

Negotiating the Government of the Self: A Discourse
Analysis of a Bureaucratic Text

by

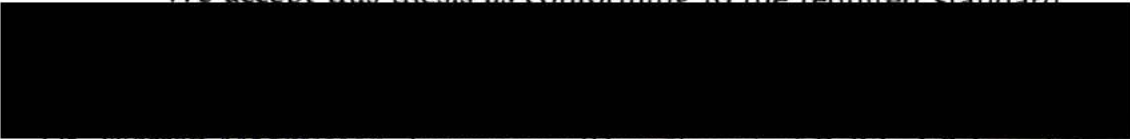
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We accept this thesis as conforming to the required standard


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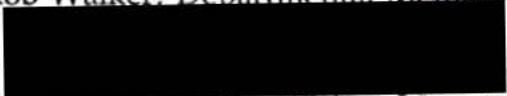
ABSTRACT

This thesis is an analysis of a series of negotiated agreements. The documents--'Memoranda of Understanding' between a provincial government and Aboriginal groups--are examined using techniques from socio-linguistics, discourse analysis, literary and political theory, text grammar, and semiotics. A number of relevant theoretical and methodological issues are examined, and a close reading of the selected texts is performed. The results point to the centrality of certain modes of discourse to governmental activities, and to the utility of a discursive approach to studying public policy. The analysis suggests that these texts encode and enable a range of social relations. They establish a series of discourse entities and construct relationships between them; they are locations for the construction and authorization of identity; they articulate a certain spatial practice, and they are vehicles for the development of a certain 'Aboriginal public sphere'.

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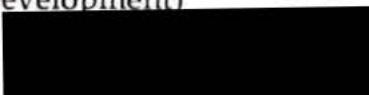

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But most of all, I would like to thank Leslie for her patience and support over the long march of my thesis.

DEDICATION

Dedicated to Kira and Simone, who remind me every day that there are books with pictures in them.

CONSTRUCTING AND AUTHORIZING SUBJECTS: READING THE BUREAUCRATIC TEXT

INTRODUCTION

In October 1887, a delegation of provincial officials visited the Nass Valley to meet with the Nisga'a and the Tsimshian Indians to discuss Indian grievances over 'the land question.' At that meeting, 11 Nisga'a chiefs presented a written statement to the commissioners, protesting over the refusal of the provincial government to take their concerns seriously. In response to a situation where the Chiefs had reason to believe that their vision of the world would be contested, if not ignored, the Chiefs said:

"The land was given to our forefathers by the great god above, who made both white man and the Indian, and our forefathers handed it down and we have not given it to anyone. It is still ours, and will be ours till we sign a strong paper to give parts of it to the Queen."¹

In fact, the Commissioners did draft a 'strong paper,' in the form of a report to Victoria, but it dismissed the claims put forward by the Chiefs, and recommended that the size of Indian reserves be further reduced.

This incident, only one among many of this sort, illustrates a number of themes and issues in the political between Aboriginal and non-aboriginal groups. While my own concern is with the ways those relations are manifested in more contemporary documents (recently negotiated Memoranda of Understanding)², the incident in the Nass described above serves to draw attention both the actual issues being discussed (the 'land question', and the deeper question of political authority), and to the question of the *way* in which the parties to this lopsided debate have constructed the conversation.³

This incident highlights the significance for all concerned of a set of bureaucratic practices: commissions, presentations, written documents, formal hearings. The most intriguing of these, and the one which serves as a focus for this thesis, is the centrality in the presentation (and in the eventual response) of formal,⁴ written, bureaucratic documents, in the case of the Nisga'a the desired treaty, and in the case of the Commissioners a report to the Governor, and the key role accorded to these documents in the larger issues of governance, political capacity, identity, and authority, in dispute between the representatives of the two cultures. While much has changed in that debate in the last hundred years (see Howlett, 1994 for a review of the recent evolution of Aboriginal policy), the emphasis on written documents as vehicles by which the parties could either become more deeply entangled with each other (enacting a complex web of dependencies), or more effectively repudiate each other (producing a gesture of mutual denial), or both, has not diminished; indeed, it has increased. The clusters of bureaucratic texts grow dense at every turn.

As Giddens reminds us (1991), the circumstances under which the debate between the cultures has evolved--the conditions of what he calls high modernity--place enormous emphasis on the need for social and political transactions to be mediated through written documents and formal organisations, and it is to these media, and the way they mark and are marked by texts, that the analysis in this thesis is directed. Because of those concrete material conditions, and the specific circumstances of British Columbia (e.g., a historical shift in the way Provincial governments have construed Aboriginal agency and leadership structures), written documents such as negotiated agreements emerge in the modern era as pivotal points of contestation and negotiation between the parties. This is especially true as the political and increasingly, the social aspects of that conversation become institutionalised, structured, abstract and formal.

In what follows, I explore the issue--graphically captured by that incident in the Nass, but just as central to contemporary documents--of the role played by language, and particularly written texts, in constituting and defining relations between parties whose definition of social reality is mutually contested, and who are engaged in struggles over political power.⁵ This is thus study of *politics*, even though I use a theoretical apparatus drawn mainly from other disciplines, notably linguistics and literary theory.

In discussing the role of written texts in social relations, I focus on the notion of *authorising* acts of signification, in which those acts are embodied with binding juridical, institutional and rhetorical force. Note that in the anecdote above, it is not merely a paper that the Chiefs seek, but a *strong* paper. My thesis accepts and explores the Chiefs' suspicion that discursive relations were as central to their increasing subordination as were the guns that the Europeans brought. Given the conditions of modernity, any attempt to resist that subordination had to involve exercising some control over the ways in which Aboriginal cultures were construed and codified by the dominant society. My analysis of government documents is an attempt to understand the process by which power is given meaning, and meaning given power, and so made operative in the social realm (Thompson, 1984).

The pages that follow centred on what has been seen as the quintessential government product: written documentation. Here it is not just any written documentation that is discussed, but multi-party negotiated agreements, ones which have as their objective defining the relationship between parties with strikingly divergent interests. In this too, I follow the intuitions of the First Nations people involved in those early meetings. As the Chiefs understood, documents--but only certain documents under certain circumstances--were a highly significant component of the white man's way of doing business. The Chiefs saw that 'this way of doing business' worked overwhelmingly in favour of settler interests--which made them distrust government pronouncements in any form--it was becoming

abundantly clear that the continued erosion of their traditional authority depended in some obscure but powerful way upon such documents, which took the form of legislation, governor's edicts, certificates of property ownership, or, in the case of the Métis, scrip (Chartrand, 1991; Tennant, 1991). So, while documents were to be distrusted, they were perceived to be too powerful, and in any case too pervasive to be ignored as a possible site for strategic resistance to white power, and as a vehicle for ensuring the continued authority of their cultural practices. This study is thus about the role, not just of language, but of *texts*,⁶ specifically written documents, in the construction of social relations between Aboriginal groups and the governing structures of non-Aboriginal society.

Putting the issue this way allows a glimpse of the particular view of language that runs throughout this thesis, a view which warrants some preliminary remarks, pending a more detailed examination in subsequent sections. In this view, language is understood not as a transparent medium for exchanging ideas, but first and foremost as a social act. Clearly, it comes as no news to announce the social character of language. But with limited exceptions, the widespread acceptance of this tenet in the social sciences has not been reflected in detailed and concrete investigations of that dimension of political and social life. This leaves a yawning gap in our knowledge of politics and the policy process. By and large, the prevailing analysis in contemporary political science and policy analysis, of the dynamics by which governments and Aboriginal groups (or interest groups in general) have conducted their affairs has treated language, discourses⁷, and textuality as necessary but relatively uninteresting, especially with regard to the exercise of power (Hodge and Kress, 1988; Parker, 1992; Shapiro, 1988). I adopt a different view in this thesis, which accords a much greater role to language, and hope to demonstrate its utility in the pages that follow. Thus, while this thesis is about how social relations are constructed and negotiated through texts, its objective can be more broadly put; to spell out the implications of seeing language as a complex, multi-faceted social and critical aspect of social relations.

This is in contrast to the usual manner in which political scientists have approached the analysis of bureaucratically administered domination over subordinated social groups. Language has been treated as a channel for more pressing, more 'real' social forces. With the exception of unique moments in a nation's history such as the repatriation of a constitution, the pith and substance of politics--the give and take of political positioning, the subtle calculations of electoral chances, the relative and shifting power of non-elected policy actors--has been treated as a matter to which the facticity of language and its use in social interactions has little to add, beyond the truism of its ubiquity. One might as well remind bridge builders that bridges are surrounded by air. The black box of language is thus rendered mute, silent, empty, save as a negative influence to be corrected, to be 'put back in its place'. And that place, the place of a transparent medium, is in the waiting room of real politics. One finds this view expressed or implied with particular vigour in the unproblematic way in which most policy analysis assumes the existence and disposition of agency. This is true even of those studies with relatively sophisticated construals of collective agency, or which operate with relational notions of the subject (Strathern, 1995).⁸

Because I think such a view is mistaken, my own approach is somewhat different. In more charitable moments, I might be persuaded to say that this view is simply misleading, a form of misrecognition, in that it points away from the actual role of language in all its political manifestations, and leads us to think that the black box of discourse and text is, if not empty, at least innocuous. On my view, such analyses not only skip right past a significant *site* of politics--for, as I hope to show later, government documents are a significant location for political activity--but also right past a significant political *process*, the way in which language-in-use transforms political activity.

More recently, however, under the influence of Wittgenstein, Foucault and Freud, we have become more attuned to the symbolic and discursive dimensions of political affairs, with the result that we see more analyses in the political science and public administration literature of what is often called the symbolic dimension of politics (e.g., Doern and Phidd, 1992; Pal, 1992). I review some of that literature, and suggest that despite this increased attention, the tools used in those discussions to analyse the role of language are inadequate. I therefore spend some time describing some methods that allow a more powerful analysis of this dimension of politics; in the main those methods are drawn from disciplines other than political science.

It can be seen that this thesis has not one, but two central objectives, and I treat achieving each as a project unto itself. The first objective--reconceptualizing the role of discourse--arises out of the need to try to find some way of talking about the political use of language in social settings, to provide grounds for preferring one view of language over another. My contentions are that, 1) in the study of politics, we *need* to talk more about talking, to write more about writing, to produce texts about texts; the discursive construction of political relations is too pervasive and fundamental to remain unexamined; and 2) that the intellectual tools available to us in the received tradition in political science⁹ and policy analysis are inadequate to the task. Because of these two points, the first portion of this thesis is devoted to introducing and describing a series of conceptual and methodological tools drawn, necessarily, from other disciplines. So, the first project here, addressed in Part One of this document, is to give some idea of why language matters, and how it can be analysed.

My second project is to do an analysis of a small number of bureaucratic documents. The objective in that section is to explore through a close textual reading, in a concrete case, the features of one class of texts: negotiated agreements. Here I shift from describing, critiquing, and adding to the tool kit available to political scientists and policy analysts, to

applying some of those methods and approaches, and providing a reading of a specific social situation.

The Findings and the Theory

The Theory

In Part One, which could be understood as the theory section to this paper, I attempt to locate the substantive analysis within a larger field of inquiry, both to situate the work and provide some support for the general approach I take, and to suggest the motivation for the specific procedures and analytic tools brought to bear on the selected material. It is here that I give some reasons why we ought to pay attention to the use of language, and where I describe the tools by which that can be done.

In that section, a number of theses are advanced to lay the groundwork for the subsequent substantive analysis. As noted, I argue there that much of the existing literature on Aboriginal issues and on negotiations and negotiated agreements as policy instruments is in general unable to address adequately the ways in which bureaucratic social relations are mediated and constituted via acts of signification.

In contrast, my approach addresses these questions by focusing directly on the way in which social relations in organisational and bureaucratic encounters are accomplished discursively. Because I see those texts as particular and unique sites for the construction and articulation of social relations, my approach entails a close reading of the actual content of those documents, with an eye to the ways in which those texts are marked by the broader economic, political, and organisational situations in which that content is located, and a sensitivity to the non-discursive dynamics of that situation. To do this, I combine the tools required for a close textual reading with analyses which connect the

results of that reading with larger questions of power, authority, the politics of identity, and the nature of Aboriginal and non-aboriginal relations (Fowler, 1991; Freeman, 1987; Hodge and Kress, 1988; Murray, 1991; Phillips, 1987).

I spend time on these issues in Part One of the thesis, providing a critical review of other approaches, and outlining some aspects of my own program, where I draw on writings in rhetoric, linguistics, film studies, and post-modern psychology to provide a conceptual framework for understanding the agents that appear in the document. As well, some of these issues are discussed in more detail in Chapters Two and Three, where the framework is applied to a selection of actual documents.

The Findings

In some respects, those seeking a more political reading will feel comfort in Part Two of this work, where my second objective comes into play. There, I conduct a direct analysis of a small group of interrelated documents, putting to use some of the concepts discussed in Part One, and selectively introducing, where the analysis warrants it, some nuances and extensions to the conceptual apparatus that would have been burdensome to discuss in the first Part. While the second Part of this work is meant as an application of the first, deepening and applying the tool kit, it was written so as to stand on its own feet, as a project with its own intrinsic merit. The objective in Part Two is less to introduce some new concepts into political science, than to use those concepts to reveal some of the features and effects of negotiated agreements.¹⁰

Here, my research reveals that the genre¹¹ of bureaucratic texts I examine--multi-party, negotiated political agreements--has three key characteristics, which form the basis for the substantive and detailed analysis in Part Two.

Put in condensed form, it can be said that the first of these characteristics is the genre's productivity: the documents establish a marked number of discourse entities and constructs relationships between them. The second characteristic is the polyvocal and fundamentally negotiated nature of the documents: they encode in specific ways a series of negotiations and evasions. They encode the political skirmishes between the organisations involved in the documents' production. The third characteristic is what I call the performative nature of the text: successfully completed, the documents are socially binding acts.

With regard to the first issue, the MOU's productivity, a close reading of the documents reveals that a striking amount of rhetorical space in the negotiated agreements surveyed is devoted to 'things', and so a significant part of the textual analysis in Chapter Two and the subsequent discussion in Chapter Three is in turn devoted to making sense of that aspect of the texts. There, I suggest that the documents' proclivity for producing and reproducing discourse entities has a number of effects.

The proliferation of things in the documents has the effect of shifting the underlying political question about the re-allocation of state powers into an 'issue' (itself a thing) about the administration of entities. This manoeuvre acts to transform politics into administration, social relations into inter-organisational arrangements, and political struggles into 'issues management'. In the process, the MOU also encodes and defines the 'sense of space' in which the social relations between the parties occurs, so that these textual practices also take on certain spatial dimensions.

I make reference to and explicate a second important aspect of the documents' productivity, a unique and highly significant sub-set of the discourse entities established in the course of the documents' production and implementation. These entities are what Benveniste has called 'subjects in speech' (in Silverman, 1983:45), and Foucault the

'speaking subject in discourse' (1991:56). In this case, the subjects (in speech) are 'Aboriginal peoples', the 'Parties', the 'Province', etc., entities which not act only as grammatical subjects, but which also assume a larger discursive and ultimately political role through the MOU. Because of this, in discussing the documents' productivity I pay particular attention to the question--flagged by the marked grammatical role assigned nominals (particularly proper nouns) in the text--of the negotiation and authorisation of identity, and the related issue of the degree to which negotiation is in fact the quest for a unified subject. While these issues are mentioned in Part Two, the actual analysis, there is some important conceptual work which underlies the references to subjects in that section; accordingly, a portion of the theory and methodology discussion in Part One is devoted to the question of subjectivity.

The second general, major characteristic of MOU's noted above is the fundamentally *negotiated, strategic, and evasive* status of the documents. Clearly, such documents--the treaty sought by the Nisga'a, the current MOU's--and the context of their production were central to the exercise of an administrative, and thus a largely white power. But we can also glimpse something else here: the negotiated and multifaceted nature of discourse, even in a situation where the negotiations are decidedly uneven, and I suggest--as a way of connecting this to broader themes--that it points as well to the polyvocal and dialogic nature of texts in general. Roland Barthes considered this polyvocality to be the essence of the modern novel, but this intermingling of different codes invading one text is a feature found in any number of social sites, including bureaucracies, a fact which Barthes recognised; I pursue this recognition, applying a variety of tools to tease apart the codings, interpretative schema and interests that constituted the bureaucratic text in the first place, and so mark the text as a *negotiated* document.

A close reading of the document also reveals the texts as marked by the absence, in key spots, of an agent for an action specified in the text. In combination with the documents'

heavy nominalization, this gives the MOU a certain *evasive* quality. This emerges as a strategic and highly political form of politeness, but politeness understood in the way Bourdieu (1979; 1991) understood it, as a highly political act, at once a discrete and tactical renunciation of power and an expression of a profound desire for authority, a canny seeking of political status and the control over state resources that goes with it. This too is discussed in my attempts to tease out the second key characteristic of the MOU's: the strategic, evasive and negotiated nature of these documents.

Finally, I provide a brief discussion in a variety of places in this analysis, of the MOU as a performative utterance¹² writ large; successfully completed, the document is itself a social act, with binding obligations, expectations, and restrictions attached to its performance. Because MOU's do not *simply* reflect some other relationship or situation, but rather *constitute* and *perform* social acts, they are in this sense fundamentally productive entities, a point I also make throughout the thesis, but in particular in my discussion below of genres. This third attribute of the genre of negotiated agreements--its productive and performative nature--is also discussed in the second and third chapters. I suggest in those chapters that these documents point to the emergence of a unique political arena, which I refer to as an 'Aboriginal public sphere'. This unique political space is defined in part by its essential connection to *particularity* (as opposed to the presumed *universality* of the bourgeois public sphere). The particularity is in this case a certain connection to 'Aboriginality'. But while it is structured around a notion of Aboriginality, this realm is also a political space structured by the practices of administration and by the concerns of governance. As well, it is a vehicle through which a form of public identity is constituted, an identity refracted through the practices of that emergent Aboriginal public realm, an identity which emerges through these practices as distinct from a private or communal identity.

I return to these issues in more detail in subsequent sections. For now it suffices to say that the work below is guided by the notion that the linguistic products I analyse are not simply sets of propositions, but are, in the full sense of the term, *social practices*, with their own organising principles, rules of formation, modes of distribution, and identifiable effects, which are a function of the specific fields of operation in which they are located, e.g., their location in the social structure and in the arena of professional knowledge. This profoundly constructive aspect of language use forms an essential aspect of the analysis that follows.¹³ Because of these dynamics--the way texts are marked by efforts of competing forces to control their significance--the resulting textual products emerge also as key sites for analysis for the political scientist.

The Documents

In Part Two, my analysis focuses on negotiated agreements, of much more recent origin than the one originally sought by the Nisga'a Chiefs.¹⁴ Some of the documents I examine are still under active negotiation, and involve people from different Aboriginal communities in British Columbia; Métis, and people of various Aboriginal backgrounds living in urban areas.

My particular focus is on two 'Memoranda of Understanding' (MOU's), a particular sub-genre of bureaucratic documents. The first (attached as Appendix A) is between a coalition of urban Aboriginal groups--the Presidents' Council--and the provincial Ministry of Aboriginal Affairs. This is a bilateral document, entitled "A Memorandum of Understanding to Establish the Policy Forum." The second is an MOU among a coalition of Métis groups (the Métis Tripartite Secretariat), the provincial government, and a department of the Federal government, entitled "Memorandum of Understanding Concerning Tripartite Negotiations on Métis Self-Government" (Appendix B). While I draw on other MOU's (a complete list and some samples of which appear in Appendix D),

and on other bureaucratic documents as needed--contracts, Ministerial correspondence, or committee terms of reference--these two MOU's form the basis for the discussion that follows.¹⁵

A brief description of the research situation may be useful at this juncture. The analysis results in part from an extended period of observation (five years) within the Ministry of Aboriginal Affairs, the provincial government agency responsible for the document. As a negotiator for the Ministry, I was actively involved in the production of both of the key documents, and was thus uniquely privileged to observe the dynamics leading up to and during the negotiations which produced the two main Memoranda of Understanding analyzed here, as well as some of the other negotiated agreements used in the analysis. As well, the two main documents involve groups whose 'community' is of recent origin (urban areas, Métis settlements), and who are engaged in explicit discussions about the questions of identity raised by those circumstances. This allows such issues as the constitution and political authority of Aboriginal subjectivity to emerge more clearly in the text; such issues are much less salient for Chiefs in their traditional territories.

MOU's are a relatively stable form, having been in use since the early days of colonial encounters in Canada (e.g., House of Commons, 1869; Hudson's Bay Company, 1869a; 1869b). Such documents are an evolution of that classic organisational text, the internal Memorandum, and to this extent they reflect what we might call the *interiority* of such texts, their rootedness in the internal constitution of corporate entities, and more broadly, their role in affairs which require clarity about the relationship between discrete entities. These documents differ from internal memoranda, however, in that it is not just clarity that is required, but just as importantly, *agreement*, or rather, as their titles would have it, *understanding* (for agreement, as every good negotiator knows, is not always possible). In that respect there is an important shift from the documents of more recent extraction I examine below and the ones signed in the early days of Canada's history. In the

beginning, the MOU really was an *internal* document, in the sense that, though they may have been between discrete and relatively autonomous entities, e.g., the Province of Manitoba and the Dominion of Canada, these were all within a small and closely circumscribed social realm. The MOU's we come across in those early days of colonial expansion in Canada were between elites who shared common understandings of the object and purpose of the state and the economy they were building, even as they argued over matters of the administration, shape, form and location.

In contrast, the documents I examine include signatories located outside those practices of elite accommodation, and in this we can see profiled in documentary practices a change in political practices, which now include a structured space for Aboriginal participation, a space notably absent from most of the early documents on these issues where the voices of Aboriginal people were allowed to emerge--as in the introductory anecdote--only as reported by Euro-Canadian officials. Those reports in turn were usually the result of an exercise in translation, both into the language of the colonisers--the King's English--but also the *form* of colonising discourses: legal texts, binding acts of parliament, Memoranda, etc. (Commaroff and Commaroff, 1991; Murray, 1991).

But I risk getting ahead of myself, as I intend to return in more detail as the analysis unfolds to the social profile and administrative function of MOU's, and their relation to other documents. For now, it is worth pointing to the fact that, as a class of documents, MOU's are located in what is surely the most interesting place in situations of contestation: the border region, where the engagement between the 'mobile armies of metaphors' (to borrow a phrase from Nietzsche) is both most visible and most vigorous. MOU's are intended to formalise the relationship between discrete organisational entities, that is, to bind, intertwine and authorise the actions of each with respect to the other, establishing borders and sanctions for transgressions, incentives for compliance and the parameters of the coexistence. Balanced uneasily on the cusp between the realm of the

state and of civil society as these liminal documents are, these multi-authored, political, and negotiated agreements provide us with a rich vehicle for exploring some of the relevant aspects of language use in a public policy context.

Now, even in a Master's thesis contentious claims such as some of the ones made above are hazardous, and so I hope in the remaining pages to provide a more nuanced and balanced picture of the intellectual tools available for this task, and of the merit of the results generated by the tools I choose to use. I also hope, though, to emphasise the point that understanding bureaucratic documents and the organisations that produce them, requires understanding concretely the dynamics of bureaucratic discourses and texts, and the role of these in the articulation of self-hood.

In Part One, then, I flesh out in more detail the sketchy outlines offered here of the theoretical frameworks in which this work is situated. Some of the methods and approaches explicitly or implicitly generated by that literature show up in Part Two, where they are discussed in some cases in more detail and applied to the documents selected for analysis. There, theory gives way to a concrete examination of the features of bureaucratic discourses, and the ways those shape and are shaped by social relations.

PART ONE: THEORY, REALITY AND LANGUAGE

*"In a society such as ours, but basically in any society, there are manifold relations of power which permeate, characterise, and constitute the social body, and these relations of power cannot themselves be established, consolidated nor implemented without the production, accumulation, circulation, and functioning of a discourse. There can be no possible exercise of power without a certain economy of discourses of truth which operates through and on the basis of this association."*¹⁶

The Literature so far, or, How to Read MOU's Without Looking at the Words

As academics, the accumulated practices of our disciplines provide any number of methods with which to analyse bureaucracies¹⁷ and their interaction with other social forces in the political and policy arena (Comaroff and Comaroff, 1991; Driben and Trudeau, 1983; Ferguson, 1984; Fleras, 1989; Smith, 1986; Wagley and Harris, 1958). In many of those analyses, the authors have focused on the mechanisms by which those state structures have acted as instruments of domination, taking up the role--presumably on behalf of other social agents and interests--of engaging with, penetrating and ultimately controlling unruly and potentially disruptive sites in the social body (Bookchin 1987; Jaenen, 1976; Jennings, 1975; Perlmutter, 1981; Saul, 1992: 248-250).

To put the issue another way, a large part of the academic response has been to try specify the degree of social power wielded by bureaucratic structures vis-à-vis civil society (Alford and Friedland, 1985; Clegg and Dunkerely, 1979).¹⁸ A number of those studies have examined the issue in the context of Aboriginal and non-Aboriginal relations (e.g., Carstens, 1991; Chartrand, 1991; Tennant, 1991).

In what follows I review a variety of ways in which political scientists and policy analysts have looked at the interaction between Aboriginal people and non-aboriginal governments. In this discussion, I argue that the dynamics involved in self-government negotiations can profitably be considered as an analysis of the politics of bureaucratic, or more broadly, *governmental* practices. Because of this, and because of the role of bureaucratic texts in constituting social relations, I pay particular attention in my (brief) review of the literature to discussions by policy analysts of 'symbolic politics', and the role of documents in the policy process. I demonstrate that the tools used in those discussions to analyse government texts, and the 'symbolic' dimension of politics in general, are inadequate, and I therefore spend time describing some methods which prove useful in this regard, drawn mainly from other disciplines.

A Review of Existing Approaches

If, as researchers, we accept that the bureaucratic and textual practices of organisations are important dimensions of Aboriginal policy issues, then a natural methodological question arises; how would an analysis of those dimensions proceed? Take a specific case, which I will use throughout this discussion: contemporary self-government discussions in British Columbia. Suppose you were interested in examining what actually occurs in self-government negotiations, and wanted to try to better understand things like negotiated agreements, and the perspectives which the participants bring to those. What tools could we bring to bear to understand the politics associated with those bureaucratic practices--such as the reliance on formal written documents--in a case like self-government negotiations in British Columbia? How could you examine the ways in which those practices have structured the relationship between the parties? What is their social role?

There is of course no lack of literature on Aboriginal public policy issues. The relationship between Aboriginal people and government has received widespread attention in recent years in the political science and the public policy literature (e.g., Carstens, 1991; Chartrand, 1991; Driben and Trudeau, 1993; Dyck, 1985; Howlett, 1994; Tennant, 1991).¹⁹ Included in that growing literature are a number of studies which seek to explain or describe such things as negotiated agreements, or political interaction between Aboriginal groups and non-aboriginal governments. (Churchill, 1992; Feit, 1989; Kawharu, 1989; Schwartze, 1986).

That literature takes a number of approaches to those interactions and negotiations, and thus to the type of documentary practices examined later in this discussion. For instance, those practices--producing negotiated agreements--could be seen as simply the culmination of the historical evolution of the political institutions of the dominant society (the evolving party system, changes in legislative representation, the increasing role of certain class formations). In this respect, self-government negotiations and the resultant agreements are to be understood as part of the shifting response of those institutions to the persistent critiques of Aboriginal peoples, and the need to formalise those responses.

In some parts of his book, Aboriginal Peoples and Politics, Paul Tennant, for instance, adapts such an approach, and so we are given to believe that an adequate understanding of the current negotiations between Aboriginal and non-aboriginal people is to be grounded in a historical understanding of the interaction of organisational agents acting on behalf of a range of political, institutional and administrative interests, pressure groups, and policy communities (e.g., white ranchers, mining companies, the urban middle class, Aboriginal political bodies). Such a perspective is of course not unique to Tennant, and can be found in many instances in the literature on Aboriginal issues in Canada, and in the extensive literature on international negotiations which take as its topic the state and its relations to

subordinate non-state actors (Casmir, 1990; Gulliver, 1979; Kremenyuk, 1991; Pillar, 1983; Rubin, 1991).

Another approach found in the literature is to look for an explanation of self-government negotiations and the resulting agreements--and the asymmetry of authority they institutionalise--in the power and influence of singular political elites, acting as individuals or in small groups, as the decisive force in progressive social change or, depending on your perspective, as driven individuals bent on a conservative defence of dominant interests. But in either case the driving force behind any negotiations (or lack thereof) would be the powerful *individuals* through whom history and the course of political events seemed to flow, and whose singular presence was seen by all as having a profound effect on the situation. This strain too finds a place in Tennant's book, in the role he accords to Indian leaders like George Manuel, for instance, but such an approach can also be seen in the continued debate among scholars of British Columbia history over the legacy of Joseph Trutch, perceived as being the dominant architect of government Indian policy in the formative years of the B.C. political system (Duff, 1964; Cail, 1974; Fischer, 1971-72; 1977; Tennant, 1991).²⁰

Alternatively, the influence of anthropology on discussions of asymmetrical power relations between cultural groups, in court and in academe, makes it possible to discuss self-government negotiations specifically, and treaty making in general, as part of the process by which different cultural communities, endowed with differential amounts of social leverage, seek some form of accommodation for culturally-driven differences in their political aspirations and social habits. So in that vein we find, for example, a discussion of the James Bay Cree Self-Government Agreement by Harvey Feit, who casts his analysis of the Agreement in an anthropological frame, with the dominant motif of his study being

"one foraging people's efforts to restructure their linkages to the wider systems of economy and nation-state polity within a developed liberal democratic nation."
(1989: 69).

Or, in the case of British Columbia, and from a slightly different angle, but still firmly in an anthropological framework, Robin Riddington has written sensitively and in some detail about the Dunne-za people of the northeastern part of British Columbia, and the ways in which their cultural practices are represented both in anthropological discourses, but also in court cases involving the community, and in negotiations with mining and oil companies in the Dunne-za's tribal area (1979; 1982; 1988). Here too, the central point from which the analysis is drawn is the cultural practices of the Dunne-za and the ways in which these differ from the norms and culturally shaped, cognitive worlds of bureaucrats and oil company officials. This perspective would clearly have resonances with arguments that describe the difficulties in negotiations in cross-cultural contexts, and the different meanings associated with formal documents, legal rights, and notions of ownership and responsibility.

As can be seen from the above, the issues associated with the domination of Aboriginal communities can and have been approached in a number of ways in that literature--legally, politically, historically, and anthropologically. Each of these perspective brings important insights to bear on the history of that unequal relationship, and its dynamic of domination and resistance, and on the current negotiations underway between the participants.

The examples could be multiplied, but I want to suggest that there are two limitations here, which are characteristic of much of the writing on this topic. The first is that we would like to have an approach which provides us with greater understanding of the actual mechanisms by which that unequal relationship was (and still is) created and enforced, but

also resisted and modified. I suggest that this calls for a better analysis of the way in which that relationship has been structured by the organisational practices of the participants. Second, there are significant limitations to the way in which these analyses understand the role of language, specifically written texts, in those interactions. Far from being incidental, this dimension is both more fundamental and more complex than the part accorded it in most analyses. I join those issues by arguing that the political relationship between the Aboriginal and non-aboriginal organisations is fundamentally structured by the textual practices of administration, such as those that produce negotiated agreements like those I analyse below.

With regard to the first issue, I think there is some merit in a perspective which views the issue in *governmental* terms. That is, there are reasons to think about these particular policy issues by thinking about the bureaucratic and administrative (but more broadly social and political) practices used to organise that relationship (Alford and Friedland, 1985; Clegg and Dunkerely, 1979). It might be recalled, for instance, that discussions about Aboriginal issues are after all, discussions about governance; the ostensive focus for participants in self-government negotiations is to structure a revised relationship between two sets of institutional authorities. Because of this, I suggest that one way of analysing the dynamics in current Aboriginal public policy issues is to consider that, in important respects, it is an exercise in bureaucratic politics. Not solely, of course: some of the other dimensions just enumerated--such as the developing legal definitions of Aboriginal rights, or the role of Aboriginal political groups--are critical contributors to the current relationship, and deserve their own studies, some of which have been mentioned above.²¹

There is of course some benefit to a 'bureaucratic politics' approach to the study of government in general. There are reasons to think that it might have particular salience for the study of Aboriginal issues. The unique history of European-Aboriginal contact strongly calls us to such an approach, in that the bureaucratic structures of government

have historically been the prime vehicles for the colonisation of Aboriginal communities. Clearly, that work of dispossession was done on behalf of settler interests, or more specifically, on behalf of the newly emerging forces of national capital in Canada and in B.C. at the turn of the century (Fisher, 1977). The increasing subordination of Aboriginal communities was not for the most part accomplished directly through the mechanisms of capital accumulation, such as driving down the wage, or importing cheaper labour, or breaking unions, strategies which were frequently used to subordinate workers in the mines and the logging camps at the time (Fisher, 1977; Robin, 1972). Rather, the task of colonisation was left for the most part (but not entirely) to the apparatus of the state, or, where that was lacking, to organisations run by the Church, itself a hierarchically and bureaucratically organised entity. The dominance of European interests was enacted first by means of government legislation restricting the rights of Indians, then by a steady, corrosive, and ultimately massive penetration of Aboriginal communities by non-aboriginal government structures, such as Indian Agents, Indian Act governance structures, the creation of reserves, forced attendance at residential schools, and administrative control of band resources.²²

Prime facie, then, there seems to be some basis for the idea that an analysis attuned to the practices and roles of bureaucracies--government and non-government--could shed some light onto the current policy debates between and among Aboriginal communities and non-aboriginal governments. The importance of this has of course been recognised by many; most of the analyses mentioned above, for instance, make references to the corrosive and debilitating effects of the Department of Indian Affairs on Aboriginal communities, and the long involvement of government departments in the appropriation and degradation of Aboriginal peoples' traditional territories. Others, such as Augie Fleras have discussed in some detail the evolution in New Zealand and Australia of specific government departments as a mechanism for responding to Aboriginal issues (1989).

There is also a significant literature on bureaucratic politics in general, which, although not always focused on Aboriginal issues, does provide some insights into bureaucratic social practices. For instance, Patrick Dunleavy's work on the application of public choice theory to the operation of bureaus gives us some idea of what might motivate a bureau like the Ministry of Aboriginal Affairs during negotiations, as its senior staff engage in some of the 'bureau shaping' strategies Dunleavy describes (1991).²³

Or, alternatively, Guy Peters in his 1987 article "Politicians and Bureaucrats in the Politics of Policy Making", but also in other texts (e.g., Peters, 1989) approaches the question of bureaucratic politics by examining the relationship between the two parts of the executive: elected politicians, presumably Cabinet, and the executive of the civil service, usually at the Deputy Minister and the Assistant Deputy Minister level. For Peters, the important issue here lies with the possible tension between technocracy and democracy, and the implications this might have for representative government (Rose, 1987). This too might be a useful perspective, as Aboriginal people have long argued that they are dominated by a structure the political leadership of which does not effectively represent their interests.

But I want to draw our here to the second limitation noted above, as a way of focusing the discussion of 'bureaucratic politics' into an area which has received some, but perhaps not enough, attention in the literature on these issues: the limits placed on these analyses by the way in which they treat language. I suggest that this limitation is one which is symptomatic of much (but importantly not all) of the writing on the social role of public sector bureaucracies, and of the literature noted above on Aboriginal issues.

The aspect of institutions has recently begun to receive some attention in other literatures, though, stimulated by the work of Foucault and others, and so in their textual analysis of bureaucratic discourse in Sweden, for instance, Cedersund and Saljo observe that "the assumption that the role in society of bureaucracies can be understood by simply looking

at the official rules which govern their relationship with the public is too simple an image to serve as a basis for analysing their social function." They go on to argue for the position that institutions are powerful producers of meaning, and that this aspect of bureaucracies is their most characteristic feature (Cedersund and Saljo, 1993). So while there are good reasons to think about activities like self-government negotiations as activities which are structured by governmental (organisational and bureaucratic) practices, the centrality of the 'meaning making' function to governing organisations suggests that we ought to pay attention to the way those organisations use the discursive and rhetorical resources available to them.

There is some incentive for taking this approach. While clearly an analysis focused on the discursive practices of governing bodies will face its own limitations, and will need to be read in many cases in conjunction with the kinds of analyses mentioned above, a discursive and rhetorical analysis does allow us to address some issues which are not handled well by those studies. Since it is not my purpose here to engage in a lengthy analysis of these approaches, but rather to present a different approach, I will confine my remarks to noting three principle limitations of studies not attuned to the political use of language in relations of domination. Those limitations in turn will give us some idea of the analytic benefit to be gained from a more rigorous examination of the discursive practices of governmental organisations.

First, the approaches mentioned above fail to explain adequately the brute fact that a significant amount of government (and organisational) activity is in fact linguistic activity: as has often been remarked by unkind critics, government agencies don't produce much in the way of usable products, like cars or toasters; instead, they produce, massively and continually, texts: laws, bills, policies, position papers, communiqués, speeches, correspondence, bulletins, procedures, memorandum, terms of reference, guiding principles, and mandates. An inattention to the discursive and rhetorical dimensions of

organisational life, leaves one unable, for instance, to account for the centrality of bureaucratic documents or structured oral exchanges (e.g., inter-ministry meetings) to government activities. Nor can it account for the signal role of texts in the attempts by Aboriginal people to contest prevailing allocations of symbolic power, and in the efforts--often reluctant, halting, and minimal--by governments to respond to such initiatives. The anecdote which introduced this paper is one such case, but the history of that resistance is also littered with texts which mark important points in the evolution of that long running historical conversation. The 1969 White Paper on Indian Affairs is an obvious example of a text that became the focal point for a whole debate, but there are other examples, such as the James Bay Agreements, the Native Indian Brotherhood's paper "Indian Control over Indian Education", treaty commission documents, and numerous others. Even the events at Oka, while not normally thought of in discursive terms, became in very short order a kind of text that circulated rapidly and permeated a whole range of ostensibly unrelated interactions: that particular set of texts was fundamental in marking but also creating a shift in relations between Aboriginal and non-Aboriginal Canadians.

