

**Colonial Validation of Indigenous Exclusion: The Written Word and Other “Legitimizing”
Tactics of Ethnocentric Imperialism in Canada**

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Abstract

Historically, Indigenous voices have been negated from the discourse of law, policy, history, academia and other such disciplines controlled by Canadian Colonizers. In neglecting Indigenous voices from such arenas, settler-colonial powers attempt to delegitimize their political, cultural, spiritual, social and historical presence. A space for Indigenous voices has been suppressed and opposed by the Settler power holders in order to deny any recognition of the legitimacy of Indigenous history and governance, and by extension, the right to self-determination. This is especially true for the scholarly field, which is based upon literary truths and, therefore, limits the epistemological scope to the written word: the word of the Colonizer. The underlying reliance upon a singular faith in the written word means that the discourse of law, treaties, and the understanding of land rights is negotiated within a colonial context. Much like in the case of the Wet'suwet'en land defence, Indigenous rights (both collective and individual) are being dictated through the limited focus of a colonial lens of interpretation. Once again, this is resulting in violence and trauma against Indigenous Peoples on and for their land. In this paper, I will present two main arguments; firstly, that there is an undeniable connection between colonial reliance on the written word as being the only valid form of truth, resulting in the denial of space for Indigenous voices within the scholarly, legal and political arena and, that this connection reinforces the legitimacy of the colonial power. Secondly, I will argue that in only allowing space for one (written) truth, there is a continuation of trauma and abuse by Settlers against Indigenous People through continued legitimation of land theft, oppression, and violence.

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Canadian academia and law are based upon the recognition of the written word as legitimate and binding. I was told a story by a lawyer for Indigenous rights that neatly summarizes Canadian understanding and (lack of) respect for Indigenous truth through oral history:

A Nation was making a land claim in Northern BC, arguing that their ancestors had lived on the land hundreds of years ago until a great big bear came down from the mountains and jumped in the ocean causing a huge tidal wave and a mudslide from the mountain. According to this lawyer, the courts did not recognize this as a legitimate land claim. It was only after the area was excavated and “evidence” of an old Indigenous settlement was unearthed was the claim acknowledged as true. This story epitomizes a Canadian Eurocentric superiority complex which is based upon a limited understanding of what can be defined as truth, especially in the court of law because, Settler truth typically centres on that which can be “proven” through written history rather than through the perceived illegitimacy of oral history. One scholar argues that “Investigations into western ontological possibilities are bounded in ways that limit their ability to fully account for Indigenous worldviews” (Hunt, 2014, p. 27) due in part to the fact that Canada takes a very positivist, objectivist as well as a neoliberal approach to law and legal acknowledgment when it comes to not only land claims but to understanding differing worldviews about knowledge and truth. Canadian colonial law requires tangible evidence that can be seen or touched in order for something to be recognized as true, creating automatic exclusion criteria for non-Western thinkers, delegitimizing not only land claims but also devaluing culture, thus creating an environment of systematic omission of Indigenous voices.

Similarly, this mentality of tangibility and physicality as necessary for validity can be seen as stemming from traditional colonial ideas of “civilization” and “the savage”. Colonizers have used excuses of their perceived racial superiority as a way to dominate and eradicate Indigenous Peoples, as discussed in Deloria and Wilkins: “The (I)ndigenous peoples of the so-called New World, operating without literate cultures and rigidly codified laws, seemed to the Europeans to be peoples still living in a primordial state. The tendency was to describe Native peoples as examples of natural beings” (2011, p. 121). This idea of “natural” and “primordial” was intended to infantilize and degrade Indigenous People in order to justify the destruction of their culture. Colonizers asserted that their cultural ideals of truth through scientific and positivist reasoning were superior thus legitimizing their own ethnocentric view in order to devalue alternative ways of knowing and being. Author Maracle takes a strong standpoint against the idea of a singular, Western position of understanding by arguing that “a different set of words is required to ‘prove’ an idea than to ‘show’ one. Yet if we take the story out of any school textbook the student is left without proof for the positing of any information. In a science textbook we refer to the story as ‘an example’ The component parts of every example are the same” (1994, p.7). Essentially, Maracle breaks down the assumption of Western knowledge as valid and irrefutable merely because it is based in the written word, science and measurability and, she challenges this presumed validity by showing us that Western knowledge still relies upon that which it deems lesser, such as the use of story for teaching.

