

Editor's Introduction

Adam Gaudry

The University of Victoria, in many ways, is a special place. It is one of the few universities in Canada where Indigenous issues are taught, discussed, and debated with the attention and care they deserve—and thanks to a cadre of excellent faculty and instructors, the debate has been a *respectful* one. The sizeable Indigenous faculty presence on campus, as well as a variety of programming options has created a healthy space for Indigenous scholarship. Perhaps one of the most important aspects of UVic is the constant acknowledgement that UVic is situated *on the lands of the Coast and Straits Salish people*. The presence of local Indigenous peoples—students, faculty, staff, and community members—as well as Indigenous peoples from further afield, makes for an enriching intellectual and social environment for those of us who study Indigenous issues here. In this atmosphere, learning extends to places outside of the classroom and provides for dynamic relationships with new people from different places with different perspectives. The University of Victoria has, quite deservedly, also developed a reputation as a world leader in Indigenous Studies, something that I have been reminded of at the many conferences I have attended across the continent. It is well known for producing some groundbreaking scholarship and attracting world-class students.

I had the good fortune of teaching some of those students in the fall of 2011, in a course on the theory of colonialism and decolonization. We read Frantz Fanon and Albert Memmi, as well as UVic professors Taiaiake Alfred and James Tully, among others, discussing some of the most violent events in human history—the violent dispossession of the Americas, the colonization and decolonization of Africa, and the hidden violence of contemporary colonialism. While at times heavy, the course also opened up space for us to talk about the all-too-familiar colonialism in our everyday lives. It was a powerful experience for me as an instructor, as well as for many of the students. It is also an experience that is much rarer than it should be in academic settings, as many institutions shy away from the harsh realities of contemporary colonialism. In doing this, however, many people are missing out on beneficial learning experiences that decolonizing education creates. It is in this decolonizing spirit that the contributors to this volume share their work with you, as a chance to transform perceptions, speak truth to power, and ultimately deconstruct the oppressive social structures that underpin contemporary social and political relations in this country. The articles in this

volume represent a sampling of some of the leading minds in the UVic Indigenous studies student community, and the questions they ask, and problems they pose should cause us to take a second look at the ways we conduct ourselves, and the ways we live our lives.

In the first article, *WSANEC: Emerging Land or Emerging People*, Jack Horne examines the division of the WSANEC people by the US-Canadian border, followed by further administrative partition into four different reserves within their homeland. This fragmentation of the WSANEC homeland was part of explicit tactics to make way for European settlement on WSANEC territory. Horne discusses the process of dispossession and colonization as they occurred in WSANEC country, while providing an alternative understanding of the Douglas Treaties using the oral history testimony of Tsawout elders. Horne's work demonstrates the on-going and pervasive nature of colonial dispossession in Victoria and on Vancouver Island, as he documents the continual resistance of WSANEC people to resource extraction and harmful development on their lands. Horne eloquently demonstrates how WSANEC have reasserted their understanding of the treaty relationship established with James Douglas in the nineteenth century. Horne's work ultimately provides an alternative (as well as more honest) understanding of the relationship envisioned by both WSANEC and Europeans at the time of the first settled European colony on what is now Vancouver Island. This hidden history is of immense importance to all of us who live on the Island, as we are all parties in this treaty, and are thus, bound to live by these agreements.

Alexandra Kent's article *The 'Van der Peet Test': Constitutional Recognition of Constitutional Restriction* examines the ongoing colonial nature of Canadian resource policy as it attempts to restrict the traditional livelihoods of Stó:lō people living on what is now the British Columbia mainland. After deconstructing the court's absurd assumptions that the Stó:lō were at a primitive level of social and political organization, Kent elevates the traditional knowledge and oral history of the Stó:lō to a place of prominence, where it can be better understood as a holistic and self-constituting social, economic, and political system. Anything but undeveloped, Stó:lō lives in the past, were much as they are today, closely attached to the salmon of the Fraser River. Kent also takes a step back to situate the court's decision within the larger colonial power dynamics that underpin the Canadian polity in order to raise the question of Canada's legitimacy to pass judgement on the practices of Indigenous nations.

Next, Cameron Brown challenges common conceptions of place and citizenship in *Global Hegemony & Place-Based Resistance: Citizenship*,

Representation & Place in Canadian Multiculturalism & the Zapatista Movement. Brown begins by examining the transformative praxis of the 1994 Zapatista uprising and its impact on other Indigenous movements around the world. By examining the novel developments of the Zapatista political movement, Brown challenges the common understandings of liberal citizenship, envisioning a more organic form of belonging in its place. Brown further challenges state-sponsored notions of multiculturalism, as they fail to ultimately live up to their promise of full citizenship and belonging for non-dominant groups. Looking instead to grassroots movements and the self-assertions of Indigenous communities, Brown articulates a way of being that moves away from representation and mediation of citizenship to a more direct and self-represented citizenship, informed by Indigenous knowledges and experiences.

