

*The Politics of Representation: Sites of
Debate Over Aboriginal Culture*

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ABSTRACT

Claims or representations by groups and individuals are central to any political debate. How these individuals or groups represent themselves or are represented by others can become highly-charged issues, even in a seemingly localized or straightforward dispute. Nowhere is the politics of representation more acute than with the debate over the status of aboriginal people in Canada. This has become a central question in contemporary Canadian politics, as aboriginal people have become better organized and more vocal in pursuing greater autonomy and control over their lives.

The basis for these political claims is a cultural one, and thus complex questions of cultural representation become central to the immediate political issues to be resolved. Commonly used categories of modern liberal political discourse such as equality and individual rights are insufficient to accommodate aboriginal claims, as are assumptions about modern forms of social organization. Further, there is no single forum in which these issues can be resolved: the complexity of contemporary socio-cultural relations means that there are many disparate forums or sites in which aboriginal culture is represented, and the characteristics of these sites themselves become crucial to the way in which the debate(s) can proceed. A politics of representation is created in a double sense: the immediate claims (over land, etc.) are political, but rest on a cultural basis, the representation of which is also political. The immediacy of these politics is illustrated

when one analyzes individual sites of representation.

Three such sites are examined here. One is a courtroom, in which the Gitksan and Wet'suwet'en hereditary chiefs brought a land-claims action against the Province of British Columbia. The second is an education institution, the En'owkin Centre, which is administered by Okanagan people. And finally, a group of texts that address Okanagan culture are analyzed and compared. In each, different cultural representations are made and different political issues arise. Taken together, these sites are important exemplars of the different ways in which identity is constructed and debate over aboriginal issues can proceed. In particular, they highlight the varying degrees to which processes of dialogue may help to overcome the gaps between different narratives employed by aboriginals and others.

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INTRODUCTION
Politics, Culture and Sites of Representation

Homo est socialis -- id est, politicus.

Aristotle's famous dictum suggests the interconnectedness of human social life with conflicts over resources. Reading it through late 20th Century eyes, we may see it as a reminder that, notwithstanding the individualism with which western civilization typically is associated, humans continue to share the planet with each other, and the simple fact of this communal life creates various dynamics for the exercise of power and the distribution of land, food, wealth and other psychological and emotional resources. The process by which political claims to any of these things are made necessarily involves some type of communication or *representation*, be it a query, a demand, or a judgment. Around any given political question, there may a number of competing individuals or groups with different representations to make, either to each other or some type of political authority. This thesis is focussed on a selected group of these kinds of political representations, namely those surrounding the issue of aboriginal peoples' rights and status in contemporary British Columbia.

In recent years, the status of aboriginal people in contemporary Canada has become a central political question. Demands by aboriginal leaders for recognition by

Canadians of aboriginal distinctiveness and the necessity of resolving long-standing land claims have been accompanied by increasing activism at a number of levels: in the courts, through negotiations with governments over land claims and other agreements, and in a few high-profile armed confrontations with police and the military over specific pieces of land. Taken together, they express the desire by aboriginal people for greater autonomy as distinct social groups. Most significantly, these overtly political encounters find their basis in something called culture. Aboriginal people assert that they constitute unique cultures, and that this cultural identity was present in Canada prior to settlement by Europeans and others:

When you look at us, and you look at all of the symbols that we have, that dates us, telling us how long we have occupied and held our territories. When we count time, it is from the flood onward, which is well over ten thousand years of existence. This more than substantiates our claim above any that other people would have in regard to our territories. It substantiates our right to rule our lives as we see fit.¹

At the outset of any examination of the aboriginal question, it is important that the historical scope and cultural basis of aboriginals' political claims be recognized.

The large number of political issues around which aboriginal cultural identity is expressed, taken together, pose fundamental questions about relations both with non-aboriginals and within aboriginal groups. How can this debate be characterized and understood? This thesis will pursue that question by examining specific examples

¹ Miluulak (Alice Jeffrey), Gitksan hereditary chief, "Remove Not the Landmark", in Cassidy, ed. 1992, 58.

or sites in which issues of cultural representation become focussed, particularly in terms of the politics of representation that occur in various forums in which aboriginal and non-aboriginal identities collide.²

Addressing the question of the terms of the debate forces one to consider a web of forces -- history, language, the visible appearance of the body, the cultural intermingling of the contemporary era. For there to be a debate at all, it is necessary for aboriginal people to have a sense of difference that can be expressed. Their imperative is to create (or re-create) a viable cultural identity, and one way this is being accomplished is through representations which counter prevailing narratives of aboriginals as impoverished, alcoholic, dependent upon the state for subsistence, and in need of "making their way off the reserves" and joining mainstream Canadian society. Self-representation by aboriginal people is an important transition, from object (constructed as the Other by European settlers, priests, and philosophers) to speaking subject.³ As Clifford has indicated, there is discursive space being created to turn this colonialist construction back upon itself, to demonstrate their sense of themselves as a

² The terms "aboriginal", "native", and "indigenous" are used synonymously throughout this work to categorize the broad set of identities traceable to peoples inhabiting what is now Canada prior to European colonization. Where appropriate, I have used the specific tribal group name, such as "Gitksan" or "Okanagan", and I have generally avoided the label "Indian", except when repeating another categorization made elsewhere. On the question of nomenclature, see Tennant, xi-xii and 4-6, especially on how to refer to all those who are not aboriginal: non-native or non-aboriginal, while awkward, are used here.

³ See Murray, 5-34 *passim*.

distinct cultural identity.⁴ However, we cannot assume that this space is neutral, a level field upon which aboriginal narratives are treated in a manner similar to other political and cultural information. The important questions we are led to are, in what spaces are these representations made, and how do those spaces structure the representation of aboriginal culture?



Contemporary Problems of Representation

As the above suggests, the problem of representation in current debates over the status of aboriginal people is profoundly political, in two inter-related ways. First and most obviously, there are the political questions surrounding the recognition of aboriginal peoples' social systems, and the transfer of resources such as land and money to them, primarily on the basis of cultural distinctiveness.⁵ Second, there is the politics of how that cultural identity (and the culture against which it is judged to be different) are represented in the debate. Determinations made in the first sense clearly are influenced by ideas in the second: how would aboriginal political concerns have any credibility, if

⁴ See Clifford, 1-17 *passim*.

⁵ While many aboriginal leaders in British Columbia deny that land and authority was ever transferred to incoming European settlers and their governments, and thus cannot be transferred back, the kind of recognition they seek from Canadian governments nonetheless would result in a *de facto* transfer of authority and resources, and this is the reason why I have employed the vocabulary above.

not for some kind of acknowledgement of distinctiveness? The basis of that distinctiveness becomes the crucial legitimating factor in more specific political debates over the allocation of resources. How (and where) that distinctiveness is expressed, debated, and cross-examined is fundamental to the kinds of decisions political authorities can make.

A close examination of issues of representation in particular sites of cross-cultural debate is required. Also necessary is some critical distance from modern assumptions about representation generally, and contemporary Canadian discourse about political representation in particular. In Canadian party politics, for example, the issue of representation is present in a number of ways, and indeed has been at the forefront of federal parliamentary politics since the 1993 general election. For the first time, the Canadian House of Commons is dominated by a single party with widespread national support, against which are arrayed one party dedicated solely to the Quebec sovereignty and one party devoted to greater influence for the western region of the country, along with institutional reform and economic and cultural conservatism. A number of long-standing tensions within the Canadian polity are now directly reflected in the House of Commons. These tensions have exposed some of the paradoxes which, though inherent in representative politics, traditionally receive scant attention in the popular media.

In this context, questions about representation tend to be discussed in superficial terms, perhaps because political and media elites have a low tolerance for paradox. A closer look is revealing, both in terms of the glosses over apparent contradictions and

the presupposition of a modernist understanding of political identity. Once elected, the two main opposition parties, the Reform Party and the Bloc Quebecois, soon found that their ability to represent both their constituents and their own ideals was challenged in a number of ways, and through their experiences the general problems inherent in modern representative democracy become visible. Some of these are reducible to strategic considerations of the type usually found in competition between political contenders, but most revolve around the problems inherent in the representation of identities. It is only by examining the popular treatment of political representation that we can begin to grasp its insufficiencies in grappling with the more fundamental challenges posed by aboriginal people.

The Reform Party arose, ostensibly, as a western Canadian party bent on the redress of the regional imbalance of power in Canada and, by promoting direct democracy measures, determined to challenge the institutions which perpetuated the alienation of large numbers of citizens. Central to the Reform platform was the view that citizens should have more control over their elected representatives. The Westminster parliamentary system, in recent times, has come under criticism for the extent to which it enforces party discipline on MPs, and while no party can ignore general public opinion, public policy is widely viewed to be the result of negotiations between bureaucrats, government ministers, and interest group leaders. This "elite consensus" model has been advanced in Canada for some time, but it has been challenged recently by many citizens' dissatisfaction over their apparent powerlessness. This dissatisfaction was most clearly articulated by the Reform Party.

Once elected, however, the difficulty of simply "representing your constituents" became clear. First, a degree of cohesion is necessary for any party to function in the Commons, whose procedures have evolved around the concept of the government, through its ministers, retaining the confidence of the House. Over time, well-entrenched party discipline ensured a high degree of stable parliamentary support for the enactment of the government's program and an equally cohesive opposition to challenge it.⁶ To the extent that Reform abandoned caucus solidarity in favour of each Member representing his or her constituents, it lost effectiveness as a unified political actor and was criticized for its inability to advance the party's platform.⁷ Nor is "representing your constituents" a simple matter. Representation by population, as the basis for Canada's electoral system, has a number of advantages over other systems, but it is predicated on demography. Simply put, the majority rule, though there may be large minorities with irreconcilable views, and thus a belief that the representative should simply articulate and support the views of the majority (however it is measured) is on tenuous ground: quite apart from the pragmatic difficulties in exhaustively canvassing constituents' opinions on every single policy issue before Parliament, it assumes that the majority view is stable, well-considered and can be reliably represented through opinion polling.

⁶ See Jennings, 80-95 and Franks 245-269.

⁷ See Peter O'Neil, "Letter from Ottawa", *Vancouver Sun*, 8 April 1994; "Showtime in Ottawa", *VS* 15 January 1995, B2; "Manning should host a policy wonkfest...", *Globe and Mail*, 8 January 1994, D2.

Problems of representation encountered by the Bloc Québécois were no less fundamental than those of the Reform Party. Its members were elected to a national assembly for the primary purpose of articulating the reasons why Quebec should leave Confederation, and to do whatever they could to hasten that process.⁸ Alternatively, BQ Members were compelled to represent their constituents and to argue for their interests in the House as any Member would, and to the extent that they succeeded in the second task they undermined the first, because they demonstrated the ability of the Canadian national government to accommodate regional and cultural difference.

Media analysts, in a superficial way, have pointed out these inconsistencies from time to time, but more fundamentally, the presence of these two new parties should be propelling deeper questioning of the paradoxes in modern liberal theories of representation. While elected representatives have always had a number of often conflicting allegiances (to the party, to constituents, to the province or region) the Reform Party and Bloc Québécois have pushed the ubiquitous Canadian issues of regionalism and French-English relations to the forefront. In addition, although Preston Manning and Lucien Bouchard are advocating goals for different populations, by doing so in the same location (Parliament) using a similar discourse (liberal rights and state sovereignty), their claims are mutually intelligible. The discourse by which

⁸ However, even this basic premise was questioned on election night. See, for example, Peter O'Neil, "Voting Bloc Expression of Anger, Not Desire to Split, Quebecers Say", *Vancouver Sun*, 27 Oct. 1993, A1. Regardless of the reasons for their electoral breakthrough, the BQ has since clearly dedicated itself to a separatist agenda.

the Reform Party and the Bloc Quebecois represent themselves is comfortably within the modern liberal democratic tradition, which tends to focus on process, like fair elections, and structure, such as the respective responsibilities of office-holders. While questions of representation arise, they do so within a framework which assumes, most centrally, the presence of state structures supported by capitalist economies and consented to by electorates, who in turn are assumed to have common aspirations like individual rights and economic advancement.⁹ Though peoples' opinions differ (some would allocate more resources to the education system than to the military, for example), the cultural goals are held to be broadly similar -- individual freedoms, economic advancement through consumer capitalism, and the right to equal treatment under the law. "Different interests" are not considered to extend to a different "way of life". Quebec separatists may speak on behalf of a distinct linguistic grouping, but the kind of polity they hope to achieve would very much resemble the Canada of today: a modern technological and capitalist state, though with some specific legislative provisions privileging French language and culture.

The same cannot be said for the challenges posed to Canadian society by aboriginal peoples. At once cultural, historical and political, this debate is not a new one, for it predates Confederation by over a hundred years. However, it has achieved increasing prominence in recent years. Examples abound: the armed confrontation at Oka, Inuit and Cree protests against the James Bay hydro-electric project, land-claims

⁹ See Olsen and Franks, 6-7 and Birch, 15-22.

negotiations in British Columbia, and the creation of Nunavut are a few. Increasingly organized native activism combined with (among other things) a birth rate significantly higher than the Canadian average indicates that the myth of the "vanishing Indian" is itself being turned on its head.

Demands by aboriginal people for recognition and resources are multi-faceted, but generally fall within two broad categories: land and self-government. These two streams include many other issues: compensation for historic injustices; exemptions from state taxation and regulation; control over the education of young people; and ownership of cultural symbols. Aboriginal people have pursued land claims and self-government issues in the courts and through negotiations with governments. While political debates at the level of parliamentary politics have forced a kind of re-examination of liberal representative democracy, it is the debate over aboriginal sovereignty that impels the most fundamental questioning of the politics of representation. It moves the question into a new mode because aboriginal people represent non-modern identities and articulate claims to difference which cannot be accommodated by a liberal discourse founded on individualism. So while the debate over Quebec separation involves a questioning of identities (Canadian, Quebecois, *franglais*, ethnic) and the pragmatics of a province seceding from Confederation are complex, the entire debate can be accommodated by liberal discourse because its categories are modern subjects who continue to desire participation in a modern liberal democratic state.

The interplay of these debates is illustrated by the difficulties caused to Quebec

separatists by the question of the status of Quebec's aboriginal population, whose treaties were signed with Canada and whose relationship with Quebec is tenuous. Indeed, on the eve of the 1995 Quebec referendum the James Bay Cree, in their own vote, expressed overwhelmingly a desire to remain within Canada's boundaries if Quebec separates. If "sovereignty" is possible for Quebec based on its cultural distinctiveness, by the same logic "sovereignty" is also available to aboriginal people. If debate over Quebec's future offers one way of exploring the "we" of "who are we?", the fact of colonialist history means that the status of aboriginal people is an always prior question.

A goal of *reconciliation* is in keeping with Canada's political tradition of interest accommodation and doubtless informs many of the recent attempts by government to redress aboriginal grievances, for example through state funding of projects undertaken by aboriginal peoples. But in the context of the status of aboriginal people in Canada, the philosophical goal of reconciliation confronts us with an aporia of representation -- a state of doubt, an inability to express.¹⁰ Representations arising from common experiences rely on a shared vocabulary or common currency of signs, but at this level there is little "in common". Questions of political and cultural accommodation cannot be subsumed within state structures, for it is those very structures against which aboriginal people argue. In addition, the emphasis they place on spirituality and

¹⁰ Liddell and Scott's *Greek-English Lexicon* includes a definition of aporia that describes a "want of means or resource, and so, embarrassment, doubt, hesitation", 171.

community is not easily understood by non-aboriginals, who have a strong tendency towards an individualistic perspective. In important ways, we lack a vocabulary to carry out the debate over aboriginal peoples' status. It is impelled by the conditions of modernity, being a reflection of the inter-mingling of cultures and fragments of cultures made possible by the modern era. Even the question of "representing a culture" *in toto* assumes the presence of a different "culture" to whom a representation is necessary. Thus, we can say that the debate is uniquely of the modern age, but cannot be accommodated with modernist discourse.

This is why debates over aboriginal peoples' status must move beyond the kind of terminology usually employed for representational issues in Canadian politics. Simply stretching individual concepts to bridge the gap between divergent histories and worldviews is inadequate, as will be seen most clearly in Chapter One. Superficial appeals to categories like democracy, state, or rationality to somehow govern the debate must be avoided, and any individual concept must, given the historical and cultural dimensions of the problem, be seen to be suspect or at least partial. We should look instead to the narratives which regulate the phrasings by which identity and worldview are expressed. Example: an aboriginal man is arrested, tried and eventually convicted for fishing illegally. Before we can address the question of whether "justice has been done" in this case, we must interrogate the discursive conditions under which different concepts of justice are intelligible. "Justice" is enacted by judgments, and judgments can be made only within particular narratives which underlie the actual language of the judgment itself -- they provide the parameters

which allow one to say authoritatively that *this* punishment fits *this* crime. Statements of this kind are acceptable because of the prior acceptance of the idea of responsibility for individual conduct. But this underlying principle may well evaporate in cases of disputed group rights, or when the system encounters a person who possesses a radically different concept of guilt or personal responsibility for action: in such a case, the problem lies deeper than merely "explaining" to the "criminal" his "guilt".



Narrative and the Terms of the Debate

Popular narratives of Canadian politics of the kind outlined above may be inadequate vehicles for addressing aboriginal issues, but neither can we simply jettison all the inherited categories of modern western thought. There are still resources to draw upon to guide debates about language and representation as a pre-cursor to more specific analyses of aboriginal/non-aboriginal politics. In general, there has been increasing discussion among contemporary thinkers about modern and postmodern representational practices or modes, with closer attention being paid to the relationship between representation (or language) and power. Some have devoted extensive efforts to demonstrating the extent to which representational practices are themselves inherently power practices.¹¹ This thesis, as an examination of aboriginal identity claims in cross-

¹¹ See Shapiro, xi-xiv, and Rouse, 1-25.

cultural situations, is informed by this debate over identity and representation.

One way of exploring more fully the cultural dimensions and political implications of the goals of aboriginal people is to contextualize the problem in terms of the narratives which make possible the articulation of those goals. A focus on narratives also makes possible an examination of the counter-narratives of modernity by which aboriginal narratives are judged. How can we characterize the differences between these narratives? What is the best method for investigating them? To begin to answer these questions requires first clearing some theoretical ground, with reference to philosophical and ethnographic material -- the former to set a conceptual framework and the latter because it has grappled with the specific problem of legitimating cross-cultural representations.

The deployment and status of narrative knowledge has been addressed by Jean-Francois Lyotard, in the context of a general examination of postmodernity. Much of his work is an attempt to characterise and give meaning to the concept of the postmodern, in areas ranging from visual arts to political and social institutional arrangements.¹² The phenomenon of postmodernity, he argues, is due to the status and uses of knowledge in contemporary computerized societies, and much of *The Postmodern Condition* is devoted to distinguishing between traditional and modern (scientific) narrative knowledge in order to contextualize the current debates over knowledge and legitimation.

¹² See Bibliography for a listing of Lyotard's major works.

Lyotard argues that we are experiencing a continuing crisis in legitimation, occasioned by a shift in the status and use of narrative knowledge.¹³ Modernity, typified by capitalism, has instrumentalized not only the relationship between humans and the physical world, but also between humans and knowledge. Knowledge has become a commodity, malleable and no longer a source of security. It has become autonomous from us. But its very malleability has led to the breakdown of its authority, and the term "postmodern", for Lyotard, refers to a social condition of incredulity towards metanarratives, or narratives with a legitimating function.¹⁴ The *cogito* of Descartes illustrates this reversal in the role of knowledge, because while it has been accepted as the canonic statement of modern existence, exemplifying Man's break with God and the grounding of the universal subject, its very existence depends upon the philosopher first being seized by a fundamental sense of doubt. Faced with an aporia of legitimation for his very existence, he comes up with the *cogito* as proof of existence. But the train of thought, Lyotard points out, properly begins with *dubito*, after which the "I" is inferred and a *cogito* becomes possible as the product of thought.¹⁵ The end result is not a substantive outcome but a *process* that leaves unresolved the initial aporia.

¹³ See *The Postmodern Condition*, 3-4.

¹⁴ See "Apostil on Narratives", 19, and "Missive on Universal History", 29, in *The Postmodern Explained*. The central metanarrative of modernity, according to Lyotard, is the emancipation of the universal subject.

¹⁵ See Godzich's Afterword, 129-130, in *The Postmodern Explained*.

Lytard differentiates Descartes' canon of modernity from pre-modern identities, which depend for their security on a relationship between human and world that is grounded in one type of knowledge. Traditional narrative does not seek its legitimation because the two are inseparable, something the modern mind cannot accept. Lyotard represents the difference by stating that traditional narrative finds its legitimation in the past. Using the example of the Cashinhua, he argues that the speech acts which construct the exchanges of traditional narrative are founded upon immediate personal experience -- the narrator must have been a witness to this narrative in order to tell it now, and you, the listener, are a witness to what has gone before.¹⁶ The knowledge transferred is imbued with its own legitimacy because it flows from the social context of the transmission: "what is transmitted through these narratives is the set of pragmatic rules that constitutes the social bond."¹⁷

Not so with modern narrative, the legitimacy for which resides in a possible abstract future, namely emancipation. Drawing on Kant, Lyotard argues that the rule governing modern narrative is an abstract possibility, the Idea of emancipation for the universal subject, which is achievable through the progress which results from rational thought as expressed in the narrative of science:

Scientific knowledge requires that one language game, denotation, be retained and all others excluded. A statement's truth-value is the criterion determining its acceptability....In this context, then, one is

¹⁶ See *The Postmodern Condition*, 20-21.

¹⁷ *Ibid.*, 21.

"learned" if one can produce a true statement about a referent, and one is a scientist if one can produce verifiable or falsifiable statements about referents accessible to the experts.¹⁸

The reference to "experts" is key: scientific narrative is based on exclusion and is dissociable from the social bond. It gives rise to institutions (universities, research centres) which function based on the esoteric value of knowledge, and "a new problem appears -- that of the relationship between the scientific institution and society."¹⁹

Another important difference between traditional and modern narrative is the universality of the claims made. Emancipation through reason addresses itself to universal humanity, an aggregate of autonomous individuals. Therefore, a modern knowledge claim is universal and "culture-blind", while the knowledge generated through traditional narratives is local, dependent upon its particular social bond and mode of transmission. The structure of the scientific discourse is such that it generates "either/or" statements based on hypotheses and cannot accommodate local knowledges which do not employ a critical method identifiably separate from authoritative cultural narratives.

The distinction drawn by Lyotard between traditional and modern narrative knowledge is useful in two ways. First, it is a framework for understanding the path of formal scholarship in the modern academy and the social cleavages upon which it is founded; second, his use of narrative as a conceptual category provides a vocabulary

¹⁸ *Ibid.*, 25.

¹⁹ *Ibid.*, 25.

for addressing contrasting social forms of organizing and disseminating knowledge. For the purposes of this work, however, Lyotard's work leaves some important gaps. Most centrally, though his self-described task is to sketch a postmodern narrative pragmatic in which credulity towards modern meta-narratives is no longer possible, it should be remembered that he is not an ethnographer, and his one example of traditional narrative (involving the Cashinhua) relies on a single second-hand source.²⁰ His framework both informs and benefits from recent experience in the field of ethnography, which has attempted various methods of understanding pre-modern cultural identities.

