bay Company in

1825. Relations with the Hudson Bay company were cordial but he indicates that the Sinixt had

to deliberately cultivate such relations from a judgment that the US army would become hostile

if they were not cooperative.[21] While these relations were thus not altogether voluntary, Reyes

describes how when the Sinixt leader, See-Whel-Ken, passed in 1840, the white people were also

dismayed, given their respect for him. There existed the sort of ambivalence that speaks to the

broader point I mentioned above, regarding the fact that every context of inter-Indigenous

relations would involve various degrees of mutual benefit and conflict, as well as power

imbalances that became more structural with as settler colonialism developed. As Reyes further

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[20] "Sinixt, First Nation bordering Canada-U.S.," *BC Local News* online.
[21] Reyes, Lawney L., *White Grizzly Bear's Legacy: Learning to Be Indian* (Seattle: University of Washington Press, 2002), 24.

describes, it was around this time that a broader trajectory of tragedy and settler force would

ensue the Sinixt peoples. In 1837, Catholic missionaries would arrive along with other settlers

– who were increasing in number due to a westward expansion of settlers' natural resource

market and the gold rush – and with them, "deadly diseases."[22]

Then in 1846, the British government signed the Oregon Treaty with United States,

which established the boundary between the two state powers at the 49th parallel. The treaty was

signed out of fear that American settlers driven by "Manifest Destiny" and the gold rush would

encroach upon the colony of British Columbia. While the British government gained legal

certainty over the colony's sovereign boundary, the 49th parallel also meant a huge loss of

trading territory for the private British-owned Hudson's Bay Company. To compensate for the

loss of a practical source of British dominance in area, the newly formed British-Canadian settler

government in Ottawa encouraged settlement and development in the area.[23] Andrea Geiger, a

legal historian and once an Attorney for the Confederated Tribes of the Colville Reservation

(again, the reservation of which the Sinixt are part), notes that the instantiation of the border

didn't initially prevent the Sinixt from their traditional seasonal north-south migrations. Colonial

authorities referenced their presence as being fairly equal on both sides given the Sinixt's

habitual migrations, leading officials to question whether they ought to be considered British or

American subjects. But as time went on and settler traffic and activities increased, colonial

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[22] Reyes, *White Grizzly Bear's Legacy,* 25.
[23] For background on this history, see for example: Pauline Battien, *The Gold Seekers: A 200 Year History of Mining in Washington, Idaho, Montana & Lower British Columbia* (Fairfield, Wash.: Ye Galleon Press, 1989); Robert Cail, *Land, Man and the Law: The Disposal of Crown Lands in British Columbia, 1871- 1913* (Vancouver: University of British Columbia Press, 1974); Paul Tenant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990); Harris Cole, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: University of British Columbia Press, 2003).

policies began to regulate the border with increasing force.[24] Lamenting these changes, Reyes explains that Indigenous peoples' land in the Columbia River basin which cuts through modern day British Columbia and Washington state was essentially opened up for business and property settlements. "The provincial government in British Columbia and the government of the United States supported the schemes of these white men. Congress passed laws enabling the miners to remove the Indians from their homelands and stake claims to mines."[25]

For those Sinixt who found themselves on the south side of the 49th parallel, they were now considered "wards" of the US government, [26] meaning subject to paternalistic US law. They were forced to locate to the Colville Reservation – a fraction of their traditional territory and which was over crowded by the forced settlement of about a dozen tribes in total. The Reserve was created in 1872 by the United States government by "executive order," meaning it was a unilateral decision without negotiation, let alone a comprehensive treaty agreement.[27] Moreover, the reserve would shrink in size whenever the government and settlers realized the land within it had material value, upon which the government would open those portions to settlers.[28] Reyes lived through these conditions, noting that he was age two in 1933,[29] and how his people and the other tribes who were cramped onto the reserve "became virtual prisoners."[30]

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[24] Geiger, "Crossed by the Border," 123-4.

[25] Reyes, *White Grizzly Bear's Legacy,* 26.

[26] Reyes, *White Grizzly Bear's Legacy,* 26-27; The language of "wards" is also explicitly used by the Government of the United States in *Claims of Colville and Okanogan Indians. Hearing before a subcommittee of the Committee on Indian affairs, House of representatives.* Sixty-ninth Congress, first session, on H.R. 9270. April 6, 1926. (Washington: Govt. Print. Off., 1926).

[27] Reyes, *White Grizzly Bear's Legacy,* 28. See also *Claims of Colville and Okanogan Indians.*

[28] Reyes, *White Grizzly Bear's Legacy,* 26-27; Geiger, "Crossed by the Border," 124.

[29] Reyes, *White Grizzly Bear's Legacy,* 43.

[30] Reyes, *White Grizzly Bear's Legacy,* 26-27.

On the Canadian side, the political circumstances were not much different. In both Washington and British Columbia, Indigenous peoples were seen to have rights, but they were seen to stem from the sovereignty of the colonial system.[31] For example, in the 1926 "Claims of Colville and Okanogan Indians. Hearing before a subcommittee of the Committee on Indian affairs, House of representatives," the US government makes clear its position that Indigenous complaints must be seen as a "right of occupancy," which "was and is a property right within the meaning of the fifth amendment to the Constitution."[32] And as the first governor of BC, James Douglas, described in the latter part of the nineteenth century, the government would guide settlement in a way that applied "enlightened" protection of "Native title."[33] He claimed that those rights and title fit within the purview of "maintaining British supremacy."[34] By the end of the nineteenth century, both governments were intent on making Indigenous peoples' land claims fit within their respect sovereignty projects.[35] While the Colville reservation would continue to shrink in accordance with settler interests, in British Columbia, no reserve for the Sinixt was made at all.

1.2 The limits of rectifying dispossession through a politics of state recognition

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[31] Or as Geiger helpfully puts it in "Crossed by the Border:""Although the United States and Canada adopted somewhat different approaches to defining Indian status and establishing reserves and reservations, both systems of law and policy shared a common purpose: to facilitate the transfer of Indian lands to non-Indians and to place a finite limit on each government's obligations to those it had dispossessed." Geiger, "Crossed by the Border," 122.

[32] *Claims of Colville and Okanogan Indians.* The Sinixt appear under the name, "Lakes" in this document. See footnote 6 for more regarding naming.

[33] James Douglas in: Great Britain. Colonial Office. *Papers relative to the affairs of British Columbia. Copies of despatches from the Secretary of State for the Colonies to the Governor of British Columbia, and from the Governor to the Secretary of State* (London: printed by G.E. Eyre and W. Spottiswoode, 1859-62), 59.

[34] Douglas, *Despatches,* 35.

[35] Geiger, "Crossed by the Border," 124.

Canada's 1982 constitutional entrenchment of Aboriginal rights was meant to correct for the sorts of colonial harms suffered by the Sinixt. However, the government's 1956 declaration of the Sinixt as "extinct" incapacitated their ability to claim them. The 2021 Supreme Court recognition has now opened up a new avenue of doing so. However, given the Sinixt's historical resistance to colonial political rule and to the contemporary critiques of Canada's liberal difference based rights framework, the road to decolonization is still far from clear. As Gina Starblanket writes, "Indigenous peoples have exercised powers of governance prior to contact with Europeans and continue to do so in many ways,"[36] but liberal multicultural-multinational discourse has corresponded with "state efforts to contain the exercise of Aboriginal and treaty rights to the realm of cultural practice."[37] In other words, Indigenous peoples see their rights to be *self-generated* based on their current and past practices of self-governing relations to land but the government "continues to frame self-government as delegated and flowing from federal recognition."[38] From this perspective, state recognition politics is continuous with rather than a departure from the settler colonial perspective, including that which historically affected the Sinixt on both sides of the international border.

For Starblanket, Tully, and others, treaty political history demands Canada radicalize rather than reform its conception of Indigenous rights and its relationship to Indigenous peoples. What would such a transformation entail? Recalling that even treaty history was fraught with power imbalances, misunderstandings and force, there is clearly no "return" to a "pure" or untainted relationship. Moreover, irrespective of whether a treaty was made in the past or in the present, it requires ongoing interpretation and enactment within a context of complicated,

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[36] Starblanket, "The Numbered Treaties," 9.
[37] Starblanket, "The Numbered Treaties," 7.
[38] Starblanket, "The Numbered Treaties," 9.

entangled legacies of treaty history, settler colonial history and contemporary cultural recognition politics. Moreover, while a treaty may officially involve "two parties," each is comprised of a plurality of individual members, who will have different interpretations of the past and the purpose of treaty politics going forward. Finally, each treaty variously imbricates a plurality of other Indigenous peoples and settler citizens who are not the direct parties. For example, one treaty may set a precedent for other Indigenous peoples to claim a similar treaty agreement, or the opposite – it may prevent neighbouring Indigenous peoples with overlapping land claims from being able to obtain a treaty agreement with the government. In either case, a treaty may require settler citizens and other Indigenous groups to respect particular local land arrangements.

Thus, while treaty history is invoked to radicalize how we perceive the Canadian government's role in decolonization, it also raises democratic questions for citizens on the ground.[39] With the latter in mind, I explore how the treaty turn might press non-Indigenous citizens to see the Sinixt's contemporary claims and collective actions in a more radical light. More specifically, I bring an Arendtian democratic lens together with Indigenous resurgence theory to reframe how the fraught everyday level of Sinixt organizing might be seen by non-Indigenous citizens beyond that of a struggle to maintain a "cultural identity."[40] As Indigenous resurgence scholar, Leanne Betasamosake Simpson argues, settler Canada misunderstands Indigenous nationhood when it sees it through a liberal minority conception of culture. "From

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[39] The Sinixt themselves do not shy away from demanding engagement from the broader world, making statements such as, "Sinixt Nation hereby informs *everyone* of their obligations to indigenous and international laws and also that they have a duty to respect and recognize Sinixt Nation members inherent and entitled rights to our traditional territory." Emphasis added. Marilyn James, Sinixt Nation, "Sinixt Nation Press Releases," April 13, 2013. https://sinixtnation.org/content/sinixt-nation-press-releases.
[40] Starblanket, "The Numbered Treaties," 4.

within Indigenous thought," she writes, "the cultural and political are joined and inseparable, and they are both generated through place-based practices – practices that require land."[41] The politics of Indigenous nationhood is thus inextricably tied to land, and as Starblanket notes, "Treaty Elders and Indigenous legal scholars have repeatedly stated that in Indigenous legal systems, land is a not a property that can be transferred or sold."[42] A decolonial democratic perspective thus requires receptivity to the fact that rectifying dispossession requires something beyond cultural accommodation or a return of "property." It will require a critique of the initial settler colonial transformation of land *into property*[43] and an openness to alternative ways of collectively relating to it as a practice of political peoplehood.

I thus forward the need to approach Indigenous claims such as the Sinixt's in the spirit of world-building, which entails a willingness to imagine how the world looks to people with whose standpoint one does not necessarily share and/or that are at odds with the status quo. It should not be confused with representative democracy, which more or less aims to legislate majority interest. Rather, representative thinking upends the notion that individuals have pregiven and wholly formed "interests" that they bring to the legislating political table, as if prior and autonomously formed. Instead, part of what makes an individual perspective unique is the place in the world from which they see it. Taken together with the equally unique perspectives of every other individual, we gain more worldly reality. For Arendt, perspective is a synonym for standpoint on a shared world or, rather, a world whose shared and objective character comes into

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[41] Simpson, *As We Have Always Done,* 49-50.
[42] Starblanket, "The Numbered Treaties," 11.
[43] I discuss this argument made by Robert Nichols more in Chapter Three.
Robert Nichols, "Theft is Property!: The Recursive Logic of Dispossession," *Political Theory* 46 no. 1 (2018); Robert Nichols, *Theft Is Property!: Dispossession & Critical Theory* (Durham, NC: Duke University Press, 2020).

view only once we try to see it from as many standpoints as possible: that is the wager of what she calls "representative thinking." To think in this manner is to "train the imagination to go visiting,"[44] writes Arendt; that is what it means to think and to see politically.

Such seeing and thinking from the standpoints of others is not tenuously grounded in relative subjective experience alone, nor is it abstractly grounded in transcendent norms and institutions. Instead, representative thinking aspires to keeps us grounded in our rworldly experiences, while lifting us out of narrow subjectivism by inviting us to consider how our experience accords with others'. If maintained as an ongoing practice, what Arendt calls "a common world," comes into view and is the real basis to political freedom, or world-building.[45] Thus, in the next section, I look at Indigenous resurgence theory in order to render the Sinixt's claims and practices in a way that is sensitive to their cultural and spiritual meanings, while elucidating how they nevertheless point to a shared political world between us.

II: The ongoing emergence of Sinixt nationhood from "places of being"

Reyes is not only a non-fiction Sinixt author but also and an internationally renowned sculptor. Discussing his approach, he states, "I believe there is life in a piece of wood, regardless of its size. If I study the wood long enough, I can sense the being inside. I work until it is released and takes its form."[46] A piece of pine, alder or cedar becomes "Eagle and Salmon," or "Killer Whale," for example.[47] He writes that traditionally, or in the pre-colonial era, one could only become a "person of consequence" in the community by attuning themselves to the landscape.

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[44] Hannah Arendt, "Truth and Politics" in *Between Past and Future: Eight Exercises in Political Thought* (New York: Viking Press, 1968).
[45] I am drawing on: Arendt, *Lectures on Kant's Political Philosophy*; Arendt, "Truth and Politics."
[46] Reyes, *White Grizzly Bear's Legacy,* 182.
[47] Arts Washington, "Lawney Reyes Artwork," accessed 02 May 2020: https://www.arts.wa.gov/artist-collection/?request=record;id=4254;type=701

"The forces of nature and all beings, from the mystery of lightning and thunder to the beauty of a flowing waterfall, were sought as sources of power…"[48] These ways of relating to nature were mediated by collective norms and deliberative structures.[49]

Ironically, Reyes first began to formally learn his craft in residential school in Washington state, the precise purpose of which was to dissolve Indigenous conceptions of and relationships to land. Claiming that Indigenous peoples were living in a relationship of bondage to nature, colonial governments claimed itself as their paternal stewards of modern freedom. In practice, settler colonial Canada materialized its abstract, liberal vision of "the people," or political sovereignty, through the intertwined projects of harnessing land as territory for the nation, and as circumscribed spheres of private property for individuals.[50] Because of these settler views about land and freedom, Reyes and Indigenous children from other neighbouring tribes were expected to train for "vocations," meaning prepare them to contribute to an emerging capitalist economy in which land was foremost a market resource and property.[51] The same was true on the Canadian side, where residential schools did not finally close until 1996 and were meant to assimilate Indigenous peoples into a 'Canadian' identity, an institution which has now

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[48] Reyes, *White Grizzly Bear's Legacy,* 13.
[49] Anthropologist, Verne Ray's, 1947 ethnography notes on the Sinixt "assembly" structure reveal it as an:
"informal mechanism but it provided all adult members of the tribe an equal voice in all consequential affairs of the political group. Discussions were carried on at great length and decisions were made, by acclamation, only when the question under discussion had been thoroughly examined. The frequency with which the assembly met was determined wholly by the business that needed to be transacted and when tribal affairs were running smoothly there were long periods without any meetings. The membership of the assembly was automatically determined by the adult membership of the tribe." Verne F. Ray, "Aboriginal Economy and Polity of the Lakes (Senijextee) Indians," *Journal of Northwest Anthropology* 50.2 (2016). *The journal notes that it is publishing original work from 1947.
[50] I discuss those contradictions in Chapter Three through a theorization of the settler colonial context as based in a "utopian" conception of freedom.
[51] Reyes, *White Grizzly Bear's Legacy,* 117.

been widely characterized as genocidal.[52] From my outsider perspective, I read Reyes' approach

to art to subvert the intended purpose of the institution in which he first learned his skills, and to

expresses the broader Sinixt nationhood in which land was the symbolic and physical mediator

of individual and community development. By drawing on broader Indigenous scholarship, I

bring this view to light in this section with reference to the community's broader community

resurgence efforts.

