Impossible Canadians: Discourse, Subjectivity, and Sovereignty as National Identity

by

Tyler Chartrand
B.A. (Hons.), University of Western Ontario, 2011

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Supervisory Committee

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Dr. Matt James (Department of Political Science)
Supervisor

Dr. R.B.J. Walker (Department of Political Science/CSPT)
Departmental Member

Dr. Warren Magnusson (Department of Political Science/CSPT)
Departmental Member
Abstract

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This thesis analyses the power relations operating within the field of Canadian national identity, the permissible subject positions within it, and the political claims enabled by such positions. It contributes to a field of interdisciplinary study on these questions by arguing that national identity in Canada is a problem animated by the logic of the sovereign form of authority. An analysis of state-authorized discourse demonstrates the power relations between the Normative Canadian and National Other subject positions, which reduce Indigenous peoples, the Québécois, and ethnoculturalized individuals into intelligible subjects of recognition and sovereign decisions. An account of those limits and conditions of possibility of Canadian national identity susceptible to modification and transgression is offered to conclude.
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Introduction

The existence of a Canadian national identity is paradoxically both impossible and necessary. This contradiction is not exclusive to Canada, yet Canada is seen as exemplary in its negotiations of national identity and intergroup difference. Either as role model or cautionary tale, the international community has learnt much from Canadian practices of multiculturalism, Indigenous-settler relations, constitutional tinkering, federalism, secession movements, and historic reparations. While some Western states are synonymous with cacophonous expressions of power or expansive global empires, the Canadian state has more of a resonance with the quiet work of intractable negotiations and subtle stories about plural and irreconcilable identities. Canada is the story of negotiating the impossible.

This analysis focuses upon the relations of power operating over the past 50 years of contestation in the field of national identity politics over the authority to define insides, outsides, and the relative positions from which political claims can be made. I argue that Canadian national identity is a problem animated by the sovereign form of authority. This form of authority has been reproduced, both by the state and individuals acting within the bounds of the state, through participation and responses to the establishment of commissions, negotiations over the Constitution, decisions by the Supreme Court, acts of Parliament, implementation of policies and programs, calling of referenda, and the pursuit of fluid political agendas.

A study of power relations cannot tidily restrict itself from referring to significant conditions of possibility that precede this 50 year period, but this analysis suggests that beginning with the Royal Commission on Bilingualism and Biculturalism the field of
Canadian national identity became more explicitly and frequently contested, defined, and maintained by both the state and individuals acting within the bounds of the state. The Commission occasioned English Canada’s recognition of Québec nationalism and inaugurated a debate that would lead to state policies of bilingualism and multiculturalism. Simultaneously, normative forces in Canada were required to recognize the political agenda of the Indigenous peoples of the territory, who rejected the state’s proposal for complete assimilation. The government of Pierre Trudeau attempted to manage the proliferation of challenges to normative Canadian privilege by intentionally reshaping civil society and constructing a unified pan-Canadian identity which would work according to liberal principles of inclusion, diversity, and tolerance.¹ During this time Québec nationalists mounted their first campaign to achieve sovereignty and a series of Supreme Court rulings drastically re-defined the relationship between the Canadian settler state and Indigenous peoples. Trudeau’s liberal national identity project culminated with the inclusion of the Charter of Rights and Freedoms in Canada’s patriated constitution, which further incited Québec nationalism and irrevocably changed the relationship between identity and political claims made through the state.²

Following Trudeau, Brian Mulroney’s government sought to mediate the fissures through a neoliberalized transactional negotiation between the provinces and, then, every definable national interest. The failure of these deals was followed by a second


referendum on Québécois sovereignty that nearly succeeded and the first in a series of armed stand-offs between the Canadian state and groups of Indigenous peoples. The state began to respond to the new legal terrain for First Nations and ethnoculturalized citizens by negotiating treaties that delimited Aboriginal rights and adjusting the systems of interest groups that were cultivated in the Trudeau-era. The government of Jean Chrétien attempted to head off any future referendum on Québec sovereignty through judicial and legislative clarifications on provincial capacities to secede. The prominence of particular ethnoculturalized Canadians shifted in a neoliberal era that cast some as valuable economic links and some others as dangerous threats, particularly since the heightened emphasis on security and surveillance at the beginning of the 21st Century.

More recently, the Québécois sovereignty movement has softened on independence in favour of becoming a more institutionalized governing force and the government of Stephen Harper has recognized the Québécois as a nation. As a form of identity and difference management, multiculturalism began to lose prominence in favour of a program of selective apologies, commemorations, and acknowledgements that Matt James characterizes as “neoliberal heritage redress.” Concurrently, the Truth and Reconciliation Commission began its work of sharing the experiences of victims of Indian Residential Schools and relations between the settler state and the territory’s Indigenous peoples took on new political urgency and attention.

Analysis of Canadian questions of identity and difference has proliferated in this context. Various disciplines, offering various approaches, have been deployed to describe, prescribe, or speculate on the state of Canadian identity, nationalism, diversity,

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3 James, “Neoliberal Heritage Redress,” 2.
and group relations. The differences between analyses lie largely in the respective lines they draw through this ambiguous field in order to frame certain contestations, differences, and entities. The lines that I draw in this analysis align it with a group of recent poststructural and anti-racist literature among several disciplines, which provides various forms of understanding and signifying the difficulties and problems that I have termed ‘national identity.’

This thesis explores less prominent approaches to the analysis of Canadian national identity. This analysis holds Canadian national identity to be a problem rather than a necessarily existent entity with definable content and this distinguishes it from empirical approaches that have inquired into the consistency of phenomena classified as Canadian national identity, culture, society, or politics. My approach analyzes the relations of power that animate the field of Canadian national identity and this distinguishes it from more structural or systemic approaches that provide an overall account of Canadian identity and difference. This approach to Canadian national identity as problem and power also contrasts with moral philosophy and social science approaches that frame these concerns as ones of recognition, inclusion, cooperation, partnership, representation, justice, freedom, or other liberal frames. Rather than taking positions within or alongside liberal debates on these prominent themes, this analysis

investigates the production of relative positions and debates within the field of Canadian national identity and how they come to be occupied and enable political claims.

The main contribution of this thesis to the critical interdisciplinary field of studies on Canadian identity and difference is to argue that the sovereign form of authority animates national identity politics in Canada. This follows from Benedict Anderson’s argument that the national form of political community is “imagined as sovereign” and considers its application to the Canadian case. Prominent approaches to these questions are generally informed by combinations of conflict theory and the significant literature on the struggle between the state and societal forces. However, rather than examine struggles between various authorities, my analysis examines one form of authority and its consistent and shared use by a variety of actors in power and discourse. Such a focus complements other accounts of minority struggle and oppressive relations by examining the difficulty of overcoming the foundational logics upon which such uneven relations are built. This analysis is not explicitly concerned with actors, but instead with the powerful concepts that shape and enable political action. Rather than approach the position of non-normative subjects as a straightforward domination, this analysis makes visible the way that limits enable subjects’ political capacities and those political capacities reinforce particular limits. This approach, along with the examination of sovereignty, distinguishes this analysis from an otherwise close affinity with recent poststructural and anti-racist literature on Canadian identity and difference.

In drawing the lines of this analysis according to these less prominent and more interdisciplinary approaches, insights from a variety of scholarly perspectives are

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consulted in order to illustrate my account. The inclusion of such sources is demonstrative of key convergences among otherwise disparate approaches and does not suggest that these scholars necessarily confirm the account offered. At times, my analysis uses evidence from empirical social science research to illustrate abstract trends in power, discourse, and subjectivity. In other cases, my account applies more abstract theoretical accounts of power, discourse, and subjectivity to the particular details of the Canadian case. While my case is Canada, the analysis also draws upon literature that transverses the international concepts of sovereignty, the nation, and liberalism in order to investigate how Canadian national identity is historically and conceptually determined by Western modernity’s conditions of possibility. It has been noted that the international human rights regime was a decisive frame during the emergence of multiculturalism, the Charter, and other prominent techniques of identity and difference management. My approach suggests that international frames, and their attendant problems, continue to exert significance influence upon Canadian identity production.

In the course of this discussion, the analysis does critique particular state activities and the political agendas of groups that some with deep investments in these struggles would defend. The spirit of this critique is not meant to be dismissive or definitive, but rather be part of the productive forces of ongoing political thought and action. Canada’s field of liberal identity and difference management, which produced policies such as multiculturalism and activities such as the Truth and Reconciliation Commission, has efficacy and constitutes positive interventions for some individuals. So, too, do the political agendas of individuals struggling to reproduce sovereignty for Indigenous

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6 James, Misrecognized Materialists: Social Movements in Canadian Constitutional Politics (Vancouver: UBC Press, 2006), 86 and 110.
people or the Québécois. By arguing that these activities and agendas have unintended, sometimes self-defeating, consequences in the field of power relations does not imply a straightforward abandonment of these initiatives is desirable in practice. Michel Foucault argues that the choice between critical thought and transformative practice is a false one:

...there is not a time for criticism and a time for transformation; there are not those who have to do criticism and those who have to transform, those who are confined with an inaccessible radicality and those who are obliged to make the necessary concessions to reality. As a matter of fact, I believe that the work of deep transformation can be done in the open and always turbulent atmosphere of a continuous criticism.9

The spirit of this analysis subscribes to Foucault’s suggestion that continuous critique and continuous transformation work alongside one another. Indeed, the conditions and actions that make up the field of national identity politics will persist in their transformations and fluctuations regardless of the preferences of those who have previously engaged with these politics and fixed their agendas and analyses.

Outline of the Thesis

This analysis is organized into two main chapters followed by a brief concluding chapter. The first chapter lays out the main argument of the thesis through an examination of Canadian national identity’s foundational logics and conceptual conditions of possibility. The second chapter demonstrates the arguments of the first chapter through analyses of state-authorized discourse on three National Other subject positions: the Québécois Canadian, the Aboriginal Canadian, and the Multicultural Canadian. The brief concluding chapter reflects on the thesis and outlines the limits and

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conditions of possibility of Canadian national identity susceptible to modification and transgression.

In the first chapter, I will argue that national identity in Canada is a problem animated by the logic of the sovereign form of authority. National identity is one’s position within a political community constituted by the paradoxical tensions and oppositions between universal, collective entities and particular, individual entities. My analysis examines the relations of power in which an individual variably assumes, inhabits, and performs subject positions in order to be intelligible and act politically under forms of authority. Through an investigation of power relations and discourse, I will trace the foundational logics and conceptual conditions of possibility that animate struggles over identity and difference. My account will suggest that the field of Canadian national identity is a bounded entity with a norm secured at its centre, exceptions policed at its margin and limit, and constitutive exclusions and regulative inclusions that serve to delimit and contest national identity. This analysis argues that sovereignty, as a problematic self-authorization of absolute authority, performs the capacity to authorize the boundaries of national identity. This account will maintain that both state and societal actors reinforce the sovereign form of authority and the perpetual need for sovereign decisions on the existence, maintenance, and resolution of the exceptional state in national identity.

The first chapter goes on to suggest that positions within national identity are authorized according to the logic of the sovereign form of authority, enabling subsequent authorizations of specific political claims and capacities. Authorized authority over national identity, the Normative Canadian subject position is secured at the normative
centre of national identity by its alignment with the virtues of the nation and its roots in liberalism and Western modernity. Unmarked with culture, race, or other difference, the Normative Canadian’s way of life is seen as collective and universal in contrast to the particular and fragmented diversity of non-normative culture. The Normative Canadian exists in relations of power with National Other subject positions marked with the content of nation, culture, and race: the Québécois Canadian, the Aboriginal Canadian, and the Multicultural Canadian. My account describes how these previously excluded National Other subject positions fulfill specific roles and are governed by specific conditions of intelligibility within the field of national identity.

The Normative Canadian possesses the authority to recognize and decide upon its National Other, thereby enabling the National Other specific and conditional political capacities. I will argue that this capacity to recognize the National Other enables the expression of Canadian national identity, which prioritizes the representation of marked and intelligible difference against the invisible and unmarked qualities of the Normative Canadian. The discussion will examine how the liberal discourse of national identity politics aligns non-normative subjects with the authorities of their nation, culture, or race, while normative subject prioritize allegiance to the sovereign state. Liberalism recasts political claims and subject positions into its own debates, solving the ‘problem’ inherent to cultural difference. Discourses of diversity, tolerance, and balance enact shifts to the private sphere’s limits, exposing non-normative subjects to intervention from a public and political sphere that they cannot occupy. My account suggests that discourses of legitimation serve to justify the relative privilege of normative subjects, which is
perceived as under threat from engagements with that relative privilege’s enabling conditions and the claims of non-normative subjects.

This first chapter concludes by discussing how reductive forms of national identity govern one’s political intelligibility and appearance, grouping individuals into collective identities that, despite their widespread use and signification, hardly seem possible. It describes the way that individuals internalize and submit to these impossibly reductive subject positions in order to make political claims and be authorized political capacities. The limiting subject positions of national identity render some individuals paradoxically within, and yet excluded from, the nation.

In the second chapter, I will argue that the problem of Canadian national identity is demonstrable in the power relations and discourse that produces the subject positions of the Québécois Canadian, the Aboriginal Canadian, and the Multicultural Canadian. In my account, the Québécois Canadian is recognized as a linguistic and cultural entity, which allows most of its troublesome difference to be depoliticized as culture while language remains a narrow domain open to political contestation. The Québécois Canadian is authorized the capacity to perform its own liberal inclusions and recognitions towards its minorities, but the sovereign state reserves the capacity to decide upon Québécois difference management. Authorized with the capacity to behave as a partner, the Québécois Canadian may submit proposals, the legitimacy of which are also decided upon by the sovereign state as the sovereignty referenda demonstrate. In its role as the marked and intelligible partner, it will be shown that the Québécois Canadian is authorized the capacity to acknowledge the partnership’s innumerable benefits while being foreclosed from critiquing it. The Québécois Canadian’s capacity to understand and
be understood is similarly decided upon by the sovereign state, which may render its claims misunderstood or unintelligible. My analysis suggests that the political claim of independence from Canada is rendered as a harm to the nation that would refute the values of liberalism and Western modernity, legitimating the Québécois Canadian’s subordinate place in the partnership.

The second chapter then examines the recognition, after the imposition of sovereignty, of the Aboriginal Canadian as an entity to be catalogued and registered, denied the capacity to recognize others. Troubled by its association with unintelligibility, the Aboriginal Canadian is authorized the capacity to have representatives upon whose legitimacy and selection the sovereign state reserves the capacity to decide. Recognized as a problem to be regulated and governed, potentially to the point of rights infringement or harm, the Aboriginal Canadian is positioned as a perpetual dependent. To complement its problematic rights and claims, the Aboriginal Canadian is authorized the capacity to surrender such rights and claims to the sovereign state and receive benefits and protection as a dependent. It is argued that the Aboriginal Canadian is also authorized the capacity to choose to enter modernity, demonstrating its ability to give rules to itself and take responsibility for its affairs and property. This entrance into modernity entails leaving the harms of the past behind and participating in liberal national identity politics as a special minority culture.

Finally, the chapter examines the Multicultural Canadian and its recognition as an object of study reflecting the problematic fact of diversity through its ambivalent status as an entity of both ethnicity and culture. Impeded by a confining and dangerous culture, the Multicultural Canadian is authorized the capacity to work to become the Normative
Canadian and to require assistance and protection to ameliorate its inherent disadvantage. Recognized as a contributor to Canada, the Multicultural Canadian’s culture is subordinated to normative culture through its capacity to have a heritage, seek historical redress, be of use, and participate in cultural exchange and interaction. I will argue that the capacity to integrate serves to subordinate the Multicultural Canadian’s culture to normative culture and facilitate the eradication and unintelligibility of its cultural difference. Authorized the capacity to be subsequent, the Multicultural Canadian is recognized as contributor to an already established order and the future of difference management in Canada.

In the concluding chapter, I suggest four problems that further critical inquiry and political contestation might productively work at in order to modify or transgress the limits of sovereignty and the nation. I discuss what is at stake, conceptually or practically, in the problem of sovereignty, the effectiveness of current resistance to sovereignty, the capacity of individuals’ self-formation and performances of national identity, and the affect of information technology, network society, and corporate power over national identity. I argue that a shared condition of being ‘impossible Canadians’ enables critique, contestation, and problematization of the problem of Canadian national identity.
1. Sovereignty and Subjectivity: The Problem of Canadian National Identity

“...although there are two official languages, there is no official culture, nor does any ethnic group take precedence over any other. No citizen or group of citizens is other than Canadian...”
- Pierre Trudeau, announcing the policy of multiculturalism, 1971

“The more we related to one another through the state, the more divided we seem to become.”

“What matters is not the terminology we use, but that we keep certain distinctions in mind.”

In this chapter, I will argue that national identity in Canada is a problem animated by the logic of the sovereign form of authority. The discussion begins by exploring the paradoxical nature of national identity, its existence as power relations, and its significance in the lives of individuals. Then, the nature of national identity as a bounded entity will be examined, including the boundary practices that exclude and include. The account moves to the role of the sovereign form of authority as a problematic and foundational claim that nevertheless authorizes the boundaries of Canadian national identity. An exploration of the significance of authority over national identity is followed by an account of the Normative Canadian subject position. The Normative Canadian’s existence in relation to marginal National Other subject positions and their conditional appearance in national identity will be described. I will then argue that the Normative Canadian’s authority to recognize and decide upon its National Other enables the expression of Canadian national identity and the conditional political capacities
authorized to the National Other. From there, the chapter will examine the liberal framework of national identity discourse, which manages normative and non-normative subjects in distinct ways. The threats to normative subject’s privilege will be described and the role of discourses of legitimation in responding to such threats will be suggested. The discussion concludes by examining the simultaneous impossibility and necessity of these reductive subject positions for non-normative individuals.

National/Identity

Collective entities such as nations, societies, or cultures are contestable entities expressive of dynamic processes, which make them difficult—if not impossible—to define. Eric Hobsbawn suggests that all “objective definitions have failed” to distinguish what truly differentiates a nation from other similar entities.\(^1\) While the substance and definition of these collective entities remains open, this analysis seeks to understand how these entities are implicated in relations of power in people’s lives as forms of authority. This approach similarly holds for the individual entity, the exact nature of which is just as contestable and dynamic. My use of the term ‘national identity’ is meant to refer to the tensions and politics that arise from simultaneous and contradictory claims about both collective and individual entities. The nation resides within the same subjects that reside within the nation, blurring the boundaries between universal and particular, individual and collective, and inside and outside.\(^2\) The national narrative is universal insofar as any


\(^2\) For an exploration of the uneasy tensions between individual and collective, part and whole, diversity and fragmentation, and other nationalist contradictions in Canada, see Gerald Kernerman, *Multicultural Nationalism*. 
attempt to characterize a collective entity may be considered universal (“We are...”). The modern individual of Western liberal modernity is particular insofar as it defies any attempt to deny it a specificity and uniqueness (“I am...”). The intersection between a universal national narrative and the unique particularity of the modern individual of Western liberal modernity produces a particular political community.

The problem of national identity becomes visible in the way that these paradoxical reconciliations permit simultaneous and competing claims of generality and specificity about nations, groups, and individuals. Kernerman argues that the Canadian political community is produced by performing particular “constitutive oppositions,” such as “equal versus differentiated citizenship, ...citizens equal versus ‘citizens plus,’ individual rights versus collective rights, [and] impartial versus group-based representation.” In particular, Canada has produced its own iteration of the “coexistence of unity and diversity within a framework of differentiated citizenship” in both thought and practice. This unity-diversity opposition is reified by attempts to include more within national identity, to include less, or even by trying to escape the opposition itself. Alan Cairns has suggested that the Canadian political system has an “exaggerated obsession with national unity.” Even George Grant’s theory of Canadian nationalism’s erasure is based on an opposition between local particularisms and the “homogenizing

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3 In the following section on the concept of boundary, I will outline my position that every ‘universal’ is a claim about a finite and bounded entity and claims encompassing the entirety of finite and bounded entities act as universals as well.