The postmodern condition Lyotard describes involves de-legitimated systems of knowledge. But bubbling up from within these systems come specific claims to cultural difference. How is it possible to evaluate claims to difference based on aboriginal cultural totality within a system that continues to employ the narratives of modernity (objective standards of proof, individual rights, state sovereignty) while becoming increasingly conscious of not simply their limits, but their lack of foundation? The modern western intellectual tradition, now housed within universities and based on the scientific method, has been one of the institutions challenged by the sound of previously silent voices, making it less possible for "the West" to be the sole purveyor of "other cultures". Though not effaced, the authority of western intellectuals has been undermined, and the humanities and social sciences of the 1990s cannot do

²⁰ See *The Postmodern Condition*, 191, n. 77.

what the "behavioural revolution" held as its goal: to treat the human condition with the detachment of a laboratory experiment.

No academic discipline has confronted this problem more directly than ethnography, and its recent history is instructive. Clifford has described a "crisis in ethnographic authority", the inevitable result of objects (aboriginal cultures) becoming subjects and beginning to speak. Objective claims become impossible and are replaced by interlocking subjectivities. Much of Clifford's work focusses on the methodological problems and representational implications of contemporary ethnographic fieldwork. He traces the fragmentation over the 20th century of classical anthropology's claim to authority and sketches out the difficulties inherent in attempting to create reflective, inclusive ethnographic practice.²¹ Prior to the early 20th century, anthropology was largely an armchair affair: theories were generated from second-hand accounts brought back by traders and priests. In the 1920s Malinowski and Mead, among others, fused the anthropologist's use of the scientific method and the traveller/missionary's absorption with local language and customs to create the model for modern ethnographic fieldwork.

Once participant observation became primary, a new problematic was opened up, namely, "how is unruly experience transformed into an authoritative written account?"²² Participant observation involves the often overwhelming process of

²¹ See Clifford, 21-55 *passim*.

²² *Ibid.*, 25.

removing oneself from all that is familiar -- bodily, emotionally, and intellectually. A new language must be learned, or at least cobbled together with the aid of informants. Field notes, generated at the moment, must be transformed into a narrative that can circulate among intellectuals and others in the reading classes back at home. The honest ethnographer is not blinkered by theory adopted *a priori*, and he or she thus has innumerable value judgments to make: how much weight to give *this* ceremony or *that* historical account in attempting to describe and contextualize a radically different cultural totality. It was through this process of grappling with difference that ethnography became self-critical.

Since writing is central to ethnography, issues of authorial control and authenticity become crucial. The primary goal of the ethnographic method, as noted above, is to turn first-hand experience into narrative. Texts, unlike experience, can travel, but the price of portability is that texts are constructions after the fact and follow their own discursive rules. Conveying the raw experiences of fieldwork occasioned a number of textual strategies. One of the most common was to focus on a particular rite or institution rather than labouriously construct a picture of the social totality. This selection could serve to introduce salient features of the whole, for instance Geertz's now-famous Balinese cockfight -- as Clifford notes, this assumption that a part could represent a coherent whole was reflected in a realist textual strategy. Similarly, synecdochic accounts became the norm for professional ethnographers, who assumed that the scientific method, with its use of theory and stress on observation, allowed them to quickly grasp the rules and hierarchies of their subjects; hence, an ahistorical

element pervades much of 20th century anthropology.

But prior to constructing their texts, ethnographers face a time of intensive "unruly experience", in which dialogue is necessary to learn. Secrets are revealed by a process of negotiation, during which time the ethnographer may be almost totally dependent upon "native informants" for interpretation and assistance. As Clifford notes, ethnographic fieldwork possesses its own narrative, a myth of individual courage and insight against which the reality often fell short. Ethnographers, far from being in a position of authority when in the field, often found themselves shunned by those whom they were studying and their work controlled and directed by their informants, who could not be assumed to share the ethnographer's project. Even assuming the utmost cooperation and openness, the question of cross-cultural understanding given the conditions of 20th century fieldwork remains open.

Only when the ethnographer is safely removed from the scene do the expectations change, for he or she is expected to provide an authoritative textual account, and here comes the crucial shift: texts are not dialogical. Many ethnographers have struggled with this problem of the dialogical, the open or multivocal text. Bakhtin's idea of "heteroglossia", which shuns the idea of cultural totality in favour of a "creative dialogue of subcultures" is noted by Clifford as one approach, but he acknowledges that it works better in the novel than in the ethnographic account.²³ Similarly, Marcus and Fischer have argued for the

²³ *Ibid*, 46.

abandonment of the old positivist/interpretivist poles, and have agitated for textual strategies that do not flow from specific theoretical paradigms.²⁴ Ethnography, while grappling with questions of representation and power in specific cross-cultural sites, has been part of the general move towards incredulity described by Lyotard.



Culture and Locality

“All politics is local.”

Tip O’Neill

To move beyond the superficial terms of debate around representations of political and cultural identity requires paying attention to the particular sites in which identities are expressed. A number of diverse political spaces exist in a modern culture like Canada’s, and no single space or institution serves as the ultimate arbiter of political resources or cultural expression. While some are certainly more privileged than others (the courts and Parliament are imbued with political authority, Bay Street with economic power), modern culture in general is fragmented rather than integrative. The primary focus of this work, then, is on specific sites in which cultural/political claims are made, and in particular where aboriginal confronts non-aboriginal. All debates of

²⁴ See Marcus and Fischer, x.

this kind occur in discrete sites: in Parliament, for example, with its own particular rules of procedure; or through the mass media, which structures the kinds of messages and information which can be transmitted to a disparate public. What is necessary is to examine spaces which best exemplify the different articulations of cultural identity which underlie political demands for land and autonomy -- this is where identities, to some extent, become visible.

This is why the work of Lyotard and the experience of ethnography is important. While it is hazardous to attempt to draw strict demarcations between "modern" and "non-modern" at the outset, Lyotard offers a vocabulary and a general philosophical framework for making sense of the radical differences expressed by aboriginal populations against modern culture. Sensitivity to difference also means paying attention to ethnography's pursuit of these questions in a more intimate context, *ie.* specific attempts to characterize communities or peoples, and the politicization of encounters between the outside investigator and the aboriginal activist, educator, or writer.

All of this will be brought to bear on what follows. Three specific sites of cultural and political encounter have been chosen for analysis, because each is part of the larger question of the status of aboriginal people in contemporary Canada. The settings are a courtroom, a school and a selection of texts. The court case to be examined in Chapter 1 is the one that is usually cited as *Delgam Uukw v Attorney General (BC)*. It represents the efforts, in the Canadian courts, of the Gitksan and Wet'suwet'en hereditary chiefs to win rulings respecting their land and self-government

rights. As one might expect, the proceedings of a courtroom present specific methods for exchange, in which different perspectives are sharply demarcated; this allows us to see how different constructions of history, aboriginal culture and the meaning of cultural identity in general occur.

Chapter 2 describes a different kind of cultural and political space: a school, created and managed by Okanagan people. It is the En'owkin Centre, located in Penticton. The efforts of those involved illustrates both opportunities and constraints faced by aboriginal people who wish to recapture control over the education of their young. The intersections between the En'owkin Centre and other educational institutions like universities, as well as the provincial government, provide a glimpse of how encompassing, yet porous, the boundaries of the state can be. Here too, different cultural and political narratives are at play: of integration vs. separation of studentry, and of organizational competence and state regulation.

The third chapter examines selected texts of a traditional Okanagan storyteller (compiled and edited by a non-native writer) and a contemporary Okanagan writer. These very personal individual expressions nevertheless have their own political and cultural dimensions as well, because what is explicitly being represented in them is a culture called Okanagan. Their status as individual texts, and the extent to which they are held to be representative of that culture, reveal something of the esoteric/exoteric dimensions of textualizing cultural identity -- who is inside or outside the culture, who is authorized to make authentic representations, and how can readers of texts like these make judgments about them?

The three selected here are certainly not exhaustive, and there is no attempt to claim that they, added together, provide a complete picture of aboriginal politics in Canada. Other sites could be equally fruitful, but some, like land-claims negotiations, are neither quickly concluded nor open to study. What is most important is that these sites are simultaneously political *and* cultural. As a political thinker, it is important to take the cultural dimension of the question seriously, which at times means working with vocabulary and perspectives which are not traditionally part of the political science canon. The sites illustrate political struggles over economic and intellectual resources, struggles which find their basis in cultural differences -- but how these cultural differences are represented is itself a political question. These two dimensions, then, are entwined in the debate, and the following is an attempt to analyze their different layers and intersection points in specific contexts. Attention is paid to the kinds of representations of aboriginal culture that are made in each site, and how these representations (and the counter-representations which oppose them) can be formulated in the different discursive spaces in which they are made. Each site is unique, but all are cultural and political spaces created by the unique claims to difference asserted by aboriginal people. Where these claims are made is significant because each space possesses its own discursive rules, and to participate requires observing those rules or being disregarded: they are thus the intersection point for cultural and political representations operating within at least two discursive modes, "aboriginal" and "modern". Similar questions are raised by them all: what cultural claims are made and how are they legitimated? How is power deployed? What standards of judgements are

appealed to? Finally, does any of the sites achieve a reconciliation of narratives, and if so, should this be privileged?

A concluding note on methodology: a study of this kind necessitates more than a single method. Thus, the examination of *Delgam Uukw* relies entirely on written material, particularly court documents such as arguments and judgments, for this is a good part of what courts ultimately produce, and which become part of the permanent record. With very little written about the En'owkin Centre, that chapter is a product of interviews with people at the Centre as well as in government. Chapter 3 is combination of textual analysis and interviews with authors. Each of these methods, I feel, is appropriate to the circumstances, and while some might prefer a uniform method throughout, we should not sacrifice insight for the sake of methodological purity.

Finally, the experience of ethnography described above is not ignored in the rest of this text: "I" am present in some ways, from time to time, in an effort to reveal the necessarily personal nature of undertaking a study of this kind.

CHAPTER I
Judging Culture: The Court as Chronotope

In 1984, fifty-one hereditary chiefs representing the Gitksan and Wet'suwet'en peoples filed suit against the British Columbia government in the Supreme Court of British Columbia. The chiefs asked the court for an affirmation that roughly 58,000 square kilometres of territory in the north-central region of the province has never been ceded by them to British Columbia, and that they, the plaintiffs, own and are entitled to govern this land. The trial itself lasted three years, at the end of which thousands of pages of court transcripts had been produced. The straightforward assertion of aboriginal rights to land ownership and jurisdiction by the Gitksan and Wet'suwet'en and the potential impact of a favourable ruling on the very existence of the province of British Columbia served to make this case a landmark in Canadian/aboriginal relations both in and out of the courtroom.

The Gitksan and Wet'suwet'en sought a declaration by the court that their cultural beliefs and practices legitimate autonomous political organization. To non-aboriginal British Columbians and Canadians, a precedent-setting declaration of native ownership and jurisdiction would force deep changes to the relationship between native people and other Canadians. It is worth probing the trial not only as an event in

itself but as an indicator of political/cultural debate in contemporary Canada. The significant feature of this case, indeed its basis, is that the explicit criteria for judgment revolve around conceptions of cultural identity. The purpose of the action was to seek the transfer of political authority based on cultural difference. The trial constituted an important event, and the courtroom as the locus of the event became a cultural chronotope within which something labelled "aboriginal" was juxtaposed with the modern liberal state.¹

Courtrooms are usually thought of as places of law, not culture, and at the outset the juxtaposition seems jarring. But the Canadian courts have been and will continue to be important sites in which the relations between aboriginal and non-aboriginal are pursued. Indeed, the case by now has gone through one appellate level and is on adjournment at the Supreme Court of Canada.² The case occasioned a great deal of comment from a number of quarters: native leaders and politicians, lawyers, anthropologists, and political scientists. Many of these have sought to analyze the wider meaning of the case, but relatively few have incorporated legal analyses with the many representational issues which necessarily arise. Thus, this chapter is as much

¹ The concept of the chronotope comes from Mikhail Bakhtin. See "Forms of Time and of the Chronotope in the Novel" in Holquist, ed. A chronotope is, literally, a "time/space" in which social events are given meaning and "take place" in their full material sense. Bakhtin drew on Kant's use of time and space as the ultimate categories of human cognition to construct his various idealized versions of social events in the history of the novel.

² The judgment brought down by the British Columbia Court of Appeal will be examined below.

about the courtroom as it is about the individual arguments presented in this case -- the narratives employed by the plaintiffs and the judge are examined within their social situation in the courtroom. Courts have specific rules which structure their proceedings and, in turn, affect their outcomes, and in this case we must consider how the rules and underlying assumptions of the court affect cultural narratives. For the Gitksan and Wet'suwet'en, the case meant "entering a game in which we had no involvement whatsoever with the putting together of that game, the making up of the rules, in the appointment of referees and umpires."³ As we will see, their attempts to expand the court's understanding of the meaning of their history and social organization brought them up against an institution which is resistant to change. The trial involved mountains of evidence, which cannot feasibly be summarized here. Instead, the judgment of Chief Justice Allan McEachern, along with selected other texts, will be scrutinized in order to gain a perspective on how culture, law, politics and knowledge were interwoven in this case.

Unlike other aboriginal court cases in Canada, which have dealt with the question of aboriginal peoples' right and status in a piecemeal fashion, this case involved the broadest of questions -- land and jurisdiction. For the Gitksan and Wet'suwet'en, this meant that the stakes were high, for everything was "on the table" -- their history, their social relations, their spirituality, their relationship with the land and

³ Satsan (Herb George), Gitksan hereditary chief, "The Fire Within Us", in Cassidy, ed., 54.

with non-aboriginal people. The court was required to hear and judge evidence concerning a wide array of subjective matters, such as what constitutes a “culture” and how cultural and social relations exist over time, within the historical fact of colonialism. All of this was to be heard, weighed and judged according to the common law. To undertake an action of this kind required that the Gitksan and Wet’suwet’en represent or narrativize their worldview, and that they be subjected to cross-examination by the government’s lawyers. In this way, the courtroom itself became a cultural chronotope, an “organizing center for the fundamental narrative events” contained within it.⁴

Mikhail Bakhtin’s analysis of the constructions of space and time in literature led him to create a unit of analysis, the chronotope, in which both dimensions are inextricably interwoven and frame the characters and events of the story. It is a time/space created by “the intrinsic connectedness of temporal and spatial relationships that are artistically expressed in literature”.⁵ For example, in ancient Greek writing the “adventure novel of ordeal” emerged, in which the whole of social and individual relations were cast according to a series of repetitive motifs which involved initially chaste protagonists, consumed by passion, against which are arrayed a host of forces which prevent their successful union. The space/time of these relations was played out within plots that varied little.

⁴ Bakhtin, “Forms of Time and Chronotope in the Novel”, in *Dialogic Imagination*, 250.

⁵ *Ibid.*, 84.

Translating the use of the chronotope from novel to court case requires an explanatory note. This unit of analysis is useful here for two primary reasons: first, because it allows us to raise questions of narrative representations with reference to a specific, inclusive site of exchange. As Bakhtin puts it, the significance of chronotopes is “their meaning for *narrative*....The chronotope is the place where the knots of narrative are tied and untied. It can be said without qualification that to them belongs the meaning that shapes narrative.”⁶ Second, a chronotope makes social relations visible. This includes power relations among the participants; in the context of the deeply contested issue of aboriginal identity, the courtroom acts as a prism, into which are focussed narratives which represent the whole of Gitksan and Wet’suwet’en social relations and, no less important, the standards by which the Canadian legal system makes its judgments.

What kind of a chronotope, then, is the courtroom? Preliminarily, we can see that for the trial to proceed, it is necessary for all to conform to a legal discourse that stresses demonstrability and assumes that a certain state of objective reality can be represented. In this case in particular, it is necessary for the time and space of “culture” to be categorized in a certain way by both plaintiffs and defence, namely as a bounded whole, a separate entity to which political power can be transferred. There must be an “either/or” declaration respecting which entity owns and governs the land. This construction of cultural identity carries some implications, and the Gitksan and

⁶ *Ibid.*, 250.

Wet'suwet'en are at pains, from the outset, to bridge a discursive gap. They must attempt to construct a worldview through the giving of evidence in order to legitimate their claim to cultural difference. This is illustrated by their opening statement, which dwells at some length on the conceptual challenges they will pose to the court, in particular respecting the nature of the evidence they intend to present.

Prominent in this statement is a description of Gitksan and Wet'suwet'en societies, with an argument that common notions of unsystematic, "savage" customs must be dispelled, and that the Gitksan and Wet'suwet'en should be "counted among the civilized nations of the world".⁷ Evidence is promised which will outline the plaintiffs' ideas of property, including exclusive ownership, and maintain close watch over internal boundaries. The importance of the chiefs within a social system composed of Houses and Clans also is highlighted, as is the central and multi-purpose Feast, which on different occasions may involve paying debts, legitimizing the authenticity of chiefs and ownership of territories, or grieving for a deceased person -- roles which are ceremonial, legal, economic, spiritual and educational.⁸ The Gitksan and Wet'suwet'en address the nature of oral versus literate culture and what that entails for a court proceeding; they plead with the court not to reject as hearsay the cultural memory passed down through generations. And finally, the conversion of many Gitksan and Wet'suwet'en to Christianity is addressed, and is placed in a context of

⁷ *The Spirit in the Land*, 36.

⁸ *Ibid.*, 31.

open or non-exclusive native spirituality as well as coercion by missionaries.

Throughout the statement, the plaintiffs attack and seek to expose the often implicit notion of the superiority of western industrial society, and the view that other, “less developed” societies should simply follow the path forged by North American and European nation-states.



The Judgment

“I am driven to conclude, on all the evidence, that much of the plaintiffs’ historical evidence is not literally true.” Chief Justice McEachern, “Reasons for Judgment”, 49.

literal, adj. [ad. L. *litteralis*, letter] Of or pertaining to letters of the alphabet; expressed by letters, written. *Oxford English Dictionary*

“The Gitksan and Wet’suwet’en languages have not, until the last century, been written down. Their societies are in the oral tradition...their accounts go back to the most ancient remembered village and territory.” *Spirit in the Land*, 37.

There are a number of places at which one could begin an examination of Chief Justice McEachern’s judgment. The above quotations economically illustrate the single greatest tension that becomes apparent in the trial: the different ways in which cultural knowledge is constituted and judged.⁹ In what follows we will consider, briefly, the

⁹ Though the Chief Justice undoubtedly meant to use the word “literal” in its meaning of exact adherence to a particular state of reality, the etymology neatly

legal aspects of the decision and the ways in which “culture” was constructed by the court and how it was judged.

The 394-page judgment was released on March 8, 1991. It represented a nearly total rejection of the Gitksan and Wet’suwet’en claims. Instead of an affirmation that they had never ceded jurisdiction to any outside political authority, the judgment provided them merely with an aboriginal right for “the use of vacant Crown land for aboriginal purposes subject to the general law of the province.” All other aboriginal rights existed at the pleasure of the Crown, and were ruled to have been extinguished by the Crown as a result of its enactments to provide for white settlement. The province is required to “care for its aboriginal people” and endeavour to prevent “arbitrary interference” with aboriginal sustenance practices, but the Crown remains sovereign regarding the disposition of the land and resources of the claim area.¹⁰

How was this judgment reached? Let us look first at the legal environment in which all the participants, including the Chief Justice, found themselves. This case, though more comprehensive than its predecessors, marked a continuation of legal grappling with aboriginal concerns, and all involved were required to address the precedents. The central legal question revolves around the status of aboriginal rights and interests in the territory, and more specifically whether these rights have been “extinguished” through enactments of the Crown over the post-contact period. The

juxtaposes and problematizes this seemingly neutral usage.

¹⁰ See “Summary of Findings and Conclusions” in the Reasons for Judgment, vii-xi.

legal authorities cover a span of over two hundred years, if one includes the Royal Proclamation of 1763, and deal with a range of questions associated with aboriginal rights. This hodge-podge leaves observers and aboriginal people with little consistent guidance on the more fundamental questions of land title and sovereignty.¹¹ The most recent Supreme Court of Canada decision in the *Sparrow* case was handed down in 1990, while *Delgam Uukw* was in progress. It is an important judgment, being the first attempt by the Court to address the issue of aboriginal rights as provided in section 35(1) of the Charter. Though it primarily addressed aboriginal fishing rights, the decision also provided that extinguishment of aboriginal rights in general by the Crown must be "clear and plain". Its second important finding was that underlying title to the land has always been assumed to reside with the Crown. Aboriginal rights and interests, though, constitute a "burden" on the Crown, whose "honour...is at stake in dealing with aboriginal peoples" when considering legislative action which would impinge on aboriginal rights and practices.

At least one commentator has criticized the use made of the authorities by Chief Justice McEachern in *Delgam Uukw*. Hamar Foster points out an unusually strong reliance on *R. v. St. Catherine's Milling and Lumber Company*, a case decided by the British Judicial Committee of the Privy Council in 1885 which found that Indian title to land is non-proprietary. This reliance on *St. Catherine's*, he argues, is akin to

¹¹ See Bryan Schwartz, "The General Sense of Things: *Delgam Uukw* and the Courts", in Cassidy, *op cit.*, 162.

describing Austria-Hungary as a major world power: "it may have mattered a great deal once, but its importance now is more historical than actual", especially since its finding on the proprietary/non-proprietary question has been overruled in "at least four Supreme Court of Canada cases decided between 1921 and 1988".¹²

The particular use of precedent is, of course, central in bolstering any judicial decision. In *Delgam Uukw*, there are two fundamental rulings of law regarding the status of aboriginal people -- these concern the questions of their interests in the land (title) and their distinct rights as aboriginals. The Chief Justice found that the British Crown asserted sovereignty in the territory in 1858 at the latest, with the establishment of the Crown Colony of British Columbia, and that decisions in both *Sparrow* and *St. Catherine's Milling* make it clear that underlying title to land in all of Canada was assumed to reside with the Crown at the outset of British sovereignty. Further, and just as significantly, he finds that aboriginal peoples' interests in the lands prior to the assertion of British sovereignty "did not include ownership of or jurisdiction over the territory".¹³ Aboriginal interests were personal and communal rather than proprietary, and "what the Gitksan and Wet'suwet'en witness [sic] describe as law is really a most uncertain and highly flexible set of customs which are frequently not followed by the Indians themselves."¹⁴ These conclusions are derived from both the precedents and his

¹² Hamar Foster, "It Goes Without Saying: The Doctrine of Extinguishment by Implication in *Delgamuukw*", in *Ibid.*, 138-9.

¹³ McEachern, *op cit.*, ix.

¹⁴ *Ibid.*, 219.

evaluation of the evidence presented at trial. Thus Crown enactments, and the influx of European settlement, were occurring in a “legal and jurisdictional vacuum”¹⁵ and there was no aboriginal title to extinguish. We will return to this finding below.