While each Indigenous community is shaped by its own particular context and history,

Indigenous scholarship increasingly disrupts the dominant liberal conception of land as a

disposable resource for the "sovereign people," with a counter narrative about relational, land-

based sovereignty. For example, Indigenous legal scholar Irene Watson writes that in most

Indigenous communities, "All life forms are equally valued," and not merely in the present.

Ancestral attachments inform a sense of the need to cultivate a life-giving environment for future

beings.[53] As such, Indigenous peoples' relationship to the land is "irreconcilable to the Western

property law system."[54] Sinixt spokesperson Marilyn James describes their self-government to

emerge from "places of being," which Sean Roberts, a legal-cultural geographer describes as

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[52] Jesse Staniforth, "Cultural genocide'? No, Canada committed regular genocide," *Toronto Star,* June 10, 2015. https://www.thestar.com/opinion/commentary/2015/06/10/cultural-genocide-no-canada-committed-regular-genocide.html.
[53] Irene Watson, *Aboriginal Peoples, Colonialism and International Law: Raw Law*, Indigenous Peoples and the Law (Milton Park, Abingdon, Oxon: Routledge, 2015)., 14, 17; see also for example: Jeff Corntassel, "Re-envisioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination," *Decolonization: Indigeneity, Education & Society* 1.1 (2012).
[54] Watson, *Aboriginal Peoples,* 71.

"the opposite of abstraction."[55] In Glen Coulthard's language, Indigenous peoples are oriented by "grounded normativity:"

> I call this this place-based foundation of Indigenous decolonial thought and practice *grounded normativity*, by which I mean the modalities of Indigenous land-connected practices and longstanding experiential knowledge that inform and structure our ethical engagements with the world and our relationships with human and nonhuman others over time.[56]

Given the opposition between Westphalian state sovereignty as control over its subjects and land in terms of legal-territorial boundaries and short-term profit oriented resource extraction, and the action- and place/land-based orientation of Indigenous peoples' relational freedom, some Indigenous scholars, such as Alfred, reject the term "sovereignty."[57] The reverie for mastership contained within the liberal capitalist "rights-based society," overshadows what Vine Deloria Jr., echoing Alfred, characterizes as Indigenous peoples' responsibilities-based society, which is informed by a strong sense of accountability.[58] On the other hand, Heidi Kiiwetinepinesiik Stark notes that other Indigenous scholars, such as Lenape scholar Joanne

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[55] James is interviewed and quoted in Robertson: Sean Robertson, "Extinction is the Dream of Modern Powers: Bearing Witness to the Return to Life of the Sinixt Peoples?" *Antipode*, 46.3, 2014.

[56] Coulthard, *Red Skin*, 13.

[57] Taiaiake Alfred, "Sovereignty," in *Sovereignty Matters: Locations of Contestations and Possibility in Indigenous Struggles for Self-Determination,* ed. Joanne Barker (Lincoln: University of Nebraska Press, 2006) quoted in Heidi Kiiwetinepinesiik Stark, "Nenabozho's Smartberries: Rethinking Tribal Sovereignty and Accountability" in *Michigan State University Law Review,* (2013), 345.

[58] Vine Deloria Jr. in: *In the Light of Reverence,* produced by Christopher McLeod and Malinda Maynor (Lincoln: Native American Public Telecommunications), quoted in Stark, "Nenabozho's Smartberries," 339.

Barker, believe that the word "sovereignty" can be conceptually redefined according to Indigenous practices and redeployed in the public sphere to challenge settler state sovereignty.[59]

Thus, there are a plurality of meanings and purposes behind Indigenous claims to land-based sovereignty and nationhood. I thus turn us to the Sinixt's contemporary claims and practices to representatively think with them outside the logic of statist recognition with the help of Indigenous resurgence theory. The dynamism of grounded normativity for example, is a helpful starting point for interpreting the following Sinixt statement: "Sinixt Territory is land in which the collective Sinixt land title is held communally and with cultural responsibilities by our people as dictated by whuplak'n (natural law) and smum iem (women's council) and governed as the collective Sinixt Nation."[60] If we read this statement with settler colonial presumptions or in a literal sense, we might be tempted to take it to mean that there they see themselves to be at the helm of natural determinism ("dictated by … natural law"). The implication would be a loss of appreciation of the governing role of the women's council and the broader Nation. Sinixt's conceptions of "natural law" or "the law of the land," which also means "from the land,"[61] are in fact too ambiguous to be interpreted as straightforward dictations, or orders. Take the following illustrative passage written by anthropologist, Lori Barkley, and based on conversations with members of the Sinixt community:

> According to these laws, one must respect the land and its gifts, and have reverence for everything upon it. It comprises many things, it is identity, cultural practice, and more. One can understand there are cultural laws that come from their territory, their tum-ula?x w,

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[59] Stark, "Nenabozho's Smartberries," 341-2.
[60] "Sinixt Territory," Sinixt Nation Website, accessed May 2, 2020, https://sinixtnation.org/content/sinixt-territory.
[61] Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," page 16, note xx.

even without fully understanding exactly what they are. As with any lifeway, no one

practice defines whuplak'n and there are different levels of practice and participation.

Whuplak'n is both elusive and certain, tangible and intangible.[62]

It is notable that natural law does not merely describe land's causal physical processes, given that

it is said to comprise "cultural practices." In another reference it is said to "exist independently

of individuals."[63] While this may mean that the Sinixt see natural law to exist independently of

humans, from a world-building perspective, it also sounds as though living

communities – not "autonomous" or "abstract" individuals – are indebted to it. Even if it is the

case that they perceive the laws of the land to exist irrespective of humans, there seems to be a

suggestion that communities of a kind help to give expression to the land's laws at the same time

that they give expression to themselves through various forms of "practice and participation."

Just as Reyes gives expression to the spirit of natural materials like wood through his art while

giving expression to himself as an artist and unique member and practitioner of Sinixt ways of

life, the Sinixt give expression to natural laws, while enacting their own collective existence in

the process.

An interrelated sense of being and freedom between the Sinixt and their traditional land is

implied, and it appears to be underwritten by an acceptance that there is no way to absolutely

define or understand these relations. From an Arendtian perspective, the Sinixt claim political

freedom and authority but in a way that jettisons the Western tradition's fantasy of sovereign

control over the world, territory and future. Instead, they affirm the need for collective practices

of judgment, or what Leanne Simpson calls "intelligence:" "our way of life comes from place or

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[62] Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 5.
[63] Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 16, note xx.

land through the practice of our modes of intelligence. We know that place includes land and water, plants and animals, and the spiritual world –a peopled cosmos of influencing powers."[64] As mentioned in the Sinixt's website statement, it is the women's council who traditionally interpret natural law. To quote from Barkley, again:

> Whuplak'n [laws of the land] comes to the people through smum'iem, matriarchal, traditional Sinixt council assemblies, which guide how people behave. They are responsible for everything and everybody in the tum-ula?x w [territory]. Marilyn James, describes smum'iem as 'highly sustainable and eclectic.' It is about social care, service to community, land, ceremony, practice, food and more.[65]

Interpreting natural law requires attunement to various forms of life (physical and spiritual), temporalities, values, practices and relations and a willingness to make judgments about how to balance them in light of contingencies.

Although we should not confuse Arendt's political meaning of the world between people as literally referring to nature (land, water, air, and other species), the Sinixt demonstrate how a community can speak about and act with respect to the land in a way that it comes to be a central object of their shared political world. "Object" in a political sense need not be equated with "inanimate," or at odds with biological life or an animated sense of land. From a world-building perspective, the judgment of the women's council looks to involve a state of being rooted in the community and nature, and at the same time, allowing oneself to be uprooted so as to imagine how to transform the present into a different future, or consciously create a new present.[66] In

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[64] Simpson, *As We Have Always Done,* 24.
[65] Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 6.
[66] Some of this involves inspiration from the past, but to borrow from Simpson in *As We Have Always Done*, 18, it is not about trying to return to the past but a critical unfolding of a new present.

other words, interpretation of natural laws allows for critical space to direct the community in

new ways, but it is not from an abstract or transcendent place. They do not describe such a place.

Indigenous practices of intelligence and governance are embedded within "a series of complex,

interconnected cycling processes that make up a nonlinear, overlapping emergent and responsive

network of relationships of deep reciprocity, intimate and global interconnection and

interdependence, that spirals across time and space."[67] It requires an ongoing appreciation of

differences that allows the women's council to build up a shared community standpoint that

brings together the insights that they garner about natural law together with an appreciation for a

dynamic set of particulars.[68]

 Contrary to dominant 20th century assumptions that Indigenous peoples in BC and

elsewhere in Canada were not traditionally "politically coherent" because they were organized

by kinship,[69] James describes how the community role for women is inherited but not

automatically fulfilled because "every woman has a choice. They accept responsibility to take

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[67] Simpson, *As We Have Always Done*, 24. For more on non-territorial understandings of Sinixt relations to land from an anthropological perspective, see: Paula Pryce, *Keeping the Lakes' Way: Reburial and Re-creation of a Moral World among an Invisible People* (Toronto: University of Toronto Press, 1999).

[68] In Arendt's reading of Immanuel Kant, one arrives at a general standpoint through a process of consideration of particulars, rather than having a general concept in advance and subsuming particulars under it. Arendt, Hannah, and Ronald Beiner. *Lectures on Kant's Political Philosophy*. Paperback ed., University of Chicago Press, 1989: 43-44.

[69] I am quoting from a BC Historian who exemplifies the assumption that "politics" equates to state institution. He writes: "Such so-called 'tribal' entities as Kwakiutl, Shuswap, or Nootka had no political coherence or meaning. In many cases, even names of such ethnic units were attached by later European observers. They were merely culturally similar groups speaking variants of the same language. No pan-Indian nor even tribal (if one means by that groupings such as "Nootka") political integration existed ... No Indian societies in BC had developed anything like a state level form of organization, with its attendant coordination of political power and the wider possibilities for directing resources and labour, for good or evil, which this entails." Rolf Knight, *Indians at Work: An Informal History of Native Labour in British Columbia, 1848-1930,* (Vancouver: New Star Books, 1996), 206-7.

back the power of women, or they don't." In other words, just as nature is not taken deterministically, neither are kinship roles. Sinixt members' creative and active participation determines their meaning and worldly impact. She explains how settler colonialism has ravaged the traditional fabric of the community, through physical displacement and through policies that upended traditional matriarchal leadership and the forced assimilation of Indigenous peoples into colonial patriarchal systems. If land serves as a constituting fabric – physically and normatively – for the Sinixt as a self-governing people, then arguably as a displaced people, the initiatives and judgment of women is more important than ever. However, this would seem to be a task impaired by the lack of physical access to the land, given that "land-connected practices," to borrow again from Coulthard, are what literally and symbolically inform Indigenous peoples' judgments and engagements with one another and the surrounding world. On the other hand, the fact that Sinixt women and Indigenous people more generally still *do* mobilize and deliberate and connect with one another is evidence that land is not just a place but can be *a way of seeing the world*. For the Sinixt, land is a political lens. They are displaced, but their traditional land informs how they see the world, including their critiques of the state's claim to their land as its "territory," and what actions they take each day toward maintaining and rebuilding their community.

Perhaps what makes the Sinixt's claims to land political in Arendtian sense above all else, is the way in which the literal ground serves, somewhat paradoxically, as a space of "ungrounded freedom."[70] Land informs political organization even in absence of access to land; it motivates Sinixt women to create and maintain a political foundation by showing up to do

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[70] Conceptually, this speaks to the idea that freedom need not be "consequentialist" nor "foundationalist." It can be for itself. Linda M.G. Zerilli, *Feminism and the Abyss of Freedom*, (Chicago: University of Chicago Press, 2005), 97.

"activities as women—together."[71] This is also not to deny the real significance and goal that the Sinixt have of physically re-inhabiting their land. But from a world-building perspective of politics, freedom is not reducible to the securement of future outcomes, but in participatory practice and optimism that it is nevertheless worth trying to create better futures. The Sinixt's participatory struggle to reclaim their land in the face of uncertainties and precarities can be read as an enactment of radical political freedom against the inordinate political dominance of liberal states.

The Sinixt thus aspire to recover traditional governance which is filled with "vital meaning"[72] of different sorts than that offered by liberal colonial cultural and economic freedom. James' description of Sinixt's women's self-initiated world-building illustrates a broader point made by Indigenous resurgence theorists, like Simpson, that Indigenous nationhood, or the right to Indigenous self-governance, is not a thing contained or made by Canada's constitutional recognition of them, nor even in the text of past treaties or other records of their pre-colonial existence. Traditional Nishnaabeg life (Simpson's community) did not "rely on institutions to uphold the structure of life. We relied upon processes that created networked relationships … Governance was *made* every day. Leadership was embodied and acted out every day."[73] The Sinixt claim their own political freedom in their own everyday world-building aspirations and

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[71] Marilyn James quoted in Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 8.

[72] The actions of the present are connected to and affirm the values of the past in building and maintaining community as women's work, with a deeper spiritual meaning. Nancy Perkins Wynecoop's biography of her grandmother, a Sinixt woman who lived in the 1800s states: "There was a vital meaning in the smallest and hardest task, for to serve was a privilege. It was a door of entrance into realms of the spirit where faith lifts one into unexpected experiences." Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 8.

[73] Simpson, *As We Have Always Done,* 23.

accountability to one another – "not the state."[74] As an institution that recognizes groups

abstractly, or in absence of their actual contexts and meanings of their claims, the state can

invariably decide whether a group is "cultural," "national," or – extinct." It is deeply problematic

therefore to confuse political freedom with institutional recognition of group status and rights,

for the latter "can never substitute for the political claims [the Sinixt] address to one another."[75]

III: Concretely seeing the paradox of liberal multinationalism through the Sinixt case

In a 2019 opinion letter to the Nelson Star, a newspaper based in the traditional territory claimed

by the Sinixt, a local resident criticizes the BC government and more specifically, the local

representative, Michelle Mungall for, on the one hand, touting the "gleeful" inauguration of the

UNDRIP, and on the other hand, failing to mention the local Indigenous peoples within the local

riding – specifically the Sinixt.[76] The letter was also calling out the fact that the BC government

was actively fighting against Richard Desautel's 2010 case. The letter preceded the recent

Supreme Court recognition, and while Canada's highest Court has now recognized the Sinixt, the

irony pointed out by the local resident continues to be emblematic, I argue, of the broader risk, or

paradox of liberal multinationalism: that it achieves bureaucratic "reconciliation" while

perpetuating the occlusion of actual Indigenous peoples– including those who might literally be

speaking right in front of us – and the radical meanings of their claims.

