

Aboriginal Identity: The Need for Historical and Contextual Perspectives

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Employing a perspective that distinguishes between "identity" and "identifying" demonstrates the limitations inherent in typical conceptions of cultural identity. Identifying is situational and historical, shaped by the time and place in which it occurs, whereas identity is thought to transcend history and social situations. Identity is represented in the Indian Act and its definition of "Indian." Métis efforts for recognition as an Aboriginal people in their own right is seen as identifying. The potential harm of identity is demonstrated by the Crown's arguments in the case for Gitksan-Wet'suwet'en Aboriginal title.

I recently attended a conference where a number of us were discussing issues concerning Aboriginal identity. We talked about how our parents had tried to hide any semblance of their Aboriginal identity and how in our experience today it was not only acceptable, but indeed desirable to be Aboriginal. In our experience dreamcatchers were everywhere and Aboriginal plays and events in the city were sold out. "What happened?" we asked each other. Then someone pointed out that where she came from there was not the luxury to talk about identifying as Aboriginal as if it were a choice. Shame about being Aboriginal continued to exist in her community. Most of the people from her community would hide their Aboriginality if possible. For many of them it was not even an option. They were "known" as Aboriginal people. Also, in her experience the issues of drug abuse, AIDS, diabetes, unemployment, spousal abuse, and others were seen as more pressing concerns than identity.

Her words had quite an impact on me. How can some of us talk about the struggle for identity when on a daily basis so many of us struggle just to survive? Is writing about these matters really helping to change anything? I keep coming back to this idea that some of the people in her community would hide their Aboriginality if they could. Understanding what influences our pride or shame in identifying as Aboriginal people is important. How we feel about ourselves contributes to and arises from the issues my colleague felt were more urgent to discuss than identity. They are entangled. Hence we must address all the issues simultaneously. I have seen examples where pride in Aboriginal identity is the basis for fighting addiction and where shame in identity is a factor in developing a habit of substance abuse (Restoule, 1999). It is important to explore what identifying as Aboriginal means and what is gained and lost in attempting to erase that identity, as well as what it means to change the referents of what is meant by Aboriginal identity.

Identity and Identifying

The term *identity* expressed popularly, as well as in academic circles, implies a fixed nature over a given time period. In psychology, identity is often qualified as, for example, *sex-role identity* or *racial identity* (Sutherland, 1989). These qualities are assumed to have some continuity over time for the individual. In Piaget's work, identity refers to a state of awareness that something holds its value despite surface appearances to the contrary (Sutherland, 1989). In logic, identity refers to two words, properties, or statements that are so similar that they can substitute one for the other in an equation without altering the meaning (Sutherland). In sum, identity has been conceived to mean sameness. For social scientists discussing cultural identity, the sameness inherent in the definition of identity refers to the shared norms, traits, and habits of members of a cultural group at one historical moment. Unfortunately, there are educators, lawyers, and policymakers who make the error of assuming Aboriginal identity must hold over several generations.

To talk about Aboriginal identity assumes a sameness and continuity that belies the fluidity and change that Aboriginal people experience and demonstrate. When this assumed permanence of character is run through institutions like the education and court systems "Aboriginal identity" can be constrictive and colonizing. I return to this idea below with a discussion of the case for Gitksan-Wet'suwet'en Aboriginal title. If we change the focus from *identity* to *identifying*, we move from noun to verb and set off a potentially liberating way of conceiving and talking about self-definition. *Identity* implies fixedness; that the "things" that make one Indian remain the same and should be the same as those things associated with Indianness by the Europeans at the time of historical "first" contact. Identity places power in the observer who observes Aboriginal people from the outside and defines them, giving them an identity. *Identifying* shifts control to the self, and motivations come to the fore. This perspective favors a set of referents that are put into action at the historical time one identifies as an Aboriginal person and in the contextual place where one identifies. Identifying is a process of being and becoming what one is in the moment. The power is placed in the self, for the Aboriginal person who emphasizes his or her Indigenous roots at a particular place and time. This allows for the salient components of an Aboriginal identity to be expressed as the actor feels is expedient, allowing for cultural change and adaptation. Identifying is situational and historical, whereas identity is thought to transcend history and social situations.

In this article I use a number of examples to make clearer the distinction between identity and identifying. Dunn's (2001) research on the Métis of the Red River region shows that the tensions between identity and identifying existed even in the 1800s. I provide a brief overview of Canadian legislation defining "Indians" as an example of identity as I characterize it above. As a point of contrast, Métis participation in the Constitutional Conferences of the 1980s and the Royal Commission on Aboriginal Peoples (RCAP, 1996) demonstrate identifying.