Regarding the issue of aboriginal rights, the Chief Justice finds that these comprise sustenance rights according to aboriginal practices. They are not exclusive and do not extend to commercial activities; thus, the Gitksan and Wet’suwet’en are merely permitted to use vacant Crown land for aboriginal purposes, though subject to the general law of the province. This limited construction of aboriginal rights relies in part on previous precedent and on the Chief Justice’s finding that Gitksan and Wet’suwet’en have not established that their ancestors lived in an “organized society”. In important ways, his findings respecting aboriginal rights flow from his earlier construction of aboriginal culture, which he found to be devoid of laws and meaningful social institutions.

How was this understanding of culture arrived at? Clearly there was no shortage of evidence to draw upon, but, as with the use of precedent, the central issue is how this evidence was weighed. Here we approach the crux of the courtroom as a chronotope, and the full extent of the politics of aboriginal representation becomes clear, for in this respect the judge is asked to become an ethnographer. In some cases his findings are simply contradictory or inconsistent, but, taken as a whole, they tell us a great deal about how *our* culture, through its institutions, is capable of passing formal

¹⁵ *Ibid.*, 222.

judgment on other cultural identities -- what constitutes a "fact" or piece of legitimated knowledge, and what is rejected as "subjective". In this way, the judgment offers an unparalleled opportunity for exploring the underlying assumptions of the law and how findings in law are based on findings respecting culture.

One revealing comment by the Chief Justice is the following: "Nearly every word of testimony, given by expert and lay witnesses, has both a factual and cultural perspective."¹⁶ This is an interesting and probably indefensible dichotomy. It comes during his general comments on evidence, and is indicative of the categories he found it necessary to construct. It begs the question of what is a fact: is the Feast central to Gitksan and Wet'suwet'en life or not? Have they occupied the territory since time immemorial? Did the Crown clearly extinguish all their land rights? Put all of these "factual" questions together and you have the basis for the trial itself. But they are also highly subjective questions, and as we will see, what the Chief Justice found it necessary to do was construct facticity according to non-aboriginal criteria, through a few central themes such as reliance on written historical evidence and scientific findings. These apparently satisfied criteria for facticity, while aboriginal knowledge remained in the realm of "faith".¹⁷

In deciding questions of culture and the weight to be given to different aspects of the evidence, the Chief Justice, quite remarkably, offers a blanket dismissal of the

¹⁶ *Ibid.*, 49.

¹⁷ See McEachern, 49 and Ridington, 210-212.

anthropological evidence, finding that "I am able to make the required important findings about the history of these people, sufficient for this case, without this evidence."¹⁸ He found that the plaintiffs' anthropologists are not neutral because they lived among the Gitksan and Wet'suwet'en for two years, although he does not indicate other possible methods for anthropologists to practise their craft. Additionally, their exposure to "the people" was insufficient because they dealt primarily with the hereditary chiefs, though he does not quarrel with the legitimacy of the chiefs and their right to bring this action on behalf of their people.

Upon what basis, then, does he make the required cultural findings? Primarily on the historical evidence of traders, settlers and government officials during the colonial era. His trust in this evidence of historians is expressed as follows: "Generally speaking, I accept just about everything they put before me because they were largely collectors of historical, archival documents."¹⁹ Yet one wonders about the accuracy of this information, since the text of the judgment reveals inconsistencies in the Chief Justice's understanding of the pre-contact lifestyle of the Gitksan and Wet'suwet'en. In one passage he refers to their traditional lifestyle as representative of Hobbes' state of nature ("nasty, brutish, and short"), while elsewhere he accepts an historian's testimony that at the time of European contact the people in the Bulkley and Skeena valleys could provide food for the year with only two months' worth of

¹⁸ McEachern, *op cit.*, 51.

¹⁹ *Ibid.*, 52.

fishing.²⁰

In some respects, he does what the plaintiffs feared he would, namely fall into the common representation of native history as “pristine” in traditional, pre-contact times and inevitably debased and eroded over the course of European settlement, thereby continuing the common white North American construction of the “vanishing Indian”. For example, he finds that “most Gitksan and Wet’suwet’en do not now live an aboriginal life”; they are disqualified from this by, among other things, driving to their traplines and returning home at night and in general participating in the cash economy.²¹ Nor does he accept in the first place that they possessed the kind of culture to which concepts such as sovereignty and ownership could be applied. Indicative of his assumptions in this regard is his opinion that pre-contact Gitksan and Wet’suwet’en life was “not in the least bit idyllic”, and consisted of “constant wars with neighbouring tribes”, and lacked “written history, wheeled vehicles and beasts of burden”. Further, “I have no doubt...[that] many of the badges of civilization, as we of European culture understand the term, were indeed absent.”²²

This is perhaps the point, which was not seized upon by the Chief Justice -- what is our understanding of “civilization”? Must others, to be called civilized, mimic us, or can they have evolved differently? These and other judgments, based as they are

²⁰ McEachern, 73. Presumably the remaining ten months were, at times, devoted to activities other than making each other miserable.

²¹ *Ibid.*, 13, 56.

²² *Ibid.*, 56.

on the observations of non-aboriginals, smack of ethnocentrism, an attitude of valuing other cultures only in explicit comparison to one's own. According to one observer, the Chief Justice's construction of pre-contact Gitksan and Wet'suwet'en society is indicative of what might be called the "traditional white view" of native Indians,²³ that is as a primitive collection of people huddled against a mass of empty, unused land who were conquered either by force (which is to be regretted) or by the advance of a superior civilization (which is natural).

There are other examples to which one could point, but what is significant is the relationship between the Chief Justice's cultural assumptions and his selective use of the evidence he heard. To be sure, he had to be selective, given the mass of evidence before him. But there is a clear dismissal of entire categories of evidence. Written archival evidence can be relied upon apparently because it is "found" rather than produced specifically for the trial. To be an archive means that it is a neutral piece of knowledge, while ethnographic fieldwork, relying as it does upon intersubjective exchange, is untrustworthy. This treatment of different forms of evidence is particularly ironic since a trial is itself an oral procedure that relies upon the immediacy of verbal exchange. The privileging of the written over the oral is also clear when judging the historical accounts of Gitksan and Wet'suwet'en witnesses, who were merely "recounting matters of faith which have become fact to them".²⁴ Thousands of

²³ Tennant, "The Place of *Delgamuukw* in British Columbia History and Politics -- and Vice Versa", in Cassidy, *op. cit.*, 79.

²⁴ McEachern, *op. cit.*, 49.

pages of evidence were created on the testimony of the plaintiffs, who did indeed recount things called "stories", and in one instance performed a song. What the foregoing suggests is that a conceptual framework for evaluating these stories was lacking in the Chief Justice.

These examples suggest one of the underlying conceptual problems of the trial: the relationship of identity to history. Returning to Bakhtin, this can be explored under the heading of *historical inversion*, which is the drive to locate fundamental social categories like truth, justice and social harmony in an idealized past.²⁵ These categories are portrayed not as parts of an actual history, but as an organising point of origin. They orient the audience (for Bakhtin the readers of novels) towards an obligation -- to be faithful to the original, chronologically prior myth or principle. Hobbes' state of nature, for example, never existed in an actual past, but exists as an obligation for the contemporary reader to avoid a certain type of future. For Bakhtin, this is an inversion of historical relations whereby categories in the past and present remain persuasive because they possess a purity or sanctity which the future cannot promise. At the extreme, these categories or values become atemporal or *out of time*, because their status reaches that of the eternal and unquestionable. The future is thus deprived of idealistic exploration; it remains empty "since everything affirmative, ideal, obligatory, desired has been shifted, via inversion, into the past".²⁶ Invocation of the past is

²⁵ Bakhtin, 147.

²⁶ *Ibid.*, 147.

satisfying because it is safe and reassuring in its fixity, while the future's disturbing possibilities for heterogeneity are avoided.

In this case, historical inversion is present insofar as the temporality of historical documents is not questioned by the Chief Justice, though at one time, clearly, they themselves must have been the product of inter-subjective exchange, either by traders or colonial officials; acceptance of documentary evidence simply because of its contemporary form means acceptance of their authors' subjective opinions. Aboriginal people, too, can find it difficult to avoid historical inversion in perhaps a more serious way: characterizing their pre-contact social relations as a kind of pure standard against which their present falls short may in some quarters be viewed as all the more reason to discount their current claims to cultural difference, and hence may undermine their goals. Clifford's study of a similar case involving the Mashpee notes the problem of the narrativizing identity and history as continuous: "An identity could not die and come back to life. To recreate a culture that had been lost was, by definition of the court, inauthentic."²⁷ But as he goes on to note, it is difficult to claim that a cultural tradition can truly be lost if it is remembered.

In this sense, if oral history can be conceived as representing an expanded collective memory, as when a name is passed on to a new holder and the history of that

²⁷ See Clifford, 341. In this case, he too notes the hierarchy drawn by the court between oral and literate, as well as assumptions regarding cultural wholeness and structure.

name is recounted,²⁸ one could in fact reverse the hierarchy of orality and literacy by remarking the tenuous connection between literate (or perhaps, now, post-literate) people and their own history -- if a majority of schoolchildren know nothing of Canada's role in the War of 1812, for instance, does this negate the events of the war itself? And is relying on a selected number of written authorities the best way to organize social memory of these kinds of events? Historical archives permit *precision* in the sense that an onlooker's perceptions are set down and unalterable, but this alone does not ensure accuracy. While a properly critical approach does not simply accept either oral or written evidence, what is striking in the context of *Delgam Uukw* is the one-sided view of what constitutes a "fact".



In some ways, it is emotionally satisfying to pick up and examine the decision in this case and tear it to shreds. One has a feeling of superiority, of coming along on the heels of a Chief Justice and exposing his mental flaws and cultural biases. (Indeed, critical commentators have had a field day with his misspelling of Hobbes when quoting the only line for which the philosopher seems to be remembered.) It is not hard to understand the origins of this feeling: at a psychological level it satisfies a levelling instinct, a desire to point out that the powerful have erred, perhaps

²⁸ See *Spirit in the Land*, 39. Also, Walter Ong has described the "integrative nature" of oral-based societies. See Ong, 1977, preface.

spectacularly; and at a moral level to say, "this decision is not just, and here is why".

It is important, however, not to let this feeling carry one away too far, and to remember that only those present for the entire trial heard all the evidence. Nor are many of us legal scholars sufficiently familiar with the relevant case law to construct a straightforward alternative finding. How would anyone else have decided this case? Would we have felt free to throw away the "hearsay rule" which prohibits accepting oral renditions of statements of the deceased? Would we have created, on the basis of the evidence, a brand new law which effectively removed ourselves and our nation-state from having control over a vast territory? Getting "into the head" of the Chief Justice is a difficult matter indeed. He is an older man, and probably representative of conservative forces in contemporary society -- on the whole, high court judges are reputed to be. There is clearly a large human element in a trial with all these subjective questions. Bias exists and must be accounted for.

Another revealing statement by the Chief Justice indicates his awareness of the nature of the claim and the court's ability to deal with it to the satisfaction of the plaintiffs. In remarking on a witness's description of his grandparents being dispossessed, he remarks:

I am left to consider what weight the event deserves on issues such as use and occupancy of land and, possibly, internal boundaries and other issues. I can separate this event into different legal issues. To the plaintiffs it was an indivisible wrong which cries out for redress.²⁹

²⁹ McEachern, *op cit.*, 49.

Reading the judgment, and particularly the sections on evidence, there is a sense throughout that “culture” is present only in fragments, and has been neatly chopped up into the different sections of the judgment (of which there are twenty-two). How very different from the integrative description of Gitksan and Wet’suwet’en culture contained in their opening statement.

I cannot speak of my own certainty that Gitksan and Wet’suwet’en societies existed, or exist today, exactly in the manner in which they have been represented during the trial. The overriding feeling is one of detachment from the very personal revelations which the plaintiffs must have made on the stand during this trial, and a desire to have been present, and to have had conversations with the parties outside of the courtroom. However, the analysis of this chapter exists as a way of asking whether the court is a good or even sufficient site in which to attempt to make these complex determinations.



Power and Neutrality in the Courtroom

Let us return to our examination of the courtroom as a chronotope, and deal first with the question of the process for the exchange of information, because in important ways this determines the nature of the representations which can be made. The courtroom is not a neutral site for exchange. Culture must be constructed for the court through evidence which conforms to the court’s standards. In addition, we see that the Court is

not a place for dialogue, but rather of overlapping monologues, in this case three primary ones: that of the Gitksan-Wetsuwet'en, that of the lawyers for both sides, and that of the Judge. There is interpellation, certainly, which takes the form of cross-examination -- two worldviews are competing for supremacy. At the risk of pointing out the obvious, court proceedings are adversarial; one fights, one wants to win, and this means being attacked in return. The kind of mutual understanding or shared vision that is implied by processes of dialogue is almost completely negated by court proceedings, and indeed, both Chief Justice McEachern and all appellate judges expressed their desire for negotiation between the parties outside of court.

There is, in addition, the question of the resources with which each side can compete, and in Canada, few aboriginal groups have the money and personnel to singlehandedly conduct protracted litigation. Governments can find the resources, and in this case (as in others) may provide funding to their opponents, a situation which is quite revealing of the general power differential between the litigants. Then there are the dynamics and assumptions about roles in the courtroom itself:

A table, and behind this table, which distances them from the two litigants, the "third party," that is, the judges. Their position indicates firstly that they are neutral with respect to each litigant, and secondly this implies that their decision is not already arrived at in advance, that it will be made...on the basis of a certain conception of truth and a certain number of ideas concerning what is just and unjust...Now this idea that there can be people who are neutral in relation to the two parties, that they can make judgments about them on the basis of ideas of justice which have absolute validity...I believe that all this is far removed from the very idea of popular justice.³⁰

³⁰ Michel Foucault, in Iris M. Young, *Justice and the Politics of Difference*, 96.

The neutrality of judges is a central tenet of the common law, expressed by the well-known symbol of blind justice. There are strict rules regarding what constitutes a “fair trial” -- this may be undermined by speculative media reporting or contact between litigants or interested parties and judges or juries. Judges must appear to be neutral and removed from the passions of the arguments they hear; moreover, their decisions must be based on certain principles articulated in jurisprudence. To be drawn into exchanges or situations which reveal bias or threaten to displace the normal flow of proceedings is not acceptable.

A clear example of how functionally difficult adherence to this tenet can be, and one which is directly relevant to the Chief Justice’s findings regarding evidence, relates to a song performed by a Gitksan elder as part of her *adaawk* during evidence. It is worth quoting this at some length:

[Chief Justice McEachern] was embarrassed by the length of the trial. He was embarrassed at the evidence that was called....

Mary Johnson was telling the judge her *adaawk*....And Peter Grant, the lawyer, says, “In the telling of this *adaawk*, is this the place where you would sing the dirge song?” Mary Johnson says yes. The lawyer says, “Go ahead, you can sing the song.”

And the judge says, “I don’t want to be skeptical, but I have some difficulty in understanding why the actual wording of the song is necessary.”

The witness says, “Do you want me to sing the song?”

The lawyer says, “Yes.”

And the judge says, “Are you going to ask the witness to now sing the song?”

The lawyer says, “The song is part of the history, and I am asking the witness to sing the song as part of the history, because the song itself

invokes the history."

The judge says, "How long is it?"

The lawyer says, "It's not very long. It's very short."

The judge says, "Could it not be written out and the witness asked if this is the wording? We are on the verge of getting way off track here. To have witnesses singing songs in court is not the proper way to approach this problem...I just say, with respect, I've never heard it happen before, I never thought it necessary, and I don't think it necessary now. It doesn't seem to me she has to sing it."

....

And when Mary Johnson has finished the judge says, "All right, Mr. Grant, would you explain to me, because this may happen again, why you think it was necessary to sing the song? This is a trial, not a performance."

Mr. Grant says that the Gitksan-Wet'suwet'en expressed their ownership of their territory through their regalia, their *adaawk*, and their songs.

The judge says, "I don't find that a persuasive argument at all. It is not necessary in a matter of this kind for that song to have been sung, and I think that I must say now that I ought not to have been exposed to it. I don't think it should happen again. I think I'm being imposed upon and I don't think that should happen in a trial like this..."

In a trial the word embarrassed describes the feelings you have when something is being presented which is unacceptable...The judge was embarrassed by the *adaawk*.³¹

This exchange illustrates some of the central tensions in this trial. Particularly revealing is the Chief Justice's request that the song be "written out" and filed with the court; this represents another instance of the written trumping the oral, and in itself, the request contains a number of assumptions: that a Gitksan song can in fact be "written out" (in which language?), and that the witness can verify its content by reading it. This exchange also undermines the primacy of "giving evidence" in the sense of being

³¹ Leslie Hall Pinder, 6-7.

fully present in the courtroom, and raises questions of whether judges should pick and choose the kind of evidence they will hear. The neutrality that the system works so hard to engender is displaced.



Continuo -- The Appeal

A final question to ask before moving on to explore other sites is whether this court case and judgment are typical of the courtroom as cultural chronotope. Since this judgment, as noted above, there has been an appellate court decision as a result of an appeal by the Gitksan and Wet'suwet'en. It is worth examining this judgment, too, as an extension of the same questions over time and through the legal hierarchy.

Briefly, a majority of the five Court of Appeal justices who heard the appeal upheld the rulings of the trial judge, with two exceptions. One important victory for native people, both the Gitksan and Wet'suwet'en and generally, was the unanimous finding that there had been no blanket extinguishment of aboriginal rights through Crown enactments; the "clear and plain" test for extinguishment was not met.

Regarding this specific question of the law, it is noteworthy that the province, for the appeal, abandoned its contention that blanket extinguishment had occurred, in effect giving up a legal victory won at the trial level. The reason for this involves a change in provincial administration following the 1991 general election. An N.D.P.

government was in power and, in many respects, took different policy positions respecting aboriginal issues. The appellate judges thus appointed *amica curiae* to argue on behalf of the question of extinguishment, but found them unable to sufficiently prove the “clear and plain” test.

A second change found by the majority is in regard to the scope of aboriginal rights. Though the trial judge’s findings rejecting aboriginal ownership and jurisdiction were upheld on the grounds that the sovereignty of the Crown remained paramount, the court here also found that aboriginal rights, including self-regulation and interests in land, were as yet undetermined and thus their scope and application could not be determined *a priori* by the court. The majority went on to note two schools of thought in the construction of aboriginal rights: an “all or nothing” declaration that either one group or the other maintains absolute sovereignty over people, land and resources; and a “co-existence” approach which depends upon negotiation and consultation. This finding links the chronotope of the court to other political processes, and at the least does not presume to prescribe absolute limits to aboriginal interests: “Self-regulation and new economic opportunities for Indian communities may be secured in many ways yet to be negotiated.”³² This is an interesting finding in that, while optimistic, it acknowledges that aboriginal cultures may actually *evolve*, and that part of this evolution may include sharing jurisdiction rather than an “either/or” declaration of

³² Justice McFarlane, “Reasons for Judgment”, 124, Court of Appeal of British Columbia.

something called sovereignty.

Aside from these two variations, the majority of the court left the trial judge's findings alone. Most significantly, the majority refused to re-consider a request by the plaintiffs to re-examine the trial judge's findings respecting the evidence that was before him. They argued that the weight accorded different forms of evidence (oral vs. written, historical vs. contemporary, certain experts over others) led the trial judge to erroneous conclusions. One Justice embarks on a long explanation of why the appellate court should not re-consider the evidence, even though "the factual basis of the judgment is of such obvious importance to the outcome of the appeal."³³ He applies a rigorous test of "palpable and overriding error" by the trial judge which is apparent to the appellate court; it is not its duty to substitute its assessment of the "balance of probability" for the findings of the trial judge.

The majority point out the vast quantities of evidence adduced at trial, which militates against a thorough re-assessment by the appellate court. More significantly, the hesitancy with which appellate judges view such a re-assessment in general is stated strongly and repeatedly. The following excerpt from a previous case is quoted with emphasis:

Witnesses without any conscious bias towards a conclusion may have in their demeanour, in their manner, in their hesitation, in the nuance of their expression, in even the turns of the eyelid, left an impression upon

³³ Justice Wallace, "Reasons for Judgment", 141, Court of Appeal of British Columbia.

the man who saw and heard them which can never be reproduced in the printed page.

In my opinion, the duty of an appellate court...is for each Judge of it to put to himself...the question, Am I - who sit here without those advantages, sometimes broad and sometimes subtle, which are the privilege of the Judge who heard and tried the case - in a position, not having those privileges, to come to a clear conclusion that the Judge who had them was plainly wrong?³⁴

This almost poetic representation of the issue reinforces the difference between the personal and inter-subjective nature of a trial and the polished written judgments which flow from it. Just as important, they bring into question again the hierarchy between oral and literate forms of knowledge within which aboriginal claims are enmeshed. A recognition of the limits of the representations on a printed page as compared to a meeting of the person undermines any simple assumptions about the relative weight which should be given to oral and written historical evidence.

It is significant that the two dissenting Justices on the appeal court do address the use made of the evidence by Justice McEachern, and both find fault with it. One goes so far as to advocate a new trial based on McEachern's disregard for "extensive and reliable evidence" of Hudson Bay traders.³⁵ The other finds that aboriginal land rights exist "on an equal footing with proprietary interests", and that McEachern

³⁴ *Ibid.*, 151-2. The initial citation is from *Powell v. Streatham Manor Nursing Home* [1935] at 249.

³⁵ Justice Lambert, "Reasons for Judgment", 509, Court of Appeal of British Columbia.

wrongly constructed the legal test for aboriginal interests in land.³⁶ Both would allow the appeal, or parts of it. Both express hope for negotiations, which by this time were underway between the Gitksan and Wet'suwet'en and the province. Again, native people had received a split judgment, primarily not in their favour, from a Canadian court.



Some final comments about the court as a cultural chronotope are in order. Clearly there is a complex interweaving of different interpretations of law, politics and culture involved in a case of this kind. The time/space of court proceedings requires adherence to a largely inflexible set of procedural rules; in a case such as this, these rules impinge quite strongly on the cultural dimension of the arguments to be made. Fixing aboriginal culture within specific historical limits (*ie.* "traditional" practices operating prior to the assertion of Crown sovereignty) takes the interrelatedness of culture that is the Gitksan and Wet'suwet'en view and breaks it down into discrete "rights" and "practices". The concept of cultural renewal through the evolution of new practices, is not recognized. The underlying message is that if native societies evolve, they must do so within the rules of the nation-state of Canada. One could say that this represents the

³⁶ Justice Hutcheon, "Reasons for Judgment", 520, Court of Appeal of British Columbia.

triumph of politics, in the sense of *Realpolitik*, over culture.

There is also a disquietingly large element of chance involved, notably in terms of the individual judge who tries the initial case. In this case, the refusal of a majority of the appellate court to seriously re-examine the trial judge's evidentiary findings means that Chief Justice McEachern's views and opinions stand as authoritative pronouncements. One reason for this is logistical; there simply isn't *time* for re-argument of evidence so voluminous. As a result, while another judge might have come to different conclusions, the strict requirements for overturning his or her or any judge's findings on evidence, combined with the bureaucratic limits of the legal system discourage this level of re-examination.