Liberal proponents who refer to the UNDRIP to bolster recognition of Indigenous

nationhood or self-determination within their respective states tend to assume a common

baseline: groups must at the very least respect human rights. If they do, it is likely that human

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[74] Barkely, The Certainty of Whuplak'n and the (Un)Certainty of Extinction,"13.
[75] Zerilli, *Feminism and the Abyss of Freedom,* 121.
[76] K.L. Kivi, opinion letter, "Mungall Blind to Sinixt," *Nelson Star*, November 23, 2019,
https://www.nelsonstar.com/opinion/letter-mungall-blind-to-sinixt/.

rights will in turn support their claims. As one of the (non-Indigenous) drafters of the UNDRIP

puts it, state recognition of Indigenous self-determination would be the achievement of a basic

normative good: "recognition of being human."[77] Despite the obvious importance of respecting

Indigenous people's individual human rights, we need to be wary about treating human rights as

the normative basis or ceiling for actual Indigenous peoples' claims. As Irene Watson and

Sharon Venne argue, this would reduce Indigenous self-determination to "human rights issues

within their respective colonial states."[78] This would once again enable an asymmetrical political

relationship as it would entail Indigenous peoples claiming a universal international right that is

normatively and practically similar to claiming an (liberal) individual right from a state.

Others suggest that the UNDRIP's affirmation of Indigenous peoples' self-determination

is not so much tethered to an individual human rights basis but to inter-*national* norms. From this

perspective, states would be encouraged to recover or create relationships which recognize

Indigenous peoples on a nation-to-nation basis, along the lines of Canada's treaty history.

However, as Mililani Trask writes, international law provides that "states have the right to exist

as long as they recognize the right of self-determination of peoples."[79] In Trask's view, the

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[77] Craig Scott, "Indigenous Self-Determination and Decolonization of the International Imagination: A Plea," *Human Rights Quarterly* 18, No. 4 (1996), 814. Scott helped to draft the earlier version of what became the 2007 United Nations on the Rights of Indigenous Peoples (UNDRIP).

[78] Irene Watson and Sharon Venne, "Talking up Indigenous Peoples' original intent in a space dominated by state interventions," in *Indigenous Rights in the Age of the UN Declaration,* eds. Mililani Trask and Elvira Pulitano, (Cambridge: Cambridge University Press, 2012), 90.

[79] Elvira Pulitano is speaking about Trask's views shared through an email to the author from 3 April 2010. Pulitano also states in footnote 13 that "Trask worked on the Draft Declaration along with Mme Erica Daes, chair of the WGIP, from the very beginning of the negotiations." also points out "UNGA Resolution 1514 (XV) on the Granting of Independence to Colonial Countries and Peoples rejects "any attempt aimed at the partial or total destruction of the national unity and the territorial integrity of a country." Pulitano, "Introduction" to *Indigenous Rights in the Age of the UN Declaration*, 8-9.

"decolonization" imperative of UNDRIP can paradoxically be interpreted by states to affirm the settler colonial state's futurity as much or more than Indigenous peoples, thus keeping historical relations of domination in place. We can see this sort of cementing of the settler state's futurity critiqued by the aforementioned author of the local opinion letter. The solidification of state sovereignty through affirmation of Indigenous rights is also openly embraced in a 2018 Canadian government statement: "The Government of Canada's recognition of the ongoing presence and inherent rights of Indigenous peoples as a defining feature of Canada is grounded in the promise of section 35 of the *Constitution Act, 1982*, in addition to reflecting articles 3 and 4 of the UN Declaration. The promise mandates the *reconciliation of* the prior existence of Indigenous peoples and *the assertion of Crown sovereignty,* as well as the fulfilment of historic treaty relationships."[80]

I do not want to claim that the state is necessarily or inherently incapable of forming associations with Indigenous peoples that would allow for forms of world-building, meaning plural forms of self-government and relations to land built in and through ordinary actors' capacities for representative thinking and action. A true multinational democracy, in James Tully's sense, is one in which the relationship between Indigenous peoples and the state is restructured by allowing for the possibility of fundamental political concepts such as "freedom" and "sovereignty" to be negotiated in part through non-Western meanings.[81] It would be a state that provides space for Indigenous resurgence and radical democracy. However, what the above critiques suggest is that we continue to be constrained by liberal rule of law. Indigenous self-

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[80] Emphasis mine. Canada, Department of Justice, "Principles," 5.
[81] James Tully, "Multinational democracies: an introductory sketch," in *Public Philosophy in a New Key* Vol. 1 (Cambridge: Cambridge University Press, 2008). Also see the Introduction chapter for discussion of Tully's radical constitutional conception of multinational democracy.

government claims are effectively depoliticized to a conception of their "the prior *existence*" – to borrow from the Canadian government quote – as if that existence amounted to a liberal conception or cultural practices that can be addressed within the set boundaries of the Western state's sovereignty.

In light of these concerns, I affirm liberal multinationalism's call for exploring more meaningful bases to group rights; however, I contend that we risk repeating our political past if we do not pause and recognize this moment as an echo of a familiar history.[82] More specifically, we are at a moment in which groups reject the terms of constitutional recognition, which has led some conservatives and liberals to call for "muscular liberalism"[83] – an echo of Pierre Trudeau's 1969 plan to dissolve the Indian Act and treaties in favor of a homogenous citizenship model. It has also led some to call for expanded group rights – an echo of Pierre Trudeau's 1970s plan for state multiculturalism. Moreover, the kinds of justifications that liberal multinationalism currently proposes echo arguments from the 1990s recognition politics and theory. Charles Taylor argued in the context of the multicultural debates of the 1990s that having one's identity recognized is a "vital human need."[84] Today, "recognition of being human," is forwarded as a basis to recognition of Indigenous peoples. In the 1990s, Will Kymlicka argued that liberal multiculturalism institutionalized a "context of choice" for the individual.[85] Today, the ability to

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[82] I discuss this broader history in more detail in the Introduction Chapter.
[83] "State multiculturalism has failed, says David Cameron," *BBC News*, 5 Feb 2011. https://www.bbc.com/news/uk-politics-12371994.
[84] Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. A. Gutmann (Princeton: Princeton University Press, 1992), 26, 32.
[85] Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights,* (Oxford: Clarendon, 1995), 83, 89.

"freely choose" one's "political status"[86] is expressed within liberal multinationalist perspectives. Indeed, while liberal multinationalism suggests a more progressive approach to Indigenous peoples than cultural recognition, it is historically cut from the same cloth as multiculturalism. Pierre Trudeau made the first Canadian reference to "multinationalism" in 1962 when he was trying to quell Quebecois secessionist movements, by offering a way of imagining nations co-existing within one state.[87] The government of Canada met the challenges of Francophone and Indigenous nationalisms by adapting the Anglo-individualistic roots of Canadian liberalism by creating difference-based rights, and those rights were also directly meant to "blunt,"[88] to borrow from Kymlicka, those very nationalists aspirations. From this perspective, it is historically more accurate to say that multiculturalism was furbished out of contested claims to nationhood, or a situation of plural multinationalism. Liberal multinationalism can thus be challenged on the basis that it does not respond to the limits of multiculturalism, because it is actually multiculturalism's predecessor and thus the unsettled origins of the problems that we are only coming to see with multiculturalism.

We thus need to ask a more fundamental question about what we mean when "nationhood" is invoked by different voices in Canada. As Canadian political theorist, Kenneth McRoberts points out, while "multinational Canada" "has stuck," a better term to capture the actual political dynamics at play "would have been 'plurinational.'" "Multinational" fails to

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[86] John A. Spitzer, "Reconciling Shared Rule: Liberal Theory, Electoral-Districting Law and 'National Group' Representation in Canada," *Canadian Journal of Political Science* 51, no. 2, (2018), 10.

[87] Kenneth McRoberts, "Canada and the Multinational State," *Canadian Journal of Political Science* 34, no. 4 (2001), 691.

[88] Will Kymlicka, "The Three Lives of Multiculturalism," in *Revisiting Multiculturalism in Canada: Theories, Policies and Debates*, ed. Shibao Guo and Lloyd Wong (Boston: SensePublishers, 2015), 17.

immediately register the fact that there is not merely a multiplicity of nations of the same kind residing within one state, but 'the very concept of nationality is plural and takes on different meanings in different contexts.'[89] Moreover, each nation is comprised of a plurality of perspectives, which inevitably means disagreement and conflict at times.[90]

Looking back on settler colonial history that I tracked in the first section – the history that a decolonial liberal multinationalism is purportedly moving us away from – the problem is not that Indigenous peoples were robbed of land upon which to practice a *liberal* form of cultural *or* national freedom. The problem was that dispossession occurred through the depoliticization of Indigenous claims to land. Were their claims taken politically, they would *disrupt* the very logic of liberal conceptions of cultural and national freedom and political presumptions about land. From a world-building perspective, the politicization of land would also lead to a pluralization of the concept and practice of nationhood. With this in mind, the question of decolonization with respect to land becomes more complicated than giving land back to Indigenous peoples on settler-liberal terms.

In the Sinixt case, there are debates within the literature regarding why no reserve land was established for them historically and how to reckon with this fact in the present. Randy Bouchard and Dorothy Kennedy have worked extensively with Indigenous peoples in British

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[89] McRoberts, "Canada and the Multinational State." See McRoberts' footnote 1 for his reference of the term "plurinational" in the unpublished work of Michael Keating, which was subsequently published as "Plurinational Democracy in a Post-Sovereign Order," *Northern Ireland Legal Quarterly* 53, no. 4 (2002).

[90] For example, with respect to the Sinixt, in a Facebook post responding to the 2021 Desautel Supreme Court case, Marilyn James makes clear that The Colville Confederated Tribes of the US "does not represent the people or interests of the Autonomous Sinixt." James and the Blood of Life Collective, "Autonomous Sinixt Reply to Desautel Decision," Facebook post, July 26, 2021, https://www.facebook.com/bloodoflifecollective/posts/1356617491373311; Also see: Blood of Life Collective website at https://bloodoflifecollective.org/sinixt.html

Columbia to preserve Indigenous languages and to collect ethnolinguistic and archeological data for Indigenous land claims. In their critical review of the first published monograph of the Sinixt by fellow anthropologist, Paula Pryce,[91] Bouchard and Kennedy write:

> Like the author … we became intrigued by the question of why there are no Sinixt Indian reserves in British Columbia… rely[ing] heavily upon the facts documented in our [1985] reports, Pryce nevertheless deviates from our analysis of Sinixt history… The irony is that, even given Pryce's obvious agenda, her concoction of an alternative history depicting the Sinixt occupying their territories for longer than they did is entirely unnecessary to establishing a land claim. [92]

In other words, Bouchard and Kennedy assume shared stakes with Pryce but reject her conjectural style in favour of the facts recorded in the "authoritative ethnohistoric references" of "miners, government officials, explores, and trail builders."[93] But Pryce retorts that the reviewers "have difficulty communicating the thesis" of her book:

> I never attempt to show a hard and fast "fact" … I use the evidence of oral tradition to show a connection of Sinixt people to the West Kootenays. These people tell narratives of land forms there" … "[It] is about how a people's ideas of the past motivate them in the present; it is about concepts of time and space, diaspora and pilgrimage, love of land and the people

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[91] See footnote 66.

[92] Randy Bouchard and Dorothy Kennedy, review of *Keeping the Lakes Way: Reburial and Re-creation of a Moral World among an Invisible People,* by Paula Pryce, *BC Studies,* no. 128 (Winter 2000/2001): 102-3.

[93] "It is the careful, critical, and comprehensive analysis of the ethnohistoric, ethnographic, and linguistic facts - not the construction of an alternative theory - that supports Sinixt claims to the Arrow Lakes and Slocan areas." Randy Bouchard and Dorothy Kennedy, review of *Keeping the Lakes Way*, 103.

who went before – not territoriality.[94]

 It is clear that part of the reason for the absence of a Sinixt reserve in BC was the refusal of British Columbia to take part in the treaty model, and instead to delegate small scattered reserves across the province. Lands which were determined as not used, were then reabsorbed by the colonial government.[95] Given that the Sinixt migrated seasonally out of the province and were increasingly inhibited by territorial sovereignty politics at the border, it is possible their presence was not "settled" enough for the settler colonial government to grant them land. While it is understandable to debate whether the Sinixt might have or ought to have been granted a reserve based on archeological facts of their presence and settlements, from a world-building perspective, a reserve system is a still a settler colonial "solution" to Indigenous land claims, and thus only strategically helpful at best.

To understand the Sinixt's claims to land from a political perspective requires destabilizing the presumed sovereignty of colonial authorities to determine land's meaning and Indigenous peoples' relations and rights to it. With this in mind, the following point by Geiger regarding the absence of a Sinixt reserve in Canada becomes particularly salient: "Also a factor, however, may have been a reluctance on the part of the Sinixt-like other Native groups in south-central British Columbia – to recognize the authority of the Indian Reserve Commission, in the absence of treaty agreements, to confine them to areas that comprised a mere fraction of their traditional territories."[96] In other words, the Sinixt could be seen as practicing what Audra Simpson calls a politics of refusal – something her community continues to practice across the

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[94] Paula Pryce, "Response to Randy Bouchard and Dorothy Kennedy's Review of 'Keeping the Lakes' Way'," *BC Studies*, no. 132 (Winter 2001/2002), 110-111.
[95] Cole, *Making Native Space.*
[96] Geiger, "Crossed by the Border," 127.

Canada-US border – meaning a refusal to recognize the uninvited foreign officials as having any legitimate say over their own self-governing relations to the land.[97] Or, in James Tully's rendering of the nation-to-nation treaty relationship, absent of any "mutual recognition"[98] between the Sinixt and the government, there was no real political engagement that could occur. Instead the Sinixt case exemplifies the asymmetrical injustice that many point to as definitional of the settler colonial period.

I want to end this section by calling attention to perhaps the most insidious damage of liberal multinational recognition politics: that even when Indigenous peoples *are* recognized as nations, including in land claims processes in which they are granted land back, it can have settler colonial consequences for neighboring Indigenous peoples. The land claims process can not only interfere within individual communities' traditional relationships to land, but in terms of what we tend to think of as a critical aspect of being a self-governing people: relations with other peoples, or political entities. Leanne Simpson notes how traditionally, neighbouring Indigenous peoples practiced increased ceremonial and diplomatic relationships in geographic areas where there was overlapping and "increased Indigenous international presences"[99] but the land claims process encourages the opposite. As Brian Thom explains, the state's process encourages a "shift from sharing to strategies of exclusion" and this "creates problems on the ground. Some strained relationships among indigenous communities produced by these overlapping territorial cartographies have erupted in legal disputes."[100]

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[97] Her community is the Kahnawà:ke Mohawks who live in modern southwestern Quebec. Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham, NC: Duke University Press, 2014).
[98] Tully, *Public philosophy,* 234.
[99] Simpson, *As We Have Always Done,* 78.
[100] Brian Thom, "Reframing Indigenous Territories: Private Property, Human Rights and Overlapping Claims," *American Indian Culture and Research Journal* 38, no. 4 (2014), 4.

This sort of dispute is currently at play between the Sinixt and the Ktunaxa. Covering the Ktunaxa's claims, a local newspaper writes, "an agreement between the Nation and the provincial and federal governments is being hailed as a significant step towards treaty negotiation and reconciliation." However, for the Sinixt, the process is a significant blow and "is seen as a continuation of the genocidal policies against Sinixt people."[101] The specificities of the Ktunaxa-Sinixt dispute are unfortunately beyond the scope of the present study but it exemplifies a significant problem, if not paradox with settler-liberal "solutions" to Indigenous claims. The conflict represents the "internally contradictory quagmire" of settler freedom that critical Indigenous theorist, Jodi Byrd, describes, in which the promise of freedom and recognitions to some people, including Indigenous peoples themselves are "predicated on the very systems that propagate the dispossession of Indigenous people."[102] Discussing the Sinixt, Barkley puts it this way, "the modern-day treaty process pits Indigenous groups with already vastly reduced territories against each other in an effort to secure enough for their own."[103]

These dynamics suggests that radical decolonization and the expansion of plural sovereignties requires Indigenous peoples and citizens to critically cultivate more fluid practices that challenge the state's land claims process. If it is true that the Sinixt's traditional perspective of territory challenges exclusionary thinking, then it appears all the more important in the present to further develop these perspectives and practices. As James explains, what the Sinixt mean by 'traditional territory'

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[101] Quoted in: Dennis Zarelli, Sinixt Nation, Op-ed, "Sinixt reject Ktunaxa treaty claim," *Arrow Lakes News*, 30 April 2013, accessed 26 July 2021 at: https://www.arrowlakesnews.com/opinion/sinixt-reject-ktunaxa-treaty-claim/

[102] Jodi A. Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (Minneapolis: University of Minnesota Press, 2011), Xiv.