The suppression of Indigenous voices in legal, political and academic arenas has been intentional, systematic and is based on a long history of physical and cultural colonialism. Colonizers attempt to take power from those that they “Other” and, as Deloria and Wilkins argue, it is about control, control over the body, mind, and culture of Indigenous People:

“The real mischief, however, was how and why Europeans could not conceive of peoples governing themselves without formal European-styled institutions and written laws. Instead, they projected their own institutions upon the (I)ndigenous peoples’ methods of resolving social and political disputes and, seeing that the processes and beliefs were not identical, convinced themselves that Native nations lived in a state of savagery and barbarism. And unfortunately for the (I)ndigenous nations, Europeans understood civilization as maximizing social control over individuals rather than considering members of society so enamored with their institutions that they required a minimum of state supervision” (2011, p.121).

It is important to note that this is a two-step process of rationalization. The first step involves interpretations of inferiority based on colonial definitions of civilization, and the second is the enforcement of colonial culture (including the destruction of Indigenous culture) and systems of recognition. By systems of recognition, I am referring to institutions that reinforce a sense of validity in a culture, such as law, academia, and politics, which legitimize Canadian culture, ontology, and epistemology through officialization of colonial beliefs. An example of this can be seen in the school systems which perpetuate colonial knowledge and even teach a colonial version of Indigenous history to Settler children as well as Indigenous children. Alfred & Corntassel's statement that "state-imposed conceptions of supposedly Indigenous identity read to Indigenous peoples, from perspectives rooted in their own cultures and languages, not as moves towards justice and positive integrations...but as indicators of an on-going colonial assault on their existence" (2005, p. 598), supports the idea that Colonizers are attempting to re-brand their same age-old tactics of subordination and control of Indigenous People as a way to reinforce the self-proclaimed legitimacy of their Eurocentric attempts at domination. The process of rationalizing such Eurocentric notions of superiority allows Canada to find justification in their

continued perpetuation of colonial tactics aimed at eradicating Indigenous People through the foundational destruction of Indigenous cultures, such as through the enforcement of white Settler education.

Indigenous voices and knowledge are suppressed in multiple ways through their systemic and systematic exclusion by colonizers especially in the field of academia. Indigenous scholars must work within a narrow field of scholarship in order to attain recognition. This means working with and within the colonial context of knowledge and, as McLaren et al. ask, “How do we effectively situate our work within, or against, existing power structures and relations between those who are oppressed and the ostensible oppressors? How do we avoid perpetuating the status quo?” (2020, p. 1). The authors make us question the very structure of academia and how it supports the continuation of Western knowledge as an ideal. Colonial/ Western framing of what is deemed scholarly dictates the value of knowledge, who has access to that knowledge and who may contribute to that knowledge. Indigenous voices are systematically excluded from contributing to knowledge formation in Canada through the creation of a cycle of intentional unrecognition, exclusion, and the resulting devaluation of Indigenous knowledge. This devaluation forces Indigenous scholars to work within a white, colonial context, leaving behind important aspects of knowledge creation and sharing that is traditionally ingrained in their culture: oral history is one example. Likewise, these scholars are "bound to institutional ethics that have a set of concerns altogether different from Indigenous ethics" (Hunt, 2014, p. 29). So, not only is there a narrowly defined method of attaining a recognized education in Canada, but this educational path requires Indigenous scholars to reconfigure their cultural beliefs to meet the Canadian colonial demands. This singular pathway to academic acknowledgment leaves little room for the Indigenous voices that dare deviate from the colonial lens of understanding.