This introduces not only chance but possibly arbitrariness, in two ways. No one disputes that a claim such as this one has extraordinary implications and tests the limits of the common law. First, making a case requires establishing the credibility of witnesses, for, as we have seen, the inter-subjective exchanges which constitute the giving of evidence often can determine the outcome of a trial. In a case involving aboriginal people, many of whom have never participated in the common law system and who may not speak the English language, there are significant challenges for the trial judge to examine his or her own individual biases. The trial judge accepted oral evidence, and in doing so modified the "hearsay rule". However, this evidence was "subject to considerations of weight". These considerations were not fully explained in his reasons for judgment nor, according to the appellate court, was he required to do

so.

Second, it becomes clear that interpretations of key legal definitions and of legal history are highly subjective. How ownership, jurisdiction, sovereignty, proprietary interests are defined and interpreted based on precedent and the meaning of historical practices comes to resemble hair-splitting, if not theorizing in a vacuum. Recall that more than one appellate judge left the definition of aboriginal interest in land at *sui generis*. This creates the appearance of the Gitksan and Wet'suwet'en having to wait while Canadian judges debate semantic issues, and surely is one important reason why every judge associated with this case has encouraged external political proceedings, *ie.* negotiations, to give shape to a more formal inter-cultural relationship between the Gitksan and Wet'suwet'en and the province's representatives. There are important limits here for the courts, which are recognized by the judges themselves. One of these is that the political realm, the interaction of governments and people, provides the basis for common law determinations. It amounts to a *de facto* acknowledgement of the political and cultural roots of the law.

Finally, what does the above analysis tell us about the court in relation to other possible sites of cross-cultural exchange? It has clearly exposed some of the limits of the common law in grappling with cultural questions, and has illustrated the gamble native people take in bringing their cultural beliefs and practices to the courtroom for interpellation and judgment, which must be balanced against the hope of a judgment in their favour. It also has brought into the open what has been termed the "traditional

white view” of the status of native cultures within contemporary Canadian society, thereby allowing this view to be debated, analyzed and criticized rather than remaining hidden. Do other sites offer more hope for aboriginal people, both in terms of their ability to represent their cultures and the possibility for a more satisfying outcome? The negotiating table is an obvious alternative, and during the time of this case, serious negotiations have begun between the federal and provincial governments and native groups. This reminds us that, while the courtroom is a sequestered, unique site, its outcomes (both *formal*, in terms of judgments and *informal*, in terms of the signals it sends about itself as a venue for resolving certain types of disputes) influence and are influenced by other sites.

Negotiations may remove some of the problems of the courtroom. Most significantly, the act of placing two or three groups’ representatives at the same table, presumably working toward a goal of reconciliation, removes the hierarchical nature of the act of judging as well as its untenable presumptions to neutrality: non-native society here is seen to be partial, with its own particular interests. There is also the possibility for dialogue, in the sense of exchanges which genuinely seek to create better understanding between the groups represented, though these are just as likely to be undermined by the kinds of posturing and strategies which all parties habitually bring to the table.

Most centrally for this work, unlike the legal system, with its dictum that justice be done and be *seen* to be done, negotiations between governments and aboriginals have been, until now, conducted largely in secret. (This is not unique to aboriginal

issues, for labour negotiations and those for out-of-court settlements, for example, also take place behind closed doors.) This secrecy clearly affects the prospects for fruitful analysis of the kinds of representations and judgments about culture which are made in this kind of forum. In addition, though this must for now remain a surmise, the intensely political nature of negotiations and the intricacies of strategy by both sides is likely to replicate some of the disutile elements we saw in the courtroom. Negotiations undoubtedly place a premium on the kinds of evidence upon which claims to specific areas of land are based, for example.

Just as important, both the courtroom and the negotiating table are venues in which the totality of a culture is supposed to be represented. The difficulties inherent in this type of exhaustive representation, *in a site of contestation* in which each claim is dissected and combatted, are obvious and have been explored above. The following chapters address sites which are more localized in terms of their relationship to the concept of cultural identity itself, and which, at least to some extent, remove the direct conflicting relationship with the state and its representatives. Establishing an education institution, for instance, inevitably requires existing within a regulatory framework of the state, but it may also present opportunities for creativity, *ie.* for extending boundaries. Similarly, texts permit an almost infinite set of possibilities for cultural representation, although they too create political issues respecting content and authorship. Different cultural and political dynamics are created by these other sites, which in their unique ways contribute to the general problematic of aboriginal relations today.

CHAPTER II
Teaching Culture: The En'owkin Centre

The En'owkin Centre, located in Penticton, British Columbia, is an education institution and resource centre operated by the Okanagan Tribal Council. Its students, faculty and staff are aboriginal. To describe it as a school is only partially correct, because, while it offers educational programs for aboriginal students, these programs form part of a wider project. Each program is affiliated with another public education institution, and is intended to meet an immediate educational need and to provide the opportunity for the students to continue their studies elsewhere. The Centre owns a publishing company, Theytus Books, which is dedicated to publishing works by aboriginal authors, including En'owkin's faculty and students, and the Centre also serves as a resource centre for maintaining information about aboriginal peoples in general and the cultural knowledge of the Okanagan in particular.

This chapter examines En'owkin's history, programs, philosophy and goals, in order to evaluate it as a site of cross-cultural exchange. En'owkin is interesting because it is a liminar, existing on the edge of aboriginal culture and knowledge and the modern state. Within it, it becomes possible to observe how education for aboriginal people can be constituted in contemporary Canada. Its programs and

curriculum are based on an aboriginal perspective but also are affiliated with state institutions, which raises several issues: En'owkin's place in the historical development of Indian education; the effect of issues of accreditation on the content of the curriculum; a school as a site of cultural and political activism; and the process by which native values and knowledge can be considered authentic by a non-aboriginal bureaucratic state.



History and Organization of the En'owkin Centre

Band-controlled schools are becoming increasingly common in British Columbia.¹ They may be described as the "third wave" of aboriginal education in Canada, following the experiences of aboriginal children in residential and then provincial schools. Attention has been paid recently to the history of the residential schools, most of which operated from the late 1800s to the 1960s.² Run for the most part by church orders, they typically forced aboriginal children to be removed from their communities and taught European languages, customs and religion. Many suffered physical and sexual abuse. The goal of these schools was to Christianize and "whiten" the Indians,

¹ As of 1994, there were 111 band-operated schools (K-12) in British Columbia (list provided by federal Department of Indian and Northern Affairs). There are currently approximately fifty post-secondary aboriginal institutions in the province. Also see "Native-run schools seen as only answer to high Indian drop-out rates", *Victoria Times-Colonist*, February 29, 1992, A11.

² See, for example, Haig-Brown, 1988.

and the legacy of the schools is remembered by aboriginal people, now adults, who went there; indeed, investigations are proceeding regarding abuse at several schools, and some convictions have resulted.³ As the residential schools began to close down, aboriginal children were increasingly educated in the provincial school systems, only a slightly less overt form of assimilation, because there is no aboriginal content: "at those schools, students can't have any idea of themselves as Okanagan Indians."⁴ The performance of native students in provincial schools, not surprisingly, has been underwhelming, with dropout rates much higher than for non-aboriginal students.⁵

More recently, aboriginal bands have begun to take greater control over the education of their children, both through on-reserve band schools and through post-secondary institutions like En'owkin, which offer a range of education programs. What is now the En'owkin Centre began in 1979 as a curriculum project by the Education Committee of the newly-formed Okanagan Tribal Council, which is composed of six bands in the Okanagan Valley and Similkameen. An ethnographer, Douglas Hudson, and Delphine Baptiste, an Okanagan woman, were hired to design a

³ See "B.C. starting to shed its redneck image by reassessing treatment of natives", *Vancouver Sun*, Dec. 14, 1992, B3; "Victims see abuser jailed", *Vancouver Province*, March 22, 1995, A5; "90 suspects cited so far in probe of sexual abuse at Indian schools", *VS*, June 27, 1995, A3. See also *Breaking the Silence: An Interpretive Study of Residential School Impact and Healing as Illustrated by the Stories of First Nation Individuals*; Assembly of First Nations, Ottawa, 1994.

⁴ Rick Poitras, former Education Coordinator, Penticton Indian band; interview April 1993.

⁵ See "Native children's education 'ends badly,' report says", *Vancouver Sun*, November 10, 1993, B13; "New school a test of Penticton's solitudes", *VS*, February 27, 1992, A1.

package that could be taught in provincial schools from Kindergarten to Grade Six. Delphine went to many of the Okanagan elders and had them relate stories and teachings of the Okanagan, which she and Douglas Hudson transcribed. The purpose of the project was to get some Okanagan knowledge and perspective inserted into the provincial schools, which Okanagan students were attending. In 1980 Hudson left to teach elsewhere, and was replaced by Don Fiddler, who is now Executive Director of the Centre. Over the next three years, curriculum packages were developed for Kindergarten to Grade Twelve, but only the packages up to Grade Six were published; these were delivered to all schools in the Okanagan Valley. During the course of this project, Don and others involved with it decided to offer their own training courses for Okanagan people, mainly in the area of drug and alcohol counselling.⁶

These efforts resulted in the establishment, in 1981, of the Okanagan Indian Educational Resources Society, a provincially registered non-profit society. (This is the legal name for what is referred to here as the En'owkin Centre). The Centre is currently located in two adjacent single-storey buildings in downtown Penticton. As Don Fiddler relates:

the goal of the project was to bridge two cultures through the involvement of our people, and to focus on publishing our own materials. This is where Jeannette Armstrong came in: she wrote *Slash* specifically for the grade 11 and 12 packages.⁷

The first set of courses that were offered on-site were the Adult Basic Education

⁶ Interview with Don Fiddler, April 1993.

⁷ Interview, April 1993.

courses in 1983. In 1984 the Okanagan Tribal Council purchased Theytus Books as a vehicle to publish Armstrong's work. Now the Director of the En'owkin International School of Writing, Armstrong had gone through the Penticton school system and the University of Victoria, earning a degree in Creative Writing. She also had received an Okanagan upbringing during her childhood and speaks the language fluently. When those involved in the project realized that to keep Theytus Books afloat they needed more writers, negotiations began with the University of Victoria to offer Creative Writing courses that could be transferred to the University for credit; this move allowed them to recruit young native students who could write for Theytus while taking courses. In 1986 the course offerings at En'owkin were expanded to include college-level courses, and the following year instruction in the Okanagan language began, followed by the teacher training program in 1991.

A twelve-member Board of Directors is responsible for major decision-making and policy development for the Centre. Its members include a single representative from each of the six Okanagan bands and one member from the Upper Nicola Band of the Thompson Tribe. The balance of the members come from various aboriginal service organizations such as the Elders Council, the United Native Nations, the Central Interior Friendship Centre, and the Round Lake Treatment Centre. Don Fiddler, as Executive Director of the Centre, and Jeannette Armstrong, as Director of the Creative Writing and Fine Arts schools, are largely responsible for the administration of En'owkin. There are currently twelve faculty at En'owkin, with sixteen adjunct faculty who teach on a rotational basis or visit for specified periods of

time. There is also a Steering Committee for the writing school, whose members include Margaret Atwood, Thomas King, Joy Kogawa, Michael Ondaatje and other Canadian authors.



The Programs

The En'owkin Centre has evolved from a curriculum project designed for use in provincial schools to become a self-contained education institution. Each program offered by the Centre is designed to fill a perceived need in the Okanagan community.

TABLE I - Programs of the En'owkin Centre

Program	Affiliate	# Students	# Faculty
C.W./Fine Arts	UVic	33	6
C.A.P.	Open Learning Agency	15	4
A.B.E.	Open Learning Agency	18	4
Teacher Training	Saskatchewan	8	4
Okanagan Language Program	Federated Indian College	8	4

The four programs currently offered at the Centre are the Creative Writing/Fine Arts program, the College Achievement Program, Adult Basic Education (ABE), and the Teacher Training/Okanagan Language Certificate Program. These are summarized in Table I. Each program is accredited with a public education agency, so that students

who complete the programs offered at En'owkin have the opportunity to pursue their studies further with that agency. For instance, ABE is offered to adults so that they can acquire basic literacy skills; after completion, they can move on to the CAP program, whose courses in turn are transferrable to colleges and universities. The language instruction in Okanagan is now coupled with the teacher training program, and together, they form a certificate program to provide culturally-specific training to prospective aboriginal teachers who will operate in either provincial or band-run schools.

Adult Basic Education teaches adult Okanagan students basic skills such as communicating through writing and using numbers. This training is motivated as much by the economic imperative as anything else, for with these skills Okanagan adults have more hope of finding employment, either for the Band or in the city. The courses offered to ABE students include English grammar, math, general science, computer skills, and social studies. Overall, the program is the least culturally-specific, though the social studies course addresses native studies, geography, and contemporary social issues, and offers an historical overview of North American colonization and the treaty-making process, and the contemporary social issues component explores current social issues as they affect native people. The ABE program aims to provide its students with basic skills to help them find employment, and to foster a sense of ability and identity to help overcome problems of self-esteem.

The College Achievement Program (CAP) offers college-level courses to students who otherwise might go to Okanagan College. Students who have completed

high school can begin taking university transfer courses immediately, and a second option exists for students who need to upgrade or complete some high school requirements. The curriculum offered under CAP is a mix of culturally-specific and general courses. One course, for example, is devoted to the mechanics of writing the college essay, but also includes teaching a concept of mind-mapping as a creative stimulus. Part of the CAP curriculum includes pragmatic courses for the prospective college or university student: a course entitled "College Survival and Study Skills" is designed to develop the student's confidence; help him or her understand how personal development is influenced by group identities; and help develop reading and study skills that are appropriate to a college environment. The CAP program is thus structured around three basic goals: teaching skills like reading, writing and critical thinking as they are found in any liberal arts program; organizing the curriculum to include aboriginal content whenever possible; and focussing on the individual student's future goals beyond En'owkin itself.

The Okanagan Language and Linguistics Program is taught every second year, alternating with the teacher training courses. Together, the two programs culminate in a two-year certificate program, accredited with the Saskatchewan Indian Federated College and the University of Saskatchewan. Language courses include general linguistics, which focusses on grammar, phonetics and phonology. In addition, a survey course in American Indian languages addresses the issues involved in learning and teaching languages that do not have a long tradition of writing; it explores the difference between orality and the necessity of rendering language into written form in

order to study its structure. Courses specifically devoted to the study of the Okanagan language are also included, and a recent development in this regard is the creation of an Okanagan alphabet, a joint project of En'owkin and linguist Anthony Mattina. A special font was created which has also been digitized onto computer software, so that Okanagan now can be written as well as spoken. Teacher training courses address curriculum development as well as evaluation and classroom teaching techniques designed to prepare the student for teaching situations. Practicums are also included in the program, for which students may be placed either in provincial or band-run schools.

The purpose of the En'owkin International School of Writing (EISW) is "to assist First Nations writers to find their voice [sic] as writers and to encourage them to interpret and record First Nations experiences."⁸ The program comprises two years of coursework, after which students receive a certificate in First Nations Creative Writing, awarded jointly by the En'owkin Centre and the University of Victoria. Courses are a mix of lecture and workshop. Under the initial agreement with the University, students had to have been eligible for entrance to the University of Victoria, which meant completion of all high school prerequisites with acceptable grades, and have submitted a portfolio of written work and two letters of support. Additionally, there was a provision for mature student entry similar to that for the University of Victoria itself. A change to that agreement has resulted in En'owkin being responsible for its own

⁸ En'owkin Centre calendar, 25.

admissions to the program, though if students wish to transfer to UVic, they must at that point apply for regular admission. This program, unlike the others, attracts native students from across North America. Although most come from British Columbia, in recent years students of Cree, Dene, Ojibway, Micmac and Apache descent were enrolled in the program.

Many of the courses offered at the EISW are similar in form to those at university creative writing departments: there are workshops in each of the three genres of fiction, poetry and drama, as well as courses in theory and practice of literary creation and publishing. Other lecture courses, however, are culturally-specific. In general, these focus on how aboriginal cultural experiences are reflected in their literature, and how that literature draws upon traditional forms of expression such as oratory, story-telling, song and dance. Stress is placed on the use of metaphor, for instance using animals as spiritual symbols. The course entitled *Critical Process, Symbolism, and Oral Tradition* "encourages the use of archetypes in poetry, prose, and drama."⁹ Symbols associated with native cultures such as Coyote, the eagle, and Thunderbird are studied in relation to the literary forms through which they can be expressed.

The objective, however, is not merely to transcribe traditional oral myths into written form, but involves using and understanding traditional symbols as metaphors which can inform and guide contemporary experience. As Jeannette Armstrong

⁹ *Ibid.*, 30.

remarks, "just re-writing myth misses the point of communication." Indeed, she bristles at the idea of native writing as merely transcription:

We don't live in an oral culture -- to survive we must be literate. We have no choice about this. Indigenous peoples' understanding of the world is not based simply on the *form* of expression, such as storytelling. Writing is a tool for communicating -- the students here are not simply re-copying myths.¹⁰

The program is designed so that students will consider their own experiences as native people and understand them in the context of aboriginal knowledge and values, all of which is channelled through the craft of writing. The result is a learning process which combines Western literary devices with aboriginal experience.

Under the rubric of the EISW is a two-year certificate program in Fine Arts, also accredited with the University of Victoria. As with the writing program, students receive a mix of lecture and workshop courses, in this case in painting, sculpture, and print-making. The lectures on art theory include theories of European and indigenous aesthetics.

Aside from the education programs, the En'owkin Centre owns and operates Theytus Books. It is one of only two publishing houses in Canada completely owned and operated by aboriginal people. Greg Young-Ing, a Cree from Manitoba, is the manager of Theytus, having formerly worked in the Assembly of First Nations Education branch. He describes the motivation behind attempting to exert some control

¹⁰ Interview, April 1992.

over textualization of aboriginal culture:

until the 1960s there were virtually no books by native authors. Literature about native culture was written by white anthropologists for other white people. Like Hollywood movies such as *Dances with Wolves*, it was strictly a European definition of native people. This is cultural appropriation. It occurs when people attempt to represent another culture without permission and without taking the time to learn the meaning of what they're representing.¹¹

With Theytus Books the production of texts resides in the hands of people who are continually exposed to images of their cultural identity which have been appropriated for someone else's purposes, from the naming of cars and sports teams to generalized representations of the cultures themselves in films. This continues in contemporary fiction as well, for example W.P. Kinsella's *The Miss Hobbema Pageant*, which Greg finds offensive because not only is its portrayal of the native characters harsh, but the author has never set foot on the reserve, and is content to work with common stereotypes of Indians.

Theytus Books publishes about sixteen titles per year, and each year it produces a volume entitled *Gatherings*, a collection of short fiction, essays and poetry by students in the Creative Writing program as well as established native authors. Each volume of *Gatherings* is organized around a theme. Volume II, published in 1991, is subtitled "Two Faces: Unmasking the Faces of our Divided Nations". It includes nearly a hundred short pieces of fiction, poetry, essay-writing and oratory by students at the school as well as other native writers. In most of them, anger is expressed

¹¹ Interview, April 1992.

openly:

my head was sold
for the first shiny trinket
offered

my beliefs were bought cheap
like magic potions at a travelling road show
with promises
everyone wants to believe
but only a fool invests in

my name was stolen
by bandits in black robes
my world was taken for a parking lot¹²

This is one example of the kind of powerful, raw poetry that exists in the volume.

Many of the works have historical references (the reference in the above poem to "black robes" is undoubtedly directed at the Jesuits), for instance a "journal", entitled "First Contact", which details the coming of the Jesuits to a native community and the author's view of the impact of this.¹³ The introductory editorial by Greg Young-Ing contextualizes the volume:

Some of the works featured in the following pages show that the people of the First Nations have worn the "mask" of one world while walking through the other (and vice-versa); wondered which "mask" is more comfortable, and where and when; and worn a "mask" to hide the fear and despair created by the dilemma, even from one another. Other works speak of coming to terms with the two realities.¹⁴

¹² From Kateri Damm, "Stray Bullets", in *Gatherings Vol. II.*, 32.

¹³ "Journal: First Contact", Joshua Mskeeyosh, in *Ibid.*, 33-38.

¹⁴ *Ibid.*, 7.

Other volumes of *Gatherings* have been organized around themes of aboriginal peoples' relationship with the earth and related issues.

The En'owkin Centre continues to evolve. It is poised to become part of the Indigenous Peoples' Association (I.P.A.). It would be one of five aboriginal educational and resource centres in North America, linked with similar centres in South America, which would do a number of things: act together in a concerted effort to disseminate information about aboriginal peoples; fundraise for a variety of projects; lobby the United Nations regarding aboriginal rights; and participate in international efforts such as observing ceasefires in areas such as Chiapas and participate on panels and commissions operating under the auspices of the UN. There is also an economic facet to the I.P.A. Its member centres aim to focus on developing strategies to help aboriginal communities function in the contemporary world economy, which is increasingly characterized by liberalized trade rules which reduce the ability of national policy-makers to control the flow of goods and services across national borders. Though many see these rules as favourable to large multi-national corporations, they also provide the potential for other groups to act in the economy. The I.P.A. is intended to serve as a coordinating body to find pathways to markets for goods produced by aboriginal people, such as foodstuffs, clothing, artworks and books.



Impressions

The physical appearance and location of the En'owkin Centre do not suggest anything particularly "aboriginal". It could be any small downtown office building. On first impression it can be a bit disappointing, until one wonders what one expected in the first place: does the label "aboriginal" imply "exotic" in all respects?

The facilities, admittedly, are not ideal. An ambitious capital project is underway, which would see the Centre move onto Penticton Band reserve lands and be housed in a building designed by Metis architect Douglas Cardinal. The plans for that building show a definite design pattern, including a specific orientation for the building, the use of materials indigenous to the area, and an architectural style designed around a circle.

Over the course of three years, I have made several visits to the Centre, and talked with a number of faculty and staff to better understand how the Centre has evolved and what its future course might be like. At first glance, there is nothing particularly "different" about the place, except that all the people there are native. But once conversations become oriented around native education issues, it is like crossing a boundary line. Once, while I was talking with Greg Young-Ing, the school's elder, Glen Douglas, entered the room. After being introduced, he proceeded to relate his own violent experiences in a residential school in Kamloops, and rolled back his sleeve to show scars still visible from beatings he received for speaking Okanagan. He spoke, forcefully, for about fifteen minutes, then fell silent, nodded to me and left the room. It was by no means a dialogue: I don't think he was interested in answering questions,

and by the end of it I didn't feel I needed to ask any. The sub-text was, "You want to learn about Indian education -- here is what you should know as a background."

By contrast, Maurice Kenny, an English professor of Oneida descent visiting from the University of Oklahoma, practically radiates positive energy. Our first conversation concerned the relative merits of football and hockey as spectator sports. When I asked him how teaching here is different from a large university, he spoke about the specific kinds of projects he can give students who are uniformly of aboriginal ancestry. One of these involves the students taking a traditional story from their home community and re-working it in their own way. This is not only a creative writing exercise for, as he relates, some students don't know any of these stories; this can bring on a feeling of shame, or loss, which Kenny then attempts to turn around by having them contact someone (a parent, relative or elder) at home to relate a story. Aside from the mechanics of the writing assignment, students confront questions of their cultural identity: how they would re-tell a story, and in some cases, what their lack of connection to traditional stories means for their individual upbringing and relationship to their community.