[103] Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction," 11.

was not necessarily to the exclusion of other indigenous people … when we speak of a

specific area being within the "traditional territory" of a certain people, we mean that the

area was used primarily by these people and that they and other tribes regarded it as their

territory. Indigenous people associated with other tribes may have used the same area,

provided they made their presence and amicable intentions known, or traveled there as

guests of the resident First Nation.[104]

This doesn't mean that traditionally, there was no inter-group conflict. She adds "While

incursion into a neighbouring First Nation's territory and exploitation of their resources was not

uncommon, when done without permission it often resulted in forceful retaliation." Reyes also

describes warfare that occurred between the Sinixt and neighbouring tribes in the pre-colonial

period.[105] These conflicts are a reminder of the importance of not romanticizing Indigenous or

any other non-state peoples.

Politics as world-building requires taking seriously the worldly reality of ongoing

scarcities, contingencies and the existence and disagreement among plural perspectives and

peoples. What the previous section of Sinixt world-building in fraught contexts elucidates is that

it is a false necessity to presume that all conflicts and tensions must or even *can* be solved by the

historical settler colonial state. Defaulting to it means a capitulation to the modern Westphalian

presumption of the "legitimate" monopolization of the threat of force and the necessity that land

must equate to property and a sovereignty conception of territory. Instead, Indigenous people and

non-Indigenous citizens alike could take inspiration from the sort of inter-national customs

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[104] "Affidavit of Marilyn James," *Sinixt Nation* online, November 1, 2010, https://sinixtnation.org/files/Affidavit_James.pdf. The affidavit is in relation to Campbell v. British Columbia (Forest and Range) 2011 BCSC 448.
[105] Reyes, *White Grizzly Bear's Legacy,* 17-18.

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described by Simpson, James, and from other sources, Indigenous and Western, in order to build community level practices of conflict mediation and thus truly disclose the relativity of the settler state model.

Conclusion

Like other Indigenous peoples in Canada, the Sinixt have long resisted assimilation to settler colonial liberal politics. But they are somewhat unique in their liminal status in Canada. Since the late twentieth century, the instantiation of the Canadian-American border cut through their traditional territory and in the mid-twentieth century, their access to their traditional land was further impacted by the Canadian government's 1956 declaration of them as "extinct." While the 2021 Supreme Court recognition of them has legally "revived" them in Canada, their historical and ongoing precarity speaks to our broader impasse today: what kind of framework can meet the challenges of plurality in liberal democratic contexts like Canada going forward? There is a growing sense that Canada's 1980s-era constitutional recognition of Aboriginal self-government and treaty rights did not go far enough, leading to increasing "nation-to-nation" discourse. Similar to multiculturalism, liberal multinationalism suggests the possibility of integration of multiple nations within a single state rather than separation or assimilation.

It is worth celebrating the fact that proponents of multinationalism continue to embrace plurality in the face of pessimistic outlooks on state multiculturalism. And yet, the prominence of Indigenous-state relations in Canadian politics is not proof that we are actually moving in a direction that truly reckons with endemic problems of restricted plural freedom and colonialism. While multinationalism promises to reconnect Indigenous peoples to more of their traditional territory, we have to ask, according what political conception of nationhood? As James reminds us, the state can define her people in all kinds of ways, but, in her words, "Just because we are

defined a certain way [by the state] … it … doesn't control the reality."[106] The Sinixt case can help us to see that the methodological abstraction entailed within state-centric rectifications of history – in this case, the expansion of the multicultural framework into multinationalism – are liable to keep us from seeing the conceptions of political freedom that Indigenous peoples actually lay claim to.

Approaching the Sinixt's claims through a world-building conception of politics and Indigenous resurgence theory, this chapter has challenged the temptation to assume that their nationhood and land claims are indicative of either a liberal conception of cultural identity or a territorial-nationhood identity that is reconcilable with the sovereignty-territorial model of the state. Instead, when land and nationhood, or self-government, is invoked by Indigenous peoples in the context of a politics of resurgence, the concept is no longer tethered to its Westphalian origins, but grounded in traditions of collectively relating to the land in non-territorial ways. But we cannot glimpse what these ways are if we employ operative concepts, in which we subsume the particulars of (Indigenous) political claims and make sense of them in terms already known. In contrast, the Arendtian practice of representative thinking allows us to anticipate perspectival transformations, such that what the Sinixt say about "nationhood' and "land" for example, pressures a reconfiguration of what was previously taken for granted about the political significance of these concepts.

From a world-building perspective, the Sinixt describe and practice nationhood as a form of land-based relational peoplehood. Representative thinking thus allows us to begin to see the stakes that are laid before our nose in ordinary Indigenous practices but which have thus far not been considered as political because we have come to take for granted that liberal constitutional

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[106] Quoted in Robertson, "Extinction is the Dream of Modern Powers," 784.

standards delegate the meaning and scope of non-statist group claims – Indigenous and non-Indigenous alike. The broader upshot is that when we disrupt the assumption that Indigenous claims are matters of a state-circumscribable identity addressed to the state, Indigenous claims can be taken up by non-Indigenous Canadians as invitation to rethink the nature of political community and our relationships to land – or, as an invitation to world-building.

CHAPTER THREE

Against Utopia: Democratically Politicizing Land in Settler Colonial Contexts

"The transcendental homeles[s] Doukhobors … believed they had found a utopian home of

peace and solace … but discovered [the Sinixt] with their own age-old claims on this beautiful

landscape…"[1]

In 1912, an Indigenous Sinixt family, which included Alex Christian, returned from a seasonal

migration to *kp'itl'els*, an area along the *Swah-net-ka* or Columbia River in the territory claimed

by British Columbia (BC). They found an "invasion"[2] of Russian immigrant settlers, known as

the "Community Doukhobors" (hereon simply "Doukhobors" unless otherwise stated) who were

led by Peter V. Verigin and who had built up what media called a "socialist utopia."[3] The

Doukhobors migrated to BC from the prairies as a response to what became known as the

Doukhobor "land crisis." This crisis erupted when the Canadian government pressured them to

divide their communal land holding into private property.[4] As BC was the western 'frontier' of

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[1] Myler Wilkinson, introduction to "Being on the Land: Histories at the Confluence: Symposium on the People of the Kootenay and Columbia Rivers*,"* Mir Centre for Peace, Castlegar 2007, i. Accessible at: https://selkirk.ca/sites/default/files/Mir/Selkirk-College-Mir-Centre-for-Peace-People-of-the-Kootenay-Columbia-Rivers.pdf

[2] Lawney L. Reyes, *White Grizzly Bear's Legacy: Learning to Be Indian* (Seattle: University of Washington Press, 2002) 35.

[3] "The Doukhobor Colony at Brilliant: How a Strange Sect is Adapting to British Columbia [sic] the Ideals of An Alien Race," in *Fruit and Farm*, Vancouver. B.C., v.4 no.6 (March 1913), 202-204.

[4] I discuss in Chapter One how this crisis spurred the fracturing of the Doukhobor community into three sects. Thus, the government's betrayal of the original agreement and assimilative pressure represented not just an 'external' crisis vis-à-vis the government, but an "internal" crisis

Canadian settler colonial expansion, and covered in rugged forested mountains, the demand for land had not yet peaked as it had on the prairies. Verigin was able to buy substantial tracts of land under his name but he and the Doukhobors subverted the individual norm of private property for communal purposes. After multiple episodes of pressured displacement by the Russian and now the Canadian government, the Doukhobors became simultaneously more distrustful of governments and more spiritually trusting that in BC, history had finally delivered them to their own "El Dorado,"[5] or "Valley of Consolation."[6] This is the backstory to how the Doukhobors' solution to their own land crisis substantially aggravated the land crisis already experienced by the Sinixt and other local Indigenous peoples.[7]

This fraught Doukhobor-Sinixt history has recently been the subject of symposia and events organized by the community and local college, and helpfully documented and contextualized by historians Myler Wilkinson and Duff Sutherland into an academic article.[8]

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vis-à-vis Doukhobor membership. Those that went with Verigin to BC are known as the Community Doukhobors and are the focus of this chapter. However, many of the broader political and theoretical arguments regarding political freedom and decolonization variously apply to the other Doukhobor sects given that they are also situated in the broader settler colonial context of Canada.

[5] British Columbia, *Report of Royal Commission on Matters Relating to the Sect of Doukhobors in the Province of British Columbia* (Victoria: The Legislative Assembly of British Columbia, 1912), *28.*

[6] A.M. Evalenko, a 20th century historian documenting Doukhobor immigration to Canada, describes Brilliant in this way. "Brilliant," BC Geographical Names, *Government of British Columbia*, accessed July 22, 2021. https://apps.gov.bc.ca/pub/bcgnws/names/1094.html

[7] The record of Doukhobor-Sinixt interactions gives the study a historical grounding that is helpful for getting traction on larger questions and dynamics. In no way should this chapter be seen to invalidate the claims of other Indigenous peoples in the area like the Ktunaxa (who, as I mention in the previous chapter, have overlapping claims with the Sinixt). Indeed, the framework that I develop seeks to move beyond dichotomous, exclusionary politics in which groups are pitted against each other, even when they seem to have much in common and their own variable traditions of inter-group diplomacy.

[8] Myler Wilkinson and Duff Sutherland, "'From Our Side We Will Be Good Neighbour[s] to Them': Doukhobor-Sinixt Relations at the Confluence of the Kootenay and Columbia Rivers in the Early Twentieth Century" *BC Studies* 174 (Summer 2012).

These local events have included the participation of Lawney Reyes, the grandson of Alex Christian, Sinixt spokesperson, Marilyn James, and J.J. Verigin, the current Community Doukhobor Chairperson and the grandson of Peter V. Verigin. At a 2007 event, J.J. Verigin prepared a statement, part of which reads:

> "Several years ago, the troubled history of the Sinixt nation and the Doukhobor community was brought to my attention by … James … In … 2001 … I apologized on behalf of the wider Doukhobor community for any wrong-doings or ill-will directed toward living Sinixt, or their forebears, by my people. For those of you present today I must repeat that such actions or even thoughts reflect neither the heritage of Doukhobors, nor the teachings of those who led our community during th[at] time."[9]

Local sources point to differing interpretations of these events, with some suggesting a tone of closure, while others, correctly on my view, emphasize these events as disclosures of the need for much more decolonial work. Reyes stated in 2017 in *Tribal Tribune* that he could not accept the apology in a way that absolved collective history,[10] but has also stated, "learning about our past will give us a clearer picture of what we can contribute to the future."[11] As Wilkinson and Sutherland write, Verigin also made "it clear that beyond apology and acceptance, and beyond the symbols of reconciliation, come practical questions of how "relations may be made right" – questions that are finally political, cultural, and perhaps even spiritual."[12]

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[9] Quoted in Wilkinson, "Being on the Land,"27-8.

[10] Cary Rosenbaum, "The Word Carver: Tribal elder became well-known artist and author after growing up in the struggle," *Tribal Tribune* (13 July 2017). http://www.tribaltribune.com/news/article_15c8ad02-680d-11e7-86e5-17de93439d96.html

[11] Muriel Walton and Myler Wilkinson, "Closing the Circle: Lawney Reyes Visits Castlegar," *Mir Centre for Peace* (2009), 3 https://sinixtnation.org/files/Closing-of-the-Circle-2009_1%20white%20grizzly.pdf

[12] Wilkinson and Duff, "From Our Side," 55-6.

In many ways, this local history is a microcosm of a national theme, in which Canadians

(and other settler colonial societies) increasingly apologize for settler colonial wrongs but leave

many questions unanswered regarding decolonization beyond the symbolic level. In a notable

example, a year after Prime Minister Steven Harper apologized to Indigenous peoples for

residential school history, he boasted at a G20 meeting that Canada had no history of

colonialism.[13] This would be an example of what Tuck and Yang call 'settler moves to

innocence,' or the attempted transformation of an ongoing settler reality into a postcolonial

liberal multicultural identity.[14] In their view, this kind of politics presumes that decolonization

can occur with very little upset to the futurity of settlers.[15] The critiques of decolonization as a

metaphor are not isolated to settler apologies and discourse.[16] The current impasse with state-

level and symbolic "decolonization" is leading to increasing calls on settler citizens to look for

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[13] "Really Harper, Canada has no history of colonialism?" *The Vancouver Sun* September 27, 2009. Last accessed 19 July 2021 https://vancouversun.com/news/community-blogs/really-harper-canada-has-no-history-of-colonialism

[14] Eve Tuck and K. Wayne Yang, "Decolonization is not a metaphor," *Decolonization: Indigeneity, Education & Society* 1, no.1 (2012), 9; Wildcat, et al., "Learning from the Land,"394. Also see Coulthard, who specifically refers to Harper's false G20 statement in Coulthard, Glen. Red Skin, White Masks: Rejecting the Colonial Politics of Recognition (Minneapolis: University of Minnesota Press, 2014), 105-6.

[15] Tuck and Yang, "Decolonization," 2-3.

[16] As I discussed in the previous chapter, even Canada's constitutional recognition of Aboriginal rights, treaties and the juridical land claims process have, despite some positive aspects and outcomes, been widely critiqued as insidious modes by the state includes Indigenous peoples into the settler colonial system and gains certainty of its asymmetrical power over them and their land. Given these politics of recolonization, "Indigenous resurgence" is the theory and practice of Indigenous peoples turning away from prioritizing state-circumscribed channels of decolonization and towards community-level resurgence. My articulation of the possibility of meaningful, even if still fraught, citizen-level decolonization is in many ways inspired by Indigenous resurgence.

opportunities for more meaningful avenues for participation in decolonization, particularly by

attuning themselves to the claims of local Indigenous peoples.[17]

 The Doukhobors are a productive case from which to consider these broader questions

about citizen participation in meaningful decolonization for counterintuitive reasons. Their

futurity is not currently taken for granted and, as we saw in Chapter One, their world-building

history entailed collective opposition to state sovereignty, private property and individualism (all

hallmarks of liberal colonialism). This history of conflict and precarity vis-à-vis the normal

workings of settler colonial state politics sheds light on the regularities of the broader state

context and the place of citizens within it. Indeed, as Barbara Arneil's work shows, the

Doukhobors' collective history not only reveals a story about Canada's nation-state

development, but its inextricably linked settler colonial development. The Doukhobors' anti-

statist struggles relied on access to land, which in the Canadian context was Indigenous land.

Hence, their settlement and communal agricultural colonization actually furthered the

overarching settler colonial goals of the state.[18]

 Building on Wilkinson, Sutherland, Arneil and others, I further explore the Doukhobors'

actions in order to respond to the pressing contemporary issue of meaningful citizen participation

in decolonization. Whereas in Chapter One, I recovered the Doukhobors' politics from a

positive, world-building perspective, I extend that framework as a type of immanent critique of

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[17] For example: Erich W. Steinman, "Unsettling as agency: unsettling settler colonialism where you are," *Settler Colonial Studies* 10 no. 4 (2020); Vanessa Morgan, "Moving from Rights to Responsibilities: Extending Hannah Arendt's Critique of Collective Responsibility to the Settler Colonial Context of Canada," *Settler Colonial Studies* 8, no. 3 (2017).