5 Ibid., 7.

6 Cairns, “Governments and Societies,” 698.
and universalising” imperatives of technological society.\textsuperscript{7} The perpetual re-playing of these oppositions reinforces them and paradoxically unites opposing positions within the same “Canadian conversation.”\textsuperscript{8} For example, the tension between individual and collective rights is evident in the continuously re-staged debates over group identities and the type of individual empowered successively by Trudeau-era rights discourse and neoliberal instrumental rationality. James notes that this focus on the individual in the current neoliberal era of identity and difference management serves to “delegitimize group experiences and identities.”\textsuperscript{9}

Identity, either for a collective or individual entity, is a variable practice of assuming, inhabiting, and performing multiple subjectivities. For the most part, I use the word ‘subject’ to suggest that a reduction and transformation occurs, through knowledge production and relations of power, to individuals, whose exact content and nature I leave largely unaddressed in this analysis. My account presumes that such individuals variably assume, inhabit, and perform overlapping and competing subjectivities in different contexts, in order to be intelligible to others and to relate with them. The context of occupying or assigning positions in national identity provides one politically salient set of subject positions among a variety of other sets that are highly relevant for individuals in Canada. Indeed, positions formed within a nation by power and discourse are one part of a multiplicity of subject positions that must simultaneously be negotiated by individuals positioning themselves in a nation in their political practice. Provincially authorized subject positions are particularly relevant in such political practice in the nation, although

\textsuperscript{7} George Grant, \textit{Technology and Empire: Perspectives on North America} (Toronto: House of Anansi, 1969), 68.

\textsuperscript{8} Kerneran, \textit{Multicultural Nationalism}, 4.

\textsuperscript{9} James, “Neoliberal Heritage Redress,” 4.
this analysis is restricted to a discrete set of subject positions that exist in relation to one another at the national level.

This analysis focuses on subjects’ implication in relations of power rather than the substantive content or nature of the individuals meant to be signified by the subject positions. What the exact relationship is between the subjects of a political analysis such as this and so-called real people remains open and outside of this analysis. In their intelligibility, relations, and self-consciousness, one individual may simultaneously or selectively be any number of subjectivities given the context. By focusing on subjects, this analysis attempts to avoid wading into the difficulties that arise from bridging the gap between subject and person, phenomena and noumena, or word and thing. While these subjects may not fit any one individual, they are surely the subject positions which individuals are compelled to use in their political claims, intelligibilities, and relations. By articulating stark discursive hierarchies and limited political capacities in power relations, this analysis does not intend to suggest that those people who have been historically implicated in these subject positions lack agency, power, strength, or the general capacity to live, think, act, or be otherwise.

It is quite likely that one does not readily or frequently identify with a subject position in the field of Canadian national identity and instead defines oneself more strongly with other types of subjectivity. This analysis is concerned with precisely this force of national identity’s naturalization and the erasure of its operation, causing it to recede deeply into the background of daily life. For when one’s position in the field of national identity becomes important, it suddenly becomes the difference between life and death, security and threat, belonging and exclusion, prosperity and poverty, and other
immensely important distinctions. To assume or perform a subject position within national identity, or to be assigned such a position, is to claim some risk or reward and come face to face with Western modernity’s most fundamental form of authority.

**Bounded Subjectivities: Constitutive Exclusions, Regulative Inclusions**

Rather than document individual cases of struggle over identity and difference in Canada within its own regulative terms, this thesis investigates power relations and discourse in order to trace the foundational logics and conceptual conditions of possibility that animate this struggle. Of particular relevance to this logic is the concept of the boundary. Questions of identity and difference, collective and individual, and universal and particular are beholden to the discriminations enacted by boundaries, which serve to define bounded entities. The production, erasure, and maintenance of boundaries is political. The more obvious examples, such as the borders of a state or the limits of a legal order, might lead boundaries to be dismissed as mere “lines distinguishing already established entities,” but the discriminations enacted by boundaries work to define or erase, include or exclude, make relevant or irrelevant, politicize or depoliticize such entities. Boundaries establish political orders, naturalize arrangements, and secure fields as either open or closed to contestation. Closing a field to contestation effectively ‘depoliticizes’ matters that otherwise require political analysis. Following Wendy Brown, depoliticization removes history and power from the production of phenomena and instead casts them as either personal and individual or natural, religious, and cultural. The solutions that then emerge to a depoliticized matter become “behavioral, attitudinal,

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and emotional practices” rather than struggles of power or collective action. For example, James has shown that recent state attempts to commemorate historical injustices arising from immigration or wartime restrictions abstract these events from important context, thereby depoliticizing the state’s past actions and policies.

Meant to signify both space and time, boundaries might be productively thought of as “multidimensional moments and sites,” as R.B.J. Walker suggests. Even stretched to the finite limits of human knowledge, any spatiotemporal realm is understood as having boundaries and outsides. For example, temporal boundaries distinguish the modern from the premodern, working to designate certain subjects, such as Indigenous peoples, as uncivilized or otherwise outside of the capacity to make political claims. Walker notes that modern politics is characterized by a series of irresolvable contradictions “organized through the delimitation of finite sovereignties and subjectivities.” Thus, politics exists within and among a multiplicity of bounded entities, whose production, maintenance, and erasure is inherently political. For example, Anderson argues that all nations are limited because their finite, elastic boundaries are not ever intended to be “coterminous with mankind.” An analysis at the boundary examines the finite frame within which any given matter exists as well as to its productive outsides. Political discourse makes frequent appeals to the universal, but every universal has a limit and every political phenomenon has a boundary.

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12 Ibid., 16.
13 James, “Neoliberal Heritage Redress,” 16-19.
14 Walker, After the Globe, 237.
15 Walker, After the Globe, 234.
16 Anderson, Imagined Communities, 7.
The field of Canadian national identity is a bounded entity with a norm secured at its centre and exceptions policed at its margin and limit. The field of subject positions within national identity creates the ground for various political projects and positions, all within a specific spatiotemporal configuration of inclusion and exclusion, boundary limit and normalized centre. Internal cohesion exists within subject positions and within the field itself while that which is beyond the boundary is necessarily excluded. As Judith Butler suggests, to be ‘culturally intelligible’ is to exist in relation to “a domain of unthinkable, abject, unlivable bodies” that “[haunt] the former [intelligible] domain as the spectre of its own impossibility, the very limit to intelligibility, its constitutive outside.”

For Butler, subjectivities are “constituted through the force of exclusion and abjection, one which produces a constitutive outside to the subject, an abjected outside, which is, after all, ‘inside’ the subject as its own founding repudiation.” Conceptualizing such a founding repudiation as a constitutive exclusion illuminates the active and contingent process of enacting discriminations and drawing boundaries in order to establish bounded subjectivities, rendering all that is outside silent, invisible, irrelevant, or foreign. But the boundaries of national identity are not strictly exclusionary, particularly in the context of liberal inclusivity.

While some subjects may remain outside national identity, others may be ‘brought back in’ under conditions set by the national forms of authority. Previously excluded nationalities, cultures, or races are cast as authorities and particularities to be subsumed under the authorities and particularities of liberalism in Western modernity. These conditional inclusions of the previously excluded are regulative inclusions, which govern

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18 Ibid., xiii.
the way a given subjectivity is able to appear within the nation. These regulative inclusions express themselves in a variety of ways, including institutionally. For example, James notes that the Truth and Reconciliation Commission does not have the mandate or capacity to pursue the broader political claims of Indigenous peoples for territory or self-determination that occupy contemporary debates.\textsuperscript{19} While the TRC finally allows Indigenous people to be recognized in the political field and state-authorized discourse as victims of the Indian Residential School system, it crucially foreclosures any subsequent political claims that might arise from that subject position by carefully regulating this inclusion.

As co-productive and mutually implicated boundary practices, constitutive exclusions and regulative inclusions are the way that national identity in Canada is delimited and contested. For example, in his study of social movement engagement with constitutional politics, Matt James has shown that competition over privileged positions in national identity leads to competing proposals for redefining or redrawing boundaries and divisions between groups.\textsuperscript{20} Yet, the boundaries that enable a field exclusion and inclusion in national identity are but one set of boundaries that individuals must negotiate in their political practice. In the Canadian context, political practice at the national level is particularly complicated by the dynamics of federalism, which creates various other politically salient boundaries that interact with the type of national identity boundaries to which this analysis is restricted.


\textsuperscript{20} See James, \textit{Misrecognized Materialists}. 
Sovereign Decisions: Exception and Performance

The capacity to authorize the type of boundaries at which national identity politics play is the highest authority: sovereignty. Conversely, it is the distinctions enacted by boundaries that enable the possibility of a sovereign authorization of authority and a sovereign discrimination.\(^{21}\) But sovereign power exceeds any boundary “in order to authorize its capacity to authorize its own boundaries.”\(^{22}\) As with national identity, this analysis approaches sovereignty as a problem. Rather than a quality possessed by some entity (the sovereign state, the sovereign individual), sovereignty is analyzed as it occurs in relations of power. As a relation of power, the sovereign form of authority is the exercise of absolute authority. The conceit of absolute authority in modern sovereignty emerges from pre-modern foundations, such as God, natural law, or empire, which have been only partially replaced by secular forces in the modern era.\(^{23}\) As such, sovereignty is expressive of the “lingering appeal” of a supreme authority which serves to justify its exercise.\(^{24}\) Sovereignty, as encapsulated by Carl Schmitt, is the “capacity to declare an exception” and “to declare the limits that enable the norms that might be suspended.”\(^{25}\) By Schmitt’s prescient account, the sovereign decides whether an emergency exists, what must be done in response, what then constitutes the new norm afterward, and if that norm exists.\(^{26}\) When the path forward is not clear from the law, the sovereign decides. The exception constitutes the point at which “unlimited authority” is given in order to

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\(^{22}\) Ibid., 240.

\(^{23}\) Ibid., 197.

\(^{24}\) Ibid.

\(^{25}\) Ibid., 199.

preserve the state, entailing “the suspension of the entire existing order.”\(^\text{27}\) This includes law itself, which “recedes” during the exception.\(^\text{28}\) Thus, sovereignty is the exercise of an absolute authority in a moment or space of decision.

The sovereign form of authority is necessary to decide upon the field of Canadian national identity, both in the exceptional moments and spaces but also in the establishment of its norms. Indeed, the normative arrangements of national identity are enabled by sovereign decisiveness at its limits, which authorizes particular power relations and discursive productions. However, the norms of national identity are subject to frequent sovereign decisions due to one of its most consistent discursive features: its perpetual state of crisis. The crisis in national identity might arise from threats, such as the external threat of imperial or global powers or the internal threat of mixed populations or dangerous fragmentation, or it might arise from its status as a relatively contrived or artificial construction, an impossible multiplicity, or a simple non-existence. Perhaps the most famous book on Canadian nationalism announces its defeat in the 1960s: George Grant’s *Lament for a Nation*.\(^\text{29}\) In that same decade, the Royal Commission on Bilingualism and Biculturalism suggested that Canada was “passing through the greatest crisis of its history.”\(^\text{30}\) In the 1980s, Alan Cairns suggests that a “sense of the world is hard to find” while lamenting the fragmentation of a previously ‘whole’ civic nation.\(^\text{31}\) In the 1990s, Eva Mackey’s anthropological research finds that many Canadians feel there

\(^{27}\) Schmitt, *Political Theology*, 12.

\(^{28}\) Ibid.


\(^{31}\) Cairns, “Embedded State,” 32.
is a “crisis” in Canadian national identity. In the 2000s, Gerald Kernerman describes the scripted logic of debates over the Canadian political community that maintain it “is always in question.” The crisis perpetuates.

Both state and societal actors reinforce the sovereign form of authority and the need for sovereign decisions on the existence, maintenance, and resolution of the exceptional state in national identity. The crisis creates a desire for, and permissiveness towards, the Canadian state defining, maintaining, and regulating national identity, as Mackey observes. For example, during debates over the Charter, social movements that perceived material benefits from the proposed document backed and strengthened the federal government’s vision of a pan-Canadian identity steeped in universalizing rights discourse. Regardless of motives, strategic alliances such as these reinforce the Canadian state’s position as the primary author of national identity. As the favoured author of national identity, the state’s operations enact boundary practices in the areas of law, citizenship, immigration, heritage, and education, among others. Day notes that Canada’s diverse national identity is a perpetually problematic condition plagued by “crisis” and forever “being addressed.” The state’s sovereign decisiveness on national identity paradoxically reinforces and promulgates the sense of crisis and perpetuates the need for such decisiveness. Rather than detract from the state’s authority, even critical scepticism about state-authorized national identity reinforces the crisis that enables further state authority over it.

While sovereignty is the exercise of absolute authority, this analysis does not suggest that this exercise is always successful, complete, consistent, or otherwise stable in practice. Sovereign power rests on contingent grounds (or what Walker would call “groundless ground”\textsuperscript{37}) and is vulnerable to countless internal and external factors. Thus, the performance of sovereignty must take on a unique and diffuse character wherever and whenever it is deemed a necessary condition. In the case of the Canadian state, the performance of sovereignty internationally has been in direct tension with its historic subordinancy to hegemonic and imperial global forces, first British and then American.\textsuperscript{38} As the realm of international relations has not been amenable for the performance of Canadian sovereignty, national identity offers an opportunity to exercise sovereign authority over ongoing tensions of internal difference. These ongoing tensions are another realm that suggests the weakness of Canadian sovereignty, particularly in light of those political claims from Indigenous peoples and the Québécois that directly contest Canadian sovereignty. Yet, the practice of sovereignty is meant to erase its vulnerabilities and groundless grounds. Precisely what makes sovereignty a problem is the variety of subsequent claims that it enables and its own paradoxically groundless, or self-authorized, authority. The baseless foundations upon which sovereignty rests are the very conditions of possibility of modern politics.\textsuperscript{39} Walker describes sovereignty as an “ontopolitical dilemma of founding.”\textsuperscript{40} This aporetic nature of sovereignty is the ‘problem of sovereignty’.

\textsuperscript{37} Walker, \textit{After the Globe}, 197.
\textsuperscript{38} See Grant, “Canadian Fate and Imperialism,” in \textit{Technology and Empire}, 61-78. See also \textit{Lament for a Nation}.
\textsuperscript{39} Walker, \textit{After the Globe}, 197.
\textsuperscript{40} Ibid., 215.
As a problematic claim of absolute authority, sovereignty is more often performed than exercised. It is a reiterative and performative process that surely fails at certain times, in certain spaces. Thus, this analysis does not attribute a straightforward supremacy over identity to sovereignty or the sovereign state. Rather than an examination of how the state’s authority frames national identity, this thesis investigates how the sovereign form of authority frames national identity for state and non-state actors alike.\(^{41}\) In the Canadian state, authorities at the federal and provincial level compete over such sovereign power, but this competition is distinct from the power of sovereignty itself as a constitutive concept in national identity production. Or, in other words, this is not a study of the power of one authority, but rather the power of a form of authority. As a “highly variable practice” of self-production and erasure,\(^ {42}\) sovereignty might be more productively thought of as a state of being. The sovereign state can then be read as a perpetually reiterative process of boundary production and erasure. This state of being sovereign is analytically distinct from the traditional ‘state’ and whenever appropriate the use of the term ‘sovereign state’ should be taken to signify that paradoxical groundless performance of ultimate authority. This state-sovereignty distinction follows from the one made by Thomas Hobbes between the commonwealth as body and sovereignty as its soul.\(^ {43}\) While the state of sovereignty is unstable, the state of performing sovereignty secures the image of stability and ultimate authority.

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\(^{41}\) For an example of the former, see Cairns, “Governments and Societies.” Cairns argues that a competition exists between provincial and federal governments to shape a society that serves the respective level of government. My analysis of sovereign authority and identity is distinct from, and possibly complementary with, Cairn’s analysis of government authority and identity.

\(^{42}\) Walker, After the Globe, 196.

\(^{43}\) “The Soveraignty is the Soule of the Common-wealth; which once departed from the Body, the members doe no more receive their motion from it.” Thomas Hobbes, Leviathan, ed. Richard Tuck, Revised student ed. (Cambridge: Cambridge University Press, 1996), 153.
What somewhat unites such variable and performative practices of sovereignty is the ongoing consensus on their power. Various actors engage in political claims that rest upon the assumption of sovereignty, regardless of whether they are part of the state or if this even furthers their cause. As the dominant form of authority in Western liberal modernity, sovereignty is implicated in many seemingly unrelated practices of authorization. Despite disagreements over proposals or even processes, many actors in Canadian national identity politics have assented to state-authorized institutions and therefore to the sovereign form of authority. For example, James’s study of social movements’ constitutional interventions demonstrate how both state and societal actors can struggle over questions of identity and belonging while nonetheless sharing certain premises about how issues must be decided.

The ambiguous relation that individuals have to the sovereign form of authority serves to maintain the state’s role as arbiter and container of national identity politics. Walker notes that the concept of ‘popular sovereignty’ is expressed through a community, nation, or ‘people’ in order to reconcile “the macro-sovereignty of the state with the micro-sovereignty of individuals.” The negotiation of sovereignty and subjectivity through popular sovereignty necessarily occurs within a sovereign state, which is thought to secure the conditions for freedom in Western modernity. Conceptually, a ‘nation’ works with the sovereign state to “[fill] in the space” of the

45 See James, *Misrecognized Materialists*, 62-63, for an analysis of the motivations of witness to the Royal Commission on Bilingualism and Biculturalism.
47 Ibid., 206-207.
state’s territory with a “singular people” who share an “invented tradition.” As a form of popular sovereignty, national identity makes the actions of the sovereign state appear to emanate from ‘the people’. But these ‘people’ exist at the tension between the subjectivities of citizen and human in Western modernity. The sovereign state is assumed to be “the necessary condition of security and autonomy enabling citizens to realize their humanity within” state citizenship. Canada, much like other liberal polities in Western modernity, implicitly positions citizenship and allegiance to the sovereign state above any other allegiances, including the subject’s humanity. This hierarchy is evident in the way that the international human rights framework, such as that expressed in the Canadian Charter, must be guaranteed by a sovereign state. Other allegiances are channelled into the internal diversity of the ‘nation’ and the sovereign state appears as that which protects and embodies national characteristics. Indeed, this sovereign state transcends the various interests and qualities of the individual subjectivities contained within and functions as a putatively neutral arbiter between these subjectivities. Yet, Cairns argues, this status as “neutral container” is a facade beneath which “tentacles of control, regulation, and manipulation” work upon individuals. The transcendence of conflicting forces often requires the erasure of the Canadian state’s historic role in events. For example, James notes that Canadian instances of commemorating historical injustice

48 Ibid., 207.
49 Ibid., 253.
51 Bannerji, *Dark Side*, 74.
52 Cairns, “Governments and Societies,” 706.
elide the originating roles of state authorities in systemic injustice and re-position these authorities as those who ended and resolved the injustice.  

**Authority over National Identity: The Normative Canadian**

Debates over national identity are inseparable from debates over authority. This is authority both in the sense that nations, societies, cultures, and races are themselves authorities and in the sense that the authorities over these entities are never closed questions. Taken as a problem and a paradoxical reconciliation between powerful (but contested) concepts of individual and collective entities, national identity relies upon particular ideas about agency within a political community. By examining a variety of political claims and capacities through positions within national identity, this analysis does not suggest that such claims and capacities are necessarily articulated through recourse to national identity. Rather, this approach suggests that many of the political claims relevant to this analysis rest upon a foundational claim about identity within the Canada nation. Indeed, one’s existence and position within a political community is an enabling condition of one’s political claims. Or, in other words, to make a political claim is to already have made a claim about agency and political community (which, in turn, is already a claim about authority). For example, James has demonstrated a relationship between materialist political claims and positions in national identity through the frame of constitutional debates.  

Indeed, seemingly unrelated political claims in Canada share claims about a Canadian nation, a Canadian identity, and a Canadian sovereignty. Consequently, capacities to act politically in Canada are deeply implicated in the ongoing  

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53 James, “Carnival of Truth?” 1-2.  
54 James, *Misrecognized Materialists.*
process of articulating a Canadian national identity through the production, erasure, and maintenance of its boundaries. It is with these foundational claims about agency and community, and with that deeper foundational claim about authority, that this analysis is concerned.

