

foreword: letters from the trenches

a few years ago, allies of defenders of the land, a new indigenous activist organization in canada, engaged in an online debate about a document called our “basis of solidarity.” i had paid passing attention to the debate, preoccupied with other concerns and with helping establish the organization’s basic capacity. late in the increasingly sharp online debate, i decided to review the draft. i noted that the words “aboriginal rights” had disappeared, in spite of the fact that our indigenous leaders were committed to them, and inquired why the concept had been dropped. i then learned that a large sector of the social justice activist community was opposed to the idea of rights. in the wake of a united states-sponsored invasion of iraq ostensibly in the name of “freedom” and “democracy,” many activists began seeing rights as a justification for state or imperial interventions rather than as a tool for marginalized

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communities. i intervened in the debate through a lengthy (but in academic standards quite schematic) email as follows:

i'm going to write a paragraph on indigenous rights here, because i hadn't realized the issue was quite so controversial in our groups. so you can skip this if you haven't time, etc. the notion of rights is not liberal or capitalist. it comes in the western tradition as far back as the plebeians of rome/greece trying to wrest power from the aristocrats, and from poorer people in a variety of situations around the world using the same idea, often as a way of limiting the unrestrained power of the rich. it's fair to say that the rich have also promoted a notion of rights, property rights, and that this too goes back a long way. the notion of rights became individualist in western europe from around the enlightenment. possessive individualism became a core foundation of capitalist legal frameworks, and it is still with us today. the united nations declaration of human rights, and the many other similar declarations, tend to be universalistic, eurocentric, and individualist, though it still has value as an obstacle to unimpeded capitalist development in certain contexts. neoliberalism is indeed associated with an individualist property rights agenda. aboriginal rights have an entirely different origin. they come from the struggle of indigenous peoples to have their customary practices and land ownership respected. they were not enshrined by the united nations until decades after the universal declaration. they are by

nature collective (though they can be and most often are invoked by individuals on behalf of the collective: roberta keesig's fight to build a cabin was a fight for all anishinabe). if we truly respected indigenous rights we would be putting up a major, perhaps fatal, obstacle to neoliberal capitalist development. hence, i have no hesitation about my unqualified support for indigenous rights at the same time as having some serious questions about so called "universal" human rights (which need and sometimes do include a right of association) and absolutely despise possessive individual property rights. (22 october 2009)

the language of aboriginal rights was eventually maintained and strengthened in the "basis of unity" and other statements (see www.defendersoftheland.org). but the debate helped me realize that there are many well motivated people who have little understanding of the specific nature of aboriginal rights; in general, they tie the idea quite closely to broader notions of human rights, which, for a variety of legitimate ethical-political reasons, they have come to be suspicious of. it was this event and discussion that prompted me to write these words.

the confusion concerning differing conceptions of rights can be found in the analysis by close observers of the processes that led to the united nations' adoption of the declaration on the rights of indigenous peoples, and it can also be found in the declaration itself. in the chapters

that follow, i discuss briefly and schematically the varying histories of human rights and aboriginal rights, demonstrate how the conceptual confusion between them operates to undermine aboriginal rights, lay out a structure for clarifying the problem, and show how the issue relates to some recent indigenous struggles in canada. indeed, much of what follows can be taken as reports from the battleground of aboriginal rights in canada, complete with tactical recommendations. throughout the book, i use the terms “indigenous” or “aboriginal” to describe the variety of peoples with whom the united nations declaration and my analyses are concerned. i use the term “aboriginal rights” to discuss the specific rights of indigenous peoples, and “indigenous human rights” to describe the human rights of indigenous peoples. the “rights of indigenous peoples” is a term used by the united nations that encompasses, for better or worse, both forms of rights.

if there is a “battleground” of aboriginal rights, where are the front lines? are the front lines the blockades and occupations that indigenous people establish at grassy narrows or grand rapids or in other even more well known locations? these are the sites that sometimes generate media attention and are the places where the struggles are condensed and intensified, where the often dormant issues suddenly demand confrontation. or are the front lines to be found deep in the bush, far from prying eyes and media

attention, where aboriginal culture is enacted in practice? certainly these are places and moments that seem to put the broader struggle into something like perspective, though perhaps only a handful of the political agents ever get there. is the courtroom, a place where both the explicit political confrontations and the implicit politics of the cultural/daily activities that take place in the bush are adjudicated, the “proper” front line? the legal confrontations are, beyond a doubt, a place where practices and policies can be codified, boundaries drawn, principles of engagement established. perhaps the front lines are in our cities; for example, in the urban shaman gallery in winnipeg or in any of the many friendship centres that figure in so many urban spaces. the front lines could just as easily be in the history, politics, anthropology, literature, sociology, and law textbooks that define who is who and what happened to whom in whose interests. maybe the most real front line is the one inside each of us, that place where we keep our latent, lingering ability to care about each other, to care enough to try to understand, to care enough to act: this might be the most critical front line of all.