[18] See Barbara Arneil, "Domestic Colonies in Canada: Rethinking the Definition of Colony," *Canadian Journal of Political Science* 51, no. 3 (2018): 14; Arneil, *Domestic Colonies*.

their politics in relation to Indigenous peoples and land.[19] World-building refers to people

organizing their lives based in practices of claim making about the world as it lies between them,

or, in and through a plurality of perspectives. It requires practices of politicization, or the

capacity to see objects in the world in a new light based on thinking critically about them

through other perspectives.[20] While it will necessarily involve claims about the past and future,

and perhaps other contexts, it is also deeply context-specific, given that it is rooted in the

participation of ordinary actors. I will argue that the Doukhobors' early twentieth century failure

to reconstitute their democratic ideals in light of encountering the Sinixt represented a failure to

attend to the context, or worldly contingencies. In so doing, my analysis highlights how their

actions were not simply problematic from an anti-colonial perspective, but also from a political

freedom perspective. While I root the study in the historical moment in which they become

aware of the Sinixt's claims, settler colonialism is a structure, not an event,[21] and thus the

argument continues to apply to the Doukhobors and other settler citizens when they fail to

radically engage Indigenous claims.

But *why* do the Doukhobors make this fall from world-building? If they claimed freedom

for the ordinary person, how could they justify the sacrifice of Sinixt freedom? To help answer

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[19] To be clear, the Doukhobors themselves do not use the Arendtian-specific language of world-building, but in Chapter One I argue that their collective history can be positively read as a fraught practice of world-building, or as enacting radical democratic practices of freedom. I suggest that they can be understood to have avoided explicit "political" language because it was seen to be associated with hierarchical governments. What they did explicitly claim was a wholistic conception of freedom for the ordinary person, and so by an "immanent critique," I am highlighting how they contradict their own aims to enlarge the scope of freedom for ordinary people (the Sinixt and in turn, themselves).

[20] We can also think of politicization as "representative thinking," a concept from Arendt which I discuss in previous chapters.

[21] Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* 8, no. 4 (2006): 388.

these questions and build my argument, I will employ a particular conception of "utopia." Throughout their history, the Doukhobors have been called "utopian," with many possible specific interpretations and connotations depending on the speaker. In general, the term connotes an idealistic belief in the possibility of a future world that is more harmonious and peaceful or even completely rid of conflict. The latter understanding can be historically traced to Sir Thomas More's 1516 fictional political satire about a "utopia," a word that he is widely known to have coined from the Greek *ou* 'not' + *topos* 'place.'[22] From this perspective, utopia can only be a fiction, or a moralized proposal of how the world "ought to be," but could not be in reality. A more recent influential critical theorist perspective is that of Reinhardt Koselleck, who critiques enlightenment intellectuals for theorizing radical change from outside the political sphere. In his view, the job of political critique is to move society towards a better but still realistic future. In contrast, when critique is used to put forward a view of what politics should be from outside politics, it leads to contradictory if not dangerous utopian futures.[23]

Taking inspiration from Koselleck, I reserve the term "utopian" for any politics that idealistically proposes a vision for democratic freedom but which has not taken account of worldly contingencies. I bring this conception of utopianism to bear on settler colonial studies to show how the settler colonial context is predicated on the claim to modern freedom but it is actually a moralized conception at odds with the political reality of a plurality of Indigenous claims to the land. By conceptualizing the broader settler colonial context as utopian, we can

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[22] Thomas More, *Utopia* (Leeds, England: Scolar Press Ltd.,[*1516*] 1966).
[23] Reinhart Koselleck, *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society*, (Cambridge, MA: MIT Press, [1959] 2000). This text is my general reference point for my engagement of Koselleck throughout the chapter (and thus my only footnote of him – all subsequent mentions of him should be taken to refer back to this text). I do not develop a detailed account of his thought, but rather, use his conception of utopia as a foil to my conception of world-building.

better understand how the Doukhobors and other radical democratic movements (such as Occupy Wall Street or anarchist movements) become paradoxically enlisted in the state's settler colonial project, even as they challenge other facets of state politics. While acknowledging that the Doukhobors also faced real limitations when they settled on Sinixt land, I theorize how they might expand their own worldly freedom by seeing this past critically. More broadly, the Doukhobor case can illuminate democratic opportunities for settler citizens to participate in rupturing utopic thinking about land – that it *is* or *must* be state territory or private property. It would involve re-envisioning present and future changes *through* engaging Indigenous critiques.

1. No place like utopia: settler futurity where land is "free"

Settler colonial studies and Indigenous critiques and scholarship have helped to conceptualize "settler" as a political identity. To be a settler is not simply to have a negative identity – "non-Indigenous" – but, as Rachel Flowers notes, to occupy "a position of privilege and enjoyment of standing" in relation to colonial structures. This structure is fundamentally about the colonial society's access to territory by way of "eliminating" Indigenous political orders[24] – a process that is, we shall see, riddled with paradox. The supreme privilege that settlers have then, is access to Indigenous land. But setters do not enjoy this access equally. As Evelyn Nakano Glenn explains, masculine whiteness, property and political sovereignty all shape who has most benefited from the underlying settler colonial structure.[25] It will be helpful to quote Glenn at length to get a sense of how elimination and inequalities which construct the settler colonial

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[24] Wolfe, "Settler Colonialism and the Elimination of the Native."
[25] Evelyn Nakano Glenn, "Settler Colonialism as Structure: A Framework for Comparative Studies of U.S. Race and Gender Formation," *Sociology of Race and Ethnicity* 1 no. 1 (2015), 60.

society are also concealed by the category itself. While Glenn speaks of the American context it is roughly representative of the Canadian context:

> Settlers may initially identify with the imperial power and submit to its rule, but over time their interactions with *indigenes* and experience in the colony set them apart from the population in the *metropole*. American settlers attached their identity to the land itself, to the mythologized common experience of settlement, and often to the shared goal of self-government. Frontiersmen and women became symbols of what it meant to be American. This new identity helped to bridge differences of class, ethnicity, and nationality that might otherwise have divided them. Thus, there was greater equality among the *settlers* than existed at the time among the inhabitants of the *metropole*.[26]

Settler identity is thus predicated on claiming a form of equality between settler colonists and *against* empire/the metropole – by way of access to Indigenous land and encounters with a constructed version of "indigeneity" – that was conceived to be lacking in the hierarchical and "over-civilized" metropole.[27]

There is a utopic conception of settler freedom at play here, based in a narrative of political struggle with the metropole that is then used to morally justify Indigenous dispossession. While the claim to settler equality is part of the justification, in practice, land is settled through unequal labour. As Adam Carmichael shows, the Doukhobors were sometimes seen by Canadian officials as inferior "Slavs," or ethnic whites, but also as a source of skilled agricultural labour power. In either case, they were measured against the settler ideal (white-

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[26] Glenn, "Settler Colonialism," 60.
[27] Glenn, "Settler Colonialism," 61.

115

Anglo, patriarchal, aligned with a conception of land as property and sovereign territory).[28] More generally, unequal citizens' labour is used to transform the land from so-called "waste" to "productive" property that is regulated by the territorial state.[29] While Indigenous peoples have been forced or indirectly economically 'integrated' or assimilated to perform this labour as well, their primary role in the settler colonial order is to be the symbolic and political foil to the story of the settler nation and its sovereign structure. The settler relationship to land constitutively entails subduing Indigenous peoples' presence and claims as if they did not bear on the political landscape, which has already been written with settler futurity. To be constitutive means that elimination is not an event but a paradoxical structure in which appeals to the 'non-political and foregone native' becomes the enduring negative foil to settlers' claim to "right" relations to land.

The work of Jodi Byrd, Mark Rifkin and others illustrate how this foil is made in all spheres of settler society, cumulatively contributing to the maintenance of dispossession. Byrd for example brings to our attention how the colonial state is constituted through imperial travel and expansion but projects a political identity of 'settler nativism' against an ever shifting projection of what 'indigeneity' means. Settler state practices literally and figuratively forces Indigenous peoples into transit wherever it suits the expansion, movement and governmentality of territorial sovereignty.[30] And in Rifkin's view, legal certainty for the state relies upon making and *keeping* Indigenous peoples as the "peculiar" dependent/internal nation, or exception, that

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[28] Carmichael, Adam, *Problematic Settlers: Settler Colonialism and the Political History of the Doukhobors in Canada*, PhD Dissertation, Political Science, University of Victoria, 2016.
[29] Arneil discusses the influence of Lockean-like conceptions of land in Canada's early settler colonial context. For example, Arneil, "Domestic Colonies in Canada: Rethinking the Definition of Colony."
[30] See the Introduction for an overview in Jodi A. Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (Minneapolis: University of Minnesota Press, 2011).

justifies its own national rule.[31] It is important to keep sight of the fact that while much of the construction of "Indigeneity" is cultural/symbolic, settlers' need to constantly reformulate it, is in response to the ongoing real presence of Indigenous peoples. Indigenous peoples have not in other words gone extinct, even though the Canadian state literally declared this of the Sinixt in 1956, and even though physical genocide has been part of the brutal history of settler colonialism. Settler strategies of elimination are thus refigured in response to, speaking with Audra Simpson, the "political life"[32] and resistance of Indigenous peoples in every present moment.

Canada's late-twentieth century development of recognition politics, for all its good intentions and consequences, can also be read, I argue, as part of settler colonial history's remoulding of Indigenous "identity," in a way that has functioned to detract from Indigenous critiques of dispossession. In the post-war period, Canada was undertaking nation-building projects that were rejected by the province of Quebec as overriding its Francophone-majority history and traditions. At the same time, Indigenous peoples surged into a national movement to reject the government's proposal to remove "Indian" status, which, though a colonial policy, at least protected them from assimilation to liberal individualism. The backlash of nationhood challenges to the hegemonic Canadian nationhood project created a crisis for Canada's national unity and territorial sovereignty.[33] The government responded with a broad "constitutional renewal"[34] process in which it redefined itself through reconstituting its relationship to,

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[31] Mark Rifkin, "Indigenizing Agamben: Rethinking Sovereignty in Light of the 'Peculiar' Status of Native Peoples," *Cultural Critique*, no. 73 (Fall 2009), 88–124.
[32] Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham, NC: Duke University Press, 2014), 177.
[33] Coulthard, 5.
[34] Varun Uberoi, "Multiculturalism and the Canadian Charter of Rights and Freedoms," *Political Studies* (2009), 807.

externally, the historical British metropole, and internally, Indigenous peoples, unequal/different citizens and Quebec. More specifically, it patriated its constitution from Britain, established national bilingualism and special rights for Quebec, the Charter of Rights and Freedoms, Aboriginal rights, and the Multiculturalism Act. In other words, Canada is exemplar of the process described by Glenn where structural access to Indigenous land is secured *through* claims to greater freedom and equality. The settler identity and political structure is thus built on the depoliticization of critiques of settler assumptions about land. Identity politics can thus be seen as contributing to a crisis in critique, meaning the incapacitation of Indigenous critiques to contribute to realistic conceptions of political freedom that take account of the fact of pre-colonial Indigenous sovereignties.

While the details of Koselleck's argument are beyond the scope of this chapter, it will be productive to return to his general critique in order to further develop the utopic and historical connections between settler colonial contexts and the historical metropoles. In Koselleck's conceptualization of utopianism, the bourgeois class articulated modernity's turn away from absolutist rule towards enlightened rational discussion as the basis of a newly emerging popular sovereignty. However, they failed, he argues, to fully appreciate that philosophical debate removed from the political sphere can never fully resolve the contingent and conflictual aspects of politics. Shut out of the official public sphere, the bourgeoisie developed its critique of the absolutist state in wholly moral terms and from outside politics. This moralized form of critique failed to register the significant conflicts that characterize political life and the inevitable setbacks they bring to any vision of the good society. Koselleck is thus much less optimistic than Habermas, for example, that the inheritance of the bourgeois public as the basis of modern

118

democracy can really sustain the ideals that it professes. It has been, in his view, dangerously

ideological, or utopian, enabling the opposite of freedom and equality, to fester.

The elite settler political class, like the metropolitan bourgeois, partly conceived itself as

the harbingers of modern, democratic freedom[35] and rights, and based in supposedly equalizing

practices of settling "free" land. In the American context, Adam Dahl writes that settlers see

themselves as having "have abstract rights of self-government that inhered in them as a body of

people and not in the specificity of geographic context."[36] While some settlers would actively

forward dispossession and assimilation of Indigenous peoples, many – to this day – claim or

assume triumph of popular sovereignty based on international and liberal standards of law and

rational accumulation of land, rather than conquest. What Duncan Bell calls an "ideological

aporia … mythscap[e]"[37] obfuscates the political reality that liberal and democratic principles

were applied in a way that produces a violent reality of genocide, displacement, dispossession

and assimilation. Looking at this structure and narrative of the settler nation from the side of

Indigenous peoples, what appears is something more like Hobbesian absolute rule, in which

Indigenous peoples are legally subordinate, based on the presumption they would otherwise exist

in a state of nature, i.e., anarchic war. But just as the state of nature is a rhetorical device, an

imagined place, there is no actual place like the utopian one imagined by settlers, in which land

is free from absolutist rule and indeed *any* political rule, including Indigenous.

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[35] The Canadian case was arguably more liberal-legal focused in the beginning, whereas in the American context, claims to popular sovereignty and democracy were more formative.
[36] Adam Dahl, *Empire of the People: Settler Colonialism and the Foundations of Modern Democratic Thought* (Lawrence: University Press of Kansas, 2018), 53.
[37] Duncan Bell, *Reordering the World: Essays on Liberalism and Empire* (Princeton, New Jersey: Princeton University Press, 2016), 42.

II: "The D[o]ukhobors' search for Utopia:"**[38] *reanimating the* **politics** *of "the land crisis"

If it is the case that settler colonialism is a structure, and that settler freedom and identity politics

are constituted through it in relation to a violent but denied relation to those who came before,

the Indigenous peoples of the settler-colonial state, what hope is there of defensible plural

politics? To put it differently, how can diverse citizens participate in decolonization if the very

framework by which their diversity is constituted and accommodated – state multiculturalism –

is complicit in, and a partial product of settler colonialism? My conceptualization of utopianism

allows us to better see how settler freedom, though privileged, nevertheless deprives itself of an

expansive and real form of freedom. Settler freedom is seemingly materially stable – given that it

is founded on literal access to land – and yet its abstraction from the actual plurality and

meanings that the land already holds for Indigenous peoples creates a political disjuncture. What

the Doukhobor case can highlight for us is the disjuncture's deleterious effects on non-

Indigenous people's political freedom as well. I return us to the Doukhobors' land crisis to

articulate how their privilege in responding to their displacement on the prairies by purchasing

land in BC failed to provide them with durable political freedom. To be clear, I hope that my

argument will be taken as *adding* to our critiques of settler colonialism, and not as detracting

from the well-established fact that the system is definitionally violent to Indigenous peoples. I

intend this addition to contribute to elucidating a more politically invested basis from which

settlers could be motivated to see the project of decolonization as a *common* concern.