Employing a perspective that distinguishes between identity and identifying might help us problematize typical conceptions of cultural identity limited in their ability to reflect the situational and contextual identifying that exists in contemporary Aboriginal life. To demonstrate the limitations of an identity perspective, I

look at Fitzgerald's (1977) notion of cultural identity as an interplay between color, culture, and class. This conception of cultural identity, I feel, is fairly typical. I refer to work by Valentine (1995) and Pinneault and Patterson (1997) to demonstrate that identity/identifying is indeed contextual and is shaped by the time and place in which it occurs.

I have been using the term *Aboriginal* because it is commonly accepted at this time as a preferred term to use when referring to the original cultures of this continent. *Aboriginal*, unlike *Indian*, does not imply the exclusivity of a person with particular rights and privileges in the eyes of Canadian law and policy. When I use *Native* I intend for it to be interchangeable with *Aboriginal*. I use the term *Indian* later in the article because it is a legal term that is still used in Canadian law and policy. *Indian* currently carries implications of exclusion, leaving out the Inuit and the Métis, as well as many other Aboriginal people who have ties to communities and nations but are not officially recognized on Ottawa's Indian Register. However, *Indian* is often used by Aboriginal people, even those without status, to refer to themselves. All these terms are somewhat problematic in that they continue to replicate the idea of homogeneity among us. When I use them I intend only to express the similarity of experiences we have commonly faced under colonization.

Limitations of Identity in Aboriginal North America

Identity is a complicated concept. Cultural identity is often conceived as an interplay between biology, socioeconomic status, and cultural knowledge. Fitzgerald (1977), in his study of Maori students, refers to these three components as color, culture, and class. To Fitzgerald color represents a biological connection to the original peoples. In other words, it is the blood connection, the lineage that can be traced to Aboriginal communities and families. By culture Fitzgerald means knowledge of the traditions, language, and ceremonies or the "markers" of the race. Class stands for socioeconomic position in the greater society. Society is perceived as the greater economic and political entity where many cultures coexist. Each culture participates in the larger society where it is located, although the cultural norms of the group may be distinct from the rest of the society.

Race is often conflated with class, so that a racial group or cultural group is likely to be thought of as occupying a particular class position in relation to the greater society. Power is maintained by barriers that keep racial groups from advancing socioeconomically. Although certain individuals may succeed in being upwardly mobile, much of the group continues to experience difficulty. As Fitzgerald (1993) observed, "The central tensions between groups do not seem to be essentially cultural but originate in inequalities over power and participation in society. More and more, groups are trying to invent cultures through identity assertions" (p. 221). Identity tends to be more persistent and stable over time, whereas cultures are in a constant state of reinvention. This is because identity often has to do with how the out-group culture views the in-group. Fitzgerald (1977) found that some Maoris he studied validated their right of acceptance in the Maori group by overemphasizing their biological connections and/or class position, especially if they knew little about the culture. I suspect this to be the case among Aboriginal people in Canada. Those who know little about the Aboriginal

culture to which they claim a connection probably will emphasize their blood ties to an Aboriginal culture. Claiming to be a born "Ojibwe" or "Blackfoot" does not necessarily entail a familiarity with the music, ceremonies, or language. This is a reality of living in a dispersed culture where there have been generations of increased pressure not to exhibit these cultural knowledges.

The interplay of biology, culture, and class cannot maintain its integrity when applied to Aboriginal cultures in North America. Perhaps in the mid-19th century most Aboriginal people could be slotted by class, culture, and biology such that the categories remained relatively stable. Aboriginal persons for the most part were not only able to demonstrate who they were related to (biology), but also could make their way in their culture and were probably lower-class citizens in relation to the class structure of British North America. Today these factors are not necessarily applicable to each Aboriginal person, and it is impossible to predict with any certainty one's placement in each of the categories. For example, today many Aboriginal people may be slotted into lower socioeconomic categories in relation to Canadian class structure, but individual Aboriginal people are not necessarily reducible to a particular class. Also, many people with Aboriginal cultural knowledge have no ties to their home communities or to an officially recognized community. Conversely, many Aboriginal people with blood ties to Aboriginal communities have little or no Aboriginal cultural knowledge. The instability of these categories is evident when one looks at contemporary Aboriginal people on Turtle Island today.