Secondly, such studies also fail to account adequately for the importance placed by participants themselves on the content, form, circulation, and disposition of both oral exchanges (negotiating sessions) and written texts (such as MOU's). For the practitioner, of course, the nuances of the exchanges between Aboriginal groups and the government are of the utmost significance, for managing the implications of those messages is a significant part of the work of negotiators and managers. It is in part this aspect of such interactions which in contrast I hope my approach will render intelligible.

More fundamentally, such analyses fail to acknowledge that the institutional practices at issue here, while they admit to a wide range of interpretations (only some of which have been identified above), are also practices which rely upon a distinct and specialised use of language. That is, those practices are ones in which the parties are explicitly engaged in

discussions over the way in which each party understands, construes, interprets and represents the actions of the others.

And, those interactions between the parties are conducted, not with just *any* available linguistic code, but instead with a quite highly restricted lexicon, a limited set of grammatical forms, and strict generic guidelines; and again, not just in any circumstance, but in relatively discrete and well defined contexts (for instance, a limited and preferred type of physical setting, including hotel boardrooms and government offices, but not under bridges); and finally, specific and assigned roles for audience and participants ('observer', 'media', 'senior negotiators', 'chair'), rules governing turn-taking and the duration of ones' speech, etc. In other words, relations between the actors are shot through with linguistic and social codes, generic conventions, rhetorical forms and semiotic constraints; organisational activity is inconceivable without them (perhaps literally). So bureaucratic interaction has all the while been living a life that is distinctly its own, which remains hidden to points of view which see only organisational structure, or the play of overarching economic forces, or the historical evolution of policy paradigms.

Thirdly, such approaches obscure (sometimes in the very act of putting them on centre stage as objects of analysis), the constitution of the agents which parade through bureaucratic documents, and whose intention as authors is said to be the source of the document's meaning, to the point where the text itself, and the discourses which compose it, disappear as objects of analysis. In contrast, a perspective sensitive to the political dynamics of language and to the rhetorical modes by which self-hood is constructed is better positioned to examine the discursive construction of agency in the textual practices of organisational life.

The misunderstanding (or as Shapiro (1981) prefers to call it, this 'misrecognition') by conventional policy analysis of the discursive aspect of managing relations of domination

arises more generally from what Bourdieu calls the 'interactionist error', which for Bourdieu "consists of reducing power to relations of communication" (1991: 167). So, viewed from this perspective, the difficulty underlying the limitations just listed is that such studies adopt the assumption that the actual textual vehicles by which social messages are conveyed are not of signal importance (Foucault, 1991).²⁴ In short, it is the dream for a transparent language through which one could simultaneously capture intact and reveal social reality (de Certeau, 1984).²⁵

Does it need to be said that such an approach is no longer sustainable? Metaphor, supposedly expunged from investigative discourse, was found to lie at the basis of even the most literal works; the assumed unity of the signified and signifier collapsed under careful examination; and the attempt to control the play of language in the text and so hold meanings frozen for unambiguous reading by unknown others proved untenable, and has in fact increasingly been abandoned.

My analysis thus addresses these issues and focuses attention on certain critical aspects of the way in which relations of domination and subordination are created in everyday social acts. The hope is to draw some attention to what I would call the 'textual construction of social relations'.

Viewed from this perspective, two levels of interest emerge. First, in an analysis of the discursive practices of governing organisations, documents such as the ones I examine here become sites, on the one hand for strategic resistance, and as such a place for Aboriginal people to advance their aspirations, perhaps constructing in the process a counter hegemonic discourse. On the other hand, documents such as negotiated agreements become sites for government to defuse any crisis of legitimation presented by Aboriginal critiques. In other words, they become nodes of contestation for the participants. So, on this reading written documents become key sites for Aboriginal

people to construct (or more precisely, re-constitute), a whole series of social relations. My reading of the negotiated agreement I examine below is an attempt to delineate the traces left in the text by those manoeuvres.

As well, though, the history of the relationship between the two cultures suggests strongly that such bureaucratic processes (negotiating formal agreements) may well be vehicles for, in the language of Habermas, a more sophisticated colonisation of the lifeworld of Aboriginal people by administrative systems and bureaucratic logic (Habermas, 1987). As the products of the machinery of government, and as sites for authorised state action, such documents are places for government agents to encode and indeed construct the logic and the identity of the administrative system, to insert that logic into new places, and to survey and discipline an unruly portion of the body politic. These efforts, too, leave their traces in the text.

And in fact, we do find that this aspect of the policy process--the role of language, and what some have called the symbolic dimension of politics--does not go unnoticed in the literature on policy analysis. So Bruce Doern and Richard Phidd in their survey text Canadian Public Policy devote a number of sections to a discussion of the influence of 'ideas' in the policy process, suggesting that these ideas "both influence and are imbedded in the structures and processes of public policy" (1992: 35). They go on to describe four different levels of 'ideas', from 'ideology' at the broadest level through to mid-level 'dominant ideas' and 'paradigms', down to the more specific level of 'objectives'. In their discussion, they make some important points that could be useful in an discussion of self-government negotiations and the agreements that arise from those. For instance, they note that ideas at all four of these levels can have the effect of structuring the debate over policy, excluding some options and ruling in others (1992: 38). They go on, too, to point to the power of a small number of central ideas, such as regionalism, or universality, or

the tension between the ideas of capitalism and the free market, and the enduring pull of 'equality' as a central value for Canadians.

In a similar vein, Leslie Pal notes the importance of ideas to the public policy process (and indeed to the economy as well). In a discussion of the power of arguments, Pal comments, "Ideas matter. Even the most tyrannical regimes rely on more than brute force; they attempt to shape hearts and minds, because hearts and minds are the ultimate roots of power" (1992: 218). Like Doern and Phidd, Pal suggests that some of that power lies in the ability of ideas and arguments to define the nature of the problem, and thus narrow the policy options available to decision makers. Pal also makes the point that ideas are not just 'single things', which occur in someone's mind, to be replaced by another idea. Rather, Pal reminds us that ideas cluster together, and to that extent can be said to have a structured, not just an isolated existence, as an interrelated set of concepts comes together to form a node of significations which help to define and support each other.

Clearly, the discussions of the role of 'ideas' in the policy process help us to become more sensitive to the rhetorical and ideational aspects of public policy. Reading Pal and Doern and Phidd's discussion, we become more attuned to the ways in which self-government negotiations can come to be shaped by prevailing concepts of equality, or fairness, or of efficiency and 'affordability'.

However useful these contributions are, there are significant limitations to the kinds of tools these comments provide for use in analysing actual instances of discourse, or in understanding the use of language in organisational settings. To take one example, Doern and Phidd make mention of the distinction between verbal and written modes, noting that information given verbally has a role even today because of the sheer volume of written information decision makers have to deal with (1992: 215). The inability of executives to process all that "places an even greater premium on the verbal transmission of advice,

knowledge, and information", for the reason, Doern and Phidd suggest, that verbal communication has "perhaps always been the central dimension of politics"(215).

No doubt. But such a perspective misses the fundamental changes that have occurred to 'verbal information' as a result of the historical development of print media and widespread literacy, and the associated changes in the structures of our consciousness. Walter Ong for instance, has argued persuasively, in works like Orality and Literacy: the Technologizing of the Word, that the historical shift to a literate mode and away from the oral mode characteristic of traditional societies (like Homeric Greece) has fundamental consequences for our understanding of print, of closure, of space, of social networks, and of 'information' (Ong, 1982). These changes and the dominance of 'chirographic' modes of communication mean that a simple distinction between verbal and written types of information to cabinet ministers is not adequate to assess the dynamics that are in play in the public policy context. And it is certainly not accurate, on this analysis, to suggest that verbal communication has always been the central 'dimension of politics', as Doern and Phidd do, without noting the profound change in our understanding, in the highly literate world of public policy debates, of what 'verbal information' is. Verbal information in the 90's is not what it was in Machievelli's Italy.

Even if we chose for the sake of analytic expediency to bypass a historical perspective of this type in a discussion of public policy, the rather thin discussion provided by Doern and Phidd government texts missed the opportunity to remark on the significant differences in the two modes as they currently operate. At a minimum, one could note that print media, for instance, is characterised by its distanced nature, its abstraction from its source, its unidirectionality, and the potential variation in its audience, features which are not found in verbal communications. Because of these features, the kinds of social control procedures found in most large hierarchical organisations rely on written information to

ensure some control by elites over the work of subordinates, and to ensure the univocity of the state.

This is just one example of the kinds of issues that could be raised in a discussion of the written and the verbal mode in the context of the textual practices of governments, perspectives which get lost when these textual practices are considered in the way that these analysts do. There are other shortcomings in reducing the discursive practices of governing organisations to 'ideas', and as Doern and Phidd call it, 'symbolic discourse'. Such an approach is hard pressed to connect the use of language in any convincing way to the exercise of power, in the way that Bourdieu is able to do in his Language and Symbolic Violence, or to the role of Anglo-American genres of writing, such as the autobiography, in encoding the unequal relationship between Indians and White missionaries, as David Murray does in Forked Tongues: Speech, Writing and Representation in Native North American Texts.

As a result, it becomes clear that the tools provided in these discussions need to be supplemented, if we are to understand the constitutive effects of discourse, the way that it brings into view certain phenomena, such as the kinds of identities which people adopt when participating in the public realm (Warner, 1992), or its role in enabling social relations of a particular kind (e.g., organisational and professional ones).

Finally, it needs to be said that the reference to 'symbolic politics' (Doern and Phidd, 1992: 303) gets us started on the right path, but it misses the fact that not all discursive activity can be subsumed under the symbolic mode proper, as Umberto Eco has demonstrated (1986), however important that mode may be to political discourse.²⁶

Clearly, the writings considered above did not have as their primary objective a detailed and technical analysis of the role of language in the public policy process, and to that

extent those texts should not be burdened with failing to carry out a task they were not designed to do. It should be noted that the comments they do provide in this area are useful in providing some indication of the discursive and rhetorical bases of social action, and of drawing attention to the different texts that are in use in the policy process, such as cabinet submissions, background papers, etc.

But it would be more useful still to be able to approach negotiated agreements, and the 'symbolic' output of government in general, as something more than just 'exhortations', or politicians saying something they don't mean or can't back up with 'real' power, i.e., legislation or money. That is, it would be profitable, I suggest, to try to bring to bear on the textual practices of government some more powerful and flexible theoretical apparatus than is currently employed in the kinds of approaches analyzed above.²⁷

My analysis thus addresses these issues and focuses attention on certain critical aspects of the way in which relations of domination and subordination are created in everyday bureaucratic acts. In the next section, I provide some support for my approach, in the process providing a more nuanced picture of the operation and effects of language in such settings.

How to Read an MOU, or, Why Study Social Relations via Language?

Seeing Language as Discourse:

Enough has been said above to indicate that the principle object of inquiry in this thesis is discourse, as opposed to at once a more narrowly linguistic but also more general view of language. What does that mean to see language as discourse? In this section I describe some of the features of discourse, and give better definition to some of the terms--such as 'text', 'rhetoric', and 'discourse analysis'--I have been using rather loosely so far.

Treating language as discourse, as Michael Shapiro points out, involves regarding language as a kind of practice: a special kind of practice through which other practices take their shape and indeed, which allows them to be practices in the first place. So discourse is first and foremost a social act, as opposed to an accumulation of utterances; as Wlad Godzich, writing of Michel de Certeau, notes "[u]nlike language, which is an invention of philosophers and linguists, discourses constitute forms of actual social interaction and practices" (1986: xx).

Of course, we have known since Wittgenstein that language is irredeemably social, in the sense that the notion of a private language is no longer considered tenable. My point, though, is that within the tradition of political science and policy analysis, we have not gone much beyond that important insight, to attempt to work out the detailed mechanisms which constitute language as a social practice. My work here is intended to bring into the discussion of public policy analysis a set of tools by which a more thorough and rigorous approach to these issues can be taken.

As a result, I have turned to other literatures; literary theory, post-modern ethnography, linguistics, text grammar, and discourse analysis. While these are areas that have generally

remained remote to the concerns of policy analysis, the eclecticism this introduces is rather in keeping with the founding vision that Harold Lasswell had for policy science, which he saw as being necessarily multidisciplinary (Lasswell, 1951).

The tools drawn from these disciplines enable my approach to pick out with some sensitivity the relevant formal features of the text, and to provide clues to the functions they might play, as each of the features I describe (nominals, modals, lexical repetition, etc.) has its own capacities and limitations. Those limits and abilities are often syntactic and lexical in nature, and a text grammar approach proves helpful in identifying those. My more than occasional use of the apparatus of linguistics differs from its use in more linguistically driven studies (such as Jordan, 1993; or Halliday, 1978), on the basis, noted above, that while the lexico-grammatical aspects of a text are critical indicators of context, the social and the political aspects of the form, shape, and social life of texts are equally important to an adequate understanding of the social role of government documents (Burton and Carlen, 1979; Devitt, 1993; Smith, 1987).

What I mean when I say 'text'

So we are now in a position to see this study not just as an analysis of language, but more accurately, as a *discourse analysis*. While that term has been used widely, and in a variety of senses, I take it to refer to an analysis which (1) focuses on utterances or linguistic acts longer than the sentence (Brown and Yule, 1983; Thompson, 1984), where those utterances are realised in a material text (Marin, 1983); (2) is a system of statements which constructs objects, and is about subjects, or more precisely, establishes discourse entities and makes available spaces for subjects to appear (Horn, 1994; Parker, 1992); and (3) is a coherent, regular, regulated, and regulative system of statements (Bourdieu, 1991; Foucault, 1991; Henriques, et. al, 1984; Thompson, 1984).

Hodge and Kress, in their book Social Semiotics capture some of this when they suggest that discourse "is the site where social forms of organisation engage with some system of signs in the production of texts, thus reproducing or changing the sets of meanings and values which make up a culture" (1988: 6), and that discourse analysis is thus the study of those sign systems.

In their definition, Hodge and Kress refer to 'social forms of organisation', which they see as a necessary ingredient for the production of discourse; if language for Wittgenstein is essentially public, discourse for Hodge and Kress is essentially public and *organised*, a product of social groups. So, in addition to drawing attention to the social attributes of language use, a point stressed above, this phrase also draws attention to the relationship between discourse and *institutions*, through its reference to 'forms of organisation'. Here our gaze is directed to a critical aspect of discourse: its role in reproducing or undermining institutions and their related authorities.²⁸ Notice that this limits the field of analysis somewhat; it seems quite possible to have a discourse that does not construe as an important object some institution, i.e., to have a discourse in which institutions are neither thematized, nor central to the localised background knowledge required for the document's coherence. The discourse of the heroin addicts studied by Agar might be one example, although even there evasion of authority was a shaping factor in most interactions (Agar and Hobbs, 1982). Even if this was possible, though, discourses related to institutions, as Parker remarks, are certainly the most interesting to study (1992: 23), especially to political scientists and sociologists raised on a steady diet of institutional analysis. There is in fact a whole sub-literature within discourse analysis focused on the study of institutional discourse. Such a focus on institutions is an integral part of the present study (though I would not call it an analysis of institutional discourse), for despite their many differences, and the fact that they were not all produced in institutional sites, the discourses which are woven together in the MOU's have as a common thread a

concern for political, social, and economic institutions, their ownership, and the basis for their authority.

I use the term 'rhetoric' as well, which while similar to 'discourse', carries with it the additional implication of a persuasive or hortatory element, with the associated notion of a speech act which binds participants into a relationship of some sort, even an uneasy or unequal one. As such it draws attention to the mood of language use, its tropes, and to certain extent to its effects. The use of the term here points to the fact that some of the literature which I draw upon has its roots in studies of classical and contemporary rhetoric, as opposed to the study of socio-linguistics, or public policy (Battaglia, 1995; Ong, 1982; Tyler, 1987). It points as well to the *phatic* attributes of language, the role of language in creating certain persuasive relationships between persons. Rhetoric is also less general than the notion of discourse, which is often used to point to a phenomenon at a world historical level; rhetoric, in contrast, appeals to situational aspects of communicative exchanges.

Texts, on the other hand, are the actual vehicles for discourses, and as such are more like 'actual things'.²⁹ Hodge and Kress, for example, define text as the material product of discourse, and discourse as the social process in which texts are embedded (1988). This is a start, but the notion needs some further specification. Accordingly, following Enkvist, I take the word "text," to refer to "a meaningful sequence of symbols in a natural language" (1989: 371), grouped in such a way that they possess a unity, a certain sense of wholeness and self-sufficiency which momentarily holds the reality of intertextuality at bay. A "text" is thus "a larger inscribed cluster of ordered sentences or textual elements in a natural language which possess a socially ascribed unity." (Hodge and Kress, 1988: 6; cf. Brown and Yule, 1987; Searle, 1982). Texts, of course, can and typically do contain a number of sometimes competing discourses within them, so that when the material product is examined carefully, it may resemble more a collage or an ensemble than a single authorial

voice (Barthes, 1972; 1977), and to that extent the unity of a text noted above is a fabrication, an 'artifice', as Hume would have called it.

So we can see from this some of the points of connection for the analysis of the MOU's, in the sense that we now have a better idea of what it means to treat the document we intend to review as texts, as instances of discourse. They are, after all, extended strings of sentences, and they do seem to have a certain wholeness, a kind of completeness as clusters of utterances, a feature attenuated in the documents considered here by the fact that they are *agreements*, complete with signatories, and so function as discrete social acts, albeit ones with innumerable but subdued connections to other social texts. I address this point in some more detail in my discussion of genre below.

Clearly, also, these texts produce objects and subjects, a point of some discussion below, as well, they are almost wholly consumed by their connections to institutional authority, and the symbolic power invested in those social sites. Located in a field of discourses and inscribed in text, documents such as the MOU's take on a definite social profile, and assume the social life that comes with that profile. Here we see the specificity of such 'text-acts' beginning to emerge, and we see, too, how an understanding of discourse and texts can contribute to an analysis of negotiated agreements, and the power relations they encode and enable.

The Specificity of Discourses and Texts

But it is still possible, even after the clarification provided above, to think about the discourses contained in the MOU, and hence of the MOU itself, in entirely formal, abstract and universalising ways. There are reasons to think that this might not be helpful, though. Is it an ephemeral, disembodied abstract thing which people use when they engage in conversation or write a bureaucratic document? And do they do so in some kind of

decontextualized empty space, which applies universally and is uniform throughout? Not at all.

Earlier, we mentioned that linguistic utterances are produced, not just as abstract propositions, but in a *field*,³⁰ in a specific situation. In combination with some of the points made above, this characteristic of discourse turns out to be rather important. The idea of a 'field' in which utterances are produced comes, of course, from Bourdieu, who suggested in Distinction: A Social Critique of Judgements of Taste, and later in Language and Symbolic Power, that linguistic utterances operate in what he describes as a general *economy*, and so are produced for use in a *linguistic market*, a market formed by a historical process of linguistic unification--a sort of conversational hegemony--which governs the distribution, price, and profit margins for any particular discursive product. These specific markets, Bourdieu suggests, intersect and then interact to form what he terms a general economy.

It is useful to keep in mind that in arguing against the 'intellectualist philosophy' of linguists, which saw in language use only a strictly linguistic competence, abstractly defined, Bourdieu was making the point that, while he is not challenging a strictly grammatical interpretation of texts, grammar "defines meaning only very partially: it is in relation to a market that the complete determination of the signification of discourse occurs" (1991: 37). While I will go on to assign a greater role to 'grammar' in my own analysis than that provided here by Bourdieu's quote, the general point is well taken, which is that the 'market' in which well-formed utterances are produced, is conditioned in part by the socially constructed 'dispositions' of the situation: the historical accretions of dominant social practices. More precisely though, these dispositions, and in turn the linguistic market, are formed by a specific set of sanctions and censorships which operate to regulate what can be said and what ought not to be said, by whom and when. The central notion in all this for Bourdieu was thus power, that favourite son of political

science, or rather, a certain form of exercising it, which he discusses in the form of 'symbolic capital', 'profit and distinction', and (to mark its often colonising nature), 'symbolic violence'. Here again, our analysis is directed to the way in which linguistic usage is part and parcel of political relations; with Bourdieu's work, that connection is made more explicit, and we are provided with some conceptual tools--the notion of a linguistic market which structures the reception and production of discourse, and the related notion of habitus, discussed below--which give us some better idea of the nature of that connection.³¹

This characteristic of discourse--its specificity and its directionality--is critical to understanding why instances of discourse are shaped the way they are. For in a market, there are sanctions and rewards, which govern how a product will be received, and which through their effects make space available for some products and not others to circulate; for Bourdieu, this was true of language as well, which always and everywhere operates in a structured space of social possibilities, with its own density and determinations, and was never the simple application of a set of internalised linguistic rules. And as a result of his insight that people use language in a field, on a market, and through the effects of a habitus, he concluded that, as others have noted about the economic market, the use of language was in fact always and everywhere the exercise of a *power*, in the form of symbolic power, a linguistic capital, and a structured space in which those were deployed, in the interest of a form of social advantage. The production of an utterance, that is, is always a political intervention.

In turn, this suggests a number of things about text acts like our MOU's. First, it gives support to our intuition that the selection of specific forms and constructions for utterances and texts is not simply a matter of randomly choosing from a range of well-formed sentences with roughly equivalent meaning. On the contrary, it is usually the result of a complex and sophisticated operation (one not restricted, incidentally, to the

self-conscious choice of speaker or writer),³² in which the utterance is tailored to its market conditions, its content subtly shaped by the nuances of meaning, tone, and implications that are made available in the (linguistic and pragmatic) resources of language, and which render an utterance 'proper', 'useful', 'profitable', or conversely, 'out of place', 'inappropriate', 'infelicitous', etc. So, for instance, this allows us to explain more powerfully than we might have otherwise the relatively restricted lexicon in use, e.g., in the 'Whereas' clauses in negotiated agreements. They result not from the direct influence of some ideology, and still less from the bureaucratic conservatism of officials, but from the operation of sanctions and rewards derived from the habitus in which those texts are produced, which are in turn specific to that linguistic market. It is in that market and through that habitus that the effects of a bureaucratic ideology would be manifested, and mediated.

Such an approach opens up for our view an avenue for the exercise and articulation of political power. To use the example provided by Bourdieu, we can see now that the dominance of a single version of French in a country like France must have resulted from the exclusion of local peasant dialects, regional variations, or the specific rhetorical patterns of, e.g., lower class workers in the larger urban areas, from the arena of official action and other socially valorised sites. In important ways this constitutes a sort of symbolic violence. Such a form of linguistic or discursive hegemony is not neutral, for it is tied to the imposition of a larger political and social hegemony, enabling the dominance of one social group or faction (e.g., educated, Parisian social elites) over another. For no social group can maintain its hold without containing and controlling this critical arena of practice, and to that extent political domination requires a form of linguistic hegemony, perhaps not a total occupation of the field or market, but a clear market dominance.

Yet this is not the only insight generated by this approach. While I return in Part Two to the ways in which such symbolic violence is accomplished and resisted, and hence shape

texts, here I want to suggest that, conversely, understanding the shape and form of texts is also important in coming to know the habitus. It is in texts and sign systems that the habitus is given life and made operative, and so for participants, the shape and composition of texts are important indicators of what kind of situation they find themselves in, and therefore, of what resources they can use in that instance (Fiske and Hartley, 1978). For if situations shape texts, then one way to understand situations is to understand texts, not in a global, abstract way, but specifically, concretely, with attention to the details. For some analytic purposes, punctuation and spelling *do* count.

It is important to note with respect to the above that, as both Bourdieu and Bakhtin remind us, that particular instances of discourse are not only conditioned by their *production* in an economy of signs and in a market of exchange, but also by their conditions of *reception*, so that the nature of an utterance anticipates the reception it will get, given its value under current market conditions. Texts are shaped to fit the situation. This arises for Bakhtin when he talks about the dialogic nature of speech, dialogic in the sense that speakers of instances of discourse are 'aware' of the 'already spoken', the dense population of utterances that precede it, but also of the utterances which it anticipates, the clusters of texts into which any new text will be introduced. As John Swales argues in his influential analysis of genre in technical writing, the result of this attempt to include the future into the present in the production of a text, to respond to the not-yet-spoken, is that there is, as it were, "a reciprocity of semantic effort to be engaged in by both sides; a contract binding writer and reader together in reaction and counter-reaction." (1990: 63). And, Swales adds, the degree to which this occurs in any given text is not uniform but subject to sharp genre fluctuations, an approach consistent with Bourdieu's attempt to locate utterances in specific linguistic markets, although Bourdieu might not be entirely comfortable with the degree to which this has been seen, for instance by writers such as Widdowson (1979), as a cognitive process located in the intentions of individual readers and writers. In any case, such a perspective clearly has implications for such things as the

oral use of language in negotiations, where certainly the anticipation of the audience plays a significant role in shaping the discourse dynamics, but also clearly in the Memoranda of Understanding which form the objects of this analysis, and which was itself, as a written document, constructed with devices--some generic, some syntactic and lexical--that anticipates its reception, in the form of careful hedges, guarded language, and a heavy repetition.

For Bourdieu, the specificity of the field in which the utterances were produced meant that linguistic practices must be examined in their concreteness, with attention to the singularity of the market, and the historical conditions of the economy of signs which established the market in the first place. This point recalls Dell Hymes' argument that to analyse language without considering its context of use was to miss the significance of variations of language use and the relation between these and the situation of their utterance (Hymes, 1966). So, in examining the MOU's, this view of language instructs us to remember that they were produced, not for any potential reader, but for a market, a 'structured space of positions', a historically produced, contingent distribution of symbolic capital, "which, accumulated in the course of previous struggles, orient subsequent strategies" (Bourdieu, in Thompson, 1984: 49). Such markets have their own unique rules for transferring symbolic capital into social advantage.

The above now gives us some reasons to accept that, when we come to try understand the way in which social agents use language in political settings, we need to pay attention to the specificity of language, to attend to the way in which it is produced in a very concrete field of rhetorical action, and to the kinds of 'market' forces that shape the interaction between the participants.

Tracing the Shape and Form of the MOU: Genre and Grammar as Social Action

Above, I argued that seeing language as historically produced and culturally situated suggests that the linguistic resources in use on any particular occasion will be deeply marked by their social context, and that structures of language in use larger than the sentence will provide in their construction and accumulated texture a map of the social relations of which they were an essential part and which produced those linguistic structures. Like any manufactured product, a text or instance of discourse will bear the mark of its maker; texts will reflect in important and revealing ways the context of both their production and reception (Bakhtin, 1986; Fowler, 1991; Giltrow, 1988; Hodge and Kress, 1988; Philips, 1987).

Because of its importance, this notion that texts are marked by their context warrants further discussion, especially with respect to the mechanisms by which that context can be recovered.³³

But if we are to proceed with such analyses--if that is I have been successful in arguing that an attention to the facticity of language could be profitable in discussing objects like negotiated agreements--then what methods are we to employ?

We can note two principal ways in which texts are marked by their context: one, through its content; its specific use of the lexical and grammatical resources available for its successful construction and circulation; or two, by its overall and typical *form*. By *form* I mean such attributes as its usual length (two pages or two hundred?), the shape of the text (broken up, like an ee cummings poem, or linear, like a romance novel?), which elements it is able to use and which are not permissible (are anecdotes allowed, are bibliographies mandatory?), how it is organised, in short, its social profile as a completed piece.

Here we turn our attention to some of the issues which arise in examining the ways in which texts are marked by their context at the level of syntax and lexicon. This kind of analysis requires the use of a vocabulary and a set of methods not normally employed in policy analysis or political science, and so I provide below some explanation of the terms which I employ in subsequent chapters to describe the formal features of Memoranda of Understanding. I then turn my attention to a vocabulary and set of approaches by which sense can be made of a document's overall social form, a discussion which is rooted in the literature on *genre*.

As we shall see when we turn to the actual analysis in the second Part of this thesis, the application of some of the tools drawn from text grammar and genre analysis reveal intriguing things about organisations, governments, and bureaucratic texts.

The Lexico-grammatical Construction of the MOU:

Recall that in the description of the meeting in the Nass Valley that introduced the paper, the Chiefs did not indicate beyond a general level what was to be *in* the treaty they sought, just that there was to be one. It should be said though, that in pointing to the central role of the text, it is often easy to elide the *specifics* of the text itself, i.e., its grammatical and lexical *content*. As a result, it is tempting to remain oblivious to the historical specificity of the discourses the text contains and the ways in which the formal features of the text mark certain key features of the context, features which in some respects can themselves only be encoded linguistically and syntactically. As the Russian linguist Voloshinov wrote: "the form of signs is conditioned above all by the social organisation of the participants, and also *by the immediate conditions of their interaction*" (1973: 21, emphasis mine). By this of course, Voloshinov was referring to the 'immediate conditions' of a conversational exchange, but I take the notion to refer more broadly to the specifics of the situation

which, at whatever level of generality, are 'present' to participants in the situation, specifics which are made salient to rhetorical situations by *virtue of being activated in the text*.

With regard to examining the actual shape and constitution of texts, recent work in socio-linguistics and discourse analysis has moved us in the direction of establishing that, as a result of the pervasive influence of organisational dynamics on the use of language, texts produced in institutional and bureaucratic settings display a marked stylistics (Collins, 1987; Phillips, 1987). Such documents, that is, use the linguistic and lexical resources available to them in peculiar ways, usages which in linguistics are often cited as 'marked', as an indication of their relative infrequency, and of their status as being dis-preferred in 'standard' usage. This has been observed in particular of documents produced by governments; there is by now, in some areas of discourse analysis, a recognition that the conditions under which government agencies produce and circulate language profoundly shape and constrain the resulting syntax and grammar of the textual product, as documents are produced which seek simultaneously to meet the needs of specialised audiences, serve institutional ends, and retain currency in a public (and often highly political) contexts (Shapiro, 1988).

I am pursuing in this focus on the details of textual construction something like a *text grammar*, as I show the ways in which the linguistic economy--the circulation, reproduction, and contestation of clusters of signs--leaves its traces in the syntax of the document, and that to adequately understand the nature of such texts and the organisations that produce them requires some picture of their linguistic form.

To cite an example, when we turn in subsequent chapters to a close reading of a range of negotiated agreements, we find that, for instance, the documents make extensive use of the definite article, a formal syntactic feature which suggests a high degree of mutual knowledge among participants, a finding which in turn suggests some strong continuities

or commonalities between groups who are often portrayed as antagonistic and separated by a wide cultural gap.

With the main tools to understand the text as a social act provided in our discussion above, we now need some perspective on the text as a grammatical construction: we need to examine more closely its bits and pieces.

Lexical and Syntactic Terms defined.

Because of this focus, it proves necessary at this juncture to introduce some technical terms.

In some places, I speak of the role of *nominals*, which for most purposes can be considered as equivalent to noun phrases (NP's). Using 'nominals' instead of 'noun phrase', though, helps to keep the stress on the nominal head of a noun phrase--the key word if you will--as the word *clavier* functions as the nominal head in the NP '*the well tempered clavier*' (Baker, 1989).

I also refer to modality. Modals are a relatively small set of terms in English which index the contingencies of knowledge, on the one hand, and the social world, on the other. Considered narrowly, there are nine modal auxiliaries; 'will', 'shall', 'must', 'can', 'ought', 'may', 'could', 'might', 'should', and 'would', taken as a group, they express ability, obligation, probability or necessity. More generally, there are a number of other words or phrases in English which express those kinds of relations, such as 'it is probable that', or 'it is necessary that', etc., but by and large the nine listed above have been considered the core indicators of modality, as that term is used in linguistic analyses (Baker, 1989; Cook and Suter, 1980; Sweetzer, 1991). It is conventional to divide modality into three types: dynamic, deontic, and epistemic. Dynamic modality, for instance, indexes the constraints

of the physical world ('he can't swim'); deontic modality the constraints or resistance of the social world ('he can't swim across the lake', i.e., he is not allowed to); and epistemic modality, the constraints to full knowledge ('He may be swimming across the lake (but I don't know)'). Because of the nature of the documents I am examining, I restrict my use of modality to deontic modals.

In a more semiotic tone, Hodge and Kress use the term 'modality' to refer to a much broader category of social relations, and correspondingly to a much broader class of linguistic markers; for these authors, modality "is the term which describes the stance of participants in the semiotic process towards the state and the status of the system of classification of the mimetic plane"(1988: 122). That is, modality systems for Hodge and Kress mark the attitude of the participants: do they see the statement as true, false, believable, implausible, 'real', or not? While I use the term 'modal' in the next section in its more narrow technical sense, as designating the use of some of the modal auxiliaries, it is intended to lead into a discussion of some of the issues that Hodge and Kress associate with modality understood in its more inclusive sense, that is, to questions of the truth effects and authority associated with the text.³⁴

I mentioned above definite and indefinite articles, and will subsequently make reference to verb tense and mood, all relatively well understood terms.

The notion, drawn from pragmatics, of *coherence* also comes into play; I give some more detail about its application in the section in which the text's coherence is actually discussed, but for now it can be said that coherence reflects the degree to which sentences are tied together lexically, semantically, and thematically (Halliday and Hasan, 1976), that is, the degree to which they require each other for their interpretation, (as when one uses 'he' to refer to someone mentioned earlier in the text) (Agar and Hobbs, 1982). As well, I draw on the notion of a document's *texture*, the cumulative effect of thematization. In the discussion of the evasive nature of the MOU, I make reference to the use of deverbal

nouns, or some other parallel structure, and to the recursive deletion of agency. The latter is the process by which verbs are transformed into nouns (as the verb *to organise* is transformed into the noun *organisation*) on the one hand, and noun phrases are compacted by recursively deleting agency (so the idea that "Jane co-ordinates the actions of Bob, an activity sustained by funding from the Ford foundation," becomes by the recursive deletion of agency "sustained effective co-ordinated action").³⁵

The use of this (formal, and sometimes rather technical) apparatus enables us to see the intricate workings of language as it is used in a specific social setting. It enables us for instance, to identify with some rigour, e.g., a grammar of management interest, or the transformation of subjects into objects, or to account for the dense, repetitive feel of the document, which otherwise would remain only that, a 'feel'. Because these tools give us some precision, we are able to move with more assurance in our analysis from the features of the concrete discourse situation to the larger attributes of the social world and the setting which those features index, but which they also construct and enable.

Genre as Political Action

But we now turn our attention to the second way in which we indicated above that texts are marked by the conditions of their production and reception: the overall social form of a text, its genre.

The Russian linguist Medvedev³⁶ argued, against the Russian Formalists of his day, that the approach to a text ought to be top down, that is, one ought to consider the text as a whole social act, then look at its parts. It was the orientation of the social act towards an audience that was the starting point for analysis, Medvedev and other theorists of genre argued, not its various bits and pieces. We seem to have ignored this advice so far, with

our initial emphasis on the formal syntactic features of the document, but Medvedev's comments are not without their point, as it is bounded texts like the MOU (or press releases, or Acts, or regulations, or policy guidelines, etc.) which are ostensibly the focus of much government and interest group activity, and which have in turn often figured large as an object in policy analysis. And in truth, it is difficult to understand the role of texts in social relations without some ability to talk about their form, as opposed to their content (a distinction which is problematized by more recent understandings of genre, as I shall show shortly). Accordingly we turn now to the question of what we might call the text-act, but which is really the question of a document's overall form; the location of its borders, the configuration of its constituent attributes, in short, its social life as an autonomous entity. Now, it is possible to discuss the question of form in any number of ways, but the principle means in the study of literature, certainly in Bakhtin and Medvedev, but also for many others, has been by the question of genre.

While the notion of genre is rather complex, and has been extensively debated and developed in the literature on literature, it can be said in some rough way that the general idea with genre has been that the information coded by text is coded not just in its content, but also in its profile as a social act, and that these form recognisable and repeated patterns. That is, the theory of genre suggests that the elements of a text cluster together in significant and typical ways, and that these are shared across a number of texts; underlying this in many cases is the assumption that there are 'typical forms of utterances', which are responses by and large to re-occurring or typical situations (Miller, 1984; Swales, 1990).

Thus, while genre has often been thought about as simply an intellectual grid with which to organise the manifold of social texts, a handy classificatory tool for analysts, it is also more than that, as knowledge about genres provide the necessary resources for textual construction in all areas of social life, as they provide the resources for distinguishing one

type of text from another, and so for producing utterances which are *apropos* of a given situation (Devitt, 1993). Again, this is another way of noting that symbolic interactions are not conducted with random strings of well formed sentences with equivalent meanings, even if they have a common theme, for social interaction of the sort we are interested in here (policy development, negotiations between representatives of different cultures, etc.) are themselves not random, occurring as they do in a specific field.