One interview not directly connected with the En'owkin Centre took place on the Penticton band reserve with Rick Poitras, who at the time was Education Coordinator for the band, with responsibility for the Soorimpt band school. The reserve occupies territory to the north and west of the city; the terrain is hilly, with the dry grassland found throughout the southern Okanagan Valley. Despite receiving directions, on the drive down from Kelowna I find I've passed through Penticton, and

soon realize I'm heading towards Naramata. (An unmistakable irony: white person goes in search of the Other and gets lost.) When I arrive, Rick talks about the project of Soorimpt and the importance of not only curriculum content, *ie.* including aspects of native culture, but about the reaction of native children to provincial schools: "In classes full of white kids, with all white teachers, you can just see them shut down." Then he switches to talking about Soorimpt, about the medicine wheel and reinvigourating young people with an understanding of cultural health and respect for their land. For Rick, this process of education includes these things, but also includes using all the tools and resources possible to further their opportunities -- like computers, which Rick would like to see linked to other aboriginal schools across North America. "We have knowledge in this community that we can share with others, if it's valued. Look at Russia -- their system is breaking down, and they're losing their ability to work their land, for agriculture. We can help teach them ways to do that."

The road back from the band office winds down through the hills, offering several spectacular views of Penticton and Okanagan Lake. From up there, the city looks rather small and insignificant.



Education as Cultural Survival

It should be clear from the foregoing that the En'owkin Centre does not easily fit into the common idea of what a school is about. The broad project of En'owkin is to

strengthen the cultural awareness and identity of the Centre's students and faculty through education, a project that originated in a vision of what needed to change if the Okanagan language and cultural beliefs and practices were going to survive the continuing effects of existing within a dominant society.

First, though it is obvious, it should be noted that the Centre is a space cleared exclusively for aboriginal people. It was created and is maintained by aboriginal people. In this space they are no longer outsiders or a minority, and the feeling of security that results from "being with your own people" is one important reason why students come to the Centre. The hiring policy for Fine Arts and Creative Writing programs, drafted jointly with the University of Victoria, expressly indicates that it is essential for instructors to be of First Nations ancestry, and advertisements for students clearly indicate that admission is for First Nations people only. These policies, in their exclusivity, are strikingly different from policy trends over the last two decades in provincial schools, universities, and businesses, many of which have established explicit affirmative-action policies respecting the inclusion of minority groups within the larger organization. En'owkin's policies are a challenge to prevailing liberal assumptions of integration, of "equality", of society as an organic whole, and argue instead that what is commonly referred to, in the aggregate, as "society" is already segregated in many subtle and not-so-subtle ways. Our social and political spaces are segregated by wealth, demography, gender, power, and race, and affirmative action hiring programs by their very existence offer implicit recognition of persistent

inequalities between different groups who occupy different social spaces.¹⁵

The conception of education at En'owkin also differs. Its stress on "community education" means that it is not merely providing for the flow of information from teacher to students, but designing programs to fit the needs of the community and including the community as much as possible in the activities of the Centre. The Centre has developed with specific goals in mind, which are intended to address the needs of the Okanagan community in particular and First Nations people in general. Dinners and sweat lodge ceremonies are held, in which students and others participate. Local elders play a role in language instruction and in counselling students, many of whom are living away from home for the first time. Many also struggle with fundamental issues of self-esteem and identity, and learning to write about one's experiences as a native person today can be a painful self-awakening.

The participation of elders and students in ceremonies is an example of the spiritual dimension of the project of En'owkin. While the immediate educational goal is to teach specific skills, it is also to help the student create an integrated sense of self that combines aboriginal identity with an ability to function in the dominant, non-aboriginal society. The Centre's philosophy makes explicit reference to spirituality. The statement of philosophy printed in the calendar is largely devoted to articulating a responsibility for living in harmony with the physical and human environment: "it is through our values that we live under the instructions of the Creator and form the foundation of our survival....our sacred responsibility is to protect our spirituality,

¹⁵ See Iris Marion Young, *Justice and the Politics of Difference*, 192-3.

culture and land." This statement of mandate dissolves the distinction between the political and the spiritual, and casts education as a process for preserving and understanding this responsibility. Education is seen to be indissociable from the desire for cultural survival, which in turn is bound up with values and responsibilities oriented beyond the immediate physical world.

From this perspective, state-run schools, which by design are devoid of spirituality as articulated in religious doctrines, are seen to operate in a normative vacuum. Moreover, their connection to a particular notion of "community" is questionable. As Lyotard has argued, the education process through institutions today is concerned with turning out "professionals" rather than "citizens", whose primary orientation is to performativity within the socio-political system.¹⁶ Education as an explicit process of relating skills to values, and in turn to a collective identity, is not an accurate depiction of the general goal of contemporary state-run education institutions - - we are told to look elsewhere for spirituality, while collective identities, particularly ethnic ones, are assumed to be formed outside the school. An example of a typical debate over ethnicity is the need for English-language instruction in the Lower Mainland of British Columbia, which focusses a great deal on the strategic needs of, and constraints upon, the system. What is being done within a space such as the En'owkin Centre is different from this.

This is not to say that the curriculum at En'owkin consists entirely of "traditional teachings". As noted above, the concentration of culturally-specific

¹⁶ See Lyotard, *The Postmodern Condition*, 47-53.

instruction varies from program to program. Generally, the process of instruction at En'owkin encompasses content and method drawn from both Western and aboriginal knowledge bases. For example, while a course on Canadian history follows the chronology of events leading to Confederation, an aboriginal perspective is given by emphasizing the shifting relationships between aboriginal peoples and incoming Europeans as well as between the colonies and their parent countries. Creative writing courses use Western genres of fiction, poetry and drama, but the creative process which inspires the student involves reference to traditional aboriginal symbols as metaphors for specific relationships.

One term for what the students encounter at En'owkin is a process of bi-cultural adaptation.¹⁷ Entering En'owkin, located as it is in downtown Penticton, students cannot simply leave behind their experiences as native people in modern Canada. Though En'owkin is a space cleared for aboriginal culture, it is not impervious to outside events and relationships -- indeed, its development has necessitated partnerships with other institutions. It is influenced by outside events, just as the courtroom is. In this sense, En'owkin as a model of aboriginal education suggests that the space must be reclaimed a little at a time.



¹⁷ See the essay on this subject by James Spradley in Sewid, 1972, 271-283. Though the book as a whole is not without its own problems, the essay raises a number of issues relating to the stresses involved in attempting to participate in distinct cultural practices.

Legitimation and Culturally-specific Education

To date, there has been almost nothing written, from an external perspective, about the En'owkin Centre. What the foregoing is meant to do is establish a sketch of the place and its project, which is rooted in a strongly-felt sense of cultural difference. It is difficult, in the first place, for the outside observer to fully understand this sense of difference, and even harder to convey it through academic writing. There is a *feeling* one gets upon entering the Centre, though nothing visibly leaps out at one. These problems of understanding and evaluation, however, do not belong solely to the individual scholar -- they are part and parcel of En'owkin's more formal relationships with government and other educational institutions.

Just as the process of education at En'owkin places the students at an intersection point between aboriginal and non-aboriginal culture, so is En'owkin itself on the edge of aboriginal culture and the state. Those involved with the Centre have worked hard to have their programs affiliated with outside institutions; the central reason for this is the future of the student beyond En'owkin's doors. Don Fiddler is blunt: "We don't deliver programs that lead nowhere." But negotiating relationships with the other educational agencies has its pros and cons.

The reason for this is clear, and illustrates something of a paradox about En'owkin's development to this point. The overriding goal is for control over aboriginal young people's education to rest with aboriginal people, in different spaces which instruct in unique ways. There is, not surprisingly, a strong sense of independence in the people who run the Centre. Yet at the outset, partnerships with

outside agencies were necessary, to obtain both resources and credibility as an institution. At once, En'owkin became implicated in certain ideas about social organization, accountability and legitimacy, and to the extent that it wished to pursue goals of cultural independence it became drawn into numerous political relationships. For example, British Columbia law does not recognize educational institutions merely because they describe themselves as such, and En'owkin, when it began, was not accredited. Hence, it was ineligible for regular, stable provincial funding.

Its relationship with the University of Victoria sheds some light on the possibilities that exist for development of an agency like En'owkin. To a place like UVic, En'owkin is a small entity with an irregular set of needs. It is the only affiliate with the university that offers Uvic credit courses but is not a provincially accredited institution. In addition, as of this year, En'owkin is fully responsible for admissions into the Certificate Program in writing and fine arts; this too represents a first. The initial contact occurred when a few Creative Writing professors became aware of En'owkin and expressed an interest in the program. With Jeannette Armstrong, they sought ways for native students to continue their writing and complete a degree program at the university. After a few years, this resulted in a formal agreement between the two, which spells out the general terms under which En'owkin operates. There is an eight-member Steering Committee, with two representatives from En'owkin and the rest from the Faculty of Fine Arts and University Extension to oversee the agreement and resolve issues that may arise. Over the past few years this committee has met infrequently.

The agreement details hiring procedures to be followed, as well as procedures for the approval by the university of course offerings. The actual relationship, apart from the written agreement, allows En'owkin a great deal of autonomy. So, although the university retains the right to veto course offerings and faculty appointments, this has never been seriously contemplated.¹⁸ Nor does the university conduct regular on-site monitoring or evaluation of actual En'owkin courses; the procedure is for course content (reading lists, etc.) to be forwarded to UVic at the beginning of each school year. Professor Gammon is aware of the potential difficulties involved in attempting to evaluate En'owkin's courses, particularly in the fine arts, in which standards are highly subjective.

En'owkin is a rather small fish in the university pond, but the general framework of the partnership seems to work fairly well. The relationship began through contact between individuals -- Jeannette Armstrong was a student in the Creative Writing department and went on to become a published author. Individual professors drove the initial forays at a formal relationship. Quite apart from the spectre of a large bureaucracy choking the possibilities for growth of a small, new agency, the partnership remains largely personality-driven. This does leave open the possibility for other personalities less enthusiastic about the agreement to cause difficulty, but this has not yet caused serious difficulty. And, it should be noted, the University itself does not

¹⁸ Information for much of this section was obtained through interviews with Linda Gammon, Associate Dean of Fine Arts, October 26, 1995, and with Don Fiddler of the En'owkin Centre, December 8, 1995.

derive any substantive benefit from the partnership, except for tuition fees from students who complete the Certificate Program and go on to become students on the UVic campus. However, there remains the implication that En'owkin is dependent on the University for legitimacy. As the Centre evolves, it is likely to seek a more independent path. An affiliation with several other aboriginal post-secondary institutions across North America is being discussed, with common programs offered under a common name. This is the kind of independence from state universities that was not possible even a few years ago, but now is a potential future course for En'owkin to follow.

Discussion respecting the independence of En'owkin requires reference to another level of association, namely between En'owkin and the provincial government. A commission established under a new *Private Post-Secondary Education Act* requires that all private education institutions, totalling over 900, register with the Province. This entails paying a registration fee, posting a bond, and notifying the Commission of any change in operation.

The Act was brought in to establish a regulatory regime for a widely diverse number of institutions, from small computer colleges to religious schools to aboriginal institutions. The major thrust of the legislation is to ensure some level of consumer (*ie.* student) protection should a school go bankrupt or be ill-managed -- hence the bond. The Act also provides for an optional accreditation process for private post-secondary institutions. If an institution wants to be accredited with the provincial government, a detailed form is completed which describes the course content and institutional goals,

and an accreditation team visits the institution to check for compliance with the objectives. Interviews with students may also be done. Accreditation is not mandatory, but it does have implications for institutions that seek government funding. With scarce resources, accredited institutions are far more likely to receive funding than those which are not. For aboriginal institutions, this raises the question of whether to submit to further government regulation and inspection in order to achieve a stable source of funding.

This is a different kind of relationship from that with the University of Victoria, for the government can act unilaterally, through legislation or policy changes, in ways that materially affect the environment within which centres like En'owkin can function. In this case, consultation was undertaken, and Don Fiddler had input into the design of the commission and is now the aboriginal representative on it.¹⁹ He agrees that the field of private post-secondary education is in need of some kind of regulatory framework that will protect students from potential abuses, and that a bona fide accreditation process will help to ensure standards of quality within the industry.

However, En'owkin is unlikely to apply for accreditation under the process established by the Act. For one thing, initiating partnership programs with public institutions like the Open Learning Agency and UVic has meant a measure of access to funding, and their partnership agreements, on the whole, are largely unaffected by the Act. Instead, En'owkin is endeavouring to establish an independent accreditation

¹⁹ Interview, December 8, 1995.

process for aboriginal institutions in British Columbia and other western provinces. The drive for this is occurring under the auspices of the 15-member Association of Aboriginal Post-Secondary Institutions (AAPSI), which includes the major post-secondary aboriginal institutions in the province. They, along with their counterparts in Alberta, Saskatchewan and Manitoba, have recently begun meeting to establish the details of an accreditation process. The goal is to have their own process established and recognized by governments and other funding agencies.



What is unique about En'owkin is that it represents an articulation of a new political and cultural space. It exists as a node within a web of relationships -- with First Nations people both local and distant, with provincial educational agencies, with other aboriginal institutions, and with the government. Over a decade or so its programs have steadily evolved and the number of students at the Centre has increased.

This web of relationships is complex and can be contentious, but as we have seen, there can be room created within the bureaucratic structure for individuals to make differences, and to exercise a fair degree of latitude in interpreting guidelines; this leaves open some flexibility of relations which in turn allows En'owkin to function fairly independently. These possibilities have been astutely pursued by En'owkin's directors. The provincial government, by contrast, itself deals with an even larger number of relationships, in the present case with 900 private post-secondary

institutions, of which En'owkin is only one. This involves a great deal of negotiation and poses challenges to the state to accommodate difference while maintaining the kind of control expected of it by its electorate.

At En'owkin, as with the courtroom, aboriginal culture is constructed through narratives, some of which are shared with outside agencies to establish the Centre, but most of which circulate within the Centre among its faculty, elders and students. A narrative of organizational competence, for instance, is essential to exist within the bureaucratized state, while within the space of the school, there is a blend of narratives respecting knowledge (some specific to aboriginal people, others not) and identity and self-esteem. Unlike the court, the day-to-day reality of being a native person can be demonstrated as well as described. It can be interpreted through writing and art, for example. Students at the Centre have the opportunity to explore their identity without being cross-examined about it. The question of the legitimacy of the education received is perhaps best answered by examining the signs of students' participation in the Centre as compared to provincial schools, and tracking graduates through their subsequent years.

Perhaps the most striking difference between the courtroom and En'owkin and other centres like it is that they create possibilities for dialogue. This is most clearly illustrated by the kinds of links En'owkin has built with other like-minded aboriginal organizations, but it also encompasses the negotiating which was necessary to establish the Centre in the first place, as well as ongoing discussions with the provincial government over issues like registration and accreditation. Negotiations of this kind

are likely not easy, but they are necessitated by the continuing nature of the relationship between En'owkin and state agencies. The kinds of developments occurring at En'owkin may be said to illustrate new possibilities for partnerships between the state and aboriginal groups. (Conversely, they may be seen as a product of the general disintegration of the state's monopoly over education, with En'owkin and other aboriginal organizations joining religious and charter schools in a wave of sectarianism that represents the failure of inclusive welfare-state liberalism. What this scenario describes is not a process of dialogue but a proliferation of monologues that the state is not able to effectively control, even if it wished to -- either scenario begs the question of whether state monopoly is better than the various alternatives.) Given the discussion above regarding the segregation of social space, it is at least becoming clear that the kind of changes in relationships occurring between aboriginal educators and universities and the government reflects a greater degree of control exercised by distinct identities. A fuller discussion of the dialogical nature of these relationships will come in the conclusion.

CHAPTER III
Representation and the Politics of Native Writing

The purpose of this chapter is to explore a third site of cultural representation, that of texts written by and about native people. Texts are a different kind of political space from a courtroom or a school, but they nonetheless constitute a focal point for contestation in which native identities are constructed in various fashions and for various purposes. That textualising cultural identity is at once a cultural and political act should be clear: cultural texts serve an instrumental purpose as representations of the culture upon which explicit claims for resources such as land and self-government are based. These claims are not formulated *ex nihilo*, but through texts which construct cultural identity and the history of native/white relations. In addition, cultural texts are a site in which the self and the other become visible -- like a mirror, they reflect back to native and non-native peoples pictures of their identities and differences. Thirdly, the *process* of textualisation in a cross-cultural environment can be an intensely political engagement. The focus of this chapter is to examine selected texts which illustrate the issues at stake in textualising aboriginal identity.

The texts to be examined here can be grouped into three general categories: historical and academic texts about native culture, contemporary texts written by non-

natives and contemporary texts written by native people themselves. Taken together, this is a vast literature which comprises anthropological and social scientific accounts, travellers' diaries, contemporary novels and poetry, social scientific surveys and legal texts. These obviously cannot be examined fully here. Instead, the purpose of this chapter is to briefly examine how "Indian writing" has been constituted historically, before going on to examine questions of legitimacy and representation as they arise in contemporary texts by both native and non-native authors. The political nature of the questions will emerge with a picture of how texts of this kind represent points at which mediation of cultural identity occurs: with the gathering and recording of the cultural information, with the form and language of writing, and with publication.



Reinterpreting the Past

There is an increasing amount of academic literature on "Indian writing", much of which focusses on the historical texts produced by and about Indians.¹ Many of these efforts attempt to re-examine the history of aboriginal/white relations, a history which was constructed largely by advancing colonists, priests, government officials, and anthropologists. Contemporary autobiographical writing is also common, although this

¹ See Petrone, 1990; Murray, 1991; Krupat, 1983; Swann, 1983.

often occurs as a collaboration with a professional (usually non-aboriginal) writer.² The variety of writing in regard to aboriginal people has generated a host of new political and theoretical issues regarding the nature of representation and of the authority of theoretical insights possible in academic disciplines such as anthropology and literary theory. The increasing focus on the relationship between text and culture identified by Clifford has moved ethnography from a position where its practitioners could claim an authority based on theoretical abstraction and scientific methods of investigation to a more interpretive, experiential-based endeavour that takes account of the subjective nature of cultural claims.³

It is important to be aware of this debate, but also to recognize it as primarily a struggle within the academy for authoritative interpretations of previous constructions of aboriginal identities. Reinterpreting 19th century texts through late 20th century eyes brings one face-to-face with a number of theoretical and methodological questions: disputed historical events; the nature of the “scientific” study that underpins older anthropological accounts; the political and religious dimensions within which native writers’ and speakers’ words were recorded and preserved; and not least, the perennial question of translation from native languages to European languages. The current debate within academic circles is many-faceted, and includes anthropologists, literary theorists, ethnomusicologists, and sociologists. The heterogeneity of contemporary

² See, for example, Sewid and Spradley, as well as Mary Crow Dog and Erdoes.

³ See Clifford, 30-41.

works produced by scholars provides a number of avenues into questions of aboriginal culture, but it is evident that there is still broad disagreement about the kind of theorizing that is possible about such works.⁴ Much of the theoretical literature on interpreting older constructions of aboriginal cultural identity concerns the question of knowing the Other through the perspective of the observer, and as such, the debate must be distinguished from (and in some ways seen to be occasioned by) the process of the Other finding its voice. As the Other finds its voice, or textualizes its own experiences, academics are presented with a new phenomenon that defies traditional academic disciplinary boundaries such as anthropology or literary criticism.

The debate within the academy thus is limited in two important ways. First, the types of texts under discussion, being historical accounts or reinterpretations of historical accounts, provide limited fodder for analysis, particularly as their methodological and epistemological assumptions come under closer scrutiny. For example, Murray's study of historical representations of North American Indians is an exhaustive illustration of the extent to which "white ideological investments" were responsible for the framing of native writing.⁵ Second, while this debate over historical anthropological texts encompasses many of the questions canvassed in this work, and in general seeks to assess what constitutes a legitimate representation of native culture, one important group is left out: contemporary native writers. Any analysis of past

⁴ See Krupat, 1983, and Swann.

⁵ Murray, 3.

representations, however insightful, risks sealing off aboriginal identities in another time and, although this may not be the intent of scholars in the field, risks perpetuating the myth of the “vanishing Indian”.⁶ For the most part, historical texts on native culture either originated in Euroamerican hands or served Euroamerican and Christian goals.⁷ Today, they are, almost without exception, debated between non-native academics. This is due, in no small part, to the fact that the site for these debates is almost exclusively universities, and marks the continuation of a theme which has become bitterly resented by many native leaders: the non-native “expert” interpreting and reconstructing native culture. The classical anthropological narrative of “getting to know the Other” and being the privileged interpreter is writ large in this literature.

This is not to understate the degree of contestation within the academy, because it is home to increasingly sophisticated analyses, many of which grapple with the limitations of Western thought in comprehending other cultures. Its heterogeneity also makes it impossible to speak of a “native canon”, accepted universally by practitioners as authoritative representations of native culture. But these conditions do not overcome the exclusivity of the debate. What follows in the rest of this chapter is an exploration of the question of native presence in texts about native culture, specifically four texts written by and about Okanagan people. The politics of these texts encompasses their

⁶ Krupat refers to “salvage anthropology” beginning with the collection of Indian literature in the late 19th Century. See Krupat, 2.

⁷ Murray, 34. He notes that Indian “pious speeches” were often published and disseminated in England to secure financial backing for missionary projects in North America.

authorship, their production and publication, as well as underlying questions about appropriate methods of exchanging cultural information.



From Story to Text: Interpreting an Okanagan Storyteller

Questions of the presence of native people in contemporary texts about native culture are no less multifarious than in those which concern historical accounts. If anything, there are a broader array of issues, because of the possibility of an evolving dialogue between coevals with different cultural perspectives. This section examines two texts composed of transcriptions of stories told by an Okanagan storyteller, which provide something of an historical and theoretical link between the kinds of texts referred to above and those to be examined below, which are written exclusively by native authors. They raise questions about the representation of native worldview, history and didactic methods, as well as about authorship and publication.

The two books are entitled *Write It On Your Heart* (1989) and *Nature Power* (1992). They represent, in written form, stories told over a period of twelve years by Harry Robinson, an Okanagan storyteller, to Wendy Wickwire, a non-aboriginal ethnomusicologist, who recorded and transcribed Robinson's performances.

Originally, the stories were told as part of social occasions; only later was the decision made to record and transcribe them. In all, forty stories are included in the books,

representing about a third of the total number of stories recorded by Wickwire.⁸

The experience of reading these texts is quite different from most textual encounters, and the first question one confronts is, how *should* one read them? There are Introductions to both books, written by Wickwire, which explain how she came to meet Harry Robinson and what motivated her and Harry to preserve his oral stories in written form. My own approach was to read *Write It On Your Heart* first, and to go first to the Introduction for background before going on to read the stories themselves. This Introduction situated the stories for me within the narrative of Wickwire's and Robinson's relationship. It includes a short biography of Robinson's life and information about Wickwire's textual strategy. The latter aims to intervene as little as possible and presents the stories nearly verbatim: the prose is arranged on the page to reflect Robinson's style, so line breaks are inserted where breaths or slight pauses occur, and asides and quotations from characters in the stories are usually indented. The few substantive changes include deleting sections of a story repeated verbatim due to an interruption and (in *Write It On Your Heart*) making personal pronouns (I, she, them, etc.) consistent with their antecedents to prevent confusion for the reader.