It is necessary to question the motivation behind Canada's attempts at cultural genocide beyond the obvious desire for control. Some scholars argue that Canada needs Indigenous culture in order to define their own and, indeed, "the longevity of a colonial social formation depends, to a significant degree, on its capacity to transform the colonized population into subjects of an imperial rule" (Coulthard, 2014, p. 31). Examples of such transformations are seen in the residential school systems through which Colonizers established their legacy of perceived superiority through the attempted physical and cultural destruction of Indigenous Peoples. Coulthard further argues that the "desire for recognition as an essential 'being-for-itself' is thwarted by the fact that he or she is only recognized by the unessential and dependent consciousness of the slave" (2014, p. 28). Coulthard is saying that the "master's" sense of being is dependent upon the recognition of the "slave", meaning that Canada is dependent upon their relationship with Indigenous Peoples in order to not only define their own culture but to establish recognition of themselves as a people. It is as if, only through the degradation of Indigenous culture are Canadians able to validate their own. This notion of reliance on recognition stems from a long history of Canadian colonial dependence on Indigenous People to survive as Settlers, allowing them to eventually gain control of Turtle Island territories through acts of colonialism and imperialism. In Fact, Deloria and Wilkins argue that "as Settler strength and military power grew, reliance on Indigenous groups for support diminished, the Nations then became a threat to the Colonizers who adopted new policies centered around cultural genocide. Previous approaches had centered on trade and land acquisition through treaties. Physical to cultural genocide" (Deloria, V., & Wilkins, p. 124). Colonizers have therefore always been dependent upon Indigenous People, first physically, then culturally but, as soon as this dependence became a threat, the Canadian government took measures to eliminate the threat, typically through

genocidal acts, in order to delegitimize and devalue their culture, history, governance, independence, and knowledge, to diminish this reliance.

There is a very clear disconnect between colonial and Indigenous interpretations of self-determination which centre on political authority and recognition from the neoliberal perspective of the Canadian government. Whereas “aboriginal leaders believe that rights are vested in the collectivity... the (Canadian) governments see rights as vested in the individual” (Boldt & Little Bear p. 71), resulting in a fundamental difference in the understanding of the rights, knowledge, and value of Indigenous People as separate from yet equal to colonial societal values. Similarly, Boldt and Little Bear argue that “Aboriginal leaders view their claim to aboriginal rights as a matter of survival for their people.... it is clear that to (the Canadian government), solutions outside the framework of delegated authority are unacceptable” (Boldt & Little Bear, p. 71-2), representing the intentional inaction of the Canadian government in taking the steps necessary to decolonize through legitimation of Indigenous rights within and outside the colonial context. Likewise, Cornthassel states that “the rights-based discourse has resulted in the compartmentalization of (I)ndigenous powers of self-determination by separating questions of homelands and natural resources from those of political/legal recognition of a limited (I)ndigenous autonomy within the existing framework of the host state(s) (2008, p.107). Indigenous authority is therefore delegitimized through the exclusion of their voices in the very fields that would provide a platform for self-advocacy, such as politics, law, and academia, disciplines which are all dependent upon neoliberal and objective perspectives based on traditional colonial values, such as the written word.

It is not to say that Indigenous voices are not heard or that they do not fight for their rightful recognition but, it is important to understand where Indigenous voices fight from. An

example of this is “recognition from below... (which means) shaping their own social orders without approval or permission of any authority beyond themselves” (Williams quoted in Howard-Wagner, Bargh, & Altamirano-Jiménez, 2018, p.8), which moves beyond Cooley’s idea of subgroups, to express a difference between Indigenous People and Settlers based on rightful autonomy undefined by the oppressor’s colonialist society. Recognition from below not only reverses the top-down order of colonial society in regard to cultural recognition but it also asserts that Indigenous voices do not require approval from the Canadian colonial government. This reinforces the value of their culture, as well as their resilience to the attempted oppression of their voices in all Canadian disciplines. Similarly, Kirmaye asserts that "the introduction of the concept of resilience acknowledged that many people do well despite severe hardships, trauma, and deprivation, and attempted to shift the focus...toward the analysis of individual strengths and positive outcomes. (Kirmaye, 2011, p. 84). Such outlooks, that are geared towards positive outcomes and resistance do not forget the colonial history of trauma but changes the discourse from negativity when analyzing Indigeneity in Canada. They instead, look to incorporate ideas such as "recognition from below" to redefine and reconfigure how Indigenous independence, self-governance, and self-recognition are structured outside of the colonial context.