Genres thus occupy an important role not just for theorists of literature but also for authors of texts (that is, for all of us). As I have remarked about language in general, genre provides us with, not just resources which *limit* the author (the old view, where genre is seen as only a prohibition, an awkward constraint on individual genius), but also resources which *enable* the production of knowledge, in the way that, as Halliday and Martin point out (1993), the generic preference for the expanded nominal phrase is *constitutive* of the practice of science, not merely incidental to it (Brown and Yule, 1983; Devitt, 1993; Marcus, 1980; Swales, 1990). Genre, as Carolyn Miller puts it, is social action (1984). Because of that it is also *political* action, especially in the contexts which I am considering in this discussion. As such, it is a tool by which those interested in the practice of politics can come to understand the dynamics surrounding the negotiations between Aboriginal groups and government, for it codes the situation, both the context of the event and the response, articulating the two together in a form which can be repeated, iterated, elaborated, and, as we shall see, contested.

To take a mundane example, if the overall socially recognised profile of a document guides participants in certain situations, to avoid reference to family lineage, and stress formal offices held by the individual speaker, that encodes features of the genre, say, of the resume, and, at the same time, by virtue of that it also helps define the situation, that one is now involved in a job interview, or trying to get one, etc. So, thinking about this in terms of being the recipient of such messages, receiving in one's in-basket a document

listing formal offices held, work experience, and educational achievements, this would trigger the schema, first of 'resume', and then of 'job applicant'; the document would thus through its social form indicate the nature of the rhetorical situation. This in turn would trigger a patterned, schematic response, such as drafting a polite letter about lack of available positions. And, in the process, it would rule out other responses as inappropriate, such as calling the police or the fire department. Both of these--the application for a job and the response to it--are in this sense generic, in that they involve and invoke a regulated set of rhetorical procedures, textual strategies, and discursive norms; in other words, resumes and job interviews are enacted with the resources of genre. The codes contained in the genre thus trigger and define a whole rhetorical situation.

So, in looking at the interaction between Aboriginal people and governments, instruction in genre counsels us to be sensitive to the social shape of the texts in which the larger conversations between the two cultures has been held, and the way that those forms condition the conversation, both by imposing sanctions for exceeding some (specific) limits, and by enabling the production of some forms of knowledge (scientific research), and the inscription of certain forms of authority.

The fact that those interactions have been held in large part through vehicles which were (and still are) rooted in the political, legal and literary practices of the dominant society, or more accurately in our case, of its administrative elite, with few connections to the rhetorical practices of Aboriginal communities, is not without its consequences, as Aboriginal people have had to adopt and use literary forms peculiar to European and Anglo-American cultures, such as sermons, letters of petition, autobiography, chronologically sequential historical narratives, or negotiated agreements.

For instance, sometimes an existing genre such as the speeches of dying Greco-Roman heroes or Romantic lovers have been adopted to define the role of Indians, and to

emphasise certain (perceived) aspects of their culture, such as its inevitable demise. The result in this case, as David Murray suggests, is that a new form of text arose, here the speeches of dying Indians, which provided European and American audiences with the necessary narrative devices to drive home and institutionalise the belief in the passing, temporary, and essentially doomed nature of Aboriginal cultures (1991).

So while genre provides the form for social action, they also shape that action in important ways, as the literary and documentary forms available for the articulation of social relations themselves encode organisational practices and cultural norms, with the result that the voices of Aboriginal people are heard largely against the backdrop of the European and American voices previously encoded in the few genres in which the political identity of Aboriginal people can be raised and discussed. This is the 'always already there' that Bakhtin was referring to when he spoke of the dialogic nature of genres, and while it forms an important aspect of the productive aspect of genres--allowing a link to be forged between the present and the past, for instance--it also clearly acts in some cases as a limitation, by virtue of its hegemonic status, resulting in a mode of engagement by which the conversation about the authority of Aboriginal institutions and the public role of their cultural practices is conducted in terms drawn from the dominant society. While some of the specifics of that emerge in the substantive analysis in Part Two, it should be clear from this that here again, texts and discourses are not neutral vehicles for authorial intentions, but are active participants in the construction and reproduction of social relations, in this case relations of domination and subordination. Genre is an essential player in the making of meaning.

Note as well, though, that they are equally vehicles for resistance, as Aboriginal people attempt to shape not merely the content of the texts, but also the meaning generated by its form: witness the fact that in the early days of colonial encounters, MOU's were only between governments and either other governments or large mercantile interests (the

Hudson's Bay Company was both). In contrast, the current crop of these documents are between Aboriginal people and governments: this is not just a change in content, but a change in the social role and boundaries of that genre of texts.

We have noted above that the notion of genre involves the idea of textual boundaries. One general consequence of thinking about organisational texts through the lens of genre, therefore, is that it leads one to emphasise the *self-containedness* of texts, even as it relies on their essential *intertextuality* ("The real *a priori*s of language are not underlying structures, but other texts" suggests Becker (quoted in Swales, 1990: 86)). Genre theory relies on the notion that there are some borders around texts, or at least some discernible parameters, which allow the text to be picked out as resembling some others. This might be seen as a form of closure, in which the various possible interpretations and social roles contained in a discourse are delimited and its potential to do rhetorical work channelled in one direction. But if there is a form of closure here, I suggest that it might be the closure necessary for a text to function as an effective social act. In this sense the boundedness of a text such as the MOU might arise from its general characteristic as a performative utterance, i.e., a speech act which accomplishes something by virtue of being uttered in the appropriate circumstances.

And it is in the instructions provided by the genre that lie the specifications as to what those appropriate circumstances are, and which features of the situation count as evidence that one or another rhetorical situation is being activated by a participant. So genre gives us the rules for successfully completing a performative utterance like a wedding ceremony or proclaiming an act of Parliament, and it also gives participants the necessary codes for knowing that a rhetorical situation is being activated 'as we speak'. Thus, because performative utterances are an important component of government activity--witness the etymological relations between 'state' and 'stating'--we see here again the centrality of

notions like genre to understanding the discursive and semiotic dimensions of government, and of government's relations to civil society.

There are two dangers, though, which are associated with adopting this strategy of seeing the interaction between, e.g., the Ministry of Aboriginal Affairs and the Métis Tripartite Secretariat, as derived from the social forms of the documents which structure that relationship. First, one risks stressing too deeply the distinction between form and content, with genre then being seen as the 'container' for a lexical and rhetorical content. The danger here is that the model becomes too mechanical, and purely constraining, with genre reducing participants to mouthing lines prescribed by a generic set of instructions. This perspective obscures the dynamic element of genre; more recent work on this topic has moved away from the container model of genre towards a picture which sees the typical social profile of a document as dynamic forms which "mediate between the unique features of an individual context and the features which reoccur across contexts" (Berkenkotter and Huckin, 1993: 475).

So it is important to see here the element of *choice* this introduces for agents, and to see the particular features of the discourses employed by Aboriginal groups and government officials, not as a mechanical application of fixed rules, but as creative and evolving attempts to temporarily stabilise elements of a rhetorical situation and so integrate form and meaning. "Form and meaning are one", said Bakhtin, and while that may be to collapse the distinction a little too much, it does remind of us of the integral but dynamic relationship between the shape of a text and its structure, and the fact that this is something that arises out of social interaction, as a creative result of a series of political encounters. Shaping or changing, or rejecting outright one genre in favour of another is always political, and it is an activity which relies on the choices and dispositions of discourse participants, while simultaneously enabling and delimiting those choices. In distracting us away from the distinction between form and content, it reminds us that the

focus of genre is not on its form, but on the actions it is used to accomplish, for part of the dynamism of genres is that they are really systems for accomplishing social purposes, an aspect of a text's form that only comes into view when we move away from the container theory of genres (Devitt, 1993; Martin, 1985). So genre is how things get done, when language is used to accomplish them. The implications for political action are, it seems to me, obvious.

Genre as Constructing Social Setting

The second danger that arises from a consideration of the overall social form of a text is one that is general to the problem of discourse and text: we risk even after all this obscuring the constructive aspect of texts. Here genre, already a handy concept, helps us out again.

Recall that, in our discussion, genre was seen as the vehicle which links individual texts to their context, and so played a necessary role as the contexts' vehicle, if you will, into the specific text. As an oblique way of glimpsing discourse's productivity, let us ask, where does this context come from? Or, perhaps more accurately, what context?

This issue arises because of the notorious difficulty that comes about when one tries to specify what counts as 'context', or its more proximal cousin, 'situation'. As Jonathan Culler suggests in his discussion of the debate between Austin and Derrida over performative utterances, the problem is that "meaning is context bound, but context is boundless" (1982: 128). The difficulty lies in answering the question, 'what is included as the relevant context?', when specifying the felicitous conditions for performative utterances. For Austin, the context was in the last analysis set by the speaker's intentions, a perspective which Culler, after Derrida, rightly criticises for its failure to recognise that

intentions do not in fact determine meaning; instead, meaning must be *mobilised*, as opposed to simply being reflected by intentions. The political and social nature of language prevents intentions from playing the role that Austin accords them. But how does this occur? What mechanism mobilises meaning towards determining context?

Clearly, there are no features of the physical environment that are naturally endowed with the attribute of being 'the context' for an utterance. So, we need to direct our inquiry towards the social and discursive resources employed in utterances.

But we need to evade the easy answer, which is to look to the text itself for inscribing context, for it is not by reading a text that this construction of situation occurs, in large part because the markers which define a situation for an utterance are pragmatic, and are coded in features of texts which are not contained within the features of its formal construction, but rather by the specific way in which those are given in a specific, and typical, ensemble; that is, by the cumulative and overall effect of those features.³⁷ For it is rather the case, as Amy Devitt argues, that we "reach situation through the genre" (1993: 578), not directly through the individual text. That is, the situation which is necessary to the interpretation of a text is encoded and enabled by the genre in which a text partakes; the interaction between the elements, and the pragmatic clues given by the form. And, because of this, "the act of constructing a genre--of creating or perceiving the formal races of a genre--is also the act of constructing the situation" (578).

So, if genre is a means by which the context of an utterance, or a sentence, or a speech act is coded, it is in part because the genre plays a role in *constituting* those circumstances. Since meaning is constituted by context, as Culler points out, and context is in turn a function of the way a given genre instructs us to understand the context, genre does not merely reflect but also actively constitutes meaning. Handing someone a resume is in some sense *creating* the situation, through an act of definition: it is an act which is

constitutive of the situation, 'seeking employment', and to that extent gives the situation its meaning. By selecting a genre, one has also selected--in the sense of choosing to activate--the situation entailed by that genre. And in attempting to activate a context, one is also attempting to activate, and to that extent, *control*, the meaning of an utterance. Genres are tools for controlling the production of meaning. Because power, as I argued earlier, needs to be given meaning to be operative in the social realm, controlling or imposing a genre is one way of controlling power and imposing a certain reality.

It is this aspect of genres which allows the Russian linguist Medvedev to argue that genres are a specific way of visualising reality. On this strong view of genre, utterances are formulated first according to generic, not syntactic rules, and to the extent that utterances are generic, i.e., are part of well developed and frequently repeated situations, this is true. But it is important to keep a flexible notion of genre available, to account for my earlier comment that the genre influences but still underdetermines the lexicon and syntax of a document. So while I have stressed the important, and constitutive role of genre, we should not forget that, because the lexicon and syntax of a document are not automatically and mechanically produced, they too reveal something interesting about the choices made in the course of the document's production and reception, they too encode, enable, and actively produce the social setting, constructing in the process, and in conjunction with genre, the objects and subjects of a discourse. Texts, in this sense, are both structured and structuring, but they are so as a result of a complex interaction between their formal and generic resources.

Our discussion of genre here allows us to see several important points. One is that, again, language is constitutive. We have made this point before, but now we have in genre theory a more powerful way of talking about how it is that texts are actors in the social world, and how it is that e.g., the struggles of Aboriginal people to assert the aspirations of their communities, are in fact struggles over *but also within and through* government

documents. When these aspects of texts and discourse--their generic power, their status as sites of contestation, their creative force--are brought into view, it becomes more difficult to see these as simply 'policy instruments', or as simply 'exhortation'. A view not attuned to the character of language, as we have sketched it out here, can only see government documents as a necessary but minor part of the overall policy cycle, whose best hope is to be transparent, but whose worst nightmare--realised all too often, according to some analysts--is to be a pathological distortion into pure communication, reduced to being entities whose real (i.e. undistorted) roots and nature are said to always lie elsewhere. Such a view is not tenable, given our best understanding about the operations of texts and the social use of language. For those analysts, like Doern and Phidd, but also others, who do recognise the rhetorical and discursive dimensions of political life, we have a more powerful way of understanding and explaining those practices.

Such an understanding also draws our attention to the remarkable degree to which government documents are conservative, in the sense of formulaic, for we can speculate that the imposition of rigid forms is an attempt to construct diverse political situations as 'the same', that is, the same as state interests. This enables the state to better control 'the situation', to better ensure its fit with an administrative logic, so as to ensure that the system is better able to colonise the lifeworld by insisting that the rhetorical situation is just as government says it is, and not what it might mean to people whose definition arises from an entirely different logic, e.g., Aboriginal people living in remote reserve communities. If official documents have commonalities that cut across particular government agencies, it is because they are constructed by bureaucratic agencies, who share an interest in defining the situation in similar ways: as an administrative situation, an organisational one, requiring bureaucratic and technical (distantiated and abstract) solutions. When we turn to the actual analysis, we shall see more specifically how this operates, but for now we can see that in government texts, the situation is defined as it

needs to be to enable the process of colonisation of the lifeworld that Habermas discussed--a process of violent abstraction--to continue unabated. And in this it become apparent that genres as social action have an important role in discourses of the political, and too, that genre as an explanatory tool has a powerful place in explanations of the political realm.

Discourse as Structured and Structuring: the Positivity of Language

I add here one or two more comments about the productive nature of discourse, before moving to a discussion of subjectivity. It should be clear by now that my emphasis on the productive and not merely the reflective nature of discourse, is an attempt to move away from a theory of representation which suggests that the role of discourse entities is exhausted by their referential character, or their normative status. As I have argued above, the reality 'represented' by discourse does not determine the representation, shaping it as the contours of a rock shape a wet cloth placed over it; "instead the process of signification itself gives shape to the reality it implicates" (Holloway, 1984: 29), in a move of mutual constitution. It is not without reason that 'signification' is used here, for in contrast to 'representation' the idea of signification does not purport to 'represent' anything, but points us instead to a process of production, rather than a process of correspondence.

But this raises a related point about the 'reality' of discourse, a point which we encounter in the work of Bakhtin, but which is also made, for instance, by Hodge and Kress in their Social Semiotics, and which counsels us to caution regarding the exact relationship between discourse and the non-discursive environment, or even for that matter to other texts. For Bakhtin, an essential characteristic of the speech act was its unfinalizability; discourse, in his view, was inherently open-ended.³⁸ Bakhtin considered the open-ended

character of discourse to be a result of what he saw as the essential 'messiness' of life; the result for Bakhtin was that the notion of a strict determination of language was no longer tenable. It was not that discourse was unconnected to other practices and to the non-discursive realm, it was rather that he felt it necessary to leave open considerable room for the creative aspect of language, for its autonomy is a social act. For Bakhtin, there was no complete code for translating fully our utterances (a similar observation being made by Quine in a different context), and to that extent our use of language cannot be fully understood by semiotics.

Hodge and Kress make a similar point with their reference to the 'slipperiness' of language, but they stress less the creative function of the open-endedness of language, although that feature is discussed in their work, and emphasise instead the difficulties that this raises for analysts, in that it reduced the status of one's assertions about any particular discourse to something like a probability, rather than an exact determination (1988).

It should be clear here that this does not entail abandoning the notion that there are regularities to discourse. The very idea of a discourse is predicated on its regular, and regulative nature (Holloway, 1984: 26). It should also be clear here, though, that this is not a Whorfian hypothesis either, for "the argument is not that words determine but that those practices which constitute our everyday lives are produced and reproduced as an integral part of the production of signs and signifying structures" (Holloway, 1984: 99). That is, discourse is not seen as a meta-structuring force, but as one of a number of practices, although it is a special practice in the sense that it is a condition for other practices to be practices in the first place. But understanding it as a *practice* situates the use of language and its constitutive effects much more decisively in the social world than Whorf and Sapir's linguistic analysis ever did.³⁹

With these caveats in mind, we can turn our attention to one of the discourse entities which is generated, enabled, and circulated within almost all social texts: the subjects of discourse. These are, in the documents I examine, a sub-set of the larger class of nominals constructed in those negotiated agreements. It is to these subjects that I now turn.

Theory: Subjects in Speech

"Ego" is he who says "ego". That is where we see the foundation of "subjectivity", which is determined by the linguistic status of the "person".

Emile Benveniste

Earlier, we gave some indication of the theoretical weight that would be placed on the presence and use of nominals in the MOU, as sensitive indicators of the ontology of bureaucratic practice. And, as I suggested in discussing the notion of genre as a tool for understanding a document's non-syntactic, pragmatic nature as a text-act, documents such as negotiated agreements are fundamentally productive instruments, not merely descriptive, or regulatory; they possess this characteristic by virtue of the constitutive nature of discourse. We can join these two points by turning our theoretical attention to one set of discourse entities established in the document, which I variously referred to earlier as 'subjects in speech', 'subject effects', 'selves', etc. In this section, I give some idea of the conceptual framework I bring to bear on this question of identity, an issue which has been much theorised of late in the literature on post-modernity (e.g., Battaglia, 1995; Cadava et al., 1991), and on post-colonialism (Bhaba, 1984; 1987; Spivak, 1988).

In general, the purpose of the discussion will be to come to grips conceptually with the roles assigned to subjects in the various documents selected for analysis in subsequent chapters, and in the commentary on such documents, and to discern the way in which that subjectivity is constituted, circulated, distributed, and in some circumstances authorised, in texts such as the ones I examine here. In the process, I will attempt to show the utility of non-political science approaches to analysing what is clearly an important conceptual issue in discussions of politics, namely agency. This attempt is motivated by my observation

that the theoretical apparatus provided by policy science tends to obscure the complex relation between discourse, subjectivity, and texts. I hope below to provide some indication of the ways in which that relationship can be brought into view.

Who are these agents which populate our discourses? How do they appear, and what rules govern their silent entrances and their noisy withdrawals? If MOU's are about the textual construction of social relations, who, or what, are those relations being constructed between? If politics is about 'policy actors' who take up residence in 'policy communities', there to participate more effectively in the 'policy cycle', for instance, what are these entities and where do they come from? Consider for a moment their ubiquity. Without some sort of agent, without a self or a subject or an effect of a specific sort, the MOU and indeed bureaucratic discourses in general, and indeed perhaps all political discourse, would fall apart and would cease to make any sense, would cease to have any social role. Clearly, some discussion of them is warranted.

The usual approach in political science has been to accept that the terms of the discourse used by political actors and by analysts to refer to agents represent--in an unproblematic if sometimes obscure ways-- those real organic people, the readers, writers, voters, proletarians, office workers and politicians, understood singly or collectively (class agents, ethnic groups) who are both the empirical source and target of social messages, and the object of policy and political analysis. In other words, these agents have a role in our texts because they have a role in the real social world; as analysts, our job is to describe that role, as practitioners, it is to ensure that the discourse entity mentioned in our texts is the right one for the job. While, as political scientists, we think about the agents who animate our texts all the time, we don't think about them *as subjects, in their subjectivity*. Rather, we think *through* them to other things: the ideology motivating them, their internal mental processes, the role they had in the last election or will have in the next revolution, the contribution they make to political stability and change, how they get along with their

neighbours, etc. Even those attempts, like those of George Herbert Mead, or Martin Buber, which do focus specifically on the 'subjectivity' of the subject often fail to see the issue as anything more than the problem of internalisation, the problem, that is, of how the outside gets in. As a result these explanations must "implicitly rely on the notion of a pre-given individual subject. In consequence, the characteristics of the individual subject gain precedence in determining the direction of development, the impact of the social becomes diffused, and the question of the content of what is being internalised becomes relatively insignificant." (Holloway, 1984: 18). And, while the quote from Holloway mentions individual subjects, we could just as well replace that with 'collective subject', or 'subject-in-relation'.

Consistent with the rest of this paper, I take a different approach, and orient my inquiry, not from the perspective as seen through the eyes, as it were, of this pre-given subject, but from the perspective of the discourse; what kind of agency is necessary, for instance, to hold a text or series of texts together, and what effects does the text and its various discourses produce to allow it to put into circulation the notions of subjectivity that it does? How does it articulate desire, or rather, what spaces does it provide for desire to take up residence, to form itself and inhabit agency? And where are those spaces located in discourse? And how do these subjects become agents? In sum, not who is the subject, but how is the subject? Here we can begin to see my interested refusal to direct our gaze beyond these subjects, to continually fixate on seeing beyond them 'to something else', and conversely, my positive interest in looking more closely at these *figurae*, their role in our accounts of the political realm, the effects that they have, and indeed *are*.⁴⁰

For what is this elusive sense which accompanies the entities named in discourse, that suggests that they speak to us, for us, with us, against us? What is it to be a subject? It is not, first of all, to be identical with the individual of classic Western ontology. The 'subject' is not in that respect an essence: this much has been established in the

deconstruction over the last 15 years of the notion of the western subject as a durable, continuous stable entity (Murray, 1993). It is rather a *set of relations*, in that it is formed in the social world, through participation and identification with elements drawn from discourses. Because it is a relational concept (but itself not a durable 'thing' produced by a set of relations, e.g., relations of production) it is necessarily social, not simply individual (nor indeed, simply intersubjective), a point which is made forcefully by Lacan in his analysis of the importance of the other (*autrè*) in the formation of the self. It could be said that the subject is not formed by a relation, but that in important respects it *is* a relation.

Thus, as Benveniste, Silverman, Giddens, and others (but especially Lacan) have suggested, it is discourse, or as with Freud, signifying systems in general, that produce the spaces in which subjectivity can become manifest, and the significations with which it can identify and be given voice. As Ian Parker notes, "A discourse makes available a space for particular types of self to step in" (1992: 8). He goes on to argue that a discourse not only specifies what types of persons are talked about (Métis person, Provincial governments, peoples), but also embodies a regulatory principle, in that it also specifies what rights one has to speak in a particular discourse, what could be said in identifying with the positions offered up by a discourse. So discourse is not merely regular, but also regulative.⁴¹

This follows in part from our understanding of discourse, discussed in a previous section, where I suggested that discourse is not merely a medium for transactions, but is instead a nexus of relations of power and knowledge, and that it correspondingly has constitutive effects. "A discourse is not then simply a 'way of seeing'; it is always embedded in social practices which reproduce that way seeing as the 'truth' of the discourse" (Knight and Morgan, 1994: 253). Thus discourse sets up regimes of 'truth'; the position I articulate here suggests that the formation of the self is not exempt from this operation, and thus that one of the 'truths' discourse produces is a truth about one's self. It produces, in other words, subject-effects, which operate 'as if they were true.'⁴²

As Giddens reminds us, though, people can always do otherwise. As a result of this essential contingency, such subject effects have to be reproduced on a continual basis, in the mundane acts of everyday life; the subject needs to be constantly reincorporated into a subject position, its subjectivity constantly reactivated. This implies that an ever watchful (but not necessarily self-conscious) vigilance needs to be maintained against the development and possible deployment of competing and disruptive counter-discourses and subject positions. So, if the discourses of administration are to produce the effects of subjectivity which can operate effectively in the structures of modern politics, then the task is ceaseless. A massively overdetermined repetitive network of signifiers must work over and transform the relationship we have to ourselves and to others in public contexts. It is this critical procedure of producing an 'investment' in a discourse position to which we turn our attention, to the ways in which the position offered by the discourses I examine here are taken up and assumed, however imperfectly, by participants; a positioning aided and abetted by the sanctions and the rewards of the linguistic market. In the process such discourses and the spaces they offer for subjects to 'show up' are themselves transformed (by their attempts to ward off other competing subject positions, and their need to offer a profit to participants) even as they transform the subjects which find their identity in the discourse (in our case, by changing subjects into objects, into entities to be arranged and authorised according to the rules peculiar to the discourse of administration).

The subject positions offered by discourse do not remain ephemeral, but are always made material, and thus made available for social use, in *texts*, in documents, films, conversations, billboards. But texts of the type I examine here are relatively complex, differentiated, and developed, and so there is no reason to think that subjectivity could be only a diffuse and general effect of the text, with no specific location or device through which that subjectivity could be enunciated. I draw on Benveniste to provide some

indication of where in texts such subject positions might be located. For Benveniste, it was certain pronouns; I identify a related set of syntactic functions in the negotiated agreements I examine which serve the function--identified by Benveniste for dyadic conversations--of allowing subjective identification to be made incarnate, allowing, that is, the emergence of subjects in discourse, through text.

In order to bring some specificity to this point we can begin by suggesting that the take up of positions available in discourse is really a question of what we have called an 'investment'. This investment is, "very loosely, the emotional commitment, involved in taking up positions in discourses which confer power and are supportive of our sense of our continuity" (Holloway, 1984: 36). We can enter into this issue through an analysis, necessarily preliminary for such a complex topic, of the mechanism of desire. The main features of my argument can be briefly put. Starting from the position, articulated by Lacan, that subjectivity has some sort of functional relationship to discourse (i.e., is dependent on it), I argue that subjectivity is produced in part by desire, a mechanism which is itself constituted by a certain lack. Driven by desire, the subject finds its selfhood by an act of identification with the subject position offered by discourse, a process of identification which we might call, and film theorists do, 'suture'.

One way of course to approach the analysis of the constitution of the desiring subject is to employ a neo-Freudian analysis which involves, in its many permutations, a description of the relationship between the unconscious, however characterised, and the conscious subject. Of such accounts, the ones given by Lacan are the best known, while the work of Julia Kristeva has proved fundamental to theorising the way in which gendered subjects arise in the interplay between desire and interest (Lacan, 1968; Kristeva, 1980; Lemaire, 1977). I have suggested earlier that there is merit to an approach which does not rely so heavily on the unconscious, as do these accounts, but which refers instead (as does Bakhtin's work) to something like a non-conscious, which allows for the possibility of

contradictory subjectivities that are not remote from the subject, hidden from view by all but the most capable of psychoanalysts.

For our purposes here, however, the issue is that while such analyses deal in important and productive ways with the role of language, they do not focus on the specific *textual* mechanisms by which the relations between desire, its object, and interest are mediated. Yet there are important insights contained in that literature which can be of assistance in locating those relations, and accounting for the kinds of processes with which this paper is concerned. Chief among these is Lacan's analysis of desire.

The Desiring Subject

For Lacan, there existed a deeply ambivalent relationship between the emerging subject and the object of its desire, a love-hate relationship involving mastery of the drives. In works such as *The Four Fundamental concepts of Psycho-analysis*, Lacan argues that the investment of the subject into the object meant both the appearance of the self--for, as a product of language, the self can only be understood by virtue of its distinction from an other--but also, and necessarily, a disappearance of a central aspect of the emerging subject (1977). The creation of subjectivity thus rested for Lacan on an original and constitutive lack, an aporia which continued to define the relationship between the self and others (Jameson, 1977; Silverman, 1983).

It is not my intention to pursue this line of thought in great detail, as fruitful as it is, as it leads us away from the central issue of the role of bureaucratic texts in creating and defining social relations. But this discussion of subjectivity does lead Lacan to a related point which, with a little interpretation, may have direct relevance to the topic at hand, in that negotiated agreements and political accords I consider can be understood as capturing an ambivalent relation of desire, in this case between the Aboriginal parties to the

negotiations, and their object, which is state, or more precisely, bureaucratic power. For clearly the bureaucratic power under discussion is the desired object of the negotiations: the Aboriginal groups involved manifestly seek that authority (or rather seek to have their authority restored by repossessing existing administrative powers), and have expressed in MOU's, treaty documents, and in numerous other places the desire for self-government, for greater control, for the recognition of an Aboriginal law-making authority, etc. It is precisely the purpose of those negotiations to allow Aboriginal people to repossess authority stripped away by colonial administrations. But just as clearly that authority is the very mechanism by which traditional Aboriginal structures were systematically colonised, undermined, and destroyed. The organised bureaucratic institutions under discussion in current negotiations were the chief agent of that process. And so, as Lacan thought was the case with his discussion of the psychology of desire, I suggest that in the interactions between the two cultures over political power, desire (desire to take up certain subject positions, to have a certain identity be correlated with a certain political authority) is constituted by an ambivalent relationship between the subject and the object of the desire. We should say perhaps here the 'image of the desire', for it is not necessarily with the 'thing itself' (the political power, the other, the mother, etc.) which desire operate on, but its discursive instantiation, a set of signifiers rather than a concrete object (Knight and Morgan, 1994; Silverman, 1983).

That ambivalence shows itself in the documents I examine as a desire to capture power, but only on the basis that it can be transformed, and made compatible with the norms and values of the Aboriginal groups and their constituents: thus the ambivalence, the careful hedges and bets and qualifications that appear on the surface of the document. As we shall see, this may be more problematic than it is often made out to be, as one thrust of my overall argument is that the colonising and corrosive effects of bureaucratic domination are carried deep in the administrative apparatus, and that those effects are brought into

being through the discursive and rhetorical procedures of bureaucratic interactions (Giddens, 1991).

For Lacan, of course, the internal psychological structure of the subject provided the resources for the operation of desire, provided, that is, the necessary pre-formatted drives which enabled or compelled the subject to seek its identification and formation in the other, in that which was apart from the self, a need which was manifested and ordered by the operation of desire. We will return to one aspect of this issue, but for now the important point is that we can see here in a specific situation the operation of desire, involving a certain lack, and a recognition that the resources which are needed to complete that lack lie in an other. For Lacan, this was inevitable, and there was no way in which that lack could be overcome, and to that extent it was both constitutive and irredeemable (Lacan, 1968; Silverman, 1983).

Here my account departs from Lacan's. Or rather, here the parallel between his account of desire and the constituent lack which defined the subject, and my description of the ambivalent relation of desire between Aboriginal groups and political-administrative authority breaks down. The situation could be, and is, different for the members of the Presidents' Council, or the Métis Secretariat, who are not convinced that the yawning gap between themselves and the object of their desire is irredeemable, and thus that this relation of ambivalence can in no way be overcome. To the contrary, these parties see very clearly a way of overcoming that lack: repossess the power and authority which once was theirs, but ensure that in the process it is transformed. From this action, wholeness will result. Indeed, that is the point of the negotiations. But to do so is perhaps only possible if one engages with the discourse of government, for that power does not come without any interaction, and without the Aboriginal groups themselves having to adopt certain perspectives which are contained in the ways in which, in this historical conjuncture, power is given meaning.

But while this difference is important, the overall point from this discussion remains that this perspective--the analysis of desire which we constructed with resources provided by Lacan and others--allows us a glimpse of the way in which the subject positions contained in bureaucratic discourses are constructed to encourage an investment, if you will, by the subjects who utilise the discourse. They are constructed on the back of this ambivalent but desiring relationship between the subject positions offered by the text, and the desire for the object (authority, social power) which is needed for the political identity of Aboriginal people to become authorised, and given a broad public role, one which has been systematically removed from them by a long process of colonisation. The economic metaphors employed by Bourdieu are inviting as a way to describe this: investment situations are created, which offer higher rates of return in the trading of symbolic capital than available by not taking up those positions. This creates a situation of ambivalent desire for an other.⁴³

We should remind ourselves not to forget the essential condition for such a market situation: a form of political (symbolic) violence, one aspect of which we have already described, the violent abstraction of particular local social relations into formal abstracted relations of political rule. It is a subtle form of social control, blunting the possibility for counter-hegemonic positions to be developed and deployed. Consider it crudely: the dominant society constructs subject positions in its texts which, while they draw on the selfhoods contained in Aboriginal discourses, deflect these, shifting them into an administrative as opposed to a political logic. And the incentive for such an investment is the desire for a return of some measure of formal political authority. Before this sounds all too manipulative, it might give some relief to know that the effort is not always successful.

We mentioned earlier that for Lacan the internal resources of the subject provided the resources for the operation of desire and the introduction into subjectivity by way of participation and discourse (the use of the term 'suture' by film theorists give some sense of this operation [Metz, 1974; Miller, 1977/78]). Critically however, under Lacan's analysis the subject was denied access to an authorised site of production for subjectivity, even though the resources for such a manoeuvre were available (Lacan, 1968; Silverman, 1983). This constituted the essential aporia of the subject, the divided and incomplete self. Again, with a little interpretation this analysis can be extended to the conditions under which the Aboriginal organisations participate in negotiations over authority, in that the asymmetrical distribution of social power has radically circumscribed the public spaces in which the political and the communal resources of Aboriginal society can be mobilised and use to form a public political identity. For Lacan, the site of production of subjects was the symbolic order, which subjects necessarily engaged in when they came into language (Lemaire, 1977). In the particular social constellation at issue here (Aboriginal relations in B.C. in the 1990's), the site of that authorised production is less the symbolic realm as a whole; increasingly it is a more narrow range of linguistic acts, such as negotiated agreements which have as their central theme questions of governance, relations of rule, the authority and role of traditional social orders, and the social arrangements which best allow that authority to be expressed. Later, I shall return to this point, when I discuss how this has led in some respects to the formation of an 'Aboriginal' public sphere as a site of production of authorised political knowledge, and for the circulation of signs related to this knowledge and its associated political practices.

So we see here how desire is produced with regard to the discourses present in negotiated agreements. Such a view allows us to see that the subjects articulated in the MOU's (the 'Province', 'Aboriginal people', presidents, etc.) are not merely empty referents whose single task is to point to something beyond it, outside of discourse, although undoubtedly it does have that function too. We can begin now to see some of the complex roles such

articulations assume, and we can glimpse here too the fact that discourses are sites for substantial social action; not merely vehicles for 'information', but critical sites for the enunciation, production, contestation and possible transformation of subjects (Battaglia, 1995; Giddens, 1991; Holloway, 1984; Silverman, 1983).

But we are still, after this discussion, operating at a very general level, and we need to look in less general ways at the specific location for such operations. For this, I draw on the work of Emile Benveniste and others to locate the question of subjectivity in the spaces created by certain formal features of language, such as first and second person pronouns, or, with the MOU, proper nouns, where these features are considered not as simple representations but as specific practices of figuration, through which subjects are, if you will, accomplished.

Benveniste: Subjects in Speech

One way of considering the relationship between text and subjectivity is brought out by the work of the linguist Emile Benveniste, who drew attention to a key characteristic of indexicals,⁴⁴ particularly personal pronouns, which he saw as being representative of a general condition of language (Benveniste, 1971). For Benveniste, the possibility of there being an 'I', a subject, was established by virtue of a place being made within language for such 'momentary references' to appear, on the grounds that there is no fixed referent of the personal pronouns 'I' and 'you', since it is of the nature of pronouns (and some other classes of words) that there is no one 'thing' to which they unambiguously refer, other than to the speaker or hearer in a particular instance of discourse (Silverman, 1983). Because 'I' has no referent, its meaning is derived from its place within a system of linguistic usage (defined by its difference, as Saussure and later Derrida would have it), and to that extent their semantic content is empty, except as given in the context of the utterance (1971). In speaking of the pronoun 'I' (and 'he', and 'they', etc.), Benveniste notes that "the reality to

which it refers is the reality of the discourse," a position which leads him to suggest that the production of what others have called 'self-hood' and what he calls subjectivity can only be articulated in the spaces provided for this in discourse, and so for Benveniste it was "literally true that the basis of subjectivity is in the exercise of language" (1971: 226).

Because of the unstable and momentary nature of their existence, the signifieds which form the signs 'I' and 'you' are realised only in concrete instances of discourse, and because of the central role such pronouns play in language, it is possible to suggest, as Benveniste does, that the place holders established by language (the 'empty forms') exhaust the places available for subjectivity in general, and that language is thus "the possibility of subjectivity because it always contains the linguistic forms appropriate to the expression of subjectivity, and discourse provokes the emergence of subjectivity because it consists of discrete instances [of interaction between speaker and hearer]...." Subsequently, he adds that language realises subjectivity because "language puts forth "empty" forms which each speaker, in the exercise of discourse, appropriates to himself"(1971: 227). You might think of this by way of a rhetorical question: "Where else but in speech do you find an 'I' and a 'you'?" Benveniste refers to that subjectivity as the 'subject in speech' (*le sujet de l'enonce*), and he sees this 'subject in speech' as being identical to that element of the discourse with which the subject identifies. Benveniste is not alone in thinking this, of course, and so too, Anthony Giddens in his recent book Modernity and Self-Identity also suggests, in a manner similar to Benveniste but with a different theoretical project in mind, that "an anchoring discursive feature of self-identity is the linguistic differentiation of I/me/you (or their equivalents)" (1991: 52).

It should be made clear here, though, that while this approach entails a certain collapse of the distinction between the signifier and the signified, it does not entail, as Silverman points out, a collapse of being into signification, a wholesale acceptance of the Parmenidean principle of the unity of thought and Being. For Benveniste, as it was for

Lacan, being and signification were not one and the same, but were divided, dissimultaneous, and in fact the 'gap' constituted an important part of Lacan's theory, and so to this extent neither he, nor in turn Benveniste, could be accused (as they sometimes have been) of suggesting that there is nothing outside of language, a position which--if anyone ever actually adopted it--could rightly be said to ignore the 'hard reality' of extra-linguistic power relations. It is rather, as noted above, a process of *identification* if you will, of Being with the resources offered by and through specific acts of and signification, a *necessary* process of identification, as for these theorists Being is not able to emerge into the social world, and as language is public, thereby not able to emerge into language and to that extent, into subjectivity at all, except through signification, which provides the forms for subjectivity to become incarnate, and hence to become public and to thus, for our interests, to assume a political dimension. Lacan is making a similar point when he argues that the production of the (divided and unfinished) self is only possible through the presence of an other. And so Benveniste writes, in a discussion of Freud, "language ("*langue*") provides the instrument of a discourse in which his [the subject's] personality is released and creates itself, reaches out to the other and makes itself be recognised by him." (1971: 67).