Identifying as Situational and Contextual

Fitzgerald's (1977) observation that "cultural identity has relevance only in a situation of cultural heterogeneity" (p. 59) appears to be supported by the research of both Valentine (1995) and Pinneault and Patterson (1997). Valentine lived and worked among the Anishinabe of Lynx Lake, Ontario where the community is composed almost entirely of Aboriginal families. As Valentine explains,

In southern Ojibwe communities, where forced contact with the White matrix society has been long standing, Native people tend to define themselves vis-à-vis the "other." Thus, if something is "White" then it is necessarily "not-Indian" and vice versa.... In the north, where there has been relatively little and generally recent contact with Whites, the Native peoples define themselves internally. In a situation such as that in Lynx Lake, it is moot to ask if one element or another is "White" or even "borrowed." If the people are using it, the item is being used "Natively." The question asked by the people of Lynx Lake is "Will X be useful to us?" not "Will the use of X compromise our Nateness?" (p. 164)

Here the question of what is Aboriginal is raised only in comparison with cultures outside the community.

Contrast the Lynx Lake community with Pinneault and Patterson's (1997) work in urban schools in the Niagara region of Ontario. Here Pinneault and Patterson counsel youth who struggle with debunking myths and labels or with trying to find where they fit in. Pinneault and Patterson describe the situation thus.

Attempt to put yourself in the following story. You are living in a land which is the first and only foundation of your philosophy, spiritual beliefs, historical patterns, cultural distinction, and ancestral connections. At the same time, you never see a reflection of yourself within the philosophy of others, the educational system, popular culture, or

day-to-day events within the community. Stereotyping remains entrenched in most societal situations and you are constantly in a position of needing to defend your rights and position. When you are able to visualize yourself, it is through the interpretation of others who have little understanding of who you are. You are constantly being defined and redefined from an outside system. (p. 27)

Many students in the south are struggling with the creation of safe places to increase self-esteem and build understanding and acceptance of some of the Aboriginal cultural traditions. Obviously identity issues come to the fore when there is sustained contact between culturally different groups, and especially when they are valued differently on the social scale.

Another way to understand the differences between the disparate groups in Niagara and Lynx Lake is to discuss identifying rather than identity. Identifying in Niagara has different meanings and consequences than it does in Lynx Lake. Aboriginal people in Lynx Lake do not identify as "Native" in Lynx Lake because the homogeneous nature of the population makes it redundant to do so. The identity of the people in the distant communities is not different necessarily. Rather the factors that influence an Aboriginal person's choice to identify change from one region to another are different.

Legislative Definitions as Identity

The Indian Act has been the source of many problems in the history of Aboriginal survival. It has been the legal support for violence enacted against Aboriginal peoples in the form of regulations imposed on personal mobility, language use, and participation in cultural activities. Relevant to this discussion is its peculiar claim of distinction as a rare piece of legislation that sets out in law a definition of a people. This definition has had a profound impact not only in how we are understood by non-Aboriginal people, but also in how we have come to understand ourselves.

The action of defining "Indians" creates a homogeneous identity for people who represented disparate and distinct cultures. Although explorers' accounts and ethnological observations had made sweeping comments about the nature of Indians as if we were all the same (Duchemin, 1990), this way of thinking became encoded into law in the mid-19th century. Distinctions among Aboriginal cultures mattered only to a handful of academics interested in cataloguing our cultures like various species of birds. The only differences that mattered to lawmakers and administrative staff were the differences between the European newcomers and the original Indians. Whereas a Mohawk and an Ojibwe person could not have been considered identical by anyone knowledgeable of these two cultures, Canadian legislation bestowed on these and other distinct peoples an Indian identity. In effect all Indians were the same in the eyes of Canadian law.

In early legislation designed to contain potential violence between Aboriginal people and newcomers, a broad definition of *Indian* was set into law. For example, the 1850 Indian Protection Act defined Indians broadly:

The following classes of persons are and shall be considered as Indians belonging to the Tribe or body of Indians interested in such lands:

First—All persons of Indian blood, reputed to belong to the particular Body or Tribe of Indians interested in such lands, and their descendants.

Secondly—All persons intermarried with any such Indians and residing amongst them, and the descendants of all such persons.

Thirdly—All persons residing among such Indians, whose parents on either side were or are Indians of such Body or Tribe, or entitled to be considered as such: And

Fourthly—All persons adopted in infancy by any such Indians, and residing in the Village or upon the lands of such Tribe or Body of Indians, and their descendants.