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[38] "Dukhobor" is an older spelling. This article is referring directly to the Doukhobors' move
from Saskatchewan to BC: Robertson, Mure, "The Dukhobors' search for Utopia," *Empire
Review* 63 (1936), 110-113.. Accessed in Doukhobor Research Collection, File 68, 1839-1980,
RBSC-ARC-1169, University of British Columbia Library Rare Books and Special Collections.

As we saw in Chapter One, part of the special government agreement under which the Doukhobors immigrated to Canada included a right to take up land in common and to not register individual names with the government. The agreement was essentially formal recognition of the Doukhobors' desire to remain as politically and socially autonomous from Canada as possible. But as Arneil shows, the state implicitly and explicitly saw their claimed political differences as temporary. From a Lockean perspective, which dominated Canadian political thinking at the time, agricultural labour had "ethical" benefits – it made people more rational and industrious over time. The Doukhobors – like Indigenous peoples – were expected to lose their "customary ways," over time.[39] But shortly after settling communal colonies on the prairies, ethnically and racially minded political officials came to office and rejected the notion that agricultural labour would be sufficient to assimilate "backward" "Slavs" like the Doukhobors.[40] Thus, the Doukhobors only lived according to the special Doukhobor-state agreement for a few brief years[41] before the government re-approached them, pressuring them to assimilate to private property, which would also require becoming subjects of the British Crown.

This triggered what became known inside and outside the community as the Doukhobor "land crisis." Some Doukhobors agreed to the government's demands in Saskatchewan, factioning and becoming known as the Independent Doukhobors, while thousands abandoned their settlements and migrated to BC. The Doukhobor leader at the time, Peter V. Verigin, purchased land as opposed to relying on land grants (Indigenous land made free to individual

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[39] Arneil, "Domestic Colonies in Canada,"18.
[40] Barrington Walker, *The History of Immigration and Racism in Canada: Essential Readings* (Toronto: Canadian Scholars' Press, 2008), 197; see also Carmichael, *Problematic Settlers.*
[41] The majority of Doukhobors arrived between 1899-1900 and the government began applying pressure to conform to the standard landholding policies beginning in 1902. See for example Carmichael, *Problematic Settlers,* 62-63.

settlers so long as they followed governmental regulations). Contra their Saskatchewan prairie settlements, Verigin hoped that he might "buy" the Doukhobors privacy to do as they wished, based in the government's own terms of liberty based in private property.[42] Verigin was able to buy substantial tracts of land upon which the collectivity of Doukhobors would settle and reboot their communal experiment.

However, at the same time that Verigin was attempting to reclaim space for Doukhobor politics and freedom against what the Doukhobors perceived as a predatory state, the Sinixt were attempting to do the same. Wilkinson and Sutherland explain that in 1912 Sinixt member Alex Christian had tried to purchase four acres of their own land from Carmichael Haynes, a settler who was given a Crown grant to the land. But in the same year, the sale of 68 hectares had been made to Verigin. Astonished, the Sinixt family sought the help of a prior connection, James Teit, the noted anthropologist, to petition the government of BC on their behalf.[43] When the Doukhobors were approached by the government regarding selling back some land to the Sinixt, Verigin wrote a letter back, "refusing to sell any lands for a reserve at the confluence of the Kootenay and Columbia rivers but saying that the Sinixt might stay if they would "be have" themselves."[44] Wilkinson and Sutherland rightly note that this was no real offering, as the area would be inaccessible and unsustainable.

Consequentially, though in settler colonial contexts, Indigenous peoples are literally dis*placed* – made to move from one place to another[45] – it is by way of dis*possession*. Their land

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[42] Royal Commission, 65.
[43] Wilkinson and Sutherland, "'From Our Side,'"39.
[44] Wilkinson and Sutherland, "'From Our Side," 46. I discussed in the previous chapter why it is tempting but problematic to think that the Sinixt's present troubles would all be solved had a reserve – a settler colonial construction - in BC been established for them.
[45] Whether, for example, to a smaller portion of their lands, including reserves, or into settler institutions such as residential schools or to urban areas. See Jodi Byrd, *The Transit of Empire,*

has been fabricated as property that can be alienated and governed by the territorially possessive settler nation. If settlers grant Indigenous peoples the 'fortune' of recovering any of their original places, it will be through a governmental regime of repossession. This is the "recursive logic of dispossession," as Robert Nichols argues, it is "not (only) about the *transfer of* property, but the *transformation into* property."[46] Ironically, the Doukhobors would defer to Canada's property laws to keep access to Indigenous land, even though their reason for arrival to *kp'itl'els* was their radical political critique of said laws.

From a contemporary decolonial perspective, Verigin's refusal to the Sinixt was a form of violence, even if mediated by the seemingly neutral bureaucracy of Canadian property laws. However, it is important to see the Doukhobors' actions within their own context and the constraints which they faced, lest we fall into a moralized critique of them and recommit utopian thinking from the comfort of a scholarly, future perspective. It is possible to both critique their actions, while also appreciating that Verigin was motivated by a sense of urgency for the regard of his own community's freedom rather than a direct "anti-Indigenous" sentiment. Their migration to BC was based in the radical idealism, in the faith that they could rebuild a political world beyond the model of hierarchical and territorial sovereignty. However, their vision of world-building failed to appreciate that the political context included a plurality of actors beyond the state.

In my view, their actions amount to a turn away from world-building freedom toward utopian freedom. Utopianism disavows the reality of plurality, conflict and critique, while these

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for nuanced discussion on colonialism's varied symbolic and literal displacement of Indigenous peoples.
[46] Robert Nichols, "Theft is Property!: The Recursive Logic of Dispossession," *Political Theory* 46 no. 1 (2018), 13; also see: Robert Nichols, *Theft Is Property!: Dispossession & Critical Theory* (Durham, NC: Duke University Press, 2020).

are the fraught but expansive grounds of freedom as world-building. The Sinixt's protest of the

Doukhobors' settlement can be seen as a form political critique, and by evading it, the

Doukhobors' own critique of state politics would lose its world-building potential. As Arneil

explains, the Doukhobors' communal settlements were seen by them and by their political

supporters to be "a vehicle through which the foundational norms of society including

capitalism, private property and/or militarism was challenged."[47] However, they would in fact

become a vehicle *of* state politics by participating in its founding settler colonial project. In this

sense, Arneil rightly argues that the Doukhobors' colonies were partly products of and

constitutive of Canadian settler colonialism.[48] As such, the Doukhobor case highlights the

significance of freedom as a relational and worldly endeavor. From an Arendtian, world-building

perspective, this means that we must anticipate that others' perspectives reveal something of

common concern, or something pertaining to the space that brings us into harmony or

disharmony with others. We do not try to see from others' perspectives for "their sake" per se;

but of out an acknowledgement that we are not sovereign as the Western philosophical and

political tradition often assumes.[49] Rather, plurality is the condition of politics. We share a world

and thus our freedom really *is* connected to others by how we relate to the world.

Land in the settler colonial context is perhaps the most foundational worldly object (this

term need not be taken as equivalent with "inanimate") around which settlers must politically

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[47] Arneil, "Domestic Colonies in Canada," 8.

[48] Arneil, "Domestic Colonies in Canada," 14. Arneil describes the Doukhobors' colonies interchangeably as radical" or "utopian," whereas I use "utopian" in a more narrow sense to describe when they intersect with or are the product of settler colonialism and have thus lost their radical, anti-state world-building power. It would be too simplistic to say that utopianism and world-building can be wholly separated. However, the distinction provides us with a diagnostic (utopian) and normative (world-building) framework.

[49] See my elaborated discussion in the Introduction chapter, or for example: Arendt, "What is Freedom?"

relate to Indigenous peoples if any sort of meaningful decolonial future is to be forged. The

specificities of the settler colonial political context would require the Doukhobors to politicize

land differently than they did in their original Russian context. In Russia, the Doukhobors

democratically claimed land against the absolutist rule of the state and its feudal structure for the

benefit of ordinary peasant equality under the *mir* structure. In contrast, in the Canadian context,

it was not possible to claim land for ordinary persons with the same outcomes.[50] Recalling from

Section 1, even though settlers constitute a plurality of actors with differential power, and even

different conceptions of the good political life,[51] this conflict often actively *maintains* the settler

presumption of privileged access to Indigenous land.

From a comparative economic historical perspective, we can better see how settler

colonial state expansion "caught" the Doukhobors in between their critiques of feudalism and

capitalism. They were purposeful in their original critique of feudalism in Russia and it

converged with anarchist and other spiritual communalist thinkers who were seeking ways to

revolutionize or change the economy outside the emerging trajectory of Western capitalist

commodification. But all these actors seemed to be less aware or critical of the fact that "the

dismantling of feudalism and slow, uneven emergence of capitalist private property and

commodity markets in "real estate" – took place alongside and in relation to the territorial

expansion of European societies into non-European lands."[52] Without challenging settler

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[50] Given that the Doukhobors were in a similar settler colonial dynamic in the Russian Caucasus
in the late nineteenth century, I do not want to over-state the Russian-Canadian differences, but
they are useful for making the broad contrast between the modern settler colonial state like
Canada and autocratic Russia. Whereas Canada was definitionally founded as a settler colonial
country, is might be more accurate to say that Russia variably practices settler colonialism.
[51] Carmichael also makes this point well with respect to the Doukhobors' clash with the
Canadian state.
[52] Nichols, "Theft is Property!: The Recursive Logic of Dispossession," 21.

colonialism directly, by way of enlarging and reconstituting their critique of land policies in

Canada in and through the Sinixt's claims, the Doukhobors would indirectly inscribe themselves

into state politics. They would effectively make a Faustian bargain, putting their fate into the

hands of their original enemy, the state. By accepting land that was made into private property by

the state before it could be stolen from the Sinixt, the Doukhobors would in turn become liable to

state terms.

However, for a short period in Brilliant, the Doukhobors' communalism would thrive.

While much of the BC press about the Doukhobors was turning increasingly negative as the

friction between them and the government[53] was growing, there were some admirers, such as the

author of an early twentieth century local news article which published a glowing review:

> The Doukhobor Colony at Brilliant: How a Strange Sect is Adapting to British Columbia
>
> the Ideals of An Alien Race … Economic system is in vogue. It's a socialist Utopia.
>
> Realization of equality… Government by the people… women are recognized as being
>
> competent to judge upon the affairs of their community … No police force at Brilliant and
>
> none needed."[54]

From this perspective, it seemed that the Doukhobors had reclaimed "land and freedom, on their

own terms."[55] And yet, it was only a few years after the publication of this review that, as Julie

Rak explains, the BC government used its inordinate power to foreclose the Doukhobors' BC

colonies, ending their "golden era" of communalism.[56] The following decades entailed direct

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[53] Particularly the small Freedomite sect which also emerged as a result of the land crisis and gained followers from Verigin's Community Doukhobors in the first few decades of the twentieth century.

[54] "The Doukhobor Colony at Brilliant."

[55] Doukhobor Research Committee, *The Doukhobors,* 7.

[56] Rak writes; "In 1938, partially in fear of such a large utopian experiment, involving some 10,000 people with property worth $6 million, the Canadian government initiated a surprise

government intervention into the Doukhobor community, including the adaptation of residential schools which were applied on a mass, genocidal scale to Indigenous peoples, to try to socialize the children of the most resistant Doukhobors[57] to a patriarchal-capitalist citizenship regime. But the punitive-interventionist approach only further enflamed the most radical of the Doukhobors,[58] leading the government to increasingly rely on a softer recognition approach.[59] Thus, the Doukhobors' land crisis led eventually towards a governmental reinterpretation of Doukhobor identity and debates regarding how much religious accommodation the modern state of Canada could allow them.[60] This turn towards what I argue was an early form of state-cultivated identity politics would help make the Doukhobors more palatable to the public, and thinking with the previous section, their problematic status also served as a negative foil by which the settler state projected the ideal citizen.[61]

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foreclosure on the community. Doukhobor lands and properties were seized and sold at prices well below cost, and the CCUB [the Doukhobor Christian Community of Universal Brotherhood] was liquidated."[56] This did not solve the problem of the Doukhobors' anti-liberal/Canadian challenge, as it only enflamed the radical Freedomite sect, which grew into "more than a small group of disaffected Doukhobor followers and by 1932 it was a strong movement with anarchic tendencies and a number of leaders," that "rejected owning any private property at all, paying any taxes, living in a materialistic way or learning much English." Rak, "The Doukhobor Problem,"62-63.

[57] The children of the Freedomite Doukhobor sect.

[58] Royal Commission, 65.

[59] As I discuss more in Chapter One, the Doukhobors' initial immigration to Canada was based in large part of having a reputation for skilled agriculture, but government commissions including the 1912 Royal Commission and the 1955 Hawthorn Report, increasingly cultivated public knowledge about the Doukhobors' "religious beliefs and conscientious scruples," which, the Royal Commission argues, led them to refuse things like registration laws and 'Schools Act' based on the fact that "Their attitude is genuine." The Commission also notes the counter-productive nature of the punitive approach, as it only enflamed the Doukhobors' sense of persecution at the hand of states, something that they experienced for over three hundred years, meaning at the hands of the Russian state. See Royal Commission, 65.

[60] See Chapter One for my critique of this turn to religious identity politics.

[61] Rak makes a similar argument though without the language of settler colonialism. *Negotiated Memory,*41.

Turning from conflicts over land to identity politics, or what Carmichael aptly calls "proto-multiculturalism,"[62] through governmental knowledge production was undoubtedly motivated in part by a sense of urgency in restoring the order and dominance of the state. It is also possible that some Canadian officials were motivated by genuine regard for the Doukhobors and from a perspective that liberal politics was capable of if not required by its own Enlightenment standards to develop a conception of toleration and accommodation of difference. But my re-reading of the land crisis demonstrates that no amount or type of government recognition of Doukhobor identity would suffice to secure a Doukhobor future. Rather, Doukhobor freedom depended then, as it does now, on the generation of world-building practices that are developed in the recognition of the contingencies and limits that any given political context sets for their political claims. In the next section, I theorize the contours of what such practices could look like in relation to the Sinixt.

III: Towards freedom from utopia: politicizing land, regenerating plural politics

The Sinixt continue to tell an ancient story of how the Columbia River, or *Swah-net-ka*,[63] originated: Rain, a woman, lays down her heart as a gift to *Sin-ka-lip*, the Coyote. Her heart's blood formed the Columbia River. After experiencing the temptation to scatter his love and attention to the beautiful Ocean, Coyote delivers on his promise to love and care for Rain. He lays down a piece of his heart on the land. "His piece of his heart became the Sinixt peoples. The responsibility of the Sinixt was to live with Rain's heart, to show reverence to the land every single day, to show respect and love to the source of the Columbia River, Rain's heart."[64]

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[62] Carmichael, *Problematic Settlers,* 18.
[63] Reyes, *White Grizzly Bear's Legacy,* 19.
[64] Marilyn James, "How the Columbia River Came to Be," *Sinixtnation.org.* accessed 21 July 2021 at http://sinixtnation.org/content/how-columbia-river-came-be

The Doukhobors also developed a story about the Columbia River: after multiple episodes of displacement, migration and struggle with the Russian and Canadian states, its nested location, beauty, and powerful flow, elicited hope that history had finally delivered them "home."