There are shades here of Althusser, in that Benveniste's and my own approach above seems to involve a 'recognition' by the subject of his or her own subjectivity in discourse, as though the linguistic devices Benveniste picks out as exemplars were 'calling out' to the individual, lying in wait to seductively offer their 'empty forms' to an unwary subject to fill them. Others have picked up on this, and so the psychologist Karl Buhler, also in a discussion of pro-nominals, refers to the 'appeal of the sign' (in Bosch, 1983: 9), a notion that conjures up Althusser's description of the 'hailing' of subjects by ideology as expressed in discourse, where subjects (mis)recognise themselves in utterances.

But the role of the subject is more active than this 'hailing' might suggest, for the choices offered by a discourse are never exhaustive of the social field, and so the subject may not in fact adopt the position offered by any particular discourse, or contained in any one text, choosing (using this voluntaristic word cautiously) to use a subject position offered by another discourse. So, in fact, Aboriginal people approach the construction of documents such as negotiated agreements with very clearly articulated positions, such as 'possessors of inherent rights', or as 'a people who have never surrendered their authority' which differ considerably from the positions offered in most texts constructed by the dominant society. Recognising that no single discourse can be determinative gives us at least some room to move away from the kind of agentless determinism that some have seen in Althusser's discussion of interpellation (Hirst, 1979; Thompson, 1984). In the quote above from Benveniste, note that when he speaks of the 'empty forms' available in discourse, he sees it as something which each speaker, in the exercise of discourse, '*appropriates to himself*'. There is in this the suggestion that there is some agency to the process, in the sense of a choice not determined by the prevailing discourse, nor by the governing institutional framework, nor the overall social structure, etc., a suggestion which fits with at least one sense of the word 'identification', used by Benveniste, Silverman, Lacan and others, as an active location and recognition of some form or thing. Indeed, it is clearly the case that, once subjectivity is understood as being realised through discourse, and given that there are different discourses, one can choose to 'identify' with a discourse different from the one offered by the 'other' in a specific situation, as Aboriginal people may do when they read government pronouncements through a discourse of authority received through, e.g., potlatch ceremonies (MacCabe, 1976).

Once we see that texts are a constellation of different discourses, it's possible to take up different and perhaps contradictory subject positions within a single text, or even within a (sufficiently complex) discourse. Benveniste's articulation of this is also consistent with the primacy he accords to *conversations*, and the face to face interaction they presume. I

shall return later to the question of whether that model is adequate to use as a basis for analysing texts in all their various forms, but for now the important point is that the call of desire, while it may be coercive, is not necessarily a unilateral inviolable demand, but a mutable, multitudinous structure of possibilities. In this indeterminacy of rhetorical action, some possibilities are weighted more heavily than others, or in language Bourdieu might use, some discursive positions are more profitable (or more violent) than others.

To make the move that Benveniste's work suggests, though, is to accept that selfhood, the fundamental sense of agency as expressed in discourse, is a *construction*, not a given, and as such needs to be routinely created and sustained, a construction which occurs for authors like de Certeau largely through the mundane⁴⁵ acts of everyday life (de Certeau, 1984).⁴⁶ It is this recognition of the turn towards the discursive construction of the subject that prompts Giddens, for instance, to remark, in distinguishing his approach from a social psychology of interaction, that "the I/me (and I/me/you) relation is one internal to language, not one connecting the unsocialized part of the individual (the I) to the 'social self'. 'I' is a linguistic shifter...". By this he meant something like the suggestion by Benveniste that subjectivity is located in certain formal features of our discourses, which were in effect spaces for subjectivity to appear (1991: 53), though those spaces were not determinate for the content of self-hood. And so he adds, "The ability to use 'I', and other associated terms of subjectivity, is a condition for the emergence of self-awareness, but does not as such define it."(53).

The general point emerging from this is that for Benveniste certain formal features of language provide a vehicle for a phenomenon he calls 'the subject of speech' to appear, and that subjectivity is therefore linked intricately, not merely to discourse, *but the realisation of discourse in texts*, and within texts, to certain formal features of language. While he is not denying the assertion that there are biological organisms we call individuals with their own interior mental processes 'out there' waiting for discourse to find them (but nor is he

affirming it), he *is* suggesting, as noted above, that the public articulation of the self is only possible in concrete instances of discourse, so that selfhood only has meaning when it appears in discourse. To that extent we can see Benveniste as part of a larger tradition of working through what it means to reject a Cartesian view of the self as existing wholly and completely prior to its instantiation in language.⁴⁷

This is a useful analysis, and the moves taken by Benveniste and echoed by Giddens in pointing to the spaces provided by first person pronouns such as 'I' and 'You' provide us with some insight into the possible role of nominals and their various pro-forms in particular texts, such as the MOU's we will be examining, and by implication in related government documents, such as Minister's letters, where first person pronouns are more frequent. As well, such analyses suggest that the role of certain formal features of discourse in creating the possibility for subjectivity to emerge might not be one held solely by pro-nominals; other classes of words and phrases might also constitute place holders for subjects in speech.

In providing us with a more concrete and formal way of understanding the emergence of subjectivity in language, we can begin to develop a more sophisticated analysis of the role of texts in shaping social action, and begin to point with more accuracy at the features of texts that are involved in the construction of the agents which play such an important, but undertheorized, part of political analyses. And so, while the conceptual issues around the formation of political subjects is interesting enough in its own right, and for that reason we have considered it in some detail, the processes I have attempted to describe here are not inconsequential to an analysis of the dynamics of political interaction in matters such as Aboriginal and non-Aboriginal relations, which turn on questions of the authorisation and public relevance of cultural identity.

The Spoken Subject: The Theory of Suture

But we might still feel a little uneasy about accepting wholesale Benveniste's remarks. While his analysis provides some persuasive grounds for re-evaluating the role of linguistic markers such as pronouns, and for the argument that subjectivity cannot be studied outside of concrete instances of discourse, it is not clear that his discussion is rich enough to account for a full range of discourse situations, and for different mechanisms of discourse production, for instance, documents where no personal pronouns are used, but where other locutions fill the gap (i.e., proper nouns, or definite descriptions), or the production of subjects in film, where the authors, the speakers and the subjects doing the identifying with the discourse (and so becoming the 'subjects in speech' of that particular discourse) are not one and the same. It is difficult even if you accept the general thrust of Benveniste's work, as do apparently Giddens and others, to apply his analysis--which is in any case rather short, and silent on some crucial points--to such situations without considering some modifications to the scheme outlined above of speaking subject as source and the subject-in-speech as target. So Kaja Silverman, in her study of semiotics and subjectivity, suggests that in addition to the notion of the 'I' and the 'you' (the subject in speech, present for Benveniste only as a signifier with which individuals identify and find therein their subjectivity, in a constitutive act of self-identification), there ought to be added the notion of the 'spoken subject', which for Silverman was the 'subject produced through discourse'. That is, this 'spoken subject' is the one that results from the act of identification with some aspect of a discourse. Following the tradition in film theory, Silverman terms this act of connecting with a discourse, of finding ones' subjectivity there, a process of 'suture' (1983).

For Silverman, not all and perhaps not even most instances of the production of subjectivity involve self-identification with the 'I' and 'You' linguistic place-holders characteristic of dyadic conversations, a model of interaction which while frequent in

everyday use, is non-the-less unique in its linguistic features. Rather, she points to other social locations, in her case the production of subjectivity in the filmic text, and in popular discourse in general, as critical sites for such activity. In doing so, Silverman draws attention in a way that Benveniste does not to the way in which the subjects produced through discourse are articulated to larger symbolic fields, what Barthes called 'myths', or the 'symbolic code' but what could also be called ideology. But she also points to a richer notion of the way in which that 'hailing' works, the notion of suture, which she draws from recent film theory and elaborates. For Silverman, when subjects were hailed by discourse, the act of identification involved a fusing of the subject position offered by that (filmic) text and the self-understanding of the subject (Metz, 1974; Miller, 1977/78).

Thus we can see why it is that Talal Asad, in discussing anthropology and the analysis of ideology, suggests that "strictly speaking, authoritative discourses are not a form of social power, of one will over another, but a discourse which binds every ego who recognises himself of herself in it." (1979: 626).

The Intertextuality of Subjects in Speech.

We have seen above that if one is to locate the question of agency, it ought to be somewhere in the question of discourse, for discourse provides the resources for the subject to be spoken; as Lacan pointed out in his discussion of the formation of the child, a sense of oneself as distinct is possible only through entering into the realm of signification. Thus, the discourse within which the subject finds its identity is always set in relation to the discourse of the other. And so it is that the agents which populate the texts of policy analysts are not as 'ready-made' as they appear, nor as autonomous, for here we see evidence that the identification of a subject with its subjectivity is in fact a product at least in part of discourse, and that to that extent linguistic markers such as 'Aboriginal people'

are not just representations of entities constituted elsewhere, but are the places in which selfhood appears, not by a heroic act of will, but in tension or in co-operation with other discourses (Silverman, 1983).⁴⁸

Summary, Part One:

Above, we have identified one attribute of the subject: its appearance is contingent in certain respects upon some space being made for its incarnation, a space in which the organic empirical reader or writer becomes enunciated by virtue of being attached to a set of signifiers. This occurs in a process of identification with the subject position offered by the text, an identification enhanced (or perhaps more accurately, coercively induced) by the operation of desire. In the process of examining those issues, we had cause to discuss the specific sites for that identification, some of which, like personal pronouns, have been seen by some theorists as privileged sites for this enunciative activity.

So subjects, or subject effects, as we might refer to them, turn out in this analysis to exhibit a different set of behaviours than they are normally allowed to show in most analyses of public policy, particularly negotiated agreements. It is not necessary to accept the details of the account I have constructed above, nor the general direction of the authors I have mentioned, in order to accept that there is an important discursive and rhetorical dimension to the agents who populate public policy discussions, and to accept that those discursive dimensions are fundamental, in the sense that they are an active part of the construction of those agents. In all of this, we move away from taking the subject for granted, and towards an understanding of agents as *subjects*. They are subjects in this sense to the extent that they are rhetorical strategies and discursive effects which circulate in texts, mobilising meanings as they go. They function as effects and as sites for an active construction, a generative activity which is connected to the larger symbolic order, but which is also the product of localised activities, small scale skirmishes conducted in homely texts like negotiated agreements.

For a variety of reasons which will be addressed as the analysis proceeds, negotiated agreements are particularly sensitive vehicles for the articulation of subject effects; they

provide rich resources for the construction of selfhood, and equally as importantly, for those subject effects to become in turn the 'empty forms' which Benveniste referred to (which are never really empty) for certain forms of political action. This gives us some sense of where subjectivity appears.

The above discussion--on subjectivity, on the characteristics of language-in-use, has given us now some tools and some approaches by which we can think through the actual details of a social text. We are now equipped with some concepts--of genre, of the formal features of the English language, of subjectivity, of the specificity of language and its location in a structured space of possibilities--which can supplement the rich resources provided by policy analysis and political science. We can see as well the point made by Foucault when he suggests that discourses are practices 'which systematically form the objects of which they speak', and Ian Parker, when he argues that "Discourses do not simply describe the social world, but categorise it; they bring phenomena into sight" (1992: 99), for both of them are pointing to an argument made in a number of places above, regarding the productive nature of discourse.

But up to now, the focus has been on discussing in some detail the tools available to us in our efforts to understand policy instruments such as negotiated agreements. That work has been necessarily abstract; in the next section, we turn, as promised in the Introduction, to a task more deeply rooted in the concrete activities of agents involved in the policy process. Our objective in the next section is to apply some of the concepts discussed above, and to introduce extensions and additions as the analysis warrants, in order to catch a glimpse of the social life of the bureaucratic text. We turn our attention, that is, to a series of what Carolyn Miller has called 'homely documents', negotiated agreements, an everyday act of everyday bureaucratic life.

PART TWO: A CLOSE READING OF NEGOTIATED AGREEMENTS

Introduction:

Part One of this thesis has been concerned with surveying some of the instruments available to us for understanding the role of discourse and text in, for instance, explaining the relations between Aboriginal people and non-Aboriginal governments, and assessing the function and effect of negotiated agreements between those two parties. Because the main traditions of policy analysis provides us with few ways to discuss language adequately, I have focused on approaches from areas of inquiry usually remote from the concerns of those interested in policy analysis, or in Aboriginal and non-aboriginal relations. These tools were necessary, I argued, because of their utility in examining an area often occluded in policy studies; language, as discourse, and as found in concrete social texts. In addition to describing some tools with which language could be analyzed, I also gave some indication of the characteristics of language itself, characteristics which attest to its centrality as an active, productive social practice.

We now turn to directly answer the question, 'what is the role of negotiated agreements'? In part, the answer lies in sketching briefly the political context for the emergence of negotiated agreements as a policy instrument.

We can start by noting the significant level of discussion recently about the limited ability of existing political institutions to allow for effective participation by those who find themselves ruled by such institutions (AFN, 1992; Fleras, 1989). An important area in this discussion has focused on enhancing opportunities for participation for groups, such as Aboriginal peoples, who have occupied marginal social and political positions in the social order, and who have faced considerable obstacles in their attempts to participate as equals in the political realm (Royal Commission on Aboriginal Peoples, 1994). For Aboriginal

people, the question of political participation in the dominant society has been particularly problematic, overlaid as it is with questions of ethnicity, class, language and the clash of cultures.

By way of providing some context for the documentary practices we are about to dissect, we can note that in response to significant pressures from an increasingly politicised Aboriginal community, Canadian governments have over the last ten years had to take steps to rectify the lack of participation of Aboriginal peoples in major social and political institutions. The response has typically taken the form of articulating Aboriginal demands within government processes, and accommodating Aboriginal organisations within government structures (Fleras, 1989). In part, and here I come to the principal area of my concern, this has been evidenced in a formal commitment to greater Aboriginal participation in government decision-making, including, as a minimum, greater consultation on issues which affect Aboriginal people, but also a grudging acceptance of Aboriginal rights, and the recognition that the conversation between the two cultures should be placed on a basis which is acceptable to both parties instead of just simply to the government. Parenthetically, this has been most marked in the social sector; more generally, the increasing number of specialised units within social policy ministries dedicated to Aboriginal issues and a greater formal utilisation of advisory bodies are indications of attempts, within the bounds of bureaucratic practice, to incorporate elements of Aboriginality into policy formation and service delivery. But such efforts have been executed in a relatively limited number of ways. Chief among them, organisationally, has been the creation of committee structures, both internal and those involving outside participation (see Horn, 1994, for a discussion of such an internal committee structure, as a response to Aboriginal issues). But this proliferation of committee and advisory bodies has been accompanied by another, less noticed phenomenon, the creation of documents which attempt to capture the principles upon which the interaction between the two cultures is to be premised. This rapidly evolving relationship between Aboriginal and non-

aboriginal people has resulted in a significant increase in the numbers and types of occasions in which representatives of the two cultures have had to interact. These interactions have often been structured around the documentary, or more broadly, the discursive needs of one or both of the participants. It is only now, with the advent of a formal treaty making process, that this aspect of the relationship has begun to take on a higher public profile.

The best known of such documents are of course treaties (framework agreements, AIP's, openness protocols), but there are other documents which exist alongside and parallel to treaties, and in the situation of British Columbia, where there are very few treaties, such documents assume a special significance during the slow process of negotiating the settlement of comprehensive claims. It is to some of those other documents, specifically Memoranda of Understanding, that this analysis is directed.

From a policy analysis perspective, the status of these documents is ambiguous, as it is not clear whether they are like internal memoranda, and are thus a 'normal' part of the policy process, as unremarkable (but also as central) as inter-ministerial committees, or whether they should be described in some more specific way. On balance, however, I suggest that most of the literature on policy cycles would likely assign such things as negotiated agreements to the class of policy instruments, that is, as a tool by which government would attempt to put policy into effect, a vehicle for the implementation of government initiatives (Doern and Phidd, 1992; Howett and Ramash, 1995; Pal, 1992). Doern and Phidd's description of policy implementation in their 1992 book, Canadian Public Policy, for instance, would lead us to see these agreements as policy instruments, as it is clear that Memoranda of Understanding are vehicles through which government achieves some its objectives. It should be noted, though--as Pal has commented--while their typology of instruments has received wide attention it handles some implementation mechanisms awkwardly (1992: 147), and so it is not evident on first glance where such things as

negotiated agreements or domestic and international treaties would fall in Doern and Phidd's typology, nor where it could be located in their continuum of coercion. The idea that such agreements ought to be treated as policy instruments is strengthened if we take note of Deborah Stone's comment that policy instruments are not static things, but are "more properly thought of as strategies for structuring relationships and co-ordinating behaviour to achieve collective purposes" (1988: 208), a description that fits our documents well. This would be particularly true of something like a treaty, which itself could be composed of a variety of sub-instruments, such as legislation giving effect to the treaty, contracts specifying financial arrangements, and regulations detailing the authorities of Aboriginal governments *vis-à-vis* other governments. Clearly, negotiated agreements like the ones I am examining are not that complex, and not that binding, and to that extent it might be tempting to see them as falling into what Christopher Hood has called 'Nodality' instruments (Hood, 1986), or what Schneider and Ingram have termed 'Symbolic and Hortatory' (1990). To use Doern and Phidd's scheme, given the legally non-binding nature of MOU's, and the presence in most such documents of preambles ('Whereas' clauses), it seems plausible to suggest that like the others, they would likely insert negotiated agreements under a category like 'instruments of exhortation'.

While this seems initially plausible, it is worth noting Doern and Phidd's comment that

"to view these basic instruments as merely matters of technique would be a great mistake. The instruments are also *ends* in themselves. They are the object of political dispute, are embedded with ideas, and are valued because they fundamentally affect the *process* and *content* of policy making. In democratic politics, process always matters." (1992: 96-7. Emphasis in original).

Clearly, it is useful to remind ourselves that these instruments are not just technical means to a policy end. An overly simple means-end distinction would not be very useful in

analysing these texts. But is far from evident that, even with these provisos, and a more nuanced typology of the sort Pal offers (1992), describing negotiated agreements as 'instruments of exhortation' is useful. It is not of course, that they *aren't* 'instruments of exhortation'; they most likely are, and indeed, in many respects this is the point I have been making. It is just that the way in which things like 'exhortation' or 'symbolic politics' are understood in those typologies prevents the analyses like those offered by Pal, or Doern and Phidd, or Howlett and Ramesh, from doing much with that insight, except to remind us that sometimes politicians like try make people happy without spending money or passing a law.

For instance, as Doern and Phidd have noted, policy instruments (and to that extent these documents) are connected via the issue of coercion to questions of power. This is an important insight, which could be useful to analysts, even though, when you examine their typology, you find that 'instruments of exhortation' are at the non-coercive end of the spectrum, and even though the nature of 'coercion' is left unspecified. As an example, such a view might enable us to see these agreements in relation to other instruments, such as legislation, or taxation, and to make informed judgements about the intent and effect of MOU's as vehicles for government initiatives. But it is not just 'coercion', understood narrowly as the legal and fiscal power of the state, which connects these documents to power. Earlier I discussed the work of Pierre Bourdieu, and his analysis of symbolic violence. While I will return to some of these points, it is worth briefly noting here that the use of this 'exhortation' in fact itself represents an exercise of power in Bourdieu's scheme, as it enables a more subtle form of non-linguistic domination, the imposition of a form of political and discursive hegemony. "[A]lthough it is legitimate to treat social relations--even relations of domination--as symbolic interactions, that is, as relations of communications implying cognition and recognition, one must not forget that the relations of communication *par excellence*--linguistic exchanges--are also relations of symbolic power in which the power relations between speakers or their respective groups are

actualised." Clearly, an MOU is not at some level as coercive as a law, or an act of expropriation, and it is useful to see the difference, an insight provided by the analyses of policy instruments discussed above. But it would be more useful still to be able to approach negotiated agreements, and the symbolic output of government in general, as something more than just 'exhortations', or politicians saying something they don't mean or can't back up with 'real' power, i.e., legislation or money. It would be useful that is, to try to bring to bear on these texts some more powerful and flexible theoretical apparatus.

I turn now directly to that task; in what follows I try to tease out in some defensible way the life and times of some Memoranda of Understanding, the better to see what big eyes and teeth they actually have.

The MOU as a Written Document

As we turn to these Memoranda of Understanding (reproduced in Appendix A and B, with further ones listed and reproduced in Appendix D), the first thing to notice about them is that they are *documents*: formal *written*⁴⁹ texts as opposed to pictures, or conversations, or even transcripts of an oral exchange. So our first step in analysing the MOU is to take account of its documentary form. It is perhaps true, as Walter Ong reminds us, that both conversational exchanges and bureaucratic documents are "technological products of a chirographic society," and so constitute literate modes of expression, the two modes having both been profoundly shaped by the historical shift from orality to literacy (Ong, 1982). But it is also true that the texts under consideration are partially the product of an institution--the provincial government--whose practices are essentially document-based, a characteristic they share increasingly with Aboriginal organisations, as those grow larger, more complex, and internally differentiated.

Anthony Giddens suggests that this cluster of conditions is also characteristic of late modern societies such as ours (1991), giving such societies distinct social forms, one element of which is a reliance on distantiated and abstract forms of communication such as the bureaucratic text. For instance, Memorandum of Understanding, Protocol Agreements, and indeed the majority of documents produced by organisations such as the Provincial government are discussed orally and, in the case of negotiated agreements, are altered sometimes extensively as a result of conversational exchanges. They still require, however, documentary form to effectively accomplish their social role (in contrast, for instance, with urban myths, or gossip, whose social life relies upon oral exchanges).⁵⁰ And in the bureaucracy, documents are dominant with regard to substantive decision making; in administration, the conventional hierarchy between oral and written forms of knowledge

is sharpened, with written products having significantly more institutional value than oral exchanges, even though both are necessary to its continued existence.

So clearly we can see here at least one of the attributes of the MOU emerging: as a written document, it occupies a privileged position in the formal hierarchy of decision making, in representing the characteristic product of government and organisational activities, paperwork.

While a complete discussion of the relationship between orality, literacy, and organisational settings is beyond the scope of this essay (see Ong, 1982, and Tyler, 1987), I do want to adduce some reasons to support the idea that the written text is particularly well suited to expressing and reproducing bureaucratic relations, a suitability that derives from the specific role documents have in such situations. That role is essentially to provide a vehicle for exercising organisational control over the significations which are intended in principle to bind and authorise the parties to the debate, and which produce a certain form of closure, but also a certain type of enablement. Because of the features associated with literate products, the written (typed) text is a 'better' mechanism than the oral for internal social control, and for limiting or temporarily freezing the multiple meanings found in any text, as the written text is better able to ensure that only some meanings are authorised, and that some others are demobilised (taken out of circulation) or disabled (rendered less effective in certain respects). The written mode is thus consistent with an ideology of univocity, of state control, and with the need to ensure utterances conform to organisational norms.

Formal written governmental documents are part of a category of texts which is not often described in recent discussions of discourse analysis, for much empirical research into the effects of organisational factors on discourse has tended to focus not on written documents but rather dyadic or triadic conversations (Schiffrin, 1977). Under the

influence of ethnography and micro-sociology, research which deals with naturally occurring, concrete instances of discourse has placed less emphasis on the written text and has instead focused on conversations, rich as they are in opportunities for such things as repair sequences, turn-taking, topic initiation and control, and clarification indices, features which have proven fruitful in analysing the social relations and interpersonal dynamics underlying conversations (e.g., Schegloff, 1968; Schegloff and Sacks, 1973). Thus, discourse analysts have produced studies on communicative exchanges between, say, researcher and subject, or between medical intern, doctor and patient (e.g., Agar, 1986; Collins, 1987; Cicourel, 1987; Coulthard, 1981; Penman, 1987; Philips, 1987. But see Keller-Cohen, 1987 and Burton and Carlen, 1979). When non-oral texts have been analyzed, they have tended to be highly visual, pictorial texts, such as advertisements, television shows or films (e.g., Fiske and Hartley, 1978; Barthes, 1977; Eco, 1972).

This preference for conversations as a source of primary data is explicitly or implicitly motivated (at least in part) by the status accorded to Paul Grice's foundational work on conversational implicatures, which emphasised the ways in which conversations rely upon mutually accepted conversational maxims and principles (Grice, 1985). Intellectual genealogies aside, at a deeper level the preference for conversations expressed in the literature represents an analytical concern with the difference in modalities between the written and the oral, and their subsequent differential ability to illuminate aspects of either social relations or linguistic constructions. Simply put, conversations have been seen as more productive.⁵¹

I argue that it is, ironically, the very richness attributed to the oral by conversational analysts that precludes it from occupying a privileged place in the social relations present in the state apparatus. For the written text plays such a prominent role in the bureaucracy precisely because its alternative--the oral--is much more difficult to control; the open-endedness of conversations, even those with mutual goals, leads to a greater range

of discursive procedures (topic control, error repair, clarifications, etc.) and to less predictable outcomes (Brown and Yule, 1983; Coulthard, 1981). So, as an example, a speaker in a situation of negotiations can indicate through the use of non-verbal cues to hearer that his utterances, while articulating his formal position, are open for counter-offers, can be altered by persuasive response, etc. These situations can be unpredictable, and leave open the possibility for unexpected and canny action, and can as such dislodge or evade the primacy of organisationally driven responses, and thereby, if we are to believe Habermas, set communicative action (communication orientated to mutual understanding) aflow (1987). While this is fruitful for discourse analysts, it is precisely this unpredictability and open-endedness that state managers wish to avoid, for in general it is the closure of discursive possibilities that the state seeks, not the exploration of their openings. As this unpredictability is not always consistent with systems rationality, administration, while not excluding oral exchanges from a communicative role, needs to found its 'steering capacity' (to use a Habermasian term), on some other modality, in this case written documents.

In contrast to the oral, the written text presents those who would control the state and its apparatus with at least one level of discursive (and thus they hope, political) control; the surface structure (syntax, grammar, vocabulary) of the bureaucratic document. The written and the typed document is characterised by a context of production conducive to such control; by precision (as opposed to structural ambiguity), and by its abstractness (its objective distance), attributes which lend themselves to system imperatives. In formal hierarchical administrative settings, the production of written texts is subject to highly developed approval and compliance processes. In contrast to oral conversations, the terms of a negotiated agreement can be planned, edited, reviewed, rewritten and revised, sometimes endlessly. Print, especially written communication arising even in part from government offices encourages a sense of closure, suggesting through its bounded monological nature that what is found in it has a finality, is complete.

These texts are both a reflection of relations among agents and a lever to control and organise the interpretation of reality available to those agents, in part because the act of thematizing certain objects and valorising certain kinds of subjects is the reproduction, but also in many cases the creation of a social ontology.⁵²

To that extent, the institutional valorisation of written communication in administration is at odds with the privileging of spoken speech, for instance, in Saussure, who suggested in his Course in General Linguistics about speech and writing that writing 'exists for the sole purpose' of representing speech, or to take it one step further, of representing the thought that lies behind speech. On my reading, the status accorded to written documents in organisations like government comes closer to the perspective offered by Derrida in Of Grammatology, where he rejects the valorisation of the spoken word offered by Saussure (and beyond that, the underlying privilege accorded to ideationality) because he sees writing as making manifest the play of signification that is a condition of all discourses. It would be too blunt a reading of Derrida to say that he thought writing was superior, but it is fair to say that he sometimes seems to think that it was at least more honest, in the sense that its arbitrary and unmotivated nature was more visible. Here we recall James' Clifford's remark that recent attempts to write differently in ethnography was driven by an awareness of the need to reflect more honestly the nature of textual construction (1988). In that sense, the genre of negotiated agreements has one over ethnography; while negotiated agreements may be attempts to construct an account of the 'other' from the perspective of the imperial west, as has been claimed by recent ethnography (e.g., McGrane, 1989; Marcus, 1980), at least the 'other' gets to negotiate the content, and sign the document at the end, which is more than can be said about most ethnographies.

It would consume a great deal more space than I have available to discuss Derrida, orality and literacy, about which much can and has been said (Culler, 1982; Murray, 1991; Ong,

1982). We can note though, that there is an interesting irony here, as the oral mode has always been regarded--especially with respect to Indian people--as closer to nature, more authentic and originary and thereby more in tune with the presumed 'naturalness' of Aboriginals, while the use of the written (or even sign language, as Umiker-Sebeok has shown) has been represented as a fall away from authenticity for Aboriginal people, a sign not of adaptation but of corruption. The irony comes about because one of the assumptions that motivates the MOU's and related documents is that the voices of the Presidents' Council, or of the Métis Secretariat (or whichever group is the signatory), are presumed to 'represent' or articulate Aboriginal society in ways that whites are unable to do, and that such organisations and the political entities they create thereby represent appropriate institutional sites in which to vest the authority of the state. The irony is that this can only be done by using the vehicle of written documents, as only written documents, with the Aboriginal party as signatory, will actually allow the vesting of authority in hands of a representative Aboriginal body.

Perhaps what this points to is a shift from an ideological investment in the idea that Aboriginal identity is derived from a proximity to nature--and, as the scheme had it, as nature disappeared, so to would follow the Indian--and a reinvestment in the idea that it is the proximity of Aboriginal elites to 'the community' that assures a continued and politically effective authenticity. This interpretation is consistent with the way in which 'community' has been naturalised in recent political discourse. So here the notion of an 'authentic' Aboriginal identity arises again, with a new and different investment strategy; the overall objective is the same though, which is to fit Aboriginal people into Eurocentric schemes of authenticity.

In any case, we can say here that the document-based nature of bureaucratic discourse gives us our first clue as to the way in which the state and state apparatus work. The

written text is much closer *controlled*; it is subject to significantly greater external review; it can be planned, edited, re-written, and revised.

This distinction between the verbal and the written does not go unnoticed in the public policy literature. Earlier, I noted that Doern and Phidd, in their text Canadian Public Policy: Ideas, Structures, Process, distinguish between the use of written and oral modes in decision making processes. While this sensitivity to the rhetorical dimensions of the policy process is welcome, I argued above that productivity of the insights provided by these authors is hindered by the limited way those dimensions are understood. There is no hint in such analyses of the historical role widespread print literacy had in constituting what Ong sees as a substantially different worldview, different in kind than the oral world it displaced, nor of the critical differences in the two modalities as they are employed in contemporary circumstances (Coulthard, 1977; Ong, 1982; Warner, 1992).

The Aboriginal Public Sphere

To the extent it has devoted attention to its historical roots, the analysis of public policy has focused largely on the historical development of particular policy sectors, or of policy making structures and processes in general (e.g., Adie and Thomas, 1982). In that work, less attention has been paid to the development historically of the *public*. In particular, the labours of policy analysts have relegated to the shadows the process by which there arose the public sphere itself, as the political practice and eventually, the institutional site which made 'public policy' possible in the first place (Habermas, 1989). In raising this point in the context of a discussion of negotiated agreements, I hope to turn our attention to another dimension of the relationship between literacy, print media, and public policy; the intricate historical connections between printed materials, and the emergence and subsequent development of the public sphere. This is, if you will, the connection between

publication and the public, a connection which provides a useful way of thinking about the social life of the documents currently under examination.

I suggest that in fact one of the effects which negotiated agreements, MOU's, formal correspondence, proposals, and position papers, has is the articulation of an *Aboriginal-specific public sphere*. That is, these documents have a functional role in enabling a specific realm of political participation and discourse to appear, a realm which is articulated to, but discrete from, the non-aboriginal public realm, and within which a more or less discrete set of problems, debates, activities, and resolutions regarding Aboriginal issues is located. The common thread weaving these together into 'a realm' is their concern with Aboriginal issues, a point I return to below. This public realm (which has emerged but is still evolving, as opposed to dissolving, like the public sphere discussed by Habermas) is a (but not the) vehicle through which Aboriginal political and administrative elites articulate their aspirations, implement strategies of opposition, and engage in certain forms of collective self-affirmation. But as has been pointed out above with regard to the bourgeois public realm, these communicative media do not operate in isolation. The centrality of formal organisational texts to this public realm is linked via a series of historical connections and social practices to the development and eventual transformation of Aboriginal associational networks; pan-tribal political bodies (the First Nations' Summit), social service agencies in large urban areas (Friendship Centres), cultural performance groups (Headlines Theatre), and community specific administrative structures (Band Councils, U.R.B.A.N. Society, the Métis Secretariat).

Space does not permit an exhaustive treatment of this issue, which deserves a separate study, and so my remarks will be necessarily schematic. Some preliminary remarks, however, can be made. We can begin, as way of sketching the outlines of the issue, by recalling that one of Jurgen Habermas' earlier works was an extended attempt to describe the development and transformation of the bourgeois public realm. In this work, The

Structural Transformation of the Public Sphere,⁵³ Habermas describes how the classical bourgeois public sphere of the seventeenth and eighteenth centuries "was constituted around rational critical argument, in which the merit of the arguments and not the identities of arguers was critical" (Calhoun, 1992: 3). That public realm, while it contained elements of emancipation, was also shot through with contradictions and tensions, and as a result of these was transformed and to a certain extent dissolved under the changing social conditions engendered by rapid capitalist development in Western European countries. Whatever its ultimate fate, the public realm proper was for Habermas the communicative sphere which mediated between society and state, in which certain elements of the public organised themselves as the bearer of public opinion (Eley, 1992; Habermas, 1989). Emerging in the eighteenth century, the public sphere was the consequence of a profound transformation in the social dynamics associated with the practices of capital accumulation, and the concomitant rise of the bourgeoisie, then confined to propertied literate men of middle class and mercantile origins (Schudson, 1992).

While there is an interesting and productive debate over the historical basis and theoretical import of Habermas' arguments on this topic (e.g., Hohendahl, 1982), for our purposes the important point is that, as Michael Warner has shown, the emergence and eventual transformation of this public realm was intimately linked historically to the spread of literacy, especially print literacy; the development of printing as a technology; the increasing density of discourse networks in general; but also and alongside these other developments, the imposition of notions of 'publicity' on the public realm (1992). For Warner as for Habermas, there was an intimate relationship between the liberal public sphere and, on the one hand, new forms of social communication (*The Tattler*, coffee houses, lending libraries, political pamphlets), and, on the other, new associative networks (the Birmingham Hospital Association, the Union Club, the London Missionary Society).⁵⁴

With regard to the former--new forms of social communication--it is fair to say that the close relationship historically between these and arenas of public debate and self-articulation has generally been overlooked, obscured both as a social practice and as an analytical construct, to the point where it now takes explicit reference to recall the connection between 'the public', 'publicity', and 'publication' (not to mention 'public house'). The general point is that if--as Doern and Phidd suggest--verbal information has perhaps "always been the central dimension of politics" (1992: 215), a case can also be made that written information, but more precisely, *publications* in some sense of the word, were historically central to constituting the public realm in which the public policy that Doern and Phidd discuss takes place. For Habermas, but also for a number of authors after him (e.g., Eley, 1992; Schudson, 1992; Yeo, 1971) a certain private use and social circulation of print media was central to constituting the public as such, not as the aggregate of individuals so beloved of public choice theory, but as entity unto itself, a distinct location and semi-autonomous mode of mediating political behaviour, and as an enabling condition for a range of political practices (Eley, 1992; Lee, 1992).

In examining this idea, Michael Warner has suggested that publications such as *The Tattler* and *The Spectator* in the eighteenth and nineteenth century and public opinion polls in the twentieth were critical vehicles for the development and subsequent fragmentation of the public sphere, as these vehicles helped to define and institutionalise 'the public' as such, even as they worked over the course of history to dissolve the unity of that very public. As a matter of fact, it is perhaps best to think about the public sphere, not in the sense of *a* public sphere--although the bourgeoisie one historically was certainly dominant in most cases--but as a *number* of public spheres; the liberal one, but also and alongside it the plebeian one, the utopian socialist one of Fourier, Owen, and the Chartists, and a variety of possible publics associated with the activities in the popular sector, some oppositional--and so perhaps derivative--but some also which were clearly creative and productive (one

thinks of the 'publics' associated with the carnivals and festivals described by Rabelais, and later discussed by Bakhtin and Fiske, among others).⁵⁵

These historical researches are of course not without dispute; while this needs to be acknowledged, a detailed discussion of the relative strengths and weaknesses of this idea would take us far afield from our central concern, which is the relationship between the documentary practices of bureaucratic organisations and the interaction between government and Aboriginal groups. None the less, I think that the arguments in that research for the emergence of the public realm are persuasive enough that we can, with a little delicate handling, use the insights of contained there to provide us with clues for understanding and conceptualising the role of documents such as MOU's, in the ongoing debate between the representatives of the two cultures.

In this regard, the points raised above suggests to us that, in the case of Aboriginal issues, there may well be a roughly parallel development between that described by Habermas and his commentators, and some of the developments now and in the recent history of Aboriginal issues. Or, to put it more precisely, there may be in the case of negotiated agreements and their political role as well an interesting connection to be explored between publications, publics, and in the end, public policy.

On the one hand, texts such as the ones considered here--but also many others, such as Aboriginal film and video productions (Ginsburg, 1995)--can be seen to play an important role in the development of a 'public' and politically viable realm in which Aboriginal elites and to some extent their constituents can articulate for political purposes their aspirations, and assert their authority and identity *vis-à-vis* non-aboriginal political structures. Given the critical weight placed in those discussions on the political role of identity, and the thematic centrality of governance to those negotiations, vehicles such as MOU's play a role in part by developing a very specific public, which we could call an 'Aboriginal' public

sphere. In part this follows from the assumption that some structured form of communicative interaction is necessary for the development of functional political institutions.