The only important distinction was between European and Indian. Interestingly enough, early definitions of Indian like this one allowed for men and women of European descent who lived with an Aboriginal community to be considered Indian before the law. What mattered more than blood (although this too was important) was the evidence that one lived as an Indian. One would have to assume this distinction was relatively simple to make in the 19th century. Otherwise the definition would have been drafted differently.

As laws governing Indian lands were consolidated, the definition of an Indian in law was redrafted to exclude more Aboriginal people and to encourage the assimilation of registered Indians into the Canadian body politic (RCAP, 1996). Assimilation is genocide according to the United Nations Genocide Convention, signed by Canada in 1949 and unanimously adopted in Parliament in 1952. Chrisjohn and Young with Maraun (1997) have argued that Canada could be tried in violation of the genocide convention for the operation of residential schools. The Canadian Civil Liberties Union, in debates held before Canada enabled legislation in 1952, recognized the potential for Canada's transfer of Indian children to residential schools to be seen as genocide (Churchill, 1997). Enfranchisement was also a key tool of assimilation or genocide.

Enfranchisement, along with definitions privileging patrilineal descent, reduced the number of Indians eligible for the Register. The children of interracial marriages were counted as Indians only when the father was Indian. Native women who married non-Native men were removed from the Register and often distanced from their communities. Over the years there were many ways Indians could lose their status. Some examples include earning a university degree, requesting the right to vote in a federal election, or requesting removal from the Indian Register for a share of the monies that would have gone to the band on their behalf. Most significantly, Indian women who married non-Indian men were enfranchised involuntarily, and the children of these marriages were ineligible for status. Clearly the goal of the Gradual Enfranchisement Act, and its subsequent absorption into the Indian Act, was assimilation (RCAP).

The Métis, as an Aboriginal people, found themselves caught in the middle of the changing legal definitions. The numbers of Métis who would have been entitled to receive the benefits of Indian status in 1850 were gradually reduced by arbitrary legislation. Great pains were taken to extinguish Métis claims to Aboriginal title, and they were not accorded any benefits in exchange for the land. This does not mean that only "full-blooded" Indians were entitled to be registered. What mattered was whether it was one's father or mother who was an officially recognized as Indian. Often these non-status Indians would align themselves politically with the cultural Métis, who had for the most part been denied any rights as Aboriginal people. This denial occurred despite Métis treaties with Canada in the Manitoba Act and the Dominion Lands Act(s).

Being and Becoming Métis as an Example of Identifying

The Métis provide an interesting example of how colonial definitions are played out and affect self-definitions. Most people believe that Métis means simply "mixed" denoting the mixing of the blood of European and Indian parents in their child. The word has been used to designate various groups with a tie to Aboriginal peoples present on the continent before European settlement. How were the new populations that were a result of the new interrelationships between Indian and non-Indian characterized or written about in the earliest times? How did Métis, which originally meant simply mixed, come to mean specific kinds of mixes and in specific times and locations?

Dunn (2001), a descendant of the Red River Métis and consultant to the RCAP, has an excellent Web site (www.othermetis.net) that catalogues the many terms and names that have been used to describe the intermixing of European and Aboriginal peoples. It is important to note that there is little evidence of what these groups of people under discussion preferred to be called in the 19th century, and few records of what they called themselves exist. Most of these terms were used by colonial bureaucrats and traders who thought it important enough and necessary to write about this growing and influential population in their particular region. Included in the list are Acadian, Anglais (halfbreeds raised by English in a French environment), Apitow Coosan (half a person), bembenyik, Boschlopers (wood runners in NY Dutch), Brulé, and Bois-Brulé (Burnt wood, denoting skin color), Canadien (Montreal-based often quarter bloods), Chicot, Country-born (as opposed to settlement-born), Coureur de Bois, Creole, Freeman (gens de libre), Jocot, Habitant, halfcaste, halfbreed, breed (US), Huskies (Inuit-white), Labradorian (as opposed to Newfoundlander or Inuit), Malquidit (people who speak badly), Métis (first used in New Brunswick and Quebec), Métis Ecosais (Scots Indians living in French areas), Mixed Bloods (academics' preference to half-breed), Mustee (Black and Indian), Muktum (NB today), Native (Red River residents' preference in the 1850s), Ootipayimsowak ("People nobody owns" or "People who own themselves"), Rupertslander (permanent halfbreed populations in HBC territory), Scots, Voyageurs (Great Lakes 1777), and Wissakodewinmi (burnt sticks in Ojibwa). The diversity of names used indicates at least two important points. First, the groups now known as Métis were seen as a distinct social fact by most of the social groups sharing the same region. Second, the names accorded these groups of "mixed-race" people are ways for people external to the group to make an identity for them. Obviously some terms are meant to be disparaging. Dunn's ancestors were called Half-breed by the government officials of the day. At the same time, Dunn's great-great-grandfather used the term *Natives of the country* when referring to his group. In any case, as Dunn points out, "the external application of terminology does not guarantee that the term accurately communicates the expression of an internal identity" (para. 22). Identity is a process of being and becoming, and nouns cannot adequately be used to describe identity; rather they merely serve to label and fix a group of persons (Peterson & Brown, 1985). The attributes of the group that make it identifiable as distinct from others are constantly changing, and the words that are used to fix the group also change their referents. The use of the