these letters from the trenches engage each of these front lines: sites of intense material struggle, legal debates, battles around images and ideologies propagated in a variety of disciplinary texts, urban actions, and political mobilizations, attempts to cajole and persuade, to remind

people that there is a truer justice than that spoken by bureaucrats, a justice that cannot be separated from the poetry inherent in its making.

this book emerged from a series of articles that i published in *canadian dimension*, *new socialist*, and *briarpatch* magazines, as well as a couple of academic texts from the *journal of canadian studies* and *prairie forum*. it is based on essays originally written to help achieve specific political goals: to raise questions about the united nations declaration on the rights of indigenous peoples, for example, in the moment of its being triumphantly celebrated, or to displace the concept of class with the concept of mode of production in a socialist or materialist approach to indigenous politics. in fact, my main point and broadest theme is that for a socialist practice, the tool “mode of production” allows theoretical purchase onto the cultural value of indigenous hunting peoples. this in turn allows us to develop a properly socialist rationale for the concept of aboriginal rights. aboriginal rights belong within historical materialist theory and socialist practice, but must be sharply distinguished from human rights if that is to be the case. although primarily oriented to serve these theoretical and polemical purposes, the book also engages in reporting, using the issues created by manitoba hydro’s assault on cree lands in northern manitoba or the meeting of a national network of activists—the defenders of the

land—sometimes to make points, sometimes as events that fly below the mainstream media radar but deserve attention on the part of those who still retain a conscience.

my earlier book, *the red indians*, roughly acts as a brief introduction to aboriginal history in canada, written for those with a social justice and activist orientation. i see this book as a complementary text that roughly acts as an introduction to theorizing aboriginal politics in canada and to positioning the contemporary moment. ideally, this provides a guide to action, a sense of what issues and battles are of greater urgency and perhaps some sense of how to intervene in an informed, reflective manner. like *the red indians*, i have kept this short so that it is accessible. and i have written it, as was the case earlier, without capital letters following the practice of bell hooks, of e.e. cummings, of all those who reject the symbols of hierarchy wherever they may be found.

i must apologize to métis readers: although i include a specific section on inuit, and much of the material bears on work with first nations across the mid and far north, i do not specifically offer any analysis that draws on the historical or contemporary positionality of métis. *the red indians* does include substantial material on métis history, but the accident of my own political engagements has meant i have not had the pleasure of working with some of the great métis leaders of our time. it is my preference not to report on trenches i haven't fought in.

i am a person of non-aboriginal descent who works professionally in the field of native studies and whose political activism is focused on indigenous issues. i have never apologized for this. if the very dire circumstances of the first peoples of canada are to ever meaningfully improve, we will need more people rather than less travelling down the road i and quite a few others have taken. i represent a recent iteration of non-aboriginal supporters of aboriginal leaders and communities in struggle, a lineage that stretches from even earlier than the late walter rudnicki and michael posluns and will stretch even further than to my young punk-anarchist colleagues in the winipeg indigenous peoples solidarity movement. we need more rather than less joining us. we need a full-fledged movement; one that is mobile, flexible, ready to fight, and, critically, knowledgeable about the issues. i am certain aboriginal readers of these pieces will find something of value here, and hopeful that these words may play a small role in constructing a fragile but crucial alliance among canadians across the settler-colonial chasm.

finally, i wish here and now to express a few words of gratitude. i thank valerie zink for her encouragement and willingness to publish my work in *briarpatch*, from which chapter one of part one, “aboriginal rights are not human rights,” developed. i’d also like to thank deb simmons—a longtime friend and colleague and comrade—who

solicited my piece for *new socialist*, a revised version of which is chapter two of part one, “socialism and native americans.” it was a friend and colleague, joyce green from the university of regina, who initially asked me to write what became the academic version, in *prairie forum*, of “aboriginal rights are not human rights,” and i thank her for that and for her friendship. i take great pleasure in being able to express my longstanding appreciation to and admiration of cy gonick, who has enthusiastically supported the most wayward of my writings for *canadian dimension* and who has for decades embodied the gregarious, critical, persistent spirit of the left in our country. i am also very grateful to the manitoba research alliance for funding support that helped me prepare this manuscript; it is a great pleasure for me to be a part of an outstanding research team led by john loxley and including elizabeth comack, jim silver, ian hudson, shauna mackinnon, and lynne fernandez. les sabbiston helped with initial preparation of the manuscript. i thank peter ives for encouraging another arbeiter ring production on my part and for being a thoughtful interlocutor in my recent reading of the great italian marxist theorist antonio gramsci. josina robb is due profound thanks for a careful copy edit of the manuscript; and i must recommend the people at arbeiter ring to anyone who desires an audience of critical readers outside of academia; they are a pleasure to work with and have the

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