While the concept of popular sovereignty suggests that individuals make possible the sovereign state’s authority over national identity, the sovereign state also authorizes authority over national identity to some individuals. This authority manifests for individuals as the varying capacity to assume a subject position within the field of national identity, to inculcate that position with substantive content by associating one’s particularities with national particularities, and to assign a national subject position to another. This individual authority is not only authorized by the Canadian state, but also authorized by individuals through exercising or accepting such individual authority. Both individuals and the Canadian state are implicated in performing the sovereignty that animates the field of national identity. Insofar as political claims in Canada are also claims about a position within Canadian national identity, authorization within this field can have significant impact upon subsequent political claims. The Charter, one of Canada’s most important political documents, is essentially a codification of the relative positions from which political claims can be made. James notes that the Charter authorizes particular political claims made through the “institutionally sanctioned discourse,” which serves to situate some claims differently than others. In the case of Indigenous survivors of Canada’s Indian Residential School system, their accounts were “routinely doubted” for almost 20 years before the “conventions of mainstream media

55 James, Misrecognized Materialists, 86.
and legal institutions” confirmed the legitimacy of these accounts. Excluded from forms of authorization, Indigenous peoples have had difficulty making political claims and being recognized as authorities, even about their own experience. For others, authorization to make political claims has come and gone. After the era of constitutional politics, neoliberal discursive and administrative shifts effectively de-authorized the interests and claims of a variety of identity-based social movements that had previously held authorized positions in national discussions in the Trudeau-era.

Secured as the normative centre of national identity, a subject position which I term the Normative Canadian is authorized the most individual authority over national identity. This type of normative subject in Canada is increasingly coming under scrutiny in such forms as Sunera Thobani’s ‘exalted subject,’ Eva Mackey’s ‘Canadian-Canadian,’ or Ian Angus’s ‘national actor’. Similarly, James notes that in the neoliberal era of identity and difference management, discursive appeals are increasingly made to the “‘ordinary Canadian,’ figured as a taxpayer and consumer.” My analysis of the Normative Canadian subject position stresses its existence in relations of power and among a field of more marginal subject positions within national identity. The authority authorized to this subject position is an authority over the boundaries of national identity and not an authority over all elements of political practice at the national level, which is complicated by a multiplicity of subject positions and boundary practices.

Occupying the normative position in a field of national identity rife with regional, national, cultural, and racial differences renders the Normative Canadian unmarked with

56 James, “Carnival of Truth?” 18-19.
57 James, Misrecognized Materialists, 118; and “Neoliberal Heritage Redress,” 2-4.
58 See Thobani, Exalted Subjects, 5; Mackey, House of Difference, 3; and Angus, Border Within, 20.
59 James, “Neoliberal Heritage Redress,” 4.
any of these particularities. Indeed, the Normative Canadian’s region, nation, culture, and race are invisible. Insofar as this is an analysis of subjects and not people, this account does not suggest that Normative Canadians are white Anglo-Saxon males who live in Ontario and speak English. Rather, the Normative Canadian is meant to evoke the type of privilege and unmarked invisibility of such a subject position. When an individual exercises a certain level of authority over the boundaries of national identity, they assume a subject position of unmarked normativity. To point out or denounce the ‘outsiders’ of the nation is to temporarily set aside the traits that might also render one an outsider. Mackey notes that such normative subjects are “constructed as the authentic and real Canadian,” in contrast to those “marked as cultural.” As the racial norm in Canada, “white” appears as “emptiness or absence” in contrast to those with content and presence in a raced world. Mackey notes that to occupy this white absence is to “[refuse] categorization as other than just ‘normal’ and ‘human.’” Indeed, normative Canadian culture and the Canadian nation are seen as a collective and “universal all-encompassing way of life” contiguous with universal humanity and freedom in contrast to the “fragmented diversity” of a confining set of individual and particular “folklore, food, dancing, music, and customs.” These particular fragments and traits come to be seen as “inherent” and “immutable differences” attributable to other nations, cultures, and races rather than “racist ascriptions” enabled by relations of power.

60 Mackey, House of Difference, 89. Original emphasis.
61 Ibid., 22.
62 Ibid.
63 Ibid., 89.
64 Bannerji, Dark Side, 9 and 54.
While the Normative Canadian embodies the universal principles of liberalism and Western modernity, it also possesses the superior qualities of the ‘nation.’ These virtuous characteristics are naturalized as the “essential possessions” of individuals, aggregable into a larger nation, which arise from an inherently superior morality and humanity. Normative Canadians are represented as possessing resiliency (having overcome adversity in founding the nation), compassion, morality, responsibility, and a commitment to tolerance, diversity, and multiculturalism. Discursively, the success of the Normative Canadian is expected and assumed, while any success of non-normative national subjects is exceptional and individualized. The “intrinsic worth” of the national qualities comes to justify the rights and privileges of Canadian citizenship and the status of the Normative Canadian, erasing enabling histories of colonial violence and discrimination. Sunera Thobani suggests that such normative national citizens are “fetishized” as that which “[endows] power to the state,” legitimating their exercise of sovereign authority.

**Constitutive Outsiders, International Others, and National Others**

In order to remain at the unmarked and normative centre of national identity, the Normative Canadian exists in relations of power with other, more marginal subject positions marked with the content of nation, culture, and race. There are three other

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66 Ibid., 4.
67 Ibid., 6.
68 Ibid., 11.
69 Ibid., 10.
relevant types of subject positions in national identity which I term the Constitutive Outsider, the International Other, and the National Other.

The privilege of the Normative Canadian is secured by the binary relationship between Subject and Other, which presupposes there is a unified and singular Canadian to recognize a unified and singular Other. Walker suggests that the production of an Other is a “doubled” process that derives first from a “subject that knows the other” and then from “the processes through which the subject is produced as a capacity to know others.” This doubled process produces ‘Others’ in national identity either through recognition from the national subject or through the constitutive exclusion that produced the national subject. In my analysis, this recognition from the national subject brings the International and National Other into the domain of intelligibility, whereas true Constitutive Outsiders remain both unintelligible and excluded.

The Constitutive Outsider exists beyond the threshold of intelligibility and cannot appear upon the political field. This subject’s constitutive exclusion is a condition of possibility for Western modernity, liberalism, and a colonial state such as Canada. Day notes there are important continuities between Canadian iterations of identity and difference and the lineage of “Western political anthropology,” beginning with Herodotus. Amid the perpetual struggle between French and English in Canada, or even the equally dichotomous struggle between Canadian and American forces, the territory’s Indigenous occupants remained the political invisible and unthinkable Constitutive Outsider to these colonial projects. Even the more recent debates over the past 50 years

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over ‘Two Founding Races’, multiculturalism, or ‘distinct society’ render Indigenous peoples outside of consideration. Despite the significance of the Constitutive Outsider, political discourse may only occasionally evoke the fleeting echo of figures such as ‘the savage,’ or ‘the barbarian,’ who might occupy spaces beyond the confines of early Western thought such as ‘Nature,’ ‘The Wild,’ or ‘the Orient.’ Whenever these figures are evoked in such discourse, it is meant to signify the sheer unintelligibility of a subject in the political realm.

Likely owing to the blind spots to those who occupy the position of our own Constitutive Outsider and the conceit of the modern system of states that nearly all space is now occupied by some authority, the more intelligible practice of exclusion in modernity is along international lines. Indeed, the modern ‘barbarian’ is fixed to a space and authority, as evidenced by post-9/11 orientalist discourse about ‘Muslims.’ Situated through a process of exclusion and recognition, the International Other is a subject who belongs to another state, nation, culture, or otherwise falls under some other form of spatial authority. The process of the International Other’s exclusion and recognition is a condition of possibility for the Canadian nation-state. As part of its formative period, the Canadian state had to distinguish itself from the United States and also establish with it a relationship of mutual recognition within the international system. What is now Western Canada might well have become part of the United States if Canadian and British colonial forces had not sought to quickly establish an authority and identity to rival the United States. One prominent distinction from the United States that Canadian identity
production has sought to establish is its ‘better’ relationship with its Others who fall within the boundaries of the nation.\(^{72}\)

Along the logic of liberal inclusivity and subsumptive co-optation, some previously excluded subjects are ‘brought back’ into the field of national identity under specific conditions and terms that govern their intelligibility. These regulative inclusions produce National Other subject positions, the most prominent of which are the Québécois Canadian, the Aboriginal Canadian and the Multicultural Canadian. Such National Other subject positions are “necessary ‘others’ who reflect back” to the Normative Canadian its tolerance.\(^{73}\) This function reinforces the tendency that Mackey observes for Canada to curiously construct its unified national identity around a management of cultural difference rather than its erasure.\(^{74}\) Cairns notes that the Canadian state also multiplies difference in order to reduce the “intensity of demands” upon it and necessitate work within nationalist frameworks.\(^{75}\) In order to manage this multiplied difference, the field of national identity requires consistent relations of power among these subject positions.

**The Authority to Recognize and Decide**

In his seminal essay, “The Politics of Recognition,” Charles Taylor explicates the role of recognition in modern liberal society, as well as its crucial role in cultural survival. In reference to the ‘demands’ upon multicultural societies for equal respect for all cultural Others, Taylor argues that his liberal culture can only fairly and truly judge other cultures as valuable (or not) once a “fused horizon of standards” is achieved

\(^{72}\) Mackey, *House of Difference*, 16.

\(^{73}\) Ibid., 2.

\(^{74}\) Ibid., 150-151.

\(^{75}\) Cairns, “Embedded State,” 57.
through study of these cultures. Yet, Taylor’s argument crucially elides the politics of what it means to give and to receive recognition, as well as what is effectively recognized in these arrangements. His account ignores the ongoing relations of exclusion and reductive recognition that are contiguous between the ethnoculturalized individuals whose political claims have only more recently become intelligible through multicultural discourse and the Québécois, whose cultural survival he is compelled to defend 400 years after the establishment of New France. Canada has encountered and ‘studied’ many Others for whom an ultimate or *true* recognition will never come within the liberal framework that Taylor defends. Far from the neutral value judgement in Taylor’s account, my analysis regards recognition as a relation of power.

The most significant authority that the Normative Canadian possesses is the capacity to recognize its National Other and this capacity is the foundational claim upon which subsequent decisions and claims about the National Other rests. Authorized authority over national identity, the Normative Canadian may exercise a sovereign decisiveness over who is a *real* Canadian and who is merely a National Other over which further authority may be exercised. Such authorized decisions may include whether a National Other deserves gratitude for their ‘contribution’ to Canada, merits an apology for past injustice, or possesses a difference that is appropriate to tolerate, necessitates assimilation, or is simply incompatible with the nation. Indeed, recognition by the Normative Canadian marks the National Other as an intelligible target for scrutiny and interventions as well as a receiver of ‘special treatment’ and limited capacities to make

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77 Mackey, *House of Difference*, 89.
political claims. Far from subterranean or abstract, this hierarchical logic and relationship has been noted by observers in various Canadian contexts. For example, social movement groups presenting to the B&B Commission observed and critiqued the hierarchical and exclusionary logic of the commission’s mandate.\textsuperscript{78}

This capacity to recognize the National Other enables the expression of Canadian national identity. National identity discourse prioritizes the representation of National Other subject positions, the marked and intelligible differences of which are explicated against the invisible and unmarked qualities of the Normative Canadian. Angus notes that national identity is “most visible in contrast to the different national identity of others.”\textsuperscript{79}

In the “Who We Are” section of the citizenship study guide, Discover Canada, Canadian identity is defined primarily by referring to Canada’s Aboriginal, French, and Multicultural peoples, whose difference is defined against the unmentioned Normative Canadian type.\textsuperscript{80} These narratives parallel the re-iterative process of recognizing and deciding upon marked differences that produces the Normative Canadian subject position. To turn the focus of the gaze back on itself would raise the troublesome enabling conditions and enduring privileges of the Normative Canadian. Instead, the more sustained focus of national identity discourse is on rendering Indigenous peoples, the Québécois, or those ascribed with ethnocultural or racial difference into National Other subject positions. Through reductive frames, this discourse perpetually re-iterates a series of capacities and relations between the National Other and the Normative Canadian subject positions in order to justify contemporary conditions and perform a sovereign

\textsuperscript{78} James, Misrecognized Materialists, 56-57.

\textsuperscript{79} Angus, Border Within, 13.

authority over the boundaries of national identity. Such narratives are exemplary of tautological “stories about what must have been the case, given what has become the case.” To tell the stories of Canadian national identity and history, with its formative partnerships and its ever-expanding inclusions, is to affirm and legitimize a particular claim of sovereign authority over national identity.

The regulative inclusion into the field of national identity authorizes National Other subject positions the capacity to act or make specific political claims under specific conditions. Legislation, court rulings, investigative commissions, policy initiatives, and other forms of official recognition from the Normative Canadian provide individuals with permissible subject positions to inhabit through which they may enter into the power relations of national identity. The capacities authorized to National Other subject positions are significantly more limited than the authority of the Normative Canadian, particularly the capacity to recognize. For example, James notes that the Truth and Reconciliation Commission ignores the accountability of abuse perpetrators with its victim-centred approach. Those participating in the TRC’s activities are specifically forbidden from naming perpetrators who have not already been found guilty through courts, official disclosure, or confession. While the TRC represents an authorization from normative Canada for residential school survivors to share their experience in a variety of formats, it is significant that no capacity is granted to recognize those normative subjects who abused their authority. The authority to recognize is strictly the purview of normative subjects.

81 Walker, After the Globe, 224.
82 James, “Carnival of Truth?” 3.
The authority to recognize and decide upon national identity is reinforced by reciprocal affirmation from both individuals and the Canadian state. The consensus that exists between normative subjects and the Canadian state on the permissible difference and belonging of the National Other serves to confirm non-normative subjects’ essentialized identities and legitimate their inherently subordinate place in the nation. The correspondence and reiteration of these recognitions and decisions further reinforces the Normative Canadian’s privileged position and authority over national identity.

The permissible subject positions established by national identity discourse and the sovereign form of authority perpetuate fixed relations between subject positions in the field of national identity. Insofar as these relations of power occur among subject positions that individuals varyingly and unstably inhabit, the Normative Canadian does not straightforwardly oppress or impose upon its National Other. Those occupying the Normative Canadian subject position are drawn into these fixed relations and discursive traps just as much as those occupying the position of the National Other. To engage in politics within the field of national identity is to follow certain conventions and conceits of that field. However, this analysis does not suggest individuals inhabiting the Normative Canadian subject position are disinterested either. There are considerable rewards and privilege that are certain to compel individuals to inhabit and perform the Normative Canadian subject position. When given the choice by the binary logic of the sovereign decision, individuals must decide between excluding and being excluded.

National Identity Discourse: Liberalism, Diversity, Tolerance, and the Balance

National identity discourse operates within the framework of liberalism, which offers a set of ideas that promise political freedom in Western modernity. Yet, liberalism also offers the necessary limit conditions of such freedom. Liberalism’s limit conditions, cast as principles, hold particular ideas of the modern individual, relations between Self and Other, and the division between the private and public sphere. Brown suggests that liberalism reduces “freedom to rights” and “equality to equal standing before the law,” thereby obscuring “sources of subordination, marginalization, and inequality.” These reductions enable liberalism to appear to deliver upon its promise of freedom and its threat that exceeding its limits means the extinction of that freedom. Its power derives from its apparent neutrality and absence of national or cultural substance. Yet, “liberalism is cultural,” as Brown reminds us. As a cultural form, liberalism is unmarked and embedded in Western modern polities such as Canada. The cultural particularities of liberalism are elevated to universal and public principles with an inherent antagonism toward the private and particular ‘cultural’ world. Liberalism contains culture as culture’s superior and divests culture of political claims while re-establishing it as an ‘option’ one could pursue. Liberalism tries to be the cultural form that uniquely tolerates a plurality of cultural forms.

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84 Walker, *After the Globe*, 188.
86 Ibid., 22.
87 Ibid., 21-23.
88 Ibid., 22.
Operating according to a liberal logic, national identity discourse perpetuates the privilege and security of the Normative Canadian subject position by naturalizing and depoliticizing the arrangements that enable this privilege and security. If modern politics requires one’s humanity to be realized within the structure of the sovereign state, then the Normative Canadian subject position is the full promise of modern citizenship. Like other liberal polities of Western modernity, Canadian national culture is thought to be based on ‘civic nationalism,’ which is spatial, universal, rational, inclusive and based on shared values.⁸⁹ This nationalism is threatened by its incompatible counterpart: ‘ethnic nationalism,’ which is thought to be dark, exclusionary, primordial, premodern, and based on birth or culture.⁹⁰ Normative subjects prioritize an allegiance to the sovereign state, while non-normative subjects are seen to align more closely with the authorities of their nation, culture, or race. The allegiance to more ‘civic’ authorities is valorized within liberal narratives of individual virtue, independence, and enlightenment reason that populate Western modernity. The liberal subjects of Western modernity and civic nationalism merely “cherish and defend” their culture while others are politically driven by their culture.⁹¹ To decide that an individual follows some Other authority is to diminish that individual’s claim to the Normative Canadian subject position. Reductive historical narratives about interactions between discrete nations and cultures enable the perpetual exclusion of some subjects from the field Canadian national identity, despite deep histories with the territory and relationships with its peoples.

The general logic of liberalism does permit flexibility, however. For example, Will Kymlicka offers a careful defense of group rights within the framework of liberalism, but even his account reproduces problematic elements of national identity discourse. For national minorities and ethnic groups, Kymlicka opposes the type of collective rights that would limit minority group members through “internal restrictions” and supports collective rights that would offer “external protections” from majority interference with political and economic power. This distinction elides the larger limits already placed upon those excluded from the public sphere by virtue of their designation as ‘cultural,’ including those arising from their status as a problem solvable with a hierarchical regime of liberal rights. With Indigenous people and the Québécois in mind, Kymlicka affords the most rights to what he defines as “national minorities,” which are groups subsumed by a majority society “through conquest, colonization, or federation.” Kymlicka assigns such rights through the same liberal logic of inclusion that has perpetually targeted, and indeed developed in response to, these ‘groups’ and subjected those subject positions to the strictest regulative inclusions in exchange for rights and other political capacities.

The ‘gaze’ of national identity discourse is upon the marked and intelligible differences of the National Other subject positions, which deviate from normative national qualities. These differences of nation, culture, or race are cast as immutable and inherently conflictual conditions that must nevertheless remain in liberalism’s private sphere. In contrast, the public sphere permits political claims from normative subjects and

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positions that already assent to the sovereign state and align with the ‘universal way of life’. Designating a matter as ‘cultural’ attributes it to some Other driven by some Other authority and marks it as a intrusion from the private sphere into the public sphere. This designation of ‘cultural’ also delimits a subject’s capacity for political claims, reduces one to part of a problematic group demand, depoliticizes their claim or the matter at hand, and erases this move by recasting the debate as one about cultural tolerance, recognition, permissiveness, or threat. Mahmood Mamdani calls this “reduction of political motivations and causes to essentialized culture” the “culturalization of politics.” By recasting political claims and subject positions into liberal debates, liberalism presents itself as ‘solving’ the ‘problem’ inherent to cultural difference.

In national identity politics, the liberal boundary practice works at the limits of the public sphere. Matters marked as cultural occur within the private sphere, which is “independent of power and political life,” and thus those who follow authorities in the private sphere, such as culture, have no place in public and political life. For example, in his discussion of ‘politicized identities’ in the post-Charter era, Cairns makes the following claim:

Aboriginals, of course, were subject to deep internal fissures derived from history, geography, and differences of legal status. In the last fifteen years [1985], the political activity of Aboriginals has greatly increased, partly as a result of state financial support, partly because of the opening up of the constitutional issue, which provided them with a forum they were quick to exploit. ...the stimulation of their self-consciousness was accompanied by an increase in their political demands.

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96 Brown, Regulating Aversion, 17.
Critiquing the state in the framework of liberalism, Cairns suggests that Indigenous peoples were ‘stimulated’ into increasing their activity within a political sphere that they otherwise would not have entered. By suggesting that Indigenous peoples’ ‘history, geography, and differences of legal status’ are prior conditions to their entry into the political sphere rather than the results of that political sphere acting upon them, Cairns utilizes the private-public distinction to render Indigenous peoples and the impacts of the state’s colonial practices upon them as effectively private, cultural, and irrelevant.