I should at once sharply distinguish this from the assertion that such documents somehow create, in however complex a fashion, 'Aboriginal people'. Clearly, Aboriginal people don't need negotiated agreements for their identity, nor government for that matter (quite the reverse).⁵⁶ Nor indeed are the textual and organisational practices I am describing necessarily hegemonic in structuring the political realm which we might find operative within and between Aboriginal communities; there again, a whole range of cultural and local practices exist within which political debates and social relations are debated by Aboriginal people, and through which some authoritative (binding) decisions are made. Despite the need for significant adaptation over the last 75 years, those practices too, are not reliant on the development of some new public realm. But it does, I think, point to the articulation of a specific realm of activity and meaning through which a *public* identity is developed and deployed, an identity which differs from the sense of private identity operative in the domestic sphere, or the related identity assumed in such things as potlatch ceremonies, or death feasts, or elders' gatherings. And because that notion of identity, and the political authority that is (or is not) associated with that identity are central to the debates that structure that realm, it also points to a range of identifiable political, organisational, administrative, and social practices.

Rather, the Aboriginal-specific public realm I am pointing to, and which I think provides an influential context for the operation of these documents, has a quite different social function. In the main, it is not designed to facilitate the internal articulation of aspirations and self-understandings, although it may have that effect. Instead, both the public identity and the practices associated with it are orientated towards, if you will, *external relations*; the interaction between Aboriginal organisations and the structures of Euro-Canadian

dominance, mainly the state (but also such institutions as the church, and large business firms). In his discussion of nations, publics, and political cultures, Geoff Eley points out that one result of the transformation of the classical public realm described by Habermas was the fragmentation of that realm, and the consequent development of a number of specific (and highly commodified) public realms; here too, we see a number of related spheres of political activity (1992). My suggestion is that documents such as negotiated agreements constitute an important vehicle for the development of this particular public realm, and in that sense they reaffirm the relationship between publications, publicity, and the public. It is in texts such as these that Aboriginal political elites articulate their perspectives vis-à-vis their capacity to exercise formal political power in non-aboriginal political and social structures; the documents are also locations for shaping and pursuing their demands for Aboriginal-run and controlled institutions. In short, these documents are critical vehicles for constituting the *realm of interaction* between the two social forces. MOU's etc. help create the necessary space for cross-cultural politics.

When speaking as I have of multiple public realms, and possibly of multiple publics, it is important to stress that this is not just the impression management that Erving Goffman speaks of (1959), nor again is it simply a series of oppositional practices, as we might find in Fiske's description of young adolescent girls in shopping malls (Fiske et al, 1987). It is rather the differentiation of the social means of communication within Aboriginal political and bureaucratic structures, a complex, evolving political structure.

This specific realm of political activity, formed at the interface of Aboriginal and non-aboriginal social structures, has several characteristics. One, it is structured in important respects thematically. That is, it is formed by the intersections and tensions between a limited number of themes or topics. The most important of these is the question of governance, which is a question of the structures of formal political life (are public institutions culturally sensitive? If not, what ought to replace them? How are Aboriginal

structures linked to non-aboriginal ones?). It is also the question of the proper locus for formal authority (e.g., Who governs? Under what conditions and where?). More broadly, this Aboriginal specific public sphere circulates around what has come to be called, in both bureaucratic and political contexts, 'Aboriginal issues'; land claims, road disputes, social and economic disparities, access to fish, and funding transfers.

The second characteristic is one I discuss in more detail in subsequent pages, and so only touch on it here. The political practices I am referring to here are in fact spatial practices of a particular sort. Further on, I elaborate on this, for now, suffice it to say that spatial practice is a peculiarly administrative one.

The third characteristic of that public realm is less an attribute of it and more of a pre- or co-condition for its emergence. Here I refer to the point made earlier about the role of associative networks in the emergence of the bourgeois public realm; reading clubs, Masonic orders, craft guilds, charitable organisations, public houses, and art appreciation circles: all these contributed to changing the way that people talked about themselves, their identity, and the political developments in the national and local contexts (Eley, 1992; Warner, 1992). The formation of these networks was as critical as the development of the technology of print media, and the spread throughout most of the population of literacy (certainly, that portion of the population that owned property).

Again, this leads us to some interesting thinking about the role of the organisations involved in the production, circulation, and legitimation of these negotiated agreements. Perhaps it is not just a policy instrument that is being negotiated, and perhaps the effect of such work is not just confined to 'establishing a framework for discussions', or ensuring a fiscal transfer from one government to another. Perhaps, indeed, it is the case that a 'reading public', to use a rather old-fashioned phrase, is also being constructed. Perhaps what is occurring here is that there is an interesting back and forth movement (a dialectic,

if you will) between the associations involved in the negotiations, and the texts which those associations are charged with negotiating, such that those associative networks help determine what goes into the texts (i.e., provide directions to the negotiators), but also such that the texts are critical vehicles for determining what goes into the associative networks. The texts shape a public identity, as the public identity helps shape the texts. This might be particularly true of the groups involved in the main documents examined here, the Métis MOU and the MOU with urban Indian groups (the Presidents Council); these organisations represent communities whose public self-identity is more fluid and variegated than that of the reserve communities in the traditional territories.

Again, it is worth remarking that these comments are preliminary, and would need to be subjected to a great deal more historical research and conceptual analysis than is possible here. One might find in that research, for instance, that there has already been a shift (perhaps even a transformation) in the nature of Aboriginal association politics, away from a more spectacular form of mobilisation, complete with annual general meetings of up to a thousand people, and towards a more distantiated form of mobilisation and participation, with the emphasis on a small handful of professional administrative and political elites, and regularised political interactions with government.

In any case, the general point here remains that our analysis of these documents needs to take into account the status of these as a certain form of publication, with effects that go beyond the parties directly involved in the negotiations. These documents are vehicles for creating a specific public, for a specific public policy debate. It is an oppositional public, but one committed, as was the liberal public studies by Habermas, to developing a language and a set of political institutions in which its unique aspirations and self-affirmations could be enunciated and given the weight of formal political authority.

We noted in the section prior to this, that without yet turning to the specific content of the document, we can see that bureaucratic discourse is in fact a highly channelled, highly conventional discourse. Translating the bureaucratic text, then, starts with an understanding of its formal, written nature. An analysis of bureaucratic conversations, while potentially revealing in many areas, cannot adequately capture the ways in which bureaucratic practices are essentially text-based and the struggles for state power semiotic. We can now add to that the realisation that these texts also function to define and enable a certain public realm to emerge as an administratively structured space in which the unequal debate between the two cultures can be carried out; the identity of the participants can be refracted, but perhaps also crystallised; and the political authority of the contending forces contested, resisted, and possibly realigned.

The Grammatical Construction of the MOU

We turn now to the specific content of the two MOU's which form the basis for the discussion, the one between the Province and the Presidents' Council (Appendix A), and the other between the Province, the Métis Tripartite Secretariat, and Canada (Appendix B). In engaging in a close reading of these texts, we find several striking features; a pronounced emphasis on discourse entities; a number of strategic evasions and omissions; and indications of the performative nature of the texts.

With regard to those key characteristics, recall that, on the issue of the MOU's productivity, I suggested that alongside the 'Policy Forum' announced by the documents' titles, a host of other entities are brought into being and authorised through the documents. I argue that the dense population of nominals⁵⁷ in the document that results from this operates to transform the question of Aboriginal and non-aboriginal relations into an issue of the administration and interrelationship of a series of things (Foucault, 1991), with the result that the documents encode and enable a specific sense of social and political space (Lefebvre, 1991). I also briefly discuss the production of one set of entities, subjects, which play a role of signal importance in the MOU.

On the second issue, I note the document as marked by the absence, in key spots, of an agent for an action specified in the text. In combination with the documents' heavy nominalization, this gives the MOU a certain evasive quality. This emerges as a strategic and highly political form of politeness, of the sort which is common to the kinds of oral negotiations which would have produced the text in the first place.

Finally, I provide throughout remarks on the MOU as a performative utterance writ large; successfully completed, the document is itself a social act, with binding obligations,

expectations, and restrictions attached to its performance. This obligatory and binding nature is marked in the text in part by the presence of deontic modals. These points are broadly put, and other points, some directly related to these and some not, will be raised as the analysis proceeds.

I first want to gain access to those features of MOU's, though, by turning our attention initially to the most visible aspect of those documents, which is their *content*, the actual words and phrases of which they are composed, and the grammatical and ultimately pragmatic patterns which emerge in the combination of those elements. For it is in those aspects of the texts which we find the first, and in some ways the most powerful, clues as to the specific social role of the texts, and the specific operations they perform in the process of being constructed, circulated, and adopted.

My research reveals that grammatically, the documents are marked by heavily modified noun phrases, including the frequent use of the definite article; complex and compound sentences, with notable uses of ellipses and substitution; extensive nominalization; and a high degree of assumed familiarity. Finally, the definiteness given the documents by their dense nominalizations is compounded by the use of deontic modals; the texts instruct and bind, but do not otherwise indicate the contingency of their utterances (a more detailed summary of the syntactic features of the MOU can be found in Appendix C). So, when we have finished our analysis, and examined some of these aspects, we will be able to see that the MOU does display a marked stylistics, in particular, in its dense nominal structure, its deontic thrust, and its tight cohesive structure.

While these syntactic, pragmatic and generic features are interesting in their own right, for our purposes their interest lies equally in the fact that they index and enable some interesting features of the social and political environment in which the documents are produced. And, in the process, they assume an important role in the political engagements

between the various parties to the agreements. Therefore, in the discussion below, the description of the document's formal features is conjoined with an analysis of the kinds of political activities and social relations those features enable and encode, joining the tools of textual analysis with the kinds of issues and findings that are normally of interest to political scientists. I start that process by examining the use of the noun phrase in MOU's.

Nominalization in the MOU

On a cursory examination, perhaps the most striking feature of the documents, as noted, is their heavy nominalization. Take for instance the MOU with the Presidents' Council, a portion of which is reproduced below, (and the whole of which is in Appendix A). The text is littered with lengthy noun phrases, with nominal heads surrounded by deverbal adjectives, nominalized verbs, and attributive nouns. A quick glance at the nominal heads of these reveal that the majority are abstract nouns, such as 'rights', or 'interests', or 'issues'. A number are proper nouns, or, more precisely, are (typically abstract) nouns which have been given proper noun status by virtue of capitalization (e.g., Nations, Agreement, Parties). This is particularly evident in the earlier part of the document, and again at the end, where the names of organisations are listed (the 'Presidents' Council', the 'Province', the 'Policy Forum', the 'B.C. Association of Indian Friendship Centres', etc.).

(DRAFT DEC 2/94) **A MEMORANDUM OF UNDERSTANDING
TO ESTABLISH
THE POLICY FORUM**

BETWEEN: **THE ABORIGINAL WOMEN'S COUNCIL
THE B.C. ASSOCIATION OF INDIAN FRIENDSHIP CENTRES
THE NATIVE BROTHERHOOD OF B.C.
AND THE UNITED NATIVES NATIONS.
(the "Presidents' Council")**

AND: **THE PROVINCE OF BRITISH COLUMBIA
(the "Province")**

WHEREAS:

The Presidents' Council has established a working relationship to represent the interests of their constituents and is committed to implementing the inherent right of self-determination of Off-Reserve Aboriginal Nations.

The Province is committed to entering into a government to government relationship with the Off-Reserve Aboriginal people within the province, and recognising their inherent right of self-determination.

The Parties wish to establish a process for negotiations between themselves and Canada for the purpose of establishing Off-Reserve Aboriginal self-government structures within the scope of the inherent right of self-determination.

THEREFORE THE PARTIES AGREE:

PURPOSE:

To establish a bilateral Policy Forum through which to identify, consider, and act upon legislation, regulation and policy issues that have risen and may arise from time to time between the Parties.

REPRESENTATION FOR THE PARTIES:

"PRESIDENTS' COUNCIL"

will be represented by the Presidents' of The Aboriginal Women's Council, The B.C. Association of Indian Friendship Centres, The Native Brotherhood of B.C. and The United Native Nations, or as may otherwise be determined by the Presidents' Council.

PRESIDENTS' COUNCIL MOU

In total, there are almost 170 Noun Phrases in the document, and a review of the other negotiated agreements included in Appendix B and D shows similar densities. It is worth noting that this large number of nouns does not represent a large number of different things (different discourse entities), as a small number of the nouns here are repeated a large number of times--particularly the nominal heads *issue(s)*, *rights*, *Agreement*, and *Parties*--a lexical repetition which has a not insignificant role in the documents' cohesion, a point discussed below. As a related point, note that a number of the Heads can be considered to be within the semantic domain of another Head, as in the triads, *Council*, *the Association*, and *the Parties*, or *People(s)*, *constituents*, and *Nations*. So while the reader of these texts encounters crowds of nouns in each section of the documents, those crowds are composed of entities which by the middle of the second page are becoming familiar; as lexical ringleaders, the job of this small gang of nouns is to appear and reappear in all the key places where they can profit by being present, but also to be noticeably absent from others, so as to be able to instigate action when necessary but also to avoid detection when not. Thus, a number of the noun phrases here are not operating in isolation from each other but instead overlap in meaning, sharing some portion of the same semantic domain, and in the process contributing further to the density and repetition of the text.

These last two comments suggest that the MOU is constructed in a highly textured way; and in fact there are a relatively large number of cohesive ties between the sentences of the MOU (Halliday and Hasan, 1976). These ties are almost exclusively lexical, that is, the tie occurs because of the repetition of a phrase between sentences, with the exception of reference ties introduced by the determining structures of the repeated lexical items. So, if the document produces a proliferation of entities, it does not leave them to float around with no connection beyond the sentence structure. Rather, NP's such as *the Parties*, or *the Policy Forum*, are repeated insistently throughout the document, with few pro-forms

('he', 'they', 'it', etc.) in their place to defer the cohesive ties. Occasionally, a gap of two or three sentences opens up, only to be closed again by a lexical repetition. In this respect, the document remains on a constant level, resisting an ascent to a more general level, and equally resisting a descent into a detailed apposition. The noun phrases, then, form a repetitive, dense web spanning the document from one end to the other. While the other MOU's (the Métis MOU, the First Nations' Summit MOU, and others) display this feature with more or less frequency, it is fair to say that all are characterised by this marked pattern of nominalization.

The noun phrase in the MOU is marked, in addition to its sheer proliferation and repetition, by the documentary space taken up by the post-modifiers, such as prepositional phrases. The repeated use of the phrase 'inherent right of self-determination', is evidence for that, as is its use in the names of the organisations between whom the MOU is to apply (e.g., 'the Province of BC', 'the Association of Indian Friendship Centres', the 'discussion of provincial legislative...', 'process and time frame for resolution', etc.). In contrast, there is relatively little weight placed on pro-forms, with only four appearing in the PC MOU. The picture that emerges from this overview of the noun phrases in at least one MOU is that of a document littered with dense and complex nominals, with strong ties between them, and significant modification.

So with this rather technical description in mind, we can begin to ask some more interesting questions. What does this grammatical feature signify? What social practices does it trace out for us? It might be interesting, though, to first ask how this compares to other forms of professional writing. Is this pronounced use of the noun phrase a feature peculiar to bureaucratic documents such as negotiated agreements, or is it shared by the discourse products of other institutional sites?

While the research on this latter issue is rather limited, we can say with some confidence that it is not only in bureaucratic texts that analysts have found concentrations of nominals in texts. So Halliday and Martin, in their book Writing Science: Literacy and Discursive Power, make the point in their analysis of the research report that dense cluster of noun phrases, or as they prefer to say, nominals, is the defining characteristic of scientific writing. They suggest that this reliance on nominals is *marked*, i.e., is atypical, and argue by way of explanation of that phenomenon that the ability of the complex noun phrase to compact information and carry it forward for use in subsequent sentences and other texts gives it a functional value highly useful in research contexts. So, for instance, instead of writing 'valves which regulate gases under high pressure conditions', we get 'high pressure gas valves', a much more compact phrase that can be picked up and used with some degree of economy in subsequent sentences, allowing room for new information to be discussed while retaining the significance of the old.

But as we can see from the above description of MOU's, this feature of dense nominalization is characteristic of the bureaucratic text as well. So, according to my research, there is a second body of texts and discourses which show this characteristic, a point which gives us evidence for the suggestion made by some that there is a close relationship between bureaucratic social relations and scientific ones. Both occupy places of social centrality; are orientated towards technological production; and display similar stylistics, at least with regard to the use of nominals. Halliday and Martin are aware of this point, but in contrast to their assessment of the effect of nominalization in scientific texts, which they suggest is critical in making scientific discourses efficient and in enabling a necessary and useful degree of specialisation, these authors suggest that such a feature when found in bureaucratic texts is 'inappropriate and evasive', and they proceed to indict it in no uncertain terms. For these authors, nominalization in discourses other than scientific ones

"is largely a ritual feature, engendering only prestige and bureaucratic power. It becomes a language of hierarchy, privileging the expert and limiting access to specialised domains of cultural experience." (1993: 10)

In this, Halliday and Martin take their place in the long list of commentators who have seen bureaucratic texts and the particular ways in which they are constructed as evidence of an underlying pathology in communicative competence (Adie and Thomas, 1982). Rather than serving the needs of a discourse community for efficiency, the grammar of bureaucratic texts works to exclude public participation, and illegitimately enhance the profile of its producers. For Halliday and Martin, their linguistic intuitions about the nature of bureaucratic discourses are more disciplined than those which guide the analyses of many authors, in that their critique identifies the pathology of bureaucratic discourses with a particular feature, nominalization. And to that extent their syntactic aim is good, as the limited evidence I have offered above does seem to support at least one aspect of their view, which is that the bureaucratic text is constructed as scientific texts are with a marked reliance on the expanded nominal phrase. As well, like Halliday and Martin, I suggest that this feature has significant political effects.

But I think that the approach taken by Halliday and Martin is in error, despite my broad agreement on these two points. The error does not lie in identifying the noun phrase as central to the text, but in failing to understand the *function* of the noun phrase in bureaucratic texts even while their approach identifies the expanded noun phrase as deeply implicated in organisational dynamics, as I have done above. While my own analysis suggests that the effect of this process of nominalization is not entirely benign, and is probably politically conservative, evasive, and even corrosive, it is certainly not a matter of 'ritual'⁵⁸, nor simply a matter of enhancing bureaucratic power and prestige, as Halliday and Martin suggest. These comments make it sound like the dense clusters of noun phrases in bureaucratic texts are unnecessary and unhelpful, even invidious, and that the

only appropriate response is to reform such work by insisting on Plain English, as Halliday and Martin seem to want to do, or overlook it as a mere nuisance, and look somewhere other than bureaucratic language for the key to understanding modern bureaucracies, as most policy analysts seem to do. Here again, even with a sophisticated and well developed methodology for understanding language, the tendency is to dismiss the bureaucratic text and its features as without value for either the study of language or the study of politics, other than as one more vehicle for demonstrating the inappropriate nature of bureaucratic ways of talking.

Such an analysis of the bureaucratic text is not rare, but my research none-the-less suggests that it is wrong, or, more charitably, at least too simplistic to be of any use in accounting for the actual role of noun phrases and the underlying process of nominalization in bureaucratic texts.

Let me propose another interpretation of the dense clusters of noun phrases found in these documents, other than the desire of bureaucrats to avoid personal responsibility (not a factor to be underestimated, to be sure). I suggest instead that these features of the text give us our first clue as to the role and purpose of the MOU: for participants, the central thrust of the document is to bring into authorised being, through discourse, a series of entities, and a relationship of a particular type between those entities, and viewed from this perspective the MOU can be seen as a guide for the practitioner intent on successfully navigating this particular part of the social world. And for that purpose, something like the expanded nominal phrase is critical as a way of bringing into view for participants a whole host of discourse entities, around which a political relationship can be built and in which a set of authorities can be anchored. Nominal phrases mark the relevant features of the bureaucratic landscape.

Primary among those discourse entities, of course, is the 'Policy Forum'; ostensibly, the single purpose of a number of the MOU's, not just the one with the Presidents' Council, is to create this one entity (e.g., Ministry of Aboriginal Affairs, 1994a; 1994b; 1996a; 1996b). But a closer look at the lexical, grammatical, and ultimately, the semiotic structure of the text suggests otherwise, as the population of discourse entities in the text grows larger and more dense with every clause. If the bureaucratic text, represented in this case by the MOU, is productive, it produces *things* first and foremost; in the negotiations which produced this document, objects--policy fora, councils, issues, peoples--clearly have a high discursive value. Summoned from the vast storehouse of bureaucratic entities, the multitudinous nominals in the document are combined, ordered, and authorised, arranged in such a way as to produce, in bureaucratic terms, a cohesive and meaningful whole. The point of all these noun phrases, then, is not simply to enhance prestige (exactly how would they do that anyway?), but to give discursive articulation to a series of entities. But what are these entities, and what can be said of them?

The Abstract and Definite Nature of Nominals in the MOU

Two observations can be made about the nature of the discourse entities in these bureaucratic texts, which begin to connect our comments so far to some broader issues of power, authority, and the nature of governance. First, it is worth remarking on the abstract and rather general nature of the entities that do appear on the surface of, for instance, the Presidents' Council MOU. While the proportion of concrete nouns increases as we move forward in the document, it is still unclear at the end, for instance, precisely what sort of policies (on urban growth? monetary policy? education legislation?) the Policy Forum is to discuss. The document refuses to be pinned down to the concrete signifiers of daily life: personal names, specific times and places, actual individual circumstances. Instead, the 'Memorandum of Understanding to Establish a (Presidents'

Council) Policy Forum' takes its refuge in high level abstractions and generalities, as indeed do the other MOU's, not just those connected with policy fora. Which is not to say that the MOU is empty or meaningless: it is neither, as I shall make some effort to demonstrate. It is to say, though, that the MOU is clearly not governed by the kinds of conventions which come into play in e.g., journalistic genres, or historical novels, where the guiding principals that silently shape those texts would insist that names be named, places be identified, and accounts of events be tied in narrative form to concrete elements of a widely shared social world. Rather, the conventions guiding the production of negotiated agreements stress precisely the need to avoid such connections.

Speculatively and by way of explanation for this, one might suggest that state-centred practices of rule are, necessarily, of an abstract nature. Historically, the development of the state has been the development of its autonomy from the daily lived experience of its members. This has arisen as the emergent state has increasingly removed itself from a dependence on specific locations and the lived experience of daily life for its authority. Instead, the merging nation state relied on a more diffuse and abstract interpretation of its social base, the better, perhaps, to disguise its partial origins and its limited and specific interests (Bookchin, 1987; Habermas, 1981). If this were the case, one would expect that the conventions governing the production of documents with government authors would actively discourage too close a connection to concrete forms of life, and would in contrast enforce, through normative sanctions, a generalised preference for a much more diffuse discursive positioning. And in fact this is pretty much what happens when documents such as these are produced. In an effort to sustain the illusion of a state motivated by a general public interest, and ensure that the partial social affiliations of the state are not revealed, concrete signifiers are rejected in favour of abstract ones. It should be said that it remains an open question as to the degree to which this abstractness characterises other government texts, such as press releases, or background documents, where specifics about times, places and names have a higher discursive value.

This discussion of the abstract nature of the state raises a question with a significant tradition in political science; the problematic of reification, as discussed by Habermas, but also by other writers such as Adorno and Jameson. The nature of that process has been the subject of much debate, and I make no attempt here to sort out all the difficulties and nuances of that discussion.⁵⁹ But seeing the abstraction in the MOU as a form of reification allows us to see that the production of these documents involves a form of *emptying*, and a *resignification*.

On this first point, it can be said is that the tradition of discussing reification has generally emphasised, in addition to a certain abstraction, an *objectification*, the notion that a certain kind of *loss* is central to the process of reification. In particular, it has been argued, by Giddens for instance, that one result of incorporating lived accounts of the social world into organisational discourses is that the local contexts for social practices drop away. Giddens suggests that this 'dropping away' is not a neutral or uncontested event; local contexts do not just disappear but are instead violently abstracted. In that process, the connection of those texts to anything but abstract systems of administration, control, and surveillance disappear (Giddens, 1991). Again, we see here as we did with Bourdieu the idea that the operations of language are also operation of power, and in some respects a certain violence. While Giddens sees this process as distinct from reification as the Frankfurt school would have understood that term--with the result that he called it not reification but distantiation--his analysis clearly foregrounds the idea common to both notions that the discursive practices of modern organisations suppress, distort, or render mute the links between social practices and the concrete (material and symbolic) conditions which ground those practices. So for instance, the close historical connection between state practices and the dispossession of Aboriginal people is obscured in these texts, although it does not go unmentioned. In place of these voices, we get the

abstract speech/writing of administration; whereas clauses, verbs without tenses, abstract nouns, and passive constructions.

So, in the Métis MOU (Appendix B), to take an example, one of the nominals which

WHEREAS the Parties recognize the need to enhance the position of Métis peoples in the province of British Columbia and the Canadian Federation;

AND WHEREAS the Parties are committed to concluding agreements on self-government for the Métis people in British Columbia;

AND WHEREAS the parties support the establishment of Métis self-governing institutions in British Columbia...

appears in the text is 'Métis people', as in the following 'Whereas' clauses:

Without delving too deeply at this point into the rhetorical construction of selfhood in these texts, it can be said that the placement of 'Métis people' in the text is done in a way such that no clue is given as to *which* Métis people, when, and where. Nor is any indication provided of what contexts would have to be in place for certain people in different parts of the province to each agree to identify themselves under the name, 'Métis', how that naming practice arose, whose definition of 'Métis' would be used, etc. The discourse remains resolutely abstract.

It might be said, though, that such particulars are in fact attached to the signifier, in the way that the nominal in scientific discourse carry previous information embedded in their

structure, and that the information 'lost' might well be located in the background knowledge of participants (Giltrow, 1995). For one of the activities which led up to the inclusion of 'Métis people' in the document was precisely a process of Métis people ensuring a certain amount of local and cultural knowledge of Métis people was installed into the background knowledge of the relevant non-Métis people, and to that extent such extra-textual efforts can be seen as attempts by Métis to limit the kind of distanciation mentioned above.⁶⁰ Here we glimpse something about which more will be said later; the text as a location for political struggle, not necessarily as a means to some other end (greater funding, more formal authority, etc.), but as an end in itself.

This is true to some extent, and useful, but even if such particulars--the local context for what it means to be Métis--are available to participants via background knowledge, the act of inscribing 'Métis people' into this text, in this way and in this context, acts to de-emphasise those aspects and valorise others. What it de-emphasises is particularity, what it valorises is the generality and abstractness necessary to ensure that the concept can be circulated amongst departments and through the hands of political elites; in short, to be detached from their connection to the lifeworld and reattached to an administrative subsystem in ways which allow the 'Métis people' to be appropriately processed in accord with organisational logic.

We should be careful, also, not to see this process of reification--of placing these terms in a decontextualized way into a bureaucratic text--simply as a process of loss, an emptying of something. Nor indeed do writers such as Baudrillard, who has made important contributions to the debate on reification, see the process of reification as purely a question of loss. Although the notion of loss is integral to Baudrillard's discussion of reification, on his analysis of the 'vacation sun', for instance, he depicts a process, not simply of *emptying*, but of *resignification*, where one set of meanings is displaced or overlaid by another (1981). It is worth remarking that such displacements are not always,

and perhaps not ever, total, as the meaning invested into an object like the sun (or into a collective like 'Métis people') are built on top of or perhaps beside a whole series of other prior signifiers. As a result, the practices of abstraction or distantiating in bureaucratic texts are not by any means decisive, nor indeed are they in any sense final, although they may be hegemonic (Hodge and Kress, 1988). Thus, to take our example of the Métis MOU, even in the process of being made to suit administrative contexts, 'Métis people' as a signifier with which some people identify is still not entirely controlled by the state and its apparatus. This is so even after its culturally specific meaning has been overlaid and to some extent displaced by meanings more suitable for circulation in government discourses; e.g., bearers of certain political rights (but not too many), people not organised into a Band system (but collectively organised in societies), different from Indians (but still Aboriginal), and a discrete population (but one with less salient identifiers).

In any event, it is clear that the documentary practices examined here have a pronounced preference for abstract discourse entities, an abstraction which serves to reify those entities (by obscuring the relations of domination which produced those entities, and by glossing the practices which sustain those unequal relations as though they were permanent, natural, and outside of history (Thompson, 1984: 131)). These textual operations ensure that as signifiers these entities are suitable for use in bureaucratic contexts, a use which in many respects strips them of their political import. This has special salience in Aboriginal issues, where a full understanding of the historical relationship can lead only to the conclusion that the current arrangements are profoundly illegitimate.

There is a second aspect of reification manifest here, which is the making of 'Métis People', the 'Presidents' Council', 'Aboriginal peoples', and a whole host of other signifiers in this and other negotiated agreements into something that slowly but surely becomes a natural part of speaking in administrative contexts, so that the political process by which

its significations were established disappears and it becomes naturalised, treated as an unproblematic entity, knowable and known, capable of being processed and administered (Shapiro, 1988).

A good example is the use of the term 'the Province'; here we have a historically constituted phenomenon, one which is not just 'out there' waiting for our speech to pick it out, but which is rather actively, and daily, produced and reproduced. In some respects this is not purely the process of reification, but could rather be seen as *dissimulation*, the process by which the historical origins of a thing are obscured. Clearly, this is what is going on with the use of the signifiers 'the Province', 'Aboriginal rights', etc. The idea of Aboriginal rights in particular has almost entirely lost its historical specificity, the rootedness that 'rights' have in the early development of French and later American legal practice, and its connection to Anglo-American notions of individualism. It has now become so much a 'natural' point of reference that it is difficult to even talk about the moral obligations and ethical imperatives which hold between parties outside of the framework of a narrow rights based discourse. The absence of any comment on this is especially interesting in the light of the history of Aboriginal communities, whose cultures and collective identity was never structured around 'rights' at all, but rather around certain forms of obligations, or reciprocal gift exchanges (Clutesi, 1964; Duff, 1964).

It is plausible to suggest that these three mechanisms--reification, distantiation, dissimulation--overlap sufficiently to be called a family of terms, and that in any actual operation, all will be involved to one degree or another, with different emphases according to different circumstances (Thompson, 1984). Métis people, for instance, have insisted that the signifiers attached to 'Métis people' include as central the notion of the recent historical origins of Métis; they insist, that is, in keeping alive the historical creation of the group of people who identify themselves as Métis, not as a natural timeless entity, but as a specific historical process. So here, the process of dissimulation is loosened, even while,

as I have indicated, the process of reification and distantiation continues apace, as that narrative of origin gets lifted out its community context and relocated into an abstract administrative context.

These administrative contexts, while clearly locations of 'real'--that is, autonomous-- social relations and struggles, are also not without a certain covertness; their construction involves a concealment, a re-inscription in the service of power of the social world in which the dominated find themselves thrown. That is, the abstractness introduced into the MOU's by the presence of a large number of abstract nouns, some tenseless verbs, and limited use of indexicals contributes to the operations of concealing the document's social base, distancing it from concrete social relations, and inscribing a certain coherence into the body of the state apparatus.

Why indeed would there come to be the need to conceal social relations of domination? The necessity of this concealment, this act of dissimulation arises because the foundations of dominance cannot rest in contemporary society upon the explicit recognition of this dominance *as dominance*, but must instead be presented in some other manner which allows it to become an integral part of the social (e.g., discursive) world of the dominated (Hodge and Kress, 1988). The coercion required to maintain domination as domination would be too great to allow for the effective penetration of the body politic by the practices of authority and by the exercise of power (Thompson, 1984). The chasm between the those who direct the state and on whose behalf the state labours, and those whose labour power, bodies, social imagination and language are appropriated needs to be concealed by the invocation of a unity (Dillon and Everhard, 1992). The state needs to put forth some representation of the whole so as to ensure the means of constraint, to naturalise and essentialize the historical contingency of the present arrangements (Bourdieu, 1991). That is why the agreements are between various Aboriginal groups and 'The Province'. In this process, the separations and divisions which spring from the

accumulation of capital and the institutionalisation of domination are rendered 'meaningless' in relevant ways, as opposed to meaningful, for their meaning is reinscribed as other than what it once was. In this process of the ideological construction of a social whole, the indeterminacy of society--its fractured mutability--is made determinate and a discursive unity is founded over and against it, in an effort to, as Claude Lefort puts it, 'paper over the cracks and divisions' characteristic of late capitalist societies (1984). It is this creation of a political community with dominance inscribed as law or nature which engenders the need for *ideology*, engenders in fact the need for a discursive practice for sustaining relations of domination (Thompson, 1984).

As a result, the signifying practices which operate under the signs of the state, which are ever threatened by a tendency to dispersal and a disposition to refuse to live a stable life inside a unitary being, are arranged here under the collective nouns, proper names, and emblematic signs of governance (Dillon and Everhard, 1992). So it is in this way that the discourses of authority and governance, which create effects which have no fixed address, are forced by the mode of their inscription to cease their senseless wandering and at least temporarily get a permanent home, there to take up residence, and become stable and productive members of the imagined community created for them by the text, its context, and its co-text. If language is the house of Being (Heidegger), then these mundane texts are the trailer homes of these fleeting signs and subjects, the clever and specific artifices of discourse.

So the need to re-inscribe social division so as to sustain asymmetrical relations of power produces a discourse about the social, a discourse rooted in the imaginary unity of a constructed political community, and it is in this context that the practices of Aboriginal participation in the state occurs and is made possible.

So our analysis so far of nominalization in the MOU has provided us with evidence for a certain understanding of the nature and function of the modern state. First, the proliferation of discourse entities in the Presidents' Council and Métis MOU's provides support for the idea, advanced by Foucault, that a central aspect of the 'governmentality' of modern ruling institutions is the operations by which the issues of politics are turned into questions of the administration of things, a point I shall return to (Foucault, 1991). We adduced evidence in addition that there is a certain *abstractness* to government discourses, and we speculated that this might arise because of the need to hide the partiality of the state's interests, paper over social divisions, and dissimulate domination. We can begin to see in this discussion of abstraction the utility of an approach attuned to the discursive dimension of politics, for we now have available a set of tools by which the insights of Foucault, of Giddens, or Baudrillard, can be applied to the concrete practices of governments. In our case, we were able to provide support for some of the propositions offered by these theorists. Conversely, this kind of discourse analysis also provides us with a fresh way to describe and analyse the activities of government, and allows us to make connections to other literatures, both to increase our explanatory power, and to provide support for some explanations we already have. Lastly, this peculiar blend of linguistic and political analysis has given us the ability to critically examine contributions, such as those offered by Halliday and Martin, which make claims about the nature of bureaucratic textual practices. We have informed our political intuitions by linguistic evidence, and our linguistic insights by political theorising.

The Definite Nominal

Earlier, I mentioned that there were three characteristics of the nominals in the MOU; their sheer proliferation, their abstractness, and their definiteness. I turn now to the last of those, the definite nature of the nominals. Here I suggest that while the documents' noun

phrases are *abstract*, they do not mark items as *unknown* or *ambiguous* for participants. The noun phrases are in fact, quite definite. So we might note, for instance, that while there are a number of proper nouns in the Presidents' Council MOU (*Aboriginal, Parties, Policy Forum, Province*), as indicated by the fact that they are capitalised, many of these differ from the standard case of proper nouns by the fact that they take the definite article (unlike proper nouns such as 'Fred', or 'Mr. Jones'). In that sense the proper nouns in the MOU might best be seen as common nouns which have a unique reference (Quirk et al., 1972:165). I suggest that this feature of these texts--its marked preference for capitalised common nouns--indicates a deeply shared administrative ontology. It also, though, marks a shared discursive *procedure* underlying that ontology, which governs how the separate, abstract and definite entities in that ontology are to be arranged, combined, multiplied, etc., even as the participants battle over how, when, or if these are to be authorised.⁶¹ If this is the case, we have encountered a mutuality which is perhaps not quite so obvious, and which we might not have predicted from reading the literature on cross cultural politics.

Pragmatically, of course, the use of word-initial upper case is a marker of status; capital letters in hortatory documents in general indicate significance, suggesting to the reader that the entities referred to have a formal role and possess by virtue of that role a tangible social authority. This may also be a stylistic element borrowed from legal texts, which also frequently capitalise common nouns, and thus might represent an attempt to import with that feature the authority typically associated with legal discourses. But this feature is also an indication, I suggest, that however different the cognitive worlds of government bureaucrats and Aboriginal advocacy groups are, there is some overlap, and to that extent a continuity, which is not without its significance. That continuity lies in the fact that the social circles of the discourse in general and the nominals in particular includes both government offices and Aboriginal agencies, to the point where common nouns are known, so to speak, by their first names. As familiar but still proper entities, they are

marked as occupying a different, closer and in some respect more formal role than their more common relatives. What this shows us is that if there is a struggle here between opposing social groups which the MOU was designed to mediate or at least formalise, it is being conducted at least in part on shared terrain, with equivalent rules governing the deployment of troops and the use of rhetorical resources by the parties. The parties to this document are often portrayed as inhabiting different worlds, and adopting incompatible social practices, but we see in the presence of these 'proper' nouns evidence of a significant continuity which remains in the background, even as it silently shapes the interactions and the disputes.