The introduction to *Write It On Your Heart* also includes several pages of interpretation of the way in which the stories have been presented. The stories in *Write It On Your Heart* are divided into four parts: "Beginnings: The Age of the Animal People"; "The Native World: The Age of the Human People"; "Stories of Power"; and

⁸ *Write It On Your Heart*, 16.

“World Unsettled: The Age of the White Man”. Wickwire provides a brief interpretation of each of the stories within these categories, which are chronological. “Beginnings” are creation stories, describing interactions between God and Coyote and other “animal people” who helped to form the world to make it ready for human habitation. “The Native World” tells of the close relationship between early Okanagan people and animals, while “Stories of Power” are specifically related to the ways in which animals or nature helpers provide the Okanagan with what would commonly be described as mythological powers, whether to heal themselves or others, or to foresee events. “World Unsettled” presents stories of native-white interaction, including a retelling of the European story of Puss’n’Boots. These categories were created by Wickwire.

Before tackling any of the stories, then, I as a reader had some idea of their formulation and presentation, which served as the proverbial double-sided coin: while reading the stories I had something to refer back to in my mind, but my understanding of the pattern of the work as a whole was to some extent pre-structured, a pattern which was not provided for Wickwire by Robinson himself. Other readers may have ignored the Introduction and simply read the stories, perhaps not in the order presented; while the information in the Introduction may be just as useful after reading the stories as before, the order of the sections clearly matters, and the creation stories in particular are sequential and often refer to one another. At the beginning of each story a few sentences are provided by Wickwire as a sort of precis of the events to follow.

The reading of the texts is quite different from reading common prose. The

first impulse is to read slowly, due partly to the language itself, which is not “grammatical” and in full sentence form. There are many fragments of phrases which may be elaborations or asides, sometimes to clarify relationships between characters, sometimes to reinvok e a central theme of the story. The inclusion of repetitions and asides, and the configuration of the words on the page in a style resembling blank verse, combine to force the eye to read at the pace and rhythm of the storyteller. These stylistic details are important, and are done deliberately by Wickwire, who disparages transcriptions of oral stories which are heavily edited for style and content in an attempt to make them scan more easily.⁹

As noted above, the four sections in *Write It On Your Heart* organize Robinson’s stories chronologically. The first section, containing nine creation stories, presents narratives that describe the making and ordering of the world prior to the human world as it is commonly understood. Present throughout these creation stories is the figure of God as the creator:

God made the sun.
I said he made the sun,
 but he didn’t use any hammer or any knife or anything
 to make the sun.
Just on his thought.
He just think should be sun so he could see.
He just think and it happened that way.
Then after that and he could see.
All water.
Nothing but water.

⁹ *Ibid.*, 15-16.

No trees.
No nothing but sun way up high in the sky.

And God think should be land.
And if it was land, there should be people in the land.
Be better.

So after, he think,
 "I go down and get near to this water
 and see what I'll do."
And he came down on the air.¹⁰

The rest of the first creation story (which Wickwire divides into three parts) goes on to narrate how God created five races of people, two of whom, the native and the white, were twins. The first three men (Chinese, Hindu, and Russian) are sent to their lands, each with a piece of paper giving instructions on how to live. But with the last two God has a problem, because he has only one piece of paper remaining. So he puts it under a rock and goes away to decide what to do. The white twin, who is the younger, takes the paper without his brother noticing because he believes that God will give the paper to the native because he is older. When God returns the white man lies, saying the paper must have blown away. God, who knows what the white man has done, sends him to his land, telling him that he can only return after a very long time:

And this is the one [the paper], it's going to show you how
 You going to make it to get back here.
But not right away.
Long time from now.
When you are there, you're going to make the land pretty.

¹⁰ *Ibid.*, 31.

You going to make the land good there.
And you going to be increase.
But when you come back, a long time from now,
 you going to have a heck of a time.
You're going to lose a lot of people.
There's a lot of people
 that's going to be drowned on that water.
But still you going to make it.
But you going to have a heck of a time to make it.
But that paper, it will show you how you going to do it
 to get back here.
But when you get back to this place,
 you going to stay in this place till the end of the world.
And you're going to do good in this place.
You're going to do the work.
Just like you going to split up.
This one is going to stay here in this place.
That's his land.
But now you on the other side.
But you going to come back and live with him
 till the end of the world.¹¹

The native man is the only one to lack a piece of paper which instructs him how to live. Instead, God guides him orally, as becomes evident in the next several stories. The native man, once his twin has left, is represented as an animal figure. He receives a name, Coyote, and is given power by God to roam all over the land, seeking out evil and destroying it. But in doing so, he must be crafty, for he cannot simply physically overpower everything. In "Coyote Tricks Owl", Owl (who shifts from male to female during the story) is evil and eats people. But he/she is also big and strong, too strong simply to be physically destroyed by Coyote. So Coyote must devise a plan to kill Owl to stop him/her, which involves gaining Owl's trust by pretending that he, Coyote, also

¹¹ *Ibid.*, 49-50.

wishes to find people to eat. Coyote then uses his power to create two boys and two girls. All six of them dance around a fire, which Coyote pushes Owl into and burns him/her, holding Owl there with a forked stick that the children have found for him. The next day, Coyote takes the charred remains of Owl and places them on a tree branch. He passes judgment on Owl, telling him/her that he/she will no longer be able to kill people, but only to serve as a symbol of fear to them.¹²

In the early stories, Coyote is the main character, and often displays a cunning intelligence to achieve his ends. This matches with the common figure of Coyote in a number of aboriginal cultures -- Coyote as Trickster, a morally ambiguous figure. For example, in "Coyote Plays a Dirty Trick", Coyote sends his son away to the moon so that Coyote can steal his son's wife. There is also a rendition of the flood story, in which Coyote is directed by God to a high place to remain dry; at the end of the story Robinson refers to Noah and the ark in the biblical, European story, but "in this island, only Coyote".¹³

The stories in "The Native World: The Age of the Human People" narrate events that occurred after the time of the animal-people but prior to natives' contact with Europeans. As Wickwire describes, "[p]eople are 'human' as we now know them, but they are living in extremely close association with the natural world around them".¹⁴

¹² *Ibid.*, 66-75.

¹³ *Ibid.*, 118.

¹⁴ *Ibid.*, 24.

Thus a grizzly bear nurtures a man through a winter in her den after his companion refuses to share a hunted buffalo, and a wolverine helps an injured man find his way back to his people. Two stories in this section also describe conflict between the Okanagan and Shuswap peoples, in which the people are capable of superhuman feats, including throwing spears from Osoyoos to Sicamous:

Is that hard to believe?
Who's going to throw things like that from Osoyoos to Sicamous?
But that's the way the Indians
Because they do that by their power.
So that shows the Indian,
They had a power those days.
But now I don't think so.
Nobody can do that.

The section concludes with a long story called "Prophecy at Lytton", which like the creation stories has a strong flavour of Christianity in it. God appears as an old man to an elderly native woman and her grandson who have been abandoned for a near-certain death by their community because the grandson is lazy. They invite the old man to share in their meagre lunch of magpie and bluebird that the grandson has killed. God tells them to close their eyes while he prays, and when they open them there is bountiful food before them. He gives them instructions on how and where to hunt and fish, and then tells them of things to come, including the coming of the white people. God tells the two that the whites are going to do a lot of work in their new land, but that the Indians should remain free to hunt and live as they have done. Robinson points out:

And he said,
 “When you go out to get that deer, it’s all yours.
 It’s going to be that way for a long time.”

And he don’t tell ‘em,
 “Later on you going to have a permit to get that deer.”
He never say that.

.....
It should not be that way.
The Indians should be free.
They can go out and hunt.

The story concludes with the physical reminder of God’s visit, a pattern of a magpie and bluebird skins imprinted on a rock, being hidden by native people later so that the rock will not be stolen or taken away by the encroaching white settlers.

The third section recounts stories of how native people receive power from their nature helpers, or *shoo-MISH*. Sometimes people would encounter a *shoo-MISH* by chance, at other times after having been sent out, usually at night, by their families to encourage an encounter; this latter practice Robinson compares to sending children to school today.¹⁵ In one story, a boy receives power from two birds, who are transformed into women when he meets them. One has been summoned with a song to the nest of the other, who is having difficulty giving birth. They teach the boy the song and tell him that later, when he is an adult, they will come to him again and he will become an Indian doctor, to help his people overcome sickness, and in particular difficult births. As an adult, he has a dream in which the birds come to him and tell

¹⁵ *Ibid.*, 25.

him to announce his power at the next winter dance. This he does. Later, he is called to the teepee of a woman who is having a difficult labour, whom he assists by singing his song and pressing upon her head.¹⁶

At the end of this story, Robinson elaborates on the different types of power people could receive:

Those days, everybody [had power]
 But some, their power not as strong as the others,
 but they got power, but not so strong.
 But some of them, seems to be they got more power -- better.
 And that's why they have an Indian doctor.
 And a lot of these people, some of them is not a doctor,
 Not an Indian doctor, just a power person.
 And their power, they can never use
 To see if they can get the sick people,
 get them better.
 They can never do that,
 Because they're not told by the other bird or animal,
 whatever they talk to 'em they have a power,
 They don't tell 'em to use your power for somebody else.
 Just for himself, or if they got children.

Both this section of *Write It On Your Heart* and *Nature Power*, which is wholly dedicated to setting down different power stories, explore the different types of power people may have. Many involve different types of doctoring, and Robinson points out several times that there is not a generic "Indian doctor" capable of healing all ailments - often doctors will have power for certain sicknesses or injuries and not others. Some stories describe how people have "power just for themselves": for instance, a man who

¹⁶ *Ibid.*, 201-216.

is badly cut has his friends throw him in the Thompson River and meet him further downstream, where they find him healed, singing his power song.¹⁷ The story "When They Get Together" describes how a boy and girl from different communities, left separately by their families in the mountains to train, eventually meet. Because each has spent a great deal of time alone in the mountains, they become good doctors when they finally return home:

They real good Indian doctor.
 They got all kinds of power.
 And they know everything.
 They can tell.....
 See, that's the way the Indian get this power
 in another way.
 That's another way to get their power.
 They work for it, you know.
 They go to get it.
 See, that's a long time they be on the mountain,
 all alone.

The final section of *Write It On Your Heart* addresses interactions between natives and white people. The change in content and tone of the stories here is striking. "Captive In An English Circus" tells the story of George Jim from Ashnola, who was imprisoned for killing a man in a fight, then secretly taken over to England to be put up as an exhibit in a circus. His relatives are told by prison officials that he has died. They make the long journey to New Westminster to get his remains, and when they return home they find that prison officials have placed in his coffin the body of a

¹⁷ *Nature Power*, 85-92.

Chinese man. A second attempt yields them the body of a black man. After this the family gives up trying to find George. Another story with strong Christian overtones tells of a native man who has become rich by killing gold-panners on the Thompson River and stealing their gold. After he dies, he is sent by God to hell, to *Shteen* (the devil). *Shteen* reinvigourates the man's body so that he can tell others of what he has done to gain his wealth. These stories involving native-white interactions deal with the upheavals that come with the encroachment of an alien culture, and at the forefront are issues like law and order, money, and fights, while the *shoo-MISH* fade into the background.



The stories in the two texts present a number of questions for the reader who wishes to understand what they represent as portrayals of Okanagan worldview, or to relate them to other texts about aboriginal culture. The primary issues explored here are the question of authorship, the implications of textualisation for the cultural knowledge contained in the stories, and the politics of publishing.

Let us first turn briefly to the form of the texts. As noted above, Wickwire provides as close to a verbatim transcription as possible, and there is little question that her textual method helps to blur the line between reader and storyteller. The prose style presents the words on the page in a way that guides the eye to read in conjunction

with the original rhythms of the storyteller. It also renders transparent some of its own limitations. For example, there are numerous occasions when it is clear that Harry Robinson is indicating a movement or relationship with hand gestures, which is voiced only as "like this" or "here". Indeed, Wickwire points out that Harry used hand gestures throughout his storytelling, making them more like visual and auditory performances, which cannot be represented in the text.

The style, then, allows the text to be presented in a less mediated fashion than other renditions of similar stories.¹⁸ Less mediated, perhaps, but mediated nonetheless. Insofar as the question of authorship is central to any text, with these two books it is given a new twist, for simply to call this effort a collaboration is to avoid grappling with the question of how the books as cultural information came into being. In both *Write It On Your Heart* and particularly in *Nature Power*, Wickwire takes pains to distinguish the kind of relationship she had with Harry from the typical anthropological relationship between scholar and informant. She describes how the friendship between the two occurred first, after which the idea for a book project was discussed, a reversal of the usual anthropological model of designing a research problem, then seeking to "build rapport" with the objects of the study.

There is a striking difference between the first and second books regarding the lengths to which Wickwire goes to explain the process the two followed. In *Write It*

¹⁸ Murray, for instance, provides prose transcriptions of Dzonoqwa (Grizzly Woman) stories of the Kwakiutl. See Murray, 98-126.

On Your Heart there is only a brief mention of Wickwire's idea to turn her collection of tapes of Robinson telling stories into a book, a suggestion to which he responded positively.¹⁹ In *Nature Power*, by contrast, there is a section on the issue of appropriation, which Wickwire notes only became a serious issue for Canadian academics in the few years since the publication of *Write It On Your Heart*. There are also a number of extracts of letters by Robinson to Wickwire that express support for the creation of *Write It On Your Heart*, one of which indicates that he maintained a sharp distinction of himself as the storyteller and Wickwire as the creator of the text.²⁰ Wickwire writes that "for neither of us was this an 'extractive' exercise", and that she views their efforts as a collaboration between friends rather than a straight exchange of information.²¹

According to Wickwire, the reason for the additional sections in the introduction to *Nature Power* is a general one, namely that the issue of appropriation had, in the few short intervening years, become a major problem for academic research in cultural fields. The rapid growth of studies devoted to aboriginal culture had brought a reaction by aboriginal artists and political leaders, and by the time of *Nature Power*, "it was important to be clear about how the process had unfolded".²² A group of aboriginal

¹⁹ *Write It On Your Heart*, 15.

²⁰ *Nature Power*, 10.

²¹ *Ibid.*, 9.

²² Interview, June 16, 1995.

artists and writers addressed appropriation at a conference in 1990:

They come to our communities and they take our trees and resources, and there is destruction left behind, (but) what we have never talked about until ten years ago is the voice that is taken from our communities as well. And the way that we see ourselves when our voice comes back to us through somebody else...we are not the things that they see on television or in books and....they have to stop doing that.²³

It is an issue of ownership of cultural knowledge and information, from which identities are created and re-inscribed. In a case such as this one, the question of the individual versus the collective also is raised. One view is that the stories are Harry's, and that his individual relationship with Wickwire is what made the texts possible. While the stories are devoted to the Okanagan culture, they reside within an individual who shares them as he wishes. Wickwire contacted the chiefs of the Upper and Lower Similkameen bands to inform them of the project, and asked for them to contact her if they had concerns; she did not hear back.²⁴

However, the perspective of people at Theytus Books, which co-published the first book with Talonbooks of Vancouver, is quite different. There were disagreements between Wickwire and Theytus over her status: whether to refer to her as "co-author" or, as Theytus felt, as "transcriber", as well as a dispute over the symbol used on the

²³ Maria Campbell, "Telling Our Own Story...", 5-6.

²⁴ Interview, June 16, 1995.

cover design.²⁵ There was a feeling that, despite the friendship between Wickwire and Robinson, she was still engaged in an act of appropriation by elevating her status higher than it deserved to be, and was claiming a level of knowledge about Okanagan stories and culture beyond what was warranted. For this reason, she independently sought out Talonbooks, which in the end acted as a mediator in the publishing of *Write It On Your Heart*.²⁶ From Wickwire's perspective, she was concerned about the length of time the project appeared to be taking, and that the book would not be published before Harry's death (which occurred in 1990), and this spurred her move to Talonbooks. For *Nature Power*, another published work was used: Douglas & McIntyre/University of Washington Press.

The picture that begins to emerge about the process of creating these texts involves some of the by-now familiar questions of appropriation. This story illustrates, quite sharply, the often-observed difference between native and Western ideas of the status of individuals and collectivities. To Wickwire, Harry's permission to create texts was all that was needed, and without her efforts, his unique experience related in his stories would be lost upon his death. To those at Theytus, she was putting forward pieces of their own identity without being fully aware of what they represented.

Another objection from those at Theytus has to do with their assertion that these

²⁵ The covers of both published volumes read, "Compiled and Edited by Wendy Wickwire".

²⁶ Interview with Jeff Smith (former manager of Theytus Books) January 3, 1996.

stories, as told by Robinson in English, do not do justice to their original Okanagan source. In both books, Wickwire writes that Robinson taught himself English to the point where “he [became] as skilled a storyteller in English as he had been in his native tongue.”²⁷ This claim is a difficult one to make by those who do not speak Okanagan, and indeed should be made only by someone fluent in both languages. Jeannette Armstrong, who is, finds the stories in English to be romanticizations of “res English”; ungrammatical and ungainly, they perpetuate a stereotype of native orality. By comparison, “Harry had a command of the Okanagan language greater than anyone in this valley. You cannot compare the difference between his stories in Okanagan and what appears in these books.”²⁸ In addition to the language, Armstrong questions the representativeness of the stories. Many are “conversational stories” at a level of folklore rather than stories of deeper significance and meaning. On this point, Wickwire agrees that Robinson may have selected stories specifically for her and excluded other important ones, perhaps those relating to sexual subjects.²⁹

There is one more piece in this difficult story. Residing in the En’owkin Centre archives are dozens of audio tapes of Harry Robinson telling stories in Okanagan. They have not been transcribed because the Centre lacks the funds to

²⁷ *Write It On Your Heart*, 15 and *Nature Power*, 9.

²⁸ Interview, July 3, 1995.

²⁹ *Write It On Your Heart*, 16. In an interview, Wickwire also alluded to a number of murder stories that Robinson was reluctant to tell because they involved ancestors of local families.

employ translators to do so. By contrast, Wickwire received a Canada Council grant for her work, which for the people at Theytus raises the spectre of the state aiding an outside individual to produce texts that do offer a kind of instruction that may be valuable to non-native readers, but are flawed both in process and in substance.



Wickwire's concerns about what the texts represent is focussed, for the most part, on the technical questions of editing and transcription and the issue of the relationship between orality and literacy. Unquestionably, this is a new medium for these stories, and as was noted in the Introduction to this work, texts are unlike face-to-face encounters in that they travel and remain constant over time. Once published, they reach a potentially infinite audience and their very diffuseness means that the information contained within them can be far removed from its original site. This fact goes a long way to explaining the power of texts, and obviously raises the stakes for this kind of cross-cultural communication.

The implications are twofold: the stories are removed from their original source and they are fixed in time. Regarding their removal from their original location (*ie.* within an oral culture) Wickwire attempts to explain to the modern reader how to receive the stories. Unavoidably, questions of time and chronology intrude: why is Robinson referring to the Apollo moon landing in a creation story involving Coyote? How does a flood story come to resemble so closely the tale of Noah's ark? Wickwire

traces some of the links between Robinson's youth and relatives influenced by Christianity, as were most Okanagans during the late 1800s. And she confronts the question of what these "modern contaminants" do to oral stories which represent the mythological past:

...it should be stressed that both the creation and the Coyote stories of Harry's mythology represent the *living* worldview of a native Okanagan storyteller. Harry lives in the 20th century, but he is deeply connected to his people's remote past and to his own beginnings. There has been no editorializing to eliminate post-contact reworkings in the stories. In fact, it is Harry's contemporary mythologizing -- his reworking of his ancient stories to incorporate events of his lifetime -- which makes the collection vital.³⁰

It is important, Wickwire argues, to see the fundamental difference in what is judged to be authentic in oral and literate societies. She derides the purist who might wish to eliminate post-contact references from Robinson's stories, pointing out that this risks turning the stories into a kind of falsified artifact, and that it proceeds from a belief in the fixity of meaning and authenticity. But to Robinson, she says, "the body of what is known is an integral part of creation. Influences on that body of knowledge work forward and backward in time."³¹

This relationship of knowledge to time and the decentring of chronology is a crucial sticking-point to overcome for the reader to grasp the deeper significance of the stories. Yet is it significant that all of this must be *explained* by Wickwire, and that

³⁰ *Write It On Your Heart*, 22.

³¹ *Ibid.*, 23.

textualising the stories does not, on its own, make this distinction clear. She acknowledges that the act of textualising Robinson's stories unavoidably changes them, and after observing that the Homeric epics were once part of an oral culture like these stories, she goes on to note:

Ironically, to crystallize Harry's stories, either on tape or in book form, also fixes these living stories in time. They will now no longer evolve as they have for hundreds of generations. Indeed, this book might be criticized for Homerizing Harry, though in a relatively unfiltered way. But short of retelling them in the native tongue by a taught, living Okanagan storyteller, what alternative do we have today?³²

To that last question Wickwire provides no answer, though the beginnings of one will be explored in the next section.



Jeannette Armstrong -- Writing Okanagan Culture

Jeannette Armstrong was introduced in chapter two as an Okanagan writer and teacher and director at the En'owkin Centre. She is known chiefly as a writer, and her works include poetry, fiction, children's stories, and essays. Two of her major works will be examined here: her first novel, *Slash*, and one of her most recent endeavours, *The Native Creative Process*, a collaboration with Metis architect Douglas Cardinal.

Slash was written in 1985 and published by Theytus Books. It tells the story of

³² *Ibid.*, 23.

Tommy Kelasket (Slash), a young Okanagan man who moves from childhood on the Penticton reserve to Vancouver and eventually becomes caught up in the activism of the American Indian Movement (AIM) in the 1970s. His eventual return home completes a journey which, though replete with the pain, dislocation and anger that underlay much of AIM's activities, eventually finishes with a renewed understanding of the knowledge which still resides in the community from which he first came.

Slash was Armstrong's first major work, and she is clear about why she undertook the task:

My real task was to present a picture of that time for a specific purpose. We were talking about that historical period, trying to determine how best to get that information to Native people, young people in particular. We wanted a tool to use in education, to give....the feeling of what happened just prior to the American Indian Movement, and what happened during the militancy period.

Another reason attached to it, in terms of working with the Curriculum Project, was developing materials for the schooling system. The opportunity was there.³³

The novel represents several things. For Armstrong, it provided her with an avenue to refute the messages about the activism of the 1970s that came from the mainstream media, and to allow for an outlet for the lingering anger felt by those who took part in it. It was a way of recounting and preserving a particular cultural and political movement so that other native people could learn about it. But more than simply clearing a space for a native message, it was important to Armstrong to fill up that

³³ Lutz, 14.

space with a positive expression of native values.