Our collective stories are significant for politically orienting us in time and place. They entail interpretations of our past and orient us towards particular futures. For many Indigenous critics, the failure of the settler society and state to re-narrate its history in a way that accurately reflects settler colonial violence prevents any meaningful present and future steps towards decolonization. As Nuu-chah-nulth scholar, Johnny Mack, describes, uninvited people arrived and fabricated a story about Indigenous peoples that "justified" usurping their land – the story has never been honestly rectified. Instead, Indigenous peoples are enlisted into the settler story. Speaking critically of the liberal state's invocation of the treaty process, Mack notes how Indigenous stories of the treaty past are purportedly valued, but are, on the whole, absorbed into "an identifiable story of neo-liberal hegemony." "It seems," Mack argues, "that taking our stories seriously in this context would develop into an imperative to dislodge them from the grip of this imperial narrative."[65]

In this section, I consider angles from which we can critically reinterpret the Doukhobors' past, so as to narrate a realer future through democratic practices of decolonization. While the Doukhobors are a particularly illustrative example given their present precarity, the lessons variably apply to settler citizens broadly. Regarding this precarity, The *Globe and Mail* writes, "While there are an estimated 65,000 people of Doukhobor descent living in Canada today, only 2,290 listed Doukhobor as their religion in the 2011 Census … Many elders predict

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[65] Johnny Mack, "Hoquotist: Reorienting through Storied Practice," in *Storied Communities: Narratives of Contact and Arrival in Constituting Political Community,* ed. Hester Lessard, Rebecca Johnson, and Jeremy Webber (Vancouver: UBC Press, 2011), 289.

the Doukhobors could die out altogether in a little more than a decade." The article also notes how Doukhobor youth seem ready to move on from traditional Doukhobor culture and from rural settlements like Brilliant to urban areas.[66] The tone of such reports is noticeably lamenting and is testament to multiculturalism's success in refiguring Doukhobor difference from a "problem" requiring assimilation to a culture worth celebrating.

But if the Doukhobors were tolerated and then embraced by Canadian multiculturalism, there is arguably a latent implication within the liberal multicultural story that: a) the Doukhobors are giving up their culture by way of individual choice – an esteemed liberal value – because other cultural groups are not having the same problem; or b) certain cultures are simply anachronistic, out of sync with liberal modernity, as if they simply run their life course. In either case there is a presumption of the inevitability of liberal political individualism. This means that the only way for the youth to survive as Canadians rather than as member of a Doukhobor community is to "adapt" to an ecology of secular, urbanized capitalist-individualism. Paradoxically the implication is that a certain kind of assimilation is the only way to 'survive' decades of overt assimilation processes. Depoliticized by the liberal multicultural narrative – which has been adopted by many Doukhobors themselves – the Doukhobors are characterized as on the "precipice"[67] of cultural "extinction"[68] – a rather dystopic future.

What the moralized multicultural narrative mistakes about the Doukhobors' current predicament is that it is not really a cultural crisis but a political deferral of the land crisis. The

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[66] Kryak, Violetta, "Are Doukhobors Dying out? In Rural B.C., a Sect Tries to Stop Their Faith from Fading Away," *Globe and Mail*, last modified Sept 9, 2018. https://www.theglobeandmail.com/canada/british-columbia/article-are-doukhobors-dying-out-in-rural-bc-a-sect-tries-to-stop-their/.
[67] An applicable word borrowed from the book abstract to: Simpson, *Mohawk Interruptus.*
[68] Kryak, "Are Doukhobors Dying Out?"

deferral has created a vacuum of figurative and literal space to imagine political community grounded to the earth in ways that are neither territorial nor property-based. The Doukhobors' own failure to politicize land in response to learning about the Sinixt has thus been turned against them: settler society cannot imagine that there was Doukhobor politics that once imagined and actually enacted different collective relations to land. These relations brought them far closer to the Sinixt than to the dominant settler state, but whose rightful claim to land they denied. As such, Doukhoborism was not just utopian during its temporary heyday of communal colonies, but even the notion that it could exist as a culture in the present is looking to be a fantasy. The political fallout does not just land on the Doukhobors.

By failing to account for the fact that Doukhobor freedom required a relation to land different from what was offered by the state, the liberal multicultural narrative reinscribes settler utopianism. Effacing Indigenous peoples' perspectives on land was the first slight against plural politics and it was not a "one off" – but structured settler politics to the downfall of plural ways of thinking land and politics generally. The legacy is that settler society lives in a muted political crisis, in which the literal grounds of the nation-state remain publicly unaccounted for. Rather than being honestly narrated from the historical point of usurpation, liberal freedom continues the utopic fiction in which land was free for the development of liberal sovereign freedom.

Ironically, Indigenous peoples like the Sinixt indirectly generate space for those who displaced them – the Doukhobors and other settlers – to politicize land and contest the narrative of settler citizenship and arrival. By refusing to relinquish their own political authority and relationship to their traditional territory, the Sinixt interrupt the state narrative that land must be

tied to territorial sovereignty and possession.[69] Uttering their nationhood story is not just a politicization of land but a politicization of the present broadly. It politicizes history beyond stating the obvious: Indigenous peoples were here first, *and* they practiced different forms of political collectivity or peoplehood that have not been eliminated. Insisting on "wholeness thinking … a worldview which eschews divisions amongst (non)humans, the land, future generations, and ancestors,"[70] the Sinixt insist on a political life that casts a shadow on the state's claim to supreme, singular, political reality. From this perspective, although Indigenous peoples arguably endure the worst of the structural land crisis, many, like the Sinixt, have an actual political response – community level resurgence, pressure on the state and global organizing. In so doing, Indigenous peoples invite – indeed, demand – settlers to radically politicize land.

Whereas liberal multiculturalism enables the settler colonial state to hold onto its story of just territorial sovereignty, the Doukhobors' current impasse and relative detachment from geographic place actually provides a ripe moment for reanimating land as an object of radical critique. To politically engage the Sinixt's critiques and claims to their homeland, would require the Doukhobors to recover some of their own radical and idealistic political thinking that collective relations to land need not be based in exclusive ownership or property. By also claiming land outside these terms, the Sinixt indirectly invite the Doukhobors back to their own history, their alternative mode of life. But how would the narrative of Doukhobor arrival to the Columbia River change when taking seriously that the Sinixt were already there, practicing a form of peoplehood that was likewise contributing to a world of political plurality beyond the

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[69] Lori Barkley, "The Certainty of Whuplak'n and the (Un)Certainty of Extinction: Sinixt in British Columbia," unpublished conference paper, *Canadian Anthropological Association* (2014), 13.
[70] Sean Robertson, "Extinction Is the Dream of Modern Powers: Bearing Witness to the Return to Life of the Sinixt Peoples?" *Antipode* 46, no. 3 (2014), 790.

nation-state form and the commodification of land? Had they appreciated this about the Sinixt,

they might have respectfully practiced what Mack calls "settler pack up" right there and carry on

in order to extend to the Sinixt the space that they hoped nation-states would extend to them. But

of course, their absence would have likely been filled by other settlers. "The Mighty Columbia

River" as it is sometimes called, attracted an array of other settlers aside from the Doukhobors

and major hydroelectric industry. Relatedly, though Doukhobor youth are leaving the area in the

present, it is to other places in Canada, and thus other Indigenous homelands. Nevertheless,

"settler pack up," while largely rhetorical, is a way of re-animating settler colonialism's political

crisis in which critiques of dispossession are absorbed into a moralized story of sovereign liberal

freedom.

We can only imagine what a world-building politics between the Doukhobors and the

Sinixt around a radically different conception of the land might have wrought for Canadian

society at the start of the twentieth century. From a world-building perspective, the Doukhobors'

encounter of the Sinixt might have made them even more optimistic that the world could be

made hospitable to non-statist people. Possibly approaching them through the orientation of what

Deanne LeBlanc conceptualizes as the "denizen," it would be an orientation that resists the

supposed necessity of 'settler nativism' practices and instead "consider themselves 'foreigners'

in need of invitation onto Indigenous lands – both past and present."[71] From a denizen

orientation, there would be responsibilities first and foremost to the indigenous hosts upon whose

land they were living once invited. Within such a context the question of whether large scale

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[71] On settler nativism see: Travis Wysote and Erin Morton (2019): 'The Depth of the Plough':
White Settler
Tautologies and Pioneer Lies," *Settler Colonial Studies* 9 (2019); Deanne Aline Marie LeBlanc,
"Identifying the Settler Denizen within Settler Colonialism*"* (master's thesis, University of
Victoria, 2014).

agricultural cultivation was the only way to sustain a pacifist Doukhobor future might be questioned. Would the Sinixt's conception of peoplehood and deep ecological knowledge of this particular part of the earth shed light on alternative ways that the land might sustainably receive more people?

By re-narrating the past from an enlarged perspective, so as to see it anew through the presence and claims of the Sinixt, the Doukhobors stand to regain real freedom. I previously argued that part of what made the Doukhobor *mir* political was that it became a space in which land and other aspects of community, such as spirituality and economic practices, could appear and re-appear as objects of common concern. Thinking with Arendt, "common" refers to a community of interlocutors who are brought together by certain objects or practices that appear as shared "concerns." But community members are just as much separated by such concerns; after all, if everyone shared the same perspective and agreed, there would be no 'concern.' Thus, politicization, as a way of seeing and speaking politically, always entails space for different perspectives, or plurality, to be made known.[72] The Sinixt have variously made their views public, but they have often failed to find interlocutors willing to consider them 'public' in a truly political sense. The Doukhobors failed to be this audience when they arrived to *kp'itl'els*, not realizing how much they too needed such an audience. By becoming receptive to uncomfortable world-building encounters with the Sinixt going forward, the Doukhobors could recover the spirit of the *mir*, but in a sense that is horizontally expanded and complicated, i.e., politically sensitive to the modern settler colonial context.

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[72] I am building on the previous chapters' articulation of these ideas, but for example see: Hannah Arendt, *The Promise of Politics,* ed. Jerome Kohn (New York: Schocken Books, 2005), 93-106.

While the practical outcomes could include Doukhobors taking the initiative to return land to the Sinixt, the political potentials are much greater than transfers of 'property.' As Leanne Simpson describes with respect to her own community: "within Nishnaabeg thought, the opposite of dispossession is not possession, it is deep, reciprocal, consensual *attachment*. Indigenous bodies don't relate to the land by possessing or owning it or having control over it. We relate to land through connection – generative, affirmative, complex, overlapping, and nonlinear *relationship*."[73] To be politically transformative, Doukhobors would have to engage in political practices of "improperty," what Torrey Shanks describes as "a condition where property and its entailments are unsettled or contested, even when title is established."[74] Radically politicizing land in these ways ought to lead to changes in the material world even if the exact nature of those changes cannot be wholly determined in advance.

On the surface level, embracing a story of *unsettled*, indeterminate arrival would appear to put peoples like the Doukhobors in an even more liminal and precarious state in the world. But in fact, it is in this in-between space of horizontal plurality where expansive forms of political community can be seeded. Indeed, for Peter Verigin, surviving through the early twentieth century land crisis entailed embracing indeterminacy. He wrote that the government's land demands had created a dilemma for the Doukhobors: "accept citizenship or live in an indeterminate situation." He was happy that most Doukhobors "had decided against citizenship."[75] In other words, living indeterminately vis-à-vis state-sanctioned freedom (citizenship) was part of the worldly reality through which radical Doukhobor freedom was

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[73] Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom Through Radical Resistance*, (Minneapolis; London: University of Minnesota Press, 2017), 43.
[74] Borrowed with permission from Torrey Shanks' forthcoming book project, *Improperty*. I also want to thank Torrey for suggesting "settler utopianism" as a useful phrase for this chapter.
[75] Verigin in: Tolstoy and Verigin, *Correspondence,* 82-3.

forged. Embracing the fragility of real politics can allow settler citizens like the Doukhobors to refuse to equate displacement, or the lack of stable geographic place in the world, with a loss of real political freedom.

In fact, both peoples invite us to come to terms with the fact that the equation of politics with territorial sovereignty is out of touch with reality and with how often people undergo periods of uncertain transit, temporary residence, are citizens of a state that they fundamentally oppose, or embrace migration and mobility. Finally, a resurgence of Doukhobor politicization of land through an enlarged settler colonial critique could be seen as a critical revival of a strain of Peter Verigin's perspective that unfortunately he did not carry forth with respect to the Sinixt in the past. I suggest we read it today as inspiration to reject utopian freedom and reattach Doukhobor ideals to the specific materiality and plurality of our present contexts: "Without matter thought would lose itself in space (if it is possible to imagine such a thing), and have no support. Idealism or the will is a bird, reality or matter is a tree. The bird, no matter how easily and quickly it flies in the air, must still alight and rest." It is only in contact with one another that "harmony of reason [and] … reality" obtain.[76]

Conclusion

This chapter began at the site of a local college and community-building effort to acknowledge and better understand the intersectional settler colonial and Indigenous history of the Doukhobors and the Sinixt. One of these initiatives asked, what does "being on the land" mean when acknowledging that there was more than one narrative of history unfolding on the land along the Columbia River? It is unlikely that these important initiatives and questions would arise at all if it were not for the fact that the Sinixt refuse to settle into a territorial state that

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[76] Verigin in: Tolstoy and Verigin, *Correspondence,* 19.

evades its own land question. Instead, claims to land are seemingly "private" concerns property owners or disputed in exhaustive court battles in the Indigenous land claims process, while the territorial sovereignty of the state remains settled.

By seeing the issue of land through this fraught history and concept of utopia, we can better understand why Indigenous peoples' critiques and resistance are not registered by the settler order as a fundamental challenge to the settler conception of political freedom. Settler elites have theorized their departure from the metropole – their radical vision of freedom – from outside the context to which they arrive. Both literally and metaphorically, they decide on land's normative value in an abstract moral sense – how it "ought" be – and then present it as a neutral, or objective "fact." Settlers have thus built a society that is in political crisis because the job of critique is to illuminate realistic political futures. However, if land policies cannot be critiqued, then we are left with a utopian society, in which "freedom" is directly at odds with the reality of conflicting Indigenous claims to land.

But the Doukhobor case highlights for us that settler utopian relations to land are not simply at odds with Indigenous freedom but worldly freedom more broadly. The irony, as we have seen, is that, as settlers themselves, the Doukhobors' refusal to radically politicize land by taking seriously Indigenous peoples' own land claims stunted the former group's ability to flourish. By situating the Doukhobors' history in this broader Western conceptual sphere of "world-building" and "utopianism," the case illuminates a broader lesson: any political movement that posits radical freedom is always susceptible to the trap of utopianism. It can be difficult to discern when and where this trap has manifested because the freedom-expanding intentions of the movement may have not changed, but the context has.

137

In the settler colonial context, a muted land crisis structures politics and displaces literal and figurative space for Indigenous *and* non-Indigenous plurality to appear. The freedom of all settlers – whether radical democratic communalists like the Doukhobors of the past or otherwise – are affected. The case reminds us of land's significance to political community generally – it is neither just an Indigenous issue, nor is it the given purview of sovereign states. Because only in utopia can a political community exist and renew itself without staking claims to land. The Doukhobor case suggests we ought to think about land as a broader democratic crisis, and one that can become generative of real freedom by engaging Indigenous peoples' critiques and claims to land on terms that are radically unsettling.

CONCLUSION

An Alternative Political Notion: Shifting from Identity to the World

"Canada is a test case for a grand notion – the notion that dissimilar peoples can share lands, resources, power and dreams while respecting and sustaining their differences. The story of Canada is the story of many such peoples, trying and failing and trying again, to live together in peace and harmony."[1]

Securing common grounds, despite differences and even in celebration of them, has been at the core of Canada's state-led liberal multicultural approach. While the epigraph referring to this "grand notion" comes from the 1996 Report of the Royal Commission on Aboriginal Peoples, we have seen in this dissertation how liberal multiculturalism has been broadly influential of Canada's approach to difference. The product and partial solution to a national unity crisis – the threat of Quebecois secession in the 1960s – liberal multiculturalism seemed to succeed in charting a middle path between assimilation and separation. It has been credited as providing more space for domestic expressions of self-determination by Quebec and Indigenous peoples, and it has made Canada far more inclusive of cultural minorities.