word Métis was taken up by these groups of "mixed blood" or "ancestry" and applied in different ways and for different ends.

At the constitutional conferences in the mid-1980s the leader of the Métis National Council (1986) stated:

Surely it is more than racial characteristics that makes a people. What about a common history, culture, political consciousness? Our origins, like that of any people when traced back far enough, are mixed, but once we evolved into a distinct aboriginal people, the amount of this much or that much ancestry mattered less than being Métis.

Note that he stressed the acceptance of the community and identification with the community.

This distinction was promoted by the 1996 *Report of the Royal Commission on Aboriginal Peoples*, although it made some concessions for the Congress of Aboriginal Peoples definition of Métis, which is based solely on Aboriginal ancestry (blood). The RCAP (1996) recommendation is as follows:

The Commission recommends that

Métis Identity 4.5.2

Every person who

(a) identifies himself or herself as Métis and

(b) is accepted as such by the nation of Métis people with which that person wishes to be associated, on the basis of criteria and procedures determined by that nation be recognized as a member of that nation for purposes of nation-to-nation negotiations and as Métis for that purpose. (vol. 4, p. 203)

This definition, although leaving the choice of political affiliation to the individual claimant, is broad enough to include both Métis National Council and Native Council of Canada/Congress of Aboriginal Peoples members.

It should be noted that the Commission's recommendation above is made in respect to the sphere of political rights. The Commission (1996) recognizes that the identification of Aboriginal communities for legal purposes has taken a different approach. Essentially, after some analysis, the Commission laid out three elements that seemed to be acceptable to courts in determining membership in an Aboriginal community:

- some ancestral family connection (not necessarily genetic) with the particular Aboriginal people;
- self-identification of the individual with the particular Aboriginal people; and
- community acceptance of the individual by the particular Aboriginal people. (vol. 4, pp. 297-298)

A fourth element was mentioned as also being of relevance in some cases: "a rational connection, consisting of sufficient objectively determinable points of contact between the individual and the particular Aboriginal people" (vol. 4, p. 298). Acceptable criteria include residence, family connections, cultural ties, language, and religion (vol. 4, p. 298).

In many ways it seems as if we have come full circle. Early attempts to legislate who is an Indian were broad and inclusive and allowed for anyone living in an Aboriginal community to qualify as Indian under the law. Definitions became increasingly exclusive, causing inequities and suffering and dissension among Aboriginal peoples. The RCAP (1996) recommended that all Aboriginal people be

entitled to rights as members of an Aboriginal community. But history has seen individuals with Aboriginal "blood" migrate to urban areas where they may not live in Aboriginal communities that are located in a tight geographical configuration. As sound and fair as it may appear for legal reasoning to recognize only Aboriginal communities and the members of those communities, in practice it may again turn out to be a politically expedient way of reducing the numbers of Aboriginal people whom the government must recognize. In the end it really may be up to individuals in communities of interest to decide what factors of their personality and culture make them distinctly Aboriginal and continue a process of being and becoming that cannot be legislated.

The Impact of Identity

Once when I was talking to a friend and tenant at a Native housing co-op where I worked, I told her that my lack of knowledge on a particular issue was because I was not a politically active person. She replied, "For an Indian, being born is political." I realize now that she meant that from the time we are born, as Indians we are in a particular relationship with the Canadian state by virtue of the treaties, the Indian Register, and the Indian Act. She also meant that because the state had been seeking our disappearance for centuries, each time one more of us is born we are directly in opposition to the goals of the state. Each of us through our birth proved we would not disappear. When we are born, we are defined by the state as a particular kind of Indian. Either we are eligible for the Indian Register and designated a Status Indian, or we are denied the rights that this heritage should lend itself to. There were times when not being registered was an advantage because the strict enforcement of the Indian Act imposed many measures on recognized Indians. The drawback, of course, was that many identifiable Indians were disallowed connections with their extended families and some of the treaty rights their ancestors had negotiated.