Such an observation seems trivial, a slight feature of the social world, in comparison to 'real issues', like 'Who votes'? Is not this stylistic feature relatively arbitrary?

We should not underestimate the power of proper nouns. In particular, we should not underestimate the role of proper nouns such as these, which are in effect common nouns transformed by a series of rhetorical/syntactic operations into something else again, the names of subjects, but subjects of a very particular sort, objects-which-have-been-turned-into-subjects. Take for instance, the transformation of 'the province', a geographical or geo-political area, into 'the Province', an agent, a subject effect, no longer a statement but now a State (Herzfeld, 1986). The rhetorical effect of proper nouns is to identify and predicate that which they name, as the subject; an 'integral whole', a name, but of course not merely a name (for what is in a name?), but rather a *proper* name, in the sense of a 'fit and proper' name, a name which is identified with itself, which coincides with itself in all respects. Here we witness the phenomenon mentioned earlier, the identification of word and referent, a textual manoeuvre in which one is encouraged to see the properties of a thing as the thing in itself, the thing *for* itself, a manoeuvre which we now can speculate "takes place precisely in the sphere of proper names." (Lotman and Uspenskij, 1988: 236). This is an operation of grammatical suture which produces an "identification of the name

and the named" (237). The noun phrase no longer points to a class of entities; it names definite things, which you could--so to speak--get to know; your brother Bob, your cat Susy, your Studebaker Truck, Wonder Bread. It is no wonder that capital letters are used so much in advertising.

So hidden in the documents' preference for capitalization--a feature interestingly evident in many texts produced solely by Aboriginal organisations--we spot the possible traces of an underlying effort to solidify the subject effects produced by the text's overall position within a discursive economy, and to ensure its coherence, by way of this slide from the generic (the common), to the known (the proper). Thus Silverman, in discussing Barthes' notion of textual codes, reminds us that the 'semic' code, which functions to define character and place, "relies upon the specificity of the proper name for its central term" (Silverman, 1983: 258; Barthes, 1974). Here the insistent nominalization of the MOU takes on a new twist, folding over and connecting itself to other features of the document--the role it assigns to agents--in an effort to construct dense networks of authority, and constitute coherent subjects to bear that authority (Barthes, 1974).

This reinforces the conclusion alluded to earlier: if the noun phrases in the texts are general (as I have suggested they are), they are not indefinite: the slide from common to proper noun is a move towards a text with definite referents. This is amplified by the determining structure of the noun phrase: the Presidents' Council MOU, for instance, relies almost exclusively upon the definite article, which is repeated 94 times in the text, compared to only 15 indefinite articles.⁶² This marked feature of the text again suggests a high degree of shared knowledge amongst the authors and readers of the document, indicating that, in the context of the document's production (but more importantly, its reception), little ambiguity exists as to the identity or location of the entities referred to by the noun phrases. This may well, as noted earlier, mark the shared world of bureaucratic procedures, and of the official, state centred practices of inter-organisational life. In this

we can get a sense of the productive (as opposed to the repetitive, or merely reflective) nature of bureaucratic discourse. We also get a glimpse of the political work enabled by this discourse, which authorises abstract entities and co-ordinates the relationship between them, both horizontally, as in a map, and vertically, as in an organisational chart. Note here the resemblance in the historical roots of the terms 'chart' and 'map', and note also that the use of 'chart', designating relations of hierarchy, has eclipsed in organisational discourse that of 'map' with its connotations of equivalence.

Spatialization in the MOU

I noted earlier and hinted above as to the effect, in general, of this insistent nominalization, which is to shift the underlying political question about the re-allocation of state powers into an 'issue' (itself a thing) about the administration of entities, an idea succinctly captured by Foucault when he writes:

"with government it is a question not of imposing laws on men, but of disposing things: that is to say, of employing tactics rather than laws, and even of using laws themselves as tactics - to arrange things in such a way that, through a certain number of means, such and such ends may be achieved." (Foucault, 1991: 95).

For Foucault, this marked an important shift in the ways in which political power in Western European countries was organised and distributed. Here, we find evidence that his analysis is correct, in so far as we see in this document, which is ostensibly about governance, a strong preference for articulating authority as an exercise in defining the relationship between a series of things. These entities can in turn be distributed in a determinate social space, administered by an administration, and assigned a fixed social location, a position which is limited and definite but also contingent, in that its status,

understood as its tenure and authority in that social space, is relative to its relationship with other things.

From this it can be observed that if the document creates a vehicle for inter-organisational relations, as is its ostensive purpose, it is a highly spatialized vehicle. The use of map metaphors in this regard is apt as a way of describing the documents: the MOU at heart captures and commits to the written page a series of entities and the direction, distance and relative location of each to the other, so that the signatories 'know where they are', or perhaps, 'know their place', and the people charged with implementing the document are, tellingly, 'given direction' by its content and its force. It would not seem implausible, then, to suggest that this is a discursive arrangement which in turn supports panoptic forms of knowledge.

As in a map, the MOU allows the reader to comprehend at a glance the lay of the political land. If the MOU is an artefact of bureaucratic practice, it is this by virtue of being also an artefact of a certain kind of knowledge formation, the kind which surveys from above the various locations, relative weights and overall movements of populations. While it is true, as Henri Lefebvre remarks, "Man does not live by words alone; all 'subjects' are situated in a space in which they must either recognise themselves or lose themselves..." (1991: 35), it is also true that there is not just one but a whole range of social spaces and spatial practices, which are derived from the different conditions of production (material, ideological, spatial), a point which Lefebvre takes some effort to demonstrate. The 'spatial practice' with which we are concerned here is first and foremost articulated to an administrative knowledge, focused above all on organisations, groups of subjects, the roles and responsibilities proper to those subjects, and the relevant bureaucratic obligations. One is struck in reading the document by what it commits 'the Parties' to do: to meet, establish agendas, discuss, but above all, to interact *as organisations*. Underneath the austere surface, one reads the traces of an engagement between highly

mobilised forces, as the construction of the text marks the dried blood of an historic encounter which is almost military in nature, but is in the final analysis organisational in strategy and effect; troops assigned here, engagements established there, relative forces marshalled and assigned positions, protocols established, and temporary truces called.

And in order for those engagements to be rational, in that sense of rational which one might want to apply to governing organisations, a certain kind of knowledge formation is needed which embodies that rationality (Foucault, 1972). As a result a certain kind of discursive product emerges, which like any good map both describes and enables actions. It is important to note that the text does not merely describe the way, but actively constitutes the journey by delineating appropriate routes and declaring other areas to be non-navigable ('Here be Monsters' read the old maps; 'Here be inherent rights' read the new), even though--indeed, especially because--the map brings this terrain into view and articulates it with other practices.

In this we get a glimpse of a specific understanding of spatial relations which is emerging in the documents, one which is constructed around the discrete and authorised discourse entities that populate the texts. Here, "space is not conceived of as a sign continuum, but as a totality of separate objects bearing proper names. It is as if space were interrupted by the intervals between objects, and thus lacks...such a basic trait as continuity" (Lotman and Uspenskij, 1988: 237). These spatial dimensions allow the document to operate as a map, or a model, through which to conceptualise the respective positions, scope, and orientation of authorised entities and momentarily stabilised subjects; this spatial configuration of political relations--which acts as a moral geography for practitioners--does not exist by itself, as it either confirms or denies other non-spatial relations, producing either a tension between practices or a concordance of actions.

Clearly, if there is a spatial practice here, it is one that seeks to institutionalise the view from up high, to construct a form of knowledge which is highly functional in the kind of surveillance contexts described by Foucault, in the sense in which one surveys populations (1972; 1991).

It is not just bureaucratic discourses which are to be held responsible and suitably castigated for such knowledge formations. One reads, too, the unmistakable signs of the western panoptic, scientific, discourses that so profoundly structured the human sciences, in particular disciplines such as ethnography and anthropology, which have taken as their primary object non-western peoples. So we see faint echoes in the MOU of the approach of the ethnographer Marcel Griaule, to take but one example, when he writes in the 1930's about fieldwork in the French Sudan:

"Seen from high in the air, a district holds few secrets. Property is delineated as if in India ink; paths converge on critical points; interior courtyards yield themselves up; the inhabited jumble becomes clear. With an aerial photograph the components of institutions fall into place as a series of things disassembled, and yielding. ...[W]ith an airplane, one fixes the underlying topography both of structure and of minds". (1943:61, cited in Clifford, 1988:68)

And later in the same text, he adds, in a comment that speaks tellingly to the ability of certain forms of knowledge to enable certain relations of rule, that "every inscribed position is a conquered position". Yes. And that is why words matter, why discourses are powerful social practices, exercises in constituting power, and why texts are not just silent vehicles for other social forces but instead are sites of contestation, of formation, and of the twin acts of constructing subjects and administering silences. In this context we can take note of Lefebvre's remark, "[w]hat is an ideology without a space to which it refers, a space which it describes, whose vocabulary and links it makes use of, and whose code it

embodies?" (1991: 44). With regard to the constitution of the subjects in these documents, we note that these actors require a space in which they can 'show up', as themselves and by themselves, in the act of appropriating that space, of using it and of living in it.

So here we can see the traces in the text of the signifying practices of the state--its focus on things, its need for a panoptic authority, its attempt to produce the effects of a stable subject--and one can see too, that such practices are not remote from the concerns of power: to the contrary, they mark the exercise of power, indeed, these practices help *constitute* that power, as the text encodes and authorises the dominance of an administrative approach to political issues, valorising as it does so the view from on high, entrenching the dominance of things, and fundamentally shaping the nature of the politics between 'the parties'. "It is clear, therefore, that a spatial code is not simply a means of reading or interpreting a space: rather, it is a means of living in that space, of understanding it, and of producing it" (Lefebvre, 1991: 47-48).

Noun Phrase Summary

The lowly noun phrase, then, turns out to be not so insignificant. It has led us into some interesting aspects of not only documents such as negotiated agreements, but has also given us some perspective on the larger question of the nature of relations between Aboriginal organisations and government agencies in circumstances where governance is the being negotiated (or more bluntly, contested). When their discursive dimension is examined, we discover that those relations are first and foremost fixated on authorising a series of entities to take on certain governmental functions, functions which remain in this document at an abstract level, a finding consistent with the idea that under modernity, social relations are increasingly reified and distantiated, lifted out of their context and relocated into an administrative logic and an organisational setting. This produces what Giddens called 'place as phantasmagoric', which he described as "the process whereby local characteristics of place are thoroughly invaded by, and reorganised in terms of, distantiated social relations" (1991: 244). And in these texts, it is the nominals that lead the charge.

We speculated as well that the interactions between the two cultures in this context was deeply concerned with the construction of a body of knowledge, a panoptic knowledge, and that this interaction involved conceptualising political relations in a uniquely spatial way: a classificatory order of entities, hierarchical, ordered, plotted on a map, autonomous save for their relations of authority, their contiguity. It is above all an *abstract* space, which functions 'objectively' as a set of things and their formal relationships (Lefebvre, 1991). As an abstract space, it displaces the historical space which would have constituted traditional Aboriginal society and the social relations therein. So again, our analysis of the function and effect of the dense clusters of nominals in the MOU has given us a glimpse of an important dimension of bureaucratic social relations.

Coherence in the MOU

I would add here, before turning to second general characteristic of the MOU--its evasive and strategic nature--an explanation, preliminary and requiring further analysis, for some observations made earlier on the documents' cohesion, an issue which seems to me to bear on the general question of the role of nominals in the MOU, both their endless propagation and their reiteration throughout the body of the document. Recall that in examining the lexical and syntactic composition of both the Métis and the Presidents' Council MOU's, we find that the MOU was constructed in a highly textured way: there are a significant number of cohesive ties between the sentences of these documents. These ties are almost exclusively lexical, with the exception of reference ties introduced by the determining structures of the repeated lexical items.⁶³

One can see in the document's constant repetition of lexical items--its lexical cohesion--the outlines of a strategic move, to defer and avoid the dispersion of the authority and discursive cohesiveness of the state. The signs which constitute the discursive practices of the state--and of Aboriginal groups seeking state powers--are temporary unities which gloss over the constant fragmentation of politically authorised meaning (Dillon and Everhard, 1992). The definite, dense, and repetitive nature of the document reflect the need to constantly re-assert and re-contain the symbolic authority of the state, even as the Aboriginal organisations involved seek to wrest that authority away from 'the Province' and re-locate it in the 'Presidents' Council'.

Strategy and Evasion in the MOU: The Recursive Deletion of Agent

The remarks above regarding the traces in the text of prior and exterior engagements leads us to our second general point about the function of the MOU. As noted, it is a document defining a strategic engagement; but it also inscribes a certain *evasiveness*, the textual manifestations of which draw our attention yet again to the negotiated, political, and polyvocal nature of the document. The agents in the MOU, for instance, are not continually present; they are pulled from the text or rendered mute and uncertain at critical moments, with the result that the actions specified are not always identified as to their proper author. To this extent the popular critique of government utterances is correct (although as Heidegger would put it, such critiques are not yet *true*). Early on in the first page, for instance, we encounter the following 'Whereas' clause:

"The Parties wish to establish a process for negotiations between themselves and Canada for the purpose of establishing Off-Reserve Aboriginal self-government structures within the scope of the inherent right of self-determination."

Who is it, we are left to ask, that 'establishes off-reserve self-government structures'? Or, what agent is responsible, on the second page of the PC MOU, for 'advancing rights and interests', in the clauses;

OBJECTIVES OF THE POLICY FORUM:

2. *To advance the social, cultural, economic and political rights and interests of the Aboriginal peoples of British Columbia.*

Again, further on, we are told that the purpose of the Policy Forum is to 'identify issues', but the agentless construction and the surrounding text provides only uncertain clues as to the author of such an action. Either no party is identified, or, intriguingly, this new entity, the 'Policy Forum' is burdened with the task of those actions, as though it had a full and independent life apart from its members, as though it alone could bring about the indicated actions.

What we see here is a particular grammar, by virtue of which the agents of an action have been removed, their agency either occluded by inclusion in a structure with no clear accountability or author, or remove entirely by a process of agent deletion. Of all the features of the bureaucratic text, this one has been most often remarked upon, and indeed this evasiveness has been seen as the defining characteristic of such documents. As noted earlier, this feature is seen not merely as pervasive, but also as perverse, in the sense of seeming to violate in its composition important principles of, shall we say, a democracy of syntax, or an accountability of composition, as it obscures lines of formal accountability, in the process coming to represent the pathology of bureaucratic social relations.

There seems to be enough evidence to suggest that this picture, while overdrawn, is not entirely unfair. But in our rush to condemn such modes of expression, we miss obscuring other more interesting--and I suggest more profitable--explanations for this phenomenon. Recent research suggests that in fact this feature of technical writing has a function not explored by analyses which focus on the pathology of bureaucratic writing. In an analysis of management genres, for instance, Janet Giltrow has described this process as the 'recursive deletion of agency', which she sees as the process by which the agent of an expression is recursively removed. This deletion typically occurs, Giltrow speculates, as the original clause which contained the agent is compacted into a noun phrase, its verbs turned into agentless nouns (Giltrow, 1995). So, a phrase such as 'mutually agreed to workplans' may have begun its life as 'workplans which the Métis, the Province and

Canada all agree to'; through the deletion of agency it becomes the shorter noun phrase. This might become even more dense, as 'mutually agreed to workplans' drops even its minimal implication of agency and becomes simply 'Workplans'. Here, agency is not just deleted, but recursively deleted.

Giltrow argues that this has a number of interesting effects, one of which is to actively define membership in the discourse community; the elliptical profile of such constructions allows them to function as concentrated expressions of shared routines for interpreting the world. Through this, they constitute members by virtue of activating the mutual background knowledge of writers and readers. This knowledge includes tacit estimates of interest and established ways of interpreting the world (Ajzenstadt and Giltrow, 1988; Giltrow, 1995). Again, as we saw earlier, this grammatical feature points to these texts as vehicles for defining a discourse community (Cicourel, 1985). Conjoined with the remarks made above about the development of an Aboriginal public sphere, we can speculate that this 'discourse community' is in fact more than just a community of readers and writers; these elliptical and evasive noun phrases mark the outlines of a *public*; in their rhetorical profile we see the dim traces of a certain public realm, which maps the political dimension of the discourse community, while pointing to its structured, institutional, and associative nature.

There is another way, too, of understanding this feature of these texts. In addition to the analysis above, I identify those strategic evasions as a form of politeness, but politeness understood in the way Bourdieu (1979; 1991) understood it, as a highly political act, at once a discrete and tactical renunciation of power and an expression of a profound desire for authority, a canny seeking of political status and the control over state resources that goes with it. It should be recalled that these documents are generated and circulated in contexts which are heavily populated with 'face threatening' and 'face saving' acts (Brown and Levinson, 1983). These are after all, negotiations. As in any hard fought war, these

evasions are functional. For instance, to specify too bluntly in the document the possession by one party of the bulk of administrative power and its concomitant lack in another is to, at one level, violate the purpose of the MOU; to provide the careful hedges and assurances, in the presence of which the state can acknowledge the political unacceptability of the present arrangements. It is also the politeness and evasiveness of a guerrilla war, where to connect an action too closely to an agent would be to put not merely the action but the agent as well at risk. Too much is at stake here politically for the participants to invest themselves too deeply as the authors of actions where the profit is unclear, the correct responsibility undecided, and the potential for losing face high. Why would you put your troops at risk in a battle when you don't have to? And, in a guerrilla war mode, why even identify your troops?

That politeness, and the strategic calculations of political interest and linguistic capital that underlie it, are also the signs of something else that runs through the MOU: its fundamentally polyvocal and negotiated nature. For Bakhtin, of course, polyvocality--the dialogic attribute of discourse--was the defining characteristic of the modern novel. But even so, he recognised that the multitudinous voices found, for instance, in Jane Austen's *Northanger Abbey* were to a certain extent hidden behind the veil of the authorial voice of a single writer, and so required a careful and laboured teasing apart to reveal its composite construction. In the types of documents under consideration here, those named as the author of the texts are not one but many, and its explicitly polyvocal nature is essential to the genre; it is after all, a negotiated agreement, there are, after all, eight signature blocks.

So when we 'tease apart' the document, as we have been, we see not the unitary product of a single set of authorial intentions, but the end product of a complex weave of different voices, sometimes working together, sometimes in tension, but now, in this single text, no longer remote from each other. In this respect there is sort of textual isomorphism at work here, with the text layering itself over the contours of a political relationship, and moulding itself to those curves, not in a strict one to one correspondence, but in the

manner of an index, or, as suggested earlier, in the manner of a map, but one created according to an organisational and political ratio. And, since the voices in the text are different (because they emanate from different sources, different speakers, different interests), the text is dialogic in the way Bakhtin thought that texts could be. For Bakhtin, a text could be dialogic in the sense of representing not just a relationship between propositions (a purely logical or linguistic relationship), but a relationship between persons, and thus, strictly speaking, a non-linguistic relation.

Recall the earlier description of the Nisga'a Chiefs' presentation to the Commissioners. I suggested above that the Chiefs' comments pointed to the text as site of something important to the Chiefs; a location in which their distinctive approach to the world could be authorised, and a vehicle through which the Indians could discuss the fate of the land on which they lived, and possibly agree to 'give parts of it to the Queen.' We can see here that the Chiefs, for one, did not accept the idea that such documents could only encode a single authorial voice. For the Aboriginal participants in those early negotiations as well in more recent ones, the text (an MOU, a Treaty, a 'strong paper') offered up a space in which a distinct voice, recognisably theirs, could be located and in which that voice might be able to secure some measure of political and institutional authority. The document traces those different voices, revealing the cracks in the dominant order, and marking the relative weaknesses and strengths of the respective parties. The document codes in this polyvocality the different interests of the parties (constructing those interests in the process), and I use the analysis of the text as an opportunity to bring those interests to light. The mere fact, for instance, that the document is signed by all parties is an indication that its political legitimacy rests upon the consent of the Aboriginal people involved.

But I have mentioned that for some, like Barthes and to a certain extent Bakhtin, this polyvocality, this textual dialogue, was a feature of some genres and some texts; the

example most often cited by both was the modern novel, consistent with the focus on literary works of those two authors.⁶⁴ It bears noting, though, that the kinds of texts examined here--negotiated agreements--are *explicitly* multiply-authored, and so it could be said that negotiated agreements are more forthright in presenting what is true in any case about all sorts of other texts and genres, where it requires a laboured analysis by researchers to bring that aspect of the text into the open. It is indeed ironic that the bureaucratic text, a form of writing that has long been castigated as a genre *par excellence* for hiding and obscuring things (a critique I share, and one not undeserved), should be capable of producing as one of its variants a form of writing that, while perhaps not progressive (although it is not without its effects), offers up for all to see in a brief moment of brutal honesty its own composition, baring its soul in its explicit recognition that its object is power and authority.

But yet, despite all this, the 'Memorandum of Understanding to Establish the Policy Forum' seeks a single voice, as do the other documents. Consistent with the classic etymology of *text*, it seeks to weave a single whole from a number of discrete strands. It's important to note that there is an underlying urge to univocity here, if not perhaps in the text overall, certainly within the multiple voices that make it up, an urge which is in tension with the need to allow the text to speak to different audiences, with different messages.

As we read Bourdieu, though, we are reminded that there is an ineluctable element of symbolic violence involved; despite the room made in the text for a number of players, each with different roles and interests, the text still falls prey to the seduction to combine, sometimes violently, the multiple voices into a coherent whole.

Not all of the text operates under this disciplined code, however. There are spaces in which the starkly different perspectives of the parties are given voice, as the need to forge

a political accord among them is temporarily set aside. Note the first section of the Presidents' Council document, the 'Whereas' clauses, which read:

WHEREAS:

The Presidents' Council has established a working relationship to represent the interests of their constituents and is committed to implementing the inherent right of self-determination of Off-Reserve Aboriginal Nations.

The Province is committed to entering into a government to government relationship with the Off-Reserve Aboriginal people within the province, and recognising their inherent right of self-determination.

The Parties wish to establish a process for negotiations between themselves and Canada for the purpose of establishing Off-Reserve Aboriginal self-government structures within the scope of the inherent right of self-determination.

Here the two parties do not have to agree. In the introductory clause the Presidents' Council offers up its positions and stakes its claim without concern for marking a mutuality of interests with non-aboriginal people, while the Province offers up its own recognition in the next sentence. But this moment of divergence is brief, as the separate space opened up by the PC's initial comment is quickly tied, in the third 'Whereas' clause, to a shared administrative space. But the commonality runs deeper than that; in these initial remarks the participants' voices, however divergent, all act to immediately 'territorialize' the political domain indexed by the text, and in doing so provide the basis for the subsequent efforts to construct a map-like knowledge of Aboriginal and non-aboriginal interactions (Shapiro and Neubauer, 1990). The phrase following this section, "***THEREFORE THE PARTIES AGREE:***" marks more explicitly the turn to a mutually

constructed discursive space, a mutually constituted arena for political action. Like a field which has been overrun in the course of a battle, it becomes difficult to think about that terrain in any other way, as the struggle between the forces pushes alternative uses aside, except perhaps as a memory trace. So while the administrative space which these documents encode may be mutual, it is no less narrow, elitist, and exclusive for all that.

The movement back and forth between recognising the different voices composing the text (the signature blocks, the 'Whereas' clauses) and the desire for a political convergence ('therefore, the Parties agree...') foregrounds the negotiated nature of the MOU. But it also reminds us of the heterogeneity of bureaucratic genres, that, while some documents--such as minister's letters--are highly monological, or perhaps more accurately, univocal, others such as the MOU are spaces in state centred practices in which an explicitly oppositional perspective can be adapted, however briefly, and which indicate cracks in the hegemonic order which cannot be denied, even in official discourse. Indeed, far from being denied, the tensions between the social groups involved in the text are to be resolved by becoming authorised. Thus, the silences, evasions, and the awkward, often cumbersome phrasings outline the engagements of the respective parties, abandoning in the process the pretence of univocity, and providing in a revealing moment a glimpse of the strains and contestations that characterise the world of public policy.

The MOU as Performative

"To breed an animal with a right to make promises--is this not the paradoxical task that nature has set itself in the case of man? Is it not the real problem regarding man?"

--Nietzsche

Finally, the third point enumerated above, the performative nature of the MOU. I drew attention earlier to the use of deontic modals in the document: I now suggest that a broader pragmatic and political reading of that feature of the MOU reveals the document as a performative utterance writ large; save that its completion as a felicitous administrative act awaits the signatures at the very end of the final page, and so at one level its explicit force is suspended, with the result that its power as a social act held in abeyance. Signed or not, the social role of the document is clear: to be completed, and by virtue of that to bind 'the Parties' and bring about an authoritative social act. Here again the productive nature of the document is revealed; in felicitous circumstances, its completion as a speech act invests entities with the authority of the state.

Modals in the MOU:

The MOU's under consideration use a limited and restricted set of modal indicators; as noted in the Introduction, most modals in the MOU are deontic modals, reflecting a concern in the documents with social structure and acceptance of authority. Recall that 'modality' refers here to the features of the text which mark the contingency of the social and physical world, indicating such things as ability (can, can't), permission or restriction (should, should not, must not), or limits on knowledge (do not, might or might not). The

modals in the negotiated agreements are restricted to a few, largely 'may', 'shall', sometimes 'will', or 'can'. The modals in use in these texts thus index obligation in most cases, but sometimes prohibition. This is consistent with the overall thrust of the document, which is to bind the signatories and their organisations to a set of behaviours, and to give social force to the entities inscribed into the document. The 'understanding' in the title is not understanding of an epistemic sort, but 'an understanding' in the nature of an agreement, or a mutually understood protocol. Again, we see here the insistent presence of nominalization, where understanding as an event or state is exchanged for an understanding, a thing to be managed.

I have referred in various places to the performative nature of the documents. The notion of 'performative' derives in large part from the work of Austin and Searle, and it marked an important point in the development of the philosophy of language, in that, like Grice's work, it turned attention to the material conditions which enable discourse to make sense and have social effect. Those theories have been debated extensively in the literature, and I will not here duplicate that work. But for our purpose, the relevant point is one related to the question of authority, on the one hand, and the issue of a discourses' productivity on the other. For when we accept that there are performative utterances, that is, when we accept that there are utterances which bring about social effects by *virtue of merely being uttered*, in the right way and in the right circumstances (but see my remarks about genre above), then we can begin to see how documents such as negotiated agreements are performatives writ large, and that this in part constitutes the productive dimension of language. The purpose of the documents we are examining is to bring into effect, by an authorised saying, a certain set of social relations, and a certain set of entities. Again, it is worth stressing that these are not effects brought about 'by something else', although they are effects which are connected to 'other things'; these are effects which are necessarily brought about by the exercise of language, by speech acts of a certain type. In government, under the right conditions saying *is* doing.

PART THREE: DISCUSSION/CONCLUSION

"I remain for a moment, lost in the crowd, then, seeing that a seat is reserved for me beside the administrator, I decide, with many hesitations, to take it".

Michel Leiris, L'Afrique fantome, 1934.

Discussion

In retrospect, what profit has our analysis--in both Part One and Two--gained us? I would suggest, first, that our labours have allowed us to talk about negotiated agreements and the relations of power and subordination, domination and resistance, that they encode and enable. And it has allowed us to do that in new and interesting ways, but also in some respects more powerful and precise ways. We now have a better sense of what it might mean to say that these political relations have a necessary and constitutive discursive dimension. We have explored a variety of tools by which we might tease apart with some rigour the texts which saturate our social world, and enable so profoundly the operation of modern institutions of governance, institutions which permeate the social body, and indeed constitute the very subjectivity of the agents which inhabit those institutions (that is, almost all of us). It has been my objective to demonstrate that there are important dimensions of political life that routinely go unexamined in analyses of public policy and of government in general. The documents which I examined were one such dimension: as a practitioner, I was intrigued by the inordinate attention paid to bureaucratic texts, not just in the provincial government, but in governing organisations in general. When I went to look for some theoretical guidance and some concrete research which would better enable me to understand these texts and their relationship to wider social relations, I found, somewhat to my surprise, that there was little which directly addressed the issue. These pages have been an attempt to better understand that gap, and to try bring together a

series of literatures through which one could explain with some analytic power the social life of negotiated agreements, or internal terms of reference for committees, or Minister's letters. I leave it to the reader to judge whether that work has been fruitful. For myself, the research has opened up a new (or at least broader dimension) to the negotiations I am currently engaged in. It has, for instance, made me more aware of the continuities between Aboriginal and non-aboriginal governments, a perspective which gets lost when your work is focused in areas of dispute and difference. It also allows me to understand with more theoretical depth the peculiar writing style that characterises bureaucratic texts, and to see some of the reasons behind its resilience, and its imperviousness to attempts to make it look like Plain English. Intellectually, I have confirmed my initial belief that the study of professional writing can be a productive and insightful way to analyse a whole range of social relations; bureaucratic, medical, engineering, chiropractic, pedagogical, etc.

Reflections on the Actual Analysis

Above, we sketched out a number of observations about bureaucratic discourse and government texts in general, and negotiated agreements such as multi-party MOU's in particular. The confluence of these discussions has been that these mundane documentary practices have a social role which is obscured in most analyses of policy instruments or the policy process in general. In concert with a series of other texts--government documents, organisational texts, videos, position papers, demonstrations, stories and political narratives--the negotiated agreements surveyed here are critical to the construction of a unique realm of political activity, which I have termed an 'Aboriginal-specific public sphere'. The negotiation, circulation, and disposition of these texts and the political practices associated with that work enable a public sphere to emerge in which Aboriginal and non-aboriginal governing bodies engage with each other, now in a frontal assault, now

in an uneasy coalition, as part of a long standing effort to adjust to the presence of the other in their midst.

How are we, in the final analysis, to judge this engagement? In trying to estimate the impact of these bureaucratic practices, one could say that if my analysis is correct, the fact that such a realm has emerged represents a partial victory for Aboriginal people. It represents a partial victory in the sense that the hegemonic impulses of the dominant society would press to have that long-running and unequal conversation held entirely on the grounds of the dominant society; that is, that there not be any conversation at all. Clearly, that has not happened; the very presence of such negotiations and some of the concessions contained therein (e.g., recognising the inherent right of self-government) attests to that. My argument with regard to the public sphere has been that this is not just a fleeting and temporary interaction, and a provisional concession, but is part rather of a structured sphere of activity (a 'structured space of possibilities' to use Bourdieu's phrase), which enables, institutionalises and profoundly shapes the articulation of Aboriginal aspirations and their political manifestation.

If one insisted on counting gains and losses, though, it is equally as clear that, as we have seen, the conversation between the two cultures has relied in no small part on an ontology drawn in large measure from the administrative and bureaucratic resources of the dominant society. We noted that one of the 'resources' of the dominant society is the spatial practices associated with administration. My research provides evidence for the belief that this space is structured administratively; there is in this sense a structural and not merely a contingent connection between the production of a certain kind of space and the exercise of governance as we have described it here.

In that sense we can suggest as a result of our researches that this is also more or less true of the public realm I mentioned earlier, and not merely of these texts. To the extent that it

is shaped by official documents (as opposed to the popular press, like the *Tattler* of the early liberal public realm, or by Much Music videos, as popular culture is today) this specific public realm is a *bureaucratic*, or perhaps more accurately, an *organisational* public realm. In this it reflects the conditions of modernity elucidated by Giddens when he speaks of organisations as mediating the relationship between self identity and self-actualisation, and as the quintessential form of modern social life (1991). But this space (and these practices) are not just organisational; they are above all else, *governmental*. They are concerned with the allocation of authority, the relations between decision-making units, the political profile of collective identity, and the forms of knowledge necessary to survey and domesticate unruly portions of the body politic. This is clearly not a space derived from the lifeworld of traditional Aboriginal communities.

This is but one example of the limitations placed upon the Aboriginal parties to these negotiations. We would not have to sketch out many of these to draw attention to the very real ways in which these documentary practices have circumscribed the potential for emancipatory political action. But just as clearly we have noted that even in these practices, which are about as bureaucratic and organisational as one could get, there are opportunities for subordinated groups to make some gains, to speak in the face of power, to articulate and at some level make authoritative a unique vision of political life. The sheer fact of these negotiations marks a gap in the hegemonic order. If nothing else, these negotiations reveal that the liberal ideology of equality as the universality of dominant norms is fragmented, dissolving under its own contradictions and the persistent critique of oppositional voices.

Where does this leave us? Are we to think, with Bataille, that "[t]ransgression does not negate an interdiction, it transcends and completes it" (Quoted in Clifford, 1988: 126), and that such opposition merely confirms the hegemony of the dominant order? Or is this a story of heroic opposition to imperial domination by subordinate groups who refuse to

slide into the role accorded to them by white narratives of eventual decline? Perhaps it is both.

But, on the other hand, perhaps both parties are in the same boat. Perhaps, indeed, the transformations wrought by international capital, the overall degeneration of political legitimacy in all political spheres, and the general abstraction of political power out of the 'container of the state' spells trouble for both Aboriginal and non-aboriginal governance structures, even as it marks a continuity between them. In the end, these negotiated agreements may be a desperate attempt to hang onto a profoundly dispersed and fragmented authority, a hasty scramble to gather together a power which obeys laws different from those that governments do, if it obeys a law at all. If these negotiated agreements represent a disruption to the symbolic order, in the sense of seeking new institutional arrangements; if they dislocate and re-arrange subjectivities; and if they challenge the coherence of the public policy process in general, perhaps they do so only as a last ditch attempt to re-establish a new entrenched order, a new but still dominant coherence, a new identity, but one fast frozen for easy use at a convenient time by the person in charge of the machine.

With regard to this last item, the question of identity. When we examined that peculiar administrative space mentioned above, we found that there was something in it, or rather, *somebody*; a subject, not just one, but a number of them: The Province, Aboriginal People, First Nations, the Parties, Métis, Canada, Policy Fora, Councils, and Associations. Here we recall Foucault's comment, "What sense can we make of a silent universe, with no voice to speak the name of its silence?" (1972: xi). We have here described this subject as a 'subject effect', to indicate its provisional and contingent nature. We mentioned earlier how these documents were places in which the question of identity could be negotiated, sometimes explicitly, but in many cases as the subterranean effects of other more obvious debates. Note the etymology here; one is a subject because one is *subject to*, a

'subjectum', the figure that moves through political machinery. It is not the transcendental subject we find crouched in the corner of the MOU, but the subject formed by exercise of power, an exercise with a constitutive discursive dimension. In this case, the governmentality that structures the political realm under examination suggests that this is the subject of political power; the citizen subject, subjects with rights, *inherent* rights, a legal, juridical, and organisational subject (Balibar, 1991).

Conclusion

Our research has delved into one particular area of discourse analysis, the discourse of governments and Aboriginal governing bodies, revealing a negotiated, polyvocal, performative series of 'text acts'. Those text are not mirrors of nature but shapers of social reality; through those discourses, politics is transformed into administration, social relations are recast into new spatial (and temporal) terms, which as narrative 'chronotopes' (Bakhtin, 1982) are then mapped by the MOU in the process of their construction and reproduction.

But we have also been provided with a view of bureaucratic texts which suggests that such documents are not just vehicles for a more refined white dominance, but also mechanisms by which that dominance can be explicitly defied, reworked, changed, resisted, in a word, *negotiated*, however unequally and under whatever limitations. The MOU represents and encodes, indeed, institutionalises bureaucratic norms, forms and relations, but it does not do this without some concessions, without having the cracks in the hegemonic order pried a little further apart.

So we see emerging from this a tentative sketch, the barest outlines, of the discourses which run through government, and between the agencies of the state and those entities, now collected into organisations but whose constitution yet retains its oppositional stance,

who engage with, deploy, and under certain circumstances, transform the practices of ruling. The discourse which structures the document is manifestly a discourse about *governance*, about the proper relations of ruling organisations to each other, to the selves to be governed, and to the source of authority for that governance.

In turn, the context of the documents' production--its concern with things, its insistence on the firm unity of its objects, its need for authorised, binding social relations--is marked in the grammar of the text, as the document is constructed from the carefully selected and relatively limited resources in the language which enable that context to be expressed and reproduced, and which ensure that the bureaucratic and administrative regimes built up over the last century as a channel for social power are not too greatly disturbed in this latest contest over the control of the binding authority of the state. If the document is to be a performative uttered by the state, establishing and authorising entities and actions which bind the state, the utterance itself must be felicitous, that is, it must adhere to the 'proper words', said in 'the right way', it must reflect and more importantly *preserve* the authority of the state, so that in the act of successfully performing the speech act the very grounds for the possibility of further speech acts are not systematically undermined. And for that, only certain linguistic forms will do.

And so the document twists and turns, producing and reproducing things, and procedures for the effective administration of things, now enabling a full frontal engagement, now deferring and evading the sharp embarrassment of a strategic loss, protesting too much by its insistent repetition that there is nothing unstable about its objects and its subjects, and, in the end, encoding in its hypotactic, fragmented voice for all to see the play of power and opposition, of rights and origins, that animates its authors and motivates its performance.