When the public and political sphere deems itself under threat from this private sphere, it intervenes with by shifting the limits of the private sphere in discourse. Thus, a private matter becomes so important that it necessitates a public and political decision upon it. Working with the reductive designation of cultural also allows this political intervention into the ‘private sphere’ without permitting political contestation from those who are thought to occupy this private sphere. Some of the most prominent ways this shift is legitimated is through the discourses of diversity, tolerance, and balance.

Diversity discourse presents the co-existence of difference as a value-free and neutral relation devoid of political content. Derived from the liberal “language of plurality,” diversity discourse reduces equality to “a formal gesture.” Diversity discourse holds all the marked particularities of non-normative culture “equal in their difference” and similarly equal in being a problem. Non-normative subjects come to be seen as demanding more than equality by inherently conflicting with the neutral ‘one set of rules’ derived from the invisible particularities of normative culture. Built upon such a

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98 Bannerji, *Dark Side*, 50-54.
99 Bannerji, *Dark Side*, 51 and 54.
100 Mackey, *House of Difference*, 159.
liberal understanding of diversity, multiculturalism sought to reduce particular demands from the Québécois and Indigenous peoples to equivalence with all ‘cultural groups.’ While this equivalence was not achieved, multiculturalism’s logic of equivalence between cultural groups occasionally works to re-align particular political claims and subject positions with familiar debates over special treatment or tolerance.

In liberal discourse, tolerance casts individual private choices as ‘tolerable’ but uses the measure of public interest as a limit. The designation of some non-normative matter as public is also an implicit judgement about its tolerability. Tolerance marks the tolerated subject as marginal and inferior and marks the tolerant subject as normative and superior. Tolerance allows normative subjects to practice an authority over tolerance’s limits and be rewarded for exercising this authority with a virtuous national identity and universal humanity. Liberal tolerance also demonstrates the superiority of Western modernity and distinguishes it from the intolerant and illiberal regimes of the non-Western world, which are legitimate targets for intolerance.

The concept of balance frequently utilizes diversity, tolerance, and other liberal discourses in its depoliticizations. Applied politically, a balance obscures complex relationships by reducing them to zero-sum binaries, often rendering important considerations irrelevant. Once framed in a balance, a political matter can be decided upon efficiently using “utilitarian calculation” to reach an equilibrium between “competing but equal values.” The most powerful decision on the balance is deciding what must balance and what constitutes a natural and “sensible middle ground” between

101 Ibid., 12.
102 Ibid., xix.
103 Ibid., 24 and 7.
104 Walker, After the Globe, 246-247.
these two extremes. In contrast, the decision on where a balance should be struck is a foregone conclusion that enables the displacement of “sovereign responsibility from the state to civil society” as ‘the people’ are forced to choose between alternatives set by the sovereign state. These decisions on striking the balance reduces larger problems to “a single point and moment” of decision, such as those in national identity contexts between the inclusion of liberal tolerance and the exclusion of national security.

**Insecure Subjects: Threat and Legitimation**

Much like claims of sovereignty, the claims that make up the power relations in the field of national identity and its various subject positions are unstable, incomplete, inconsistent, and dynamic in practice. With its access to the most privilege, the Normative Canadian has the most to lose from change in the field of national identity. External threats and challenges to the fragile boundaries of national identity subject positions risk ‘undoing’ or decentring normative subjects from the privileged and invisible centre. The Normative Canadian is a subject position with a constitutive history of being under threat from the early settler society that built its identity around “survival” from the ‘natural environment’, which at the time included 'uncivilized' Indigenous peoples. This status of being ‘under threat’ forms a forgotten continuity which, as Anderson observes, must be traced through national memory. More recently, the threat is more likely to come from the National Other, enabling Indigenous peoples to

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105 Ibid., 195.
106 Ibid., 247.
107 Ibid.
return once again as perpetual threat. The invisibility of privilege leads one to read even the preponderance of National Other subject positions in discourse as a form of privilege for these subjects. This sentiment is commonly expressed as a resentment toward all the ‘attention’ or ‘resources’ received by the Québécois, Indigenous peoples, or certain immigrant groups. The National Other is positioned as making “unreasonable claims upon the nation” and draining its “precious finite resources.”\textsuperscript{110} This allows some to “construct themselves as victims of multiculturalism” and other elements of liberal pluralism.\textsuperscript{111} This renders any political claims from National Other subject positions into not only a demand on the normative centre, but a threat. This logic also plays out by reducing one’s threatening existence in the field of national identity into a threatening demand.

Non-normative subjects that exceed the limits of liberalism and Western modernity’s intelligibility represent an even graver threat and decentring. For example, Indigenous peoples still partially inhabit the subject position of the Constitutive Outsider to the Normative Canadian. Foreclosing Indigenous peoples from the political sphere and from the field of national identity helped to establish the Canadian state on its present territory. Even rendered recognizable through their regulative inclusion into the field of national identity, the multiple subject positions through which the Normative Canadian understands Indigenous peoples mark them as threatening. Even more threatening are those subjects and demands that challenge Canada’s sovereignty and its conditions of possibility. National Others who represent this kind of persistent conceptual threat require the harshest form of delegitimation. For example, Mackey notes that Québec nationalism

\textsuperscript{110} Thobani, \textit{Exalted Subjects}, 4.

\textsuperscript{111} Mackey, \textit{House of Difference}, 20.
is frequently constructed as impermissibly intolerant and racist in contrast to the
tolerance of Canadian nationalism. In times of emergency, the full coercion of the Canadian state
has been deployed against the most threatening and impermissible permutations of its
National Other, such as the invocation of the War Measures Act during the FLQ hostage
crisis or the series of armed stand-offs in the past two decades over Indigenous territorial
claims.

In addition to threatening National Other subject positions, the Normative Canadian is also rendered insecure through engagements with that subject position’s limits and conditions of possibility, attendant privilege, and relationship with non-normative subjects. In other words, being forced to think about those who have been excluded or oppressed for one’s privilege and security makes one extremely uncomfortable. As an insecure subject, the Normative Canadian accesses discourses of legitimation to alleviate the threat posed by facing its constitutive conditions. These discourses of legitimation justify national identity’s relations of power, even when national identity’s positions and authorities are not explicitly mentioned. Such discourses of legitimation utilizing varying concepts such as: loyalty, rationality, respect, progress, strategy, security, incremental change, merit, civilization, and representation. These concepts legitimate the relative positions of the Normative Canadian and the National Other in national identity and enable the National Other to be represented as unreasonable, irrational, uncivilized, unfair, unrealistic, undeserving, illegal, or otherwise making an untenable claim or demand. The subordinate status of the National Other is established by the routine “public disavowal” of their possession of any virtuous national

112 Ibid., 15.
qualities or principles. Such discourses and the interventions that they drive are then cast as addressing inequities rather than perpetuating them. Particular discourses of legitimation become more prevalent to the degree to which they offer security to otherwise insecure Normative Canadian subjects.

This tendency toward insecurity is not exclusive to the most privileged, however. Discourses of legitimation can be deployed from any subject position in the field of Canadian national identity in order to secure a relative privilege to another. Affirming and reproducing the uneven relations of power within national identity allows even marginal subjects to exercise an authority over more marginal others. For example, even social movements that had once struggled for inclusion and dialogue on behalf of their constituencies became resistant to further constitutional change once their more privileged positions were established. James demonstrates how the Charter, once threatened in the Mulroney-era constitutional accords, became the focal point for some social movements wishing to protect the relative position within national identity they had acquired. Indeed, it is unlikely that one would favour modifications to existing power relations if this significantly threatened their privileged position. However, this is not to suggest that the constituencies of such social movement groups somehow rival or outweigh the greater privilege of the Normative Canadian. Indeed, as outlined in the final section of this chapter, the individuals occupying non-normative subject positions in national identity are far from privileged in this domain.

113 Thobani, Exalted Subjects, 5.
114 James, Misrecognized Materialists, 92.
115 Ibid.
116 For an argument from this perspective see F.L. Morton and Rainer Knopff, The Charter Revolution and the Court Party (Peterborough, ON: Broadview Press, 2000).
Impossible Canadians: The Problem of Canadian National Identity

In this chapter, I have described a particular way that reductive forms of national identity govern one’s intelligibility and appearance in the political field in Canada. Such relations and discourses that characterize Canada’s reductive difference management techniques have been observed by individuals working within and apart from the state, including historians and social scientists, public intellectuals and philosophers, journalists and commentators, and other knowledge producers. For example, Cairns suggests that individuals in Canada “approach the state as fragmented selves” in response to “a multiplicity of classificatory systems” that privilege some traits and ignore others.\(^{117}\) In the case of national identity, the imperative to narrate a story of groups within nations and regulatively include National Other subject positions into national identity reduces individuals’ unique political interests and claims by grouping them into the largest collective identities possible in order to remain politically intelligible. For example, to recognize the Québécois Canadian through narratives of historic partnership or pan-Canadian bilingualism avoids the political claims of Québec nationalists calling for sovereignty. Similarly, to recognize the Aboriginal Canadian as a category without reference to history or contemporary colonial practices erases the unique political claims of a multiplicity of Indigenous nations. Collective group identities such as ‘Multicultural’ or ‘Aboriginal’ are so reductive that they strain credulity and hardly seem possible. But the impossibility of these subjectivities is countered by their necessity for the individuals they are meant to signify. Yet, in order to make political claims and be authorized political capacities, some individuals must submit to a subordinate subject position within

\(^{117}\) Cairns, “Embedded State,” 54.
national identity in order to be recognized at all. Individuals remain tied to reductive subjectivities recognized by normative authorities and affirmed by their own strategic and material considerations.

Despite their occupation by individuals, these reductive and impossible subject positions are unlikely to fit well. Thus, an essentialized and partial piece of oneself is rendered politically intelligible and agentic, while the remainder of oneself lacks such intelligibility or agency. Consider the way that Canadian national identity discourse fails to truly grasp the general political claims, or the general subjective differences from Canadian nationals, of the Québécois or the many Indigenous peoples of this territory despite their constitutive role in Canada’s formation. National identity politics in Canada renders some individuals paradoxically within, and yet excluded from, the nation. As Giorgio Agamben suggests, to exist on the threshold between the inside and outside of a political order is to be crucially “exposed and threatened” by that order.118 Non-normative individuals are surely caught in what Agamben designates as a ‘relation of ban’: “both exclusion from the community and the command and insignia of the sovereign.”119 For example, James notes that media coverage of the Truth and Reconciliation Commission elides the political claims of Indigenous peoples while reducing residential school survivors to pathologized “therapeutic subjects.”120 Here, the political interests of residential school survivors are excluded from the political sphere while the harm inflicted by the past sovereign exercises of the Canadian state marks the way that those survivors may permissibly enter into public space. Similarly, groups who

119 Ibid.
120 James, “Carnival of Truth?” 16-18.
seek acknowledgement of historical injustice under the rubric of Heritage Canada must surrender any further reparative claims against the state, thereby giving the Canadian state the last word on its own past actions.\textsuperscript{121}

If the intelligibility of one’s political claims is connected to the intelligibility of one’s identity, then an understanding of who non-normative Canadians are is derived from these National Other subject positions. Normative Canada comes to see the National Other in terms through which it has been recognized in the past. Such expectations about what one is come to shape one over time. Incentivized to non-normative subjects as tools to gain relative advantage, National Other subject positions and national identity discourses which insist upon their user’s inferiority and problematic political existence are increasingly accessed and deployed. These prominent discourses and their normative judgements surely become internalized by those who occupy and perform them.\textsuperscript{122} Thus, discourses of legitimation legitimate one’s subordinate and problematic status in the nation to oneself. Moreover, the bifurcated subject positions that are both inside and outside the nation are internalized as an opposition within oneself. In order to stay consistent and whole, individuals have the choice imposed upon them between the reductive and harmful subjectivities offered by the field of national identity politics or the risky and undefined subjectivities outside of those politics. Many have chosen to relinquish their political and self-identifying claims to the parts of themselves that counter state-authorized national identity and were prior, separate, or otherwise outside of that field.

\textsuperscript{121} James, “Neoliberal Heritage Redress,” 27.

\textsuperscript{122} For the classic account of this affect see Franz Fanon, \textit{Black Skin, White Masks} (New York: Grove Press, 1967).
The following chapter provides some more explicit examples of the type of national identity subject positions available to individuals by analyzing the way that the problems discussed in this chapter are expressed discursively in Canada.
2. National Other Subject Positions in State-Authorized Discourse: The Québécois, Aboriginal, and Multicultural Canadian

“This ‘otherness,’ so obvious in matters of language, so compelling in its concrete cultural manifestations, and yet so difficult to isolate and define...”

“The Minister may declare the will of an Indian to be void in whole or in part...”

“Is multiculturalism policy ‘working’? One is tempted to interject: of course, it is – it is signification on a mass scale."

In this chapter, I will argue that the problem of Canadian national identity is demonstrable in the power relations and discourse that produce the subject positions of the Québécois Canadian, the Aboriginal Canadian, and the Multicultural Canadian. The main categories through which the Québécois Canadian becomes intelligible are discussed, along with its capacities for limited language claims and enactments of liberal identity politics. An explication of the Québécois Canadian’s capacity to behave as a partner follows, with reference to its capacities to make proposals in the partnership and acknowledge the partnership’s benefits. The capacities to understand, be understood, and do harm are also explored, demonstrating how the Québécois Canadian’s claims are rendered misunderstood, unintelligible, or destructive. Then, the Aboriginal Canadian’s terms of recognition are outlined, with reference to its capacity to be registered and governed, potentially to the point of rights infringement or harm. The analysis turns to how the Aboriginal Canadian’s capacity to be a dependent enables its recognition as
problem to regulated, claimant of infringement or harm, and receiver of benefits and protection in exchange for surrender. The capacity of the Aboriginal Canadian to enter modernity is detailed, demonstrating how its political claims are foreclosed by frames of responsibility, moving on, and special minority status. Finally, the analysis considers the recognition of the Multicultural Canadian as a problematic cultural entity, an object of study, and a target of assistance in its development toward becoming the Normative Canadian. Its capacities to contribute and integrate are then shown to subordinate and eradicate the Multicultural Canadian’s cultural difference. The Multicultural Canadian’s capacity to be subsequent is examined, with an exploration of its role as contributor to an already established order and the future of difference management in Canada.

In some sense, the nation exists largely in discourse. Benedict Anderson suggests that “unified fields of exchange and communication” are one of the most fundamental bases for “national consciousnesses.”¹ Thus, the discourse on the nation and those within it is not merely reflective of phenomena but is also productive. Within national discourse in Canada, the sovereign form of authority can be seen to operate. For example, Canada’s legal and political order outlined in the Constitution Act, 1867 is founded on a sovereign authorization of power that delegates the authority of the Queen to privy councillors and deputies, which in practice becomes the power of the prime minister.² Such sovereign power is exercised in the space of exception and limit, such as the capacity to decide on “reasonable limits” for the rights guaranteed in the Charter of Rights and Freedoms.³ The

² Constitution Act, 1867 (UK) 30 & 31 Victoria, c. 3, ss. 9-12 and 14.
³ Constitution Act, 1982, Schedule B to the Canada Act 1982 (UK), 1982, c.11, s. 1.
analysis of this chapter traces the sovereign form of authority through the relations of power among subject positions in national identity discourse.

As a paradoxical claim about both the individual and the collective, national identity discourse contains latent references to individuals behind its references to collectives. In order to make visible these latent references, my discourse analysis interprets claims about collective entities through their implications for individuals and claims about the universality of the nation through its particularities. Thus, I suggest that various individuals may occupy one singular subject position that engages in power relations as a consistent entity. In order to demonstrate the distance between this consistent entity and the individuals who are reduced into that entity, I use impersonal nouns and pronouns (it, its) to refer to subject positions that are personified in discursive relations of power. My analysis makes visible both the limitations and the available spaces of contestation open to individuals through occupying particular subject positions. It interprets laws, rules, and expectations about subjects into political capacities to act and draws conclusions about the consequent limitations placed upon these subject positions.

Before turning to this analysis, a few additional considerations apply. First, while the discourse analyzed in this chapter is all state-authorized, it has also been variably legitimated by societal actors. By making and recognizing political claims through them, both the state and societal actors have reinforced the importance of these pieces of discourse for the production of subject positions. Second, while this is an analysis of the past 50 years, it draws upon discursive productions as far back as 250 years ago. The inclusion of a discursive production in this chapter indicates that I consider it to be current or otherwise expressive of power relations in effect at the time of writing, having
developed a particular resonance in the past 50 years. Third, this is an analysis of subjects, not people. The subject positions analyzed here may not fit any specific person, but I argue that these are the positions from which people are compelled to make claims. These descriptions are not meant to deny individuals their agency, power, strength, or the general capacity to live, think, act, or be otherwise. Fourth, my analysis uses three subject positions to demonstrate the consistency of a variety of diffuse discursive productions from different sources and time periods and as such refers to multiple significations circulated in the relevant discourse. For example, this chapter uses the terms Indigenous, Aboriginal, Indian, and Native in their respective contexts. The multiple terms are not meant to reflect confusion on my part, but rather the confusion that the producers of national identity discourse encounter when rendering people into recognizable and intelligible subjects.

**The Québécois Canadian Subject Position**

The Royal Commission on Bilingualism and Biculturalism marks the entry into the field of national identity of a particular set of recognized characteristics and political capacities authorized to a subject position which I term the Québécois Canadian. The authorized terms of signification for this subject position have shifted over the past five decades, from a founding race, to a distinct society, and now a nation. The latter is the most recent term by which the Normative Canadian has recognized this National Other, through the Harper Government’s 2006 motion that “the Québécois form a nation within a united Canada.”

\[4\] This recognition also marked the shift from the Anglicized

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‘Québecers’ to ‘Québécois,’ acknowledging that the term cannot be rendered appropriately in English.

In contrast to prior formulations, the Québécois Canadian is recognized as a primarily linguistic and cultural entity in the discursive field. Indeed, while the B&B Commission’s mandate refers to the French ‘race’ and ‘other ethnic groups’ the decision was made to instead denote the difference of this subject position through the “central concepts” of language and culture. This distinction continues to mark the Québécois Canadian as an intelligible National Other to the present day. For example, the 2012 edition of the Discover Canada citizenship guide’s terse description of “the people of Québec” notes their “unique identity, culture, and language.” By marking language and culture as the visible and intelligible substantive difference of the Québécois, normative forces attempt to more easily ‘solve’ the ‘problem’ presented by Québec through focusing their scrutiny and intervention upon these domains. While culture is the more ambiguous of the two, it allows more troublesome differences to be organized through liberal tolerance discourse and depoliticized. With culture depoliticized to lie beyond the political sphere, ‘equality’ can be established between the French and English language and stand for a general ‘equality’ between the Québécois Canadian and the Normative Canadian. The category of language makes possible clear differentiations, quantifications, and administrative interventions. Its appearance in the political sphere

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7 “...when we deal with the idea of equality, we shall see that, at the practical level, an attempt to make every possible provision for cultural equality is primarily an attempt to make every possible provision for linguistic equality.” Canada, Royal Commission on Bilingualism and Biculturalism, General Introduction, xxxviii.
authorizes language as a domain of political contestation and the permissible avenue through which the Québécois Canadian may make claims. For example, the B&B Commission admonishes those in Québec who were “refusing to admit” that their situation would be improved through “new language arrangements” and instead pursued their claims at the “political and economic level.” By pursuing political claims about language, those occupying the Québécois Canadian subject position reify the legitimacy of that single avenue and further restrict their capacity to make more complex political claims.

Liberal discourse draws a regulative ‘equality’ between the Normative Canadian and the Québécois Canadian at the level of culture, as well. For example, the B&B Commission refers to French Canada’s culture as an all-encompassing “style of living” on par with English Canada. The Québécois Canadian is recognized as possessing a ‘full’ culture, in contrast to the partial and fragmentary nature of more marginal cultures that might only represent “the persistence of a few psychological traits or expressions of folklore.” Yet, this ‘full’ culture, along with the ‘official’ language, are also recognized as weak and in need of protection, which permits the type of interventions made by the Official Languages Act or multiculturalism policy. The image of an embattled culture is also reinforced by the forces of Québec nationalism. For example, the Parti Québécois government of Québec enshrined in its aborted sovereignty law, Bill 1, the Government’s obligation toward “protecting Québec culture and ensuring its development.”