Armstrong is aware that, as a first novel, *Slash* is not the product of a polished, mature writer. It has been criticized for digressions and for lack of character development, in particular with *Slash*, the protagonist.³⁴ But Armstrong, while conceding that hindsight might induce her to make some technical changes, points out that as far as the character of *Slash* is concerned:

I couldn't isolate the character and keep [him] in isolation from the development of the events in the community, and the whole of the people...I know what I should have been doing, but I know what I couldn't do and make the story for my people.

With Native people it can't be any other way. And if I hadn't presented it that way in the novel, it wouldn't have been readable for our people....or real, or truthful. It's difficult for us to look at things in a separate way. Everything is a part of something else....The characters I presented are all parts of that whole.³⁵

For Armstrong, the process of writing a novel such as *Slash* involves culturally-based constraints which may put the work itself at odds with the usual characteristics of the genre. But, as with other native authors, this "constraint" also affords the opportunity to create something new, to use the flexibility of the novel form and produce a narrative that is comprehensible and enriching to both native and non-native readers.³⁶

³⁴ Lutz, 15-16, and Petrone, 141-142.

³⁵ Lutz, 16.

³⁶ Other examples of novelistic innovation by native authors include Louise Erdrich's *Love Medicine*, which explores the effect of a young native woman's suicide on all her relations; and most recently, Thomas King's *Green Grass, Running Water*.

As Armstrong notes above, the time of writing *Slash* is significant: the Okanagan Curriculum Project had just gotten underway and there was a dearth of material suitable for teaching in either provincial or native schools. However, the process of writing was not quick. She undertook two years of research, reading existing native and non-native newspapers and conducting interviews with people who had been active in the movement.³⁷ She also established a chronology of 300 pages of the events of the movements. Despite this, *Slash* is not uniformly celebratory of AIM: Tommy Kelasket remains somewhat outside the movement even as he participates in its undertakings, and questions some of its methods. Part of this facet of the novel concerns Armstrong's wish to confront some of the "macho" nature of the activism, and to portray how important it is for men to learn from women. *Slash* struggles with his masculinity at times, and though Armstrong says she has been criticized by feminists for creating a male lead character, doing so allowed her to show the effects of "soft power" or female knowledge working on him throughout the story.³⁸

The Native Creative Process is a very different text from *Slash* as well as those of Wickwire/Robinson. Co-authored by Jeannette Armstrong and Metis architect Douglas Cardinal, *The Native Creative Process* is subtitled "a collaborative discourse", and it arose out of conversations between the two while Cardinal was in Penticton to work on the design of the new building for the En'owkin Centre. Over the course of

³⁷ Lutz, 20-21.

³⁸ Lutz, 18 and interview, July 3, 1995.

two years, a series of conversations between the two were taped, and selections were transcribed and published by Theytus Books.

The aim of the text is to present to the reader “the life principles involved in and articulated through the unique ‘creative process’ used by Native people”³⁹, or more specifically native artists. Jeannette Armstrong's contributions to the text include interpretations of various aspects of a traditional Okanagan understanding of the world and how those are incorporated in creative endeavours, while Douglas Cardinal also speaks in the first person, describing the specific cultural worldview which structures his own creative endeavours.

The reader is presented with a series of paragraph-length meditations or didactic epigrams regarding the authors' personal understanding of how aboriginal knowledge, spirituality and creativity are intertwined. The book is arranged with photographs on each opposing page, and the text's configuration encourages episodic reading, since each epigram has its own internal message. However, there are clear themes which connect statements to each other. Read together, it is possible to discern the outline of an understanding of being and creativity that gives priority to interconnectedness, of openness to a conception of self within a set of integrated values that guide one's harmony with other living beings.

The book is divided into four sections. The first, “Sacred Earth Walkers”, offers a preliminary definition of the native creative process as part of a general

³⁹ *Native Creative Process*, 8.

comparison of how western and aboriginal cultures differ in their rate of progress. It begins with a plea by Douglas Cardinal for technologically-advanced cultures to appreciate the contributions of aboriginal people, and to understand the value for all people of a worldview which stresses harmony over conflict.⁴⁰ Armstrong focusses on the importance of establishing a creative direction while maintaining balance in relationships -- for example, the spider's web serves as "an expression of the creative process concerned with the connectedness of all things".⁴¹ This stress on harmony, when compared with the advance of western civilization, is that the rate of change in aboriginal cultures "is perceived to be insignificant as progress", even though aboriginal cultures have moved from agrarian practices to the information age in a fraction of the time taken by European-based cultures.⁴²

In the next section, "Warriors", Cardinal first defines a warrior in terms of uncompromising commitment to a way of life that allows for healthy creativity. He then describes how illness and disorientation dogged him for years, until he learned to carry around with him his native awareness even when in a foreign environment. Armstrong stresses the need for humans to act in a way that preserves the natural world: "only the imminent destruction to our land and its natural inhabitants, the people collectively...renders us choiceless."⁴³ World renewal through ceremonies is one

⁴⁰ *Ibid.*, 12.

⁴¹ *Ibid.*, 18

⁴² *Ibid.*, 22.

⁴³ *Ibid.*, 50.

important way in which aboriginal people celebrate and maintain their connections to the natural world. Both focus on the role of ceremonies as both celebrations and times for education, in particular to understand the responsibility that is inherent in simply being alive. It becomes apparent that the native creative process is not an episteme capable of separation from the life process itself; it results from a deliberate positioning of the mind which relies on physical harmony, which in turn involves from careful political choices.

In "Eagle Wings", both Cardinal and Armstrong attempt to describe more fully what is involved in a creative act. As Armstrong explains, for the Okanagan this proceeds from a four-tiered division of existence: to stay physically alive; to learn and incorporate as many of the laws of the external natural world as possible; to perpetuate human life; and to

do spiritual acts which celebrate and enhance and contribute to the first three activities and push out into the unknown. We use our mind-awareness in different ways to do all four things. However, with the fourth, which is the creative process, we deliberately relinquish as much mind-awareness as possible without interference with the first three.⁴⁴

Creative acts in their fully transcendently aware form rely on harmony with the physical world. The native creative process is not other-worldly, but is connected to and infused with physical relationships -- to the land and to other people. For Douglas Cardinal, it is important to differentiate between knowledge as a structure and a

⁴⁴ *Ibid.*, 70.

creative act: soaring like an eagle is a metaphor to personify the need, at the appropriate moment, to abandon oneself to creativity even in the face of opposition. To lack such commitment results not in true creativity but in “simply a shifting of pieces”.⁴⁵

The final section of the book concentrates on describing the kind of power each person may use in order to live a creative life. “Soft Power” refers to a resilient, caring power that is identified with the female, rather than adversarial or “hard” power. Males should allow themselves to be taught by women, to enable the female within them to emerge. Armstrong describes an Okanagan understanding of life in which we are sexless at birth, then move into either male or female during adulthood:

The natural progression into parenthood provides immense learning from each other, the love, compassion and cooperation necessary to maintain family and community. Finally as an elder you emerge as both male and female, a complete human, with all skills and capacities complete.⁴⁶



Authenticity and Cultural Texts

As should now be clear, *Slash* and *The Native Creative Process* are very different texts,

⁴⁵ *Ibid.*, 69.

⁴⁶ *Ibid.*, 102.

both stylistically and in their respective purposes. Jeannette Armstrong had a particular audience of native students in mind while writing *Slash*; by contrast, *The Native Creative Process* represents the beginnings of textualising, for a general audience, some of the teachings and concepts specific to her own Okanagan worldview. A number of Okanagan words are represented in a font specially prepared for Theytus, the product of a collaboration between Okanagan elders and linguist Anthony Mattina. The text seeks to teach, celebrate and validate an aboriginal worldview in general and aspects of an Okanagan worldview in particular.

It is by comparing these works of Armstrong's to those by Wickwire and Robinson that we can begin to see some of what is at stake in textualising Okanagan culture. All four texts cause the reader to reflect on a particular mode of understanding the world: Robinson's stories draw the reader into another imaginative world; *Slash*'s experiences illustrate the confusion and pain of growing up aboriginal during a time of native activism; and Armstrong and Cardinal sketch out, in expository prose, a set of cultural values that articulate a vision for living and creating as aboriginal people.

A central question is that of authenticity: each text presents cultural information and in some way seeks to validate an aboriginal or specifically Okanagan worldview. For Wendy Wickwire, this means employing a textual strategy that creates a text as close as possible to the stories *as she heard them*. In her mind, she is engaged in an act of preservation, and in doing so trying to remain faithful to the form of the stories' expression. This she does, and the texts can serve non-natives as good introductions to a worldview which is not easily accessible directly (through performances by native

storytellers) or indirectly (through the mass media). How, then, do we account for the wide discrepancy in perspective on the texts between Wickwire and Armstrong? One way of characterising it is that Wickwire did not pay sufficient attention to the boundaries of the site in which she found herself. She saw the primary relationship as the one between herself and Robinson, two individuals; their relationship to the Okanagan community appears to be secondary to her. Although the introductions to the two books include some information regarding historical ethnographic accounts of Okanagan beliefs and practices (such as the winter dances, the advent of Christianity and methods of instructing children) Wickwire does not attempt an inclusive description of contemporary Okanagan culture. Another element likely is the acute sensitivity in native communities regarding appropriation. There is a danger of over-using this term, but it seems clear that the dissemination of cultural information is inextricably bound up with political issues of authority and approval. For Armstrong, the meaning of authenticity goes beyond the form of textual representation, important though this is. It is the authenticity of the information that is crucial in the representation of aboriginal values and culture, and this is something that resides within Okanagan and other aboriginal communities, and particularly within speakers of the Okanagan language.

An example will illustrate this difference. Near the beginning of his creation story, Robinson refers to God's initial journey down to earth as being "*ha-HA*". In a footnote, Wickwire explains that there is no English equivalent for this term, but that it "connotes a magic power inherent in the objects of nature which is more powerful than

the natural powers of men."⁴⁷ She refers to Franz Boas' rendering of the concept as being close to "wonderful". Once, when Wickwire asked Robinson a specific question about the meaning of the term, he responded with a puzzled look, then began to recite another portion of a story.⁴⁸ According to Wickwire, this has happened to her on numerous occasions with other native singers and storytellers -- a question about a specific concept brings not a definition but an answer that is embedded in another narrative.

By contrast, Armstrong describes *ha-Ha* in the following way:

A word in Okanagan, *ḡaxáʔ*, refers to the meaningful essence of all creation. The word has been translated to mean "the sacred aspect" of being. This word is applied to humans, as beings with the power to acknowledge or act in ways which seek to maintain the principle of harmony with creation and yet continue to make new choices for survival. We are sacred and precious. In knowing this we become *ḡaxáʔ*, and cannot escape knowing that all life likewise is *ḡaxáʔ*.⁴⁹

This is one of several explanations of Okanagan terms she offers throughout *The Native Creative Process*. In this case, although the term is introduced on its own and not used as part of a story *per se*, neither is it represented in a way one would find in a standard dictionary, *ie.* "x means y". In another essay, Armstrong describes the inseparability of

⁴⁷ *Write It On Your Heart*, 31.

⁴⁸ Interview, June 16, 1995.

⁴⁹ *Native Creative Process*, 46. This text uses the international phonetic symbols created for Okanagan orthography for a number of words used by Armstrong, and I have reproduced them here, while retaining the form used by Wickwire in the other two texts.

language and cultural worldview:

If we put aside designations like nouns and verbs and think simply of sounds that revive components of reality from that in which we are continuously immersed, then we can think of a language that remakes little parts of a larger ongoing activity. This creates a system in which syllables are animated describers of pieces of activity and can be combined to develop meanings that then give a more complete picture, and could end up close to what might constitute a noun or a verb in English -- though they are quite different to me when experienced in the mind.⁵⁰

The issue of language has long preoccupied scholars of native american literature.

While Clifford describes the shift in ethnography towards theoretical insight and away

from the learning of aboriginal languages beginning in the early 20th Century, Dell

Hymes points out persuasively that "such a circumstance would not be tolerated in

serious study of classical Greek and Latin literature, of the Bible, of Old English

poetry, of the Russian novel, and the like."⁵¹ How different is Okanagan from English?

Perhaps the gap is greater than between English and Japanese, and it may well

overshadow seemingly privileged accounts of Okanagan identity constructed by those

who do not speak the language.

While it is difficult to make rigorous judgments regarding Wendy Wickwire's

project, because its existence depends so much upon an individual relationship, it is at

least recognizable with a narrative of ethnographic research. What standards of

⁵⁰ "Keepers of the Earth", 319, in Jensen, ed.

⁵¹ Hymes, "Reading Clackamas Texts", 118.

authenticity can an outside observer apply to Armstrong's work? This is an extremely difficult question for one who does not speak the Okanagan language and has had only fleeting exposure to how Okanagan people live. The modern inquisitive mind rebels against simply accepting representations about something as complex as cultural beliefs and values; no individual, certainly, can plausibly claim to speak for the whole of Anglo-Saxon or French culture. Neither, though, can these texts and the worldview they represent simply be dismissed.

With *Slash*, there is an historical record that is open to investigation. It is contested, certainly, and open to different interpretations. In fact, this is part of the novel's purpose, as Armstrong wished to present a more immediate sense of the movement than was conveyed by media accounts, for example. As a novel, its "truth value" in a literal sense is less important than the world and characters it creates. It is *The Native Creative Process* that is most difficult to evaluate. A cynical observer might simply dismiss it as a self-serving idealization of native beliefs. But on what grounds? Against what should it be judged and found to be lacking? Here we encounter, in a specific way, the kind of *aporia* described in the Introduction. Critical social science prides itself on questioning, probing, and not simply accepting argument or information, but whether social theorists acknowledge it or not, their enquiries proceed under certain assumptions or paradigms. For instance, questions of the legitimacy of a political system that claims to be democratic may be examined through opinion sampling, for instance, and this may lead, in turn, to issues surrounding political communication and the meaning of legitimacy. Here, it is important to

recognize the dearth of material like *The Native Creative Process*. As a text for a general audience, it is largely an experimental work, in which pieces of individual experience, informed by cultural beliefs, are set down and disseminated. How would one *verify* the claims made? One could, presumably, interview other Okanagan leaders and elders, if one could get access to them and they were willing to express themselves to an outsider -- but judging a text like *The Native Creative Process* is very difficult to do from reading it.

Clifford has written about the fragmentation of culture, a kind of global cultural entropy that is uniquely 20th Century and continues to accelerate through the commodifying drive of capitalism.⁵² This refers to a process by which "cultures" can only be known through fragments (and the term itself is accompanied by the ubiquitous quotation marks), and at its most basic is a restatement of the alienation of the modern age that results from homelessness, an inability to feel "at home" in a single, undifferentiated culture. Armstrong's project, broadly speaking, is to challenge the relativising pull of this cultural ethos by describing, in her writing, the *essential* nature of her worldview which, while not total, nonetheless includes some non-negotiable items: land and language are two. In other words, there are still boundaries: cultural knowledge does reside somewhere, in some people, and is not readily accessible to all. The question of accessibility is particularly central in respect of native peoples, who have historically been segregated from the mainstream culture in a number of ways:

⁵² See Clifford, 1-17 *passim*.

physically, by being placed on reserves, and politically, by being denied the vote longer than any other group in society.

This is where the politics of textualisation becomes central. Texts by themselves are almost infinitely flexible, and aboriginal writers are one group who have demonstrated the broad limits of the genre of the novel, for instance. As a site for cross-cultural exchanges, texts offer a great deal of potential. Wickwire's transcriptions of Robinson's stories are one example of texts that can aid non-native readers, but should not be assumed to be representative of core beliefs and teachings of the Okanagan. Indeed, these two books illustrate the political and economic hierarchies that continue to apply in the production of texts about aboriginal people, *ie.* funding for research and recognition by mainstream audiences which enhance their accessibility.

There is thus an economy of information regarding aboriginal people. An increasingly diverse group of texts are being circulated, with increasing presence by native people. This process of textualizing native identities poses new challenges to academics and other outside observers, because it takes us outside established paradigms. Most fundamentally, perhaps, native voices making knowledge claims within a postmodern philosophical climate challenge the idea of individual cultures being absorbed within the kind of global entropy identified by Clifford, with all the relativisation this entails.

CONCLUSION
Identity, Narrative and Dialogue

This thesis began by arguing that the treatment commonly accorded the problem of representation in Canadian politics is insufficient to address the deeper challenges posed by aboriginal peoples. Political demands by aboriginals constitute a burgeoning and multi-faceted field in which significant resources are at stake. These demands, in turn, are based on cultural difference and involve references to history, language, norms -- in other words, to a web of values that constitutes a worldview. Yet there does not exist any single forum in which "worldview" as the totality of culture can be adequately addressed, and in which political demands for land and autonomy can be resolved. Recent Canadian history has shown that, even with the comparatively simpler project of accommodating Quebec, national and provincial governments have only infrequently been able to obtain consensus, and even then have been repudiated by the citizenry. The 1992 referendum on the Charlottetown Accord, which included measures to address aboriginal peoples' rights, was rejected by a public which did not view the resulting accord as legitimate because it was the product of "eleven white men in suits" -- it was a visceral reaction against the traditional manner of elite accommodation in

Canadian politics.

In recent times, this is the closest Canada has come to a formal, institutional attempt at a meta-dialogue. It illustrated the gap between the “representatives” and the “people”, and not only for the non-aboriginal population. Results indicated that a majority of native people also rejected the accord, for varying reasons: some feared the negation of treaty rights under the limited self-government provisions of the accord, while others simply felt that the accord would not provide them with sufficient resources.¹ Ovide Mercredi, Grand Chief of the Assembly of First Nations, who negotiated with the federal and provincial governments, faced criticism for being unable to secure the consent of the native groups he supposedly represented. More, the result of this referendum brought into the open the deeper problem of the legitimacy of the organization itself. As one Mohawk commentator put it, “except for band councils, the AFN has no relationship to the Indian people...these 500 band-council chiefs exist because of Section 74(1) of the federal Indian Act.”² The very act of reforming the Constitution, then, already invokes scepticism, in terms of both the legitimacy of democratically elected governments and the elected representatives of the Assembly of First Nations, itself an organisation with links to the state.

¹ See “Mulroney warns Indians deal won’t get any better”, *Vancouver Sun*, October 19, 1992, A4; “Many chiefs resist Yes call by Mercredi”, *Ibid*, October 15, 1992, A4; “Natives leaders try to discredit aboriginal opponents of deal”, *Globe and Mail*, October 14, 1992, A5.

² Michael Doxtater, “Failing to reach the Indian people”, *Globe & Mail*, November 5, 1992, p. A29.

Analysis has focussed here on a few specific sites in which claims to difference are made. A common theme in all the sites is the search for jurisdiction or ownership: over land, education, and cultural information. Yet to some extent, “aboriginal culture” is both represented and received in different ways in each site, and in important ways this is a function of the rules of discourse and judgment particular to each. The three are different social and political spaces with different functions and goals. Becoming aware of this entails broadening the scope of the investigation to include the characteristics of the sites themselves, rather than simply judging the representations made therein. In each of the three sites examined here, different rules apply and opportunities and constraints vary, and by now the reader should have a sense of the particularity of each site. What remains is to gather up the strands and evaluate the three sites along common planes. The following will do three things: first, describe the dimensions of identity that pertain in a cross-cultural debate such as this one; second, examine the possibilities for dialogue as a process of overcoming the gaps between identities; and third, evaluate the different sites *vis a vis* their potential for contributing to cross-cultural understanding.



Dimensions of Identity

This thesis never set out to define the terms “aboriginal” or “culture”, but rather to seek some insight into the manner in which conceptions of cultural identity are represented and how those representations are received. In attempting to contextualize the debate over identity it is, in the first place, difficult to avoid creating dichotomies: oppositions such as traditional/modern, Identity/Difference, Self/Other, aboriginal/not-aboriginal are scattered throughout literature on aboriginal politics and culture as well as more general works in the social sciences, and are called to mind whenever one seeks to account for “both sides” of the debate.³ A firm sense of the latter dichotomy is a prerequisite for justifying, for non-aboriginals, the allocation of resources to aboriginal people.

The kinds of debates in the sites examined above, and the obvious need for some kind of progress *vis a vis* the political relationships they describe, require a more inclusive approach to thinking about identity in general and cultural identity in particular. This involves moving beyond simple dichotomies (which often are assumed

³ See, for example, Lyotard 1979, esp. 17-31. Krupat, quoting Fredric Jameson, illustrates the seemingly inescapable bind: “If we choose to affirm the Identity of the alien object with ourselves...then we have presupposed in advance what was to have been demonstrated...Yet if we decide to affirm, instead and from the outset, the radical Difference of the alien object from ourselves, then at once the doors of comprehension begin to swing closed...” See Krupat, 1983, 2 [original from “Marxism and Historicism”, in *New Literary History* 11, 1979, 43]

to be oppositions), and instead thinking in terms of dimensions or modes of identity that are operationalized in different situations. Identity should be construed less as taxonomy (a set of accepted categories into which one is slotted), separate from consciousness, than as multi-faceted senses of self, within which there may be tensions, but which are inseparably part of lived experience. On a psychological level, different discursive spaces will bring out in participants different dimensions of their identities; they will, in important ways, structure participants' mind-sets and attitudes. In light of the cases studied here, four general dimensions come into play: the political, the cultural, the economic, and the philosophical. Discussions about identity issues should include reference to these four, which may be present either explicitly or as subtexts in any situation; analysis of their application to a situation reveals the tensions between them.

The political calls for authoritative judgments to be made regarding the allocation of resources, and this requires stable, known identities as referents. In this dimension, aboriginal culture must be demonstrated to be a unified identity, so that statements of an "*a/not a*" type can be formulated. This imperative for closure is most evident in the court case examined here, but is also in play with the mode of decision-making in universities and the provincial bureaucracy regarding En'owkin. Both aboriginal and non-aboriginal people participate, albeit often in adversarial fashion, in this effort to establish a stable category for "aboriginal" as a basis upon which

allocations can be made.⁴

The cultural dimension, however, involves a certain refusal to have a collective identity demarcated and effectively sealed off. At the risk of pointing out the obvious, culture involves more than bloodlines and geography. Cultural identity is also relational: to a group with whom one identifies, to groups against which one feels different, and to a shifting set of values and expressions by which one lives. The textualisation of the Okanagan language, for instance, represents a significant cultural innovation, the implications of which cannot be fully foreseen. It seems plausible that the distancing, or alienation, of the written word and the thinking subject that has occurred in western languages might also occur here. This process of creating alphabets for and textualising native languages is not unique to Okanagan -- it may be seen both as a necessary response to the ubiquity of the written word within the dominant culture, and as an important tool for rescuing native languages from a decline traceable to the advance of Europeans, particularly Christians, who sought to eradicate native languages along with other cultural practices like the potlatch. This example, of textualising native languages, highlights the inter-relationship between aboriginal and non-aboriginal that flows from the historical fact of colonialism, as does the Creative Writing program at En'owkin, whose purpose is to gather students from across Canada

⁴ It should not be forgotten that such a category already exists for a number of allocations by the state -- reserve lands and "status" Indians, for instance, are categorized in the federal *Indian Act*. But these categorizations themselves have always been politicized and subject to contestation.

to explore self and culture, resulting in a redefinition of their sense of “native-ness” and of native-white relations. There is, then, an indeterminacy or open-endedness to culture, which is not infinite and is grounded in certain lasting beliefs and practices, but which nonetheless evades closure.