ENDNOTES

1. Quoted in Paul Tennant, Aboriginal Peoples and Politics: the Indian Land Question in British Columbia, 1857 to 1989 (Vancouver: University of British Columbia Press, 1990, p. 62). In this particular case, it is likely the case that the Chief's remarks were given orally and transcribed by, presumably, an official working for the Commission. The anecdote thus raises in a microcosm a number of the issues of representation, of textual inscription, and of the investment in certain notions of authenticity which I either address directly here, or for which implications can be drawn from my remarks. Some of these issues have been canvassed in interesting and more detailed ways by David Murray, in his book Forked Tongues: Speech, Writing, and Representation in North American Indian Texts. (Bloomington: Indiana University Press, 1991).
2. For more detailed account of the history of Aboriginal and non-aboriginal relations, see Tennant's Aboriginal People and Politics; Robert Cail, Land, Man, and the Law, Wilson Duff, "The Fort Victoria Treaties", (B.C. Studies, (3), Fall 1969), and The Indian history of British Columbia: Vol. 1, The impact of the White Man (Victoria: Provincial Museum of British Columbia, 1965); Robin Fisher, Contact and Conflict: Indian-European Relations in British Columbia (Vancouver: University of British Columbia Press, 1977), among others.
3. History, to be sure, enters into this, in the form of collective memory, self and group identity, and an accumulated body of cultural practices, but the issue here is less the details of that history and more the political question of the resources, historical and modern, the groups use in current practice.
4. 'Formal', in the sense of 'done in due or lawful form' (Webster's Ninth Collegiate Dictionary).
5. It would take me too far afield to engage here in a detailed and lengthy discussion of the important distinctions among different conceptions of power and the related notion of authority. Some brief comments: my use of the term 'power' is influenced by Foucault, but my use of term 'authority' comes closer to the more conventional notion of 'power as a thing exercised by an agent', in part because that is how it is construed by the participants to the negotiations I observed leading to these documents. The influence here is from Bourdieu's notion of symbolic power, and the associated notion that there is a fundamental relationship between social power (e.g., the ability to sustain or subvert relations of domination) and the control, allocation, and disposition within a discursive economy of symbolic capital, understood as the profit gained from employing distinctions between differentially situated signs and sign functions. All this, of course, stands in some contrast to Hannah Arendt's assertion that "authority has vanished from the modern world" (1958:54), although the discussion later on recognizes the unstable and contingent nature of the signifying practices the state employs to sustain its authority (or more accurately, to sustain the authority function). See Foucault's essay "The Eye of Power", in Power and Knowledge, and Bourdieu's Language and Symbolic Power. As well, see Peter Mortensen and Gesa Kirsch's article, "On Authority and the Study of Writing", in College Composition and Communication, 44,

No. 4, 1993, pp. 547-574, or Authority Revisited, Ed. J. Pennock and J. Chapman, New York: New York University Press, 1987 (volume 29 of Nomos).

6. To give a preliminary definition of the 'text', I cite James Clifford's description of textualization: "the process through which unwritten behavior, speech, beliefs, oral traditions and ritual come to be marked as a corpus, a potentially meaningful ensemble separated out from an immediate discursive or performative situation." (The Predicament of Culture: Twentieth-Century Art, Ethnography, Literature and Art. Cambridge: Harvard University Press, 1988, p. 38).
7. Initially, I use the terms 'semiotic', 'discursive' and 'rhetorical' interchangeably and rather roughly; as the discussion proceeds distinctions in the meaning and use of the terms will become apparent.
8. Such a claim needs to be softened by the recognition that there is a long history in political theory, from the pre-Socratics through Cicero to Hobbes and Marx, of recognizing the power and centrality of rhetoric, both as 'rhetoric' was classically conceived, and as it is currently understood. The focus in that tradition, however, was on the analysis of mechanisms of persuasion, as opposed to the construction and deployment of particular texts
9. Even though, as mentioned, that discipline, following in the footsteps of sociology and anthropology, has been taking an increasing interest in the symbolic and discursive constitution of the political realm (Gibbons, 1987; Shapiro, 1988).
10. Compare Derrida: "like empirical investigation...taking shelter in the field of grammatological knowledge" obliges "operating through 'examples'". Of Grammatology (trans. Gayatri Spivak, Baltimore: John Hopkins University Press, 1976, p.75).
11. The concept of genre is discussed in more detail in Chapter One.
12. Using the term 'utterance' to mean both verbal articulations of speech (its usual sense) and written propositions (well formed sentences and clauses). The frequency of 'utterance' in discussions of discourse and texts reflects the strong tendency to see spoken language as primary, a point explored in much more detail by Derrida in Of Grammatology. Bakhtin notes a significant difference between utterances and sentences, in that one can repeat a sentence but not an utterance, due to the unique circumstances attending each utterance ("The Problem of Speech Genres", in Speech Genres and other Late Essays, (Ed.s) C. Emerson and M. Holquist, trans. V. McGee. Austin, Texas: University of Texas Press, pp 60-102. 1986). To that extent I use 'utterance' even though I am in the main referring to written material, in an attempt to capture the 'eventness' of discourse and texts.
13. Using the terms 'discourse', 'rhetoric', and 'text' loosely for now, the first two referring to language as a process, and the latter term referring to the material product. Chapter Two provides a further specification of the terms.

- 14 . Although, sadly, the Nisga'a have not yet managed to extract a 'strong paper' from either the federal or provincial governments, despite almost 15 years of formal negotiations.
- 15 . A selection motivated in part by the desire to do a close reading of one small group of documents, and in part by the contingencies of the research situation, which made the context surrounding the production of these documents available to the researcher.
- 16 . Michel Foucault, "Two Lectures", in Power/Knowledge. Colin Gordon, trans., (Ed.s) Colin Gordon, Leo Marshall, John Mepham, Kate Soper, (New York: Pantheon, 1980) p 93.
- 17 . I draw from work done by Alford and Friedland (1985) for my analysis of the state, which is located in what these authors call the "managerial perspective." From this perspective, the state is to be analyzed according to "the way these organizational structures of power protect themselves from unorganized participation and from the kinds of issues that they cannot manage or control" (p.5). See also Krasner, 1984; Lukes, 1974; Touraine, 1971. While I use both terms in this paper, I recognize the distinction between the state and the state apparatus, the former including not only the bureaucracy but also overtly political institutions such as Cabinet, the Legislature, and parties. The latter contain the bureaucratic apparatus. Where necessary, I draw the distinction.
- 18 . There is a large literature on this. Some examples of case-specific studies of state domination of social groups includes Michael Charlton's The Last Colony in Africa: Diplomacy and the Independence of Rhodesia. (Oxford: Basil Blackwell Ltd: 1990); Robert Gordon's "Can Namibian San stop the Dispossession of Their Land?", in Edwin Wilmsen (Ed.) We are here: Politics of Aboriginal Land Tenure. (Berkeley: University of California Press, 1989); or K. Maddock's "Aboriginal Land Rights Traditionally and in Legislation: A case Study", in M. Howard (Ed.) Aboriginal Power in Australian Society, 55-78. (Honolulu: University of Hawaii).
- 19 . The literature on this general area is quite large. For instance, a recent bibliography on just one area, the criminal justice system and Aboriginal people, contains some 3700 entries. See Charles Horn and Curt Taylor Griffiths, Native North Americans: Crime, Conflict, and Criminal Justice. A research Bibliography. 5th Edition, Vancouver, B.C.: The Northern Justice Society. 1990.
- 20 . Or see, for a similar approach in a Canadian, as opposed to a B.C. context, Brian Titley's A Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada. Vancouver: University of British Columbia Press, 1986. Such a perspective has also been central to much of the writing on Rhodesian Independence (UDI) and subsequently, the Lancaster House Agreement which paved the way for Black majority rule, writing which highlights the presumed pivotal role of Ian Smith, Prime Minister of Rhodesia. See, for instance, Elaine Windrich, Britain and the Politics of Rhodesian Independence. London: Croom Helm, 1978.
- 21 . See for instance Tennant's Aboriginal People and Politics, for a discussion of the role of aboriginal political groups like the Native Brotherhood, or the Indian Homemakers. There is a large number of discussions which take a historical perspective; Anastasia Shkilnyk's 1985. A Poison Stronger than Love. The Destruction of an Ojibway Community. New Haven: Yale University Press, or

Robin Fisher's Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890. Vancouver: University of British Columbia Press are good examples.

22. The exception to this history might be the case of the Métis, whose emergence as a people and whose dispossession was much more closely tied to specific mercantile interests, i.e., the North West Company and the Hudson's Bay Company. See on this point Don McLean, 1885: Métis Rebellion or Government Conspiracy, or Chartrand's Manitoba's Métis Settlement Scheme of 1870. Even here, though, it is useful to remind ourselves that the Hudson's Bay Company *was* in fact treated as another 'government' by the British Crown.
23. See also Robert Adie and Paul Thomas's Canadian Public Administration: Problematic Perspectives (Scarborough, Ont.: Prentice Hall Canada, 1982), especially chapters Two and Three.
24. This is in part the vision, as Derrida argued with regards to Rousseau, that we are able to "recapture a sort of happy pause, the instantaneity of a full language, the image stabilising what is no more than a point of pure passage; a language without discourse, a speech without sentence, without syntax, without parts, without grammar, a language of pure effusion..." (1976: 279).
25. Clearly, it is not just in texts about relations between cultural groups where such an approach can be found. So, for instance, we find in the widely read book by John Saul, Voltaire's Bastards, the following assertion: "The purpose of language is communications. It has no other reason for existence. A great civilization is one in which there is a rich texture and breadth and ease to that communication. When language begins to prevent communication, that civilization has entered into serious degeneracy." (Toronto: Penguin Books, 1993. p. 477).
26. Other recent survey texts on approaches to public administration have recognized the role of metaphors and allegory in both policy discourse and in the analysis of policies. See, for example, Gareth Morgan's Images of Organizations, (Newbury Park, Calif.: Sage Publications, 1986), and Deborah Stone, Policy and Paradox, (1988). Stone usefully distinguishes symbols from some of these other modes.
27. I should make it clear that I am not suggesting that there is no merit in the approaches taken by the authors noted above, and others working in those traditions. To adopt an approach which brings into view the use of language in such relations, is not to deny that some of the literature mentioned above, which relies on essentially non-discursive approaches, has offered subtle and sophisticated discussions of the dynamics of resistance by groups forced to live in circumstances in which they are offered few opportunities to control their daily lives, and to realize their vision of an alternative (and culturally appropriate) future. Paul Tennant's book for instance, was an important and useful intervention in the evolution of the debate over the 'land question' in British Columbia, and Robin Riddington, in his turn, has brought significant insight to bear on the ways in which the writing and research practices of anthropological fieldwork disabled his understanding of the community he lived in, off and on for almost 30 years. Such research is invaluable, and needs to be continued.

Thus my project here is not simply to critique those approaches—to probe them in search of a fatal flaw, as an end in itself; my project is instead to explore a route which has received limited attention in the literature on Aboriginal issues in general and negotiated agreements in particular, but which leads us to consider an aspect of those situations which has fundamental effects (and as such is an important and productive site for analysis): the textual construction of social relations. As Thompson comments (in relation to a discussion of the way ideology has been construed in philosophy and linguistics, "[f]ew attempts have been made to examine just what is involved in regarding language as a social phenomenon, that is, as a phenomenon which is enmeshed in relations of power, in situations of conflict, in processes of social change." (1985: 6).

- 28 . My understanding of the term follows Dorothy Smith, who uses the term 'institution' to identify "complex of relations forming part of the ruling apparatus, organized around a distinctive function—education, health care, law and the like." She adds that this is not a 'determinate form of social organization', but rather "the intersection and coordination of more than one relational mode of the ruling apparatus" (The Everyday World as Problematic, Toronto: University of Toronto Press, 1987, p. 160). I would add to this the notion of 'institution' the idea that this 'complex of relations' is a relatively durable one.
- 29 . Compare Barthes' comment: "The work is held in the hand, the text in language" Image-music-text. (London: Fontana, 1977).
- 30 . The notion of 'field' articulated by Bourdieu and used here has some resemblance to the more formal linguistic use of the term 'field' (which is used as part of the three part complex 'field', 'tone', and 'tenor'); that use sees field as marking the type of activity in which the discussion operates, that is, part of the context, but especially its institutional focus. See M. Gregory and S. Carroll, Language and Situation: Language Varieties and their Social Context. London: Routledge and Kegan Paul, 1978.
- 31 . If one wanted to insist on locating this inside an individual's head, which I don't, it might be seen as a form of social competence (rather than a linguistic *capacity*, as the Chomsky of, say, Aspects of the Theory of Syntax would have had it), a competence to make appropriate contributions to a discourse situation, to weave chunks of discourse into a 'text', to avoid transgressions; in general, to successfully navigate complex rhetorical situations. It may be more useful, though, to think of this 'competence' as being located in an accumulated and largely intersubjective (although this term needs to be used provisionally) cluster of social habits and tendencies into which such utterances are introduced (the 'habitus').
- 32 . For Bourdieu, the production of an utterance suitable for a linguistic market was not a matter of speakers' intentions, but was rather a factor of the predispositions, schemes of perception, and accumulated social practices, a determinate social space he called a 'habitus', which exceeded individuals (1991). A related point is made by Bakhtin in "The Problem of Speech Genres" (1986), but more particularly in his early essay on Freud (Freudianism: a Critical Sketch, trans. I.R. Titunik, Bloomington: Indiana University Press, 1987) where he rejects the model he sees in Freud of a mind split between the conscious and the unconscious, which, like the split between the

body and mind, leaves us working feverishly over the fruitless question of the relationship between the two. Bakhtin proposed instead a much more vigorous role for the conscious, which he suggested is not exhausted by what the self is immediately aware of or experiencing at any particular moment. The fact that we might have some areas which are *non-conscious* did not mean we have the kind of mental domain which Freud and others had identified as the *unconscious*.

33. Though it is useful to keep in mind Derrida's injunction that to seek an 'original' authorial intention in a text—in the manner of a hermeneutic exegesis of the scriptures—is a highly problematic exercise. My goal here is more limited, which is to read from the text the conditions of its production without pretending that I have recovered an originary text beneath that is more authentic, and as such immune from rhetorical effects and the play of signification.
34. For a more extensive discussion of modality, see Eve Sweetser, "Modality", in From Etymology to Pragmatics. Cambridge: Cambridge University Press, 1991.
35. This sample is taken from Daniel McAllister, "Affect and Cognition-based trust as Foundations for Interpersonal Cooperation in Organizations", in Academy of Management Journal, 38, 1, pp. 24-59.
36. Leaving aside for the moment the debate about whether Bakhtin was the author of some or all of Medvedev's work, including his discussion of genre.
37. Cf Halliday and Hasan, who argue, "[a]ny piece of text...will carry with it indications of its context...this means that we reconstruct from the text certain aspects of the situation. Given the text, we construct the situation from it" (1989: 38). While this is broadly speaking true, it is less the formal features of a text than its generic (and pragmatic) features which guide contextual interpretation.
38. A perspective which finds support in the writings of Derrida, where he suggests that no word is self-contained, and that it is connected through the play of signification and the fact that it is constituted by its difference from other terms, and the traces of those other terms which lead 'outside' the term as it were, in an infinite trail through the whole of that language.
39. And, it allows us to move in a slightly different direction than that taken by, for instance, Lacan, or Derrida, whose interest lay in the relation between the signifier and the signified, whereas our interest lies more in discourse as a set of rhetorical practices, some of which have power and subject effects.
40. One could argue that this process by which the subject takes up residence in a desired position made available in discourse operates in a specific, but fundamental realm of signification, the central, structured core of socially valorized signs. Complementing this situation of desire, then, there is the operation of this register, which LeFort, Lacan, and others have called the 'social imaginary', which for Lacan was the place in which the subject experiences identification, the place, that is, in

which it could be said that desire finds itself, finds a self, finds selfhood. See Jacques Lacan, The Language of the Self: The Function of Language in Psychoanalysis, and Claude Lefort, The Political Forms of Modern Society.

- 41 . See for instance, Julian Henriques, Wendy Holloway, Cathy Urwin, Couze Venn, and Valerie Walkerdine, Changing the Subject: Psychology Social Regulation, and Subjectivity. (London: Methuen, 1984); Kaja Silverman, The Subject of Semiotics. (New York: Oxford University Press, 1983); Gayatri Spivak, "Can the Subaltern Speak?", in Marxism and the Interpretation of Cultures (Urbana: University of Illinois Press. pp. 271-314. 1983).
- 42 . I recognize that this is a rather schematic overview of a complex and involved topic. For a more detailed discussion than I can provide here see Henriques, Julian, Wendy Holloway, Cathy Urwin, Couze Venn, and Valerie Walkerdine. 1984. Changing the Subject: Psychology, Social Regulation, and Subjectivity. London: Methuen; Ian Parker, 1992. Discourse Dynamics: Critical analysis for Social and Individual Psychology. London: Routledge.
- 43 . 'Other', in the sense in which Lacan originally used that notion, simply as any 'other' subject through which the infant realizes its incompleteness. The notion has subsequently been adopted in many other areas of thought, but especially in anthropology and ethnography, who have altered its original sense in Lacan and fetishised the 'other' into the *cultural* other, i.e., non-white, female subjects. Sometimes this is done well. For a case where it is not, see Bernard McGrane, Beyond Anthropology: Society and the Other, New York: Columbia University Press, 1989.
- 44 . Indexicals are a class of words in English which are used to 'point to' or index other parts of the text (as is the case with anaphora), or to entities outside the text, to the non-textual environment, as in some uses of personal pronouns. See Peter Bosch, Agreement and Anaphora: a Study of the roles of Pronouns in Syntax and Discourse (London: Academic Press, 1983).
- 45 . I use the word 'mundane' here deliberately. In this regard, I can do no more than to quote Henri Lefebvre:

"The *mundus*: a sacred or accursed place in the middle of the Italiot township. A pit, originally—a dust hole, a public rubbish dump. Into it were cast trash and filth of every kind, along with those condemned to death.... A pit, then, 'deep' above all in meaning. It connected the city, the space above ground, land-as-soil, and land-as-territory, to the hidden, clandestine, subterranean spaces which were those of fertility and death, of the beginning and the end, of birth and burial.... As locus of time, of births and tombs, vagina of the nurturing earth-as-mother, dark corridor emerging from the depths, cavern opening to the light, estuary of hidden forces and mouth of the realm of shadows, the *mundus* terrified as it glorified." (1985: 242).

If these documents are mundane, it is because they are locations for the accumulation of strata of meaning (layered like a dump, but with those layers being continually disturbed by the introduction of new materials); these documents are both the location of everyday life, and a focus for hopes, dreams, and fears. One is reminded here of the stress Charles Taylor places on the 'affirmation of ordinary life' in the formation of the modern self (The Sources of the Self, Cambridge, Mass.: Harvard University Press, 1989). In the bureaucracy, such instruments (MOU's, formal agreements, etc.) are forms of ordinary life.

- 46 . Put this way, though, there is a possibility of evoking G.H. Mead more than a post-modern critique of the unified western subject of enlightenment liberalism. It might be useful to draw attention to some differences, differences consistent with a (contemporary) focus on discourse, in that the articulation of self-hood is seen here to be a *linguistic*, not a cognitive or psycho-social developmental phenomenon, as Mead suggested it was.
- 47 . I say 'Cartesian' idea here, rather than directly naming Rene Descartes as the author of such an interpretation. One looks in vain in the Meditations for a discussion of the *subjectum*; while 'I' is used frequently, the notion of the subject *as such* is not discussed. It was rather *substance*, and its relation to attributes and other substances, that was the principal object of inquiry. Etienne Balibar has argued persuasively that the reading of Descartes in terms of a theory of the subject (the unified, pregiven self of classic western ontology and epistemology, recently itself the subject of much deconstruction) arises from the effect of Kant, and later of Heidegger. In their works, but especially in Kant, she discerns the "origin of the projection of a transcendental category of the "subject" upon the Cartesian text. This projection and the distortion it brings with it...is in itself constitutive of the "invention" of the transcendental subject, which is inseparably a movement away from and an interpretation of Cartesianism."(36). ("Citizen Subject", in Eduardo Cadava, Peter Connor, and Jean-Luc Nancy (Ed.s), Who Comes After the Subject? New York: Routledge. 1991, pp. 33-57). Whatever its sources, one captures here under the shorthand of Cartesianism the notion of a subject which *is* independent of its predicates, or as Hegel put it, 'that which is capable of maintaining within itself its own contradiction' and is in that sense unitary.
- 48 . Clearly, Benveniste's analysis points away from a conception of the subject as sovereign: as the stable, durable, fixed and essential core of the individual, and towards a subjectivity that finds itself in and through a constellation of discourses and the texts in which they are contained.

It points as well, to the fact that if subjectivity is located, not in the internal cognitive development of autonomous minds, but in rhetorical processes, and thus in an essentially semiotic nexus, then that node is not a single text, or a series of single instances, but a cluster of interconnected texts, discourses, and rhetorical practices, whose effect is cumulative, specific, possibly contradictory and probably massive. An essentially similar point is made by Homi Bhaba in his essay "Interrogating Identity", which is an attempt to interrogate, in a particularly post-modern way, the notion of identity. For Bhaba, there is no such thing, in the perspective articulated in that article, as identity *in itself*, any more than there are things-in-themselves; identity must rather be understood as an effect produced by other procedures, structures, and movements which leave their trace behind; in a word, other texts. Thus if one's identity (or as I have been putting it so far, the

effect of identity/subjectivity) is produced through discourse, then it must necessarily be a *cluster* of texts, a range of discursive practices, which in all their diversity none the less produce a thematically coherent regime of 'truth' through which selfhood is produced. Identity for Bhaba is discursively produced, but it is also intertextual. See his article "Interrogating Identity", in The Real me? Post modernism and the Question of Identity.

49. By which I mean here typed as well as handwritten. Printed material, in the form of monographs, etc., represent a slightly different kind of product. MOU's more closely represent manuscripts, in the sense that before being signed they can be edited and revised, and so the closure that comes with a typeset document such as a book is not as strong.
50. Although conversations within bureaucracies (and elsewhere) might constitute what James Clifford calls "oral domains within a dominant literacy" (The Predicament of Culture, p. 340).
51. Early linguistic research in this area demonstrated significant syntactic, lexical and grammatical differences between the two modalities, without, however, implying a difference as to research suitability. See Redecker, 1984 for an overview and discussion of this research.
52. In taking this position, I differ from analysts such as Brown and Yule, who remark in their book Discourse Analysis that "we use written language largely for the working out and transference of information" (what the authors call a "primarily transactional use" (1984: 13). As noted, these authors are not alone in their assessment of the limited role of the written, as demonstrated by the preference in the discourse analysis literature for analyzing conversations. I note here Derrida's critique of this as 'logocentrism', and his preference for the written as a mode which more evidently displays its constructed nature; I note as well Ong's extensive discussion of this issue in his Orality and Literacy. Even leaving these aside, we could respond to Brown and Yule's assessment by suggesting that equally important, for instance, is the phatic effects of written communication, such as its role in creating and sustaining relationships of in-group collegiality between spatially separated persons, or its role in rendering mutually acceptable a bureaucratic division of labour, in creating categories of people who produce documents, and those who sign them.
53. Cambridge, M.I.T. Press, 1989. The work was originally submitted as his *Habilitationschrift* to Horkheimer and Adorno at Frankfurt. It was subsequently submitted to Abendroth at Marburg.
54. For an interesting discussion of the emancipatory potential of these associational networks, and their relationship to anarchist and early socialist thought, see Kropotkin's classic work, Mutual Aid.
55. For an interesting discussion of some of the 'publics' which arise in oppositional practices, see James Scott's Domination and the Arts of Resistance: Hidden Transcripts (New Haven: Yale University Press, 1990).
56. Although, as Faye Ginsburg suggests (in "Production Values: Indigenous Media and the Rhetoric of Self-determination" (1995)), the role of indigenous media, such as films and videos, or theater

and other art forms, might be more complex and formative by virtue of their origin from within the Aboriginal community, as opposed to treaties, which are more responses to exogenous pressures.

57. I generally use the term 'nominal' and 'noun phrase' (NP), as equivalent terms in this Section. There are however distinctions worth noting. The term 'nominal' is drawn from functional-systemic linguistics, as opposed to a strict text-grammar, and it has the advantage of identifying the function of a linguistic element, not merely labeling it, as 'noun phrase' does. Consistent with that, 'nominalization', a term I also use, describes a *process*, by which nominals are created out of other linguistic resources, like verbs, or adjectives.
58. Or not at least as Levi-Strauss understood ritual. In comparing it to games, he wrote that "ritual, on the other hand...conjoints, for it brings about a union...or in any case an organic relation between two initially separate groups." The Savage Mind. (Chicago: University of Chicago Press, 1966, p. 32.)
59. On this point see Georg Lukacs, History and Class Consciousness: Studies in Marxist Dialectics, (Rodney Livingston (trans), London: Merlin, 1971); Horkheimer and Adorno, Dialectic of Enlightenment (John Cumming, (trans), New York: Seabury, 1972); Jurgen Habermas, The Theory of Communicative Action, vol. 2: Lifeworld and System: a Critique of Functionalist Reason, (Thomas McCarthy (trans), Boston: Beacon Press, 1987); and Jean Baudrillard, For a critique of the Political Economy of the Sign, (Charles Levin (trans), St. Louis: Telos Press, 1981).
60. This is information that I gleaned from participation in negotiations and related activities for a three year period (1993 to the present).
61. I am indebted to Janet Giltrow for this point.
62. In addition, there are eight demonstratives, three possessives, one reflexive, and six cardinals. As well, there is relatively little use of pre-determiners, with the exception of some quantifiers, such as 'any', or 'each', nor of post-determiners, save for the use of 'other'. Note Quirk et al. describe 'other' as '(an)other', and on that basis see it as a cardinal post-determiner. I adopt that description, although I note that in the MOU it occurs without the article, in contrast to the usual use of '(an)other' [cf, "one or *the* other", "one or *another* of the boys"] cited by Quirk et al.
63. The one exception to the marked lexical cohesion is in the use of ellipses. The use of ellipses (as a special case of substitution) occurs mainly in the headings strewn throughout the document; often the omitted words are verbs or verb phrases, and conjunctions. Sometimes, as with the heading 'Structure' on the first page of the Métis, PC, and Union of B.C. Indian Chiefs' MOU's, it is not entirely clear what has been elided (except perhaps a lengthy explanatory clause), and this contributes to the fragmentary feel of the document.

- 64 . Although Bakhtin often uses the term dialogue, or dialogic, in a way that it applies to all language, or rather, in a way that suggests it is a characteristic of language as such. But he also uses it in a more narrow sense, in which he suggests that some discourses are dialogic in a way that others are not.

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"Memorandum Of Understanding respecting the Establishment of a Government-to-Government Forum between the Union of B.C. Indian Chiefs and the Government of British Columbia."

Ministry of Aboriginal Affairs. 1994b.

"Memorandum Of Understanding respecting the Establishment of a Government-to-Government

**Forum between the First nations Summit and the
Government of British Columbia."**

House of Commons, Canada. 1869.

**"Memorandum of Further Agreement between Sir
Geo. Et. Cartier, and Sir Stafford Northcote."**

Hudsons' Bay Company. 1869a.

**"Details of Agreement between the Delegates of the
Governor of the Dominion and the Directors of the
Hudson's Bay Company".**

Hudsons' Bay Company. 1869b.

**"Details of Agreement between the Delegates of the
Governor of the Dominion and the Directors of the
Hudson's Bay Company".**

APPENDIX A

**A MEMORANDUM OF UNDERSTANDING
TO ESTABLISH
THE POLICY FORUM**

draft

**A MEMORANDUM OF UNDERSTANDING
TO ESTABLISH
THE POLICY FORUM**

BETWEEN: **THE ABORIGINAL WOMEN'S COUNCIL
THE B.C. ASSOCIATION OF INDIAN FRIENDSHIP
CENTRES**

**THE NATIVE BROTHERHOOD OF B.C.
AND THE UNITED NATIVES NATIONS.
(the "Presidents' Council")**

AND: **THE PROVINCE OF BRITISH COLUMBIA
(the "Province")**

WHEREAS:

The Presidents' Council has established a working relationship to represent the interests of their constituents and is committed to implementing the inherent right of self-determination of Off-Reserve Aboriginal Nations.

The Province is committed to entering into a government to government relationship with the Off-Reserve Aboriginal people within the province, and recognizing their inherent right of self-determination.

The Parties wish to establish a process for negotiations between themselves and Canada for the purpose of establishing Off-Reserve Aboriginal self-government structures within the scope of the inherent right of self-determination.

THEREFORE THE PARTIES AGREE:

PURPOSE:

To establish a bilateral Policy Forum through which to identify, consider, and act upon legislation, regulation and policy issues that have risen and may arise from time to time between the Parties.

REPRESENTATION FOR THE PARTIES:

"PRESIDENTS' COUNCIL"

will be represented by the Presidents' of The Aboriginal Women's Council, The B.C. Association of Indian Friendship Centres, The Native Brotherhood of B.C. and The United Native Nations, or as may otherwise be determined by the Presidents' Council.

"THE PROVINCE OF B.C."

will be represented by The Premier and the Minister of Aboriginal Affairs.

OBJECTIVES OF THE POLICY FORUM:

1. To establish and strengthen a government to government relationship between the Parties;
2. To advance the social, cultural, economic and political rights and interests of the Aboriginal peoples of British Columbia.
3. To establish a process for involving the federal government to work towards the establishment of Aboriginal self-government structures within the scope of the inherent right of self-determination

SCOPE OF NEGOTIATIONS:

4. The Policy Forum should take a broad developmental approach, including the discussion of provincial legislative and policy requirements, informed by the recognition of the inherent right of self-determination.

POLICY FORUM AGENDA and STRUCTURE:**5. 5.1 AGENDA:**

- a) Any policy issue may be brought to the Policy Forum by the Parties.
- b) Issues may be placed on the Policy Forum agenda by mutual agreement, provided that:
 - i) the issue is of a policy nature and relates directly to the rights and interests of either of the Parties;
 - ii) information about the issue includes the following:
 - * summary description of the issue;
 - * statement regarding the importance of the issue and its relationship to an actual or potential impact on either Parties' rights and interests;
 - iii) the referring Parties' expectations with respect to the actions required to resolve the issues; and

- iv) a general outline of the recommended process and time frame for resolution.
- c) Each agenda item, which is referred to the Policy Forum in accordance with the above shall be placed on the agenda for the next meeting.

5.2 STRUCTURE:

The Policy Forum will be a **two tier structure** with the following make-up and terms of reference:

- a) **Tier one** comprised of the Presidents' Council and the Aboriginal Affairs Working Group of Cabinet and other Cabinet Ministers as agreed upon will:
 - i) identify issues for discussion and agree upon agenda items for negotiation and resolution between the Parties;
 - ii) resolve impasses to the resolution of issues and the agreed upon agenda items;
 - iii) finalize negotiated government to government agreements, accords, protocols or other instruments as may be agreed upon;
 - iv) to provide direction to the Tier Two Group;
 - v) upon mutual agreement, invite participation from, or share information with, the Government of Canada in any of the discussions, activities or negotiations conducted pursuant to this Agreement, with respect to those agenda items which directly affect the jurisdiction, responsibilities or interests of the Government of Canada; and
 - vi) upon the agreement of the Parties meet up to three times per year and at other such time as necessary.
- b) **Tier Two** comprised of the representative technicians and the senior staff of the policy unit of the Presidents' Council, and the Deputy Ministers and other senior staff officials of the Province will:
 - i) raise and recommend issues and agenda items to Tier One;
 - ii) undertake research, analysis or other related activities to further the objectives of the Policy Forum;

- iii) formulate options and make recommendations for the discussion, negotiation and resolution of issues and agenda items;
- iv) meet the federal government officials, as required by tier One;
- v) assume primary responsibility for the operation of the Policy Forum negotiations; and
- vi) establish and oversee Working Groups as required and agreed upon.

RESOURCING

- 6. Equitable funding for costs associated with the operation of the policy table will be negotiated through a separate contribution agreement.

SPECIAL CLAUSES

- 7. Nothing in this Agreement shall be construed so as to abrogate or derogate from any Aboriginal, Treaty or other rights or freedoms that pertain to the Aboriginal peoples of Canada or makes those rights contingent on the commitment to negotiate under this Agreement.
- 8. Nothing in this Agreement will apply to any other Aboriginal people who are not within the ambit of this Agreement.
- 9. Nothing in this Agreement will abrogate or derogate from any rights of the Aboriginal peoples of Canada who are not party to this or subsequent Agreements.
- 10. This Agreement will be interpreted in a manner consistent with the equality of female and male persons.

TERM OF THE AGREEMENT

- 11. The Parties will review the effectiveness of the Policy Forum's objectives and structure on a timely basis

In witness whereof the Parties, have executed this Agreement this

_____ day of _____ 1994.

SIGNED on behalf of the
PRESIDENTS' COUNCIL by:

SIGNED on behalf of
HER MAJESTY THE QUEEN IN RIGHT
of the Province of British Columbia

Aboriginal Women's Council President

Honourable Mike Harcourt
Premier

B.C. Association of Indian Friendship Centre President

Honourable John Cashore
Minister of Aboriginal Affairs

Native Brotherhood of B.C. President

In the presence of

United Native Nations President

In the presence of

m: THESIS\APP-PC.MOU

APPENDIX B

**MEMORANDUM OF UNDERSTANDING CONCERNING
TRIPARTITE NEGOTIATIONS ON MÉTIS SELF-GOVERNMENT.**

DRAFT
MEMORANDUM OF UNDERSTANDING
 (July 18, 1995)

Between:

THE MÉTIS TRIPARTITE SECRETARIAT representing The Pacific Métis Federation, the Louis Riel Métis Council, the South Island Métis Association, the Kootenay Region of the Association of Métis Nation in BC, and the United Heritage Métis Association, (hereinafter referred to as "the Secretariat")

and

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA (hereinafter referred to as "British Columbia")

and

HER MAJESTY THE QUEEN IN RIGHT OF CANADA represented herein by the Federal Interlocutor for Métis and Non-Status Indians (hereinafter referred to as "Canada")

CONCERNING TRIPARTITE NEGOTIATIONS ON MÉTIS SELF-GOVERNMENT.

WHEREAS the Parties recognize the need to enhance the position of Métis peoples in the province of British Columbia and the Canadian Federation;

AND WHEREAS the Parties are committed to concluding agreements on self-government for the Métis people in British Columbia;

AND WHEREAS the parties support the establishment of Métis self-governing institutions in British Columbia to facilitate the ability of the Métis to:

- * participate in government decision-making in matters that directly affect them;
- * design and deliver their own programs and services based on their particular needs and circumstances;
- * protect and enhance Métis heritage, language and culture; and
- * promote Métis economic development and self-sufficiency;

AND WHEREAS the parties recognize that any self-governing institutions shall operate within the existing Canadian constitutional framework.

THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. TRIPARTITE SELF-GOVERNMENT NEGOTIATIONS

To enter into discussions directed towards concluding agreements on self-government for the Métis people in British Columbia.

2. JOINT MANAGEMENT GROUP (JMG)

2.1 To establish a JMG of officials from the Secretariat, British Columbia and Canada, to conduct negotiations and draft agreements, including implementation plans for Métis self-government.

2.2 That the JMG will establish working groups as required, to undertake research, review options, and provide recommendations to the JMG.

2.3 That the JMG will provide information to Métis communities and to the public at large, on the negotiation process established under this Memorandum.

3. PARTICIPATION OF BRITISH COLUMBIA MÉTIS

3.1 That the Secretariat will involve the Métis people to the fullest extent possible in the consultations, discussions, and negotiations referred to in Section 1 above.

4. AGENDA FOR NEGOTIATIONS

4.1 That the agenda for discussions referred to in Section 1 above will be mutually agreed upon, and will include, but will not necessarily be limited to:

- a) the nature and powers, structures and procedures of institutions of Métis self-government;
- b) programs and services to be provided by institutions of Métis self-government including, but not restricted to, education, family and social services, justice, health, economic, human resource and community development, history, language and culture;
- c) funding sources for institutions of Métis self-government;

- d) enumeration of and registration systems for Métis people in British Columbia; and
- e) Métis participation in public institutions of government within British Columbia.

5. RESOURCES FOR SECRETARIAT PARTICIPATION

5.1 Funding on the basis of mutually agreed to workplans will be provided by both levels of governments to the Secretariat so that it can carry out community consultations and participate in the negotiation process.

6. OTHER DISCUSSIONS AND AGREEMENTS

6.1 Nothing in this Memorandum is intended to preclude or substitute for any bilateral discussions or agreements between Canada or British Columbia and the Secretariat.

6.2 Nothing in this Memorandum precludes the Secretariat or provincial or federal Ministers from discussing any matter, including those arising from tripartite discussions.

7. NON-DEROGATION

7.1 Nothing in this Memorandum shall be interpreted so as to abrogate or derogate from any aboriginal, treaty, or other rights and freedoms that pertain to the Métis people of Canada.

8. TERM OF THIS MEMORANDUM OF UNDERSTANDING

8.1 Any one Party may cease participation in the Memorandum of Understanding upon ninety days notice to the other Parties.

8.2 The Parties agree to produce a progress report every six months on the activities undertaken pursuant to this Agreement.

8.3 The Parties agree to annually review the effectiveness of the Process of Tripartite Negotiations on Métis Self-Government, and either continue with the Memorandum, or negotiate a new, revised Memorandum of Understanding.