Similarly, in order for the legal, scholarly and cultural recognition of Indigenous voices to occur, colonial governments and people must deconstruct their perspectives of Indigeneity as it has come from Settler school systems, media, and other such colonial sources. Hunt states that only through “destabilizing how we come to know Indigeneity and what representational strategies are used in engaging with Indigenous ontologies, as differentiated from western ontologies of Indigeneity” will Canadians be able to separate preconceived stereotypes of Indigeneity stemming from colonial racism from Indigenous self-perceptions, truths and

knowledge of self (2014, p. 28). The deconstruction of colonial knowledge of Indigeneity, and especially Indigenous autonomy and governance are of vital importance due to the continued attempts to justify contemporary colonialism, exemplified in the Wet'suwet'en land defence against colonial land theft. Canadian refusal to decolonize their minds and expand their own knowledge base through the rightful recognition of Indigenous politics, governance, and academia perpetuates their perceived right to abolish Indigenous People and their culture.

This inability to move beyond Canadian colonial self-importance has resulted in the re-traumatization of Indigenous People over land theft, a historical story that has not changed despite empty promises of reconciliation. Cornassel argues that the very context in which Indigenous rights are discussed “has led states to deny the identities or very existence of (I)ndigenous peoples residing within their borders (or to reframe them as minority populations or other designations that carry less weight or accountability under international law)” (2008, p.107), undermining their legitimacy and cultural identity when and where physical genocide has been ineffective or not possible. I have heard many people ask why Indigenous People cannot "get over " the trauma of the past, especially if it is the trauma of their ancestors (assuming, therefore, that it is not the current generation's trauma). But the trauma is never forgotten, nor has it ever ceased under Canadian colonial rule.

The Wet'suwet'en People, at the time of this paper, are still defending their land against the neoliberal, economic forces of the Canadian government who are hellbent on justifying yet another land grab because of written documents they claim legitimize their abuse and theft (The Guardian, 2020). The restriction on reporters and the biased news stories depicting the Wet'suwet'en land defence provides a prime example of the disproportion and distortion of Indigenous voices by colonial oppressors in multiple arenas. Canada feigns attempts at

reconciliation and ending the long history of Canadian imperialism and, in the same breath, orders Indigenous People off their land by claiming Canadian legitimacy based on arbitrary "proofs of ownership". Trauma cannot be forgotten when it has never ceased, and each generation is being abused in different yet equally sadistic ways that prolong the suppression of Indigenous voices, culture, governance, and self-determination.

At The legal level, Canadian power holders have the ability to dictate the framework of discussion regarding recognition of Indigenous People's rights and culture and, by extension, the perceived value of their knowledge within a Canadian context. And yet, "Indigenous knowledge and the work of Indigenous thinkers (scholars, elders, community leaders, activists, community members) contain a wealth of place-specific practices for understanding how categories of being are made possible within diverse Indigenous cultures" (Kirmaye, 2011, p. 27), reiterating the point that Indigenous knowledge differs but is not lesser than colonial knowledge, and yet, its difference is what threatens the Colonizers sense of validity. By claiming that only colonial ways of knowledge are valid, Canadians are able to devalue, infantilize and tokenize Indigenous knowledge thus creating an environment of constant struggle for the validation of their legal rights under the colonial system of Canadian law by using a yardstick of comparison that favours Canadian epistemology. Alfred and Corntassel explain this as "trying to eradicate their existence as *peoples* through the erasure of the history and geographies that provide the foundation for Indigenous cultural identities and sense of self" (2005, p.598). Essentially, by erasing Indigenous "sense of self", colonizers are committing cultural genocide and this is perpetuated through the negation of Indigenous People and their voices in academia, law, and politics. Oppressing the recognition of Indigenous validity, as a People with a distinct culture, values, beliefs, and epistemologies is a fundamental tool of cultural genocide. Indigenous People have continuously

fought against their oppressors and are not idle in this fight. However, more needs to be done by the Canadian state in regard to “refiguring the representations of Aboriginal Peoples in the larger society in ways that can foster resilience through recognition, respect, and reconciliation...social and political changes that must occur” (Kirmaye, 2011, p. 89) at multiple levels and by the power holders who continue to interpret Indigeneity based on colonial knowledge. As long as negotiations of validity and valuation take place through a colonial lens of imperialism, there will continue to be a hegemonic imbalance that favours Settler Canadians’ knowledge and truth, at the high cost of Indigenous culture, autonomy, and governance through the oppression of their rights to self-determination.

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