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8 Canada, Royal Commission on Bilingualism and Biculturalism, General Introduction, xxx.
9 Ibid., xxxii.
10 Ibid., xxxviii.
11 Québec, National Assembly, An act respecting the future of Québec, Bill 1, 35th Legislature, 1st Session. (September 7, 1995), s. 7.
recognition of Québécois language and culture as in need of protection enables an equivalency to be drawn between the minority status of the Québécois in Canada and Anglophone Quebecers in Québec, permitting the federal government to intervene in Québec using the same logic that justifies its protection from such interference. The Normative Canadian turns the burden of the Québécois Canadian’s claim of minority disadvantage back onto the Québécois Canadian’s own cultural politics.

While this equivalency is often used to render the political claims of the Québécois hypocritical, its more significant function is to provide an opportunity to reflect back to the Normative Canadian its own virtuous practices of difference management. In possession of a full culture, the Québécois Canadian is authorized the capacity to perform its own liberal inclusions and recognitions towards its minorities, Anglophones and Aboriginals. In some cases, space is made to allow the Québécois Canadian to choose the ‘correct’ course of action on this matter. For example, Québec is excluded from enforcing certain minority language educational rights under section 23 of the Constitution Act, 1982 until it agrees to enforce them.\(^\text{12}\) When the Québécois Canadian fails to fulfill its capacities to enact liberal identity politics, this subject position can then be rendered intolerant, racist, or illiberal. The Québécois Canadian is often represented as a risk to its own minorities, such as in the Clarity Act, which prioritizes the “the rights, interests and territorial claims of the Aboriginal peoples of Canada, and the protection of minority rights” during any hypothetical negotiations on secession from the federation.\(^\text{13}\)

\(^{12}\) See Constitution Act, 1982 ss. 23(1)(a) and 59.

\(^{13}\) Clarity Act, S.C. 2000, c. 26, s. 3(2).
Despite authorizing the capacity to enact liberal identity politics, the sovereign state reserves the ultimate authority to perform the inclusions and recognitions of Québec’s minorities if the Québécois Canadian’s representatives will not. For example, the *Official Languages Act* establishes the federal government as that which “[fosters] full recognition” of the English and French languages, including in “linguistic minority communities.” The Act also gives the federal government the broad ability to support the “development” and “vitality” of these communities and even define what constitutes a “linguistic minority population.” This sovereign decision on recognizing the minority in the province of Québec serves to subordinate the Québécois Canadian to the Normative Canadian by foreclosing the former’s capacity to perform sovereignty in the field of national identity. The Parti Québécois government in 1995 sought this capacity in its sovereignty bill through the recognition of an Anglophone minority and Aboriginal population. The bill’s preamble refers to the founders of Québec being “enriched by [the civilization] of the First Nations,” positioning the Québécois as the normative centre to which Indigenous peoples contribute. In its attempts to reproduce the logic of sovereign decisions on recognition, the Québécois Canadian only reinforces its own subordinate position in national identity.

**The Capacity to be a Partner**

The most significant capacity authorized to the Québécois Canadian is to behave as a partner. This position as partner is expected to be exercised in a reasonable, business-like manner and follow a correct process for engaging the political sphere. In particular,

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15 *Official Languages Act*, ss. 43 and 32.
16 Québec, Bill 1, Preamble.
as the more junior partner, this subject position may submit proposals, make offers, or seek to negotiate agreements with the representatives of the Normative Canadian. The wording of Québec’s two sovereignty referendums reinforces this capacity to bring the Normative Canadian ‘to the table.’ The 1980 question asks for a mandate to “negotiate a new agreement with the rest of Canada” and the 1995 question asks for a mandate to make “a formal offer to Canada for a new economic and political partnership.”

The Québécois Canadian is charged with reflecting the procedural order that restricts it back to an invisible and unmarked Normative Canada. As such, the Québécois Canadian is authorized to act as one half in order to be permissible and intelligible in the field of national identity and make subsequent political claims. For example, the Supreme Court’s Secession Reference identifies the responsibilities Québec, as a founding partner of Confederation, would have to “address the interests of the other provinces, the federal government, and...the rights of minorities” in secession negotiations. To transgress the bounds of its responsibilities renders the claims of the Québécois Canadian illegal, improper, out of order, isolationist, or otherwise recklessly independent. For example, in introducing the Official Languages Act, Trudeau warned that “French Canada can survive not by turning in on itself but by reaching out to claim its full share of every aspect of Canadian life.”

Trudeau contrasts this isolationist tendency with the capacity for a partner to enjoy its ‘share’ of the partnership.

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This subject position of partner and the political capacities to propose reasonably or negotiate correctly serves to reduce and delimit the claim of some Québécois for political independence. The federal government has struggled over the issue of Québec’s separation with successive Parti Québécois provincial governments, establishing the most recent norm through the Secession Reference and the Clarity Act following the 1995 referendum. This current arrangement delimits the Québécois Canadian’s political agency strictly to holding a referendum and retains for the sovereign state the authority to decide on the referendum’s results and the possibility and form of any potential negotiations to follow. The Clarity Act recognizes “that there is no right under the Constitution of Canada to effect the secession of a province from Canada unilaterally.” This reinforces the Québécois Canadian subject position as a mere junior partner, unable to make its own decisions. Yet, this junior partner is authorized the capacity to call the other partners ‘to the table.’ The Secession Reference recognizes that if Québec provides a “clear expression” to secede, this does create a “reciprocal obligation on all parties to Confederation to negotiate.” But by designating the lack of clarity and the unprecedented Constitutional situation as exceptional moments and sites, the Supreme Court enables the sovereign decision on secession by the Normative Canadian. For example, the Clarity Act states that a referendum question that merely seeks a “mandate to negotiate” or one that “envisages other possibilities in addition to secession,” would transgress the bounds of ‘clarity.’ This effectively reserves the capacity to initiate negotiations and negotiate alternatives for the federal government, securing the

20 Clarity Act, s. 3(1).
21 Secession of Quebec, 265.
22 Clarity Act, s. 1(4).
significant sovereign decisions for its sole discretion. This reduces the capacity of the Québécois Canadian to hold the referendum, as transgressing the permissible limits of the referendum’s wording would allow the sovereign state to render it illegitimate.

Representatives of the Normative Canadian decide on the clarity of a referendum question, the clarity of a potential majority for Québec sovereignty, and the contents and procedures of negotiations. The Secession Reference determines that the first two points require “qualitative” or “political” evaluations in order to legitimate the political will for independence.\(^\text{23}\) If this political will is legitimated, the exceptional moment and site of the negotiation enable a sovereign decision by the federal government on the negotiation’s “content and process.”\(^\text{24}\) The Secession Reference guarantees no “legal entitlement” to secession following the negotiations, arguing that this would “undermine the obligation to negotiate and render it hollow.”\(^\text{25}\) This effectively recasts a hypothetical majority vote in favour of secession into merely a trigger for an obligatory but non-committal negotiation. The case of the referendum demonstrates how the Normative Canadian, authorized by the sovereign state, perpetually retains the authority to decide on the legitimacy of the partner’s proposals, offers, or negotiations.

Working toward the performance of sovereignty in 1995, the Parti Québécois government attempted to reproduce the type of exceptions that necessitate a sovereign decision. By invoking its representation of “the people of Québec,” Bill 1 articulates a “will to be in full possession of all the powers of a State...to exercise the highest power of

\(^{23}\) *Secession of Quebec*, 265 and 271.

\(^{24}\) Ibid., 221.

\(^{25}\) Ibid., 267.
all, conceiving, and controlling, by ourselves, our fundamental law.”26 The bill continues: “The National Assembly is authorized, within the scope of this Act, to proclaim the sovereignty of Québec. The proclamation must be preceded by a formal offer of economic and political partnership with Canada.”27 This self-authorization of sovereignty emerges from the exceptional moment of the offer of partnership, while nevertheless remaining bound to the Québécois Canadian’s position as a partner to the Normative Canadian. Despite this, the Bill defines a number of exceptions designed to enable subsequent sovereign decisions. For example, Bill 1 ensures the continuance of Canada’s legal framework “on the date on which Québec becomes a sovereign country” until individual elements are “amended, replaced, and repealed.”28 By explicitly noting that every law is subject to change at some future point, the Bill creates exceptional moments in the future that will authorize the action of a sovereign Québec. Similarly, Bill 1 provides for the adoption of “an interim constitution” by the “Parliament of Québec” before the proper constitution comes into force.29 This body would also decide upon whether hypothetical negotiations with Canada “proved fruitless” or whether the one-year deadline for the negotiations needed to be extended.30 Through these decisions on the exception, the Parti Québécois government was posed to perform sovereign decisions that flowed from an initial sovereign decision on its exit from the national political community.

26 Québec, Bill 1, Preamble.
27 Ibid., s. 1.
28 Ibid., s.18
29 Ibid., s. 24.
30 Ibid., s. 26.
Yet, the capacity of the Québécois Canadian subject position to decide on its own exit was not authorized. In his address to the nation on October 25, 1995, Jean Chrétien reminded voters of the “serious and irreversible” nature of their decision. While the voters in the 1995 referendum were authorized the capacity to make a decision, only the decision to stay in Canada was authorized. Describing the decision that “lies in the hands” of voters in 1995, Chrétien referred to them as “fellow Canadians in Québec.”

Making a sovereign decision on recognition, Chrétien recognized those who were voting to stay as occupying the subject position of the Normative Canadian, affirming Canada and its field of national identity. This rhetorical appeal aligned with much of the discourse surrounding the 1995 referendum, which sought to compel those occupying the position of the Québécois Canadian to ‘become’ the Normative Canadian. The Secession Reference reminds the “population of Québec” that they “occupy prominent positions within the government of Canada,” are “equitably represented in legislative, executive and judicial institutions,” and “freely make political choices and pursue economic, social and cultural development within Québec, across Canada, and throughout the world.”

Appeals such as these assured those who occupy the Québécois Canadian subject position in order to make claims against Canada, or to decide against it, that they were really the Normative Canadian all along.

While the Québécois Canadian cannot decide on severing the partnership, its role as the marked and intelligible partner authorizes its capacity to acknowledge the partnership. The partnership may be acknowledged for its equality, its benefits, or its generosity.

31 Jean Chrétien, Address to the Nation, October 25, 1995 (Ottawa: Office of the Prime Minister of Canada, 1995).
32 Chrétien, Address to the Nation.
33 Secession of Quebec, 286-287.
through expressions of gratitude, appreciation, or even reciprocation. While disagreements are recognized, the Québécois Canadian is generally not authorized to have any legitimate grievances against the Normative Canadian in the framework of the partnership. For example, the Secession Reference reminds the partner that the “continuing failure to reach agreement on amendments to the Constitution, while a matter of concern, does not amount to a denial of self-determination.” Similarly, the B&B Commission’s mandate prioritizes the “promotion” and “appreciation” of the equality of the partnership, implying this needs development on both ends. But its status as the marked and intelligible partner designates the Québécois Canadian as the target of scrutiny on this matter while the Normative Canadian, on its own, rarely is represented as a ‘partner’. In his 1995 address, Chrétien asked a series of rhetorical questions to remind the Québécois what they have to be grateful and appreciative of:

Do you really think that you and your family would have a better quality of life and a brighter future in a separate Québec?
Do you really think that the French language and culture in North America would be better protected in a separate Québec?
Do you really think you and your family will enjoy greater security in a separate Québec? ...
Do you really want to turn your back on Canada? Does Canada deserve that? 

In reference to the Québécois Canadian’s role in the Canadian federation, Chrétien speculated that “perhaps it is something we have come to take for granted.” More than just gratitude, the Québécois Canadian is also given the political capacity to reciprocate. The Secession Reference quotes the Attorney General of Saskatchewan’s implicit rebuke of Québec’s poor reciprocation:

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34 Secession of Quebec, 287.
35 Chrétien, Address to the Nation.
36 Ibid.
A nation is built when the communities that comprise it make commitments to it, when they forego choices and opportunities on behalf of a nation, ... when the communities that comprise it make compromises, when they offer each other guarantees, when they make transfers and perhaps most pointedly, when they receive from others the benefits of national solidarity. The threads of a thousand acts of accommodation are the fabric of a nation.\textsuperscript{37}

The Québécois Canadian is compelled to acknowledge the receipt of the partnership’s innumerable benefits. Political claims that critique the partnership fail to fulfill this capacity and render the Québécois Canadian as ungrateful, unappreciative, and non-reciprocal.

By engaging in the type of partnership discourse outlined in this section, those occupying the Québécois Canadian subject position foreclose other potential relationships with the Normative Canadian.

**The Capacities to Understand, Be Understood, and Do Harm**

The Québécois Canadian is authorized the capacity to understand and be understood. In some cases the transgression of its capacity to understand the Normative Canadian renders the Québécois Canadian willfully ignorant. The B&B Commission notes that to ignore the Québécois’s growing claims for autonomy would “very likely mean that Québec would refuse to listen” to the results and recommendations of its work.\textsuperscript{38} In other cases, the Québécois Canadian is simply in need of the right plea. Before the 1995 referendum, Chrétien implored Canadians outside of Québec to “continue to tell them [the Québécois] how important they are to you. And how without them, Canada would no longer be Canada; how you want them to remain Canadian and you hope,

\textsuperscript{37} *Secession of Quebec*, 269-270.

\textsuperscript{38} Canada, Royal Commission on Bilingualism and Biculturalism, *General Introduction*, xlv.
deeply and profoundly, that they choose Canada.” More frequently, the Québécois Canadian fails to understand the full implications of its problematic political claims for autonomy and independence. Introducing the *Official Languages Act*, Trudeau suggested that claims for isolation or separation “are based on fear, on a narrow view of human nature, and on a defeatist appraisal of our capacity to adapt our society and its institutions” from individuals who “are prisoners of past injustice, blind to the possibilities of the future.” The Québécois Canadian must be more rational and optimistic if it is to truly understand its political claims. Chrétien maintained that the Québécois Canadian had “the responsibility and the duty to understand the implications” of a YES vote in the 1995 referendum. He implored voters to “listen” to what separatist leaders were saying at the time: “Don’t be fooled.” The 1995 referendum also illuminated the Québécois Canadian’s corresponding capacity to be understood. Attempting to show that this capacity was fulfilled, Chrétien’s acknowledged the disappointments and grievances that the Québécois Canadian had communicated. “I have listened,” Chrétien insisted, “and I understand.” By reducing political disagreements to misunderstandings, the discourse of understanding attempts to delegitimize the Québécois Canadian’s political claims by suggesting they are ‘lost in translation.’

However, when the Québécois Canadian willfully fails to fulfill its capacity to be understood, it is rendered ‘unclear’, unintelligible, unreasonable, otherwise unable to properly communicate, or even intentionally deceitful. The discourse of ‘clarity’ in the

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39 Chrétien, Address to the Nation.
41 Chrétien, Address to the Nation.
42 Ibid.
43 Ibid.
Secession Reference and Clarity Act is premised on the Québécois Canadian’s capacity for willful obfuscation. Similarly, Chrétien suggested that the attempt at independence in 1995 was “hidden behind a murky question.”

As the sovereign state reserves the capacity to decide upon ‘mutual understanding,’ the Québécois Canadian is denied agency over its own communication in the political sphere and any of its unauthorized claims are rendered unintelligible.

Beyond its intelligibility, the Québécois Canadian is constantly reminded of its capacity to harm the nation. The Normative Canadian often casts itself as the victim of Québec’s independence. For example, the Clarity Act states that “any proposal related to the break-up of a democratic state is a matter of the utmost gravity and is of fundamental importance to all of its citizens.” Similarly, Chrétien reduced the political claim of independence as one to “break up Canada.” This harm would constitute “the end of a dream” and “the end of a country that has made us the envy of the world.” Indeed, the independence of the Québécois would “tell the world...that people of different languages, different cultures and different backgrounds cannot live together in harmony.” Through its capacity to bring about the destruction of Canada, the Québécois Canadian potentially may refute the values and ideals of liberalism and Western modernity, thereby justifying the scrutiny directed at it. The political claim of independence brings Canada to its limit condition. Warnings of the risks and danger of independence from Canada proliferate, reminding the Québécois Canadian of the total exclusion and foreignness it will suffer. Chrétien’s address implied that “harm or rancour” might arise from the breaking of “ties

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44 Ibid.
45 Clarity Act, Preamble.
46 Chrétien, Address to the Nation.
of mutual trust and respect.”47 He further offered the threat that “Quebeckers would be made foreigners in their own country.”48 Its capacity to do harm to the Normative Canadian creates a mistrust of the Québécois Canadian that legitimates its subordinate and scrutinized position in the partnership.

The Aboriginal Canadian Subject Position

As noted in the previous chapter, Indigenous peoples were first rendered as a ‘Constitutive Outsider’ to the project that established the boundaries of Canadian national identity and colonization in North America. They are rendered in the contemporary period into a subject position which I will term the Aboriginal Canadian, owing to the state-authorized signification demonstrated by the renaming of the Indian Affairs Ministry or the term’s use in the 2012 version of the Discover Canada citizenship guide.49 The contemporary recognized characteristics and political capacities of this subject position emerge from the Supreme Court’s decision in Calder vs. British Columbia (Attorney General) and the Department of Indian Affairs and Northern Development’s change of position on negotiating treaties, both of which occurred in 1973. However, important conditions of possibility were laid through the prior capacity of Indigenous peoples to be recognized and intelligible to the sovereign state. The foundational documents that express this subject position and its political capacities are largely legal discourse, owing to the unique position of Indigenous peoples in relation to a colonial political and legal order. The inclusion of Indigenous peoples into narratives of

47 Ibid.
48 Ibid.
49 Canada, Discover Canada, 10-11.
the Canadian nation tests the limits of this political and legal order and this is reflected by an intensity of the boundary practices in the legal domain.

Insofar as the claim to sovereignty enables subsequent claims about a political community, Indigenous peoples only become recognizable and intelligible as subjects to sovereign power after the exercise of sovereignty. This renders all that precedes sovereignty irrelevant and non-existent, anachronistically placing the existence of the Aboriginal Canadian after sovereignty by virtue of its recognition by the sovereign state. For example, while the Calder decision enabled Indigenous peoples to claim certain rights by virtue of preceding the colonial state, it also noted that, in the case of pre-Confederation British Columbia, an “absolute sovereignty” was exercised “inconsistent with any conflicting interest, including one as to ‘aboriginal title.’” In order to enter the domain of political intelligibility after sovereignty, the Aboriginal Canadian first possessed the capacity to be catalogued and registered. The Indian Act tautologically defines an ‘Indian’ as “a person who pursuant to this Act is registered as an Indian,” as if the registration status gives rise to the subject. The Indian Act also authorizes to “any order, writ, warrant, summons, or proceedings” the capacity to identify the ‘Indian’ by given name, name the individual “is known by,” or even a description “in any manner by which he may be identified.” Reflective of the anxieties of the Aboriginal Canadian’s unintelligibility, this enables a sovereign decision on recognition even on a subject who cannot be named.

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51 Indian Act, R.S.C., 1985, c. I-5, s. 2.
52 Ibid., s. 105.
While it is subject to an unconditional authority to be recognized, the Aboriginal Canadian is denied the capacity to recognize others. For example, in the reasons in *R. v. Van der Peet*, the capacity to claim a cultural practice as an aboriginal right rests on the ability to demonstrate it is a “distinctive” and “distinguishing characteristic” of an Aboriginal culture that is “not relative” to other Aboriginal groups. The practice is also rendered ineligible as an aboriginal right if it “arose solely as a response to European influences.” While the Aboriginal Canadian’s may make certain political claims that rest upon a recognition of its own characteristics, such claims are rendered illegitimate if they rest upon a recognition of its counterparts or the Normative Canadian. A similar arrangement denies the Truth and Reconciliation Commissioners the capacity to “act as a public inquiry,” “conduct a formal legal process,” “possess subpoena powers,” to refer to “the misconduct of any person,” or, in other words, to “name names.” Without the capacity to recognize another, the Aboriginal Canadian remains beholden to the recognitions made by the Normative Canadian.

Following the rejection of the White Paper and the *Calder* decision, Indian Affairs Minister Jean Chrétien re-oriented federal policy on land claims in 1973 and stated that “The Government is now ready to negotiate with authorized representatives of...native peoples.” This recognition granted the Aboriginal Canadian the capacity to have an authorized representative, yet retained for the sovereign state the authority to

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54 Ibid., 511.