In witness whereof the representatives have signed this Memorandum of Understanding

on the _____ day of _____, 1995

**SIGNED on behalf of
THE MÉTIS TRIPARTITE SECRETARIAT**

Thomas Lalonde
Co-Chair
Council Chief
Louis Riel Métis Council

Norman B. Evans
Co-Chair
President
Pacific Métis Federation

Bob Donahue
Co-Chair
President
South Island Métis
Association

in the presence of

**HER MAJESTY THE QUEEN
IN RIGHT OF THE PROVINCE
OF BRITISH COLUMBIA**

Honourable John Cashore
Minister
Aboriginal Affairs

in the presence of

**HER MAJESTY THE QUEEN
IN RIGHT OF CANADA**

Honourable Anne McLellan
Federal Interlocutor
Métis and Non-status Indians

in the presence of

APPENDIX C:

SYNTACTIC OVERVIEW OF THE PRESIDENTS COUNCIL
AND METIS MOU'S

APPENDIX C: SYNTACTIC OVERVIEW OF THE PC AND MÉTIS MOU'S

This Appendix provides a brief overview of the syntactic features of a sub-set of the MOU's discussed in the main body of the thesis. For the sake of convenience, these have been organized according to the relevant grammatical features.

Noun Phrases:

From the perspective of text grammar, the most striking feature of the document is its heavy nominalization. The text is littered with lengthy noun phrases, with nominal heads surrounded by deverbal adjectives, nominalized verbs, and attributive nouns. Because of its prominence, I start with a discussion of the noun phrase, which I divide into three areas; the nominal head, noun phrase pre-modifiers, and noun phrase post-modifiers. Overall, it can be said that the noun phrase in the MOU is subject to a significant degree of modification, both pre- and post.

The nominal head:

The majority of the nominal heads found in the Presidents' Council MOU are abstract nouns, such as 'rights', or 'interests', or 'structures', or 'issues'. A number are proper nouns, or, more precisely, are typically abstract nouns which have been given proper noun status by virtue of capitalization. This is particularly evident in the earlier part of the document, and again at the end, where the names of organizations are listed (the 'Presidents' Council', the 'Province', the 'Policy Forum', the 'B.C. Association of Indian Friendship Centres'). It should be noted that many of these differ from the standard case of proper nouns by the fact that they take the definite article, unlike proper nouns such as 'Fred', or 'Mr. Jones', and in that sense the proper nouns in the MOU might best be seen as common nouns which have a unique reference (Quirk et al., 1972:165).

With regard to staging, there are more concrete nouns towards the end of the document than there are in the beginning, and as noted above, more proper nouns (or capitalized common nouns) in the beginning.

It should be noted that a small number of the heads are repeated a large number of times, particularly 'issue(s)', 'rights', 'Agreement', and 'Parties', a point mentioned in Chapter three, where I discussed cohesion in the documents. As a related point, note that a number of the heads can be considered to be within the semantic domain of another head, as in the triads, 'Council', 'the Association', and 'the Parties', or 'People(s)', 'constituents', and 'Nations'. Finally, the heads are found, in very many cases, in complex noun phrases.

Pre-modifiers: Determiners:

With regards to determiners, the document relies almost exclusively upon the definite article, with some use of the indefinite, and limited use of demonstratives, possessives and cardinals (Appendix D).¹

The reliance upon definite articles is another marked feature of the noun phrases in the text. There is relatively little use of pre-determiners, with the exception of some quantifiers, such as 'any', or 'each', nor of post-determiners, save for the use of 'other'.²

Premodifiers, nouns and adjectives:

The noun phrases found in the MOU are modified in the pre-modifier slot by both nouns and adjectives (see Table 2). However, nouns in the document are often used attributively, so that they resemble adjectives. They none-the-less retain their nominal character, as in the 'Policy Forum' (corresponding to: 'the Forum (about) Policy'). While I have labelled these as nouns, they might more properly be called denominal adjectives, a characterization supported by the fact that the examples here ('Policy Forum', 'social rights', 'legislative requirements') have the pre-modifiers in question immediately before the nominal head (with some exceptions for discontinuous modification).

There are a few examples of participles, usually present, in the pre-modifier slot, such as 'referring Parties' expectations', or 'following make-up', or 'working group', but these and the denominal adjectives mentioned above are outnumbered by adjectives. Most of these are in turn general adjectives, although some could be considered adjectives of style (e.g., the phrase 'government-to-government' in the Memorandum of Understanding between the Union of British Columbia Indian Chefs and the Province of British Columbia, attached in Appendix D).

Generally, the pre-modification is complex but not multiple, but there are sufficient examples of multiple modification to mention it, such as 'senior staff officials', 'federal government officials', 'policy forum negotiations'.

¹ As can be seen in Appendix D, the definite article occurs 94 times, the indefinite only 15 times in the text. There are eight demonstratives, three possessives, one reflexive, and six cardinals.

² Note Quirk et al. describe 'other' as '(an)other', and on that basis see it as a cardinal post-determiner. I adopt that description, although I note that in the MOU it occurs without the article, in contrast to the usual use of '(an)other' [cf, "one or *the* other", "one or *another* of the boys"] cited by Quirk et al.

Overall, it can be said that the noun phrases under examination here display a significant and complex level of pre-modification.

Noun phrase post-modifiers:

The noun phrase in the MOU is, if anything, even more marked by the documentary space taken up by the post-modifiers, such as prepositional phrases. The repeated use of the phrase 'inherent right of self-determination', or its more complex partner, the 'inherent right of self-determination of off-reserve aboriginal nations' is evidence for that, as is its use in the names of the organizations between whom the MOU is to apply (e.g., 'the Province of BC', 'the Association of Indian Friendship Centres', the 'discussion of provincial legislative...', 'process and time frame for resolution', etc.). In contrast, there is relatively little weight placed on relative pronouns, with only four appearing in the document. In some cases (the 'inherent right of self-determination of off-reserve aboriginal nations'), the post modifier and head form a periphrastic genitive.

In sum, then, it can be seen from the analysis of NP's above that one of the more salient features of the MOU is its frequent reliance upon definite, dense, and complex noun phrases.

Indexicals:

The MOU does not rely heavily on indexicals, and in this respect it might be said that the document is written to avoid encoding the context of its production. Of the indexicals that do occur, they are most frequently nominals, whose meaning is given in preceding text. While there are only two personal pronouns, there are a number of discourse deictics, especially near the end, where 'this' and to a lesser extent, 'those' appears on the scene. As well, the anaphora that are present are not chained for very long; typically, the tie established by the indexical is immediate. The exception is the repeated use of 'the Parties', but even here the referent is given twice in the text (see Table 2 below).

Modality:

In examining the document for modals, we find that modalization is confined to 20 examples in the four pages of the text, and that these in turn are all deontic: 'shall', 'may', and most frequently, 'will'. So while conditions of contingency are inscribed into the text, these all index the constraints of the social order, and not, for instance, limitations on knowledge. In addition, the modals are by and large in the active voice, although some are found in passive constructions, sometimes with an agent ('the Presidents' Council will be represented by...'), sometimes without ('or as may otherwise be determined.').

APPENDIX D:

OTHER RELATED NEGOTIATED AGREEMENTS

Signed Agreements Between the Province of British Columbia and First Nations
Updated October 1995

This list itemizes agreements between the Province of British Columbia and First Nations which are signed. This list includes Protocol Agreements, Memorandum of Understanding, Joint Stewardship Agreements, Interim Measures Agreements and Interim Protection Measures Agreements. This list does not include Contribution Agreements which provide funding for the implementation of the above agreements or specific project work, nor does it detail the numerous ongoing processes of consultation between government and First Nations which occur throughout the province. This list is current as of the date on the bottom of each page to the best degree possible at the time of printing.

Questions about specific agreements should be directed to the Ministry responsible for that agreement (listed as the "Primary Ministry" on the list). A list of ministry contacts is attached.

Updates of this list are available from the Ministry of Aboriginal Affairs.

FIRST NATION (SIGNATORY)	PRIMARY MINISTRY (SIGNATORY)	SECONDARY MINISTRIES (SIGNATORY)	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
First Nations Summit	Aboriginal Affairs		Protocol Respecting the Government-to-Government Relationship Between The First Nations Summit and The Government of British Columbia	Agreement to establish a Government-to-Government relationship between the First Nations Summit and the B.C. Government	Signed - August 20, 1993 Review at end of 3 years.
Gitksan & Wet'suwet'en	Aboriginal Affairs	Attorney General	An Accord of Recognition and Respect Between Her Majesty The Queen in Right of British Columbia and The Hereditary Chiefs of the Gitksan and Wet'suwet'en Peoples	Establishes a process for the resolution of specific issues between the Gitksan Wet'suwet'en and the B.C. Government	Signed - June 13, 1994
Gitksan & Wet'suwet'en	Aboriginal Affairs		No Title	Establishes a process for the resolution of specific issues between the Gitksan Wet'suwet'en and the B.C. Government	Signed - June 4, 1992
Gitksan & Wet'suwet'en	Aboriginal Affairs	Attorney General	No Title	Establishes a process for the resolution of specific issues relating to litigation between the Gitksan Wet'suwet'en and the B.C. Government	Signed - April 27, 1992
Gitksan First Nation	Aboriginal Affairs		An agreement regarding significant progress in the Gitksan, British Columbia negotiations pursuant to the Accord of Recognition and Respect		Signed - March 2, 1995
Hawiih of Clayoquot Sound (also referred to as the Central Region Nuu-Chah-Nulth Tribes)	Aboriginal Affairs		Interim Measures Agreement Between Her Majesty Queen Elizabeth the Second In Right of the Province of British Columbia and The Hawiih of the Tla-o-qui-aht First Nations, the Ahousaht F. N., the Hesquiaht F. N., the Toquaht F. N. and the Ucluelet F. N.	Process for cooperative management of designated lands in Clayoquot Sound area. Provides a structure for examining issues of concern for First Nations in the area.	Signed - March 19, 1994 Review at end of 2 years.
Hawiih of Clayoquot Sound (also referred to as the Central Region Nuu-Chah-Nulth Tribes)	Aboriginal Affairs		Interim Measures Agreement Between Her Majesty Queen Elizabeth the Second In Right of the Province of British Columbia and The Hawiih of Clayoquot Sound	Process for cooperative management of designated lands in Clayoquot Sound area. Provides a structure for examining issues of concern for First Nations in the area.	Signed - December 10, 1993 Expired - Superseded by March 19, 1994 Agreement
Wet'suwet'en First Nation	Aboriginal Affairs		An agreement regarding significant progress in the Wet'suwet'en, British Columbia negotiations pursuant to the Accord of Recognition and Respect		Signed - April 10, 1995
Nisga'a Tribal Council	Aboriginal Affairs	Canada	Nisga'a Comprehensive Land Claims Interim Protection Measures Agreement	Establishes a process for dealing with Nisga'a issues prior to the settlement of a treaty.	Signed - July 31, 1992

Additions to previous report
are shaded

Signed Agreements Between the Province of British Columbia and First Nations
Updated October 1995

FIRST NATION (SIGNATORY)	PRIMARY MINISTRY (SIGNATORY)	SECONDARY MINISTRIES (SIGNATORY)	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Penticton, Upper, and Lower Similkameen Indian Bands	Aboriginal Affairs; Environment, Lands, and Parks; Small Business, Tourism, and Culture		Initial Agreement Between the Penticton, Upper & Lower Similkameen Indian Bands and the Ministries of Aboriginal Affairs, Environ., Lands, & Parks, and Small Bus., Tourism, & Culture in conducting environmental impact assessments and other related matters.	Develops strategy for the implementation of impact assessment studies of development within the Seven Peaks region of the traditional territory.	Signed - December 14, 1994 Agreement no longer in effect
Ts'ilhqot'in Tribal Council	Aboriginal Affairs	Env., Lands and Parks, Small Bus., Tour. & Cult., Forests	Memorandum of Understanding Respecting the Establishment of a Cooperative Process for Resolution of Specific Issues Between The Ts'ilhqot'in Nation and The Government of British Columbia	Establishes a process for the resolution of specific issues between the Ts'ilhqot'in T.C. and the B.C.Govt. Calls for the development of Sub-Agreements. One completed (Alexis Cr. I.B. - Puntzi Compact). One Under Neg. (Ts'ilhqot'in - M.of For.).	Signed - June 29, 1993 Extended to June 29, 1996
Union of BC Indian Chiefs	Aboriginal Affairs		Memorandum of Understanding Respecting the Establishment of a Government-to-Government Relationship Between the Indian Nations Comprising the Union of B.C. Indian Chiefs and the Government of British Columbia	Agreement to establish a Government-to-Government relationship between the Union of B.C. Indian Chiefs and the B.C. Government	Signed - June 11, 1993 Review at end of 3 years.
Xax'lip Nation	Aboriginal Affairs		Joint Undertaking with respect to the Fountain Valley Road between the Xax'lip First Nation and Her Majesty the Queen In Right of the Province of British Columbia	Describes an interim arrangement respecting access to the Fountain Valley Road.	Signed - July 6, 1992 Expired
Xax'lip Nation	Aboriginal Affairs		Joint Stewardship Agreement Between The Xax'lip First Nation and Her Majesty the Queen In Right of the Province of British Columbia	Establishes a process for the resolution of specific issues between the Xax'lip First Nation and the B.C. Government	Signed - July 6, 1992 Expired
Xax'lip Nation	Aboriginal Affairs		Memorandum of Understanding Between The Xax'lip First Nation and Her Majesty the Queen In Right of the Province of British Columbia on Joint Natural Resources Initiatives	Establishes a process for the development of cooperative resource management initiatives within the Xax'lip First Nation traditional territory.	Signed - July 6, 1992 Expired
Xax'lip Nation	Aboriginal Affairs	Env., Lands & Parks/ Forests/ Skills, Train., & Labour/ Small Bus., Tour. & Culture	No Title	Establishes a process for the resolution of specific issues between the Xax'lip First Nation and the B.C. Government. Implements recommendations of previous agreement.	Signed - July 24, 1995
Alexis Creek Indian Band	Agriculture, Fisheries and Food	Env., Lands and Parks, Small Bus., Tour. & Cult.	Puntzi Compact. Sub -Agreement to Ts'ilhqot'in M.O.U.	Establishes a consultation process on water rights and use between First Nation, Resort Owners and Agriculturalists.	Signed - October 1993

Additions to previous report
are shaded

Signed Agreements Between the Province of British Columbia and First Nations
Updated October 1995

FIRST NATION (SIGNATORY)	PRIMARY MINISTRY (SIGNATORY)	SECONDARY MINISTRIES (SIGNATORY)	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Kwakiutl Territorial Fisheries Commission & Kwakwaka'wakw First Nations	Agriculture, Fisheries and Food	Environment, Lands and Parks	Memorandum of Understanding Between Her Majesty The Queen in Right of the Province of British Columbia and The Kwakiutl Territorial Fisheries Commission and the Kwakwaka'wakw First Nations	Establishes a framework for continued discussions around fisheries issues between the First Nation signatories and the B.C. Government.	Signed - December 10, 1993
Ahousaht First Nation	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services through the F.N.C.P.S. to the residents of Ahousaht by the Ahousaht satellite detachment.	Signed - February 27, 1995 Expires - March 31, 1998
Canim Lake Indian Band	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services to the residents of the Canim Lake Band from the 100 Mile House Detachment.	Signed - March 8, 1994 Expires - March 31, 1998
Fort Nelson and Prophet River Bands	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services to the residents of the Prophet River and Fort Nelson Bands from the Fort Nelson Detachment.	Signed - December 13, 1994 Expires - March 31, 1998
Gwa'Sala Nakwaxda'xw Council	Attorney General		Protocol Agreement for Family Intervention Program Between Criminal Justice and the Council.	Enables the Family Intervention Program to work with the criminal justice system to seek alternative sentencing/ diversion.	Signed - July 18, 1994
Haista First Nation (Kitimaat)	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services to the residents of Haista First Nations community from the Kitimaat Detachment	Signed - December 8, 1994 Expires - March 31, 1998
Ka:'Yu'K'T'H' First Nation	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services to the residents of Ka:'Yu'K'T'H' First Nation (Kyuquot) from the Tahsis Detachment.	Signed - February 27, 1995 Expires March 31, 1998
Kitasoo Band	Attorney General	Solicitor General of Canada	Kitasoo-Xaixias Public Safety Department Pilot Project Memorandum of Understanding	Enables the Kitasoo-Xaixias Public Safety Department to provide policing and other first responder emergency services to the residents of Klmtu.	Signed - June 15, 1994
Nanaimo First Nation	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services through the F.N.C.P.S. to the residents of the Nanaimo First Nations from the Nanaimo detachment.	Signed - December 19, 1994 Expires - March 31, 1998
Nanoose First Nation	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services through the F.N.C.P.S. to the residents of the Nanoose First Nations from the Nanaimo detachment.	Signed - September 8, 1995 Expires March 31, 1998

Additions to previous report
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Nisga'a Tribal Council	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services to the residents of Gitwinksihlkw, Laxqalts'ap and Gitlakdmix from the New Aiyansh Detachment.	Signed - December 21, 1994 Expires - March 31, 1998
Scw'exmx First Nations	Attorney General	Solicitor General of Canada	R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Enables the R.C.M.P. to deliver enhanced Aboriginal policing services through the F.N.C.P.S. to the residents of Upper Nicola, Lower Nicola, Coldwater, Shacken, and Nooaitch Bands from the Merritt Detachment.	Signed - November 11, 1994 Expires - March 31, 1998
Sliammon First Nation	Attorney General	Solicitor General of Canada	Letter of intent to enter into an agreement for the R.C.M.P / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal policing services through the F.N.C.P.S. to residents of the Sliammon First Nations from the Powell River Detachment.	Signed - September 13, 1994
Stl'atl'imx Nation	Attorney General	Solicitor General of Canada	Stl'atl'imx Nation Tribal Police Pilot Project Memorandum of Understanding	Enables the Stl'atl'imx Nation Tribal Police to provide policing services to the participating First Nation communities.	Signed - July 24, 1992
Tsey Keh and Fort Ware First Nations	Attorney General	Solicitor General of Canada	R.C.M..P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the residents of Tsey Keh Dene and Fort Ware Bands from the new Tsey Keh Detachment.	Signed - June 8, 1995
Cowichan Band	Environment, Lands and Parks		Agreement on Joint Stewardship	Establishes a mechanism within which specific issues can be addressed.	Signed - June 30, 1992
Gitksan and Wet'suwet'on Watershed Authorities	Environment, Lands and Parks		Memorandum of Understanding Concerning Data Exchange and Pooling for Geographic Information Systems for the Fiddler Creek Area.	Establishes a working relationship on information related issues.	Signed - October 29, 1992
Gitsi's Tribe	Environment, Lands and Parks		Memorandum of Understanding Between The Stewardship of the Gitsi's Tribe and Her Majesty the Queen In Right of the Province of British Columbia	Concerns the Management of Khutzoymateen/K'tzim-a-deen Grizzly Sanctuary	Signed - August 17, 1994
Klahoose First Nation	Environment, Lands and Parks		M.O.U. regarding Von Donop Park		Signed - December 4, 1993
Katzie First Nation	Environment, Lands and Parks		Memorandum of Understanding regarding Pinecone Lake - Burke Mountain Park		Signed - June 8, 1995
Kwayhquiltam First Nation	Environment, Lands and Parks		Memorandum of Understanding	Provides for a consultation process in the management of the Coquitlam River Wildlife Management Area, and for joint management efforts if desired.	Signed - August 18, 1994
Nemah Valley Indian Band	Environment, Lands and Parks		M.O.U. regarding Ts'il'os provincial Park		Signed - January 13, 1994

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FIRST NATION (SIGNATORY)	PRIMARY MINISTRY (SIGNATORY)	SECONDARY MINISTRIES (SIGNATORY)	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Nisga'a Tribal Council	Environment, Lands and Parks		Memorandum of Understanding Between The Stewardship of the Nisga'a Tribal Council and Her Majesty the Queen in Right of the Province of British Columbia	Co-Management Agreement for Nisga'a Lava Bed Memorial Park	Signed - April 1992
<i>Skeetchestn Indian Band</i>	<i>Environment, Lands & Parks</i>		<i>No Title</i>	<i>M.O.U. regarding Steelhead Provincial Park</i>	<i>Signed - July 8, 1995</i>
Lheit-Lit'en Nation	Forests		Memorandum of Understanding Between the Lheit-Lit'en First Nation and the Ministry of Forests Prince George Forest District	Establishes consultation protocol.	Signed - July 15, 1994
McLeod Lake Band	Forests		Memorandum of Understanding Between the McLeod Lake Indian Band and the Ministry of Forests MacKenzie Forest District	Establishes consultation protocol.	Signed - April 28, 1994 Expires - April 28, 1997
Nadleh Whuten Stollaquo First Nation Stony Creek Indian	Forests		Memorandum of Understanding Between the Ministry of Forests and the Stony Creek, Nadleh and Stollaquo Indian Bands, Including the Bands Company, Ne Duchun Forest	Ne Duchun Forest Products - Purpose is to increase First Nations participation in planning, management, harvesting and manufacturing in the forest sector.	Signed - November 8, 1990
Saulteaux Indian Band	Forests		A Memorandum of Understanding Respecting Resource Planning and Community Economic Development	Establishes a framework within which specific issues can be addressed.	Signed - July 26, 1994
Takla Lake Indian Band	Forests		Memorandum of Understanding Between the Ministry of Forests and The Takla Lake Indian Band	Framework for training, silviculture, planning agreements.	Signed - April 30, 1991 Expired - April 30, 1994
Tsoy Keh Dene	Forests		Framework Agreement Respecting Management of Forest Resources	Agreement to establish a cooperative process and a council to negotiate subsidiary agreements	Signed - May 25, 1995
Haida	Small Business, Tourism & Culture	Environment, Lands and Parks, Aboriginal Affairs	Interim Agreement Between The Government of British Columbia and The Council of the Haida Nation	Concerns Fisheries issues in the Queen Charlotte Islands	Signed - August 23, 1993 Expired - November 30, 1993
Union of B.C. Indian Chiefs	Skills, Training, and Labour		An Agreement Respecting the Development of the Institute of Indigenous Government	Agreement sets out the purposes and activities of the Institute of Indigenous Government (IIG) which was designated a Provincial Institute pursuant to section 5(1) of the College and Institute Act, R.S.B.C. ch. 53 by O.I.C. No. 0619, dated 26/5/95.	Signed - June 9, 1995.

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Cowichan Indian Band	Social Services		No Title	Child Welfare Agreement - Establishes a framework within which Cowichan child welfare issues can be addressed.	Signed - January 22, 1993
Cowichan Indian Band	Social Services		A Statement of Cooperation Between the Cowichan First Nation and the Ministry of Social Services	Agreement of Cooperation on issues relating to child welfare.	Signed - January 22, 1993
Louis Riel Metis Council	Social Services		Protocol Between the Ministry of Social Services Regions A, B, C, and D and The Louis Riel Metis Association and La Societe de Les Enfants Michif	Establishes a framework within which Lower Mainland Metis child welfare issues can be addressed.	Signed - June 28, 1993
Nicola Valley Tribal Council	Social Services		The Secw'oxmx - Ministry of Social Services Transfer of Authority Agreement	Establishes a method by which the delivery of social services can be transferred to the Nicola Valley Band from the Ministry of Social Services.	Signed - May 31, 1994
Nicola Valley Tribal Council	Social Services		Protocol Arrangement Between The Nicola Valley First Nations Chief and Council and The Ministry of Social Services	Establishes a framework within which Nicola Valley child welfare issues can be addressed.	Signed - November 17, 1993
Nlha'7kapmx Community	Social Services		No Title	Child Welfare Agreement - Establishes a framework within which Nlha'7kapmx child welfare issues can be addressed.	Signed - September 22, 1994
Nuu-Chah-Nulth Nation	Social Services		Nuu-chah-nulth Child Welfare Project	Establishes a framework within which Nuu-Chah-Nulth child welfare issues can be addressed.	Signed - November 17, 1985
Spallumcheen Indian Band	Social Services		No Title	Child Welfare Agreement - Establishes a framework within which Spallumcheen child welfare issues can be addressed.	Signed - October 11, 1991 Expires - October 10, 1996
Squamish Indian Band	Social Services		No Title	Child Welfare Agreement - Establishes a framework within which Squamish child welfare issues can be addressed.	Signed - April 28, 1993
Sto:lo Nation Canada & Sto:lo Tribal Council	Social Services		No Title	Child Welfare Agreement - Establishes a framework within which Sto:lo child welfare issues can be addressed.	Signed - November 26, 1993

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**Agreements Under Negotiation Between the Province of British Columbia and First Nations
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This list itemizes potential agreements between the Province of B. C. and First Nations which are under negotiation; items on this list will not necessarily lead to an agreement. This list includes potential Protocol Agreements, Memorandum of Understanding, Joint Stewardship Agreements, Interim Measures Agreements and Interim Protection Measures Agreements. This list does not include potential Contribution Agreements which provide funding for implementation or specific project work, nor does it detail the numerous ongoing process of consultation which occur throughout the province. This list is current as of the date on the bottom of each page to the best degree possible at the time of printing. Questions about specific items under negotiation should be directed to the Ministry responsible for those items (listed as the "Primary Ministry" on the list). A list of ministry contacts is attached. Updates of this report are available through the Ministry of Aboriginal Affairs.

FIRST NATION	PRIMARY MINISTRY	SECONDARY MINISTRY	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Cheslatta Carrier First Nation	Aboriginal Affairs	Forests	Memorandum of Understanding between the Cheslatta Carrier First Nation and the Government of B.C. respecting the establishment of a cooperative process for consultation, resource recovery, and management, forestry initiatives, and the treaty process.	Establishes a process for the resolution of specific issues between the Cheslatta and the B.C. Government	Under Negotiation
Heiltsuk Nation	Aboriginal Affairs	Agriculture, Fisheries, & Foods/ Environment, Lands, & Parks/ Energy, Mines, & Petroleum Resources/ Forests/ Small Business, Tourism, & Culture.	Accord respecting the establishment of a government to government relationship	Overarching Protocol Agreement between the Heiltsuk and the province, calling for sub-agreements with line ministries.	Under Negotiation
Metis Tripartite Secretariat	Aboriginal Affairs		Metis Memorandum of Understanding	Memorandum of Understanding to work toward self-government for the Metis people of B.C., to enhance the position of the Metis people in B.C., and to support the establishment of Metis self-governing institutions in B.C.	Under Negotiation
President's Council	Aboriginal Affairs		President's Council Memorandum of Understanding	Establishes a Policy Forum for the Off-reserve Aboriginal peoples of B.C. to work towards: establishing and strengthening the relationship between the parties; advancing the social, cultural, economic, and political rights and interests of the Aboriginal peoples of B.C.; establishing a process for involving the federal government in tripartite self-government negotiations	Under Negotiation
<i>Upper Nicola Band</i>	<i>Aboriginal Affairs</i>		<i>Working Relationship Agreement</i>	<i>Double bilateral arrangement between Band and Province, and Band and Canada to address communication processes</i>	<i>Agreement in principle reached Aug. 24/96 between Band and Province. SUBJECT to the satisfactory completion of a similar agreement between fed. govt. and Band</i>

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FIRST NATION	PRIMARY MINISTRY	SECONDARY MINISTRY	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
<i>Wet'suwet'en First Nation</i>	<i>Aboriginal Affairs/ Agriculture, Fish, & Food/ Energy, Mines, & Petroleum Resources/ Forests/ Small Business/ Tourism, & Culture</i>	<i>Health, Social Services</i>	<i>Wet'suwet'en - British Columbia Bilateral Agreement</i>	The Agreement incorporates three sub-agreements in the area of lands and resources, economic development and human services. It sets out how the parties will work cooperatively through interagency working groups on mutually agreed projects.	<i>Under Negotiation</i>
Penticton, Upper, and Lower Similkameen Bands	Aboriginal Affairs / Environment, Lands, & Parks / Small Business, Tourism, & Culture		Seven Peaks Final Agreement	Subsequent Agreement to the Seven Peaks Initial Agreement signed on Dec. 14, 1994. The Final Agreement is to provide more detail on those topics identified in the Initial Agreement	Initial Agreement Expired. No negotiations on Final Agreement.
Alliance Tribal Council	Agriculture, Fisheries, & Foods	Environment, Lands, and Parks	Memorandum of Understanding	Establishes a framework for continued discussions around fisheries issues between the First Nation signatories and the B.C. Government.	Under Negotiation
Gitsoo First Nation	Agriculture, Fisheries, & Foods	Environment, Lands, and Parks	Memorandum of Understanding	Establishes a framework for continued discussions around fisheries issues between the First Nation signatories and the B.C. Government.	Under Negotiation
Simshian Tribal Council	Agriculture, Fisheries, & Foods/ Environment, Lands, & Parks/ Energy, Mines, & Petroleum Resources/ Forests		Overarching Memorandum of Understanding	Overarching Memorandum of Understanding to facilitate resource ministry sub-agreements.	Under Negotiation
Kamloops, Whispering Pines And Skeetchesn Bands	Attorney General	Solicitor General of Canada	R.C.M.P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the residents of Kamloops, Whispering Pines and Skeetchesn Bands from the Secwepemc' satellite of the Kamloops Detachment.	Under Negotiation
Lax Kw'Alaams Band	Attorney General	Solicitor General of Canada	R.C.M.P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the residents of Lax Kw'Alaams (Port Simpson) from the new Port Simpson Detachment.	Under Negotiation
Moberly Lake and Sauteaux First Nations	Attorney General	Solicitor General of Canada	R.C.M.P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the Moberly Lake and Sauteaux First Nations from the Chetwynd Detachment	Under Negotiation
Takla Lake Indian Band	Attorney General	Solicitor General of Canada	R.C.M.P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the residents of the Takla Lake Indian Band.	Under Negotiation
Takla Lake Indian Band	Attorney General	Solicitor General of Canada	R.C.M.P. / F.N.C.P.S. Community Tripartite Agreement	Will enable the R.C.M.P. to deliver enhanced Aboriginal Policing Services to the residents of the Takla Lake Indian Band.	Under Negotiation

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FIRST NATION	PRIMARY MINISTRY	SECONDARY MINISTRY	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Chet-Lit' en First Nation	Energy, Mines, & Petroleum Resources		Memorandum of Understanding	Establishes a framework for consultations surrounding mineral and energy resources.	Under Negotiation
Tsey Keh Dene	Energy, Mines, & Petroleum Resources		No Title	Consultation Agreement	Under Negotiation
Cheam First Nation	Environment, Lands, & Parks		Memorandum of Understanding (possible)	Provides for a consultation process in the management of the proposed Cheam Lake Wilderness Management Plan, and for joint management efforts if required.	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Kaisla Nation	Environment, Lands, & Parks		No title	Kitlope Valley	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Ylton Indian Band	Environment, Lands, & Parks			Discussions regarding cooperative park management	Under Negotiation
Old Massett Village Council	Environment, Lands, & Parks		No title	Discussions regarding Naikoon Park.	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Ausquam and Tsawassen First Nations	Environment, Lands, & Parks		Memorandum of Understanding regarding proposed Wilderness Management Plans for Roberts and Sturgeon Bank (possible).	Provides for a consultation process in the management of the Roberts and Sturgeon Banks Wildlife Management Areas, and for joint management efforts if desired.	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Saanich Nations	Environment, Lands, & Parks		No title	Preliminary discussions with a number of Saanich Nations regarding Commonwealth Nature Legacy Lands at Tod Inlet / Gowland Range	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Comahmoo First Nation	Environment, Lands, & Parks		Memorandum of Understanding	Provides for a consultation process in the management of the Boundary Bay Wildlife Management Area, and for joint management efforts if desired.	Under Negotiation
Sechelt Indian Government District	Environment, Lands, & Parks	Forests	Chapman / Gray Integrated Watershed Management Plan		Under Negotiation
Liammon Band	Environment, Lands, & Parks / Forests	Forests	Haslam / Lang Integrated Watershed Management Plan		Under Negotiation
Quamish First Nation	Environment, Lands, & Parks / Forests		Memorandum of Understanding Stawamus Chief Provincial Park	Government to Government Protocol	Under Negotiation
Quamish Nation	Environment, Lands, & Parks	Forests	Stawamus / Mashiter Integrated Watershed Management Plan		Under Negotiation

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FIRST NATION	PRIMARY MINISTRY	SECONDARY MINISTRY	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Tahltan Tribal Council	Environment, Lands, & Parks		No title	Broad issues relating to all of the Ministry of Environment, Lands, and Parks mandate	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Te'Mexw Treaty Association	Environment, Lands, & Parks		No title	General "Joint Stewardship" type of agreement	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Treaty 8 Tribal Association	Environment, Lands, & Parks		No title	Guiding principles for consultation under the yet unsigned umbrella Memorandum of Understanding. Specifically between the Pesticide Management Program and Treaty 8.	Under Negotiation (unclear whether or not discussions will lead to a formal Interim Measures Agreement)
Treaty 8 Tribal Association	Environment, Lands, & Parks - B.C. Lands (Omineca - Peace Interagency Management Committee)		Treaty 8 /Omineca - Peace I.A.M.C. Agreement	Memorandum of Understanding to address overall process for dealing with issues between the I.A.M.C. and Treaty 8. Serves as an umbrella for specific agreements.	Under Negotiation
Tsawassen First Nation	Environment, Lands, & Parks		Memorandum of Understanding	Provides for a consultation process in the management of the Boundary Bay Wildlife Management Area, and for joint management efforts if desired.	Under Negotiation
Okanagan Indian Band	Environment, Lands, & Parks / Forests / Transportation, & Highways		No title	Subsidiary Agreements to the "Agreements for Issue Resolution" signed by the three ministries in February 1995.	Under Negotiation
Alexis Creek Indian Band	Forests		No title	Framework agreement to establish a cooperative process, Forest Resource Management Council for subsidiary agreement negotiation.	Ongoing
Bridge River Indian Band	Forests		No title		On Hold
<i>Oliidaht</i>	<i>Forests</i>		<i>Interim Measures Agreement</i>	<i>Program related economic initiatives and general working relationship</i>	<i>Negotiations to start October 1995</i>
Sitksan	Forests		Forest Resource Management Agreement	Framework agreement regarding consultation, capacity building, information exchange, and protocol	Under Negotiation
Isisla- Kitimaat Village Council	Forests		No title	Framework agreement to establish a cooperative process and identify areas for subsidiary agreements	Drafting Memorandum of Understanding
Iul'Qumi'Num Peoples	Forests		An Agreement Respecting the Management of Forest Resources	An agreement to establish a cooperative process and a working committee to identify areas for subsidiary agreements.	Resuming negotiations, drafting agreement

Additions to previous report are shaded

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In-Shuck-Ch	Forests		Road Use Agreement	Framework for a working relationship with regard to In-Shuck-Ch, Forest Service and associated economic opportunities.	Under Negotiation
Nlaka'pamux Nation Tribal Council	Forests		No title	To establish a cooperative process	Preliminary Discussions
<i>Pavilion Indian Band</i>	<i>Forests</i>	<i>Aboriginal Affairs</i>	<i>No title</i>	<i>Establish an Interim measures committee to deal with forestry issues</i>	<i>Under Negotiation</i>
Sechelt Indian Band	Forests		Agreement Respecting Management of Forest Resources	Agreement to establish cooperative process, consultation and a working committee to identify areas for subsidiary agreements	Complimg Third Party Comments
Takla Indian Band	Forests		No title	To establish a cooperative process, identify available tenure options, employment and training opportunities	Under Negotiation
Te'Mexw Treaty Association	Forests		Agreement Respecting Management of Forest Resources	Agreement to establish an implementation council for consultation and to negotiate a subsidiary agreement.	Draft agreement going to third parties for review
Ts'ilhqot'in Tribal Council	Forests		No title	Economic development strategy, Forest sub-agreement in draft. Sub-Agreement under Ts'ilhqot'in Government to Government M.O.U.	Negotiations on hold.
Gitksan	Land Use Coordination Office	Environment, Lands, & Parks/ Forests	Cooperative Planning Agreement	To provide for Gitksan input into land and resource management plans and other strategic level planning processes within Gitksan traditional territory.	Under Negotiation
Ditidaht Indian Band	Small Business, Tourism, & Culture		No title	Establishes the protocol for access to information gained from a Cultural Heritage Study with the Ditidaht	Under Negotiation
Haida First Nation	Small Business, Tourism, & Culture		Haida Cultural Heritage Inventory Study	Establishes the protocol for access to information gained from a Cultural Heritage Study with the Haida	Under Negotiation
Heiltsuk Indian Band	Small Business, Tourism, & Culture		Heiltsuk Cultural Heritage Inventory Study	Establishes the protocol for access to information gained from a Cultural Heritage Study with the Heiltsuk	Under Negotiation
Westbank Indian Band	Small Business, Tourism, & Culture		Westbank Cultural Heritage Inventory Study	Establishes the protocol for access to information gained from a Cultural Heritage Study with the Westbank Indian Band	Under Negotiation
Lake Babine, Heiltsuk, Muswamagw, Sechelt, Saanich Peninsula, & Central Vancouver Island Bands / Nisga'a, Cariboo, & Ktunaxa Kinbasket Tribal Councils / Gitksan Wet'suwet'en Govt. Commission / Northern Native Family Services. (53 Bands Total)	Social Services		Band Child Welfare Projects	Establishes a framework within which band child welfare issues can be addressed	Under Negotiation

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FIRST NATION	PRIMARY MINISTRY	SECONDARY MINISTRY	TITLE OF INITIATIVE	DESCRIPTION OF INITIATIVE	STATUS
Shuswap Bands North & South / Mt. Currie - Lilloet Bands. (14 Bands Total)	Social Services		Band Child Welfare Projects	Establishes a framework within which band child welfare issues can be addressed	Under Negotiation.
Various Metis Organizations	Social Services		Metis Child Welfare Protocol Agreement	To assist Metis communities to rebuild and strengthen their families and community structure and a Metis way of life	Under Negotiation

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