In her article, *Humour in Contemporary Indigenous Photography: Refocusing the Colonial Gaze*, Meaghan Sugrue shifts gears to questions of Indigenous art, and examines the role of humour in contemporary photographic self-representations of Indigenous people. Through this examination, Sugrue draws a connection between *mis*representation by others to a movement by Indigenous artists to represent themselves using an age-old Indigenous skill: humour. By poking fun at past representations of native people, parodying older photographic styles, and presenting works intended to break the seriousness of contemporary art culture, Sugrue shows how Indigenous artists have reclaimed this artistic medium to subvert its messaging. The end result is that Indigenous artists strip colonial images of their power and control and create a new series of images and, thus, new ways of viewing the world.

Jodi Beniuk presents a critical analysis of the Missing Women's Commission of Inquiry recently held in Vancouver in *Indigenous Women as Other*. Weaving feminist and anticolonial critiques, Beniuk describes how Othering operates to exclude Indigenous women from state institutions of justice—be that the courts or the police. After thoroughly analyzing the myriad of exclusionary and marginalizing practices that underlie the Missing Women's Commission of Inquiry, Beniuk advocates for the breakdown of the binary logics of self-other, instead arguing for the establishment of multi-faceted alliances. By recognizing the interconnectedness of anti-oppressive struggles, Beniuk convincingly shows how a multitude of people can work together to confront multiple sites of marginalization and exclusion, without reproducing the same systems of oppression that make these kinds of alliances necessary in the first place.

Christina Iwase thoroughly deconstructs common interpretations of the Crown-Aboriginal fiduciary relationship in *Fiduciary Relationship as*

Contemporary Colonialism. A fiduciary responsibility is a legal relationship where one party has the obligation to exercise their rights or powers for the benefit of another. In this case, Canada has a supposed fiduciary responsibility to Indigenous nations. Approaching the issue as a problem of reconciliation—between the prior Aboriginal “occupation of territory”, and Crown assertions of sovereignty—the court has attempted to subordinate Indigenous peoples to Crown sovereignty. Pushing back against this tactic, Iwase questions whether there exists a mutually acceptable understanding of the historical relations between the Crown and Indigenous peoples in Canada’s common law. The ultimate question for Iwase is whether or not the fiduciary relationship is used to deny Aboriginal sovereignty, which would place Aboriginal rights as legal rights derived from Crown sovereignty. By unmasking the colonial nature of the fiduciary relationship in Canadian law, Iwase identifies the problematic legal underpinning of *terra nullius* that informs Canadian legal thought.

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Each of these articles presents us with a complex examination of critical issues in the study of Canadian colonialism and Indigenous resistance. All six articles demonstrate the viability of Indigenous forms of governance, economics, sociality, expression, and self-representation, as well as an appreciation for the shape-shifting nature of colonialism. This alone would be impressive, but what makes it more so is that each of these authors is an undergraduate student, several of whom have studied these issues for only a few years (at least in the academic sense). These works show a remarkable level of comprehension and offer hope for the future as a critical mass of self-aware Indigenous students and justice-seeking Canadians begin to find their footing in the academy. UVic, as I said before, is special because in many disciplines this critical mass has led to substantive Indigenous content in graduate and undergraduate programs. It has also brought these long suppressed issues to the political forefront. As these young scholars go on to grad school, activism, and community leadership, they will go forth with a more complete understanding of the long-standing, historic and on-going social, political, and economic forces that are at the root of this uneasy relationship that we live in.

With knowledgeable people on both sides of the colonial relationship—the *colonizer and colonized* as it is sometimes called—we can begin to work towards a new type of relationship and a realization of our common humanity. Colonialism is about the denial of humanity—it dehumanizes some, while producing special (and sometimes invisible) privilege for others. This distortion of the human nature of both settler and native—with some elevated to a position of near super-human

prestige and others relegated a subhuman status—leaves us all at a loss for healthy human relationships. It is less a question about right and wrong, or assigning blame, than it is about seeking justice and truth and a new way forward. This does not mean forgetting the past. It means seeking restitution; it means taming the beast and producing the substantive changes that these articles highlight.

In many ways we are reaching a tipping point where the contradictions of colonialism meet with a reinvigorated generation of young people who envision something different. As the economic development courses charted by the political elites of this country seem more nakedly opportunist, and as new and important cross-cultural alliances emerge, there is a new opportunity for real and lasting change. In this volume, a number of those issues will be approached by different voices, from different social and political locations. These are the voices of a changing politics, and they are building on a long unacknowledged desire for a more just existence. Readyng ourselves for the challenge of what is to come is not only desirable, it is a necessity. Change is coming, and the question that these authors ask is: *how can we get ready for it?*

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