The economic dimension allows for actions and voicings not previously heard through the circulation of texts, artwork, or ideas, and it illustrates both the opportunities and constraints imposed by capitalism. The popularity of aboriginal art, for instance, presents a whole new set of opportunities for native artists, but it comes at the price of commodification. The images and motifs of native art are also susceptible to appropriation by both natives and non-natives, who for marketing reasons may fraudulently pass themselves off as adepts in a tradition which they have not studied. The publication of books about native culture is another sharply contested field, both in terms of content and the possibilities for publication and wide circulation. Representations of native culture by non-natives who are able to get published regardless of the authenticity or knowledge of their subject, like Kinsella’s *Miss Hobbema Pageant* exemplify the possibilities for appropriation, against which native authors argue and which they attempt to counter with their own writings, both fiction and non-fiction.

These three dimensions co-exist within, and help constitute, a general philosophical climate commonly referred to as the postmodern. Returning to Lyotard, this climate is characterised as one in which credulity towards the grand narratives of

legitimation is not possible:

The evidence we can collect on this failing of the modern subject seems difficult to refute. In the course of the past fifty years, each grand narrative of emancipation -- regardless of the genre it privileges -- has, as it were, had its principle invalidated.⁵

Certain historical events have sounded the death-knell for different narratives. The experience of Auschwitz severs the modern concordance between the real and the rational; the Great Depression and subsequent recovery through the dictates of a war-time economy negate the liberal economic tenet that the free flow of goods leads to general prosperity; revolts in Poland in the early 1980s demonstrated the break between the worker and party, negating the conflation between proletariat and communist.⁶ These are all signs of the delegitimation of major modern narratives. They help to create a general philosophical climate of confusion (and therefore scepticism, lack of consensus) within what is here termed the "dominant culture", and which in turn affects the rules according to which aboriginal narratives are to be judged.

This uniquely postmodern phenomenon may be seen simultaneously as beneficial to aboriginal activists (because it represents an *opening* or breakdown in previously hegemonic discourses) and disconcerting, because it makes it difficult to find a stable referent upon which to base arguments: neither history in a time of ahistoricism nor race in a time of multiculturalism can provide a firm grounding by

⁵ Lyotard, "Missive on Universal History", 28-29 in *The Postmodern Explained*.

⁶ See Lyotard, "The Sign of History", 393 in *The Lyotard Reader*.

which the state or dominant culture can evaluate aboriginal claims. What aboriginals are attempting to legitimate to the dominant society is the idea of a transfer of land, resources and political authority; they may do this both directly through a statement of claim in a court, and indirectly by asserting the cultural difference that underlies explicit political claims. But there are fundamental tensions between this attempt and the narratives (modern, legal, scientific, bureaucratic) with which it intersects, all of which are put into play in individual sites which, for the most part, are not of aboriginal peoples' devising. Aboriginal people may well think in terms of a unified culture that has existed and can exist again, but this integrated perspective does not easily mesh with modern society's specialisation and differentiation of roles and responsibilities. So the question, "Is it possible, or necessary, to conceive of aboriginal culture as a unity?" can be asked only with the knowledge that cultural identity becomes visible when articulated in discrete sites. For the moment, we must confine ourselves to noting the challenges to specific narratives in the three sites here: to the standards of evidence in the common law; to the state as the best authorising agency for education; and to the idea that cultural knowledge can be transparently represented in a text.

A full debate over aboriginal identity encompasses four dimensions, all of which are in some way present in each site, and between which there are unavoidable tensions. The interplay of these dimensions will help determine the relationship of a site to possibilities for the advancement of aboriginal claims and for greater understanding between participants. Yet this fuller characterisation nonetheless leaves us with an aporia, with no clear answer for the question of how these tensions can be

overcome. The political demands closure while the cultural calls for openness. The economic provides for both opportunity and exploitation, while the philosophical inspires scepticism. What hope is there for *resolution*?



Narrative and Dialogue

The deployment of aboriginal narratives in the sites examined here constitute challenges to two primary entities, these being the state and its agents (who receive the narratives) and the status of legitimated knowledge (which is the resource according to which these challenges are judged). Those to whom these narratives are addressed cannot accommodate them within pre-established rules of discourse -- remember the embarrassment of Chief Justice McEachern in hearing a Gitksan song performed in the courtroom. The response is either to dismiss them and thus leave the previously-existing discursive conditions untouched, or to displace the rules in the search for accommodation. The best name for this latter process is dialogue.

Liotard devotes little space to dialogue, nor does he privilege it amongst the many genres of discourse. The discursive conditions of dialogue, as with any other genre, involve linking phrases "one onto the other in accordance with an end fixed by a genre of discourse." The process of dialogue involves "link[ing] an ostension (showing) or a definition (describing) onto a question; at stake in it is the two parties

coming to an agreement about the sense of a referent."⁷ One reason for Lyotard's circumscribed approach to dialogue may be his adversarial relationship with Habermas, whose theory of communicative action implies, for Lyotard, a kind of general encompassing consensus that is to be avoided, lest thought itself become totalized.⁸ In addition, the consensus model of human discourse misses the fundamentally agonistic aspect of society.⁹ The "language games" that he privileges instead seek to take advantage of the movements that are possible within increasingly complex social relations. Thus, having at one's disposal a multiplicity of moves and countermoves in the different pragmatic relationships within which one is embedded is necessary in order to have some effect on the various balances of power those relationships operationalize. This may occur in a conversation involving two friends as well as in the more formal exchanges in social institutions, which usually seek to limit the scope of language games. There, the rules are constitutive of the place itself, and govern the relationships between people within them, who must remember that some things should not be said.

Yet how do we account for those innovations that *are* possible in institutions? Here, with the question of how to push the discursive boundaries, Lyotard is vague, for while he acknowledges that no institution can limit, once and for all, the language

⁷ See *The Differend*, xii. This definition is offered in the context of illustrating how heterogeneous phrases can be linked but not translated, eg. from

⁸ See Lyotard, "What is the Postmodern?", 16, in *The Postmodern Explained*.

⁹ Lyotard, *The Postmodern Condition*, 16-17.

games possible within it, his account of the pragmatics of pushing those boundaries rests on a hypothetical:

Does the university have a place for language experiments (poetics)? Can you tell stories in a cabinet meeting? Advocate a cause in the barracks? The answers are clear: yes, if the university opens creative workshops; yes, if the cabinet works with prospective scenarios; yes, if the limits of the old institution are displaced. Reciprocally, it can be said that the boundaries only stabilize when they cease to be stakes in the game.¹⁰

The “ifs” are telling, and leave open the question of just how discursive rules are to be liberated. Presumably this involves a strongly articulated sense of difference by a faction who believe a particular countermove to be necessary, and are willing to risk their position in order to make it.

Recent ethnographic theory, by contrast, has interrogated the possibilities associated with dialogue as a necessary part of “the power-laden field of discursive positionings”, in which “there is no neutral standpoint”.¹¹ It is possible, in fact, for theories of dialogue to take heterogeneity more seriously than does Lyotard, in the sense of not stopping at the disjunctures between narratives but pursuing them. For Lyotard, beyond “language games” there lies only the sublime; interestingly, both Murray and Clifford also address sublimity, but prior to this they insert the possibility of dialogue as a process for overcoming current disjunctures and revising the stakes in

¹⁰ Lyotard, *The Postmodern Condition*, 17.

¹¹ See Clifford, 42.

the game. This may be reformulated as finding appropriate levels of contestation and agreement.¹²

How can dialogue be privileged as a discursive process? The first point we must insist on is the face-to-face nature of the encounter, wherein one is confronted by different person(s) speaking different narratives.¹³ One is fully present, one must phrase, respond, evaluate and be evaluated by another fully present consciousness. This type of exchange is not possible through the mechanics of reading and writing. For example, as noted in the Introduction, the process of dialogue or negotiation is central to ethnographic fieldwork, but is fundamentally changed during the course of preparing the ethnographic text -- the ethnographer initially is decentred or even marginal to the social interactions going on around him or her, but on returning home he or she imposes order on a monological text.

To think of dialogue, then, is to stress orality, along with a requirement to be

¹² In drawing on this theoretical literature, it is important to be conceptually clear about the writers' respective projects: Lyotard's work should be distinguished from that of Clifford and Murray in terms of the primary referents of their arguments. Lyotard's is the social bond; a *differend*, for instance, describes a social situation between subjects. Clifford, on the other hand, is primarily interested in practices and limits in ethnographic *textual* constructions, and his use of Bakhtin as a resource to explore dialogue reflects this orientation. On this issue, Murray's note that, as far as Bakhtin has been used by western academics, his theories of dialogue have been "made to serve treble duty as a formal literary technique, a property of language itself and a political ideal" is an important one. It is the latter form which most concerns us here.

¹³ It is possible, of course, to have a dialogue within a single organizing narrative, where the referent at stake is narrowly defined and there is agreement about the general discursive conditions under which the dialogue proceeds. What concerns us here, however, is the potential for dialogue in the absence of established rules to which the parties have agreed.

fully present, to bear witness to the exchange. There is an implied responsibility to the other party or parties not to violate the rules which make the conversation possible. In a site like the court, exchanges occur because the discursive rules are well-established and strictly enforced by the judge, who makes procedural as well as substantive rulings. Parties to a suit must acknowledge these rules in advance; they are presupposed by the act of litigation, and litigants agree to them in the hope of receiving an authoritative judgment in their favour. It has been argued here that these rules permit interpellation, cross-examination, description, rhetoric -- but not dialogue.

Ironically, then, though the court compels litigants to be present, to bear witness, it is not a place for dialogue. The reason for this is because it does not permit its own discursive rules to be part of the conversation. While the worth or legitimacy of paleobotany, DNA testing, or other evidentiary discourses may be questioned by one side or the other, to question the worth or legitimacy of the court's rules is to risk immediate penalty for being in "contempt of court". But what of other sites, where the "rules of the conversation" are not so clear? Here we approach the heart of the matter: the search for a site that allows for its rules to be one of the stakes in the conversation. Unless this is agreed to, real dialogue cannot take place.

As we have seen, the challenges posed to Canadian society by aboriginals are fundamental. In this context, in which dialogue is necessary to explore the different dimensions of identity which pertain, what is required is a commitment to engage in a joint speech act that above all is creative, since existing discourses have resulted in a relationship between native and non-native that leaves the minority in a state of

demonstrable poverty and anger. This kind of process need not entail consensus on all issues, but it will certainly challenge some central assumptions of the dominant society -- if nothing else, the idea of the nation-state as a unitary social/political space. Creativity's political manifestation is an envisioning of a social reality, a "guiding towards" in the future. Dialogue as a social event, informed by good-will, is a process that aids in the initial displacements necessary to overcome resistances.¹⁴



Evaluating the Sites

If one were to imagine an ideal site for engaging in this type of dialogue, it would likely represent some kind of Platonic academy. It would be inclusive and allow for dialogue to take place at a high level of abstraction, where language struggles to express that which hitherto has been inexpressible -- a shifting sense of the social bond, in this context between cultures. But this kind of meta-forum, in which the first or

¹⁴ Beyond thinking in terms of processes of dialogue in different sites, there is yet another level that should not be ignored, even if full exploration of it should be deferred for the moment -- that of the sublime. Cultural theorists, including Lyotard, Clifford, Murray and others, refer to this concept, usually as something lying beyond what is regarded as normal human cognition and awareness. Sublimity may be briefly described as a feeling of overwhelming awe. Romantic poets make reference to it in terms of experiencing the vastness and beauty of physical nature. Lyotard, who has specifically addressed the concept by drawing on Kant, refers to it as a feeling of simultaneous pleasure and pain -- pleasure in recognizing a sudden expansion in one's consciousness, pain in being unable to describe or delimit it. It may be thought of as a momentary *losing of self*, and thus as an ultimate displacement of ego and conscious presumptions. See Lyotard, "The Sign of History", in *The Lyotard Reader*, 393-411.

legitimizing dialogue can take place, is not possible given the contemporary philosophical climate, and may indeed have been impossible since the start of colonization. We must look instead to other sites as evidence of cross-cultural debate, and ask how they provide for dialogue, and how the different dimensions of identity are at play in each.

The Court

As has been argued above, the courtroom is not a place for dialogue -- it is a place for competition, judgment and closure on a question. More specifically, the *Delgam Uukw* case illustrates the potential and the danger of putting all of an identity up for judgment. By invoking a narrative of this kind in a space dedicated to authoritative pronouncements, the Gitksan and Wet'suwet'en put everything "on the table", only to have it swept aside. Three main narratives were employed in the case: the two parties constructed two competing narrative epics, of extinguishment and survival. These were evaluated according to the third, the common law, which relies on precedent, evidence and the credibility of witnesses, all of which are weighed in the process of arriving at a judgment. As we saw, at the trial level extinguishment carried the day, aided by the difficulty of using oral history as legal evidence and by the judge's biases and questionable logic in interpreting such evidence as was admitted. Those judgments on evidence (in effect judgments on Gitksan and Wet'suwet'en culture) were allowed to stand on appeal. The difficulty over the question of evidence is central, and highlights the extent to which the search for "objectivity" became the basis for proving cultural

authenticity. It also illustrates the extent to which chance is involved: which judge hears a case of this kind clearly matters.

Delgam Uukw also indicated the difficulty inherent in representing aboriginal culture as a totality that comprises political and social arrangements flowing from a spiritual source. The spiritual foundation of the Gitksan and Wet'suwet'en arguments offers clear evidence of an integrative social system, a non-modern basis for a social grouping.¹⁵ However, cultural totality was understood by a majority of the judges who heard the case to mean a comprehensive separation of the group from others around it, and thus to the extent that Gitksan and Wet'suwet'en people participate in the cash economy and resource extractive industries, for example, they were judged to be part of mainstream non-native society. The idea that identities may comprise many different attributes, and thus that cutting down trees does not in itself negate native-ness, is not contemplated: one is either "in" or "out" of the category native. This determination is the fundamental one in a court case of this nature, and it illustrates the tension between establishing a fixed category for an identity and the ways in which identities adapt to changing circumstances in the world.

Beyond the judgment at the trial level itself, the *Delgam Uukw* case as a social phenomenon is striking in two ways. First, by pushing the boundaries of the law with questions as fundamental as those raised by the plaintiffs, the respondents and the judge

¹⁵ For example, see Mills, 1994, for a discussion of the importance of the belief in reincarnation and its connection to conceptions of self-worth among the Gitksan and Wet'suwet'en.

as arbiter are forced to articulate reasons why their claim cannot succeed. The case against the claim has, in effect, been forced out of its hitherto tacit place, and once visible can itself be subjected to analysis and its weak points dissected. Further, a lengthy and high-profile case such as this one forms the basis for discussion, contestation, and dialogue in other places. Although undoubtedly a devastating blow to the Gitksan and Wet'suwet'en at the time, the decision nonetheless has had implications for the broader social and political context within which native claims are contested. It has served as fodder for a number of analyses, both sympathetic to the Gitksan and Wet'suwet'en claims as well as opposed to them.¹⁶ And the reaction to the trial court judgment included an immediate impetus for renewed land claims negotiations.¹⁷

The En'owkin Centre

A new organisational form like En'owkin is, in a way, a multi-site itself, with links between elders and young, between the Okanagan and other aboriginal groups in North and South America, and between aboriginal people and the state. A number of narratives are at play within the En'owkin Centre and between it and government agencies. In its relation to state agencies, the Centre employs a narrative of organizational competence and guardianship of unique cultural knowledge. The

¹⁶ For a different view of land-claims issues, see Mel Smith, *Our Home or Native Land? What Government's Aboriginal Policy is Doing to Canada*. Crown Western Books, Victoria, 1995.

¹⁷ See "Parties agree on Indian policy", *Vancouver Sun*, March 12, 1991, B1; and "Judge's land claim ruling fuels optimism", *VS*, March 13, 1991, A1.

interface between this narrative and universities and the provincial bureaucracy takes the form of negotiation over the legitimation of knowledge itself, the primary referent for which is the curriculum. This, along with sanctioning the space in which knowledge is transmitted, is something over which the state has had a monopoly, but now faces challenges from aboriginal and other groups.

Additionally, the principals at the Centre have initiated links with other indigenous educational organizations under the auspices of the Indigenous Peoples' Association, expanding their organizational boundaries under a common cultural identity. Two things set this site apart from the courtroom: first, differences here can be demonstrated rather than simply articulated, for instance through the teaching of language and by the mere presence in the classroom of native students who otherwise would not be receiving a formal education and acquiring skills. Second, the administrative function of the state, along with its fiduciary responsibilities, implies an ongoing relationship with client-groups, as opposed to a single, encompassing legal judgment, the details of which are left to others to implement. This opens up a possibility for something more than the proliferation of monologues we saw in the court.

Third, within the school itself the creative dimension is stressed, in particular by the creative writing program and the new visual arts program. To complete either program, one is required to create images and explore ideas of native/non-native relations in both historical and contemporary modes. This kind of self-exploration can be difficult for students because often it forces them to confront painful memories and

images. However, it also represents a form of empowerment by allowing students to move from passive recipients of the images that have been created for them to actively creating their own.

Does any of this equate to the kind of dialogue explored above? In important ways, it does. Once the state's monopoly over education has been challenged, using some of its own rhetoric (eg. "getting results" by having students stay in school and continue learning) the wider question of what constitutes a legitimate education that specifically includes a cultural context also can be addressed. Once a space has been cleared for a place like the En'owkin Centre, universities and other institutions have to deal with it. They are forced to be part of the conversation.

The Texts

The texts examined in Chapter 3 illustrate a number of things, among them the question of accessibility of cultural knowledge through the process of publishing. As with the other sites, they invoke jurisdictional issues, in this case regarding control over the framing and dissemination of cultural information. Like the En'owkin Centre, they raise the question of the authentication of cultural knowledge, in this case in the context of individual vs. collective ownership. And finally, the flexibility of the texts examined here in terms of structure, content and audience indicates the potential for a wide-ranging and creative engagement with cultural issues. The texts construct Okanagan culture for readers in different ways and each has its limits, but it is significant that all four go some distance towards breaking down any meaningful

dichotomy between modern and traditional narratives: traditional Okanagan stories are written down, and Okanagan values are disseminated through publication by an Okanagan author.

Yet despite these attributes, it remains that texts do not allow for dialogue. While they themselves may be the product of dialogue (eg. *The Native Creative Process*), and may impel and guide subsequent dialogue, texts themselves enforce a certain social distance between the author and the reader.¹⁸ Texts can be “open” to some degree and thereby encourage questioning of their validity, but at present the grounds upon which that questioning can take place are themselves questionable. To another academic, Wickwire’s project can be interrogated according to narratives of acceptable ethnographic practice; there are accepted standards against which she can be judged. This is not the case with a text like *The Native Creative Process* -- one can read and appreciate it (or perhaps find nothing of value in it), but judging the validity of its information is difficult indeed. Part of the reason for this relates to the economy of information regarding native cultures: distribution and publication of texts by academics has been common, while those written by native leaders have not been. This leaves the outside investigator with little in the way of intellectual resources to compare different accounts -- the uniqueness of the *Native Creative Process* makes its status as an exemplar difficult.

¹⁸ Plato, despite his attacks on ancient Greek poets, also had suspicions about the impassive face of the written text. For a modern view on this question, see Ong, 1977, 17-22.

Because of their personal nature (*ie.* being identified with a single author), the process by which they are written, and in this case, their cultural content, texts may sharpen the “inside/outside” dichotomy between reader and writer. Textualisations like the *Native Creative Process* are new and unique; they may open up an important moment of questioning by illustrating the extent of the aporia between the *esoterica* of aboriginal cultures and the external world.



The cross-cultural debate over aboriginal peoples’ culture and formalized relationship with non-aboriginals is really just beginning. Its future progress depends upon the interplay of narratives and dialogue within cross-cultural sites. Three have been focussed upon here, though of course there are numerous others. The very fact that the debate is structured around particular sites has implications for the debate itself. First, one can’t help but notice that, for the most part, the sites are not of aboriginal peoples’ devising, and instead are governed by the rules of the state, the common law and consumer capitalism. These rules are oriented around the specific actions or needs of the individual or aggregates of individuals (whether as citizens, offenders or consumers), rather than around collectivities, and the search for legitimacy by aboriginals illustrates the difficulty of having an inclusive debate around a specific cultural identity. This problem is echoed, in a much simpler manner, by the common identity problem for Canadians generally respecting their distinctiveness from

Americans. Both illustrate the difficulty of trying to “prove” cultural distinctiveness through argumentation.

The debate is fragmented by the lack of an all-encompassing forum for cross-cultural engagement. This fragmentation is an inescapable product of the modern era, and naturally has implications for attempting to represent a cultural totality. An attempt in this regard was made in the *Delgam Uukw* case, in which the plaintiffs stressed the integrative nature of Gitksan and Wet’suwet’en cultures. The judging standards of the law, however, involved fragmenting the cultural arguments into legal questions, particularly with reference to “rights” within the historical context of colonialism. Cultural representations of this kind are susceptible to being undermined by the proffering of disconfirming instances, *eg.* participation in modern industry. Furthering the fragmentation is the sheer number of sites peopled by a variety of non-aboriginals, which can lead to repetition and frustrate progress, particularly in an era when not only elected governments but civil services also experience high rates of turnover, and may exemplify changing priorities and lack of institutional memory on the part of non-aboriginal society.

Third, different sites provide varying possibilities for the different dimensions of identity to be represented. Sites as discursive spaces allow for modulations between poles which represent closure and openness. Within a general climate of philosophical scepticism, the course of this debate will be shaped by the domination of certain sites over others. Based on the foregoing, we can say that some sites provide greater opportunity for dialogue than others, though none, of course, is without contention.

The En'owkin Centre offers perhaps the best example of using existing conditions and creating cultural space, with the direct result of educating young native people, who may, in their turn, provide their communities with leadership in the future. En'owkin also exemplifies a kind of dialogue between representatives of the Centre and the state; though a limited kind of dialogue, it nevertheless prepares the ground for further discussions about the meaning and implications of cultural difference as lived experience.

Finally, we should recognize that although there is no single, inclusive site for cultural debate, neither are any of these sites completely sealed off from others. There are links between them which may be more or less direct. The outcome of *Delgam Uukw* contributed to kick-starting land claims talks, for instance. The kinds of texts published by Theytus, once circulated, provide fodder for debate and dialogue even if texts themselves are not dialogical. All of these are indicators rather than final resting-places. They remind us that the wheel is still in spin, and that a postmodern philosophical climate allows for new phrasings from a multitude of sources. They also indicate, however, that the possibilities for dialogue are curtailed the more one moves towards the pole of political closure; judgment and dialogue are in many ways opposed, for when one "judges the other" one is not looking inward. Recent events at Gustafsen Lake and an ongoing dispute over road access in the Penticton reserve and other places are reminders of how close natives and non-natives have come to serious conflict. There may be a relatively short time in which peaceful resolution and some kind of "fusion of horizons" is possible.

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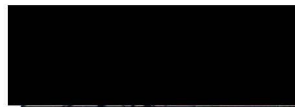
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