55 Canada, Truth and Reconciliation Commission of Canada, “Our Mandate,” Indian Residential Schools Settlement Agreement, Schedule ‘N’ (Winnipeg: Truth and Reconciliation Commission of Canada, 2008), s. 2(b), (c), (f), and (h).

56 Jean Chrétien, Statement on Indian and Inuit Land Claims, August 8, 1973 (Ottawa: Department of Indian Affairs and Northern Development, 1973).
recognize and decide upon this representative. In some cases, the Aboriginal Canadian is further authorized a choice in its representative, as in the election of the “council of the band” required by the Indian Act.\textsuperscript{57} In other cases, this decision is made for the Aboriginal Canadian, as in the Constitution Act, 1982, which empowers the prime minister to “invite representatives of the aboriginal peoples of Canada to participate” in discussions that would alter their constitutional position.\textsuperscript{58} Without the authority to decide on its representation, the Aboriginal Canadian’s political claims must be interpreted through the colonial state’s framework, if such claims are represented at all.

Indeed, representations of the Aboriginal Canadian are troubled by its association with unintelligibility. For example, R. v. Van der Peet prescribes that aboriginal rights cases must take the “perspective” of Indigenous peoples into account, but this perspective “must be framed in terms cognizable to the Canadian legal and constitutional structure.”\textsuperscript{59} The Van der Peet ‘test’ suggests that the Aboriginal Canadian might transgress the bounds of intelligibility and provides for the ineligibility of its claims if this transgression occurs. The association with unintelligibility stretches back to the first recognition by sovereign power of the Indigenous peoples of this territory: George III’s Royal Proclamation of 1763. The Proclamation establishes the proto-Aboriginal Canadian as that which lies “beyond the Bounds” of government, but crucially not beyond sovereign power.\textsuperscript{60} The Aboriginal Canadian has since remained ‘beyond’ many boundaries, particularly those of the national identity from which it was constitutively excluded. For example, institutions associated with Indigenous peoples are exempt from the Official

\textsuperscript{57} Indian Act, s.2.

\textsuperscript{58} Constitution Act, 1982, s. 35(1)(b).

\textsuperscript{59} Van der Peet, 509.

\textsuperscript{60} Royal Proclamation, 1763 (U.K.), reprinted in R.S.C. 1985, App. 2, No. 1.
Similarly, the Indian Act refers to Indian lands as lands “set apart.”

Sunera Thobani notes that Indigenous peoples were historically cast as embodying “pure lawlessness” and were rigorously legislated against in order to counter this “lawless” identity. In permitting the election of a band council by “the custom of the band,” the Indian Act suggests a combination of Western representative democracy and some ‘other’ authority followed by Indigenous peoples. This marks the Aboriginal Canadian as an entity partially subject to law and partially subject to unintelligible, pre-modern forces. Indeed, the Royal Commission on Aboriginal Peoples reinforces this unknowable quality of the Aboriginal Canadian by insisting Aboriginal peoples possess “the secret of cultural survival.” Those who occupy the Aboriginal Canadian subject position are forced to accept the ever-present possibility of their slipping back into unintelligibility, rendering their claims ineligible for consideration.

**The Capacity to be a Dependent**

One of the most significant capacities authorized to the Aboriginal Canadian is the capacity to be a dependent. This position as dependent arises from the Aboriginal Canadian’s status as a problem, which is taken to be self-evident. For example, the B&B Commission’s only mention of Aboriginal students in its volume on education refers, without any elaboration, to their need for “special programmes to meet their cultural and

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61 *Official Languages Act*, s. 3, “federal institutions,” (i), (j).

62 *Indian Act*, s. 2.


64 *Indian Act*, s. 2.

linguistic problems." Similarly, the reasons in Calder refer to the “problem of Indian title,” without any clarification on why Indian title might be a problem. Such recognitions of the problematic status of the Aboriginal Canadian establishes it as a target of regulation and government. The Constitution Act, 1867 designates “Indians and Lands reserved for Indians” as a “class of subjects” within the jurisdiction of the federal government, listed right below the matter of copyright. However, the most pressing problem that the Aboriginal Canadian presents in the contemporary era is its capacity to claim rights beyond those “subsequently granted and recognized by the conqueror,” which Calder established as a contestable domain to narrow the previously overwhelmingly complex ‘problem’ of Indigenous peoples. Such rights were further regulated and governed through subsequent cases, such as R. v. Sparrow, which enabled the government to legitimately “regulate the exercise” of aboriginal rights by proving that any such limitation or interference is “justified,” based on the argument that such rights are not ‘extinguished’ “merely by...being controlled in great detail.” Its status as a problem to be regulated and governed becomes very closely associated with the Aboriginal Canadian’s capacity to make political claims, placing considerable limitations on the type of political claims it can make.

A further domain of political contestation made available to the Aboriginal Canadian arises from its capacity to be infringed upon and harmed by the forces that regulate and govern it. Authorized the capacity to have its rights infringed upon, the

67 Calder, 314.
68 Constitution Act, 1867, s. 91, n. 24.
69 Calder, 315.
Aboriginal Canadian must nevertheless occupy the position of dependent in relation to the state in order to contest the limitation of these rights. The *Sparrow* test frames aboriginal rights infringement as an infringement upon the “fiduciary” responsibility that the government has to Aboriginal peoples, thereby reinforcing the subject position of dependent to the state.\(^{71}\) Over time, the Normative Canadian has come to recognize a particular set of harms, beyond rights infringement, that colonialism and the state visited upon the Aboriginal Canadian. For example, the Royal Commission on Aboriginal Peoples attributes the “problems” of Aboriginal peoples “largely” to the “loss of their lands and resources, destruction of their economies and social institutions, and denial of their nationhood.”\(^{72}\) In 2006, Stephen Harper’s apology to the former students of Indian Residential Schools declared that the government “now recognizes” the schools’ “profoundly negative” and “lasting and damaging impact on aboriginal culture, heritage and language.”\(^{73}\) The sovereign state continues to recognize and decide upon the precise ways that the Aboriginal Canadian may have been harmed, thereby establishing this capacity as the most prominent contemporary domain of political contestation. At the time of this writing, the activity in this domain seems poised to increase, but the authorized recognition of harm by the sovereign state will continue to reinforce the position of the Aboriginal Canadian as dependent to the Normative Canadian.

To complement its problematic rights and claims, the Aboriginal Canadian is authorized the capacity to surrender and release its rights, claims, lands, and other

\(^{71}\) Ibid., 1077.

\(^{72}\) Royal Commission on Aboriginal Peoples, *People to People*.

entitlements. The *Calder* decision authorized to Aboriginal peoples the capacity to “surrender to the Crown” their rights. Following this, Jean Chrétien declared in 1973 that “the Government is now ready to negotiate” for “an agreed form of compensation or benefit” to be “provided to native peoples in return for their interest” in the land. This enabled the *James Bay and Northern Québec Agreement* treaty to announce that:

...the James Bay Crees and the Inuit of Québec hereby cede, release, surrender and convey all their Native claims, rights, titles and interests, whatever they may be, in and to the land in the territory and in Québec, and Québec and Canada accept such surrender.

This type of surrender is further defined in the *Indian Act*, which states that it must be “assented to by a majority of the electors” of an Indian band, may be made “conditionally or unconditionally,” and is subject to the acceptance of the federal government. The sovereign state reserves the capacity to decide upon the Aboriginal Canadian’s surrender, even if no surrender is offered. Indeed, the *Calder* decision established that the sovereign state reserves the capacity to “dispossess” Aboriginal peoples, provided it explicitly decides to do so. The capacity to surrender whatever rights it was authorized to claim creates an exchange relationship with the sovereign state, further reinforcing the Aboriginal Canadian’s position of dependent through the receipt of benefits and compensation. Significantly, those who surrender their rights through this process also surrender the capacity to make any further claims against the state, which recognizes all outstanding matters in the relationship resolved.

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74 *Calder*, 316.

75 Chrétien, Indian Land Claims.


77 *Indian Act*, ss. 38-39.

78 *Calder*, 353.
The capacity to receive benefits and protection was established in the Royal Proclamation of 1763 along with the other the conditions upon which the dependency rests:

...whereas it is just and reasonable, and essential to Our Interest and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories...\(^79\)

For reasons of justice, reason, and security, the sovereign state ‘holds in trust’ the assets and entitlements of the Aboriginal Canadian. In the Proclamation, George III also designated territory as “reserve under Our Sovereignty, Protection, and Dominion, for the Use of the said Indians,” thereby establishing ‘utility’ as a key criteria in managing the Aboriginal Canadian’s existence on the territory.\(^80\) However, as a dependent, the Aboriginal Canadian is not authorized to decide what is of utility and benefit to itself. For example, the Indian Act reserves for the federal government the decision on “whether any purpose for which lands in a reserve are used or are to be used is for the use and benefit” of an Indian band.\(^81\) This is also the case with “Indian moneys,” which the government may unilaterally spend “to protect the property of Indians in cases of emergency,” “to assist sick, disabled, aged or destitute Indians,” or even “provide for the payments of contributions under the Employment Insurance Act.”\(^82\) The sovereign state decides on what is of use and benefit to the Aboriginal Canadian, only authorizing this subject position the capacity to receive the utility and benefit of land and moneys held on its behalf. The subject position of receiver of benefit and protection is even reinforced by the

\(^79\) Royal Proclamation, 1763.

\(^80\) Ibid.

\(^81\) Indian Act, s. 18(1).

\(^82\) Ibid., ss. 61, 65(b), and 66(2).
more contemporary discourse on the harms of colonialism. For example, the Royal Commission on Aboriginal Peoples was mandated to “make concrete recommendations to improve the quality of life for aboriginal peoples.” The Aboriginal Canadian’s capacity to receive improvements to its life is closely associated with its discursive dependency under the state. Many of the Aboriginal Canadian’s permissible avenues of political contestation require it to make claims from the position of dependent, thereby foreclosing political claims that arise from Indigenous peoples’ existence prior to, and against, the state and its sovereignty. The difficulties of this capacity are crucially elided, however, by the choice given to the Aboriginal Canadian to ‘mature.’

The Capacity to Choose to Enter Modernity

The second significant capacity authorized to the Aboriginal Canadian is the capacity to choose to enter modernity. The Aboriginal Canadian is compelled to cross the temporal boundary that renders Indigenous peoples ‘pre-modern’ and normative subjects ‘modern.’ Following the teleological development logic of enlightenment articulated by Immanuel Kant, the Aboriginal Canadian is authorized a capacity for “emergence from his self-incurred immaturity.” By insisting that “every Indian child...shall attend school,” the Indian Act authorizes the Aboriginal Canadian the capacity to be educated, a necessary step in the modern Western subject’s development. The Act also empowers the Indian Affairs Minister to employ individuals “to instruct Indians in farming” and to:

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83 Royal Commission on Aboriginal Peoples, Terms of Reference (Ottawa: Department of Indian Affairs and Northern Development, 1992).


85 Indian Act, s. 116(1).
...apply any profits that result from the operation of farms...to extend farming operations on the reserves or to make loans to Indians to enable them to engage in farming or...any way that he considers to be desirable to promote the progress and development of the Indians.  

The sovereign state effectively reserves the capacity to take the Aboriginal Canadian through the Agricultural Revolution or any other necessary stages of ‘progress and development.’ But the emergence into post-enlightenment modernity must be the choice of a free subject. For example, the introduction of the *James Bay and Northern Québec Agreement* insists that “the native peoples are offered a choice. They will be free, as individuals, to choose between their traditional occupations and new occupations.” By offering the Aboriginal Canadian a stark binary choice between the past and modernity, any political claim or act that does not align with the Normative Canadian’s established order can be rendered ‘uncivilized’ or ‘backward’ and delegitimized.

As part of its emergence into modernity and maturity, the Aboriginal Canadian is authorized the capacity to give rules to itself. For example, the *Indian Act* allows for a band to “assume control of its own membership” on the condition that it “establishes membership rules for itself in writing” and “a majority of the electors of the band gives its consent.” Once control over the band membership list is transferred, Indian Affairs “shall have no further responsibility with respect to that Band List from that date.” Provided it follows the correct procedures, the Aboriginal Canadian is granted the capacity to begin taking responsibility for the constitution of its polity. While the federal government might loosen its control, the sovereign state reserves the capacity to decide

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86 Ibid., s. 71.
87 *James Bay and Northern Québec Agreement*, 6.
88 *Indian Act*, s. 10(1).
89 Ibid., s. 10(9).
upon whether the Aboriginal Canadian’s efforts are sufficiently democratic. For example, if a band council acts against the consent of the majority, its power “shall be deemed not to be exercised.”\(^90\) The Indian Affairs Ministers reserves the capacity to order an election of a band council “whenever he deems it advisable for the good government of a band.”\(^91\) The Aboriginal Canadian has the capacity to follow the rules of ‘good government,’ the existence of which is decided upon by the sovereign state.

The language of governing oneself pervades the terms of reference for the Royal Commission on Aboriginal Peoples, which empowers the Commission to recognize and affirm “aboriginal self-government” and “to break the pattern of paternalism” in Indigenous-settler relations.\(^92\) Yet, this promotion of self-government significantly enables the sovereign state to decide upon the end of its own paternalism. This ‘imposition’ of self-government penetrates deeply into individual behaviours and bodies, as well. For example, the Indian Act grants a band the capacity to prohibit “sale, barter, supply or manufacture of intoxicants,” “any person from being intoxicated,” and “any person from having intoxicants in his possession.”\(^93\) The association of the Aboriginal Canadian and intoxication enables its capacity to govern itself through the exercise of self-control.

But the stronger association Indigenous peoples have with territory and property in state-authorized discourse enables a prominent financial dimension to the capacity to give rules to oneself. The Aboriginal Canadian has the capacity to take responsibility for the management of its affairs and property, but if it fails to fulfill this capacity the

\(^90\) Ibid., s. 2(3).
\(^91\) Ibid., s. 74(1).
\(^92\) Royal Commission on Aboriginal Peoples, Terms of Reference.
\(^93\) Indian Act, s. 85.1(1).
sovereign state will execute this responsibility on its behalf. For example, the Indian Act allows the Indian Affairs Minister to “improve or cultivate” land that is “uncultivated or unused” or “grant for the benefit of the band a lease of that land for agricultural or grazing purposes.”\textsuperscript{94} The sovereign state’s capacity to decide upon such responsible management stretches even beyond the life of the Aboriginal Canadian. The Indian Act “exclusively” vests “all jurisdiction and authority” over the wills of “deceased Indians” in the Minister, although an Indian may “[bequeath] his property by will” through “any written instrument” subject to the Minister’s approval.\textsuperscript{95} If such a will is incorrect, improper, or otherwise irresponsible, the Minister “may declare the will of an Indian to be void in whole or in part.”\textsuperscript{96} With this provision, the Aboriginal Canadian is given one final opportunity to provide for the proper disposition of its property in order to realize the development of enlightenment modernity over the course of its lifetime. Many of the Aboriginal Canadian’s interactions with the state are framed in terms of a responsibility to reflect back to the Normative Canadian its own political and economic order. This frame limits Indigenous people’s claims for autonomy to prescribed avenues and capacities which only serve to reinforce a lack of autonomy.

The entrance into modernity is also meant to constitute a break with the events and preoccupations of pre-modernity. The Aboriginal Canadian is authorized the capacity to leave the past behind and move forward. For example, the Discover Canada citizenship guide tersely mentions past harms visited upon Indigenous people by Canada, including the Indian Residential School system, and concludes the section with: “In 2008,

\textsuperscript{94} Ibid., s. 58(1).
\textsuperscript{95} Ibid., ss. 42 and 45.
\textsuperscript{96} Ibid., s. 46(1).
Ottawa formally apologized to the former students.\textsuperscript{97} The apology stands as the resolution of the matter, relegating it to the past, and the subsequent paragraph reinforces this temporal division: “In today’s Canada, Aboriginal peoples enjoy renewed pride and confidence, and have made significant achievements in agriculture, the environment, business, and the arts.”\textsuperscript{98} Despite their persistence in the present, the harms of colonialism are rendered as a past that enables the Aboriginal Canadian to move on, forgive, forget, reconcile, and heal. For example, Harper’s apology “asks the forgiveness of the aboriginal peoples” and “recognizes that the absence of an apology has been an impediment to healing and reconciliation.”\textsuperscript{99} Thus, the apology is offered to enable the movement “toward healing, reconciliation and resolution of the sad legacy” of Indian Residential Schools and is reflective of “a desire to move forward with a renewed understanding.”\textsuperscript{100} The capacity to move forward into modernity requires that the Aboriginal Canadian let go of the harms that the sovereign state’s recognition relegates to the past. By engaging in such processes of resolution or moving forward, those who occupy the Aboriginal Canadian subject position affirm a version of the past and present that perpetuates the privilege of the Normative Canadian and absolves it of any responsibility for colonialism that it does not wish to claim.

Moving toward the full assumption of maturity in enlightenment modernity, the Aboriginal Canadian is authorized the capacity to become a special minority in liberal national identity politics. This regulative inclusion into the more intelligible and familiar domain of difference management rests upon the recognition of the Aboriginal Canadian

\textsuperscript{97} Canada, \textit{Discover Canada}, 10.
\textsuperscript{98} Ibid.
\textsuperscript{99} Harper, “Apology to Former Students,” 6850.
\textsuperscript{100} Ibid, 6850-6851.
as possessing a strong, valuable, and distinctive culture. For example, Harper’s apology acknowledged the harm of removing “children from rich and vibrant cultures and traditions” and suggested that residential school survivors coming forward was a “testament...to the strengths of their cultures.”\textsuperscript{101} The reasons in Van der Peet, which outline a test for “aboriginal right” to a “practice, custom or tradition,” further establish the conditions that govern the recognition of the Aboriginal Canadian’s culture.\textsuperscript{102} In order to protect a particular ‘cultural’ practice, an Aboriginal group must “demonstrate that the custom or tradition is a defining characteristic of their culture” that “makes the culture what it is.”\textsuperscript{103} The “practice, custom or tradition” must be so “integral” that its absence would leave the Aboriginal Canadian’s ‘culture’ “fundamentally altered or other than what it is.”\textsuperscript{104} This test authorizes the Aboriginal Canadian the capacity to define and essentialize its own culture along the lines of liberal difference management, which is cast as part of its transition into modernity. Indeed, Van der Peet enables Aboriginal groups to “exercise in modern form...a pre-contact practice, custom or tradition.”\textsuperscript{105} In order to be protected, the pre-modern practice must have “existed prior to contact with European society,” while not being so broad as to be “true of every human society (e.g., eating to survive).”\textsuperscript{106} These conditions of the test authorize the Aboriginal Canadian to bring some fragmented particularities of its distinctive culture into modernity, provided

\textsuperscript{101} Ibid, 6850.  
\textsuperscript{102} Van der Peet, 511.  
\textsuperscript{103} Ibid., 511 and 561.  
\textsuperscript{104} Ibid., 554.  
\textsuperscript{105} Ibid., 509.  
\textsuperscript{106} Ibid.
the particularity is intelligibly different from the universal norms of an unmarked normative settler society.

This intelligible cultural difference establishes the Aboriginal Canadian as a minority group. While Van der Peet acknowledges that “aboriginal peoples were already here” when Europeans arrived, this is merely cited as a factor that “separates aboriginal peoples from all other minority groups in Canadian society.” By pursuing political claims against the state through the ‘test’ for culture, those occupying the Aboriginal Canadian subject position render their more complex claims against the state irrelevant by accepting a place as a ‘special’ minority among Canada’s various minority groups. For example, the Indian Act grants the Aboriginal Canadian access to liberal religious toleration by providing that “no child whose parent is a Protestant shall be assigned to a school conducted under Roman Catholic auspices” and vice versa. Rendering irrelevant any complex relationships it may have with the Western world’s dominant sects of Christianity, the Aboriginal Canadian is given the capacity to claim the same type of religious accommodation available to other state-recognized religious minority groups. By engaging in liberal national identity politics, the Aboriginal Canadian becomes a more intelligible and modern ‘minority’ unable to make political claims outside of discourses of tolerance and cultural protections. This transition enables the Normative Canadian to finally demonstrate its virtuous tolerance to its former dependent.