Using strictly the legal view of Indianness, in my family's experience, my father was born an Indian, later "earned the right not to be an Indian" through enfranchisement, and many years later was seen as a Status Indian once again. I was not born an Indian and was given Indian Status only after passage of the amended Indian Act of 1985. Receiving that card in the mail made me question a lot of things, and it caused me to look at my family in a new way. I was confused about how we had an identity decided for us. Why was it not a given that we could define for ourselves who we were?

The issue of Aboriginal identity is most often played out in Canadian law. Aboriginal "difference" from others is used to maintain inequities in power when it is convenient for those with power (Macklem, 1993). However, when our difference results in what is seen as privilege, arguments are made that treating Aboriginal people differently is "un-Canadian" because it is in opposition to the stated goal of equality among individuals before the law. There is a constructed image of what Indians are supposed to be that has to be played into or against in order to make advances in Canadian institutions, especially courts of law (Crosby, 1992; Razack, 1998). If we do not appear Indian enough or do not exhibit enough of the traits that are somewhat expected of Indians, then we will be judged to be no longer different enough from the Euro-Canadian assumption of the mainstream,

and thus no longer Aboriginal. We will, in fact, be assumed to have assimilated into the assumed mainstream Canadian norm.

This line of logic has been argued by lawyers for the Crown in the case for Gitksan-Wet'suwet'en Aboriginal title (Crosby, 1992). The Crown argued that because the contemporary Gitksan eat pizza from microwaves and drive cars, they have essentially given up their Aboriginality. Indian rights flow only to those who meet the criteria for authenticity established by the Eurocentric courts (Crosby). Sustained colonization has caused many Aboriginal people to move away from a subsistence economy to a market economy, often without their choice. Many of the traditional ways of life seen from the Eurocentric position as "authentic Indian ways" have been altered by the imposition of colonial policies and laws, and then these very changes are used against us as arguments that we are no longer Aboriginal people.

The criteria accepted in the legal system, however, are often limited to material "stuff." What makes one Aboriginal is not the clothes one wears or the food one eats, but the values one holds. There is more to Aboriginal cultures than "fluff and feathers" (Doxtator, 1992). Johnston (1995), an Ojibwe ethnologist, recalls the time a young student in an elementary school, having spent five weeks learning about tipis, buckskin, canoes, and so much other stuff, asked him, "Is that all there is?" Johnston wanted people to know that there was more to Anishinabe culture than mere stuff, and this led him to write books like *Ojibway Heritage* (1976), *Ojibway Ceremonies* (1982), and *The Manitous* (1995). Unfortunately, in museums, movies, and courts of law it is the stuff that is exhibited. We are not Indian unless we prove that we still cling to the stuff that defined us in the eyes of others over 100 years ago. This conception will continue as long as we talk about identity and not identifying.

An interesting exercise is to turn these arguments around and apply them to the Eurocentric arguments for our assimilation. Does the lawyer who said the Gitksan-Wet'suwet'en drive cars realize that Europeans did not drive cars at the point of contact either? Was this lawyer wearing the same clothes his forefathers wore in 1763? Does this lawyer use the number zero? I think the use of the zero may have been a case of cultural adoption, not unlike the Aboriginal people who adopt the use of snowmobiles. The culture that made the law is privileged to adapt and change over time, whereas the Aboriginal cultures are denied this same privilege. Although it may not be the stated objective of the law, the result is often the maintenance of inequitable relations of power. Keeping Indians in the place they had at confederation is a goal of the consolidated Indian Act of 1876.

Conclusion

The Indian Act had as its goal nothing less than the assimilation of Aboriginal people in Canada (RCAP, 1996). A key strategy in achieving this goal was increasingly to limit who is an Indian by law and to change the status of those who were already on the list through enfranchisement. In this law "Indians" are identical to one another, but "different" from the Canadian power majority. The writers of legislation did not consider our cultures and histories important. Our identity as Indians was invented. Although at times we have used this identity to our own interests, forming coalitions across cultures to seek political gains (such as in-

clusion in the Constitution Act, 1982), we have also used these invented identities against one another, allowing these government categories to intrude on our social and cultural affairs (Coates, 1999). In our lives, in our work, in our efforts to educate others, let us identify as Aboriginal people from our inside place, from ourselves, our communities, our traditions. Let us not allow others to decide our identity for us.

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