Despite its accolades, liberal multiculturalism has been widely questioned and critiqued in Canada and elsewhere since the mid-1990s, and by at least 2010, a notable "master narrative"

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[1] Government of Canada, "Highlights from the Report of the Royal Commission on Aboriginal Peoples," https://www.rcaanc-cirnac.gc.ca/eng/1100100014597/1572547985018

of its "rise and fall," had been established.[2] But for Will Kymlicka, this master narrative is misplaced because liberal multiculturalism has always developed in an ad-hoc fashion and will continue to do so. Responding to critics on the right and left, he refutes the notion that liberal multiculturalism is either at odds with liberalism or a superficial "feel good" solution to claims of difference.[3] Rather, he argues that one must focus on multiculturalism as policy to see that it is not neither merely an "ethos," nor can it overtake and contradict liberal principles because it is constrained by the liberal state's constitutional framing.[4] Kymlicka thus reaffirms liberal multiculturalism as "a political project that attempts to redefine the relationship between ethno-cultural minorities and the state through the adoption of new laws, policies or institutions."[5]

While I share Kymlicka's view in the necessity of a plural approach to politics, this dissertation has highlighted the ways in which framing diversity to be a matter of a relationship between the liberal state and "minorities" paradoxically *generates* the very "problem" of "identity" that it seeks to overcome. From an Arendtian perspective, it is certainly true that laws, policies and institutions are central to politics and must be considered when approaching questions of diversity. But as Arendt reminds us, the disclosure of our own plurality is grounded in our action and speech *about* laws, policies, and institutions, and other worldly objects; it cannot be *reduced* to, or secured, by them. In Arendt's words, **"**most action and speech is concerned with this in-between, which varies with each group of people, so that most words and deeds are *about* some worldly objective reality in addition to being a disclosure of the acting and

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[2] Kymlicka, Will, "The Rise and Fall of Multiculturalism? New Debates on Inclusion and Accommodation in Diverse Societies," *International Social Science Journal* 68, no. 227-228 [2010] (reissued 2018).
[3] Kymlicka, "Rise and Fall" 134.
[4] Kymlicka, "Rise and Fall" 135.
[5] Kymlicka, "Rise and Fall" 135.

speaking agent."[6] If we mistake worldly plurality for the state's settlement of diversity through recognition policies, we risk the implication that the state is the adjudicator of political difference – as if it were at the centre of the political world, or above it. Latent within such a view is the notion of an idealized individual that does not exist in reality, but whose purported freedom as sovereignty is at odds with the existence of other people.[7] From this basis, plurality *becomes* a problem to politics, and the state, the solution.

Canadian liberal multiculturalists would object to this negative framing by affirming that diversity is Canada's strength[8] and that liberal multiculturalism is a positive way of claiming Canadian citizenship.[9] However, the case studies have helped to illustrate that the world-building critique that I bring to bear on liberal multiculturalism is not merely a theoretical quibble but one that can be seen to play out in history and in the present world. As a state-centric model devoted to freedom as sovereignty of the individual, liberal multiculturalism fails to clearly pave a path of negotiation within or among the plurality of non-Indigenous people and Indigenous peoples on the ground. We have seen how the arrival of newcomers, including those leaving persecution such as in the Doukhobor case, posed a significant problem for Indigenous peoples. We have seen as well how the success of one Indigenous nation's land claim in Canada may well come at the expense of other nations. This oppositional scenario currently exists between Ktunaxa and Sinixt, while also being in tension with local Canadian citizens, including Doukhobors, who have historically protested Canadian citizenship as a form of political assimilation. From the

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[6] Arendt, Hannah, *The Human Condition* (Chicago: University of Chicago Press, 1958), 182.
[7] Arendt, Hannah, "What is Freedom?" in *Between Past and Future: Six Exercises in Political Thought* (New York: Viking Press, 1961), 155.
[8] "Trudeau takes 'sharp turn' away from 'refugees welcome'" *BBC News* (April 16, 2019), https://www.bbc.com/news/world-us-canada-47940989
[9] Kymlicka, Will, "The Three Lives of Multiculturalism," in *Revisiting Multiculturalism in Canada*, eds. Shibao Guo and Lloyd Wong (Rotterdam: Sense Publishers, 2015).

perspective of the Canadian state, however, each of these groups has been accorded recognition and their autonomy maintained or restored.

World-building offers an alternative way of understanding the political dynamics of such intersecting contestation. It upends the dominant liberal multicultural narrative that the Doukhobors were pacifist asylum seekers who sought Canada's protection of a religious-cultural identity. This narrative occludes the fact that the Doukhobors claimed a universalist pacifist movement that aspired to undermine the militaristic politics of the state *and* that they simultaneously enacted the violence of displacing the Sinixt. What multiculturalism thus misses about culture in the Doukhobor case is that it was part of the Doukhobors' own community generated politics and not something that can be sustained through recognition by an outside political power. Deprived of their own radical democratic politics, the Doukhobors, particularly those in BC, would come to stand in a precarious, liminal political position with respect to their own membership and future, and with respect to relations and accountability to the outside world, including the Sinixt.

Without interrogating these historical and normative roots of multiculturalism, liberalism's extrapolated application of the model – as liberal multinationalism – to Indigenous peoples reproduces these problems. From a liberal multinational perspective, we are led to assume that Indigenous claims to nationhood such as the Sinixt's are solely or principally addressed to the state, thereby once again transcending the world in which other stakeholders such as the Ktunaxa live. At best, the relationship between the Sinixt and state is "solved," while potentially worsening the everyday embodied experience of freedom for all local inhabitants. When we instead look at the political meanings of nationhood through world-building, informed by Indigenous resurgence theory, their claims to spiritual- and land-informed self-determination

142

becomes invitations to world-building. More specifically, we can read their claims as speaking to the broader world, including the Doukhobors, Ktunaxa, and Canadian citizens, and as a call to reconsider land's political meanings and to participate in stewarding ecological sustainability and other potentially shared projects. What liberal multinationalism occludes about nationhood in Indigenous cases like the Sinixt, is the demand for what we could call *democratically* sustained treaty relationships. It is not that the state is irrelevant but that it is only one of many addressees, all of whom are brought together and separated by a contested in-between space.

It will be helpful to see treaty world-building through the Two Row Wampum. This 1613 agreement between the Dutch and Haudenosaunee is often regarded as having influenced subsequent agreements between Europeans and Indigenous peoples. A pledge to "friendship, peace between peoples, and living in parallel forever,"[10] its message is symbolically captured in a beaded belt. The belt is comprised of five parallel lines: two outer white lines, followed by two inner purple lines that are separated by a middle white line. The purple rows represent two vessels: a Haudenosaunee canoe and a Dutch ship, each carrying a set of distinct traditions. The white beads represent the "river of life" that both vessels travel in.[11] The political actors represented by the purple parallel rows were clearly defined peoples who did not share a government. We could read the agreement through an international legal perspective, which would affirm a Westphalian sovereignty politics of non-interference, delineated by a territorial border between them. However, I argue that this would disavow the symbolism of the belt.

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[10] "Two Row Wampum Renewal Campaign." *Honor the Two Row.org.* Accessed June 5, 2021: http://honorthetworow.org/learn-more/history/.
[11] Jon Parmenter, "The Meaning of *Kaswentha* and the Two Row Wampum Belt in Haudenosaunee (Iroquois)," *Journal of Early American History* 3 (2013): 83-109.

There is no border "line" between the actors, but rather, a *space* and a demand to

maintain it as a condition of possibility for the ongoing plurality of peoples. If the space between

peoples were collapsed or spoiled, the rest of the agreement – peace and friendship – would

become impossible. Land and the natural world, represented by the river is, to use Arendt's

language, the world that thrust itself between the Haudenosaunee and Dutch at the time of

contact.[12] Land was a central object around which the parties negotiated and disclosed "who"

they were politically, or their plurality, irrespective of any prior shared norms. The particular

identity of each people – "what" characteristic they exhibited – was less important than a

promise to commonly care for the space between them.[13] Maintaining this in-between space

depends upon an acknowledgement that neither can impose their separate interests onto the

other. Rather, the relationship depends on the *formation* of a shared, *inter-est*.[14] To see treaty

politics through a world-building lens is thus not about including settler citizens as subjects to a

liberal nation-to-nation, i.e., liberal multinational politics with Indigenous peoples. Instead, treaty

world-building describes plural settler citizens and Indigenous peoples as participants in ongoing

radical democratic politics that acknowledges plurality as the condition through which we

develop political inter-ests.

Seen this way, we can make better sense of the disjuncture between Canada's

increasingly tolerant and accommodating approach to Indigenous peoples' claims and broader

diversity, and the political reality, which in many ways continues to fall short of meaningful

transformation. As a final example to illustrate this disjuncture, I turn back to the aforementioned

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[12] Arendt, Hannah, *The Promise of Politics,* ed. Jerome Kohn (New York: Schocken Books, 2005), 106.
[13] Arendt, *Human Condition,* 181.
[14] Arendt, *Human Condition,* 183.

Report of the Royal Commission on Aboriginal Peoples, from which I drew the epigraph quote: "Canada is a test case for a grand notion – the notion that dissimilar peoples can share lands, resources, power and dreams while respecting and sustaining their differences. The story of Canada is the story of many such peoples, trying and failing and trying again, to live together in peace and harmony." The Royal Commission was spurred by a national crisis in 1990 that was internationally publicized. The town of Oka, Quebec, faced the direct resistance of the Mohawk People who collectively organized to fight the encroachment of an expanding golf course. Lasting 78 days, the Mohawk's blockade was met with 2500 members of the Canadian Armed Forces. Ellen Gabriel, the spokesperson for the Mohawk at the time, explains that the Royal Commission was a response to the standoff and meant to explore the relationship between Canada and Indigenous peoples, and would also pave the way to the 2015 Truth and Reconciliation Committee, pertaining to the violence of residential school history. However, in 2018, Gabriel states that nothing much has changed in the way of their ability to govern over their own lands and protect it from development.[15]

From a world-building perspective, moving beyond mere discursive change towards political change between settlers and Indigenous peoples requires a de-emphasis on the subjects in question – the individual or sovereign "peoples." In the vein of the Two Row Wampum it requires instead an emphasis on the shared world between individuals, groups and peoples. Even though the Commission's statement references "shared" things, there is a way in which the

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[15] Sean Carleton, "The legacy of "Oka" & the future of Indigenous resistance - In conversation with Ellen Gabriel," *Canadian Dimension*, *[s. l.]*, v. 52, n. 2, p. 21–24, 2018; also see: Steve Bonspiel, "The Oka Crisis was supposed to be a wake-up call. Little has changed in 27 years: The land in dispute? It's still in the hands of Oka. Mohawk land — illegally taken," *CBC News* 11 July 2017, accessed 25 July 2021 at https://www.cbc.ca/news/opinion/oka-crisis-anniversary-1.4197880

message suggests that the interests of each has already been decided and as if what is between them is a limited resource from which the success of one in securing their interest comes at the expense of others. To put it differently, there is a suggestion that the "peoples" in question *would* be able to "will" their own dreams into reality if only they had sole access to land and other "dissimilar" peoples were absent. There is thus a deep ambivalence towards diversity: it is the achievement of liberal democratic societies but also represents the permanent threat to the Western inherited notion of freedom as an autonomous will. Liberal multiculturalism tries to celebrate diversity but ultimately resigns itself to plurality as a problem that needs to be managed through the state.

In contrast, to will anything, argues Arendt, requires renouncing sovereignty and embracing plurality and a common world as the condition from which we really *can* do things in the world.[16] It does not mean jettisoning the notion of separate political authority of different peoples, but the grounds for peoplehood are based in a radical acknowledgement of plurality. It would be to acknowledge that even a single "people" or political community is also comprised of different persons. To take this seriously is to renounce the utopian fantasy that other "dissimilar peoples" are what prevents one nation or people from realizing its dreams. Worldly politics requires us to approach the claims of other persons and peoples with the anticipation that they reveal something of shared importance about the world between, for example, what collective relations to land and sustainability ought to entail. This means that Royal Commissions and "new laws, policies or institutions," which "redefine the relationship between ethno-cultural minorities and the state," to quote again from Kymlicka, would *not* be definitional of shared politics, but would simply be some of the objects, among many others, that plural people speak *about*.

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[16] Arendt, "What is Freedom?" 160-165.

Ongoing speech and action about the world – such as Gabriel's critique about the failure of the Commission to inaugurate substantive change – is the basis from which we actually can enlarge the space of worldly freedom. It requires seeing plurality as interwoven through and constitutive of a common world, rather than a matter of different people(s) who are inherently at odds with one another.

This project has thus proposed shifting the focus of what comes after liberal multiculturalism. Rather than see claims to difference as a problem of conflicting identities requiring new forms of recognition-based rights administered by the state, we should think of them as alternative practices of collective freedom that make a call on all Canadians, whatever their history, to build a world in common. Although some of these claims may be motivated by cultural or spiritual reasons, they should not be assumed to be necessarily indicative of a cultural or religious identity, particularly one that is recognizable in state terms. The politics of (mis)recognition, which as I have argued, has a longer history than the formal declaration of a policy of Multiculturalism in 1971, has functioned through a bolstered public-private divide. Whereas the public is equated with liberal state practices, the private is a pressure-valve for all forms of difference that resist assimilation. The misrecognition of political and democratic claims as if they were problematic identity claims to be managed by the state thereby displaces groups from a durable place of political belonging, leading to other vulnerabilities including social and economic. In a political and methodological sense, the identity-recognition paradigm has tainted how we read group histories prior to its development, and has constrained our imagination of future possibilities.

By recovering the political salience of these groups claims from the cast of identity, we should not lose sight of the fact that world-building is not principally about elevating the voices

147

of the marginalized, but about critically thinking with them about the world. This inevitably means conflict and disagreement and critiquing Indigenous and non-Indigenous group claims, no matter what perspective or identity we hold. It implies that members will disagree within and across groups and broader society. No conflict would arise if we all shared the same perspective. Diversity from a world-building perspective thus takes seriously the fact of difference and of conflict as inextricably constitutive of what it means to build a common world. In order to see these conflicts and possibilities more clearly, the normative demand of this dissertation is to recast the focal question regarding plurality from identity to the world. This shift will not only sharpen our understanding of the limits of state recognition approaches, but also enlarge our view of what it would actually take to make national and legal institutions more genuinely in the service of grounded world-building.

In closing, world-building, as I construct it, is a political-theoretical lens and democratic practice. As a democratic practice, it describes claims and practices that attempt to maintain or change the world that lies between people and that can (and should) occur at many scales simultaneously: between members of a group; between whole groups nationally and/or transnationally, and between groups and the nation-state. Of participants, it demands a certain degree of not taking the world for granted – of being open to having one's view of the world transformed through the encounter of other perspectives. This enlarged perspective is the signature difference between world-building and the existing liberal-democratic model, which takes an abstract, top-down perspective and whose core focus is the individual. A world-building perspective does not reject the individual for the group; it seeks to refocus our attention on the world as that which diverse people, settlers and Indigenous, have in common. The concept offers an alternative way of interpreting group claims beyond identity and thus beyond the dichotomy

148

of inclusion or separation. Such a concept is needed when a number of global challenges –

climate change, overpopulation, migrant crises, urbanization – coalesce and bring about more

plural encounters and clashes in settler colonial contexts.

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