107 Ibid., 538-539.
108 Indian Act, s. 118.
The Multicultural Canadian Subject Position

While the prevalence of the term ‘multicultural’ in state-authorized discourse is declining, I retain this term in order to refer to the continuity formed by difference management techniques deployed against those marked as ethnocultural minorities. The most recent delimitation of the targets of multicultural policy in the 2012 report on the Canadian Multiculturalism Act lists “race, national or ethnic origin, colour and religion” as the relevant markers of diversity. The Multicultural Canadian subject position was made possible by the Royal Commission on Bilingualism and Biculturalism’s fourth report volume, entitled “The Cultural Contribution of the Other Ethnic Groups.” While it used the signification of ‘ethnic groups,’ the B&B Commission chose to “regard the ‘other ethnic groups’ as cultural groups.” As noted in the section on the Québécois Canadian, this decision represented a shift to reinterpret the difficulties of race, ethnicity, and nationality to ones of language and culture. However, unlike the Québécois Canadian, the Multicultural Canadian subject position does not so tidily make this transition. The B&B Commission identifies the precursor of its subject matter as the “third force,” a political constituency made up of “all those who by the census count are of ethnic origin other than British or French.” Rather than completely jettisoning the concept of the ‘third force,’ the B&B Commission effectively added ambiguity to its

112 Royal Commission on Bilingualism and Biculturalism, General Introduction, xxii.
113 Royal Commission on Bilingualism and Biculturalism, Book IV: Other Ethnic Groups, 75.
boundaries. In its analysis, the Commission equates ‘ethnicity’ with culture by dissociating ethnicity from “biological affiliation and ancestry” and re-framing it as a “loyalty” and “a force which draws its vitality from its members’ feeling of belonging to the group.”\textsuperscript{114} Thus, the old problem of Others who fall under some other authority is re-articulated by new significations.

Not only do the same concerns over ‘ethnicity’ simply re-appear under the guise of culture; the empirical facts of ethnicity are used to ground the discussion of these ‘cultural groups.’ The B&B Commission notes that “it would be particularly difficult to eliminate the idea of ‘ethnic origin,’” even if it is “admittedly indirect,” because it allows its subject matter to be statistically measurable.\textsuperscript{115} Thus, the Multicultural Canadian is recognized as possessing an ‘ethnic origin’ for the purposes of administrative scrutiny and intervention, enabling such knowledge productions as the report’s over 150 tables of statistics about Canadians sorted by ethnic origin.\textsuperscript{116} By grouping together these disparate pieces of statistics and qualitative data, the B&B Commission established one object of study. The subject of this study, for the first time, was able to emerge in the discursive field as one entity: the Multicultural Canadian. Intelligible as ‘other ethnic groups’ in the B&B Commission’s report, the knowledge production on this subject position rendered it quantifiable, classifiable, and generalizable. Its status as an object of study is maintained in the \textit{Multiculturalism Act}, which empowers the government to “collect statistical data in order to enable the development of polices, programs and practices that are sensitive and

\textsuperscript{114} Ibid., 7.

\textsuperscript{115} Royal Commission on Bilingualism and Biculturalism, \textit{General Introduction}, xxiii.

\textsuperscript{116} See the List of Tables in Royal Commission on Bilingualism and Biculturalism, \textit{Book IV: Other Ethnic Groups}, xvii-xxiii.
responsive to the multicultural reality of Canada.”

Its strong association with statistical data establishes the Multicultural Canadian as a perpetual target of investigation and scrutiny by the sovereign state.

The ambiguity between its status as an ethnic entity and a cultural entity reflects the recognition that Multicultural Canadian embodies the problematic fact of diversity. For example, diversity is established as a ‘fact’ by the Multiculturalism Act’s objective to reflect “the culture and racial diversity of Canadian society.” Similarly, the 2012 Multiculturalism Act report refers to multiculturalism as the “lived experience” of diversity. The emphasis of liberal diversity discourse on this social ‘fact’ and the non-specific concerns of multiculturalism obscures the intention of these discourses to refer to those marked with a visible and non-normative culture or ethnicity. Such non-normative subjects are eventually referred to when multiculturalism is engaged in greater detail. For example, the 2008 Multiculturalism Act report suggests that the Act targets “new Canadians and ethnocultural communities.” Similarly, both “immigrants” and “ethnic and religious groups” are referred to in the “Diversity in Canada” section of Discover Canada. Multiculturalism acts as a dual signification of those non-normative subjects who are both new to Canada and historically entrenched. In order to make political claims, many non-normative subjects must join this composite subject position that diversity discourse pre-emptively renders as a problem.

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118 Ibid., s. 3(1)(a).
121 Canada, Discover Canada, 12.
The Capacities to Work to Become the Normative Canadian: Contribution and Integration

The most significant capacity authorized to the Multicultural Canadian is the capacity to work to become the Normative Canadian. The necessary work involves both contribution to, and integration into, Canadian culture. These capacities arise from the prior recognition of the Multicultural Canadian’s culture as confining and dangerous. Announcing the policy of multiculturalism in 1971, Trudeau notes that an “individual’s freedom would be hampered if he were locked for life within a particular cultural compartment by accident of birth or language.”122 Similarly, Trudeau also suggests that “cultural groups” must “overcome cultural barriers to full participation in Canadian society.”123 As noted in the first chapter, this view of culture as confining, particular, and inherently problematic contrasts normative culture’s implied status as a freedom-enabling, universal, and all-encompassing way of life. The contrast establishes those who occupy the Multicultural Canadian subject position as inferior and frames their engagement with multicultural discourse as work towards becoming the Normative Canadian.

The Multicultural Canadian’s culture also can be recognized as unacceptably different and potentially dangerous. Playing on post-9/11 orientalism, the Harper Government recognizes the Multicultural Canadian as potentially barbaric and intolerably incompatible with Western civilization. Under a heading titled “Equality of Women and Men,” the Discover Canada citizenship guide warns that “Canada’s openness and

123 Ibid, 8546.
generosity do not extend to barbaric cultural practices that tolerate spousal abuse, ‘honour killings,’ female genital mutilation, forced marriage or other gender-based violence.”

Similarly, the 2012 *Multiculturalism Act* report discusses attempts to “prevent the importation of racism and discrimination to Canada,” implicitly suggesting such phenomena are somehow alien to Canada and intrinsic to immigrants. The Multicultural Canadian becomes a matter of security when it is recognized as having the capacity to import dangerous values or practices to Canada. For example, the “Minister responsible for Multiculturalism” participates in the meetings of the Cross-Cultural Roundtable on Security organized by the Department of Public Safety and Emergency Preparedness.

The Multicultural Canadian’s association with barbarism, gendered violence, racism, and discrimination in state-authorized discourses also enables its capacity to develop and evolve from such ‘backward’ tendencies into a proper subject of Western modernity and liberalism.

In order to progress in its development toward becoming the Normative Canadian, the Multicultural Canadian must demonstrate appropriate effort and commitment. For example, Trudeau’s multiculturalism policy sought to “assist all Canadian cultural groups that have demonstrated a desire and effort to continue to develop a capacity to grow and contribute to Canada.”

Similarly, the 2012 *Multiculturalism Act* report offers the following exchange: “new Canadians work hard to learn our languages, our values, and

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127 Trudeau, “Canadian Culture,” 8546.
our traditions, and, in turn, are welcomed as equal members of the Canadian family.\textsuperscript{128} If the Multicultural Canadian fulfills its capacity to work hard on its path toward normative development, it may free itself from its confining and dangerous culture. This representation of the Multicultural Canadian’s culture establishes it as inherently weak and disadvantaged, depoliticizing and legitimating the hierarchical power relations that enable such disadvantage. Multiculturalism presents the culture of the Normative Canadian as the freedom from culture.

The recognition of the Multicultural Canadian’s disadvantage and barriers enables its capacity to be in need of assistance, resources, and protection, which the sovereign state decides upon. Above all, the Multicultural Canadian is recognized as requiring additional resources, in the form of money, programs, and people, from an otherwise neutral resource distribution. Trudeau’s introduction of multiculturalism is peppered with mentions of “additional funds,” “further short-term research,” “further programmes,” and “additional financial and personnel resources,” for example.\textsuperscript{129} However, this multiculturalism funding requires the demonstration of “a clear need for assistance.”\textsuperscript{130} This enables the Multicultural Canadian to reflect back to the Normative Canadian the same clarity on its need for assistance. With both subject positions recognizing the need for assistance, a strong association is created between the Multicultural Canadian and its capacity to cost or otherwise impose some positive obligation upon the Normative Canadian. By making political claims from the subject position of the Multicultural Canadian, individuals assent to a discourse that expects their request and also expects that

\textsuperscript{128} Citizenship and Immigration Canada, Operation of \textit{Multiculturalism Act}, 2011-2012, 8.

\textsuperscript{129} Trudeau, “Canadian Culture,” 8545-8546.

\textsuperscript{130} Ibid., 8545.
they recognize any assistance or protection as a generous gift from the Normative Canadian.

The Multicultural Canadian’s need for protection coincides with the more explicit liberal rights regime of the past 50 years, one of the most prominent expressions of which is the right to equality. For example, the Charter protects individuals from “discrimination based on race, national or ethnic origin, colour, religion” and permits measures aimed at “the amelioration of conditions of disadvantaged individuals or groups”\textsuperscript{131} Similarly, a stated goal of the Multiculturalism Act is “the elimination of any barrier” to “full and equitable participation” in Canadian society.\textsuperscript{132} Working towards the promises of Western modernity and liberalism, the Multicultural Canadian is offered equality in order to ameliorate its disadvantage.

Liberal equality, as discussed in the first chapter, renders invisible its prohibitions and then emphasizes this absence of prohibitions as ‘freedom.’ In the case of the Multicultural Canadian, the equality of cultures obscures the power relations between normative culture and the hierarchy of marked ethnocultural minority status. For example, Trudeau renders this hierarchy of culture as neutral equality by insisting that “although there are two official languages, there is no official culture, nor does any ethnic group take precedence over any other.”\textsuperscript{133} Privileged over culture, Canada’s official languages act as a limit to the equality of culture, evidenced in the phrase “multiculturalism within a bilingual framework.”\textsuperscript{134} Similarly, the Multiculturalism Act provides for “equal treatment and equal protection under the law” with the simultaneous

\textsuperscript{131} Constitution Act, 1982, s. 15.  
\textsuperscript{132} Canadian Multiculturalism Act, s. 3(1)(c).  
\textsuperscript{133} Trudeau, “Canadian Culture,” 8545.  
\textsuperscript{134} Ibid.
claim of “respecting and valuing...diversity.”

This formal equality effectively subordinates the acknowledgement of non-normative culture below the acknowledgement of the normative cultural values that have been enshrined in law. The capacity of the Multicultural Canadian to learn an official language is an example of such a subsumption under normative culture. In his policy announcement, Trudeau encouraged the subjects of multiculturalism to learn “at least one of the two languages in which his country conducts its official business and politics,” drawing an association between the normative language and developing a greater capacity for participation in normative society. Under the guise of liberal equality, Trudeau’s connection serves to reinforce the Multicultural Canadian’s position as merely working to become the Normative Canadian.

As part of the Multicultural Canadian’s work towards normativity, this subject position is authorized the capacity to contribute to Canadian society. This role of contributor is first manifested in the past by way of a recognition of historical contributions. Indeed, recognizing the contributions of such subjects was a chief concern of the B&B Commission, which recommended that education “should make explicit the essential part that people of many origins have played and are playing in Canadian life.”

While not as full or significant as that of the Normative Canadian, the Multicultural Canadian is authorized the capacity to have a heritage, which may form part of its intelligibility. For example, the Multiculturalism Act ties the recognition of “the existence of communities” with a “common origin and their historic contribution” to Canada. The relegation of the Multicultural Canadian’s marked difference to the past is

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135 Canadian Multiculturalism Act, s. 3(1)(e).
136 Royal Commission on Bilingualism and Biculturalism, Book IV: Other Ethnic Groups, 148.
137 Canadian Multiculturalism Act, s. 3(1)(d).
accomplished by representations such as the Charter’s commitment to “the preservation and enhancement” of “multicultural heritage.” 138 Recognized as both having a heritage and being inherently disadvantaged, the Multicultural Canadian is further granted the capacity to seek historical redress.

However, the sovereign state reserves the capacity to recognize historical injustice in terms of “Contributions to Building Canada.” 139 For example, Citizenship and Immigration Minister Jason Kenney administers programs that “recognize the experiences of communities affected by wartime measures and immigration restrictions, and that promote these communities’ contributions to building our country.” 140 The ministry’s program descriptions refer disinterestedly to a group’s “historical experiences,” emphasizing their role in bringing “closure to the affected communities who have made significant contributions to the shaping of this country.” 141 Depoliticizing any claims that might arise from such ‘historical experiences,’ this redress discourse authorizes the Multicultural Canadian the capacity to have been ‘affected’ by a narrow pair of racist actions by the Canadian state and receive ‘closure’ on this matter. The association of such closure with a group’s ‘contribution’ suggests that historical redress is contingent on first fulfilling the capacity to ‘have’ a heritage that is recognized by the sovereign state to have contributed to Canada. By establishing such conditions on historical redress claims, the political existence of those who occupy the Multicultural Canadian subject position is rendered significant only to the extent that such individuals were of use to the Normative Canadian.

138 Constitution Act, 1982, s. 27.
139 James, “Neoliberal Heritage Redress,” 17-18.
The terms of the Multicultural Canadian’s recognition have often involved its potential use to the Normative Canadian. For example, the *Multiculturalism Act* characterizes diversity as “an invaluable resource in the shaping of Canada’s future,” thereby instrumentalizing the difference of the Multicultural Canadian as a productive resource.142 In general, the Multicultural Canadian’s difference contributes to liberalism’s ‘marketplace of ideas,’ such as the B&B Commission’s account of how diversity enriches Canadian culture with “knowledge, skills, and traditions,” along with “experience, outlook, ideas, and talents.”143 Similarly, Trudeau characterized the sharing of “cultural expression and values” as that which contributed to “a richer life” for Canadians.144 Indeed, the Multicultural Canadian is often incited to discourse about its particular, fragmented difference in order to be of some benefit to the Normative Canadian. For example, the *Multiculturalism Act* promotes “the reflection and the evolving expressions” of “diverse cultures,” reinforcing the Multicultural Canadian’s position as developing toward becoming the Normative Canadian.145

Such evolving expressions are particularly valuable as means to create understanding, which is one of the most prominent ways that the Multicultural Canadian may be of use. For example, the Act empowers federal institutions to “make use, as appropriate, of the language skills and cultural understanding of individuals of all origins” in order to “enhance the understanding of and respect for the diversity of the members of Canadian society.”146 Thus, hierarchical power relations and discrimination

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142 *Canadian Multiculturalism Act*, s. 3(1)(b).
143 *Royal Commission on Bilingualism and Biculturalism, General Introduction*, xxv.
144 Trudeau, “Canadian Culture,” 8545.
145 *Canadian Multiculturalism Act*, s. 3(1)(h).
146 Ibid., s. 3(2)(e) and (c).
are cast as issues of understanding and respect, necessitating the resources of the Multicultural Canadian. Recognized as both misunderstood and a resource, the Multicultural Canadian has the capacity to interact with others marked with difference. Such interactions are even the focus of historical recognition programs, which are framed as opportunities for “affected cultural communities to make their stories known,” thereby “contributing to increased cross-cultural understanding.” Interaction among those marked with difference is also encouraged by the Multiculturalism Act’s Inter-Action funding program, which supports “concrete opportunities for interaction among cultural and faith communities.” Those who occupy the Multicultural Canadian subject position must frame their political claims as valuable contributions to a cultural milieu, reinforcing its position as resource to the Normative Canadian.

Interactions and exchanges between cultures become intelligible as a contribution to normative culture because of their recognition as creative. For example, the Multiculturalism Act acknowledges the “creativity” that arises from “the interaction between individuals and communities of different origins.” Yet, the Multicultural Canadian’s role in such creative interactions and exchanges is limited by its culture, which is recognized as a partial, incomplete, ineffective, and static set of fragmented traditions. For example, the B&B Commission suggests that the “partial societies”

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149 Canadian Multiculturalism Act, s. 3(1)(g).
formed by the cultural institutions of the ‘other ethnic groups’ ultimately “cannot be complete” because of dominant Canadian framework in which they occur.\footnote{150}{Royal Commission on Bilingualism and Biculturalism, \textit{General Introduction}, xxxiii.}

The partial and static culture of the Multicultural Canadian contrasts normative culture, which is represented as the overall, complete, and dynamic process of creative interaction and exchange. In the 2008 \textit{Multiculturalism Act} report, multiculturalism’s contemporary metaphor, “harmony-jazz,” is defined as a “harmonious interaction between and among communities...within which pragmatic improvisation facilitates a dynamic of integration and accommodation.”\footnote{151}{Citizenship and Immigration Canada, Operation of \textit{Multiculturalism Act}, 2007-2008, 11.} The Normative Canadian’s dynamic ‘way of life’ contains the Multicultural Canadian’s static culture, which is but one element of a larger process of various partial cultures mixing, exchanging, and intermingling in order to ‘contribute’ to normative culture. Thus, the Normative Canadian’s culture is represented as a living and dynamic development within which the Multicultural Canadian’s inert cultural fragments either dissipate or are preserved as static pieces of the past. This static-dynamic relationship is evident in the B&B Commission’s discussion of the artistic impact of “the folk traditions preserved by the sons and daughters of the early settlers combined with the artistic sense, the talents, and the skills of later immigrants.”\footnote{152}{Royal Commission on Bilingualism and Biculturalism, \textit{General Introduction}, xxv-xxvi.} The Multicultural Canadian’s position as contributor to a dynamic and creative exchange subordinates its culture to normative culture and naturalizes the hierarchical relation. Political claims that engage with this discourse affirm the inevitability of cultural erosion and assimilation for those who occupy the
Multicultural Canadian subject position. With its static cultural fragments dissipating over time, the Multicultural Canadian is granted the capacity to adopt new ones.

The final element in the Multicultural Canadian’s development toward becoming the Normative Canadian is the capacity to integrate. According to the B&B Commission, this ‘integration’ is not “total absorption” into normative culture, but rather constitutes “adopting fully the Canadian way of life” without necessarily requiring subjects to “cast off or hide their own culture.”\(^{153}\) The Harper Government’s vision of integration similarly involves taking on normative culture, but de-emphasizes the preservation of non-normative culture. For example, Kenney suggests that a group of immigrants who recently took the citizenship oath were “announcing that our past is now their past. Our traditions, their traditions. Our country, their country.”\(^{154}\) This vision of integration is significant because integration is the key priority of the contemporary implementation of multiculturalism policy, which the 2008 Act report suggests has developed after successive stages of “building awareness,” “examining existing policies,” and ensuring institutions “were open to all.”\(^{155}\) Since its move to Jason Kenney’s Department of Citizenship and Immigration the government’s obligation to multiculturalism is represented as fulfilled and the intended targets of the Act are now required to integrate in order to fulfill their end of the bargain. According to the Act reports, integration promotes “social cohesion within our society” and permits its intended targets to “maintain those family, religious, and cultural traditions that are consistent with Canadian values.”\(^{156}\)


\(^{155}\) Ibid., 3.

Thus, the social cohesion of integration discourse permits the marked difference of the Multicultural Canadian only to the extent that it aligns with normative culture.

The limitations of alignment are represented as the Multicultural Canadian’s ‘freedom’ to its culture, much along the same lines that Kant articulated freedom of thought in enlightened society: “Argue as much as you like and about whatever you like, but obey!”\(^\text{157}\) But the liberal discourse of freedom in this case occludes the hierarchical relationship between marked non-normative culture and unmarked normative culture. As a cultural Other, the Multicultural Canadian is recognized as having other allegiances and being driven by these allegiances. For example, the B&B Commission notes that “as voters, as members of interest groups and political parties, and as participants in governmental institutions and in the public service” the other ethnic groups’ “cultural backgrounds have helped to shape and develop their points of view.”\(^\text{158}\) Integration discourse authorizes the Multicultural Canadian the capacity to subordinate these allegiances to its allegiance to normative culture. For example, in the domain of language, which is represented as an element of culture, the B&B Commission recommends that “the learning of third languages should not be carried on at the expense of public support for learning the second official language.”\(^\text{159}\) Thus, the Multicultural Canadian must fulfill its capacity to integrate and privilege normative culture before it may maintain its own culture. Already weakened by the dissipating forces of cultural exchange, the Multicultural Canadian’s continued subordination of its own culture through ‘alignment’ is meant to facilitate its complete eradication. Pursuing political

\(^{157}\) Kant, “What is Enlightenment?” 59.

\(^{158}\) Royal Commission on Bilingualism and Biculturalism, Book IV: Other Ethnic Groups, 67.

\(^{159}\) Ibid., 139.
claims through integration discourse serves to legitimate and hasten the subordination of the cultural difference of those who occupy the Multicultural Canadian subject position, marking these differences for an inevitable eradication. The Normative Canadian reserves the capacity to decide upon which cultural fragments will survive, but they crucially only survive in relation to the Normative Canadian, as contributions and integrative elements.

Yet, the pursuit of its own cultural eradication does not complete the Multicultural Canadian’s development toward becoming the Normative Canadian. The end of the Multicultural Canadian’s cultural difference does not signify equality with the Normative Canadian, but merely the unintelligibility of the difference between the two. Even during the period of its emergence on the discursive field, the Multicultural Canadian was already slipping into partial unintelligibility. For example the B&B Commission suggests that its volume on the ‘other ethnic groups’ applies to those who “remain attached” to their marked culture, while “all that is said of Anglophones or Francophones” throughout the Commission’s entire work applies to those ‘other ethnic groups’ who “are integrated” into normative society.160 Thus, ‘becoming’ the Normative Canadian merely equates the unintelligibility of the Multicultural Canadian’s difference with the invisibility of normative culture. Even without terms available to signify its difference, the Multicultural Canadian remains somehow not quite Canadian, forever an ‘other ethnic group’ or representative of ‘diversity.’ Evoking the paradox of a universality of particularity, Discover Canada refers to “diverse groups, sharing a common Canadian identity.”161 The work toward becoming the Normative Canadian never achieves its goal, marking the Multicultural Canadian with an exclusion that nevertheless includes it.

160 Royal Commission on Bilingualism and Biculturalism, General Introduction, xxv.
161 Canada, Discover Canada, 13.
Trudeau’s suggestion that “No citizen or group of citizens is other than Canadian,” demonstrates the paradox of liberal difference management techniques which subsume, as Canadian, the same difference that they mark, as not Canadian. Those who occupy the Multicultural Canadian subject position are marked with a perpetual difference that reduces their capacity to make claims within the national political community by positioning such claims as coming from those who aspire to normative status through their roles as contributors and subjects of integration.

**The Capacity to Be Subsequent**

The second significant capacity authorized to the Multicultural Canadian is the capacity to be subsequent. In various domains, the Multicultural Canadian is recognized as that which comes after others. For example, the B&B Commission’s mandate frames its investigation into the ‘other ethnic groups’ as “the subsequent contribution made by the other cultures.” Similarly, the 2012 *Multiculturalism Act* report suggests that “Canadian society rests upon a solid foundation built” by its ‘three founding groups,’ but has nevertheless grown “due to successive waves of newcomers.” Erasing histories of colonialism and immigrant labour, the Multicultural Canadian is represented as contributing after the founding of Canada, but not to that founding. Significantly, this marks any ‘contribution’ of the Multicultural Canadian as a subsequent change to a pre-existing and established order. For example, the B&B Commission’s investigation of “those of other ethnic origin” examines how “their contributions have changed Canadian

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162 Trudeau, “Canadian Culture,” 8545.
society.”¹⁶⁵ With the 2012 Act report’s references to “changing demographics” and “successive waves,” the Multicultural Canadian is positioned as growing in numbers and posed to create a substantive change to an established Canadian order.¹⁶⁶ Contributing to a foundation it did not lay, the Multicultural Canadian is positioned as a determinant of the future.

The association of the Multicultural Canadian with the future is established in the Act’s suggestion that multiculturalism “provides an invaluable resource in the shaping of Canada’s future.”¹⁶⁷ The orientation of the Multicultural Canadian subject position toward the future has been more recently emphasized by the Harper Government along with a corresponding de-emphasis of a past orientation. For example, Kenney re-frames the shift of multiculturalism’s priorities as “Not just to welcome new Canadians and to celebrate the heritage they bring with them” but also “To invite them to write the next chapter” of Canada’s “story.”¹⁶⁸ But this authorship over the future will not be by those who occupy the Multicultural Canadian subject position, but by the form and function of the subject position itself.

The Multicultural Canadian is recognized by the sovereign state as the future of difference management techniques, authorized the capacity to begin integrating individuals who currently occupy other non-normative subject positions in national identity, such as the Québécois Canadian or the Aboriginal Canadian. While multiculturalism policy was already designed to diffuse and reframe such subject’s claims upon the normative centre, this role is poised to take on greater prominence. For

¹⁶⁵ Royal Commission on Bilingualism and Biculturalism, Book IV: Other Ethnic Groups, 36.
¹⁶⁷ Canadian Multiculturalism Act, s. 3(1)(b).
example, the 2008 *Act* report frames the Indian Residential Schools Settlement Agreement as meeting “the responsibility under the *Canadian Multiculturalism Act* to assist Aboriginal people in the elimination of any barrier to their participation in Canadian society.”169 Its position *as* subsequent places the Multicultural Canadian as the position from which all non-normative subjects must increasingly make their political claims. This enables the sovereign state the capacity to decide upon recognizing all its non-normative subjects within the terms of the Multicultural Canadian subject position. Political claims that emphasize the Multicultural Canadian’s role in the future enable that subject position’s incorporation of yet more, impossible Canadians.

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169 Ibid., 42.
3. At the Limits of National Identity and Sovereignty

“Despite our limitations and miscalculations, we have more compelling means than any previous for putting the brand of our civilisation deeply into the flesh of others.

...”

“When we go into the Rockies we may have the sense that gods are there. But if so, they cannot manifest themselves to us as ours. They are the gods of another race, and we cannot know them because of what we are, and what we did.”
- George Grant, *Technology and Empire: Perspectives on North America*, 1969

“Fifty men and women took their oath of citizenship and became Canadian citizens. ... In pledging themselves to Canada’s future, they were also honouring our past. ... They were announcing that our past is now their past. Our traditions, their traditions. Our country, their country.”

In this thesis, I have argued that national identity is a problem animated by the logic of the sovereign form of authority. I suggested that national identity assigns subject positions and political capacities within a political community constituted by paradoxical tensions and oppositions. My account outlined how the authority to recognize and decide upon the boundaries of national identity drives its constitutive exclusions and regulative inclusions. I argued that this authority to recognize and decide is the sovereign form of authority, which is a problematic self-authorization of absolute authority. As the normative centre of national identity, the Normative Canadian was shown to exist in relations of power with other non-normative subject positions over which an authority over national identity is exercised.

My analysis focused on particular National Other subject positions that are regulatively included into the Canadian nation in ways that govern their political
intelligibilities and political capacities. I suggested that the recognition of the National Other by the Normative Canadian enables the expression of Canadian national identity, which prioritizes the differences from an invisible norm of non-normative culture, ethnic origin, and other such markers of difference. National identity discourse was shown to be animated by a liberal politics of difference management, which seeks to render the Other into a solvable problem. I suggested that individuals are rendered into impossibly reductive subject positions that they must nevertheless utilize in order to make particular political claims.

I demonstrated my account through an analysis of state-authorized discourse that recognizes and assigns political capacities to the Québécois Canada, the Aboriginal Canadian, and the Multicultural Canadian. I suggested that the Québécois Canadian subject position supposes that the Québécois relate to the Normative Canadian as an often misunderstood and subordinate partner. I described how the Aboriginal Canadian subject position renders Indigenous peoples into a dependent to the state that nevertheless may choose to enter modernity. I suggested that the Multicultural Canadian subject position reduces a variety of individuals marked as ethnocultural minorities into a position of working toward becoming the Normative Canadian, always in the position of making a contribution that is subsequent to others. By way of conclusion, this chapter will discuss problems that further critical inquiry and political contestation might focus upon in order to modify or transgress the relationship that my analysis suggested between national identity and the sovereign form of authority.

Discussing the place of the enlightenment in Western thought, Michel Foucault suggests that the “permanent critique of our historical era” must refuse “the ‘blackmail’
of the Enlightenment,” which demands either being “‘for’ or ‘against’” it.¹ Such a critique entails:

...the analysis of ourselves as beings who are historically determined, to a certain extent, by the Enlightenment. Such an analysis implies a series of historical inquiries...oriented towards the ‘contemporary limits of the necessary,’ that is, toward what is not or is no longer indispensable for the constitution of ourselves as autonomous subjects.²

In this thesis, I have sought to demonstrate the connection between the autonomy of national subjects and the sovereign form of authority that authorizes their political capacities and relative positions within the nation. Indeed, Canadian national identity presents itself as ‘limit of the necessary’ against which national subjects must test what is no longer indispensable for their political belonging and agency in the Canadian nation. Toward such a task, Foucault advocates a ‘limit attitude’ which eschews inside-outside alternatives in favour of work on the ‘frontiers’ delimiting inside and outside, identifying those limits desirable and susceptible to transgression or modification. Insofar as modern subjects historically determined by the enlightenment possess an “impatience for liberty,” these tests against contemporary reality constitute a “patient labour giving form” to strategic practices of freedom.³ Such strategic practice must also be tested and formed against the nation and the sovereign form of authority, as general and recurring historical forms in modern Western politics. The critical work required grasps both national identity and sovereignty as limits and enabling conditions of national subjects’ historical determination.

² Ibid., 313.
³ Ibid., 319.
This ‘limit attitude’ sets the boundaries of national identity as the strategic site and location of critical inquiry and political contestation. In his examination of the aporetic relations between sovereignty and international relations literature, R.B.J. Walker argues for political analysis that performs a “sustained politicization of the boundaries, borders and limits of modern political formations.” In this thesis, I have sought to politicize the otherwise invisible boundaries that enable the political capacities of national subjects, the hierarchized power relations between those subjects, and the sovereign form of decision on such boundaries. A critical ‘limit attitude’ marks these politicized boundaries as the focus of inquiry and political contestation in order to test for possible modifications. This constitutes critical work at national identity and sovereign as limits. This critical work would not be working outside, within, or against Canadian national identity or otherwise redefining, reappropriating, or resisting it. It would be an acknowledgement that national identity animated by the sovereign form of authority is a condition of one’s historical determination as a national subject in Canada. It works at the moments and sites of its boundary practices, the production of its insides and outsides, and the limits of the subject positions that bifurcate individuals. Toward realizing the promise of this work at the limits, I want to suggest that four problems present themselves as productive horizons and limits for further critical inquiry and political contestation.

The first problem that deserves further attention in light of my analysis is the capacity to go beyond sovereignty and the problem of national identity, either conceptually or practically. It is unclear what it might mean to think outside of the

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problem of sovereignty that I discussed in the first chapter. Sovereign authority is somewhat indissociable from the determination of insides, outsides, and the exceptional arrangements in between. Sovereignty ostensibly presents itself as that which gives force to the distinctions through which we think and act politically. It founds and bounds our modern political order, including those enlightenment elements that compel subjects to desire an escape from it. Walker notes that the paradoxical task of getting “‘outside’ of a modern politics that has been constituted through an ambition to bring the world ‘inside’” and is “so tightly constructed as a system of ins and outs.”5 As I have shown in my analysis, sovereign authority decides upon the terms through which it may be resisted or challenged. Even unauthorized challenges to a sovereignty reinforce the regulative ideal of sovereignty, as the contestation from projects of resistance or emancipation effect a “convergence upon a singular presence/present” and posit an absent, replaced, or relocated sovereign form.6 Thus, political inquiry and contestation on the question of sovereignty would be productively directed at testing the possibility of rejecting or overcoming the sovereign form of authority in practice or even conceiving of a politics outside or beyond it.

The uncertainty is compounded when sovereignty intersects with the authorizations of relative positions and capacities in political community that I have analyzed in this thesis. In particular, it appears desirable to search for a means by which the sovereign authority to recognize might be transgressed or modified in order to enact some other form of identity, difference, and belonging in collective political entities. But it remains open whether national political communities can operate beyond a politics of

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5 Ibid., 211 and 229.
6 Ibid., 194.
inclusion and exclusion such as those discussed in my analysis. The impossibility of total inclusion is raised by Sunera Thobani, who suggests that the “nation itself would cease to exist” if its constitutive exclusions of others were ever transcended.7 Approaches that seek to prioritize and empower the Other are well-meaning, but may effectively reinforce the exclusionary logics that produce Others in need of prioritization and empowerment. Thus, a general direction of inquiry and contestation might investigate the possibility of making political claims that transcend sovereign authority and the requirement to occupy a position within a political community. This domain takes on practical significance to those trying to enact a form of Québécois sovereignty without simultaneously undermining their own aims by reinforcing the type of oppression and depoliticization experienced by sovereign power under Canada. Similarly, this is relevant to Indigenous peoples who might reject the Aboriginal Canadian subject position in order to make claims outside of the authorized relationship with the state and outside of a recognized political existence after sovereignty.

The example of Indigenous peoples is also relevant to the second problem that I wish to define for further inquiry and contestation, which is that of effectivity. Those familiar with the political struggles of Indigenous peoples with the Canadian state, both in practice and in thought, might suggest that most already actively resist and deny the categorization of dependent and the other capacities I have associated with the Aboriginal Canadian subject position. While there have been productive struggles over discourse, I suggest that it remains open whether this resistance effectively modifies the relations of power in national identity animated by sovereign authority. The great difficulty of going

beyond the limits of the sovereign form of authority is that it is a foundational concept that animates much of modern politics and effectively operates whether it is given heed or not. I have shown how the sovereign form of authority serves as a foundation to a variety of political claims in the nation, effectively reinforcing the existence of both sovereign and national forms each time such claims are made. I suspect that one’s practical political projects cannot ignore, escape, replace, or disavow national and sovereign forms that otherwise retain their efficacy. Intentional and effective tactics are required to transgress and modify the forms of national identity and sovereign authority through which one appears as a national subject. But it remains unclear how exactly one can accomplish such intentional and effective transgressions and modifications.

It seems productive to focus inquiry and contestation specifically upon how, and if, such transgressions and modifications might emerge from the type of boundary politicization that I have attempted in my analysis. For example, does detailing the way that discourse and power relations render those occupying the Multicultural Canadian subject position as culturally partial, inert, and static lead to other possibilities for them? Even if this is the case, much of the work required to open other possibilities remains undefined. My analysis suggests that the terms of national identity politics perpetually undermine attempts to resist the subordination of subjects and the legitimations of these relations. While it appears desirable to find some means of disrupting the forms of recognition, intelligibility, and relatability that give rise to national identity politics, it is unclear how that disruption might impact the binary logic of the sovereign discrimination that founds our political order.
The third problem that merits further inquiry and contestation is the capacity of individuals to impact the power relations in my account through their self-formation and performances of national subject positions. My analysis suggests that the Normative Canadian is partially produced through a recognition of National Other subject positions, which reflect back to the Normative Canadian pieces of its identity. More investigation is required to probe the connection between modifying the performance of a National Other subject position and any consequent modification in the Normative Canadian and the larger power relations of Canadian national identity. It also remains open whether individuals need to intentionally develop tactics to accomplish such modifications or if their reiterative performances of subject positions effect significant modifications through minute failures and imprecision repetitions. Judith Butler suggests that the performance of identity often “exceeds the control” of its performer.\(^8\) Perhaps relations of recognition are crucially altered without any intentional performance on the part of individuals. However, this implies that the self cannot be a site of retreat, but rather is a site of perpetual struggle with the deepest resonances of the nation within oneself. Critical modifications may be found in the way that individuals negotiate the type of national identity subject positions that bifurcate their existence into politically intelligible and unintelligible subjectivities. If the boundary between the inside and the outside of the nation partly resides within certain subjects, then the capacity of those subjects to shift boundary practices deserves further attention.

An individual’s agency over the exception, through self-formation and performance, is one particularly promising domain of inquiry and contestation. If

sovereign decisions occur in the space and moment of exception, then the capacity to impact exceptions might foreclose particular performances of sovereign power. Some national subjects are declared exceptions, or operate in a space or moment of exception, which suggests some capacity to interact with this domain. In practice, this might imply that if the Québécois somehow reduce the exceptional moments and spaces in their claims of political independence that they might reduce the capacity for sovereign authority to decide against that independence. How exactly individuals and their political projects might exercise some control over the exception remains undefined, however.

The final problem that further inquiry and contestation would be productively concerned with is the way that this account is affected by information technology and by what Manuel Castells terms “the network society.” If sovereignty rests upon a particular spatiotemporal conception of the world, have information technology and network society frames substantially modified our spatiotemporal understandings to the degree that sovereignty must be conceived of differently? This concern is particularly relevant because of the relationship my analysis draws between the conceptual expression and communication of the sovereign form of authority through national identity. I have suggested that sovereignty operates in the logic of discourse and power relations regardless of the existence or _de facto_ practice of sovereignty, so modifications to the way that sovereignty is communicated and understood _as a concept_ are quite consequential to this account. Further inquiry and contestation is required to determine the extent and impact of such modifications, although two areas present themselves as potentially important. The first is the capacity of information technology and the network

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society to diffuse recognition and the authority to recognize, perhaps to the point of modifying the Normative Canadian’s monopoly on recognition.

The second potentially important development is the capacity of corporate power to take control of the apparatus of national identity production that it already administers on behalf of the state. In the coming decades an increasingly large number of individuals of the wealthy nations of the Western world will define their subjectivities most readily within the frames of information technology and network societies that operate according to the corporate form of authority. The conditions may exist for corporate power to usurp the relations of power established by the state, and individuals acting within the state, to continue to perform sovereign authority over collective and individual identity. As I have argued in my analysis, the Canadian state and the logic of the sovereign form of authority in national identity production are distinct. The reductive and empty substance of national identity subject positions will inspire no loyalty while the familiar sovereign logic of authority over collective identity maintains its power. With information technology and network society corporations increasingly carrying out and reinforcing state activity, the conditions of possibility have been laid for corporate power to establish itself as the sovereign that authorizes the politically salient subject positions of the near future. Such authorizations might define, prioritize, or co-opt existing forms of identity production or offer subtle modifications. This risk is not of a dramatic rupture on the horizon, but rather a gradual shift contiguous with Western practices of identity and agency within community that have already exceeded their own narratives. Further inquiry and contestation would be productively focused on what information technology and network societies leave modifiable in those narratives.
In these final pages, my references to ‘our’ political order were not unintentional. The acknowledgement of Canadian national identity as a problem of many individuals’ historical determination suggests that a common struggle with a common political order exists. The impossible Canadians of my analysis are not Canadians in the sense of citizens, nationals, or inhabitants, but rather in the sense of a constituency with a shared problem. Canadian national identity has come to replace and reduce the forms of identity and belonging in the people into whom it has been inculcated over the past two centuries. This analysis has left aside the question of whether the forebears of Canadian national subjects were occupying better subjectivities produced by national, cultural, racial, religious, and territorial factors that preceded the Canadian state.\(^{10}\)

While some individuals understandably reject ‘Canada’ and the designation of ‘Canadian’ in order to oppose particular power relations, it appears that only working at the problem of Canadian national identity will lead to the substantial shifts desired. As an ancestor of those who vacated National Other subject positions in order to access the false promises of normativity, I understand the reticence to work within the reductive and empty confines of a Canadian national identity. Yet, this force of subordination, marginalization, and assimilation is precisely the problem of Canadian national identity that requires the work of critical inquiry and political contestation at its limits. Thus, as a position from which to ground a critique, to launch a contestation, or to otherwise

\(^{10}\) This distinguishes my argument from that of George Grant in *Technology and Empire*, who laments the loss of a Canadian national identity to the homogenizing identity produced by modern technology. Although, the possibility remains that my analysis of ‘national identity’ is the one that Grant suggested was overtaking the Canadian national identity of his time.
problematize the problem of Canadian national identity, I cite our shared condition as impossible Canadians.
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